

CITY OF MINERAL WELLS, TEXAS

ORDINANCE NO. 2020-02

AN ORDINANCE OF THE CITY OF MINERAL WELLS, TEXAS, AMENDING CHAPTER 86 "TRAFFIC AND VEHICLES", ARTICLE V "SPEED REGULATION", SECTION 86-123 "MAXIMUM LIMITS ON SPECIFIC STREETS AND HIGHWAYS" OF THE CITY OF MINERAL WELLS CODE OF ORDINANCES, TO ALTER THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF THE TRANSPORTATION CODE, CHAPTER 545, SECTION 545.356, UPON THE BASIS OF AN ENGINEERING AND TRAFFIC INVESTIGATION ON FARM TO MARKET ROAD 1821, OR PARTS THEREOF, WITHIN THE INCORPORATED LIMITS OF THE CITY OF MINERAL WELLS, AS SET OUT IN THIS ORDINANCE; PROVIDING A PENALTY OR FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE; PROVIDING SAVINGS, REPEALER, AND SEVERABILITY CLAUSES; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, Chapter 545, Section 545.356 of the Texas Transportation Code, provides that whenever the City Council ("City Council") of the City of Mineral Wells, Texas ("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 City Council may determine and declare a reasonable and safe prima facie speed limit thereat or thereon by the passage of an ordinance, which shall be effective when appropriate signs giving notice thereof are erected at such intersection or other place or part of the street or highway; and

WHEREAS, the City Council finds and determines, based upon information received from an engineering and traffic investigation, that the prima facie speed limits on portions of Farm to Market Road ("FM 1821") located within City limits, would be safer if altered; and

WHEREAS, the City Council now desires to change the current prima facie speed limits on said streets or highways or portions thereof to better protect the convenience, health, safety and welfare of the residents of the City and the motoring public; and

WHEREAS, the City Council of the City of Mineral Wells, Texas finds that all prerequisites to the adoption of this Ordinance have been met.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MINERAL WELLS, TEXAS:

SECTION 1: FINDINGS INCORPORATED

The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2: ALTERATION OF SPEED LIMIT ON FM 1821

Upon the basis of an engineering and traffic investigation heretofore made as authorized by Section 545.356 of the Texas Transportation Code, the following prima facie speed limits hereafter indicated for vehicles on the attached Exhibit "A" (strip map) 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:

Control-Section: 2288-02

Highway: FM 1821

City: Mineral Wells, TX

County: Palo Pinto

- MP 1.000 to MP 1.813; 0.813 miles at 40 MPH
- MP 1.813 to MP 3.250; 1.437 miles at 50 MPH
- School Zone: MP 2.438 to MP 2.675; 0.237 miles zoned at "35 MPH when flashing", "50 MPH all other times"

SECTION 3: SPEED LIMIT SIGNS TO BE POSTED

The City Manager is hereby authorized to cause to be completed, any processes or procedures necessary to facilitate the installation of the appropriate signs at the proper locations.

SECTION 4: REPEALING/SAVINGS CLAUSE

All provisions of any Ordinance in conflict with this Ordinance are hereby repealed, but such repeal shall not abate any pending prosecution from being commenced for any violation if occurring prior to the repeal of the Ordinance. Any remaining provisions shall remain in full force and effect.

SECTION 5: SEVERABILITY

Should any section, subsection, sentence, clause, or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City hereby, declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase thereof irrespective of the fact that any one or more section, subsections, sentences, clauses, and phrases be declared unconstitutional or invalid.

SECTION 6: PENALTY

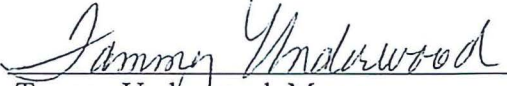
Any person violating any provision of this Ordinance, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined a sum not to exceed Five Hundred Dollars (\$500.00). The City retains all legal rights and remedies available to it pursuant to local, state and federal law.

SECTION 7: EFFECTIVE DATE

This Ordinance shall become effective from and after its adoption and publication as required by law.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MINERAL WELLS, TEXAS, ON THIS 3 DAY OF March, 2020.

SIGNED:

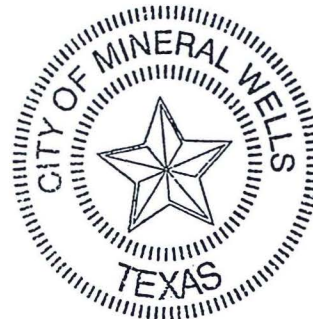


Tammy Underwood, Mayor

ATTEST:



Peggy Chilton, City Clerk



SPEED ZONE

