SPONSOR: William Emerson
4th District Councilman

ORDINANCE NO. 9279

AN ORDINANCE AMENDING TITLE VII OF THE HAMMOND MUNICIPAL CODE TRAFFIC SCHEDULE III AND SETTING A SCHOOL SPEED ZONE LIMIT AT 165th AND HOHMAN AVENUE FOR 25 MPH

WHEREAS, Under Indiana law the City of Hammond has the statutory power to "regulate conduct, or use or possession of property that might endanger the public health, safety or welfare." (I.C. 36-8-2-4).; and

WHEREAS, the Indiana Code specifically grants municipalities such as Hammond Home Rule to adopt local laws needed for the effective operation of the government. (I.C. 36-1-3-1, 2); and

WHEREAS, The City of Hammond maintains a written and formally codified Municipal Code, and this Municipal Code sets forth in detail as part the City's legitimate and appropriate police powers, including Traffic Rules in Chapter 71; and

WHEREAS, Local municipalities, such as Hammond are given the specific statutory authority to adopt regulations that do not conflict with or duplicate existing state statutes, including traffic matters; and

WHEREAS, the area of Hammond at 165th and Hohman Avenue is an area where a school exists and the Hammond Police Department wishes to post the speed limit in this area as 25 miles per hour; and

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Hammond that Title VII, Schedule III of the Hammond Municipal Code includes as follows:

SCHEDULE III: SPEED LIMITS

(A) The posted vehicular speed limit for 165th and Hohman Avenue is 25 miles per hour.

(B) The City of Hammond intends to create an enforceable Ordinance which is compliant with all Federal, State and Local laws, in the event, that this Ordinance, or any part of it, or any provision, or any classification contained therein, is found to be unconstitutional, the remaining portion will remain in effect and will be found to be valid.

BE IT FURTHER ORDAINED by the Common Council that this Ordinance shall be

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in full force and effect from and after its passage by the Common Council, signing by the President thereof and approval by the Mayor.

ADOPTED AND APPROVED BY the Common Council of the City of Hammond, Indiana, this 15th day of December, 2014.

_____
Michael Opinker, President /s/
Hammond Common Council

ATTEST:

_____
Robert J. Golec, City Clerk /s/
City of Hammond, Indiana

PRESENTED BY ME, the undersigned City Clerk of the City of Hammond, Indiana, to the Mayor, for approval and signature, this 16th day of December, 2014.

_____
Robert J. Golec, City Clerk /s/
City of Hammond, Indiana

The foregoing Ordinance No. 9279 consisting of two (2) typewritten pages, including this page, was APPROVED AND SIGNED BY ME, the undersigned Mayor of the City of Hammond, Indiana, this 19th day of December, 2014.

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Thomas M. McDermott, Jr., Mayor /s/
City of Hammond, Indiana

PASSED by the Common Council on the 15th day of December, 2014 and approved by the Mayor on the 19th day of December, 2014.

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Robert J. Golec, City Clerk /s/
City of Hammond, Indiana