

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.

* * *

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

Stop Street	Intersecting Streets
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

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

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

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

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

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

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

* * *

(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.

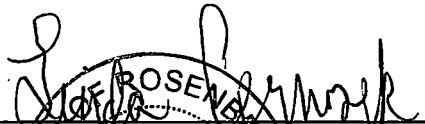
Section 5. In the event any clause phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this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

APPROVED AS TO FORM:



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



Cynthia A. McConathy, **Mayor**