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**CITY OF BALCH SPRINGS, TEXAS**

**ORDINANCE NO. 3283-24**

**AN ORDINANCE OF THE CITY OF BALCH SPRINGS, TEXAS, AMENDING CHAPTER 78 OF THE CODE OF ORDINANCES OF THE CITY OF BALCH SPRINGS, TEXAS, BY AMENDING CHAPTER 78, ARTICLE II, SPECIFIC STREET REGULATIONS, DIVISION 4, SPEED LIMITS, BY REPEALING AND REPLACING SECTIONS 78-112 AND 78-113 IN THEIR ENTIRETY; ARTICLE II, SPECIFIC STREET REGULATIONS, DIVISION 5, SCHOOL ZONES, 4, BY REPEALING AND REPLACING SECTION 78-143, PROHIBITED LEFT TURNS OF TRAFFIC AT SPECIFIC LOCATIONS UPON SIGNAGE; BY AMENDING ARTICLE III, PARKING BY ADDING SECTION 78-176, PROHIBITED PARKING; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY AND FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Balch Springs, 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 Local Government Code; and

**WHEREAS**, the City Council desires to amend to prohibit left turn signals at certain times, for additional traffic intersections near schools; and

**WHEREAS**, pursuant to Section 545.356 of the Texas Transportation Code, the City of Balch Springs, Texas previously established prima facie maximum reasonable and prudent speeds within its corporate boundaries; and

**WHEREAS**, the City Council desires to also add certain prohibitions on right-of-way parking, to include, boats, trailers, the use of right of way to conduct motor vehicle sales and blocking U.S. mailboxes.

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

**SECTION 1.** All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council, and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

**SECTION 2.** That Chapter 78, Division 4, Speed Limits Article II, is hereby amended by the repeal of Sections 78-112 and 78-113 in their entirety, adopting and replacing the same, to hereafter to read as follows:

**Sec. 78-112. Specific streets.**

No person shall operate a motor vehicle on the following designated streets within the corporate limits of the City of Balch Springs, Texas, at any speed which is in excess of the speed designated in this Section for that street or portion thereof. Operating a vehicle at any speed in excess of the limits specified in this section shall be prima facie evidence that the speed is not reasonable or prudent and is unlawful:

<b><u>Street</u></b>	<b><u>Extent</u></b>	<b><u>Speed (mph)</u></b>
<u>Ambassador Way</u>	<u>Within city limits</u>	<u>25</u>
<u>Arborcrest Drive</u>	<u>Within city limits</u>	<u>25</u>
<u>Autumn Trail</u>	<u>Within city limits</u>	<u>25</u>
<u>Bearcreek Drive</u>	<u>Within city limits</u>	<u>25</u>
<u>Bell Manor Court</u>	<u>Within city limits</u>	<u>25</u>
<u>Beltline Road</u>	<u>1700—2900 block</u>	<u>40</u>
<u>Beltline Road</u>	<u>3000—4600</u>	<u>35</u>
<u>Blossum Street</u>	<u>Within city limits</u>	<u>25</u>
<u>Boxwood Drive</u>	<u>Within city limits</u>	<u>25</u>
<u>Brentwood Drive</u>	<u>Within city limits</u>	<u>25</u>
<u>Briarcrest Drive</u>	<u>Within city limits</u>	<u>25</u>
<u>Bridle Bend Drive</u>	<u>Within city limits</u>	<u>25</u>
<u>Bridgewood Lane</u>	<u>Within city limits</u>	<u>25</u>
<u>Broadview Drive</u>	<u>Within city limits</u>	<u>25</u>
<u>Bruce Drive</u>	<u>Within city limits</u>	<u>25</u>
<u>Canyonridge Drive</u>	<u>Within city limits</u>	<u>25</u>
<u>Caprock Court</u>	<u>Within city limits</u>	<u>25</u>
<u>Carla Drive</u>	<u>Within city limits</u>	<u>25</u>
<u>Cedar Creek Lane</u>	<u>Within city limits</u>	<u>25</u>
<u>Cimarron Drive</u>	<u>Within city limits</u>	<u>25</u>
<u>Cochise Drive</u>	<u>Within city limits</u>	<u>25</u>
<u>Concord Circle</u>	<u>Within city limits</u>	<u>25</u>
<u>Creekview lane</u>	<u>Within city limits</u>	<u>25</u>
<u>Cumberland Trail</u>	<u>Within city limits</u>	<u>25</u>
<u>Deerfield Drive</u>	<u>Within city limits</u>	<u>25</u>
<u>Diane Lane</u>	<u>Within city limits</u>	<u>25</u>
<u>Dove Field Lane</u>	<u>Within city limits</u>	<u>25</u>
<u>Eastgate Drive</u>	<u>12600—12900 block</u>	<u>35</u>
<u>Elam Road</u>	<u>City limit to city limit</u>	<u>35</u>
	<u>10900 block—Pioneer Road</u>	

