

ORDINANCE NO. 2022-26

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF ROSENBERG, TEXAS, BY AMENDING SECTION 28-71 OF DIVISION 4, ARTICLE II OF CHAPTER 28 THEREOF, BY ESTABLISHING A NEW PRIMA FACIE SPEED LIMIT OF FORTY (40) MILES PER HOUR ALONG FM 2977 FROM THE CENTERLINE OF FM 762 TO SOUTHBOUND NORTH CITY LIMIT OF THE CITY OF ROSENBERG, BEING SOUTHWEST OF THE INTERSECTION OF READING ROAD, A DISTANCE OF APPROXIMATELY 0.400 MILES; MAKING CERTAIN FINDINGS; AUTHORIZING THE PLACEMENT OF SPEED LIMIT SIGNS ALONG SUCH STREET; PROVIDING A PENALTY FOR VIOLATION OF ANY PROVISION HEREOF; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR SEVERABILITY.

WHEREAS, the City Council of the City of Rosenberg, Texas, is authorized by Section 545.356 of the Texas Transportation Code to regulate speed limits on certain City streets in order to facilitate the reasonable movement of traffic; and,

WHEREAS, the City Council of the City of Rosenberg, Texas, has determined that the safety and welfare of the citizens of the City and other members of the traveling public require that at the location along FM 2977 from the centerline of FM 762 to southbound north city limit of the City of Rosenberg, being southwest of the intersection of Reading Road, a distance of approximately 0.400 miles, the prima facie speed limit be set at forty (40) miles per hour and that speed limit signs should be placed along such road; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ROSENBERG:

Section 1. The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. The Code of Ordinances of the City of Rosenberg, Texas, is hereby amended by amending Section 28-71 of Division 4 of Article II of Chapter 28 thereof with the following new prima facie speed limits as follows:

"Sec. 28-71. - Speed zones.

The penalty upon conviction for violation of this section shall be as provided in section 1-13.

Upon the basis of traffic investigation heretofore made as authorized by the provisions of the Texas Transportation Code, the following prima facie speed limits hereafter indicated for vehicles are hereby determined and declared to be reasonable

and safe; and such speed limits are hereby fixed at the rate of speed indicated for vehicles traveling upon the named streets and highways, or parts thereof, described as follows:

All streets located within Seabourne Creek Park, twenty-five (25) miles per hour.

Ace Court from Stoneridge Court, a distance of approximately three hundred and twenty (320) feet, twenty-five (25) miles per hour.

Allwright Street between Reading Road and Homestead Road, twenty-five (25) miles per hour.

Arcola Court from Belvedere Drive, a distance of approximately one hundred and ninety (190) feet, twenty-five (25) miles per hour.

Bamboo Lane from Banner Lane to Stoneridge Court; Banner Lane from Bamboo Court to Oakland Valley Drive, twenty-five (25) miles per hour.

Bass Lane from Belvedere Drive to Troutline Drive, twenty-five (25) miles per hour.

Belvedere Drive from Bass Lane a distance approximately one hundred and twenty (120) feet west of Arcola Court, twenty-five (25) miles per hour.

Briar Ridge Drive from Jones Street to Junker Street, twenty (20) miles per hour.

Brumbelow Street from Jones Street to Avenue N, twenty (20) miles per hour.

Bryan Road between FM 2218 to the east city limit line, thirty-five (35) miles per hour.

Callender Street between State Highway 36 and West Street, twenty-five (25) miles per hour.

Chestnut Drive from Live Oak Drive to Pecan Drive, twenty (20) miles per hour.

Cottonwood School Road between U.S. Highway 59 and Klauke Road, forty (40) miles per hour.

Cunningham Lane from Diamond River Drive to Silverton Bend, twenty-five (25) miles per hour.

Davis Avenue from Ward Street to Johnson Street, twenty (20) miles per hour.

Diamond River Drive from Cunningham Lane to Walnut Glen Lane, twenty-five (25) miles per hour.

FM 1640 from the centerline of Horace Mann Avenue to Rosenberg/Richmond city limit line, a distance of approximately 0.847 miles, forty-five (45) miles per hour.

