

CITY OF DRIPPING SPRINGS

ORDINANCE No. 1460.20

RM 12 SPEED ZONES ORDINANCE

AN ORDINANCE OF THE CITY OF DRIPPING SPRINGS TO DEFINE PRIMA FACIE MAXIMUM SPEED LIMITS ON RM 12; DECLARING WHAT MAY BE A SUFFICIENT COMPLAINT IN PROSECUTIONS; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; ENACTMENT; REPEALER; SEVERABILITY; CRIMINAL FINES NOT TO EXCEED \$200 PER OFFENSE; CODIFICATION; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING.

WHEREAS, the City of Dripping Springs (“City”) is a Type A general law municipality; and

WHEREAS, Section 545.356 of the Texas Transportation code authorizes municipalities to alter prima facie speed limits and establishes procedures for a city to set speed zones and post speed limits signs; and

WHEREAS, the City Council of the City of Dripping Springs (“City Council”) has determined that it is in the best interest of pedestrians, drivers, and cyclist to set and erect prima facie maximum speed limits and signs at the locations set forth below; and

WHEREAS, the City Council finds that the prima facie speed limits set forth below are reasonable and safe; and

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the City has general authority to adopt an ordinance or police regulation that is for the good government, peace or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, the City Council finds that the amendments imposed by this Ordinance are characterized as reasonable, necessary, and proper for the good government of the City.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Dripping Springs, Texas:

1. FINDINGS OF FACT

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

2. ENACTMENT

It is hereby determined upon the basis of an Engineering and Traffic investigation that the prima facie maximum speed limit on those portions of RM 12 routed in the City of Dripping Springs, is hereby stated, which prima facie maximum speed limit shall be effective at all times and signs will be erected giving notice of the prima facie maximum speed limit so declared towit.

SPEED ZONE

For Southbound Traffic:

On RM 12 in Ctrl-sect 683-05 portion north of US 290:

Starting from mile point 5.627 at the North City Limit to mile point 5.934 (755' south of centerline of Goodnight Trail), a distance of 0.307 miles, a prima facie maximum speed limit of 55 miles per hour.

From mile point 5.934 (755' south of centerline of Goodnight Trail), to mile point 6.956 (centerline of US 290), a distance of 1.022 miles, a prima facie maximum speed limit of 45 miles per hour.

Equation in mile points: MP 6.956 of ctrl-sec 683-05 is equal to MP 0.076 of ctrl-sec 683-03.

On RM 12 in Ctrl-sect 683-03 portion south of US 290:

From mile point 0.076 (centerline of US 290) to mile point 1.800 at South City Limit, a distance of 1.724 miles, a prima facie maximum speed limit of 45 miles per hour.

For Northbound Traffic:

On RM 12 in Ctrl-sect 683-03 portion south of US 290:

Starting at mile point 1.800 at South City Limit to mile point 0.076 (centerline of US 290), a distance of 1.724 miles, a prima facie maximum speed limit of 45 miles per hour.

Equation in mile points: MP 0.076 of ctrl-sec 683-03 is equal to MP 6.956 of ctrl-sec 683-05.

On RM 12 in Ctrl-sect 683-05 portion north of US 290:

From mile point 6.956 (centerline of US 290) to mile point 5.934 (755' south of centerline of Goodnight Trail), a distance of 1.022 miles, a prima facie maximum speed limit of 45 miles per hour.

From mile point 5.627 at the North City Limit to mile point 5.934 (755' south of centerline of Goodnight Trail), a distance of 0.307 miles, a prima facie maximum speed limit of 55 miles per hour.

OFFENSE OF SPEEDING

That all of the streets of this City, and all portions of any such streets, are hereby declared to be public streets and that the driving or operating of any motor vehicle on or along any portion of any street of this City at a rate of speed that is greater than the maximum rate of speed for said portion of said street, as fixed by this ordinance shall be guilty of a misdemeanor, which is named "The Offense of Speeding" and that the said offense is punishable by a fine in any sum not to exceed two hundred dollars (\$ 200.00). That the use of the word "Speeding" shall be sufficient to designate the said offense, and shall mean that a motor vehicle has been driven upon a public street at a greater rate of speed than fixed by City Ordinance for the street and for the zone thereof, that such motor vehicle was so being driven upon, if zoned.

That in prosecutions under this ordinance, for the offense of speeding, the complaint, if in other respects sufficient in form, shall as to the portion thereof seeking to acknowledge the offense, be sufficient if it in substance alleges that the defendant did while driving a motor vehicle in said city commit the offense of "Speeding."

3. REPEALER

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

4. 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.

5. CODIFICATION

The City Secretary is hereby directed to record and publish the attached rules, regulations and policies in the City's Code of Ordinances as authorized by Section 52.001 of the Texas Local Government Code.

6. EFFECTIVE DATE

This Ordinance shall be effective immediately upon passage and publication of caption.

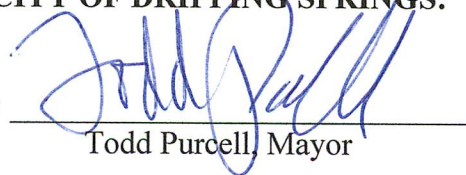
7. PROPER NOTICE & MEETING

It is hereby 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 of the Texas Local Government Code.

PASSED & APPROVED this, the 19th day of April, 2016, by a vote of 4 (ayes) to 0 (nays) to 0 (abstentions) of the City Council of the City of Dripping Springs, Texas.

CITY OF DRIPPING SPRINGS:

by:



Todd Purcell, Mayor

ATTEST:



Kerri Craig, City Secretary