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<u>Elm Point Drive</u>	<u>Within city limits</u>	<u>25</u>
<u>Evergreen lane</u>	<u>Within city limits</u>	<u>25</u>
<u>Forest Hollow Drive</u>	<u>Within city limits</u>	<u>25</u>
<u>Fox Glen Drive</u>	<u>Within city limits</u>	<u>25</u>
<u>Golden Pass Road</u>	<u>Within city limits</u>	<u>25</u>
<u>Greenvalley Drive</u>	<u>Within city limits</u>	<u>25</u>
<u>Hickory Tree Road</u>	<u>Within city limits</u>	<u>35</u>
	<u>1500—4700 block</u>	
<u>Highview Drive</u>	<u>Within city limits</u>	<u>25</u>
<u>Hilltop Drive</u>	<u>Within city limits</u>	<u>25</u>
<u>Horseshoe Trail</u>	<u>Within city limits</u>	<u>25</u>
<u>Indian Creek Drive</u>	<u>Within city limits</u>	<u>25</u>
<u>Katie Lane</u>	<u>Within city limits</u>	<u>25</u>
<u>Kenzie Court</u>	<u>Within city limits</u>	<u>25</u>
<u>Keri Lane</u>	<u>Within city limits</u>	<u>25</u>
<u>Keystone Drive</u>	<u>Within city limits</u>	<u>25</u>
<u>Kimberly Lane</u>	<u>Within city limits</u>	<u>25</u>
<u>Knoll Trail</u>	<u>Within city limits</u>	<u>25</u>
<u>Kristie Drive</u>	<u>Within city limits</u>	<u>25</u>
<u>Kyle Circle</u>	<u>Within city limits</u>	<u>25</u>
<u>Kyle Drive</u>	<u>Within city limits</u>	<u>25</u>
<u>Lake June Road</u>	<u>City limit to city limit</u>	<u>35</u>
	<u>10900—13000 block</u>	
<u>Lakeside Road</u>	<u>Within city limits</u>	
<u>Lawrence Road</u>	<u>Within city limits</u>	<u>25</u>
<u>Ledgeview Court</u>	<u>Within city limits</u>	<u>25</u>
<u>Leslie Lane</u>	<u>Within city limits</u>	<u>25</u>
<u>Little Creek Drive</u>	<u>Within city limits</u>	<u>25</u>
<u>Lora Lane</u>	<u>North of Lake June</u>	<u>25</u>
<u>Louise Lane</u>	<u>Within city limits</u>	<u>25</u>
<u>Loyd Drive</u>	<u>Within city limits</u>	<u>25</u>
<u>Manon Drive</u>	<u>11700—11800 block</u>	<u>25</u>
<u>Margaret Drive</u>	<u>Within city limits</u>	<u>25</u>
<u>Marsha Drive</u>	<u>Within city limits</u>	<u>25</u>
<u>Marsha Place</u>	<u>Within city limits</u>	<u>25</u>
<u>Mason Drive</u>	<u>Within city limits</u>	<u>25</u>
<u>Mercury Road</u>	<u>15000—18000 block</u>	<u>25</u>
<u>Meredith Lane</u>	<u>Within city limits</u>	<u>25</u>
<u>Mohawk Drive</u>	<u>Within city limits</u>	<u>25</u>
<u>Natalie Drive</u>	<u>Within city limits</u>	<u>25</u>
<u>Navajo Trail</u>	<u>Within city limits</u>	<u>25</u>
<u>North Spring Ridge Circle</u>	<u>Within city limits</u>	<u>25</u>
<u>Oakwood Circle</u>	<u>Within city limits</u>	<u>25</u>

