

**TOWN OF LITTLE ELM, TEXAS**

**ORDINANCE NO. 1224**

**AN ORDINANCE OF THE TOWN OF LITTLE ELM, TEXAS, AMENDING ORDINANCE NO. 1165 AND THE EXISTING CODE OF ORDINANCES BY AMENDING THE COMPREHENSIVE LISTING OF SCHOOL ZONES FOR THE TOWN OF LITTLE ELM, TEXAS, ESTABLISHED BY ORDINANCE NO. 1165; ESTABLISHING SCHOOL ZONES NEAR OR ADJACENT TO CERTAIN PUBLIC SCHOOLS LOCATED IN THE TOWN OF LITTLE ELM, DENTON COUNTY, TEXAS, PER THE REVISED CHART IN EXHIBIT “A”; ESTABLISHING PRIMA FACIE MAXIMUM SPEED LIMITS DURING SCHOOL HOURS IN SUCH ZONE(S); PROVIDING FOR NOTIFICATION OF THE MAXIMUM SPEED LIMIT(S) BY THE INSTALLATION OF SIGNS AND MARKERS TO REGULATE VEHICULAR SPEED ON THE DESIGNATED STREET(S); PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.**

**WHEREAS**, 545.356 of the Texas Transportation Code provides that whenever the governing body of the municipality 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 prudent under the conditions found to exist at any intersection or other place or upon any part of a street or highway within the Town of Little Elm, Texas (“Town”), taking into consideration, among other things, 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 governing body may determine and declare reasonable and prudent maximum prima facie speed limits 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**, 541.302(13) of the Texas Transportation Code defines a “school crossing zone” as a reduced speed zone designated on a street by a local authority to facilitate safe crossing of the street by children going to or leaving a public or private elementary or secondary school during the time the reduced speed limit applies; and

**WHEREAS**, the Town Council of the Town of Little Elm, Texas (“Town Council”) has investigated and determined and finds that it is necessary for the protection and safety for the pedestrian traffic adjacent to public elementary and secondary schools within the Town to declare reduced speed school zones on certain public streets adjacent to public elementary and secondary schools within the Town as set forth below; and

**WHEREAS**, on September 17, 2014, the Town Council enacted Ordinance No. 1165 making change(s) to the appropriate school zones times and speed limits within the Town and

setting the method to make necessary changes thereto through Exhibit "A" attached to that ordinance; and

**WHEREAS**, the Town Council desires to amend the Exhibit "A" chart through this Ordinance, making change(s) to the appropriate school zones times and speed limits within the Town as provided by the procedures established in Ordinance No. 1165.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LITTLE ELM, 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:** Establishment of Revised Reduced Speed School Zones. Ordinance No. 1165 is hereby amended by the adoption of the revised chart attached hereto as Exhibit "A," which is incorporated herein for all purposes as if written word for word, which chart lists every reduced speed school zones on streets located within the Town. Pursuant to the findings of an engineering and traffic investigation, and as authorized by the provisions of, among others, 545.356 of the Texas Transportation Code, the prima facie maximum speed limits for the designated school zones within the Town shall be as described in Exhibit "A." It shall be unlawful for any person to operate or drive any vehicle at a speed greater than the speed designated or posted, or to overtake or pass any other vehicle in any school zone as may be marked or designated within the Town during the hours indicated upon signs erected in such zone.

**SECTION 3:** Placement of Signs. Signs indicating the speed limits adopted pursuant to Ordinance 1165 and this Ordinance No. 1224, and as set forth in Exhibit "A," shall be placed at the most advantageous points to be conspicuous to approaching vehicular traffic in accordance with the Texas Uniform Manual on Traffic Control Devices, as amended, promulgated by the Texas Department of Transportation. The signs shall be permanently affixed to a stationery post or other fixed object. The signs shall in no way be obstructed from view and shall comply with applicable state laws. The Town Manager, or his/her authorized representative, is authorized and directed to cause to be erected such appropriate signs. The unlawful removal of a sign posted in accordance with this section shall not affect the legality of an adopted speed limit.

**SECTION 4.** Procedure for Future Amendment of Exhibit "A." The chart indicating the reduced speed school zones on streets located within the Town, as set forth in Exhibit "A" attached hereto, may be amended by the Town Council through the passage of an amending ordinance, pursuant to the findings of an engineering and traffic investigation, and as authorized by the provisions of, among others, 545.356 of the Texas Transportation Code, as may be warranted, which amendment shall further amend Ordinance No. 1165 and this Ordinance No. 1224.

**SECTION 5:** Savings/Repealing Clause. This Ordinance shall be cumulative of all other ordinances of the Town, and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those ordinances are in direct conflict with the

provisions of this Ordinance; provided, however, that any complaint, notice, action, cause of action, or claim which prior to the effective date of this Ordinance has been initiated or has arisen under or pursuant to such other ordinance(s) shall continue to be governed by the provisions of that ordinance or those ordinances, and for that purpose that ordinance or those ordinances shall be deemed to remain and shall continue in full force and effect.

