

ORDINANCE 15-014

AN ORDINANCE AMENDING CHAPTER 28, TRAFFIC, ARTICLE IX, MISCELLANEOUS RULES OF THE CITY OF KILLEEN'S CODE OF ORDINANCES BY ESTABLISHING THE MAXIMUM CONSTRUCTION SPEED LIMITS ON U.S. HIGHWAY 190 (CENTRAL TEXAS EXPRESSWAY), U.S. HIGHWAY 190 FRONTAGE ROADS, AND FARM-TO-MARKET (FM) 2410; PROVIDING A PENALTY CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the City of Killeen, Texas is a home-rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and

WHEREAS, Chapter 545 of the Texas Transportation Code authorizes the City of Killeen to alter by ordinance prima facie speed limits from the results of an engineering and traffic investigation; and

WHEREAS, the City Council of the City of Killeen deems it necessary and prudent to establish and enact prima facie maximum speed limits upon its own determination and at the request of the Texas Department of Transportation in and around construction zones for the protection of the construction workers and the general travelling public; and

WHEREAS, the City of Killeen seeks to exercise its lawful authority to enact all reasonable legislation for the promotion of public health, safety and welfare.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KILLEEN:

SECTION I: That Chapter 28, Traffic, Article IX, Miscellaneous Rules of the City of Killeen Code of ordinances is hereby amended by adding the following sections to read as follows:

Section 28-256. Construction speed limit on U.S. Highway 190 (Central Texas Expressway; CSJ: 0231-03-107; U.S. Highway 190 Widening Project; generally spanning from Fort Hood Main Gate to W.S Young Drive)

The reasonable and safe prima facie maximum speed limit for motor vehicles shall be as stated below for the described streets and roads within the city limits:

During periods of construction from ~~March 1, 2013 to February 28, 2015~~, beginning at Reference Marker 562+07.68 and concluding at Reference Marker 568+0.238 within the Killeen City Limits, proceeding in the easterly direction on US 190 (otherwise known as Central Texas Expressway), the maximum speed limit shall be 55 m.p.h. in both

travelling directions for a distance of 6.17 miles starting at the western limits of the construction zone and ending at the eastern limits of the construction zone.

Section 28-257. Construction speed limit on U.S. Highway 190 (Central Texas Expressway; CSJ: 0231-03-129; U.S. Highway 190, FM 2410, Rosewood Drive Project)

The reasonable and safe prima facie maximum speed limit for motor vehicles shall be as stated below for the described streets and roads within the city limits:

During periods of construction ~~March 1, 2013 to February 28, 2015~~, beginning at Reference Marker 568+1.462 and concluding at Reference Marker 570+0.786 within the Killeen City Limits, proceeding in the easterly direction on US 190 (otherwise known as Central Texas Expressway), the maximum speed limit shall be 55 m.p.h. in both travelling directions for a distance of 1.39 miles starting at the western limits of the construction zone and ending at the eastern limits of the construction zone.

Section 28-258. Construction speed limit on U.S. Highway 190 Frontage Roads (Central Texas Expressway; CSJ: 0231-03-129; US 190, FM 2410, Rosewood Drive Project)

The reasonable and safe prima facie maximum speed limit for motor vehicles shall be as stated below for the described streets and roads within the city limits:

During periods of construction ~~March 1, 2013 to February 28, 2015~~, beginning at Reference Marker ~~568+1.462~~ 562+07.68 and concluding at Reference Marker ~~570+0.786~~ 568+0.238 within the Killeen City Limits, proceeding in the easterly direction on US 190 (known as Central Texas Expressway), the maximum speed limit shall be 40 m.p.h. in both travelling directions for a distance of 1.39 miles starting at the western limits of the construction zone and ending at the eastern limits of the construction zone.

Section 28-259. Construction speed limit on Farm-to-Market (FM) 2410 (CSJ: 0231-03-129; US 190, FM 2410, Rosewood Drive Project)

The reasonable and safe prima facie maximum speed limit for motor vehicles shall be as stated below for the described streets and roads within the city limits:

During periods of construction ~~March 1, 2013 to February 28, 2015~~, beginning at Reference Marker 538+0.990 and concluding at Reference Marker 540+0.822 within the Killeen City Limits, proceeding in the easterly direction on Farm-to-Market (FM) 2410, the maximum speed limit shall be 45 m.p.h. in both travelling directions for a distance of 1.027 miles starting at the western limits of the construction zone and ending at the eastern limits of the construction zone.