FM 1640 from the centerline of Spur 529 to the centerline of Horace Mann Avenue, a distance of approximately 2.358 miles, thirty-five (35) miles per hour.

FM 2218 from Richmond/Rosenberg city limit line to one thousand two hundred fourteen (1,214) feet south of Airport Avenue, a distance of approximately 1.146 miles, forty-five (45) miles per hour.

FM 2218 from one thousand two hundred fourteen (1,214) feet south of Airport Avenue south to city limit of City of Rosenberg, a distance of approximately 0.847 miles, fifty (50) miles per hour.

FM Highway 723 from the northern city limit of City of Rosenberg to the centerline of US Highway 90A/Avenue H, a distance of approximately 0.588 mile, thirty-five (35) miles per hour.

FM 762 from the north city limit of City of Rosenberg to the south city limit of City of Rosenberg, a distance of approximately 0.658 miles, fifty-five (55) miles per hour.

FM 2977 from the intersection of FM 762 to southbound north city limit of the City of Rosenberg, being southwest of the intersection of Reading Road, a distance of approximately 0.400 mile, forty (40) miles per hour.

Freeway Manor from Junker Street to Airport Avenue, twenty (20) miles per hour.

Georgina Street from Avenue I to Avenue N, twenty-five (25) miles per hour.

Hickory Way from Pecan Drive to Live Oak Drive, twenty (20) miles per hour.

Homestead Road from FM 2218, a distance of approximately two thousand eight hundred (2,800) feet, twenty-five (25) miles per hour.

IH-69 South Bound Frontage Road from Mile Point 1.825 (Bamore Road) to Mile Point 3.297 (Louise Street), a distance of approximately 1.472 miles, forty-five (45) miles per hour, when so signed.

IH-69 North Bound Frontage Road from Mile Point 12.151 (Spur 529 & US 59) to Mile Point 12.474 (Dead End), a distance of approximately 0.323 miles, forty-five (45) miles per hour, when so signed.

J. Meyer Road between Silver Stone Lane and FM 2218, forty (40) miles per hour.

Johnson Street from Madison Avenue to Davis Avenue, twenty (20) miles per hour.

Jones Street from Airport Avenue to Avenue N, twenty (20) miles per hour.

Junker Street from Jones Street to Avenue N, twenty (20) miles per hour.

Kay Cee Drive from SH-36, a distance of approximately one thousand one hundred sixty (1,160) feet, twenty-five (25) miles per hour.

Klare Avenue, from the east line of Bamore Road to the west line of West Street, a distance of approximately 0.31439 mile, twenty (20) miles per hour.

Klauke Court, the entire length of Klauke Court, twenty (20) miles per hour.

Lazy Lane between Reading Road and Homestead Road, twenty-five (25) miles per hour.

Live Oak Drive from Alamo Street to Chestnut Drive, twenty (20) miles per hour.

Lory Street from Mons Avenue to Airport Avenue, twenty (20) miles per hour.

Louise Street between U.S. Highway 59 and Mons Avenue, forty (40) miles per hour.

Madison Avenue from Ward Street to Johnson Street, twenty (20) miles per hour.

Marilyn Street from Jones Street to Briar Ridge Street, twenty (20) miles per hour.

Oakland Valley Drive from Bryan Road, a distance of approximately one thousand four hundred and fifty (1,450) feet, twenty-five (25) miles per hour.

Pecan Drive from Chestnut Drive to Hickory Way, twenty (20) miles per hour.

Premier Circle from Banner Lane, a distance of two hundred and twenty (220) feet, twenty-five (25) miles per hour.

Reading Road between FM 1640 and Spacek Road, thirty-five (35) miles per hour.

Reading Road between Spacek Road and FM 2977, forty (40) miles per hour.

Richard Street between Reading Road and Homestead Road, twenty-five (25) miles per hour.

Ripple Creek Drive from Jones Street to Freeway Manor Drive, twenty (20) miles per hour.

