

ORDINANCE NO.2012- 27

AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES CHAPTER VII, ARTICLE 5, TRAFFIC SCHEDULES, TEMPORARILY SETTING A CONSTRUCTION SPEED ZONE OF 55 MILES PER HOUR TO BE IN EFFECT WHEN SIGNS ARE DISPLAYED WITHIN THE CONSTRUCTION PROJECT ON US HIGHWAY 77, FROM 4,300 FEET NORTH OF CAESAR AVENUE TO 8,500 FEET SOUTH OF CAESAR AVENUE, WITH THE COMPLETION AND/OR ACCEPTANCE OF EACH PROJECT CANCELLING THE PROVISIONS OF THIS ORDINANCE AND CAUSING THE REMOVAL OF ANY REMAINING CONSTRUCTION SPEED ZONE SIGNS; PROVIDING FOR APPROPRIATE PENALTIES, FINES, AND FEES REGARDING THE REGULATION THEREOF; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.

WHEREAS, the Texas Department of Transportation (TXDOT) has a project on US Highway 77 to build a diamond interchange at Caesar Avenue in Kingsville and has requested a temporary construction speed zone to reduce the speed limit from 65 mph to 55 mph within the construction zone, which is 4,300 feet north of Caesar Avenue to 8,500 feet south of Caesar Avenue, during the construction phase of the project.

WHEREAS, this Ordinance is necessary to protect the public safety, health, and welfare of the City of Kingsville.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF KINGSVILLE, TEXAS:

I.

THAT Schedule I of Article 5: Traffic Schedules of Chapter VII, Traffic Code, of the Code of Ordinances of the City of Kingsville, Texas, shall be temporarily amended to read as follows:

§ 7-5 SCHEDULE I: SPEED LIMITS.

...

(B) U.S. and State Highways.

A temporary construction speed zone of 55 miles per hour is to be in effect when signs are displayed within the construction project on US Highway 77 from 4,300 feet north of Caesar Avenue to 8,500 feet south of Caesar Avenue, with the completion and/or acceptance of each project cancelling the provisions of this ordinance and causing the removal of any remaining construction speed zone signs.

...

Penalty, see §1-1-99.

II.

THAT all Ordinances or parts of Ordinances in conflict with this Ordinance are repealed to the extent of such conflict only.

III.

THAT if for any reason any section, paragraph, subdivision, clause, phrase, word or provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word or provision of this ordinance, for it is the definite intent of this City Commission that every section, paragraph, subdivision, clause, phrase, word or provision hereof be given full force and effect for its purpose.

IV.

THAT this Ordinance shall NOT be codified, but will become effective on and after adoption and publication as required by law.

INTRODUCED on this the 23rd day of April, 2012.

PASSED AND APPROVED on this the 14th day of May, 2012.

Sam R. Fugate, Mayor

ATTEST:

Edna S. Lopez, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

EFFECTIVE DATE: May 30, 2012