

ORDINANCE 04-08

AN ORDINANCE AMENDING THE TRAFFIC CONTROL MAP ESTABLISHING MAXIMUM, REASONABLE AND PRUDENT RATE 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; FIXING PENALTIES FOR VIOLATION HEREOF; PROVIDING A SAVINGS CLAUSE.

WHEREAS, a regular meeting of the City Council of the City of Commerce, Texas, was held in Commerce, Texas, at City Hall, on the 15th day of June 2004, at 7:00 p.m., a majority of council members being present and constituting a quorum, the following ordinance was adopted:

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 Transportation Operations Office of 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 COUNCIL OF THE CITY OF COMMERCE, No person shall drive a vehicle upon a public road, street and 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 by 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:

I.

On State Highway 24/50, southwesterly from the East City Limits of Commerce for a distance of approximately 1.579 miles, a speed limit of sixty-five (65) miles per hour at all times as authorized by the Transportation Commission Minute #109696; thence southerly for a distance of approximately 0.200 miles, a speed limit of sixty (60) miles per hour at all times; thence southerly for a distance of approximately 0.343 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 (40) miles per hour at all times; thence southerly for a distance of approximately 0.200 miles, a speed limit of fifty (50) miles per hour; thence southerly for a distance of approximately 0.410 miles to the South City

Limit of Commerce, a speed limit of sixty (60) miles per hour at all times as evidenced by the attached which is hereby approved and made a part thereof.

WHEREAS, 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.

WHEREAS, 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.

WHEREAS, said ordinance shall take effect thirty (30) days from and after its passage and publication and after the installation of speed limit signs.

PASSED AND APPROVED on the first reading this the 15th day of June 2004.

PASSED AND APPROVED on the second and final reading this the 6th day of July 2004.

ATTEST:

Becky Pattillo
Becky Pattillo, Assistant City Secretary

(seal)

CITY OF COMMERCE:

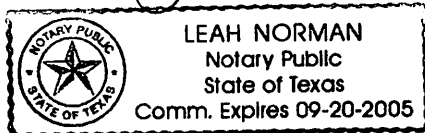
Sheryl Zelhart
Sheryl Zelhart, Mayor

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

(seal)

Becky Pattillo
Becky Pattillo, Assistant City Secretary
City of Commerce

Sworn to and subscribed before me, on this the 22 day of July, 2004, to certify which witness my hand and seal of office.



(seal)

ordinance/ByPassSpeedLimit.061504

Leah Norman
Notary Public, State of Texas