

ORDINANCE NO. 2023-03

AN ORDINANCE OF THE CITY OF SEALY, TEXAS, DELETING SUBSECTION 98-7(D) OF SECTION 98-7 OF ARTICLE I OF CHAPTER 98 AND PROVIDING A NEW SUBSECTION 98-7(D) OF SECTION 98-7 OF ARTICLE I OF CHAPTER 98; PROVIDING RULES AND REGULATIONS FOR TRUCK TRAFFIC; REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT OR INCONSISTENT WITH THIS ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

\* \* \* \* \*

**WHEREAS** , the City Council of the City of Sealy, Texas, ("City") finds that updating the traffic routes for trucks is in the best interest of the City, citizens, and travelers;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SEALY, TEXAS:**

**Section 1.** The facts and recitations contained in the preamble to this ordinance are true and correct and incorporated herein for all purposes.

**Section 2.** Subsection 98-7(d) of Section 98-7 of Article I of Chapter 98 is deleted and a new Subsection 98-7(d) of Section 98-7 of Article I of Chapter 98 of the Code of Ordinances of the City of Sealy, Texas is added to read as follows:

"CHAPTER 98 - TRAFFIC AND VEHICLES

ARTICLE I. - IN GENERAL

\* \* \* \*

Sec. 98-7. - Truck traffic regulated.

\* \* \* \*

(d) *Regulated streets.* It shall be unlawful for any person to operate a truck, as defined in subsection (b), on the following streets;

- (1) Anderson Street from Frydek Road to San Felipe Street;
- (2) Hill Street from Frydek Road to Silliman Street;
- (3) Gasper Street from Anderson Street to Wright Street;
- (4) Wright Street from Nelson Street to Gasper Street;
- (5) Atchison Street;
- (6) Main Street from Lux Road to West Front Street;

- (7) Frydek Road from U.S. Highway 90 East to Silliman Street, except for agricultural vehicles during the months of June, July, August, and September ;
- (8) West Front Street from Kersten Street to Overcreek Way;
- (9) Overcreek Way from West Front Street to Meyer Street (State Highway 36);
- (10) Andrews Street from Daniels Street to dead end;
- (11) Cleveland Street from San Felipe Street to Andrews Street;
- (12) Austin Street from San Felipe Street to Cleveland Street;
- (13) Daniels Street from San Felipe Street to Andrews Street;
- (14) West Front Street from Eighth Street to Overcreek Way;
- (15) Mlcak Road ;
- (16) Belle Street ;
- (17) Nelson Street from Anderson Street to Old San Felipe Road;
- (18) Silliman Street from U.S. Highway 90 East to Main Street;
- (19) Schmidt Road from the second Wal-Mart entrance to Harrison Road;
- (20) Ward Bend Street;
- (22) Ward Bend Road ;
- (23) Fowlkes Street from 5<sup>th</sup> Street to dead end;
- (24) Jason Street;
- (25) Moody Street;
- (26) 10<sup>th</sup> Street",
- (27) **N. 4<sup>th</sup> Street;**
- (28) **N. Fowlkes Street from N. 5<sup>th</sup> Street to Maler Road;**
- (29) Lux Road ;
- (30) Roosevelt Street;
- (31) Kloecker Road ;
- (32) Quail Hollow Lane;
- (33) 6<sup>th</sup> Street;
- (34) Engelking Street;
- (35) Hardeman Street;
- (36) **N. Hardeman Street from Columbus Road (FM 1094) to Main Street;**
- (37) 2<sup>nd</sup> Street from Lux Road to State Highway 36;  
4<sup>th</sup> Street from Loescher Street to State Highway 36;

- (38) 5<sup>th</sup> Street from West Street to State Highway 36;
- (39) Tiger Lane; and
- (40) 8<sup>th</sup> Street from State Highway 36 to Tiger Lane."

**Section 3. *Repeal.*** All ordinances or parts of ordinances in conflict herewith are repealed .

**Section 4. *Severability.*** In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair , or invalidate this Ordinance as a whole or any part of provision hereof other than the part declared to be invalid or unconstitutional ; and the City Council of the City of Sealy, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

**Section 5. *Penalty.*** Any person who violates or causes, allows, or permits another to violate any provision of this ordinance , rule, or police regulation of the city shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine or penalty not to exceed five hundred dollars (\$500.00). If such rule, ordinance, or police regulation governs fire safety or public health and sanitation, other than the dumping of refuse, the fine or penalty shall not exceed two thousand dollars (\$2,000.00). If such rule, ordinance, or police regulation governs the dumping of refuse, the fine or penalty shall not exceed four thousand dollars (\$4,000.00). Each occurrence of any violation of this ordinance , rule, or police regulation shall constitute a separate offense. Each day on which any such violation of this ordinance, rule, or police regulation occurs shall constitute a separate offense.

**Section 6. *Effective Date.*** This ordinance shall become effective immediately and enforceable when published as required by law.

**PASSED AND APPROVED** at this first reading on the 7<sup>th</sup> day of February 2023.

**PASSED, APPROVED AND ADOPTED** at this second reading on the 21<sup>st</sup> day of February 2023.

ATTEST:

\_\_\_\_\_  
Sandra Vrabec, City Secretary

Carolyn B

r

*Cian & Co*

