

ORDINANCE NO. 0229

AN ORDINANCE OF THE TOWN OF HORIZON CITY ESTABLISHING SPEED LIMITS DURING CONSTRUCTION ON PORTIONS OF SOUTH DARRINGTON ROAD AND EASTLAKE BOULEVARD WITHIN THE CITY LIMITS OF HORIZON CITY; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT, REPEALER, AND SEVERABILITY; THE PENALTY BEING AS PROVIDED IN ARTICLE I, SECTION 3 OF THE ORDINANCE, CREATING A MISDEMEANOR PUNISHABLE BY A FINE OF NOT MORE THAN \$400.00.

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, Section 545.356(b) of the Texas Transportation Code provides that a municipality has the authority to establish speed zones when a highway or part of a highway within the territorial limits of the municipality is under repair, construction or maintenance; and

WHEREAS, in the interest of safety, it is desirable and appropriate to maintain a construction speed zone for sections of the construction projects to be undertaken on South Darrington Road and on Eastlake Boulevard, as the City has received information and analysis showing that speed control is of major importance, and enforcement will be available from the City’s Police Department.

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

ARTICLE I. ENACTMENT OF THE ORDINANCE

Pursuant to Sections 51.001 and 51.012 of the Texas Local Government Code, the City Council of the Town of Horizon City hereby adopts this Ordinance, as follows:

Section 1. Construction speed zones.

Construction speed zones are hereby established along the named highways or parts thereof described as follows:

Along South Darrington Road beginning at mile point Sta. 80-66.66 and ending at mile point Sta. 146+71.80, a distance of approximately 1.25 miles, 30 MPH, when so signed.

Along Eastlake Boulevard beginning at mile point Sta. 0+00.00 and ending at mile point Sta. 58+52.26, a distance of approximately 1.10 miles, 35 MPH, when so signed.

Section 2. Signs.

The signs necessary for posting said speed zones will be furnished, installed, and maintained by the direction of the engineer in charge of the project as designated by the Mayor.

Section 3. Penalty.

Any person who shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction, shall be fined in an amount not to exceed Four Hundred Dollars (\$400).

Section 4. Effective period.

This ordinance shall be in effect only during the periods of construction, and completion of each project shall automatically cancel the speed zone established for that project.

ARTICLE II. 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 III. 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 IV. 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.

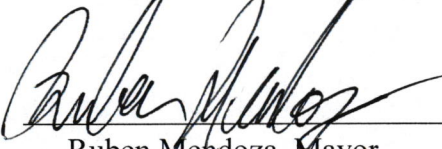
ARTICLE V. PROPER NOTICE AND MEETING

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

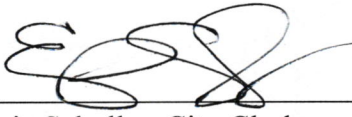
given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52, Texas Local Government Code.

PASSED AND APPROVED this the 14th day of June 2016, by a vote of 10 (ayes) to 0 (nays) to 0 (abstentions) of the Town Council of Horizon City, Texas.

Town of Horizon City

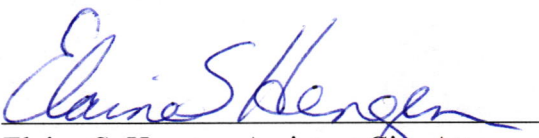
By: 
Ruben Mendoza, Mayor

ATTEST:

By: 
Elvia Schuller, City Clerk



APPROVED AS TO FORM:


Elaine S. Hengen, Assistant City Attorney

First Reading: 5/10/2016
Second Reading: 6/14/2016