**SECTION 6: 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 Town 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, subsection, sentences, clauses and phrases be declared unconstitutional or invalid.

**SECTION 7: Penalty Provision.** Any person violating Ordinance No. 1224 shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined a sum of not less than One Dollar (\$1.00) nor more than Two Hundred Dollars (\$200.00), and shall be assessed such lawful costs as may be allowed by ordinance or by other law.

**SECTION 8: Effective Date.** Ordinance No. 1224 shall be effective upon its passage and publication as required by law.

DULY PASSED AND APPROVED by the Town Council of the Town of Little Elm, Texas on this 5th day of August, 2014

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David Hillock, Mayor  
Town of Little Elm, Texas

ATTEST:

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Kathy Phillips, Town Secretary

APPROVED AS TO FORM:

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Town Attorney, Robert Brown

EXHIBIT "A"

ISD	STREET NAME	SCHOOL NAME	SCHOOL TIME	DESCRIPTION	TIME	SCHOOL ZONE SPEED
Little Elm	Witt Rd.	Brent Elementary	7:40 AM - 2:40 PM	From Tailburton Dr. continuing 1600' ft south.	7:10 AM to 7:45 AM 2:35 PM to 3:10 PM	20 MPH
Little Elm	Hart Rd.	Chavez Elementary	7:40 AM - 2:40 PM	From 500' ft south of Wynfield Dr. to 500' ft north of Wynfield Dr.	7:10 AM to 7:45 AM 2:35 PM to 3:10 PM	20 MPH
Little Elm	Wynfield Dr.	Chavez Elementary	7:40 AM - 2:40 PM	From Rockport Dr. to Hart Rd.	7:10 AM to 7:45 AM 2:35 PM to 3:10 PM	20 MPH
Little Elm	Rockport Dr.	Chavez Elementary	7:40 AM - 2:40 PM	From Wynfield Dr. to Flagstone Dr.	7:10 AM to 7:45 AM 2:35 PM to 3:10 PM	20 MPH
Little Elm	Crestwood Dr.	Education Center	8:10 AM - 3:30 PM	From FM 720 continuing north 645' ft.	7:30 AM to 8:15 AM 10:55 AM to 12:05 PM 3:25 PM to 4:00 PM	20 MPH
Little Elm	Walker Ln.	Little Elm High School	9:00 AM - 4:35 PM	From 350' ft east of Peach Dr. to 300' ft west of Waterside Dr.	8:30 AM to 9:05 AM 4:30 PM to 5:05 PM	25 MPH
Little Elm	Waterside Dr.	Little Elm High School	9:00 AM - 4:35 PM	From Walker Ln. continuing 1400' ft north.	8:30 AM to 9:05 AM 4:30 PM to 5:05 PM	20 MPH
Little Elm	Lobo Ln.	Zellers Center for L&L Lakeside Middle	8:10 AM - 3:55 PM	From W. Eldorado Pkwy. 2530' ft. through the 500 block of Lobo Ln.	7:40 AM to 8:15 AM 3:50 PM to 4:25 PM	20 MPH
Little Elm	Walker Ln.	Lakeview Elementary	7:40 AM - 2:40 PM	From 300' ft west of Woodlake Pkwy. to 300' ft east of Woodlake Pkwy.	6:50 AM to 7:40 AM 2:40 PM to 3:20 PM	25 MPH
Little Elm	Waterside Dr. / Sunflower Dr.	Lakeview Elementary	7:40 AM - 2:40 PM	From 535' ft west of Sundance Dr. to 425' ft. east of Sundance Dr.	7:10 AM to 7:45 AM 2:35 PM to 3:10 PM	20 MPH
Little Elm	Sundance Dr.	Lakeview Elementary	7:40 AM - 2:40 PM	From 120' ft south of Sunflower Dr. continuing north 750' ft.	7:10 AM to 7:45 AM 2:35 PM to 3:10 PM	20 MPH
Frisco	Woodlake Dr.	Robertson Elementary	7:50 AM - 2:50 PM	From 200' ft east of Canyon Lake Dr. to 200' ft west of Regina Dr.	7:05 AM to 8:05 AM 2:35 PM to 3:35 PM	20 MPH
Frisco	Canyon Lake Dr.	Robertson Elementary	7:50 AM - 2:50 PM	From Woodlake Pkwy. to 200' ft north of Calmwater Dr.	7:05 AM to 8:05 AM 2:35 PM to 3:35 PM	20 MPH
Frisco	Calmwater Dr.	Robertson Elementary	7:50 AM - 2:50 PM	From 130' ft east of Canyon Lake Dr. continuing west 425' ft.	7:05 AM to 8:05 AM 2:35 PM to 3:35 PM	20 MPH
Frisco	Regina Dr.	Robertson Elementary	7:50 AM - 2:50 PM	From Woodlake Pkwy. continuing north 450' ft.	7:05 AM to 8:05 AM 2:35 PM to 3:35 PM	20 MPH

Revised - 08/04/2014