

ORDINANCE NO. 2017-_____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, AMENDING SECTION 126-138 (a) AND CREATING SECTION 126-145 OF THE CITY OF NEW BRAUNFELS CODE OF ORDINANCES TO AMEND THE SCHOOL SPEED ZONE ON FM 1863.

WHEREAS, after engineering and field investigation, the City Engineer has recommended that traffic control signs be installed on certain streets, avenues, thoroughfares and boulevards within the corporate limits of the City of New Braunfels in order to protect the health, safety and welfare of the citizens.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS:

I.

THAT the City of New Braunfels Code of Ordinances Section 126-138 (a) is hereby amended as follows:

- (a) No person shall drive any vehicle on the following streets within the areas designated in this subsection during the posted hours or when the school zone flashing lights are operating from 7:00 a.m. to 5:00 p.m. on each scheduled school day during every authorized school term, in excess of 20 miles per hour; and 40 miles per hour at every other time:

Morningside Drive from two-tenths of a mile north of the main entrance to Morningside Elementary to two-tenths of a mile south of the main entrance of Morningside Elementary.

THAT the City of New Braunfels Code of Ordinances Section 126-145 is hereby created as follows:

- (a) No person shall drive any vehicle on the following streets within the areas designated in this subsection during the posted hours or when the school zone flashing lights are operating from 7:00 a.m. to 5:00 p.m. on each scheduled school day during every authorized school term, in excess of 35 miles per hour; and 45 miles per hour at every other time:

FM 1863 from a point of 850 feet west from the intersection of State Highway 46 West for a distance of 1,625 feet.

(b) Any person who shall violate any provision of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine not to exceed \$200.00.

II.

THAT all provisions hereof declared to be severable and if any provisions hereof is declared to be invalid or unconstitutional, such shall not invalidate or affect the remaining provisions hereof which remain in full force and effect.

III.

All other ordinances or parts of ordinances in conflict herewith are repealed to the extent that they are in conflict.

IV.

This Ordinance shall become adopted and effective upon its second reading, signature required by City Charter, and filing with the City Secretary's Office. This Ordinance must also be published in a newspaper of general circulation at least one time within ten (10) days after its final passage, as required by the City Charter of the City of New Braunfels.

PASSED AND APPROVED: First reading this the _____ day of _____, 2017.

PASSED AND APPROVED: Second reading this the _____ day of _____, 2017.

CITY OF NEW BRAUNFELS, TEXAS

BARRON CASTEEL, MAYOR

ATTEST:

PATRICK D. ATEN CITY SECRETARY

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, CITY ATTORNEY