

TOWN OF ADDISON, TEXAS

ORDINANCE NO. 012-008

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS AMENDING SECTION 78-138 OF THE CODE OF ORDINANCES OF THE TOWN OF ADDISON, WHICH SECTION ESTABLISHES A REDUCED SPEED LIMIT FOR PORTIONS OF CERTAIN STREETS DESIGNATED AS SCHOOL ZONES, BY ELIMINATING THE DESIGNATED PORTION OF VITRUVIAN WAY AS A SCHOOL ZONE; AMENDING SECTION 78-139 OF THE CODE OF ORDINANCES, WHICH SECTION PROVIDES FOR SCHOOL ZONE SIGNS AND DESIGNATED TIMES WHEN A REDUCED SPEED IS IN EFFECT, BY REMOVING VITRUVIAN WAY THEREFROM; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 545.356 of the Texas Transportation Code provides that whenever the governing body of a municipality shall determine upon the basis of an engineering and traffic investigation that any prima facie speed limit is unreasonable or unsafe on a street or portion thereof within the municipality, taking into consideration the width and condition of the pavement, the usual traffic at the affected area, and other circumstances, the governing body may alter by ordinance the prima facie speed limit established by State law and determine and declare a reasonable and safe prima facie speed limit upon that street or portion thereof; and

WHEREAS, Section 78-131 of the Code of Ordinances of the Town of Addison, Texas (the "City") provides that the Town's Director of Public Works shall determine, on the basis of engineering and traffic surveys, investigation and study, reasonable and safe maximum speed limits for each street within the City and submit recommendations based on such survey and investigation to the City Council; and

WHEREAS, Section 78-133 of the Code of Ordinances provides that, on the basis of the recommendation of the Director of Public Works, the City Council may alter the prima facie maximum and minimum speed limits established by state law and Chapter 78 of the Code of Ordinances as the City Council may deem necessary; and

WHEREAS, the City Council, on the basis of an engineering and traffic investigation and upon the recommendation of the Director of Public Works, desires to eliminate the designated school zone on Vitruvian Way between Marsh Lane (3700 block) and Spring Valley Road (4100 block).

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

Section 1. Incorporation of Premises. The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

Section 2. Amendment. Sections 78-138 and 78-139 of Chapter 78 of the Code of Ordinances of the Town of Addison, Texas (the "City") are hereby amended as set forth in Exhibit A attached hereto and incorporated herein for all purposes, and all other chapters, articles, sections, subsections, phrases and words of the said Code are not amended but are hereby ratified and confirmed.


Section 3. Basis for Amendment; Removal of Signs. The amendments made by this Ordinance and the elimination of the school zone of Vitruvian Way is based upon an engineering and traffic investigation and recommendation of the Public Works Director of the City in accordance with State law and the Code of Ordinances. The Director of Public Works of the City is hereby authorized and directed to remove all school zones signs, which designate a school zone on Vitruvian Way.

Section 4. Savings. This Ordinance shall be cumulative of all other ordinances of the City affecting speed limits and vehicles and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those ordinances are in direct conflict with the provisions of this Ordinance.

Section 5. Severability. The sections, paragraphs, sentences, phrases, clauses and words of this Ordinance are severable, and if any section, paragraph, sentence, phrase, clause or word in this Ordinance or application thereof to any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares that it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

Section 6. Effective Date. This Ordinance shall take effect upon the adoption of this Ordinance and publication (if any is required) hereof in accordance with law, and upon the removal of signs giving notice of the school zone on Vitruvian Way.

PASSED AND APPROVED by the City Council of the Town of Addison, Texas this the 14th day of February, 2012.



Todd Meier, Mayor

ATTEST:

By: 

Chris Perry, City Secretary

APPROVED AS TO FORM:

By: 

John M. Hill, City Attorney

EXHIBIT A
to Ordinance No. 012-008

Amendment to Section 78-138, Code of Ordinances

Section 78-138 of the Code of Ordinances is amended to read as follows:

Sec. 78-138. School zones—Generally.

A person commits an offense if he operates or drives a vehicle on the following designated school zone streets at a speed greater than the speed designated by this section for that street or portion of that street, and any speed in excess of the limit provided in this section shall be prima facie evidence that the speed is not reasonable or prudent and is unlawful.

<i>Street</i>	<i>Extent</i>	<i>Speed(mph)</i>
Addison Road	Between Westgrove Drive and the town limits and being the 16900 block through the 17000 block of Addison Road	20
Vitruvian Way	Between Marsh Lane and Spring Valley Road being the 3700 block through the 4100 block of Vitruvian Way	20
Sojourn Road	Between Voss Road and Addison Road and being the 4500 block through the 4900 block at Sojourn Road	20
Spring Valley Road	Between Marsh Lane and Vitruvian Way being the 3700 block through the 4000 block of Spring Valley Road	20

Amendment to Section 78-139, Code of Ordinances

Section 78-139 of the Code of Ordinances is amended to read as follows:

Sec. 78-139. Same—Signs.

The director of public works shall mark all school zones described in this article with appropriate street markings and signs showing the beginning and ending of such school zones, the speed limits within 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 the fact are placed in conspicuous places. Speed regulations established in school zones in this article shall be effective on school days only during the following hours:

Street

Times

Addison Road

7:00 a.m. to 8:30 a.m. Monday through Friday

3:00 p.m. to 4:15 a.m. Monday through Friday

1:15 p.m. to 2:00 p.m. on Friday only

Sojourn Drive

7:00 a.m. to 8:30 a.m. Monday through Friday

3:00 p.m. to 4:15 p.m. Monday through Friday

1:15 p.m. to 2:00 p.m. on Friday only

Spring Valley Road

7:00 a.m. to 8:30 p.m. Monday through Friday

3:00 p.m. to 4:30 p.m. Monday through Friday

~~Vitruvian Way~~

~~7:00 a.m. to 8:30 p.m. Monday through Friday~~

~~3:00 p.m. to 4:30 p.m. Monday through Friday~~