

**IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI**

**AN ORDINANCE** repealing sections 5200., 5220., 5226., 5227., and 5255., Jackson County Code, 1984, relating to traffic regulation and enforcement, and enacting in lieu thereof, six new sections relating to the same subject, with a penalty provision.

**ORDINANCE #4265**, November 1, 2010

**INTRODUCED BY** James D. Tindall, County Legislator

WHEREAS, on August 23, 2010, the revised County Home Rule Charter took effect, as authorized by the County's voters on August 3, 2010; and,

WHEREAS, article III, section 16.3 of the revised Charter authorizes the County Legislature to exercise legislative power in the part of the County within incorporated cities by County ordinance; and,

WHEREAS, in order to provide for improved public safety, the Legislature has determined to extend the Sheriff's Office's ability to enforce County traffic regulations countywide, to include territory within the corporate limits of cities, towns, and villages; and,

WHEREAS, the Sheriff recommends this extension of his office's jurisdiction; now therefore,

BE IT ORDAINED by the County Legislature of Jackson County, Missouri, as follows:

Section A. Enacting Clause. Sections 5200., 5220., 5226., 5227., and 5255., Jackson

County Code, 1984, are hereby repealed, and six new sections enacted in lieu thereof, to be known as sections 5200., 5220., 5226., 5227., 5255., and 5266., to read as follows:

5200. Scope.

The provisions of this [code] chapter shall apply to [the entire Jackson County park system, the unincorporated part of Jackson County excluding all highways maintained by the Missouri State Highway Commission, and within the territorial limits of any city within Jackson County with which the county has entered into an intergovernmental agreement relating to enforcement of county ordinance violations] all highways within the geographic boundaries of Jackson County, unless specifically provided to the contrary herein.

5220. County Traffic Engineer.

The Director of Public Works shall serve as County Traffic Engineer, with jurisdiction over highways located in those portions of the County outside the corporate limits of any city town, or village that is not maintained by the Missouri State Highways and Transportation Commission.

5226. Traffic Regulation, Ultimate Authority.

The ultimate authority to regulate traffic within the jurisdiction [set forth in] of the County Highway Engineer as set out in section 5220. of this chapter resides solely in the County Legislature. Actions of the County Traffic Engineer in setting speed limits, placing traffic control devices designating parking and loading zones, and carrying out other regulatory

functions are subject to final approval of the County Legislature.

5227. Sheriff, Emergency Traffic Regulation.

The Sheriff, by and with the approval of the County Traffic Engineer, is empowered to make regulations necessary to carry out the provisions of the county traffic ordinances and to make and enforce temporary or experimental regulations to cover emergencies or special conditions, but only as to those portions of the county outside the corporate limits of any city town or village.

5227.1 Length of Temporary or Emergency Regulation.

No temporary on experimental regulations shall remain in effect for more than ninety (90) days unless renewed.

5227.2 Renewal of Temporary or Emergency Regulation.

On approval of the County Traffic Engineer the temporary or emergency regulation may be renewed for an additional ninety (90) days.

5255. Parades, Notice to Sheriff.

No procession or parade which contains two hundred (200) or more persons or which contains fifty (50) or more vehicles shall occupy, march or proceed along any highway, outside the corporate limits of any city, town or village, unless the Sheriff is notified at least seven (7) days in advance of the procession or parade.

5255.1 Exception.

The notice requirement of section 5255.00 shall not apply to funeral processions, the armed forces of the United States, the military forces of Missouri and the members of police and fire departments.

5266. Speed Limits, Within Corporate Limits

No person shall drive or operate a motor vehicle on any highway within the corporate limits of any city, town, or village, at a rate of speed in excess of that prescribed by ordinance properly enacted by the governing body with jurisdiction, within a zone determined and indicated with numeral signs or markings designating those speed limits.

Section B. Penalty Provision. Any violation of the penal section of this Ordinance shall be punishable pursuant to section 5234., Jackson County Code, 1984.

Effective Date: This Ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:

  
Chief Deputy County Counselor

  
Acting County Counselor

I hereby certify that the attached Ordinance, Ordinance #4265 introduced on November 1, 2010, was duly passed on November 8, 2010 by the Jackson County Legislature. In the votes thereon were as follows:

Yeas 8

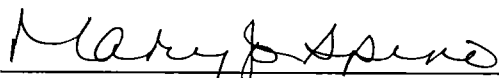
Nays 0

Abstaining 0

Absent 1

This Ordinance is hereby transmitted to the County Executive for his signature.

11.9.10  
Date

  
Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance #4265.

11/10/2010  
Date

  
Michael D. Sanders, County Executive