

ORDINANCE NO. 280

AN ORDINANCE AMENDING ORDINANCE NO. 168, PASSED BY THE CITY COUNCIL OF THE CITY OF ADDISON, TEXAS ON APRIL 15, 1974, BY AMENDING SAID ORDINANCE TO DELETE SECTION 24 PROVIDING FOR SPEED NOT GREATER THAN TEN (10) MILES PER HOUR ON PROPERTY OWNED BY THE CITY; BY AMENDING SECTION 26 TO DESIGNATE BROOKHAVEN CLUB DRIVE FROM 3700 BLOCK THROUGH 4100 BLOCK AND SPRING VALLEY ROAD FROM 3800 BLOCK THROUGH 4000 BLOCK AS SCHOOL ZONES AND PROVIDING FOR A SPEED NOT TO EXCEED TWENTY MILES PER HOUR (20 m.p.h.) DURING SPECIFIED HOURS OF THE DAY; AMENDING SECTION 31 TO PROVIDE THE MAXIMUM SPEED LIMIT ON SPRING VALLEY ROAD TO BE THIRTY-FIVE MILES PER HOUR (35 m.p.h); PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS, PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; AND DECLARING AN EMERGENCY.

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

SECTION 1. That Ordinance No. 168, the Traffic Ordinance of the City of Addison, passed and approved on April 15, 1974, be, and the same is hereby amended to delete and repeal Section 24 of such ordinance providing a maximum prima facie speed limit of ten miles per hour (10 m.p.h.) on public streets, roadways,

drives, and parking lot areas located on public property owned by the City.

SECTION 2. That Ordinance No. 168, the Traffic Ordinance of the City of Addison passed and approved on April 15, 1974, be, and the same is hereby amended in regards to Section 26 to read as follows:

SECTION 26. SPEED GREATER THAN TWENTY MILES PER HOUR (20 m.p.h.) IN SCHOOL ZONES - NOT REASONABLE NOR PRUDENT.

SIGNS AND SCHOOL ZONES.

A. Upon the basis of an engineering and traffic investigation submitted to the City Council, the City Council hereby finds and determines that the maximum prima facie speed limits heretofore set for the public streets, roadways or highways set forth below is greater than is reasonable and safe under the conditions found to exist in the City, therefore the City Council hereby finds, determines and declares, that when no special hazard exists that requires a lower speed for compliance with the provisions of this ordinance or the laws of the State of Texas, no person shall operate or drive any vehicle on the public streets, roadways or highways designated as school zones set forth below in the City at a greater speed than twenty miles per hour (20 m.p.h.), unless otherwise provided by this ordinance, and any speed in excess of twenty miles per hour (20 m.p.h.) unless otherwise provided by this ordinance, shall be prima facie evidence that the speed is

not reasonable or prudent and is unlawful. The areas or portions of streets designated as school zones are:

<u>ON</u>	<u>BETWEEN AND EXTENT OF ZONE</u>
Brookhaven Club Drive	Between Marsh Lane and Spring Valley Road being the 3700 block through the 4100 block of Brookhaven Club Drive.
Spring Valley Road	Between Marsh Lane and Brookhaven Club Drive being the 3800 block through the 4000 block of Spring Valley Road.

B. The City Traffic Engineer shall mark all school zones above described with appropriate street markings and signs showing the beginning and ending of such school zones, the speed limits with such school zones, and the hours during the day during which such speed limits are effective. All speed limit regulations for school zones shall be effective only at such times as appropriate signs advising motorists of this fact are placed in conspicuous places. Speed regulations established in school zones in this section shall be effective only during the hours of 7:30 A.M. to 9:00 A.M. and between the hours of 2:00 P.M. to 4:30 P.M. on days during which school is in session.

SECTION 3. That Ordinance No. 168, being the Traffic Ordinance of the City of Addison, Texas passed by the City Council of the City of Addison on April 15, 1974, is hereby amended in regards to Section 31 to read as follows:

SECTION 31. SPEEDS GREATER THAN THIRTY FIVE MILES PER HOUR (35 M.P.H.) ON DESIGNATED STREETS NOT REASONABLE NOR PRUDENT.

Upon the basis of an engineering and traffic investigation submitted to the City Council, the City Council hereby finds and determines that the maximum prima facie speed limits heretofore set for the public streets, roadways or highways set forth below or portions of the public streets, roadways or highways set forth below in the City is greater or lower than is reasonable and safe under the conditions found to exist in the City, therefore, the City Council hereby finds, determines and declares that, when no special hazard exists that requires a lower speed for compliance with the provisions of this ordinance or the laws of the State of Texas, no person shall operate or drive any vehicle on the public streets, roadways or highways set forth below in the City at a greater speed than thirty five miles per hour (35 m.p.h.) unless otherwise provided by this ordinance, and any speed in excess of thirty five miles per hour (35 m.p.h.), unless otherwise provided by this ordinance, shall be prima facie evidence that the speed is not reasonable or prudent and is unlawful.

STREET	EXTENT
1. Belt Line Road	Between the east and west City limits of the City of Addison and being block 3700 through block 5100 of Belt Line Road.
2. Spring Valley Road	Between Marsh Lane and Midway Road and being block 3700 through block 4100 of Spring Valley Road

SECTION 4. This ordinance repeals those provisions and only those provisions of all ordinances in conflict with the provisions hereof.

SECTION 5. It is hereby declared to be the intention of the City Council of the City of Addison that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence or paragraph or section hereof shall be declared unconstitutional, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance since the same would have not been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

SECTION 6. Any person violating or failing to comply with any provisions of this ordinance shall be fined upon conviction not less than \$1.00 nor more than \$200.00.

SECTION 7. Whereas, the present ordinances of the City of Addison for regulating the speed of vehicles at certain locations are deemed inadequate for the proper control of the vehicular traffic in the particular locations specified, this fact creates an emergency and urgency in the preservation of public peace, safety and general welfare and requires that this ordinance take effect immediately from and after its passage, and it is accordingly so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ADDISON, TEXAS THIS THE 14th DAY OF September, 1976.


Mayor

ATTESTED:

Joyce H. Stevens
City Secretary

APPROVED AS TO FORM:

Robert L. Miller
Attorney