

ORDINANCE NO. 2020-02-01

AN ORDINANCE OF THE CITY OF WESTON, COLLIN COUNTY, TEXAS, ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF TRANSPORTATION CODE, SECTION 545.356 UPON CHICKEN STREET, NORTH STREET, SHORT STREET, WESTON CREEK COURT AND WESTON CREEK TRAIL OR PARTS THEREOF, WITHIN THE INCORPORATED LIMITS OF THE CITY OF WESTON, AS SET OUT IN THIS ORDINANCE, AND PROVIDING A PENALTY OF A FINE NOT TO EXCEED TWO-HUNDRED DOLLARS (\$200.00) FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR CUMULATIVE REPEALER, SEVERABILITY, SAVINGS AND PUBLICATION CLAUSES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 545.356 of the Texas Transportation Code, provides that whenever the governing body of the City 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 city, 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 of part of the street or highway.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WESTON, TEXAS, THAT:

SECTION 1 PRIMA FACIE SPEED LIMITS ESTABLISHED

Upon the basis of an engineering and traffic investigation heretofore made as authorized by the provisions of Transportation Code, Section 545.356, the following prima facie speed limits hereafter indicated for vehicles on the below named streets are hereby determined and declared to be reasonable and safe; and such speed limits are hereby fixed at the rate of speed indicated for vehicles traveling upon the named streets and highway, or parts thereof, described as follows:

a. That from and after the date of the passage of this speed zone ordinance, no motor vehicle shall be operated along and on the following streets within the corporate limits of the City of Weston in excess of a speed of 15 miles per hour (MPH):

Chicken Street
North Street
Short Street

Weston Creek Court
Weston Creek Trail

SECTION 2 SIGNS AUTHORIZED

The Mayor of the City of Weston is hereby authorized to cause to be erected, appropriate signs indicating such speed zones.

SECTION 3 PENALTY

Any person, firm or corporation who shall violate any of the provisions of this article or who shall fail to comply with any provisions hereof shall be guilty of a misdemeanor and upon conviction, shall be subject to a fine not to exceed two-hundred dollars (\$200.00), and each day that such violation continues shall constitute a separate offense and shall be punishable accordingly.

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SECTION 3 PUBLICATION IN OFFICIAL NEWSPAPER

The City Secretary of the City of Weston is hereby directed to publish this ordinance or its caption and penalty in the official City newspaper as required by Section 52.011 of the Texas Local Government Code.

SECTION 4 CUMULATIVE REPEALER CLAUSE

This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances, or parts thereof, in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided however, that any complaint, action, claim or lawsuit which has been initiated or has arisen under or pursuant to such other Ordinances on the date of adoption of this Ordinance shall continue to be governed by the provisions of such Ordinance and for that purpose the Ordinance shall remain in full force and effect

SECTION 5 PROVISIONS SEVERABLE

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

SECTION 6 SAVINGS CLAUSE

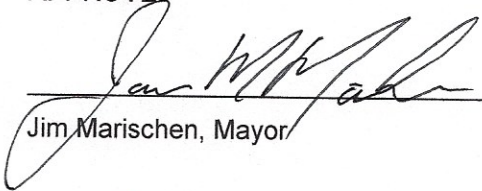
All rights and remedies of the City of Weston are expressly saved as to any and all violations of the provisions of any ordinance that has accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 7 EFFECTIVE DATE

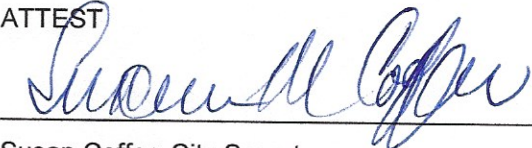
This Ordinance shall be in full force and effect once appropriate signs giving notice thereof are erected at such intersection or other place of part of the street or highway and published in the City's Official Newspaper, as provided by law, and it is so ordained.

PASSED AND APPROVED by Council this, the 11th day of FEBRUARY, 2020.

APPROVE


Jim Marischen, Mayor

ATTEST


Susan Coffey, City Secretary

