

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF DENTON, TEXAS, AMENDING CHAPTER 18 OF THE CODE OF ORDINANCES BY MODIFYING THE SPEED ZONE ON UNIVERSITY DRIVE (US 380) IN SECTION 18-73; ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISION OF TRANSPORTATION CODE, SECTION 545.356 UPON THE FOLLOWING ROADWAYS OR PARTS THEREOF, WITHIN THE INCORPORATED LIMITS OF THE CITY OF DENTON; PROVIDING A PENALTY NOT TO EXCEED \$200.00 UNLESS THE VIOLATION OCCURS IN A WORK ZONE AND THEN THE PENALTY SHALL NOT EXCEED \$400.00; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING FOR PUBLICATION; AND DECLARING 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 or part of the street or highway; NOW, THEREFORE,

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

SECTION 1. Chapter 18 "Motor Vehicles and Traffic" of the Code of Ordinances of Denton, Texas is hereby amended by modifying Section 18-73 regulating speed of vehicles on US 380 or University Drive. Section 18-73, Item XVIII shall read as follows:

XVIII. US 380/University Drive

- A. 65 mph From the Western City Limits to Masch Branch Road.
- B. 50 mph From Masch Branch Road to 500 feet west of Cindy Lane/N. Western Boulevard.
- C. 45 mph From 500 feet west of Cindy Lane/N. Western Boulevard to Bonnie Brae Street.
- D. 35 mph From the Bonnie Brae Street to Locust Street or US 77.
- E. 40 mph From Locust Street/US 77 to Bell Avenue.
- F. 45 mph From Bell Avenue to Loop 288 northbound ramp.
- G. 55 mph From Loop 288 northbound ramp to Riverside Drive.

H. 60 mph From Riverside Drive to the easterly city limits.

SECTION 2. Any person violating any provision of this ordinance shall, upon conviction, be fined a sum not to exceed Two Hundred Dollars (\$200.00), unless the violation occurs in a work zone and then the penalty shall not exceed Four Hundred Dollars (\$400.00).

SECTION 3. This Ordinance shall be cumulative of all other ordinances of the City of Denton defining school zones and school bus loading zones and shall not repeal any of the provisions of said ordinances except in those instances where provisions of those ordinances are in direct conflict with the provisions of this Ordinance.

SECTION 4. If in any section, subsection, paragraph, sentence, clause, phrase or word in this Ordinance, or application thereof to any person or circumstance is held invalid by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council of the City of Denton, Texas hereby declares it would have enacted such remaining portions despite any such invalidity.

SECTION 5. This Ordinance shall become effective fourteen (14) days from the date of its passage, and the City Secretary is hereby directed to cause the caption of this Ordinance to be published twice in the *Denton Record-Chronicle*, the official newspaper of the City of Denton, Texas, within ten (10) days of the date of its passage.

PASSED AND APPROVED this the ____ day of _____, 2017.

CHRIS WATTS, MAYOR

ATTEST:
JENNIFER WALTERS, CITY SECRETARY

BY: _____

APPROVED AS TO LEGAL FORM:
AARON LEAL, INTERIM CITY ATTORNEY

BY: Stephanie Berry