

COMMONWEALTH OF KENTUCKY
MASON FISCAL COURT
ORDINANCE NO. 17-09

**AN ORDINANCE REPEALING ORDINANCE NO. 13-05
AND ESTABLISHING MAXIMUM SPEED LIMITS FOR
ROADWAYS WITHIN THE COUNTY MAINTAINED
ROAD SYSTEM**

WHEREAS, the Mason Fiscal Court adopted Ordinance No. 13-05 establishing maximum speed limits for roadways within the County Maintained Road System; and

WHEREAS, Ordinance No. 13-05 created a number of different speed limits applicable to various roadways depending upon the classification of such roadways, and enforcement has been hampered by the difficulty in determining the applicable speed limit under such ordinance; and

WHEREAS, the Mason Fiscal Court finds that a single speed limit is not appropriate for all of the roadways within the County Maintained Road System, but that Ordinance No. 13-05 is overly complicated and difficult to enforce.

NOW THEREFORE, THE FISCAL COURT OF MASON COUNTY, KENTUCKY, does hereby **ORDAIN** as follows:

1. That Ordinance No. 13-05 is hereby **REPEALED**.
2. A maximum speed of 35 miles per hour is hereby established for all roadways within the County Maintained Road System, subject to the exception established below.
3. There are roadways within the County maintained road system which because of congestion, traffic, the location of residences or businesses, the narrowness of the roadway, curves, hills vegetation or other topographical features, or other factors, are unsafe to travel at or near the maximum speed limit above. Accordingly, the Mason Fiscal Court does hereby

authorize and direct the Judge/Executive, with the assistance of the Road Supervisor, to identify and list those roadways on which a lower speed limit is required. For all such roadways identified by the Judge/Executive from time to time, and reported to the Fiscal Court upon creation or amendment, a reduced maximum speed limit of 15 miles per hour is hereby established.

4. Upon dedication of new roads, acceptance thereof, and adoption into the County Maintained Road System, the maximum speed limits for such roadways will be 35 miles per hour, unless identified and listed by the Judge/Executive as subject to the reduced maximum speed limit as provided in the immediately preceding paragraph.

5. Regardless of the maximum speed limits established hereby, no person shall operate a motor vehicle on the roadways in Mason County's County Maintained Road System at a speed which is excessive considering the condition of the roadway.

6. The Judge/Executive, with the advice of the Road Supervisor, may from time to time create and post advisory maximum speed limit on portions of roadways where required in the interest of public safety. Such areas shall be posted on a yellow sign and indicate that such reduced speed areas are advisory or cautionary in nature, and do not change the speed limits for the roadway as established hereunder and advisory maximum speed limits should not be the basis for citing or prosecuting a motorist for excessive speed.

7. KRS 189.390 is incorporated herein by reference, and upon violation of this ordinance, the penalties set forth in KRS 189.394 shall be imposed.

8. Nothing herein shall be construed as a finding that any roadway within the County Maintained Road System is safe for a motorist to operate at the maximum speeds established herein. Rather, drivers are cautioned to drive at a speed which is safe considering the roadway,

visibility, and traffic.

Given first reading this 13th day of June, 2017.

Thereafter, given second reading, and unanimously adopted, after publication in accordance with KRS Chapter 424 this _____ day of July, 2017.

Hon. Joseph P. Pfeffer
Judge/Executive

ATTESTED BY:

Stephanie Schumacher
Mason County Clerk