

ORDINANCE NO. 2022-10-CM
ADDING NEW SECTION 70.05
TO THE TIPPECANOE COUNTY CODE
SPEED LIMITS AND TRAFFIC CONTROL DEVICES

WHEREAS, the Board of Commissioners of Tippecanoe County wishes to simplify the process for updating Speed Limits and Traffic Control Devices on County Highways; and

WHEREAS, IC 8-17-1-40 authorizes the Board of Commissioners to adopt ordinances regulating traffic on any county highway subject to IC 9-21; and

WHEREAS, IC 9-21-5-6 authorizes the County to determine the reasonable and safe maximum limit on highways within its jurisdiction;

NOW, THEREFORE, BE IT ORDAINED, by the Board of Commissioners of Tippecanoe County, Indiana that Tippecanoe County Code Section 70.05 is hereby added to the Tippecanoe County Code to read as follows:

SECTION 70.05 SPEED LIMITS AND TRAFFIC CONTROL DEVICES

- (a) A person operating a vehicle on a county highway must comply with speed limit signs in accordance with IC 9-21-5, County Code 70.01, and County Code 70.02.
- (b) The county has determined on the basis of engineering and traffic investigations that the maximum speed permitted under IC 9-21-5, County Code 70.01, or County Code 70.02 is greater or less than reasonable and safe under the conditions that exist on certain county highways or parts of highways. Therefore, in the event of a conflict between those authorities and pursuant to IC 9-21-5-6 and County Code 70.01(D)(1), the speeds set forth under this section shall govern to the extent permitted by law.
- (c) The county determines and declares that the reasonable and safe maximum limit for these highways are the speed limits set forth in a document entitled "Tippecanoe County Speed Limits and Traffic Control Devices," which is to be maintained by the county highway department. Such document shall include, at a minimum, those locations set forth in Schedule I of Chapter 72 of the Tippecanoe County Code so long as those schedules remain in effect.
- (d) A person operating a vehicle on a county highway must comply with a stop or yield sign erected at a specified entrance to a county highway in accordance with IC 9-21-4.
- (e) The county shall install and maintain stop or yield signs at the locations set forth in the document entitled "Tippecanoe County Speed Limits and Traffic Control Devices," which is to be maintained by the county highway department. Such document shall include, at a minimum, those locations set forth in Schedules III and IV of Chapter 72 of the Tippecanoe County Code so long as those schedules remain in effect.
- (f) The board of commissioners may approve, by motion made in open meeting, amendments to the list contained in the "Tippecanoe County Speed Limits and Traffic Control Devices."
- (g) A violation under this section is a Class C infraction unless the person exceeds a speed limit on a street or highway upon which a school is located under IC 9-21-5-6(f) in which case the violation is a Class B infraction.

This Ordinance shall be in full force and effect upon its passage, signing, and publication as required by law.

Presented to the Board of Commissioners of Tippecanoe County, Indiana, and approved on first reading this ____ day of _____, 2022, by the following vote:

BOARD OF COMMISSIONERS OF
TIPPECANOE COUNTY

VOTE

David S. Byers, President

Tracy A. Brown, Vice President

Thomas P. Murtaugh, Member

ATTEST:

Robert Plantenga,
Auditor of Tippecanoe County

Presented to the Board of Commissioners of Tippecanoe County, Indiana, and approved on second reading this ____ day of _____, 2022, by the following vote:

BOARD OF COMMISSIONERS OF
TIPPECANOE COUNTY

VOTE

David S. Byers, President

Tracy A. Brown, Vice President

Thomas P. Murtaugh, Member

ATTEST:

Robert Plantenga,
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