

**ORDINANCE NO. 0105
AMENDMENT NO. 1**

AN ORDINANCE AMENDING ORDINANCE NO. 0105 OF THE TOWN OF HORIZON CITY AS ADOPTED ON AUGUST 24, 2010 (AMENDMENT NO. 1), REGULATING SCHOOL CROSSING ZONES; TO PROVIDE FOR THE METHOD OF OFFICIAL FILING OF DOCUMENTATION ESTABLISHING THE VARIOUS SCHOOL CROSSING ZONES; TO PROVIDE FOR THE REPEAL OF ANY AND ALL PRIOR ORDINANCES NUMBERED AS 0105 THAT WERE ENACTED ON OR BEFORE APRIL 14, 2009; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT, REPEALER, AND SEVERABILITY.

WHEREAS, the City Council of the Town of Horizon City (“City Council”) is authorized by the Texas Government Code, Section 51.001, to adopt an ordinance that is for the good government, peace, or order of the City and is necessary or proper for implementing a power granted by law to the City; and

WHEREAS, Chapter 545 of the Texas Transportation Code, authorizes a municipality to establish speed zones within the territorial limits of the municipality; and

WHEREAS, Under Chapter 541 of the Texas Transportation Code a local authority is authorized to establish school crossing zones to facilitate safe crossing of the street by children going to or leaving a public or private elementary or secondary school within the jurisdiction of the authority; and

WHEREAS, the City Council has determined that Ord. No. 0105 should be amended to clarify the provisions relating to the establishment of school crossing zones and to clearly and specifically provide for the repeal of any and all prior ordinances numbered as 0105 that were adopted on or before April 14, 2009.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HORIZON CITY, TEXAS that;

ARTICLE I. AMENDMENT OF ORDINANCE NO. 0105

Pursuant to Sections 51.001 and 51.012 of the Texas Local Government Code, the City Council of the Town of Horizon City hereby amends Ordinance No. 0105, as adopted on August 24, 2010, as follows:

Section A of Ordinance No. 0105 is amended to read as follows:

- A. Whenever traffic engineering investigation conducted by or for the Public Works Director discloses the need for safety precautions for the safety of school children, the

Public Works Director is authorized to mark such locations as school crossing zones ("school zones). Upon designating or re-designating the area of a school zone, the Public Works Director shall file a written statement in the Office of the City Clerk that documents the school zone and applicable regulations prior to the establishment of new or revised traffic control signs or devices for such zone. Such written statements shall be maintained by the City Clerk with the records relating to this Ordinance.

**ARTICLE II. REPEAL OF PRIOR ORDINANCES NUMBERED 0105,
ADOPTED ON OR BEFORE APRIL 14, 2009**

The City Council of the Town of Horizon City hereby repeals all prior ordinances numbered as Ordinance No. 0105 of the Town of Horizon City that were adopted on or before April 14, 2009.

ARTICLE III. FINDINGS OF FACT

That this ordinance was duly enacted with all requisites and formalities incident thereto the enactment of ordinance, and such is evidenced by the signatures below; and further that the foregoing recitals are incorporated into this ordinance by reference as findings of fact as if expressly set forth herein.

ARTICLE IV. REPEALER

All ordinances, resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the effect of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

ARTICLE V. SEVERABILITY


Should any of the clauses, sentences, paragraphs, sections or parts of this ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

ARTICLE VI. PROPER NOTICE AND MEETING


It is officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52, Texas Local Government Code.

PASSED AND APPROVED this the 8th day of April 2014, by a vote of 7 (ayes) to 0 (nays) to 0 (abstentions) of the Town Council of Horizon City, Texas.

Town of Horizon City

By: 
Walter L. Miller, Mayor

ATTEST:

By: 
Elvia Schuller, City Clerk

APPROVED AS TO FORM:


Elaine S. Hengen, Assistant City Attorney

First Reading: 3/18/2014
Second Reading: 4/8/2014