Sally Anne Drive from Lane Drive to the East City Limit line, approximately one thousand and fifty (1,050) feet, twenty-five (25) miles per hour.

Seabourne Meadows Drive from Spur 529, a distance of approximately two thousand two hundred (2,200) feet, twenty-five (25) miles per hour.

Silverton Bend from Cunningham Lane to Walnut Glen Lane, twenty-five (25) miles per hour.

SPUR 529 from the centerline of U.S. Highway 90A to two hundred sixty-four (264) feet west of Bestway, forty-five (45) miles per hour.

SPUR 529 from two hundred sixty-four (264) feet west of Bestway to the eastern city limit of the City of Rosenberg, fifty-five (55) miles per hour.

State Highway 36 from a point nine hundred fifty (950) feet northwest of Huntington Road to a point nine hundred twenty-four (924) southeast of Huntington Road, a distance of approximately 0.350 miles, fifty-five (55) miles per hour.

State Highway 36 from a point nine hundred twenty-four (924) feet southeast of Huntington Road to the centerline of Walnut Avenue, a distance of approximately 0.44 miles, forty-five (45) miles per hour.

State Highway 36 from the centerline of US Highway 90A to the centerline of Walnut Avenue, a distance of approximately 0.284 miles, forty (40) miles per hour.

State Highway 36 from the centerline of US Highway 90A to the centerline of Walger Avenue, a distance of approximately 1.25 miles, thirty-five (35) miles per hour.

State Highway 36 from the centerline of Walger Avenue to the south city limit of the city, a distance of approximately 2.873 miles, forty-five (45) miles per hour.

Stoneridge Court from Oakland Valley Drive, a distance of one hundred and sixty (160) feet west of Bamboo Lane, twenty-five (25) miles per hour.

Stoneridge Court from Oakland Valley Drive a distance of approximately eight hundred and fifty (850) feet east of Ace Court, twenty-five (25) miles per hour.

Town Center Boulevard between Radio Lane and Vista Drive, thirty-five (35) miles per hour.

Troutline Lane from Bass Lane to Waterbrook Lane, twenty-five (25) miles per hour.

U.S. Highway 90A from a point seven hundred twelve (712) feet east of Junker Road to a point three thousand three hundred fifteen (3,315) feet east of Junker Road, a distance of approximately 0.489 mile, sixty (60) miles per hour speed limit.

U.S. Highway 90A from a point three thousand three hundred fifteen (3,315) feet east of Junker Road to a point one thousand four hundred twenty-five (1,425) feet west of State Highway 36, a distance of approximately 0.200 mile, fifty (50) miles per hour.

U.S. Highway 90A from a point one thousand four hundred twenty-five (1,425) feet west of State Highway 36 to the centerline of First Street, a distance of approximately 0.535 mile, forty (40) miles per hour.

U.S. Highway 90A from the centerline of First Street to a point three hundred ninety (390) feet west of Damon Street, a distance of approximately 1.146 miles, thirty-five (35) miles per hour.

U.S. Highway 90A from a point three hundred ninety (390) feet west of Damon Street to the eastern limits of the City of Rosenberg (at six hundred seven (607) feet east of Lane Drive), a distance of approximately 1.918 miles, forty (40) miles per hour.

U.S. 59 Frontage Road (north/southbound) from north city limit of Rosenberg City to the centerline of FM 2218, a distance of approximately 1.981 miles, fifty-five (55) miles per hour.

U.S. 59 Frontage Roads from the centerline of Leon Street to the south city limit line of the city, a distance of approximately 3.380 miles, fifty (50) miles per hour.

U.S. 59 Frontage Roads from FM 2218 to one thousand nine hundred (1,900) feet south of Cottonwood, a distance of approximately 2.90 miles, fifty-five (55) miles per hour.

U.S. 59 East and West Two-Way Frontage Roads from one thousand nine hundred (1,900) feet south of Cottonwood to the centerline of Klauke Road, a distance of approximately 0.507 miles, forty (40) miles per hour.

