

CITY OF THE COLONY, TEXAS

ORDINANCE NO. 2012-1967

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF THE COLONY, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 19, SECTION 19-11, ENTITLED “SAME—IN SCHOOL TRAFFIC ZONES”, BY ESTABLISHING SCHOOL ZONE SPEED LIMITS WHEN A POSTED SIGN INDICATING THE SPEED LIMIT IS EQUIPPED WITH ONE OR MORE FLASHING AMBER LIGHTS ARE IN OPERATION OR WHEN ANOTHER TRAFFIC CONTROL DEVICE GIVING NOTICE OF THE SCHOOL ZONE IS POSTED; PROVIDING THAT A FLASHING AMBER LIGHT IN OPERATION ON ANY DAY CONSTITUTES PRIMA FACIE EVIDENCE THAT CLASSROOM INSTRUCTION OR ANOTHER SCHOOL ACTIVITY IS IN SESSION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council has discussed and considered such revisions and has determined that it is in the best interest of the City to amend the current Chapter 19, Section 19-11 to regulate speed limits within school zones located within the City in accordance with State law; and

WHEREAS, the City Council of the City of The Colony, Texas, has determined that the following regulation is necessary in order to protect public health, safety, and welfare of the citizens of the City of The Colony, Texas.

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

SECTION 1. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2. That the Code of Ordinances of the City of The Colony, Texas be, and the same is, hereby amended by amending Chapter 19, Section 19-11, entitled “Same—In school traffic zones,” which shall read as follows:

“Sec. 19-11. Same--In school traffic zones.

(a) Upon the basis of an engineering and traffic investigation, the following streets are designated school traffic zones. The maximum prima facie speed limits hereinafter indicated for vehicles are hereby determined and declared to be reasonable and safe, and such speed limits are hereby fixed for vehicles traveling upon the following named public streets, highways, or parts thereof, on a day classroom instruction or another school activity is in session. A person may not

operate a motor vehicle at a speed greater than the maximum prima facie speed limit in a school zone if:

- (1) a posted sign indicating the speed limit is equipped with one or more flashing amber lights in operation; or
 - (2) another traffic control device giving notice of the school zone is posted.
- (b) Proof that a flashing amber light is in operation on any day constitutes prima facie evidence that classroom instruction or another school activity is in session.
- (c) The maximum lawful prima facie speed limit in said school traffic zones during said hours shall be 20 miles per hour. The locations of said school traffic zones are as follows:

Street	Extent
Anderson Drive	From a point 540 feet south of Augusta Street to its intersection with Augusta Street.
Arbor Glen Road	From its intersection with Ash Glen Lane to a point 200 feet east of Blair Oaks Road.
Augusta Street	From a point 250 feet east of Anderson Drive to a point 730 feet west of Anderson Drive.
Blair Oaks Road	From a point 300 feet north of its intersection with South Colony Blvd. to its intersection with Nowlin Street.
Cougar Alley	From its intersection with Nowlin Street to its intersection with Farm to Market Road 423 (Main Street).
Curry Drive	From a point 250 feet north of its intersection with North Colony Blvd. to its intersection with Hale Street.
Etheridge Drive	From a point 200 feet north of Fryer St. to its intersection with North Colony Blvd.
John Yates Drive	From 100 feet south of its intersection with Crawford Drive to its intersection with Shannon Drive.
Keys Drive	From a point 280 feet east of its intersection with Anderson Drive, to its intersecting point with the south alley of Elliot Drive.
Nash Drive	From a point 250 feet west of its intersection with John Yates Drive to its intersecting point with Miller Drive.
North Colony Blvd.	From a point 280 feet east of its intersection with Keys Drive, to a point 280 feet west of its intersection with Keys Drive.
North Colony Blvd.	From a point 460 feet east of its intersecting point with Ragan Drive to a point 560 feet west of its intersection with Ragan Drive.
North Colony Blvd.	From a point 250 feet east of its intersecting point with Farm Road Highway 423 (Main St.) to a point 260 feet west of its intersecting point with Farm Road Highway 423 (Main St.).
North Colony Blvd.	From a point 300 feet east of its intersection with Etheridge Drive to a point 700 feet west of its intersection with Etheridge Drive.
Nowlin Street	From its intersection with Blair Oaks Road to its intersection with Cougar Alley.

Paige Road	From a point 325 feet north of the intersection with Yager Drive and point 135 feet south of the intersection with Norris Drive.
South Colony Blvd.	From a point 300 feet east of its intersection with Blair Oaks Drive to a point 20 feet west of its intersection with Alta Oaks Lane.
Squires Drive	From a point 280 feet east of its intersection with Taylor Drive, to a point 280 feet west of its intersection with Taylor Drive.
Taylor Drive	From its intersection with Squires Drive, to a point 280 feet south of Squires Drive.

- (d) The maximum lawful prima facie speed limit in said school traffic zones during said hours shall be 30 miles per hour. The locations of said school traffic zones are as follows:

Farm Road Highway No. 423 (Main Street)	Within the corporate limits of the city in excess of the speed now set forth in the following limits: Beginning at station 509 plus 85 to station 522 plus 85, being a distance of one thousand three hundred (1,300) feet.
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SECTION 3. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation of this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 4. That all provisions of the Ordinances of the City of The Colony, Texas, in conflict with the provisions of this ordinance be, and the same are hereby amended, repealed, and all other provisions of the Ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the City of The Colony, Texas, shall be punished by a fine not to exceed the sum of Two Hundred Dollars (\$200.00) for each offense. Every day a violation occurs shall constitute a separate offense.

SECTION 6. This Ordinance shall become effective from and after its date of passage in accordance with law.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF THE COLONY, TEXAS, THIS THE 21st day of August, 2012.

/s/Joe McCourry, Mayor

ATTEST:

/s/Christie Wilson, City Secretary

APPROVED AS TO FORM:

/s/Jeff Moore, City Attorney