

Legislation Details (With Text)

File #: 17-090 **Name:**
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Title: Approval of the second and final reading of an ordinance amending Chapter 126 of the City of New Braunfels Code of Ordinances regarding Traffic and Vehicles.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Section 126 Redlines, 2. Surrounding city excerpts, 3. 2017-01-23 Ordinance - Chapter 126 Amend

Date	Ver.	Action By	Action	Result
2/13/2017	1	City Council	approved	Pass

Presenter/Contact
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SUBJECT:

Approval of the second and final reading of an ordinance amending Chapter 126 of the City of New Braunfels Code of Ordinances regarding Traffic and Vehicles.

BACKGROUND / RATIONALE:

City Council unanimously approved the first reading of an ordinance amending Chapter 126 of the Code of Ordinances regarding Traffic and Vehicles on January 23, 2017.

City staff is proposing amendments to Chapter 126 Traffic and Vehicles of the Code of Ordinances to more efficiently and effectively address traffic requests, install traffic control devices, and to reflect current and standard practice. Many of the sections of Chapter 126 have never been updated since the current code was adopted in 1961.

The major component of the amendment is the authority to install traffic control devices. Current code specifies the chief of police to place and maintain traffic control devices when required by code and other traffic ordinances. Most regulatory traffic control, including stop signs, requires an ordinance approved by city council. The chief of police has limited authority and the city engineer has none. Additionally, most regulatory traffic control requests are processed through the Transportation & Traffic Advisory Board (T&T) through standard practice even though it is not specified by code. The ordinance and T&T process can take up to four months for standard traffic control requests that conform to the Manual of Traffic Control Devices (MUTCD) as specified by state law and local ordinance.

Most cities in Texas give the authority to install traffic control devices to the city engineer or city traffic engineer. These cities include San Marcos, Schertz, Seguin (excerpts of ordinances attached),

Round Rock, Fredericksburg, and Georgetown. Giving the authority to the designated engineer allows for proper evaluation and installation of traffic control devices in conformance with state law and local ordinance and in a timely manner. In practice, the chief of police is typically unaware of the requirements of the MUTCD and is not involved in the installation and maintenance of signs, traffic signals, and pavement markings. Engineering staff works with the chief of police for emergency authorization of traffic control devices when needed and as allowed by code. City staff then processes the authorization through T&T and ordinance that takes up to 90 days to complete.

Staff has prepared revisions to the existing ordinance, including specifying what regulatory traffic control devices the city engineer has authority to install and what traffic control devices require approval by city council by ordinance. Additionally, the amendments do not remove the chief of police's authority for specified traffic control and specifies the public works department as the appropriate department to place and maintain traffic control devices. There are no changes to Section 126-33 that empower the chief of police to authorize temporary or experimental regulations to cover emergencies or special conditions.

Traffic control devices that require city council approval will continue to be processed through T&T. For the traffic control requests that do not meet state law, local ordinance and the MUTCD requirements, citizens will continue to have the opportunity for the request to be presented at T&T and city council.

Another component of the amendment is to revise how school speed zone schedules are addressed in the ordinance. The existing ordinance specifies the exact times a school speed zone is in effect and does not address alternate school schedules such as early release. Actual release times and school flasher schedules may conflict with the specific times in the ordinance. School zone schedules are oftentimes changed every school year and the Police and Public Works Departments work with the school districts to determine appropriate schedules based student arrivals and departures. The proposed amendment follows existing language covering the school zone on IH 35 Business (Section 126-142 (a)). This amendment allows for city staff to more efficiently update and implement school zone schedules. Please note that school zone locations require city council approval through ordinance.

The final component of the amendment is to revise Section 126-139 to reflect the posted speed limit on Liberty Avenue. The current ordinance specifies a speed limit of 20 miles per hour between Easter Sunday and Labor Day and 30 miles per hour between Labor Day and Easter Sunday. In practice, the signs are not changed and the amendment will specify 20 miles per hour.

The Engineering Division will maintain records of all regulatory traffic control devices authorized under the proposed ordinance amendment and all records will be available to the City Attorney, Municipal Court and the general public.

ADDRESSES A NEED/ISSUE IN A CITY PLAN OR COUNCIL PRIORITY:

2006 Comprehensive Plan: Transportation Goal 21: Provide a system of convenient and safe transportation facilities through comprehensive, cooperative and continuing transportation system planning and development.

FISCAL IMPACT:

Approval of the ordinance amendment will allow staff to more efficiently and effectively address traffic requests and install traffic control devices.

COMMITTEE RECOMMENDATION:

The Traffic and Transportation Advisory Board unanimously approved the recommendation to City Council to amend the existing Traffic and Vehicles ordinance (Chapter 126) on December 8, 2016.

STAFF RECOMMENDATION:

Staff, including the Chief of Police and Police Department, recommends approval of the proposed amendments to the existing Traffic and Vehicles ordinance (Chapter 126).