

ORDINANCE NO. 240-9-2011
(Speed Zone Ordinance – Cielo Lane)

AN ORDINANCE ALTERING THE PRIMA FACIE SPEED LIMIT ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF TRANSPORTATION CODE, SECTION 545.356 UPON ROADS OR PARTS THEREOF, WITHIN THE CORPORATE LIMITS OF THE TOWN OF SHADY SHORES, TEXAS, AS SET OUT IN THIS ORDINANCE; AND PROVIDING A PENALTY OF A FINE NOT TO EXCEED \$200.00 FOR THE VIOLATION OF THIS ORDINANCE; A REPEALER CLAUSE; A SEVERABILITY CLAUSE; AND AN EFFECTIVE DATE.

WHEREAS, Section 545.356 of the Texas Transportation Code, provides that whenever the governing body of the Town 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 Town, 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; and

WHEREAS, the governing body of the Town has determined that the road described in Exhibit A, attached, is not (1) an officially designated or marked highway or road of the state highway system, (2) is 35 feet or less in width, and (3) vehicular parking is not prohibited on one or both sides of the street;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SHADY SHORES, TEXAS:

SECTION 1. SPEED LIMITS: The prima facie speed limit of 30 miles per hour indicated for vehicles on the street as set forth on Exhibit A of this Ordinance is hereby determined and declared to be unreasonable and unsafe. Such speed limit is hereby fixed at the rate of 25 miles per hour for vehicles traveling upon the named street, or parts thereof, described in Exhibit A.

SECTION 2. SIGNAGE: The Mayor of Shady Shores, Texas is hereby authorized to cause to be purchased and erected, appropriate signs indicating such speed zones and limits.

SECTION 3. PENALTY CLAUSE: 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 to exceed Two Hundred Dollars (\$200.00), plus costs of court.

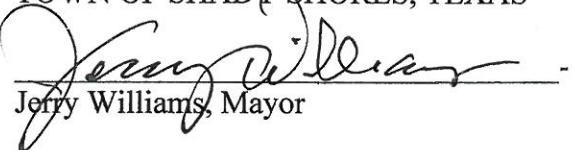
SECTION 4. REPEALER CLAUSE: All provisions of the ordinances of the Town of Shady Shores in conflict with the provisions of this Ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the Town of Shady Shores not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 5. SEVERABILITY CLAUSE: It is the intent of the Town Council that each sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be deemed severable and, should any such sentence, paragraph, subdivision, clause, phrase or section be declared invalid or unconstitutional for any reason, such declaration of invalidity or unconstitutionality shall not be construed to affect the validity of those provisions of the Ordinance left standing.

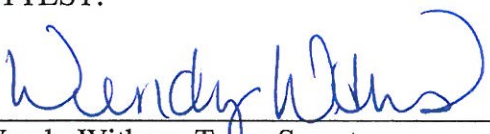
SECTION 6. EFFECTIVE DATE: This Ordinance shall take effect immediately from its passage and publication of the caption as the law in such cases provides.

PASSED AND APPROVED this 12th day of September, 2011.

TOWN OF SHADY SHORES, TEXAS


Jerry Williams, Mayor

ATTEST:


Wendy Withers, Town Secretary

APPROVED AS TO FORM:


James E. Shepherd, Town Attorney

EXHIBIT A

Speed Limit – Town of Shady Shores, Texas

STREET NAME (and extent)	SPEED LIMIT IN MILES PER HOUR
Cielo Lane (from the 200 Block of Cielo Lane eastward, to include all portions of Cielo Lane, including all of Cielo Lane within Cielo Ranch Subdivision)	25