

## **ORDINANCE NO. 175**

### AN ORDINANCE ESTABLISHING SPEED REGULATIONS WITHIN THE TOWN OF BATTLE GROUND, INDIANA

WHEREAS, the state legislature has passed legislation which authorizes the Town Board to adopt an ordinance regulating speed limits within the boundaries of any town.

WHEREAS, the Town of Battle Ground has previously adopted in the past an ordinance regulating such speed limit. The Town of Battle Ground is desirous of repealing said [Ordinance No. 107, Article V, Section 40](#), and adopting a new ordinance establishing speed limits within the Town of Battle Ground.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF BATTLE GROUND THAT THE FOLLOWING ORDINANCE IS HEREBY ADOPTED:

SECTION 1. Speed Regulations. No person shall 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. In every event speed shall be so restricted as may be necessary to avoid colliding with any person, or vehicle or other conveyance on or near, or entering a highway in compliance with legal requirements and with the duty of all persons to use due care.

SECTION 2. Residential Speed Limits. The maximum speed limit upon any highway, street, or thoroughfare within the boundaries of the Town of Battle Ground is hereby established at 30 m.p.h. except as provided in Section 3 of this Ordinance.

School Zone. The maximum speed limit on any highway, street or thoroughfare which is contiguous to any school zone shall be 20 m.p.h. between the hours of 8:00 to 9:00 AM and from 2:30 to 4:00 PM; otherwise the speed limit shall be 30 m.p.h.

SECTION 3. (Amended by [Ordinance 2014-532](#), adopted 11/3/2014.)  
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#### **Section 3, before amendment:**

SECTION 3. School Zone. The maximum speed limit on any highway, street or thoroughfare which is contiguous to any school zone shall be 20 m.p.h. when children are present; otherwise the speed limit shall be 30 m.p.h.

SECTION 4. Signs. The Town of Battle Ground is hereby authorized to post speed limit signs in appropriate and conspicuous locations to reflect the speed limits herein designated.

SECTION 5. Penalty. Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be fined in an amount not exceeding (as prescribed by County Court) or be imprisoned not more than (as prescribed by County Court) days or be subject to fine and imprisonment.

SECTION 6. Separability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance shall for any reason be held invalid or unconstitutional by any court or competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereunder.

SECTION 7. Repealer. [Ordinance No. 107, Article V, Section 40](#), and any other ordinance in conflict herewith are hereby repealed.

SECTION 8. Effective Date. This Ordinance shall be in full force and effect from and after notice, passage by the Board of Trustees, all in the manner provided by law.

PASSED AND ADOPTED by the Board of Trustees of the Town of Battle Ground, Tippecanoe County, Indiana, on this 8th day of September, 1980.

*Melvin Swisher*

Melvin Swisher - presiding

*Hugh Ralstin*

Hugh Ralstin

Richard Youells Jr.

Marilyn Adams

Attest:

*Judith E. Marks*

## CERTIFICATION

THIS IS TO CERTIFY THAT ORDINANCE NO. 175 WAS POSTED IN THE FIVE WARDS IN BATTLE GROUND, TIPPECANOE COUNTY, INDIANA ON THE 20TH DAY OF AUGUST, 1980 AS FOLLOWS:

WARD # 1 S W CORNER TIPTON & COLLEGE STREETS

WARD # 2 S E CORNER WINANS & NORTH STREETS

WARD # 3 MAIN STREET AT LIONS BUILDING

WARD # 4 5 W CORNER JEFFERSON & "E" STREETS

WARD # 5 5 W CORNER LIBERTY & MAIN STREETS

*Judith E. Marks*

Judith E. Marks, Clerk Treasurer