

ORDINANCE NO. 12-00.02

AN ORDINANCE ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF ARTICLE 6701D, VERNON'S TEXAS CIVIL STATUTES, UPON THE BASIS OF AN ENGINEERING AND TRAFFIC INVESTIGATION, UPON CERTAIN STREETS AND HIGHWAYS, OR PARTS THEREOF, WITHIN THE CORPORATE LIMITS OF THE CITY OF PAYNE SPRINGS AS SET OUT IN THIS ORDINANCE; REPEALING ORDINANCES INCONSISTENT HEREWITH; CONTAINING A SAVINGS CLAUSE; PROVIDING A PENALTY; AND THE EFFECTIVE DATE THEREOF.

WHEREAS, Article 6701D, Vernon's Texas Civil Statutes, provides that whenever the governing body of the City shall determine upon the basis of an engineering and traffic investigation that any prima facie speed therein set forth is greater or less than is reasonable or safe under the conditions found to exist at any intersection or other place or upon any part of a street or highway within the City, taking into consideration the width and condition of the pavement and other circumstances on such portion of said street or highway, as well as the usual traffic thereon, said governing body may determine and declare a reasonable and safe prima facie speed thereat or thereon by the passage of an ordinance, which shall be effective when appropriate signs giving notice are erected at such intersection or other place or part of the street or highway, NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PAYNE SPRINGS, TEXAS:

Section 1: Upon the basis of an engineering and traffic investigation heretofore made as authorized by the provisions of Article 6701D, Vernon's Texas Civil Statutes, the following prima facie speed limits hereafter indicated for vehicles are hereby determined and declared to be reasonable and safe; and such speed limits are hereby fixed at the rate of speed indicated for vehicles traveling upon the named streets and highways, or parts thereof, described as follows:

1. On SH 198, beginning at the north city limits of the City of Payne Springs being milepoint 3.018 and extending south and east to milepoint 5.600, the maximum rate of speed shall be 50 mph.
2. Continuing east on SH 198, from milepoint 5.600 to the east city limits of the City of Payne Springs at milepoint 6.158, the maximum rate of speed shall be 55 mph.

Section 2: All ordinances or parts of ordinances inconsistent with the terms of this ordinance are hereby repealed, provided, however, that such repeal shall be only to the extent of such inconsistency and, in all other respects, the subject matter covered by this ordinance.

Section 3: If any provision, exception, section, subsection, paragraph, sentence, clause or phrase of this ordinance of the application of same to any person or set of circumstances shall for any reason be held unconstitutional, void or invalid, such invalidity shall not affect the validity of the remaining provisions of this ordinance or their application to other persons or sets of circumstances and, to this end, all provisions of this ordinance are declared to be severable.

Section 4: Any person, firm or corporation violating any provisions of this ordinance or failing to observe any provisions hereof shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum not exceeding 500.00.

Section 5: The great necessity having been found to exist, the rule requiring three readings is hereby suspended and this ordinance shall take effect from and after ten (10) days from its passage by the City Council. The City Clerk is hereby directed to give notice hereof by causing the caption of this ordinance to be published in the official newspaper of the City of Payne Springs at least twice within ten (10) days after the passage of this ordinance.

INTRODUCED, READ, AND PASSED by the affirmative vote of the City Council of
the City of Payne Springs, Texas, this the 19 day of MARCH, 2002.

J.D. Meredith
Mayor, City of Payne Springs

ATTEST:

Sue Barnett
City Secretary

APPROVED AS TO FORM:

Robert M. Mowman
City Attorney