

ORDINANCE NO. 182

AN ORDINANCE OF THE TOWN OF ANNETTA, TEXAS, ESTABLISHING SPEED LIMITS FOR A SCHOOL ZONE ON THUNDER HEAD LANE; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ERECT NECESSARY SIGNAGE RELATED TO SPEED LIMITS AND WIRELESS COMMUNICATION DEVICES; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Annetta, Texas is a Type A general law municipality located in Parker County, created in accordance with the provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, the Town of Annetta has exclusive control and power over the streets, alleys, and public grounds and highways of the Town pursuant to Section 311.002 of the Texas Transportation Code; and

WHEREAS, the Town of Annetta has the authority to adopt an ordinance or regulation that is necessary for the government, interest, welfare, or good order of the municipality as a body politic pursuant to Section 51.012 of the Texas Local Government Code; and

WHEREAS, the Town of Annetta has conducted investigations and has determined the school zone speed limits are reasonable and safe; and

WHEREAS, the Town Council hereby finds and determines that the school zone speed limits set forth herein are in the best interest of the public and are adopted in furtherance of the public health, safety, morals, and general welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ANNETTA, TEXAS, THAT:

SECTION 1.

The following streets or roadways are designated "School Zones" with a maximum speed limit of 20 miles per hour at times during which the school speed zone signs are flashing, such streets being:

- (1) Thunder Head Lane from Rolling Spring Drive to 210 feet north of Inglewood Drive.

SECTION 2.

The Mayor, or his designee, is authorized to ensure that appropriate signs are erected giving notice of the speed limits adopted herein.

SECTION 3.

The Mayor, or his designee, is authorized to ensure that appropriate signs are erected giving notice that an operator may not use a wireless communication device while operating a motor vehicle within a school crossing zone. The signs must be in compliance with the standards of Section 545.425 of the Texas Transportation Code, as amended.

SECTION 4.

Any person, firm or corporation who violates any of the terms and provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than Two Hundred Dollars (\$200.00) for each offense. Each violation shall be deemed a separate offense.

SECTION 5.

This ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the Town of Annetta, Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event the conflicting provisions of such ordinances and such Code are hereby repealed.

SECTION 6.

It is hereby declared to be the intention of the Town 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 Town Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 7.

All rights and remedies of the Town of Annetta are expressly saved as to any and all violations of the ordinances of the Town of Annetta which have 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 8.

The Town Secretary of the Town of Annetta is hereby directed to publish in the official newspaper of the Town of Annetta, the caption, penalty clause, publication clause, and effective date clause of this ordinance once as authorized by Section 52.011 of the Local Government Code.

SECTION 9.

This ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

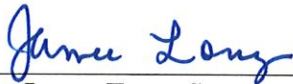
PASSED AND APPROVED on this 17th day of August, 2017.

APPROVED:



Bruce Pinckard, Mayor

ATTEST:



Jamee Long, Town Secretary

