



**CITY OF TYLER
CITY COUNCIL COMMUNICATION**

Agenda Number: O-2

Date: April 12, 2006

Subject: Request that the City Council consider adopting an ordinance amending City Code Chapter 17, "Traffic", Article III, "Speed Regulations", Section 17-63, establishing the speed limit on Grande Boulevard to 40 mph from a point 1,690 feet west of the west curb line on South Broadway to a point 220 feet east of the east curb line of Sutherland Drive; and also establishing the speed limit on Old Grande Boulevard to 40 mph from the west curblines of South Broadway to the north curblines of West Grande Boulevard.

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Item Reference: Texas Transportation Code Section 545.356; Tyler City Code Chapter 17

Texas Transportation Code Section 545.356 and City Code Section 17-61 authorize the City Council to establish speed limits, on the basis of engineering and traffic studies. After careful consideration, the Traffic Engineer proposed a speed limit on Grande Boulevard of 40 mph from a point 1,690 feet west of the west curb line on South Broadway to a point 220 feet east of the east curb line of Sutherland Drive. The existing portion of Grande, recently renamed Old Grande Boulevard will maintain a speed limit of 40 mph between South Broadway and West Grande Boulevard.

REVIEW BY TRAFFIC SAFETY BOARD

City Code Section 17-30.c. states that the Traffic Safety Board shall make recommendations through the Traffic Engineer regarding safety as it deems necessary. On April 6, 2006, the Traffic Safety Board had discussions regarding the proposed speed limit regulations and voted unanimously to recommend approval of this ordinance to the City Council.


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RECOMMENDATION:

It is recommended that City Council adopt an ordinance amending City Code Chapter 17, "Traffic", Article III, "Speed Regulations", Section 17-63, establishing the speed limit on Grande Boulevard to 40 mph from a point 1,690 feet west of the west curb line on South Broadway to a point 220 feet east of the east curb line of Sutherland Drive; and establishing the speed limit on Old Grande Boulevard to 40 mph from the west curbline of South Broadway to the north curbline of West Grande Boulevard.

**Drafted/Recommended By:
Department Leader**


Kirk Houser, P.E., Traffic Engineer

**Edited/Submitted By:
City Manager**

ORDINANCE NO. 0-2006-36

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS, AMENDING TYLER CITY CODE CHAPTER 17, "TRAFFIC", ARTICLE III., "SPEED REGULATIONS", BY ESTABLISHING THE SPEED LIMIT ON GRANDE BOULEVARD TO 40 MPH FROM A POINT 1,690 FEET WEST OF THE WEST CURB LINE ON SOUTH BROADWAY TO A POINT 220 FEET EAST OF THE EAST CURB LINE OF SUTHERLAND; AND ALSO ESTABLISHING THE SPEED LIMIT ON OLD GRANDE BOULEVARD TO 40 MPH FROM THE WEST CURBLINE OF SOUTH BROADWAY TO THE NORTH CURBLINE OF WEST GRANDE BOULEVARD; DIRECTIN THE POSTING OF APPROPRIATE SIGNAGE; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY: AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, it is the intent of the City Council to protect the public health, safety, and welfare; and

WHEREAS, Texas Transportation Code Section 545.356 provides that the governing body of a municipality, for a highway or part of highway in the municipality, has the authority to alter by ordinance prima facie speed limits from the results of an engineering and traffic investigation; and

WHEREAS, Texas Transportation Code Section 545.356 states that a prima facie speed limit that is altered by the governing body of a municipality is effective when the governing body erects signs giving notice of the new limit and at all times or at other times as determined; and

WHEREAS, Tyler City Code Section 17-61.a. provides that the Traffic Engineer shall determine on the basis of engineering and traffic surveys, the reasonable and safe maximum speed limits for each City street and submit recommendations based on such investigation to the City Council; and

WHEREAS, Tyler City Code Section 17-61.b. provides that on the basis of recommendations of the Traffic Engineer, the City Council may alter speed limits deemed necessary; and

WHEREAS, Tyler City Code Section 17-62 provides that the Traffic Engineer shall post the maximum and minimum speed limits, if any, by appropriate signs in conspicuous places so that every motorist may be aware of the speed limits; and

WHEREAS, Tyler City Code Section 17-30.c. states that the Traffic Safety Board shall make recommendations through the Traffic Engineer regarding traffic safety as the Board deems necessary; and

WHEREAS, on 04/6/06, the Traffic Safety Board reviewed this ordinance and voted to recommend approval to the City Council;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TYLER:

PART 1: That Tyler City Code Chapter 17, "Traffic", Article III., "Speed Regulations", is hereby amended by amending and establishing the following speed limits in correct alphabetical order in Section 17-63 to read as follows:

Grande Boulevard 40 From a point 1,690 feet west of the west curb line on South Broadway to a point 220 feet east of the east curb line of Sutherland Drive. (Ord. 0-2006-36, 4/12/06)

Old Grande Boulevard 40 From the west curblines of South Broadway to the north curblines of West Grande Boulevard. (Ord. 0-2006-36, 4/12/06)

PART 2: That the Traffic Engineer is hereby directed to post all appropriate signage, as required by Tyler City Code Section 17-62, so that every motorist will be aware of the altered and established speed limits.

PART 3: That if any provision or any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

PART 4. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine as provided in Section 1-4 of the Tyler Code. Each day such violation shall continue, or be permitted to continue, shall be deemed a separate offense. Since this ordinance has a penalty for violation, it shall become effective upon its publication in the newspaper as provided by Section 85 of the Charter of the City of Tyler, Texas, which date is expected to be April 14, 2006.

PASSED AND APPROVED this 12th day of April, A. D., 2006.

JOSEPH O. SEEBER, MAYOR OF
THE CITY OF TYLER, TEXAS

ATTEST:

APPROVED:

CASSANDRA BRAGER, CITY CLERK

CITY ATTORNEY

Proposed Speed Limit on Grande Extension

