

# CITY OF WILLOW PARK

ORDINANCE NO. 469-01

AN ORDINANCE ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF THE TEXAS TRANSPORTATION CODE, SECTION 545.356, UPON THE BASIS OF AN ENGINEERING AND TRAFFIC INVESTIGATION (“SPEED ZONE STUDY”) OR ALTERNATE, PROCEDURES AS ESTABLISHED BY 43 TEXAS ADMINISTRATIVE CODE, SECTION 25.23(b)(7) AND (d)(V)(iii), UPON CERTAIN STREETS AND HIGHWAYS, OR PARTS THEREOF, WITHIN THE CORPORATE LIMITS OF THE CITY OF WILLOW PARK AS SET OUT IN THE ORDINANCE; AND PROVIDING A PENALTY OF A FINE NOT TO EXCEED \$500.00 FOR VIOLATION OF THIS ORDINANCE.

WHEREAS, the City of Willow Park is a general law city incorporated under the laws of the State of Texas; and

WHEREAS, the City of Willow Park wishes to provide for the health, safety and welfare of its citizens; and

WHEREAS, the Tex. Transportation Code (Vernon's 2000) §545.356 provides whenever the governing body of the City shall determine on the basis of an engineering and traffic investigation or, alternatively under provisions of rules, duly and legally adopted by the Texas Department of Transportation in Title 43, Texas Administrative Code, §25.23, that any prima facie speed as previously established by the municipality 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 the street and highway, within the City, taking into consideration the width and condition of the pavement and other circumstances on such portion of street or highway, as well as the usual traffic thereon, said City may be determine and declare a reasonable and safe prima facie speed limit thereon; and,

WHEREAS, the Texas Department of Transportation, Fort Worth District,

Traffic Section caused to have an engineering and traffic investigation conducted on that portion of the Interstate Highway 20 frontage roads located within the municipal boundaries of the City of Willow Park, Tex., specifically between mile post 26.659 and mile post 29.884, in control Section 08-03 of Interstate Highway 20, on or about November 1999, and that the results of said engineering and traffic investigation, or alternate procedures established by 43 TAC §25.23 have been properly documented and submitted for review to the District Traffic Operations Division and that Division and the Fort Worth District have reached an agreement on the proposed zoning; and,

WHEREAS, the Texas Department of Transportation Fort Worth District has officially communicated said traffic recommendation officially in writing to the City of Willow Park reflecting the general concepts, development of strip maps, speed zone design and approval process as promulgated by the Texas Department of Transportation by rule in 43 TAC §25.23-.24.

NOW THEREFORE:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WILLOW

PARK TEXAS:

SECTION 1. AUTHORIZATION

The Chief of Police, or duly deputized municipal officer of the City of Willow Park is hereby authorized and directed to implement the applicable provisions of this ordinance as relates to the enforcement of the speed zones contained herein, within the municipal boundaries of the City of Willow Park, Texas.

SECTION 2. APPLICATION

This Ordinance shall apply to all persons driving or operating a motor vehicle upon the designated portions of the roadways or highways as defined herein, and who shall at 0 times conform the speed of said motor vehicles as provided herein. The City Council hereby finds and declares all precatory language herein to be true and correct and approves and adopts the same herein as part of this Ordinance.

SECTION 3. AMENDMENT

Chapter 10, Traffic Control, Article 10.300, Speed Limits, Section 10.303 "Special Speed Limits" is amended as follows:

(a) (b) Eastbound Frontage Road Only:

- (i) ~~From mile post 26.659 easterly 0.136 mile to mile post 27.05 at 40 miles per hour;~~  
From mile post 26.659 east 1.785 miles to mile post 28.444, zoned at 50 miles per hour;
- (ii) ~~From mile post 27.2539 easterly 0.563 mile to mile post 27.55 at 40 miles per hour;~~

From mile post 28.444 east 0.871 miles to mile post 29.315, zoned at 40 miles per hour;

- (iii) ~~From mile post 27.7075 easterly 1.363 miles to mile post 28.4270 at 40 miles per hour;~~

Mile post 29.315 east 0.569 miles to mile post 29.894, zoned at 50 miles per hour;

- (iv) School Zone. From mile post 28.754 east 0.249 to mile post 29.003, zoned "30-MILES PER HOUR WHEN FLASHING", "40- MILES PER HOUR ALL OTHER TIMES".

(c) Westbound Frontage Road Only:

- (i) From mile post 29.884 west 0.470 miles to mile post 29.414, zoned at 50 miles per hour.

- (ii) ~~From mile post 27.5610 westerly 0.583 mile to station 27.2530 at 40 miles per hour;~~  
From mile post 29.414 west 0.439 miles to mile post 28.975, zoned at 40 miles per hour;

- (iii) ~~From mile post 28.22 westerly 0.971 mile to mile post 27.7075 at 40 miles per hour;~~  
From mile post 28.975 west 2.365 miles to mile post 26.610, zoned at 50 miles per hour;

- (e) (d) Upon the basis of an engineering and traffic investigation heretofore made as authorized by the provisions of Section 167 and 169

of Article XIX, R.C.S. 6701d, Uniform Act Regulating Traffic on Highways, the following prima facie speed limits hereafter indicated for vehicles 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 highways, or parts thereof, described as follows:

SECTION 4. REPEAL OF  
CONFLICTING ORDINANCES

All Ordinances in conflict herewith be and the same are hereby repealed to the extent of such conflict; and, Ordinance No. 453-00, as passed and approved by the City Council on March 21, 2000 is particularly repealed.

SECTION 5. SEVERABILITY

If for any reason any section, paragraph, subdivision clause, phrase or provision of this Ordinance shall be held invalid, it shall not affect any valid provisions of this or any other Ordinance of the City of Willow Park to which these rules and regulations relate.

SECTION 6. EFFECTIVE DATE

This Ordinance shall take effect from and after its publication one time in the official publication of the City of Willow Park, Texas which publication shall contain the captions stating in substance the purpose of the ordinance and reciting the penalty provision of the ordinance and finally when appropriate signs are erected at designated locations of the street or highway to provide notice of the speed zones herein.

PASSED AND APPROVED this 21<sup>st</sup> day of August, 2001

/s/ James H. Poythress  
Mayor

ATTEST

/s/ Hetty Haggard  
City Secretary/Clerk

APPROVED AS TO FORM:

/s/ \_\_\_\_\_  
City Attorney

The Willow Park City Council in acting on Ordinance no. 469-01, did on the 21<sup>st</sup> day of August 2001 vote as follows:

	<u>FOR</u>	<u>AGAINST</u>
James a Poythress, Mayor	_____	_____
Scott Rule, Place 1	<u>  x  </u>	_____
Terry Skaggs, Place 2	<u>  x  </u>	_____
Marvin Glasgow, Place 3	<u>  x  </u>	_____
Robin Brown, Place 4	<u>  x  </u>	_____
Gerald Liepert Place 5	<u>  x  </u>	_____