



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

P.O. BOX 25201, RALEIGH, NC 27611-5201

CERTIFICATION OF RULEMAKING

| | | | | |
|---|-------------------------------------|----------|--------------------------|--------|
| Certifying Agency: Department of Transportation | | | | |
| Action: | <input checked="" type="checkbox"/> | Adoption | <input type="checkbox"/> | Repeal |
| Statutory Authority: 20-141, 20-141. | | | | |
| Public Hearing Not Required For This Action Under: GS 150A-1, 20-1. | | | | |
| Rule Summary: Municipal Speed Zones, Rural Speed Zones. | | | | |
| Circumstances Requiring Rule Adoption, Repeal: Necessary for public safety and welfare. | | | | |
| Effective Date: November 21, 2012 | | | | |

November 20, 2012

DATE


OFFICER SIGNATURE

James. K. Lacy, P.E.

TYPED NAME

State Traffic Engineer

TITLE

Rural Speed Zones

The Board of Transportation has delegated to the Secretary of Transportation the authority to adopt and promulgate all rules and regulations and ordinances regulating traffic on the highways pursuant to authority of N.C.G.S 143B-350 (g) (see 19ANCAC 4A.0004).

The State Traffic Engineer is subdelegated the authority by the Secretary of Transportation to adopt and promulgate all necessary rules, regulations and ordinances for the use of and to police traffic on state highways, and to set, change, or extend route numbers on the Primary Highway System of North Carolina pursuant to authority of N.C.G.S 143B-350(g) (see 19ANCAC 4A.0004).

Pursuant to that delegation, the State Traffic Engineer hereby adopts and promulgates the following ordinances based on traffic and engineering studies performed by the Traffic Engineering Branch, Department of Transportation, and in accordance with General Statute 20-141.

COUNTY CATAWBA

DIVISION 12

DECLARE THE FOLLOWING

| County / Municipality | Ordinance Number | Route | Car Spd Lmt | Trk Spd Lmt | Description |
|-----------------------|------------------|-------|-------------|-------------|---|
| CATAWBA | 1065155 | US 70 | 45 | 45 | US 70, from a point 0.40 mile west of NC 10 to a point 0.38 mile east of NC 10. |
| CATAWBA | 1065157 | NC 10 | 45 | 45 | NC 10, from US 70 to a point 0.70 mile north of US 70. |

The foregoing Highway Traffic Ordinances are hereby adopted in accordance with the General Statutes of North Carolina (20-141, 20-141).

All the actions to the Highway Traffic Ordinances herein adopted are effective November 21, 2012 and are identified as follows:

| ORDINANCE TYPE | ADOPT | REPEAL |
|-----------------------|----------|----------|
| Municipal Speed Zones | 1 | 0 |
| Rural Speed Zones | 2 | 0 |
| Total | 3 | 0 |

The Division Engineer for each affected Division shall cause to be erected appropriate signs indicating the action of the State Traffic Engineer and these ordinances shall be in full force and effect from and after the erection of such signs.

November 20, 2012

DATE


OFFICER SIGNATURE

James. K. Lacy, P.E.

TYPED NAME

State Traffic Engineer

TITLE

**Certification of Municipal Declaration
To Enact Speed Limits and Request for Concurrence**



Concurring State Ordinance Number: 1065156

Division: 12 County: CATAWBA

Municipality: CATAWBA

Type: Municipal Speed Zones

Road: US 70

Car: 45 MPH

Truck: 45 MPH

Description: US 70, from a point 0.38 east of NC 10 to a point 0.88 mile east of NC 10.

Municipal Certification

I, Kathy W. Johnson, Clerk of Town of Catawba, do hereby certify that the municipal governing body, pursuant to the authority granted by G.S. 20-141(f), determined upon the basis of an engineering and traffic investigation and duly declared, on the 6th day of August, 2012, the speed limits as set forth above on the designated portion of the State Highway System, which shall become effective when the Department of Transportation has passed a concurring ordinance and signs are erected giving notice of the authorized speed limit.

The said municipal declaration is recorded as follows:

Minute Book: _____ Page: _____ Ordinance/Resolution Number: RES. # 2012-12

In witness whereof, I have hereunto set my hand and the municipal seal this 15 day of November, 20 12.