<u>Oakwood Lane</u>	<u>Within city limits</u>	<u>25</u>
<u>Osage Drive</u>	<u>Within city limits</u>	<u>25</u>
<u>Otoe Drive</u>	<u>Within city limits</u>	<u>25</u>
<u>Pawnee Drive</u>	<u>Within city limits</u>	<u>25</u>
<u>Peachtree Road</u>	<u>City limit to city limit</u>	<u>25</u>
	<u>1500—5500 block</u>	<u>35</u>
<u>Pioneer Road</u>	<u>2900—3000 block</u>	<u>40</u>
<u>Pioneer Road</u>	<u>3100—3800 block</u>	<u>35</u>
<u>Pioneer Road</u>	<u>3900—4400 block</u>	<u>35</u>
<u>Pioneer Road</u>	<u>4500—4700 block</u>	<u>30</u>
<u>Pioneer Bluffs Road</u>	<u>Within city limits</u>	<u>25</u>
<u>Platte Drive</u>	<u>Within city limits</u>	<u>25</u>
<u>Post Road</u>	<u>Within city limits</u>	<u>25</u>
<u>Purdue Drive</u>	<u>Within city limits</u>	<u>25</u>
<u>Quail Drive</u>	<u>Within city limits</u>	<u>25</u>
<u>Rocky Ledge Drive</u>	<u>Within city limits</u>	<u>25</u>
<u>Rustic Circle</u>	<u>Within city limits</u>	<u>25</u>
<u>Rustic Place</u>	<u>Within city limits</u>	<u>25</u>
<u>Rustic Trail</u>	<u>Within city limits</u>	<u>25</u>
<u>Sapling Drive</u>	<u>Within city limits</u>	<u>25</u>
<u>Seagoville Road</u>	<u>City limit to city limit</u>	<u>25</u>
	<u>11000—13100 block</u>	<u>35</u>
<u>Seminole Drive</u>	<u>Within city limits</u>	
<u>Sheilah Drive</u>	<u>2600—2700 block</u>	<u>25</u>
<u>Silverthorne Drive</u>	<u>Within city limits</u>	<u>25</u>
<u>Slater Drive</u>	<u>Within city limits</u>	<u>25</u>
<u>South Pass Road</u>	<u>Within city limits</u>	<u>25</u>
<u>South Spring Ridge Circle</u>	<u>Within city limits</u>	<u>25</u>
<u>Spring Branch Drive</u>	<u>Within city limits</u>	<u>25</u>
<u>Spring Oaks Circle</u>	<u>Within city limits</u>	<u>25</u>
<u>Spring Oaks Drive</u>	<u>Within city limits</u>	<u>25</u>
<u>Spring Ridge Lane</u>	<u>Within city limits</u>	<u>25</u>
<u>Summer Hill Drive</u>	<u>Within city limits</u>	<u>25</u>
<u>Terry Drive</u>	<u>Within city limits</u>	<u>25</u>
<u>Timbercrest Way</u>	<u>Within city limits</u>	<u>25</u>
<u>Twin Oaks Drive</u>	<u>Within city limits</u>	<u>25</u>
<u>U.S. Interstate Highway 20</u>	<u>City limit to city limit</u>	<u>25</u>
	<u>"All Vehicles"</u>	<u>70</u>
<u>U.S. Interstate Highway 635</u>	<u>City limit to city limit</u>	
	<u>"All Vehicles"</u>	<u>70</u>
<u>U.S. Interstate Highway 175</u>	<u>City limit to city limit</u>	
<u>Vena Road</u>	<u>Within city limits</u>	<u>70</u>
<u>Vicki Lane</u>	<u>Within city limits</u>	<u>25</u>

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<u>Whispering Court</u>	<u>Within city limits</u>	<u>25</u>
<u>Winter Park</u>	<u>Within city limits</u>	<u>25</u>

The foregoing speed limits shall not be effective unless and until appropriate speed limit signs are posted. A list of all streets, or portions thereof, to which the speed limits of 25, 30 and 35\_mph shall apply will be maintained on file in the office of the City Secretary.

**Sec. 78-113. State highways.**

- (a) Upon the basis of an engineering and traffic investigation made as authorized by the provisions of V.T.C.A., Transportation Code § 545.356, the prima facie speed limit for vehicles on state highways is 70 miles per hour; such speed is determined and declared to be reasonable and prudent under the circumstances then existing.
- (b) Except for those temporary limits established pursuant to Sec. 545.3531, Authority of District Engineer to temporarily lower speed limit at highway Maintenance Activity Site, this section shall control over a specific speed as set by the Texas Department of Transportation when in conflict with provisions of this Code.

