

**AN ORDINANCE OF THE TOWN OF NUTTER FORT**  
**REDUCING THE SPEED LIMIT ON RESIDENTIAL STREETS**

**WHEREAS**, the Town of Nutter Fort has received numerous complaints on the speeding of vehicles on residential streets in the Town and there have been recent automobile accidents on Town residential streets that involved vehicles traveling at a high rate of speed; and

**WHEREAS**, two (2) daycare facilities are located on Town streets where the speed of vehicles can certainly create a safety issue; and

**WHEREAS**, as a result, the Traffic Advisory Committee of the Town of Nutter Fort has recommended that the speed limit on certain residential streets be reduced from 25 mph to 15 mph for safety reasons; and

**WHEREAS**, on a side note, legislation has been introduced in the 2025 Legislative Session reducing the speed limit in the area of any daycare similar to school zones; and

**WHEREAS**, pursuant to West Virginia Code 17C-6-3(d), municipalities are given express authority to decrease a twenty-five (25) mile per hour speed limit at its discretion, and post signs giving notice of the authorized speed; and

**WHEREAS**, the Town Council believes it is reasonable and necessary for the safety of the residents of Nutter Fort and the motoring public to reduce the speed limit on certain residential streets and alleys and lanes in Nutter Fort from 25 mph to 15 mph; and

**WHEREAS**, said reduction of the speed limit, pursuant to the aforementioned Code section, shall become effective upon approval by the Nutter Fort Town Council, as residential streets are not a State right-of-way.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF NUTTER FORT THAT ARTICLE 335.03 OF THE CODE OF NUTTER FORT IS HEREBY REVISED TO READ AS FOLLOWS:**

**Article 335.03 SPECIAL SPEED LIMITATIONS.**

(a) Subject to all other speed restrictions of this Traffic Code, no person shall drive a vehicle not designed for carrying passengers and equipped with pneumatic tires at a speed in excess of:

- (1) Twenty-five (25) mph on all streets within the Town of Nutter Fort, except those specified in the following paragraph (2);
- (2) Fifteen (15) mph for:
  - a. all alleys and lanes within the Town of Nutter Fort;
  - b. Romano Street;
  - c. the 300 block and the 400 block of West Virginia Avenue; and

d. West Virginia Avenue South (Buckhannon Pike to Franklin Street);

(3) Forty (40) mph on open country highway; and

(4) Trucks licensed at 8,000 pounds gross vehicle weight or less shall be permitted the same speed as passenger cars.

(W.Va. Code § 17C-6-4)

(b) No person shall drive any vehicle equipped with other than pneumatic tires at a speed greater than a maximum of ten mph.

(c) No person shall drive a vehicle over any bridge or other elevated structure constituting a part of a street or highway at a speed which is greater than the maximum speed which can be maintained with safety to such bridge or structure, when such structure is so signposted.

(W.Va. Code § 17C-6-5)

This Ordinance shall be effective upon passage.

Passed by Council of the Town of Nutter Fort on FIRST READING on this 13th day of May, 2025.

Passed by Council of the Town of Nutter Fort on SECOND READING on this 27th day of May, 2025.

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MAYOR

ATTEST:

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TOWN RECORDER