Kathy W. Johnson
(signature)



Department of Transportation Approval

Division: SC7/Beckie

Title: DTE-Div 12

Date: 11-16-2012 *SCW*
11-26-2012

Region: J.A. Hamrick

Title: RTE

Date: 11-15-12

RESOLUTION 2012-12

A RESOLUTION SUPPORTING THE ESTABLISHMENT OF A 45 MPH SPEED ZONE ON SECTIONS OF HIGHWAY 70 WITHIN THE CORPORATE LIMITS OF CATAWBA

WHEREAS, the North Carolina Department of Transportation has the authority and responsibility of establishing the speed limits on US Highway 70 in the corporate limits of the Town of Catawba; and

WHEREAS, the Town Council supports changing the speed zone on US Highway 70 within the corporate limits of Catawba; and

WHEREAS, the Town of Catawba has a great deal of traffic traveling along US Highway 70; and

WHEREAS, in the best interest of the safety of motorist, the Town Council has determined that 45 MPH Speed School Zone would aid in reducing the number of potential accidents; and

NOW, THEREFORE, BE IT RESOLVED that we the members of the Catawba Town Council wish to express our unanimous support to reduce the speed limit on US Highway 70 in Catawba's corporate limits.

BE IT FURTHER RESOLVED that an executed copy of this resolution be spread upon the official record of the Town Council.

Adopted this 6th Day of August, 2012.



Kathy Johnson
Kathy Johnson, Town Clerk

Vance L. Reading
Vance L. Reading, Mayor

Johnson, Jacqueline D

From: Hefner, Stephen L
Sent: Tuesday, November 20, 2012 6:58 AM
To: Johnson, Jacqueline D
Subject: RE: Catawba US 70 Municipal Certificate
Attachments: US 70 Mun Cert - Catawba.pdf

Sorry about that. A lot going on last week and got in a hurry I guess. If you can expedite before the next ordinance package, I would appreciate it. If not, that's OK. Thanks for your time and attention.
Steve

-----Original Message-----

From: Johnson, Jacqueline D
Sent: Monday, November 19, 2012 10:04 AM
To: Hefner, Stephen L
Subject: RE: Catawba US 70 Municipal Certificate

You forgot to attach the certificate.
Thanks,
Jackie

Jackie Johnson
jackiejohnson@ncdot.gov
Transportation Mobility and Safety Division Traffic Safety Unit
(919) 773-2896

E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law (GS 132) and may be disclosed to third parties by an authorized state official.

-----Original Message-----

From: Hefner, Stephen L
Sent: Friday, November 16, 2012 11:00 AM
To: Johnson, Jacqueline D
Subject: Catawba US 70 Municipal Certificate

Jackie,
I have attached a municipal certificate from the Town of Catawba for an ordinance on US 70. The Town Manager has mailed the original. This was a very "hot" issue earlier this year. The town manager forgot to mail the original back in August. Sam and Jimmy have approved the ordinance (along with two other rural ordinances associated with this same issue). Since this is already late I would like to get this in the ordinance package for next week, or expedited as soon as possible. The ordinances are 1065155 (rural), 1065156 (municipal), and 1065157 (rural).
Thanks for any help you can provide. Let me know if you need additional information.
Steve Hefner
Division 12
704/480-9035

11/20/12
Package

Truck Restriction Ordinance Request Form

Transportation Mobility and Safety Division

This form is to be submitted by the appropriate Regional Traffic Engineer to the Traffic Ordinance Program Administrator when creating or rescinding truck restriction ordinances. Based on §20-115.1(b), truck restrictions must have documentation that the route can not "safely accommodate" and does not have "sufficient capacity" to accommodate a truck. One form shall be filled out for each request. All truck restrictions based on weight must also have an associated truck route that is "approximately the same distance" as the restricted route, as required by §20-116(h).

Ordinance Number: 1063905 Enact Rescind

Ordinance Type: Truck Prohibition No Through Trucks Temporary Truck Restriction

Safety Issues: This is an STAA Reasonable Access ordinance that is no longer
needed because the destination is within 3 miles of an existing Red Line Route.

Capacity Issues: _____

Requested By: _____ Date: 11/8/2012

cc: Mobility and Safety Field Operations Engineer

11/20/12
Packerse

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Ordinance Number: 1050655 Enact Rescind

Ordinance Type: Truck Prohibition No Through Trucks Temporary Truck Restriction

Safety Issues: This ordinance will not be needed due to rescinding the weight limit ordinances it was written to accommodate. This route also coincides with a "Red Line Route".

Capacity Issues: _____

Requested By: Coke Gray Date: 11/8/2012

cc: Mobility and Safety Field Operations Engineer

11/20/12
Package

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Ordinance Number: 1050656

Enact

Rescind

Ordinance Type:

Truck Prohibition

No Through Trucks

Temporary Truck Restriction

Safety Issues: This ordinance will not be needed if the "3 axles or more Truck Prohibition" ordinances are approved for the coinciding routes.

Capacity Issues: _____

Requested By: Coke Gray

Date: 11/8/2012

cc: Mobility and Safety Field Operations Engineer

