

ORDINANCE NO. 2016-40

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF ROSENBERG, TEXAS, BY DELETING ALL OF SECTION 28-41 (b) AND (d), STOP SIGNS DESIGNATED, OF ARTICLE II, DIVISION 2 OF CHAPTER 28, STOP STREETS, AND SUBSTITUTING THEREFOR A NEW SECTION 28-41 (b) AND (d) OF ARTICLE II, DIVISION 2 OF CHAPTER 28 THEREOF; PROVIDING FOR A TWO-WAY STOP AT THE INTERSECTION OF AVENUE K AND ALLEN STREET; PROVIDING FOR A FOUR-WAY STOP AT THE INTERSECTION OF AVENUE K AND JAMES STREET; PROVIDING A PENALTY IN AN AMOUNT OF NOT LESS THAN \$1.00 OR MORE THAN \$200.00 FOR VIOLATION OF ANY PROVISION HEREOF; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Rosenberg, Texas, is authorized by Section 542.202 of the Texas Transportation Code to regulate traffic by the placement of traffic control devices; and,

WHEREAS, the City Council of the City of Rosenberg, Texas, has determined and finds that the safety and welfare of the citizens of the City and other members of the traveling public require removing certain stop signs and placing stop signs at certain locations which requires deleting the following stop sign designations from Section 28-41 (b) and (d) of Article II, Division 2 of Chapter 28, Stop Streets, and substituting a new Section 28-41 (b) and (d) with new stop sign designations; and,

WHEREAS, the City Council of the City of Rosenberg, Texas, finds that Chapter 28 requires amending to include a penalty range of a fine in an amount of not less than one dollar (\$1.00) and not more than two hundred dollars (\$200.00); 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. That the Code of Ordinances of the City of Rosenberg is hereby amended by deleting from Chapter 28, Section 28-41 (b) and (d) Stop Signs Designated, of Article II, Division 2, and substituting a new Section 28-41 (b) and (d) Stop Signs Designated as follows:

“Sec. 28-41. - Stop signs designated.

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(b) *Two-way stops.* Stop signs indicating two-way stops shall be placed at the following locations within the city:

| Stop Street | Intersecting Streets |
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| 1st Street | 1st Street and Avenue D |
| 1st Street | 1st Street and Avenue E |
| 2nd Street | 2nd Street and Avenue D |
| 2nd Street | 2nd Street and F.M. Highway 1640 (Avenue I) |
| 2nd Street | 2nd Street and U.S. Highway 90A (Avenue H) |
| 3rd Street | 3rd Street and Avenue M |
| 3rd Street | 3rd Street and Brooks Avenue |
| 3rd Street | 3rd Street and F.M. Highway 1640 (Avenue I) |
| 3rd Street | 3rd Street and Main Street |
| 4th Street | 4th Street and Avenue D |
| 4th Street | 4th Street and U.S. Highway 90A (Avenue H) |
| 5th Street | 5th Street and Avenue D |
| 5th Street | 5th Street and Avenue G |
| 5th Street | 5th Street and Avenue M |
| 5th Street | 5th Street and Avenue N |
| 5th Street | 5th Street and Avenue O |
| 5th Street | 5th Street and F.M. Highway 1640 (Avenue I) |
| 5th Street | 5th Street and U.S. Highway 90A (Avenue H) |
| 6th Street | 6th Street and Avenue G |
| 6th Street | 6th Street and Avenue M |
| 6th Street | 6th Street and Avenue N |
| 6th Street | 6th Street and Avenue O |
| 6th Street | 6th Street and F.M. Highway 1640 (Avenue I) |
| 7th Street | 7th Street and Avenue G |
| 7th Street | 7th Street and Avenue L |

