

Ordinance No. 827

“Amending The Speed Limits Near Parks And On Unpaved Roads”

AN ORDINANCE OF THE CITY OF GRANITE SHOALS, TEXAS, AMENDING THE MOTOR VEHICLE SPEED LIMIT NEAR PARKS AND ON UNPAVED ROADS WITHIN THE CORPORATE LIMITS OF THE CITY OF GRANITE SHOALS, TEXAS; AND PROVIDING FOR THE FOLLOWING: SAVINGS, SEVERABILITY, REPEALER, EFFECTIVE DATE, AND PROPER NOTICE AND MEETING

WHEREAS, City of Granite Shoals (the “City”) Code of Ordinances Section 36-23 sets a general maximum speed limit for motor vehicles on the public streets, highways, and thoroughfares within the corporate limits of the City of thirty (30) miles per hour, unless otherwise ordered by the City Council or other authority; and

WHEREAS, City of Granite Shoals (the “City”) Code of Ordinances Section 36-24 authorizes the City Council to designate speed limits and zones on public streets, highways, and thoroughfares within the corporate limits of the City; and

WHEREAS, Texas Transportation Code Section 545.356 (b-1) authorizes the governing body of a municipality to declare a speed limit of not less than 25 miles per hour on a highway or street which is open to the public for vehicular traffic that is not an officially designated or marked highway or roadway of the state highway system, if the governing body determines that the prima facie speed limit on the highway or street is unreasonable or unsafe; and

WHEREAS, the City Council believes it would serve the interests of the public health, safety, and welfare to establish a speed zone with a maximum speed limit of twenty-five (25) miles per hour on all unpaved, dirt, caliche, or gravel roads, and within 500 feet of any City of Granite Shoals park; and

WHEREAS, the City Council seeks to provide for the enforcement of its municipal ordinances in order to protect the public health, safety, and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRANITE SHOALS, TEXAS:

SECTION I. FINDINGS OF FACT

All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION II. AMENDMENT

Ordinance Number 260 of the City of Granite Shoals, Texas, is hereby amended as follows:

“Section One. Speed Limit.

...

The City establishes a maximum speed limit of twenty five (25) miles per hour for all City roads that are in an unpaved condition and/or whose surface consists primarily of dirt, gravel, other rock, or caliche material.

The City establishes a maximum speed limit of twenty five (25) miles per hour for all City roads located within five hundred (500) feet of any designated City park.”

SECTION III. SAVINGS

The repeal of any ordinance or part of ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the City under any section or provisions of any ordinances at the time of passage of this Ordinance.

SECTION IV. SEVERABILITY

Should any sentence, paragraph, subdivision, clause, phrase, or section of this Ordinance be adjusted or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Ordinance in whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional.

SECTION V. REPEALER

The provisions of this Ordinance shall be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent or in conflict with any of the provisions of this Ordinance are hereby expressly repealed to the extent that such inconsistency is apparent. This Ordinance shall not be construed to require or allow any act that is prohibited by any other ordinance.


SECTION VI. EFFECTIVE DATE

This Ordinance shall take effect immediately from and after its passage and publication as may be required by law.

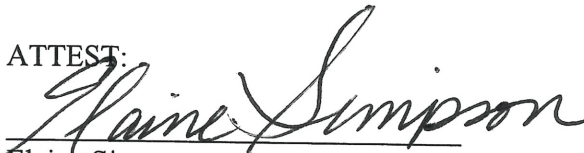
SECTION VII. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at that this Ordinance was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED AND APPROVED this 22 day of February, 2022.




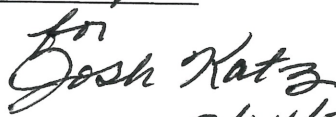
Will Skinner
Mayor

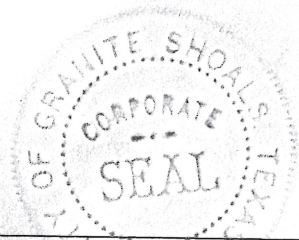
ATTEST:


Elaine Simpson,
City Secretary

APPROVED AS TO FORM:



Joshua Katz,
City Attorney

for
Josh Katz
2/24/22



Ordinance No. 827 - "Amending the speed limit on unpaved roads and roads adjacent to parks."

Adopted February 22, 2022