

**ORDINANCE NO. 2019-\_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, AMENDING SECTION 126-146 (a) AND CREATING SECTION 126-147 OF THE CITY OF NEW BRAUNFELS CODE OF ORDINANCES TO AMEND THE SCHOOL SPEED ZONES ON FM 1101.**

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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 126-146 (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 35 miles per hour; and 45 miles per hour at every other time:

*FM 1101* from 463 feet northeast of the intersection with Ventura Drive for a distance of 1,979 feet northeast.

**II.**

THAT the City of New Braunfels Code of Ordinances Section 126-147 is hereby created as follows:

Sec. 126-147. – Same-Same-Fifty-five miles per hour at other times.

- (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 55 miles per hour at every other time:

*FM 1101* from 3,123 feet northeast of the intersection with Ventura Drive for a distance of 1,030 feet northeast.

*FM 1101* from 1,514 southwest of the intersection with FM 306 for a distance of 1,478 feet southwest.

- (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.

### **III.**

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.

### **IV.**

All other ordinances or parts of ordinances in conflict herewith are repealed to the extent that they are in conflict.

### **V.**

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 \_\_\_\_\_, 2019.

PASSED AND APPROVED: Second reading this the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

## CITY OF NEW BRAUNFELS, TEXAS

*BARRON CASTEEL, MAYOR*

ATTEST:

*PATRICK D. ATEN CITY SECRETARY*

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, CITY ATTORNEY