

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING CHAPTER 18 "MOTOR VEHICLES AND TRAFFIC", ARTICLE III "SPEED OF VEHICLES", SECTION 18-73 "SPEED LIMITS ON CERTAIN ROADS AND HIGHWAYS", "SCHOOL ZONES", OF THE CODE OF ORDINANCES OF THE CITY OF DENTON, TO CHANGE THE LOCATIONS, EXTENT, AND SPEED LIMITS OF CERTAIN SPEED ZONES IN THE VICINITY OF A SCHOOL; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION; PROVIDING CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Denton's Capital Projects/ Engineering Department routinely reviews the speed limits in the Code of Ordinances of the City of Denton, as amended, in order to make corrections, additions, or amendments, where appropriate; and

WHEREAS, the Capital Projects/Engineering Department desires to amend the speed zone tables included in the City Code to provide for adjustments as a result of development and to make text, speed limit, and road extent range corrections; and

WHEREAS, the Texas Transportation Code Section 545.356 specifies the procedures for a municipality to set speed zones and to post speed limits; and

WHEREAS, the City Council finds the the proposed changes to Chapter 18 "Motor Vehicles and Traffic", Article III "Speed of Vehicles", Section 18-73 "Speed Limits on Certain Roads and Highways", incorporates the above studies and recommendations by the Capital Projects/Engineering Department; and

WHEREAS, the City Council finds that the proposed revisions are in the interest of the public health and safety; NOW THEREFORE,

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

SECTION 1. The recitals contained in the preamble of this ordinance are incorporated into the body of this ordinance as if set out fully herein.

SECTION 2. The City Council hereby amends the existing Section 18-73 "Speed Limits on Certain Roads and Highways," in Chapter 18 "Motor Vehicles and Traffic," Article III "Speed of Vehicles", "School Zones", and adds school zone speed designations on two streets for the new high school located on Bronco Way at Bonnie Brae Street which shall read as follows:

**Sec. 18-73. Speed limits on certain roads and highways.**

Upon the basis of an engineering and traffic investigation heretofore made as authorized by the provisions of V.C.T.A., Transportation Code § 545.356, 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:

### **School Zones**

With regard to school zone speed limits set forth below, the time periods for the reduced school zone speed limits shall apply on school days when signs are posted giving notice of the school zone times or when school zone lights are activated giving notice of the active school zone.

<b>ROADWAY</b>	<b>FROM</b>	<b>TO</b>	<b>SPEED LIMIT</b>	<b>TIMES</b>
Bonnie Brae St.	200' N of Riney Rd.	964' N of Windsor Dr.	25	8am-9am & 4pm-5pm
Bronco Way	146' W of Kingsview Dr.	240' E of Bonnie Brae St.	20	8am-9am & 4pm-5pm

**SECTION 3.** 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 when workers are present and then the penalty shall not exceed four hundred dollars (\$400.00).

**SECTION 4.** This ordinance shall supersede and replace all previous conflicting provisions of City ordinances and Code, including Sections 18-210 through 18-214, and such previous conflicting provisions are hereby repealed. All other non-conflicting provisions, including those of Chapter 18 of the Code of the City of Denton, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

**SECTION 5.** It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, 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 and 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.** The City Secretary is hereby directed to record and publish the above revised section in the City's Code of Ordinances as authorized by Section 52.001 of the Texas Local Government Code.

SECTION 7. It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

SECTION 8. This Ordinance, providing for a penalty, 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, a daily newspaper published in the City of Denton, Texas, within ten (10) days of the date of its passage.

The motion to approve this ordinance was made by \_\_\_\_\_ and seconded by \_\_\_\_\_, the ordinance was passed and approved by the following vote [\_\_\_\_ - \_\_\_\_]:

	Aye	Nay	Abstain	Absent
Gerard Hudspeth, Mayor:	_____	_____	_____	_____
Vicki Byrd, District 1:	_____	_____	_____	_____
Brian Beck, District 2:	_____	_____	_____	_____
Jesse Davis, District 3:	_____	_____	_____	_____
Alison Maguire, District 4:	_____	_____	_____	_____
Brandon Chase McGee, At Large Place 5:	_____	_____	_____	_____
Chris Watts, At Large Place 6:	_____	_____	_____	_____

PASSED AND APPROVED this, the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
GERARD HUDSPETH, MAYOR

ATTEST:  
ROSA RIOS, CITY SECRETARY

BY: \_\_\_\_\_

APPROVED AS TO LEGAL FORM:  
MACK REINWAND, CITY ATTORNEY

BY: Stephanie M. Berry