

ORDINANCE NO. 67

AN ORDINANCE OF THE CITY OF ADDISON, TEXAS, REGULATING THE SPEED OF MOTOR VEHICLES UPON THE STREETS, ALLEYS AND HIGHWAYS WITHIN THE CORPORATE LIMITS OF THE CITY OF ADDISON; PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED(\$200.00) DOLLARS FOR EACH OFFENSE; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ADDISON, TEXAS:

SECTION 1: SPEEDS OTHER THAN REASONABLE AND PRUDENT UNLAWFUL.

No person shall operate a motor vehicle on any street within the corporate limits of the City of Addison, Texas, at a speed greater than is reasonable and prudent under the conditions then existing having regard to the actual and potential hazards when approaching and crossing an intersection or railway grade crossing; when approaching and going around a curve; when approaching a hillcrest; when traveling upon a narrow or winding roadway; or when special hazards exist with respect to pedestrians or other traffic or by reason of weather or street conditions; and in every event, speed shall be so controlled as may be necessary to avoid colliding with any person, vehicle or other conveyance on or entering the street in compliance with legal requirements and the duty of all persons to use due care.

SECTION 2: SPEEDS GREATER THAN 30 MPH NOT REASONABLE OR PRUDENT.

When no special hazard exists that requires lower speed from compliance with Section 1 of this article, no person shall operate or drive any motor or other vehicle on any street within the corporate limits of the City of Addison, Texas, in an urban district as herein defined, at a greater speed than thirty (30) miles per hour, unless otherwise provided by subsequent sections of this Ordinance and any speed in excess of thirty (30) miles per hour, unless otherwise provided by subsequent sections of this ordinance, shall be prima facie evidence that the speed is not reasonable or prudent and is unlawful.

SECTION 3: DETERMINATION OF MAXIMUM SPEED LIMITS.

(a) The Mayor of the City of Addison shall determine on the basis of engineering and traffic surveys the reasonable and safe maximum speed limits for each street within the corporate limits of the City of Addison and submit recommendations based on his investigation to the City Council of the City of Addison.

(b) On the basis of the recommendations of the Mayor, the City Council may alter the prima facie maximum speed limit established in Section 2 of this ordinance as the Council may deem necessary.

SECTION 4: POSTING OF SPEED LIMIT SIGNS.

The Mayor shall post or cause to be posted the maximum and minimum speeds set forth in this ordinance by appropriate signs in conspicuous places so that every motorist may be aware of the speed limits established by this ordinance, except no sign shall be required where the maximum speed limit is thirty (30) miles per hour and where there is no minimum speed limit on that particular street.

SECTION 5: MINIMUM SPEED REGULATIONS.

(a) No person shall drive a motor vehicle at such a slow speed as to impede the normal and reasonable movement of traffic, except when reduced speed is necessary for safe operation or in compliance with the law.

(b) The Mayor of the City of Addison may determine on the basis of an engineering and traffic investigation that slow speeds on any part of a street, highway or alley consistently impede the normal and reasonable movement of traffic within the corporate limits of the City of Addison and submit recommendations based upon his investigation of same to the City Council.

(c) On the basis of the recommendations of the Mayor, the City Council may determine and declare a minimum speed limit thereat or thereon and when appropriate signs are erected giving notice of such minimum speed limit, no person shall drive a

vehicle below that limit except when necessary for safe operation or in compliance with the law.

SECTION 6: AUTHORIZED EMERGENCY VEHICLES - WHEN SPEED RESTRICTIONS NOT APPLICABLE.

The speed limitations set forth in this article shall not apply to an authorized emergency vehicle when responding to an emergency call, or when used in the pursuit of an actual or suspected violator of the law, or when responding to but not upon returning from a fire alarm, and the driver thereof sounds audible signal by bell, siren or exhaust whistle, and/or when such emergency vehicle is equipped with at least one lighted lamp exhibiting red light visible under normal atmospheric conditions from a distance of 500 feet to the front of such vehicle; except in no event shall an ambulance operating as an authorized emergency vehicle exceed a speed of 10 miles per hour greater than the authorized posted speed limits on the route of travel of such ambulance. This provision shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the street, nor shall it protect the driver of any such vehicle from the consequences of a reckless disregard for the safety of others.

SECTION 7: DEFINITION OF URBAN DISTRICT.

An urban district as defined herein means the territory contiguous to and including any highway or street which is built up with structures devoted to business, industry or dwelling houses situated at intervals of less than one hundred feet for a distance of one-fourth (1/4) mile or more.

SECTION 8: PENALTY CLAUSE.

That any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction in corporation court shall be subject to a fine not to exceed Two Hundred (\$200.00) Dollars for each offense.

SECTION 9: EMERGENCY CLAUSE.

The fact that the present ordinances of the City of Addison are inadequate to regulate the speed of motor vehicles upon the streets, alleys and highways of the City creates an urgency and an emergency, and in the preservation of the public health, safety and welfare requires that this ordinance shall take effect immediately from and after its passage and the publication of the caption as the law and charter in such cases provide.

DULY PASSED BY THE CITY COUNCIL of the City of Addison, Texas, on the 17 day of September, 1965.

M W Morris
Mayor

ATTEST:
Edwin D Lewis
City Secretary

APPROVED AS TO FORM:

H Louis Nichol
City Attorney