

## ORDINANCE NO. 2622

**AN ORDINANCE REPEALING ORDINANCE NO. 1722 AND ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF SECTION 169(b) OF ARTICLE 6701 d, VERNON'S TEXAS CIVIL STATUTES, UPON F.M. HIGHWAY NO. 986 OR PARTS THEREOF WITHIN THE INCORPORATED LIMITS OF THE CITY OF TERRELL, AS SET OUT IN THIS ORDINANCE; AND PROVIDING A PENALTY OF A FINE NOT TO EXCEED \$200.00 FOR THE VIOLATION OF THIS ORDINANCE; REPEALING CONFLICTING ORDINANCES; PROVIDING FOR PUBLICATION AND ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, Section 169 (b) of Article 6701d, Vernon's Texas Civil Statutes, provides that whenever the governing body of a 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 erected at such intersection or other place or part of the street or highway;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TERRELL, TEXAS:**

### **SECTION 1.**

- A. THAT Ordinance No. 1722 is hereby repealed in its entirety.
- B. THAT upon the basis of an engineering and traffic investigation heretofore made, as authorized by the provisions of Section 169 (b) of Article 6701 d, Vernon's Texas Civil Statutes, the prima facie speed limits hereafter indicated for vehicles are hereby determined and declared to be reasonable and safe; and
- C. THAT from and after the effective date of this ordinance no motor vehicle shall be operated along and upon F.M. Highway No. 986, within the corporate limits of the City of Terrell, at a speed in excess of:

#### **Zone (1): 35 miles per hour.**

North from U.S. Hwy. 80 or W. Moore Avenue, an approximate distance of 1.116 miles to the centerline of Ninth Street to be designated as 35 miles per hour.

#### **Zone (2): 40 miles per hour and 25 miles per hour when so signed for school location at certain specified times.**

Continuing from Ninth Street a distance of .534 miles to the School Zone consisting of approximately 695 feet long to be designated as 25 miles per hour.

**Zone (3): 45 miles per hour.**

From the end of the School Zone for an approximate distance of .561 miles to the North Terrell City limits on F.M. 986 shall be designated as 45 miles per hour.

**SECTION 2.**

THAT the erection of appropriate signs indicating such speed zones is hereby authorized.

**SECTION 3.**

THAT any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not to exceed Two Hundred Dollars (\$200.00).

**SECTION 4.**

THAT all Ordinances or parts of Ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

**SECTION 5.**

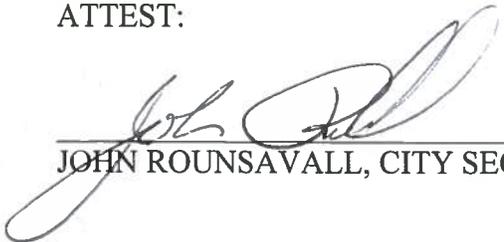
THAT this Ordinance shall take effect immediately from and after its passage and publication, as the law in such cases provides.

**PASSED AND APPROVED THIS 6th day of January, 2015.**

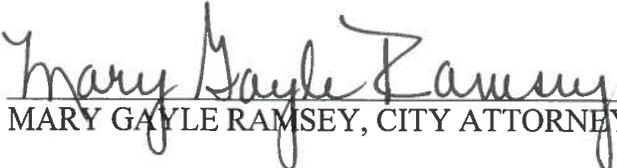
**PASSED AND ADOPTED THIS 20th day of January, 2015.**

  
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HAL RICHARDS, MAYOR

ATTEST:

  
\_\_\_\_\_  
JOHN ROUNSAVALL, CITY SECRETARY

APPROVED AS TO FORM:

  
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MARY GAYLE RAMSEY, CITY ATTORNEY