59 Northbound East Frontage Road from one thousand nine hundred (1,900) feet south of Kroesche Road to the centerline of Leon Street, a distance of approximately 0.703 miles, forty (40) miles per hour.

US 59 North Bound Frontage Road from Mile Point 20.353 (Spur 529 & US 59) to Mile Point 22.150 (Anton Stade Road), a distance of approximately 1.797 miles, forty-five (45) miles per hour, when so signed.

U.S. 59, from the south city limit line of the city, approximately three thousand two hundred (3,200) feet north of Isleib Road to Engineer's Station 485+00, approximately seven thousand two hundred (7,200) feet north of Isleib Road, a total distance of approximately 0.76 miles.

Wagon Wheel Lane from Diamond River Drive to Silverton Bend, twenty-five (25) miles per hour.

Walnut Glen Lane from Silverton Bend to Spacek Road, twenty-five (25) miles per hour.

Waterbrook Lane from Belvedere Drive to Troutline Lane, twenty-five (25) miles per hour.

Winners Court from Cunningham Lane, a distance of approximately one hundred and twenty-five (125) feet, twenty-five (25) miles per hour."

Section 3. The City Manager is hereby authorized and directed to cause the placement of speed limit signs as described in Section 2 hereof.

Section 4. The speed limits established by this Ordinance shall be effective upon the City erecting signs giving notice of the new speed limit, following passage of this Ordinance and shall be published in a newspaper of general circulation in compliance with Section 3.10 of the City Charter.

Section 5. Pursuant to Texas Transportation Code Section 545.356(d), not later than February 1 of each year, the Chief of Police shall ensure that a report that compares the following for each of the two (2) previous calendar years is posted on the City's website and submitted to the Texas Department of Transportation:

- (1) the number of traffic citations issued by peace officers of the municipality and the alleged speed of the vehicles, for speed limit violations on the highway or part of the highway;
- (2) the number of warning citations issued by peace officers of the municipality on the highway or part of the highway; and
- (3) the number of vehicular accidents that resulted in injury or death and were attributable to speed limit violations on the highway or part of the highway.

Section 6. Violations of this Ordinance shall be punished in accordance with the penalty provisions of the City of Rosenberg Code of Ordinances.

Section 7. In the event any clause phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Rosenberg, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

PASSED AND APPROVED by a vote of 7 "ayes" in favor and 0 "noes" against on this first and final reading in full compliance with the provisions of Section 3.10 of the Charter of the City of Rosenberg on the 5th day of July 2022.

ATTEST:


Danyel Swint, TRMC, **CITY SECRETARY**

APPROVED:


Kevin Raines, **MAYOR**

APPROVED AS TO FORM:


CITY ATTORNEY
Randle Law Office, Ltd., L.L.P.





Texas Department of Transportation



P.O. BOX 1386 | HOUSTON, TEXAS 77251-1386 | 713.802.5000 | WWW.TXDOT.GOV

June 14, 2022

The Honorable William T. "Bill" Benton
Mayor
City of Rosenberg
2110 4th St.
Rosenberg, Texas 77471

RE: Request for City Speed Zone Ordinance – FM 2977 – Fort Bend County


Dear Mayor Benton:

Our office has completed a Speed Zone Study along FM 2977 within the City of Rosenberg. Attached you will find a Speed Zone Strip Map numbered 5810 A and a prepared Speed Zone Ordinance suggested by the Texas League of Municipalities containing the recommended zone along FM 2977.

If you concur with the recommended speed zone please furnish this office with a copy of your executed ordinance.

Should you have questions please contact Mr. Gaurang Pandit, Transportation Engineer Supervisor at (713) 802-5856.

