

AN ORDINANCE OF THE TOWN OF PROSPER, TEXAS, AMENDING SECTION 12.09.003, "SPEED LIMITS ON SPECIFIC STREETS," OF CHAPTER 12, "TRAFFIC AND VEHICLES," OF THE CODE OF ORDINANCES OF THE TOWN OF PROSPER BY MODIFYING THE PRIMA FACIE SPEED LIMITS ON CERTAIN STREETS WITHIN THE TOWN OF PROSPER; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the Town of Prosper, Texas ("Town"), is a home-rule municipal corporation duly organized under the laws of the State of Texas; and

WHEREAS, Section 545.356 of the Texas Transportation Code provides that the governing body of a municipality may alter prima facie speed limits by ordinance based on the results of an engineering and traffic investigation; and

WHEREAS, the Town has investigated the speed limits on streets within its corporate limits and has determined that restating and modifying the prima facie speed limits is in the best interests of the Town and its citizens.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, THAT:

SECTION 1

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

SECTION 2

Existing Section 12.09.003, "Speed Limits on Specific Streets," of Chapter 12, "Traffic and Vehicles," of the Code of Ordinances of the Town of Prosper, Texas, is hereby amended by modifying the prima facie speed limits on certain streets, to read as follows:

"Sec. 12.09.003 Speed Limits on Specific Streets

A person shall not operate a vehicle upon a public street or highway listed in this section at a speed greater than established by this section, with the limits established being prima facie evidence that the speed is not reasonable and prudent and that the speed is unlawful. The following maximum speed limits are established:

| Town Streets | | |
|-------------------|--|-------------------|
| Street Name | Limits | Speed Limit (MPH) |
| | | |
| Broadway | McKinley Street to Coleman Street | 25 |
| | | |
| Coit Road | US 380 (University Drive) to FM 1461 (Frontier Pkwy) | 45 |
| | | |
| Coleman Street | Richland Boulevard to Lovers Lane | 40 |
| Coleman Street | Lovers Lane to Broadway | 30 |
| Coleman Street | Broadway to Gorgeous Drive | 30 |
| Coleman Street | Gorgeous Drive to Talon Lane | 45 |
| Coleman Street | Talon Lane to SH 289 (Preston Road) | 45 |
| | | |
| Cook Lane | First Street to Prosper Trail | 35 |
| | | |
| Craig Road | SH 289 (Preston Road) to FM 1193 (Broadway) | 25 |
| | | |
| Dallas Parkway | US 380 (University Drive) to Frontier Parkway | 45 |
| | | |
| First Street | Legacy Drive to 400 feet west of BNSF Railroad | 45 |
| First Street | 400 feet west of BNSF Railroad to Craig Road | 30 |
| First Street | Craig Road to FM 2478 (Custer Road) | 45 |
| | | |
| Fishtrap Road | FM 1385 to Legacy Drive | 45 |
| | | |
| Frontier Parkway | Legacy Drive to Dallas Parkway | 35 |
| Frontier Parkway | Dallas Parkway to SH 289 (Preston Road) | 45 |
| | | |
| Gee Road | US 380 (University Drive) to Fishtrap Road | 45 |
| | | |
| Good Hope Road | Windsong Parkway to Parvin Road | 35 |
| | | |
| Hays Road | First Street to South Chandler Circle | 30 |
| | | |
| La Cima Boulevard | US 380 (University Drive) to First Street | 40 |
| | | |
| Legacy Drive | US 380 (University Drive) to 1,600 feet north of Prairie Drive | 45 |
| Legacy Drive | Fishtrap Road to Frontier Parkway | 35 |
| | | |
| Lovers Lane | US 380 (University Drive) to SH 289 (Preston Road) | 40 |
| Lovers Lane | SH 289 (Preston Road) to Coleman Street | 40 |

| | | |
|-----------------------|--|----|
| McKinley Street | First Street to Fifth Street | 25 |
| | | |
| Main Street | First Street to Seventh Street | 25 |
| | | |
| Parvin Road | FM 1385 to Legacy Drive | 35 |
| | | |
| Prairie Drive | 1,400 feet west of Legacy Drive to 1,900 east of Legacy Drive | 45 |
| | | |
| Prosper Commons Blvd. | US 380 (University Drive) to Richland Boulevard | 30 |
| | | |
| Prosper Road | Teel Parkway to Legacy Drive | 35 |
| | | |
| Prosper Trail | Legacy Drive to 1,000 feet east of Legacy Drive | 35 |
| Prosper Trail | 1,000 feet east of Legacy Drive to Dallas Parkway | 45 |
| Prosper Trail | Dallas Parkway to SH 289 (Preston Road) | 45 |
| Prosper Trail | SH 289 (Preston Road) to Coit Road | 45 |
| Prosper Trail | Coit Road to FM 2478 (Custer Road) | 45 |
| | | |
| Richland Boulevard | Coleman Street to SH 289 (Preston Road) | 40 |
| Richland Boulevard | SH 289 (Preston Road) to Lovers Lane | 40 |
| Richland Boulevard | 1,100 feet west of La Cima Boulevard to 900 feet east of La Cima Boulevard | 45 |
| Richland Boulevard | Prosper Commons Boulevard to Coit Road | 45 |
| Richland Boulevard | Coit Road to 900 feet east of Coit Road | 45 |
| | | |
| Safety Way | Dallas Parkway to Cook Lane | 35 |
| | | |
| Shawnee Trail | Star Trace Parkway to Caruth Drive | 45 |
| | | |
| Talon Lane | Coleman Street to Frontier Parkway | 45 |
| | | |
| Teel Parkway | US 380 (University Drive) to Windsong Parkway | 45 |
| Teel Parkway | Windsong Parkway to Prosper Road | 35 |
| | | |
| Victory Way | Coleman Street to Frontier Parkway | 45 |
| | | |
| Windsong Parkway | US 380 (University Drive) to 1,000 feet north of US 380 (University Drive) | 30 |

| State Highways | | |
|---------------------------|--|-------------------|
| Highway | Limits | Speed Limit (MPH) |
| FM 1193 (Broadway) | Coleman Street to SH 289 (Preston Road) | 35 |
| FM 1385 | US 380 to Parvin Road | 55 |
| FM 1461 (Frontier Pkwy) | SH 289 (Preston Road) to FM 2478 (Custer Road) | 55 |
| FM 2478 (Custer Road) | US 380 (University Drive) to FM 1461 (Frontier Pkwy) | 55 |
| SH 289 (Preston Road) | US 380 (University Drive) to FM 1461 (Frontier Pkwy) | 55 |
| US 380 (University Drive) | FM 1385 to Red Bud Drive | 60 |
| US 380 (University Drive) | Red Bud Drive to FM 2478 (Custer Road) | 55 |

SECTION 3

All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portion of conflicting ordinances shall remain in full force and effect.

SECTION 4

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason, held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The Town of Prosper 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 sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

SECTION 5

Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by fine not to exceed the sum of five hundred dollars (\$500.00) for each offense.

SECTION 6

This Ordinance shall become effective after its passage and publication, as required by law.

DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, ON THIS 8TH DAY OF SEPTEMBER, 2020.

APPROVED:

Ray Smith, Mayor

ATTEST:

Melissa Lee, Town Secretary

APPROVED AS TO FORM AND LEGALITY:

Terrence S. Welch, Town Attorney