

AN ORDINANCE TO AMEND SUMTER COUNTY SPEEDING REGULATIONS

WHEREAS, Sumter County Council previously enacted Ordinance 00-402 establishing the Speeding Regulations for roadways maintained by Sumter County; and

WHEREAS, the Sumter County Speeding Regulations are codified in Chapter 38, Article II, Sections 38-19 through 38-22 of the Code of Ordinances for Sumter County South Carolina; and

WHEREAS, Sumter County Council desires to amend certain parts of the Sumter County Speeding Regulations to reflect the requests of the citizens

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF SUMTER COUNTY, SOUTH CAROLINA, AT ITS REGULAR MEETING DULY ASSEMBLED AND BY THE AUTHORITY THEREOF:

Chapter 38, Article II, Sections 38-19 through 38-22 of the Code of Ordinances for Sumter County South Carolina are hereby amended to read as follows:

Sec. 38-19. - Establishing maximum safe speed limits.

In accordance with § 56-5-1520 of the *Code of Laws of South Carolina* (2006, as amended), the maximum lawful speeds for roadways maintained by the County are as follows:

(a) A person shall not drive a vehicle on a highway at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing. Speed must be so controlled to avoid colliding with a person, vehicle, or other conveyance on or entering the highway in compliance with legal requirements and the duty of a person to use care.

(b) Except when a special hazard exists that requires lower speed for compliance with subsection (a), the limits specified in this section or established as hereinafter authorized are maximum lawful speeds, and a person shall not drive a vehicle on a highway at a speed in excess of these maximum limits:

(1) sixty miles an hour on multilane divided primary highways where official signs giving notice of this speed limit are posted;

(2) fifty-five miles an hour in other locations or on other sections of highways and unpaved roads are limited to the speed of forty miles an hour; and

(3) manufactured, modular, or mobile homes must not be transported at a speed in excess of ten miles below the maximum posted speed limit when the maximum posted speed limit is in excess of forty-five miles an hour, and never in excess of fifty-five miles an hour.

(c) Thirty miles an hour is the maximum speed in an urban district. "Urban district" means the territory contiguous to and including any street which is built up with structures devoted to business, industry, or dwelling houses situated at intervals of less than one hundred feet for a distance of a

quarter of a mile or more.

Sect. 38-20. – Maximum safe speed limit established; changes.

(a) The Administrator shall use his discretion from time to time, based upon engineering and traffic investigations, to:

- (1) reduce the speed limit to less than thirty miles an hour in an urban district; or
- (2) decrease the limit at intersections; or
- (3) decrease the limit outside an urban district, but not to less than thirty-five miles an hour; or
- (4) increase or decrease the limit for arterial streets in an urban district

provided, that such changes must be approved by the County Council.

(b) Not more than six such alterations as authorized above may be made for each mile along a street or highway, except in the case of reduced limits at intersections, and the difference between adjacent limits must not be more than ten miles an hour.

(c) The Administrator shall consider recommending to the County Council that the speed limit of any particular county-maintained road be changed if he receives a petition requesting a change signed by two-thirds (2/3) of the residents who live on the particular road and the petition states the reason for the requested change.

Sec. 38-21 – Posting of maximum safe speed limit; no liability to county.

Any altered limit established as hereinabove authorized is effective when appropriate signs giving notice thereof are erected upon the street or highway. Otherwise, signs may be posted on county-maintained roads displaying the maximum speed limit where the Administrator, or his designee, determines that they are necessary. Nothing in this article shall impose any duty on the county, its agencies, departments and employees, to post maximum safe speed limit signs on any county-maintained roadway, nor shall failure to post or maintain such speed limit signs on any county-maintained roadway be construed to impose any liability upon the county, or any of its agencies, departments and employees.

Sec. 38-22 – Speed restriction on county-maintained roadways; fines.

The Administrator, or his designee, shall further notify the office of the County Sheriff, and other law enforcement agencies within the county, to request enforcement of the speed limits as established by the article and according to the penalties established by state law. Any citations for violating the speed limits issued by any authorized officer must note on it the rate of speed for which the citation is issued.

This Ordinance shall take effect upon third reading.

This Ordinance is done, ratified and adopted February 28, 2012, 2012.

THE COUNTY COUNCIL FOR SUMTER COUNTY,
SOUTH CAROLINA (SEAL)

BY: Eugene R. Baten
Eugene R. Baten
Its: Chairman

ATTEST:

Mary W. Blanding
Mary W. Blanding
Its: Clerk of County Council

First Reading: December 13, 2011.

Second Reading: February 14, 2012.

Public Hearing: February 14, 2012

Third Reading and Adoption: February 28, 2012.