**SECTION 3.** That Chapter 78, Division 5, Section 78-143 of the Code of Ordinances of the City of Balch Springs is hereby amended by the , of by repealing and replacing Section 78-143 in its entirety so that it shall hereafter read as follows:

**Sec. 78-143. - No left turn at Walter Floyd, W.O. Gray and Ed Hodges Elementary.**

- (a) No left turn traffic control signs are authorized to be erected within the city on:
  - (1) Timothy Lane at the east exit of the W.O. Gray School parking lot onto Timothy Lane.
  - (2) Timothy Lane at Pioneer Road, controlling westbound traffic on Timothy Lane.
  - (3) Springs Oaks Drive at the east entrance to the Ed Hodges Elementary School parking lot, controlling eastbound traffic on Spring Oaks Drive.
  - (4) Spring Oaks Drive at the west exit of the Ed Hodges School parking lot onto Spring Oaks Drive.
  - (5) Platte Dr. at the east entrance of the Ed Hodges Elementary School back parking lot, controlling north bound traffic on Platte Dr.
- (b) The left turn prohibitions set forth in subsection (a) of this section shall be in effect between the hours of 7:00 a.m.—9:00 a.m. and 2:00 p.m.—4:00 p.m. on days when school is in session. Making a left turn contrary to the indications of such no left turn traffic control sign at the times set forth in this subsection shall constitute a violation of this section.

**SECTION 4.** That Chapter 78, Article III, is hereby amended by the adoption of Section 78-176 to to read as follows, with additions underlined text and deletions in crossouts:

**Article III. Prohibited Parking**

**Sec. 78-1767 – 78-200 [Reserved]**

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**Sec. 78-176 - Parking for certain purposes prohibited.**

(a) No person shall stand or park a vehicle and no owner shall permit any vehicle belonging to him to stand or be parked upon any public roadway or in the right-of-way, for the principal purpose of:

- (1) Displaying it for sale. For sale” signage on/in the rear or front windshield or anywhere else on the car, which is visible from the street, is prima facie evidence of sale being the principal purpose for such standing or parking.
- (2) Washing, greasing or repairing such vehicle, except repairs necessitated by an emergency.

**(b) Parking of boats and boat trailers on public streets prohibited.**

It shall be unlawful and an offense for any person to park, store or leave standing a boat or boat trailer upon a public street or permit a boat or boat trailer under their control to be parked, stored or left standing upon a public street.

– **(c) Parking of trailers prohibited upon public streets.**

It shall be unlawful for any person to park, store or leave standing any trailer upon a public street or permit same under their control to be parked, stored or left standing upon a public street. This section shall not prohibit the parking of construction or maintenance trailers upon a public street during the time the actual construction or maintenance activity is being conducted.

**(d) Parking of vehicles prohibited within ten feet of mailbox.**

(1) No person shall park a vehicle or permit said vehicle to remain parked in front of or within ten feet (10’) of a mailbox on Mondays through Saturdays, between the hours of seven o’clock (7:00) A.M. and seven o’clock (7:00) P.M. or at any other time during which the daily U.S. Mail is actively being delivered.

(2) It is an affirmative defense to this subsection if the owner or operator is:

- a) The lawful owner of the individual official mailbox to which U.S. Mail is being prevented from being delivered;
- b) A visitor to the residence or business for which the official mailbox is intended to serve, having the prior consent of the lawful owner of the official mailbox to park in such a manner as to prevent U.S. Mail from being delivered to the owner’s own mailbox; or
- c) Any emergency vehicle operator who is conducting official business within a reasonable distance of the official mailbox.
- d) Affirmative defenses in (2)(a)-(b) are not available for cluster or community mailboxes. “

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**SECTION 5.** All provisions of the ordinances of the City of Balch Springs in conflict with the provisions of this ordinance be and the same are hereby repealed to the extent of such conflict, and all other provisions of the ordinances of the City of Balch Springs not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 6.** Should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

**SECTION 7.** That the offenses in this Ordinance and as thereafter codified, are punishable by a fine in any sum not to exceed Two Hundred dollars (\$200.00).

**SECTION 8.** This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provide.

**SECTION 9.** It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

**DULY PASSED AND ADOPTED** by the City Council of the City of Balch Springs, Texas, on the 12th day of August 2024.

**APPROVED:**

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Carrie F. Gordon, Ph.D., Mayor

**ATTEST:**

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Cindy Gross, City Secretary