Sincerely,



Ugonna U. Ughanze, P.E.
Director of Transportation Operations
Houston District

Attachments

cc: Danyel Swint – Secretary City of Rosenberg
Gaurang S. Pandit, P.E

OUR VALUES: *People • Accountability • Trust • Honesty*
OUR MISSION: *Connecting You With Texas*

An Equal Opportunity Employer

SPEED ZONE ORDINANCE # _____

AN ORDINANCE ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF § 545.356, TEXAS TRANSPORTATION CODE, UPON THE BASIS OF AN ENGINEERING AND TRAFFIC INVESTIGATION, UPON CERTAIN STREETS AND HIGHWAYS, OF PARTS THEREOF, WITHIN THE CORPORATE LIMITS OF THE CITY OF ROSENBERG, AS SET OUT IN THIS ORDINANCE; AND PROVIDING A PENALTY OF A FINE NOT TO EXCEED \$200 FOR THE VIOLATION OF THIS ORDINANCE.

WHEREAS, § 545.356, Vernon's Texas Civil Statutes, provides that whenever the governing body of the city 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 safe under the conditions found to exist at any intersection or other place or upon any part of a street or highway within the city, taking into consideration 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 a reasonable and safe prima facie speed limit thereat or 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;

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

Section 1. Upon the basis of an engineering and traffic investigation heretofore made as authorized by the provisions of § 545.356, Texas Transportation Code, the following prima facie speed limits hereafter indicated for vehicles are hereby determined and declared to be reasonable and safe; and such speed limits are hereby fixed at the rate of speed indicated for vehicles traveling upon the named streets and highways, or parts thereof, described as follows:

Along FM 2977 from the centerline of FM 762 to southbound north city limit of the City of Rosenberg, being southwest of the intersection of Reading Road, a distance of approximately 0.400 mile, the speed limit shall be 40 MPH.

Section 2. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not more than Two Hundred Dollars (\$200).

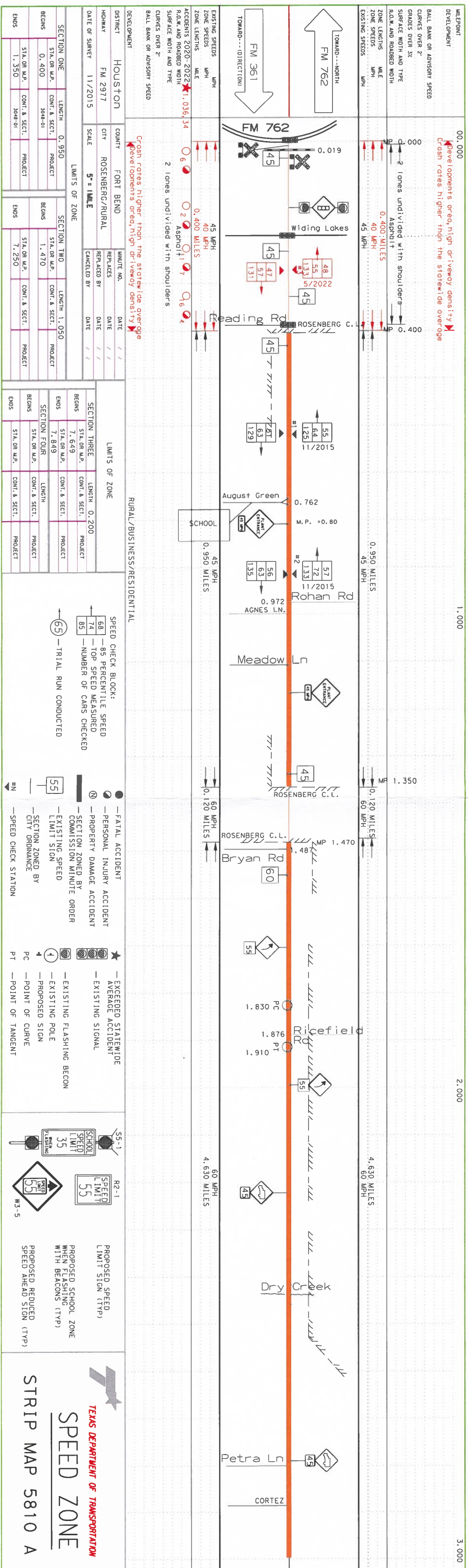
PASSED AND APPROVED THIS _____ day of _____, 2022

ATTEST:

APPROVED:

City Secretary

Mayor



FILED \$

\$DATE\$

\$ TIME\$