

Ordinance No. 17-839

AN ORDINANCE ESTABLISHING SCHOOL TRAFFIC ZONES

General Provisions

A. Pursuant to Ordinance No. 17-839, the Village of St. Elizabeth determined to establish a school zone in the area of St. Elizabeth School R-IV (“School Zone”), as further defined below;

B. The Ordinance will establish designated speed limits for the School Zone which will be posted by signage in compliance with state regulations. The Ordinance will also establish a penalty for the violation of the same.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF ST. ELIZABETH, MISSOURI, AS FOLLOWS:

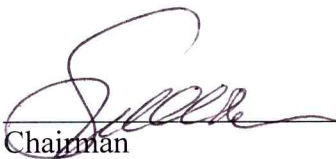
1. **Location.** The School Zone shall be within the following locations;
 - a. Beginning at the intersection of Walnut Street/Hwy 52 and Church Street and continuing northeast on Church Street in front of the school and ending at Jefferson Street; and
 - b. Beginning at the intersection of Franklin Street and Hwy 52 and continuing southeast on Franklin Street to the intersection of Franklin Street and Church Street.
2. **Speed Limit.** The reduced speed limit within the School Zone shall be 20 mph on school days or when children are present. Reckless and imprudent driving within the School Zone is also prohibited.
3. **Signage.** Signage in compliance with applicable state regulations shall be installed and/or maintained to indicate the presence of the School Zone and the reduced speed limit in effect.
4. **Violation.** A person who violates the speed limit and/or this Ordinance shall be


guilty of the applicable Missouri State Law and/or a Class C Misdemeanor. A violation of this Ordinance is punishable by a fine of up to \$500. This Ordinance may be enforced by the Miller County Sheriff's Department and/or other state law enforcement agencies.

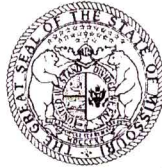
5. **Date of Effect.** This Ordinance shall become effective immediately upon adoption or as soon as signs are in place.

6. **Severability.** If any provision of this Ordinance is found by a court of competent jurisdiction to be void or unenforceable, such void or unenforceable provision shall be severed as though it never formed a part of this Ordinance, and all other provisions hereof shall remain in full force and effect.

Publicly read and passed by a majority vote of the Board of Trustees this 17th day of July, 2017.


Chairman

ATTEST:

City Clerk



**OFFICE OF THE PROSECUTING ATTORNEY
MILLER COUNTY, MISSOURI**

2001 Hwy. 52, P.O. Box 12, Tuscumbia, MO 65082
573-369-1940 Fax 573-369-1949

R. Benjamin Winfrey
Prosecuting Attorney

Richard Holtmeyer
Asst. Prosecuting Attorney

June 23, 2017

VIA EMAIL

Douglas A. Stultz
Sigmund Browning, LLC
305 E. McCarty Street, Suite 300
Jefferson City, MO 65101

Re: Saint Elizabeth School Zone

Dear Dougg:

Thank you for the opportunity to help the Saint Elizabeth Community by creating and enforcing a school zone. I have reviewed the proposed ordinance and believe it is both legal for your Board to promulgate and appropriate to protect Saint Elizabeth children. I will enforce the ordinance in Miller County Associate Circuit Court as it is drafted in the proposal provided to me.

The ordinance's enforcement will require cooperation from the Miller County Sherriff's Department or other law enforcement agencies with jurisdiction in Saint Elizabeth. As such, I have taken the liberty of copying Sheriff Louis Gregoire on this letter to let him know I will provide enforcement to his department's citations. I am quite confident Sheriff Gregoire is equally pleased to protect the students of Saint Elizabeth.

Very truly,

A handwritten signature in black ink that reads "Benjamin Winfrey".

R. Benjamin Winfrey
Miller County Prosecuting Attorney

cc: Sheriff Louis Gregoire

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Subject: FW: School Zone Ordinance

From: Dougg Stultz <dstultz@msblawfirm.com>

Date: Fri, Jun 23, 2017 1:34 pm

Shannon Wilde <shannon.c.wilde@us.army.mil>, "Oligschlaeger, Thomas R MSG USARMY NG MOARNG (US)"

To: <thomas.r.oligschlaeger.mil@mail.mil>, Robb Kemna <robbkemna@hotmail.com>, Paul Heckemeyer <paheckemeyer@mofb.com>

Cc: Megan Wright <megan@stetv.net>

Attach: image001.jpg

FYI – See below. Winfrey is good with the Ordinance.

Megan – Can you please print this e-mail and save it? I will also forward Winfrey's formal letter when I receive it.

Thanks,

Douglas A. Stultz

Sigmund Browning, LLC

305 E. McCarty Street, Suite 300

Jefferson City, MO 65101

Telephone: (573)635-7699

Facsimile: (573)635-7425

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From: Ben Winfrey [mailto:bwinfrey@millercountymohio.org]

Sent: Friday, June 23, 2017 1:26 PM

To: Dougg Stultz <dstultz@msblawfirm.com>

Subject: RE: School Zone Ordinance

Doug.

Thank you very much and I am sorry for my delay. My assistant PA quit so I am stretched pretty thin today. Yes- I did get the opportunity to review it and I am very happy to enforce it in court. I will email you a formal letter on letter head with my opinion today. As I said, if there is ever a challenge we may need to ask the county commission to create an identical ordinance. But I think we are in the free and clear. I will copy Louie on the letter.

Also, is there ever a time I can come and address the board or maybe listen to questions or comments? I would like to make sure I make the rounds to all the city councils or boards and ensure you are all being properly serviced by my office and law enforcement. I never want to find out we can make improvements after it is too late.

Thanks!
Ben

From: Dougg Stultz [<mailto:dstultz@msblawfirm.com>]
Sent: Thursday, June 22, 2017 4:36 PM
To: Ben Winfrey <bwinfrey@millercountymo.org>
Subject: FW: School Zone Ordinance

Hi Ben:

Did you have a chance to review the proposed ordinance?

Thanks,

Douglas A. Stultz
Sigmund Browning, LLC
305 E. McCarty Street, Suite 300
Jefferson City, MO 65101
Telephone: (573)635-7699
Facsimile: (573)635-7425

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From: Dougg Stultz
Sent: Tuesday, June 20, 2017 2:43 PM
To: 'bwinfrey@millercountymo.org' <bwinfrey@millercountymo.org>
Cc: Dougg Stultz <dstultz@msblawfirm.com>
Subject: School Zone Ordinance

Hi Ben:

It was a pleasure speaking with you today. Attached is the current draft of the proposed School Zone Ordinance. Can you please take a look at it and let me know if this is something that you would be okay with enforcing. Please let me know if you have any questions or suggested additions/revisions.

Thanks!

Douglas A. Stultz
Sigmund Browning, LLC
305 E. McCarty Street, Suite 300
Jefferson City, MO 65101

Telephone: (573)635-7699
Facsimile: (573)635-7425

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