



**CITY OF TYLER
CITY COUNCIL COMMUNICATION**

Agenda Number: O-1

Date: January 11, 2006

Subject: Request that the City Council consider adopting an ordinance amending City Code Chapter 17, "Traffic", Article III, "Speed Regulations", Section 17-64, modifying the limits of a school speed zone for Hubbard Middle School on New Copeland Road to now be from 550 feet north of the north curb of Hubbard Drive to 250 feet south of the north curb of Hubbard Drive.

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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.

Tyler City Code Section 17-64a states that the Traffic Engineer shall designate school traffic zones with appropriate street markings or signs. These decreased speed limits for school zones shall be for hours designated on school days, where school signs are posted, or at any time when electrical control devices are in operation advising motorists of the speed limit in the school zone. At the request of a citizen, the Traffic Engineering staff conducted a study of the pedestrian flow on New Copeland Road and determined that an additional 300 feet north of the existing school speed zone is necessary for the safety of the public.

REVIEW BY TRAFFIC SAFETY BOARD

City Code Section 17-30c states that the Traffic Safety Board shall make recommendations through the Traffic Engineer regarding safety as it deems necessary. On December 6, 2005, the Traffic Safety Board had discussions regarding the proposed school speed zone limits and voted to recommend approval of this ordinance to the City Council.

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RECOMMENDATION:

It is recommended that the City Council adopt an ordinance amending City Code Chapter 17, "Traffic", Article III, "Speed Regulations", Section 17-64, modifying the limits of a school speed zone for Hubbard Middle School on New Copeland Road to now be from 550 feet north of the north curb of Hubbard Drive to 250 feet south of the north curb of Hubbard Drive.

**Drafted/Recommended By:
Department Leader**

A handwritten signature in black ink, appearing to read "Kirk Houser", written over a horizontal line.

Kirk Houser, Traffic Engineer

**Edited/Submitted By:
City Manager**



Location Map for New Copeland Rd. School Speed Zone



ORDINANCE NO. 0-2006-9

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS, AMENDING TYLER CITY CODE CHAPTER 17, "TRAFFIC", ARTICLE III., "SPEED REGULATIONS", BY MODIFYING THE LIMITS OF A SCHOOL SPEED ZONE FOR HUBBARD MIDDLE SCHOOL ON A PORTION OF NEW COPELAND ROAD; AND DIRECTING THE RELOCATION 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 17-64 establishes specific school speed zones; 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

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

PART 1: That Tyler City Code Chapter 17, "Traffic", Article III., "Speed Regulations", is hereby amended by deleting the following school speed limit in Section 17-64 which reads as follows:

Hubbard Middle School 25 New Copeland Road From 250 feet north of the north curb of Hubbard Drive to 250 feet south of the north curb of Hubbard Drive

PART 2: That Tyler City Code Chapter 17, "Traffic", Article III., "Speed Regulations", is hereby amended by adding the following school speed limit in correct alphabetical order in Section 17-64 to read as follows:

Hubbard Middle School 25 New Copeland Road From 550 feet north of the north curb of Hubbard Drive to 250 feet south of the north curb of Hubbard Drive

PART 3: That the Traffic Engineer is hereby directed to move all appropriate signage, as required by Tyler City Code Section 17-62, so that every motorist will be aware of the altered speed zone limits.

PART 4: 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 5. 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 January 13, 2006.

PASSED AND APPROVED this 11th day of January, A. D., 2006.

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

ATTEST:

APPROVED:

CASSANDRA BRAGER, CITY CLERK

CITY ATTORNEY