Section 28-261. Construction speed limit on U.S. Highway 190 Eastbound and Westbound (Central Texas Expressway; CSJ: 0231-03-103; US Highway 190 Widening Project: WS Young to FM 2410)

During periods of construction ~~March 1, 2013 to February 28, 2015~~, beginning at Reference Marker 568+0.112 and concluding at Reference Marker 570+0.947 within the Killeen City Limits, proceeding in an easterly direction on US 190, the maximum speed limit shall be 55 m.p.h. in both travelling directions for a distance of 1.65 miles starting at W.S Young Blvd and ending at Courtney Lane (starting limits of the US 190, FM 2410, Rosewood Drive Project).

SECTION II. That a violation of this Ordinance shall be an offense punishable according to the Texas Transportation Code.

SECTION III. That all ordinances or resolutions or parts of ordinances or resolutions in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

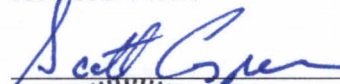
SECTION IV. That should any section or part of any section or paragraph of this ordinance be declared invalid or unconstitutional for any reason, it shall not invalidate or impair the validity, force or effect of any other section or sections or part of a section or paragraph of this ordinance.

SECTION V. That the Code of Ordinances of the City of Killeen, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION VI. That this ordinance shall be effective after its passage and publication according to law.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Killeen, Texas, this 3rd day of March, 2015, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A., Government Code, §551.001 *et seq.*

APPROVED:



Scott Cooper, MAYOR

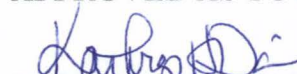
ATTEST:



Dianna Barker, CITY SECRETARY



APPROVED AS TO FORM:



Kathryn H. Davis, CITY ATTORNEY
ORD _____ Date: _____

State law references—Texas Transportation Code, Chapter 545, Subchapter H, Speed Restrictions.

CITY COUNCIL MEMORANDUM FOR ORDINANCE

AGENDA ITEM

**ORDINANCE AMENDING CHAPTER 28
EXTENDING CONSTRUCTION MAXIMUM
SPEED LIMITS ON US 190, US 190
FRONTAGE ROADS, AND FM 2410**

ORIGINATING DEPARTMENT

Public Works - Transportation

BACKGROUND INFORMATION

Three major roadway projects are currently progressing within the City of Killeen that require substantial construction and reconstruction of the roadways. These projects consist of the Texas Department of Transportation US 190 Widening Projects (Fort Hood Main Gate to WS Young & WS Young to FM 2410) and the City of Killeen US 190/FM 2410/Rosewood Drive Project. The projects have been awarded and are in construction.

In March 2013 and April 2014, City Council adopted ordinances establishing temporary construction speed limits to address traffic concerns during the construction of the aforementioned projects.

DISCUSSION/CONCLUSION

Based on traffic flow observed by the COK Transportation Engineer along the corridor, an analysis of the traffic control plan implemented for the construction project and proximity to the construction workers, it was determined that the speeds needed to be dropped along these sections of roadway for the duration of the project in the interest of public safety.

Due to the continuation of the construction projects, the construction speed limits need to be extended. The Transportation Division recommends that the following construction speed limits found in Sections 28-256, 28-257, 28-258, 28-259, and 28-261 be extended.

Highway	Section	Current Speed Limit	Proposed Speed Limit	Length
US 190	RM 562+07.68 TO RM 568+0.238	60 MPH	55 MPH	6.17 miles
US 190	RM 568+1.462 TO RM 570+0.786	60 MPH	55 MPH	1.39 miles
US 190 FR	RM 568+1.462 TO RM 570+0.786	45 MPH	40 MPH	1.39 miles
FM 2410	RM 538+0.990 TO RM 570+0.786	50 MPH	45 MPH	1.027 miles
US 190	RM 568+0.112 TO RM 570+0.947	60 MPH	55 MPH	1.65 miles

FISCAL IMPACT

There is no fiscal impact associated with this item.

RECOMMENDATION

The City of Killeen Transportation Division recommends adoption of the attached ordinance extending the construction maximum speed limits as indicated to provide for the safety of both the traveling public and the construction workers on the multiple project sites.