

ORDINANCE NO. 96-1

AN ORDINANCE ESTABLISHING MAXIMUM, REASONABLE AND PRUDENT RATES OF SPEED ON CERTAIN PORTIONS OF CERTAIN STREETS AND HIGHWAYS AND PUBLIC PLACES IN THE CITY OF COMMERCE; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING PENALTIES FOR VIOLATION HEREOF; AND DECLARING AN EMERGENCY.

WHEREAS, by authority and direction of the City Council of the City of Commerce, Texas, an engineering and traffic study and survey have been made by the Texas Department of Transportation to determine the maximum, reasonable and prudent speeds for vehicles traveling upon the following named streets and highways and parts thereof, to facilitate the most effective use of said streets and highways and the safe and effective movement of vehicular traffic thereon; and

WHEREAS, such study and survey establishes, and it is so found by the City Council of the City of Commerce, Texas, that the following are the maximum, reasonable and prudent rates of speed for vehicular traffic upon said streets and highways and parts thereof;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF COMMERCE, TEXAS:

I.

No person shall drive a vehicle upon a public road, street or highway in the City of Commerce, Texas, at a speed greater than is reasonable and prudent under the conditions and circumstances then existing. Except when a special hazard exists that requires lower speeds for compliance with the above requirement, the limits hereinafter set out shall be lawful but any speed in excess of the limits as hereinafter set out for the streets and highways and portions thereof to which they apply shall be prima facie evidence that the speed is not reasonable or prudent:

- (A.) On Business State Highway 24 B (Live Oak Street), easterly from the intersection of State Highway 224, a distance of approximately 0.335 miles, a speed limit of fifty (50) miles per hour at all times; thence easterly for a distance of approximately 0.250 miles to the intersection of State Highway 24/50, a speed limit of forty (40) miles per hour at all times; thence easterly from a distance of approximately 1.012 miles (including both Alamo and Main Streets) to the south intersection of State Highway 11/Business State 24 B, a speed limit of thirty (30) miles per hour at all times as evidenced by the attached plan which is hereby approved and made a part hereof.
- (B.) On Business State Highway 24 B (Park Street), northerly from the north intersection of State Highway 11/Business State 24 B, a distance of approximately 0.282 miles to the intersection of State Highway 24/50, a speed limit of thirty-five (35) miles per hour at all times as evidenced by the attached plan which is hereby approved and made a part hereof.
- (C.) On State Highway 24/50, southerly from the north city limits of Commerce, a distance of approximately 1.396 miles to the intersection of State Highway 224, a speed limit of fifty-five (55) miles per hour at all times; thence southerly for a distance of approximately 0.320 miles, a speed limit of fifty (50) miles per hour at all times; thence southerly for a distance of approximately 0.948 miles, a speed limit of forty-five (45) miles per hour at all times; thence southerly to the south city limits of Commerce, a distance of approximately 0.610 miles, a speed limit of sixty (60) miles per hour at all times as evidenced by the attached plan which is hereby approved and made a part hereof.
- (D.) On State Highway 224, easterly from the west city limits of Commerce, a distance of approximately 0.887 miles to the intersection of State Highway 24/50, a speed limit of fifty-five (55) miles per hour at all times as evidenced by the attached plan which is hereby approved and made a part hereof.

II.

All ordinances and parts of ordinances in force in the City of Commerce, Texas, which conflict with the terms and provisions of this ordinance are hereby repealed insofar as they conflict with this ordinance, but all other portions of said ordinance shall remain in full force and effect.

Stick postage stamps to article to cover First-Class postage, certified mail fee, and charges for any selected optional services (See front).

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached, and present the article at a post office service window or hand it to your rural carrier (no extra charge).
2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach, and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make an inquiry.

III.

If any section, sub-section, word, sentence, or phrase of this ordinance is declared to be invalid, it shall not effect the validity of this ordinance.

IV.

Any person violating the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding TWO HUNDRED AND NO/100 (\$200.00) DOLLARS.

V.

The fact that present traffic regulations are inadequate to control traffic in areas covered by this ordinance creates an emergency which is here and now declared, and all rules and regulations providing for the reading of ordinances more than one time or on more than one occasion be and the same are hereby suspended, and this ordinance is passed as an emergency measure and shall be and remain in full force and effect as herein provided from and after its passage and publication and after the installation of speed limit signs.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Commerce, Texas, on this the 6th day of February, 1996.

ATTEST:



Carol Roberts, City Secretary

(seal)

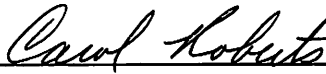
CITY OF COMMERCE, TEXAS



John R. Sands, Mayor

I, Carol Roberts, City Secretary of the City of Commerce, Texas do hereby certify that the above is a true and correct copy of a ordinance, and that the same has not been repealed and is in full force and effect.

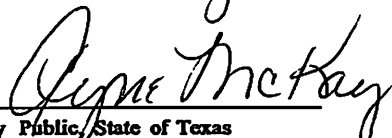
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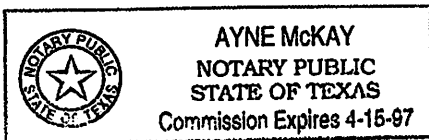
Carol Roberts, City Secretary
City of Commerce, Texas

Sworn to and subscribed before me, on this the 7 day of February, 1996, to certify which witness my hand and seal of office.

(seal)



Notary Public, State of Texas



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