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| 7th Street | 7th Street and Avenue M |
| 7th Street | 7th Street and Avenue O |
| 7th Street | 7th Street and F.M. Highway 1640 (Avenue I) |
| 7th Street | 7th Street and U.S. Highway 90A (Avenue H) |
| 8th Street | 8th Street and Avenue A |
| Alamo Street | Alamo Street and Avenue G |
| Alamo Street | Alamo Street and Avenue J |
| Alamo Street | Alamo Street and Avenue K |
| Alamo Street | Alamo Street and F.M. Highway 1640 (Avenue I) |
| Allen Street | Allen Street and Avenue K |
| Allen Street | Allen Street and F.M. Highway 1640 (Avenue I) |
| Allwright Street | Allwright Street and Reading Road |
| Aquarius Street | Aquarius Street and Pisces Street |
| Avenue A | Avenue A and 2nd Street |
| Avenue A | Avenue A and 7th Street |
| Avenue B | Avenue B and 2nd Street |
| Avenue B | Avenue B and 7th Street |
| Avenue C | Avenue C and 5th Street |
| Avenue D | Avenue D and 6th Street |
| Avenue E | Avenue E and 3rd Street |
| Avenue E | Avenue E and Mulcahy Street |
| Avenue E | Avenue E and Willow Street |
| Avenue F | Avenue F and 8th Street |
| Avenue F | Avenue F and Jennetta Street |
| Avenue F | Avenue F and San Jacinto Street |
| Avenue G | Avenue G and Houston Street |
| Avenue G | Avenue G and Mulcahy Street |
| Avenue J | Avenue J and 2nd Street |
| Avenue J | Avenue J and 3rd Street |
| Avenue J | Avenue J and 4th Street |

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| Avenue J | Avenue J and 5th Street |
| Avenue J | Avenue J and 8th Street |
| Avenue J | Avenue J and Allen Street |
| Avenue J | Avenue J and Austin Street |
| Avenue J | Avenue J and Brazos Street |
| Avenue J | Avenue J and Carlisle Street |
| Avenue J | Avenue J and Damon Street |
| Avenue J | Avenue J and Frost Street |
| Avenue J | Avenue J and Houston Street |
| Avenue J | Avenue J and James Street |
| Avenue J | Avenue J and MacArthur Street |
| Avenue J | Avenue J and Mulcahy Street |
| Avenue J | Avenue J and San Jacinto Street |
| Avenue J | Avenue J and State Highway 36 (1st Street) |
| Avenue J | Avenue J and West Street |
| Avenue K | Avenue K and 3rd Street |
| Avenue K | Avenue K and 4th Street |
| Avenue K | Avenue K and 5th Street |
| Avenue K | Avenue K and 6th Street |
| Avenue K | Avenue K and 7th Street |
| Avenue K | Avenue K and Austin Street |
| Avenue K | Avenue K and Frost Street |
| Avenue K | Avenue K and George Street |
| Avenue K | Avenue K and Mulcahy Street |
| Avenue K | Avenue K and State Highway 36 (1st Street) |
| Avenue K | Avenue K and West Street |
| Avenue L | Avenue L and 2nd Street |
| Avenue L | Avenue L and 3rd Street |
| Avenue L | Avenue L and 4th Street |
| Avenue L | Avenue L and 6th Street |

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| Avenue L | Avenue L and Brazos Street |
| Avenue L | Avenue L and Carlisle Street |
| Avenue L | Avenue L and Damon Street |
| Avenue L | Avenue L and Frost Street |
| Avenue L | Avenue L and State Highway 36 (1st Street) |
| Avenue L | Avenue L and West Street |
| Avenue M | Avenue M and Frost Street |
| Avenue M | Avenue M and George Street |
| Avenue M | Avenue M and Mulcahy Street |
| Avenue N | Avenue N and 7th Street |
| Avenue P | Avenue P and Tobola Street |
| Bamore Road | Bamore Road and F.M. Highway 1640 (Avenue I) |
| Brazos Street | Brazos Street and Avenue E |
| Brazos Street | Brazos Street and Avenue K |
| Brazos Street | Brazos Street and F.M. Highway 1640 (Avenue I) |
| Brazos Street | Brazos Street and U.S. Highway 90A (Avenue H) |
| Brooks Avenue | Brooks Avenue and State Highway 36 (1st Street) |
| Callaway Cove Court | Callaway Cove Court and Iris Hills Lane |
| Carlisle Street | Carlisle Street and Dyer Avenue |
| Carlisle Street | Carlisle Street and F.M. Highway 1640 (Avenue I) |
| Carlisle Street | Carlisle Street and U.S. Highway 90A (Avenue H) |
| Cottage Creek Lane | Cottage Creek Lane and Heath Ridge Lane |
| Cypress Lane | Cypress Lane and Mons Avenue |
| Dallas Avenue | Dallas Avenue and Brazos Street |
| Dallas Avenue | Dallas Avenue and Carlisle Street |
| Dallas Avenue | Dallas Avenue and Frost Street |
| Dallas Avenue | Dallas Avenue and George Street |
| Dallas Avenue | Dallas Avenue and Houston Street |
| Dallas Avenue | Dallas Avenue and Mulcahy Street |
| Dallas Avenue | Dallas Avenue and West Street |

