

ORDINANCE NO. 2014-031

AN ORDINANCE AMENDING SECTION 38-129 OF THE ALVARADO CODE OF ORDINANCES BY DESIGNATING THE SCHOOL ZONES; DIRECTING THE CITY MANAGER TO INDICATE THE SCHOOL ZONE LOCATIONS AND TIME WITH APPROPRIATE SIGNAGE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Alvarado, Texas is a Type A general-law municipality in Johnson County, created in accordance with the provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, the City Council has previously established contiguous school zones within the city; and

WHEREAS, the City Council now desires to designate the school zones and render each zone separate to each other;

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

Section 1. 38.129 School Zones

- (a) The maximum prima facie limit on the following parts of streets within the city hereby is declared to be 20 miles per hour on school days between the hours of 7:00 a.m. to 8:15 a.m. and 3:15 p.m. to 4:30 p.m.:
 - (1) Davis between a point 0.5 miles east of Ezell to a point 0.3 miles east of Ezell.
 - (2) Cummings between U. S. 67 and a point 0.025 miles north of U. S. 67.
 - (3) Cummings between a point 0.01 miles south of CR508 and a point 0.02 miles north of CR 508.
 - (4) Maple Street eastbound from the intersection with Parkway to MP 0.19 and westbound from the intersection with CR 1807 to MP 0.74.
- (b) The maximum prima facie limit on the following parts of streets within the city hereby is declared to be 20 miles per hour on school days between the hours of 11:00 a.m. to 1:00 p.m.:
 - (1) Davis between a point 0.5 miles east of Ezell to a point 0.3 miles east of

Ezell.

- (2) Cummings between a point 0.01 miles south of CR508 and a point 0.02 miles north of CR 508.

(c) The maximum prima facie limit on the following parts of streets within the city hereby is declared to be 35 miles per hour when signed for school crossing:

- (1) U. S. Highway 67 from approximately 7,100 feet west of Cummings Road easterly 0.30 miles to a point approximately 795 feet east of Cummings Road.
- (2) Control Section: 1600-02
Highway:
School zone MP 0.516 east 0.613 miles to MP 1.129; zoned at 30 mph when flashing, 45 mph at all other times.
- (3) Control Section 0260-01:
School zone: MP 8.671 westerly 0.300 miles to MP 8.971, zoned at 35 mph when flashing, 45 mph all other times.

Section 2. That the City Manager is hereby directed to post signage along these portions as described above indicating to the public the school zone speed limit and times.

Section 3. This ordinance shall be cumulative of all provisions and ordinances of the Code of Ordinances of the City of Alvarado, Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such code, in which the conflicting provisions of such ordinances and such Code are hereby repealed.

Section 4. 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 in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section 5. Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Two Hundred Dollars (\$200.00). Each day that a violation is permitted to exist shall constitute a separate offense.

Section 6. All rights and remedies of the City of Alvarado are expressly saved as to any and all violations of the provisions of this Ordinance or any other ordinances governing traffic and the prima facie speed of vehicles which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

Section 7. The City Secretary of the City of Alvarado is hereby directed to publish the caption and penalty clause of this ordinance one time in the official newspaper of the City, as authorized by Section 52.011 of the Local Government Code.

Section 8. This ordinance shall be in full force and effect from and after its passage and publication as required by law.

AND SO IT IS ORDAINED.

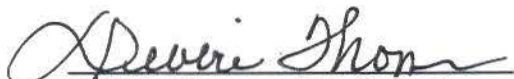
Passed on the 20th day of October, 2014, by a vote of 5 to 0

CITY OF ALVARADO

A handwritten signature in black ink, appearing to read "E. Dewayne Richters", written over a horizontal line.

E. Dewayne Richters, Mayor

ATTEST:

A handwritten signature in black ink, appearing to read "Debbie Thomas", written over a horizontal line.
Debbie Thomas, City Secretary