

ORDINANCE 09-06

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; FIXING PENALTIES FOR VIOLATION HEREOF; AND DECLARING AN EMERGENCY

WHEREAS, a special meeting of the City Council of the City of Commerce, Texas, was held in Commerce, Texas, at City Hall, on the 21st day of August, at 12:00 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 Loop 178, easterly from the intersection of State Highway 24/50 for a distance of approximately 0.250 miles, a speed limit of thirty-five (35) miles per hour at all times; thence easterly for a distance of approximately 0.550 miles, a speed limit of forty (40) miles per hour at all times; thence easterly for a distance of approximately 0.888 to intersection with State Highway 11 a speed limit of fifty (50) miles per hour at all times except for two (2) school zones of thirty-five (35) miles per hour will be effective on school days only at the school speed limit zone from approximate mile point 10.452 to mile point 10.232 and from mile point 10.232 to mile point 10.058 only during the following hours:

From 45 minutes before school opens until classes begin; from the beginning to the end of the lunch period, if needed; and for a 30 minute period beginning at the close of school;

Thence continue on State Highway 11 southeasterly from the intersection with State Loop 178 a distance of approximately 0.172 miles, a speed limit of fifty (50) miles per hour at all times, thence southeasterly for a distance of approximately 0.454 to the Southeast 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.

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.

III.

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 HUNDREDD AND NO/100 (\$200.00) DOLLARS.

IV.

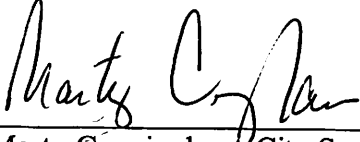
The fact that present traffic regulations are inadequate to control traffic in areas covered by this ordinance creates an emergency which is here and now declared, and all rules and regulations providing for the reading of ordinance is passed as an emergency measure and shall be in full force and effect from and after its passage and publication and after the installation of speed limit signs.

WHEREAS, this Ordinance shall take effect and be in force from and after its passage and approval.

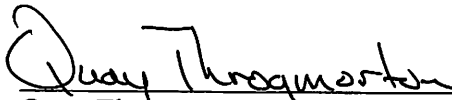
PASSED AND APPROVED on this the 21st day of August 2009.

ATTEST:

CITY OF COMMERCE:

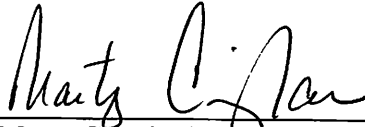

Marty Cunningham, City Secretary

(seal)


Quay Throgmorton, Mayor

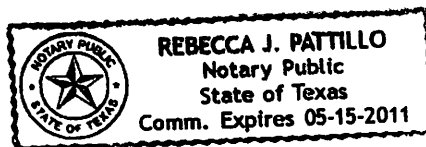
I, Marty Cunningham, City Secretary of the City of Commerce, Texas, do hereby certify that the above is a true and correct copy of an ordinance, and that the same has not been repealed and is in full force and effect.

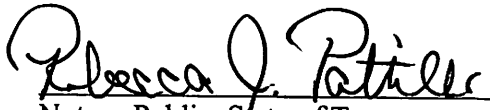
(seal)


Marty Cunningham, City Secretary
City of Commerce

Sworn to and subscribed before me, on this the 21st day of August, 2009, to certify which witness my hand and seal of office.

(seal)




Notary Public, State of Texas

ordinance/Loop178speed.082109