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| Damon Street | Damon Street and U.S. Highway 90A (Avenue H) |
| Davis Avenue | Davis Avenue and Ward Street |
| Divin Drive | Divin Drive and Town Center Boulevard |
| Dyer Avenue | Dyer Avenue and Brazos Street |
| Dyer Avenue | Dyer Avenue and Frost Street |
| Dyer Avenue | Dyer Avenue and Mulcahy Street |
| Dyer Avenue | Dyer Avenue and West Street |
| Elizabeth Avenue | Elizabeth Avenue and West Street |
| Frances Drive | Frances Drive and Lane Drive |
| Frost Street | Frost Street and F.M. Highway 1640 (Avenue I) |
| Frost Street | Frost Street and U.S. Highway 90A (Avenue H) |
| George Street | George Street and Avenue J |
| George Street | George Street and Walger Avenue (North) |
| Georgina Street | Georgina Street and Avenue J |
| Glenmeadow Drive | Glenmeadow Drive and Tobola Street |
| Hemple Drive | Hemple Drive and Town Center Boulevard |
| Houston Street | Houston Street and F.M. Highway 1640 (Avenue I) |
| Houston Street | Houston Street and U.S. Highway 90A (Avenue H) |
| Jones Street | Jones Street and Avenue N |
| Klauke Street | Klauke Street and Avenue N |
| Lark Street | Lark Street and Meadow Lane |
| Laurel Street | Laurel Street and Brumbelow Street |
| Laurel Street | Laurel Street and Jones Street |
| Laurel Street | Laurel Street and Junker Street |
| Laurel Street | Laurel Street and Klauke Street |
| Laurel Street | Laurel Street and Marilyn Street |
| Lawrence Street | Lawrence Street and F.M. Highway 1640 (Avenue I) |
| Leaman Avenue | Leaman Avenue and State Highway 36 (1st Street) |
| Leonard Street | Leonard Street and Brumbelow Street |
| Leonard Street | Leonard Street and Jones Street |

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| Leonard Street | Leonard Street and Junker Street |
| Leonard Street | Leonard Street and Klauke Street |
| Leonard Street | Leonard Street and Marilyn Street |
| Lindsey Drive | Lindsey Drive and Lane Drive |
| Longhorn Drive | Longhorn Drive and Airport Avenue |
| Louise Street | Louise Street and Avenue J |
| Louise Street | Louise Street and Avenue L |
| Louise Street | Louise Street and Avenue N |
| Louise Street | Louise Street and F.M. Highway 1640 (Avenue I) |
| Madison Avenue | Madison Avenue and Ward Street |
| Mahlman Street | Mahlman Street and Avenue N |
| Manor Drive | Manor Drive and Village Court Drive |
| Matamoros Drive | Matamoros Drive and Blume Road |
| Miles Street | Miles Street and F.M. Highway 1640 (Avenue I) |
| Mulcahy Street | Mulcahy Street and F.M. Highway 1640 (Avenue I) |
| Mulcahy Street | Mulcahy Street and U.S. Highway 90A (Avenue H) |
| Oak Briar Lane | Oak Briar Lane and Heath Ridge Lane |
| Pecan Park Drive | Pecan Park Drive and Westwood Drive |
| Randon Dyer Road | Randon Dyer Road and US Highway 90A |
| Randon School Road | Randon School Road and Spur 10 |
| Raven Street | Raven Street and Meadow Lane |
| Rice Street | Rice Street and State Highway 36 (1st Street) |
| Ripple Creek Drive | Ripple Creek Drive and Freeway Manor Drive |
| Robinowitz Road | Robinowitz Road and Spur 10 |
| San Jacinto Street | San Jacinto Street and F.M. Highway 1640 (Avenue I) |
| San Jacinto Street | San Jacinto Street and U.S. Highway 90A (Avenue H) |
| Silverton Bend | Silverton Bend and Wagon Wheel Lane |
| Spur 10 Ramp North of U.S. Highway 59 | Spur 10 Ramp North of U.S. Highway 59 and Spur 10 |

