

ORDINANCE NO. O-21-05

AN ORDINANCE OF THE CITY OF MARSHALL, TEXAS REGULATING THE SPEED OF MOTOR VEHICLES UPON A CERTAIN SECTION OF IH 20 WITHIN THE CORPORATE LIMITS OF THE CITY OF MARSHALL TEXAS. AUTHORIZING THE TEXAS DEPARTMENT OF TRANSPORTATION TO ERECT SIGNS, PRESCRIBING PENALTIES, REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING A SAVINGS CLAUSE; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Marshall, Texas and the Texas Department of Transportation have conducted engineering studies and traffic investigations to determine the reasonable and safe prima facie maximum speeds for motor vehicles upon that section of IH 20 within the corporate limits of the City of Marshall, Texas; and

WHEREAS, it has been determined by engineering studies and traffic investigations that the reasonable and safe prima facie maximum speeds for motor vehicles traveling upon said section of the hereinabove mentioned highway in the City of Marshall, Texas should be as set out hereinafter; and

WHEREAS, said section with said reasonable and safe prima facie speed limits as hereinafter set forth has been approved by the Texas Department of Transportation upon its own independent investigations; and

WHEREAS, the Texas Department of Transportation has indicated a willingness to erect signs indicating the reasonable and safe facie maximum speed limits, along said portions of the above mentioned highways within the City of Marshall, Texas; and **NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARSHALL, TEXAS:**

SECTION 1.

That the following prescribed section of IH 20 as indicated on the attached plan marked "**EXHIBIT A**" is regulated as to the speed of motor vehicles traveling thereon in the direction indicated, and it shall be unlawful for the driver of any motor

vehicle to drive said vehicle within said section in the direction stated at a speed in excess of the following:

A. FOR TRAFFIC TRAVELING IN AN EASTERLY DIRECTION ON IH 20.

1. Seventy (70) miles per hour from the west city limits of Marshall (MP 19.070 - Cont. 0495-09), east for a distance of 1.854 miles, to a point at the east city limits of Marshall (MP 20.924 - Cont. 0495-09) said point also being the point of termination.

B. FOR TRAFFIC TRAVELING IN A WESTERLY DIRECTION ON IH 20.

1. Seventy (70) miles per hour from the east city limits of Marshall (MP 20.924- Cont. 0495-09) west for a distance of 1.854 miles, to a point at the west city limits of Marshall (MP 19.070 – Cont. 0495-09) said point also being the point of termination.

SECTION 2.

That the hereinabove speeds for vehicular traffic traveling upon the hereinabove designated section of IH 20 in the direction herein specified be and they are hereby found to be reasonable and safe prima facie speed limits therefore. The fact that this regulation of the speed of motor vehicles is needed, creates an emergency which is for the immediate preservation of public safety and general welfare, requires that this ordinance take effect immediately from and after its passage and it is accordingly so ordained.

SECTION 3.

The Texas Department of Transportation is authorized to erect signs indicating the speed limits herein designated.

SECTION 4.

That any person violating any provisions of this ordinance shall upon conviction be deemed guilty of a misdemeanor and shall be fined in any sum not to exceed two hundred dollars (\$200.00)

SECTION 5.

That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 6.

If any portion of this ordinance shall be judicially determined to be invalid such invalidity shall affect only that portion thereby so found and it shall not be construed so as to affect or otherwise impair the validity of the remaining portions thereof.

PASSED, EXAMINED AND APPROVED this the 22nd day of April,
2021 A.D.

Seviri W. Browne
Mayor

ATTEST:

D. Smith
City Secretary

APPROVED AS TO FORM AND LEGALITY:

Andy Kitching
City Attorney