

BILL NO. 3168

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 86 OF THE BRANSON CITY CODE, TRAFFIC AND VEHICLES, ARTICLE I *IN GENERAL* BY ADDING A NEW SECTION 86-3 TO ESTABLISH PENALTIES FOR MOVING VIOLATIONS IN CONSTRUCTION ZONES.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF BRANSON, MISSOURI, AS FOLLOWS:

Section 1: That Chapter 86, of the Branson City Code, *Traffic and Vehicles*, Article I, *In General*, is hereby amended by adding a new Section 86-3, which shall hereafter reads as follows:

MOVING VIOLATION IN CONSTRUCTION ZONE; PENALTY

- (a) **Any moving violation, occurring within any construction zone or work zone, as defined below, shall be punishable by a fine of no less than Two Hundred Fifty Dollars (\$250.00) but no more than Five Hundred Dollars (\$500.00) and/or up to ninety (90) days in the Branson City jail. A "moving violation" shall mean, any violation of any section of Articles III or VI of this Chapter 86 where at the time of violation the motor vehicle involved is in motion.**

- (b) **As used in this Section, the terms "construction zone" and "work zone" mean any area upon or around any street, highway, alley, or sidewalk of this City, which is visibly marked with signage as an area where construction, maintenance, or other work is temporarily occurring and further including the lanes of any street, highway, or alley leading up to that area upon which an activity described in this subsection is being performed, beginning at the point where signs designating the area as a construction zone or work zone are posted.**

- (c) **The penalty authorized in subsection (a) of this Section shall only be assessed by the court if at least one worker is actually present in the construction zone or work zone at the time the moving violation occurs.**

NOTE: LANGUAGE WHICH IS IN **UNDERLINED BOLDFACE** HAS BEEN ADDED.

This ordinance shall be in full force and effect from and after its passage and approval.

Read this first time on this ____th day of _____, 2005.

Read this second time, passed, and truly agreed to by the Board of Aldermen of the City of Branson, Missouri, on this ____th day of _____, 2005.

LOUIS E. SCHAEFER - Mayor

ATTEST:

APPROVED AS TO FORM:

Lisa K Westfall
City Clerk



Joseph L. Johnson
City Attorney