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| Spur 529 | Spur 529 and U.S. Highway 59 (Southbound) |
| Texas Avenue | Texas Avenue and Brazos Street |
| Texas Avenue | Texas Avenue and Carlisle Street |
| Texas Avenue | Texas Avenue and Frost Street |
| Texas Avenue | Texas Avenue and Houston Street |
| Texas Avenue | Texas Avenue and Mulcahy Street |
| Texas Avenue | Texas Avenue and West Street |
| Timber Lane | Timber Lane and Lane Drive |
| Tobola Street | Tobola Street and Avenue N |
| Turtle Creek Drive | Turtle Creek Drive and Longhorn Drive |
| U.S. Highway 59 Frontage Road (Northbound) | U.S. Highway 59 Frontage Road (Northbound) and Cottonwood Church Road |
| Vera Cruz Drive | Vera Cruz Drive and Blume Road |
| Vera Cruz Drive | Vera Cruz Drive and Seabourne Meadows Drive |
| Ward Street | Ward Street and Avenue F |
| Ward Street | Ward Street and Avenue G |
| West Street | West Street and Avenue D |
| Wild Cotton Road | Wild Cotton Road and Bamore Road |
| Wilson Drive | Wilson Drive and Lane Drive |
| Winding Lakes Lane | Winding Lakes Lane and F.M. Highway 2977 |

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(d) *Four-way stops.* Stop signs indicating four-way stops shall be placed at the following locations within the city:

- 3rd Street and Avenue F
- 3rd Street and Avenue G
- Avenue C and 3rd Street
- Avenue D and Mulcahy Street
- Avenue D, Willow Drive, and Candler Street
- Avenue D and 3rd Street

Avenue E and Carlisle Street
Avenue E and 6th Street
Avenue F and Alamo Street
Avenue F and Damon Street
Avenue F and 6th Street
Avenue G and 2nd Street
Avenue G and 4th Street
Avenue G and 8th Street
Avenue G and San Jacinto Street
Avenue J and 6th Street
Avenue J and 7th Street
Avenue J and Miles Street
Avenue J and Millie Street
Avenue J and Tobola Street
Avenue J and Ward Street
Avenue K and 2nd Street
Avenue K and Carlisle Street
Avenue K and James Street
Avenue K and Ward Street
Avenue L and 5th Street
Avenue L and Georgina Street
Avenue L and Lawrence Street
Avenue L and Miles Street
Avenue L and Millie Street
Avenue L and Mulcahy Street
Avenue L and Tobola Street
Avenue M and Brazos Street
Avenue M and 4th Street

Avenue N and Alamo Street and the driveway opposite Alamo Street
Avenue N and 8th Street
Avenue N and Ward Street
Avenue O and Tobola Street
Avenue P and Avenue R
Brazos Center Boulevard, Winding Lakes Lane, Brazos Town Crossing, and driveway opposite Brazos Center Boulevard
Carlisle Street and Avenue M
Commercial Drive, Mercantile Drive, and driveway opposite Mercantile Drive
Commercial Drive, Plaza Drive, and driveway opposite Plaza Drive
Ellis Grove Lane and Archer Ranch Lane
George Street and Avenue L
Hartledge Road, Spur 10, and U.S. Highway 59 Frontage Road (Northbound)
Herbie Road and Debbie Street
Louise Street and Airport Avenue
Mahlman Street and Avenue O
Monroe Avenue and Ward Street
Mulcahy Street and Walger Avenue
Mustang Avenue and Lane Drive
Oakland Valley Drive and Wagon Wheel Lane
Parrott Avenue and Ward Street
Radio Lane, Ida Street, and Mustang Avenue
Reading Road and Spacek Road
Reading Road and Town Center Boulevard
Sally Anne Drive and Lane Drive
Southgate Drive and West Street
Spacek Road and Brazos Town Crossing
Spur 10 and U.S. Highway 59 Frontage Road (Southbound)

Timber Lane and Frances Drive

Town Center Boulevard and driveways approximately 320 feet north of Commercial Drive

Vista Drive, Commercial Drive, and driveway opposite Commercial Drive

Walger Avenue (North) and West Street

West Street and Avenue M"

Section 3. Any person who shall violate any provision contained in this Ordinance, or who shall commit or perform any act declared herein to be unlawful shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in an amount of not less than one dollar (\$1.00) and not more than two hundred dollars (\$200.00).

Section 4. All ordinances or parts inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

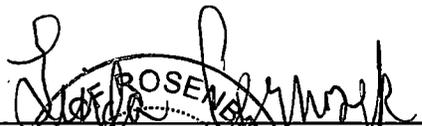
Section 5. In the event any clause phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this 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.

Section 6. This Ordinance shall become effective immediately upon its passage, approval and publication as provided by law.

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 6th day of December 2016.

ATTEST:

APPROVED:



Linda Cernosek, **City Secretary**



Cynthia A. McConathy, **Mayor**

APPROVED AS TO FORM:



Scott Tschirhart, **CITY ATTORNEY**
Denton Navarro Rocha Bernal Hyde & Zech, P.C.

