



**CITY OF TYLER, TEXAS
CITY COUNCIL COMMUNICATION**

Agenda Number: O-1

Date: April 25, 2007

Subject: Request that the City Council consider adopting an ordinance amending Tyler City Code Chapter 17, "Traffic", Article III, "Speed Regulations", Section 17-64, modifying an existing school speed zone speed limit of 25 mph for Ramey Elementary School along Forest Avenue and Evergreen Avenue.

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

REVIEW OF SPEED LIMIT ON FOREST AVENUE

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 and the recommendation of the Traffic Engineer.

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. Tyler Independent School District has concluded construction of the new campus for Ramey School, which is adjacent to the existing facilities. At the school's request, Traffic Engineering staff studied traffic flow on Forest Avenue and recommends extending the existing school speed zone further down Forest Avenue and establishing a new school speed zone with a speed limit of 25 mph on a portion of Evergreen Avenue.

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, 2007, the Traffic Safety Board had discussions regarding the proposed school zone speed limit 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 Tyler City Code Chapter 17, "Traffic", Article III, "Speed Regulations", Section 17-64, modifying an existing school speed zone speed limit of 25 mph for Ramey Elementary School along Forest Avenue and Evergreen Avenue.

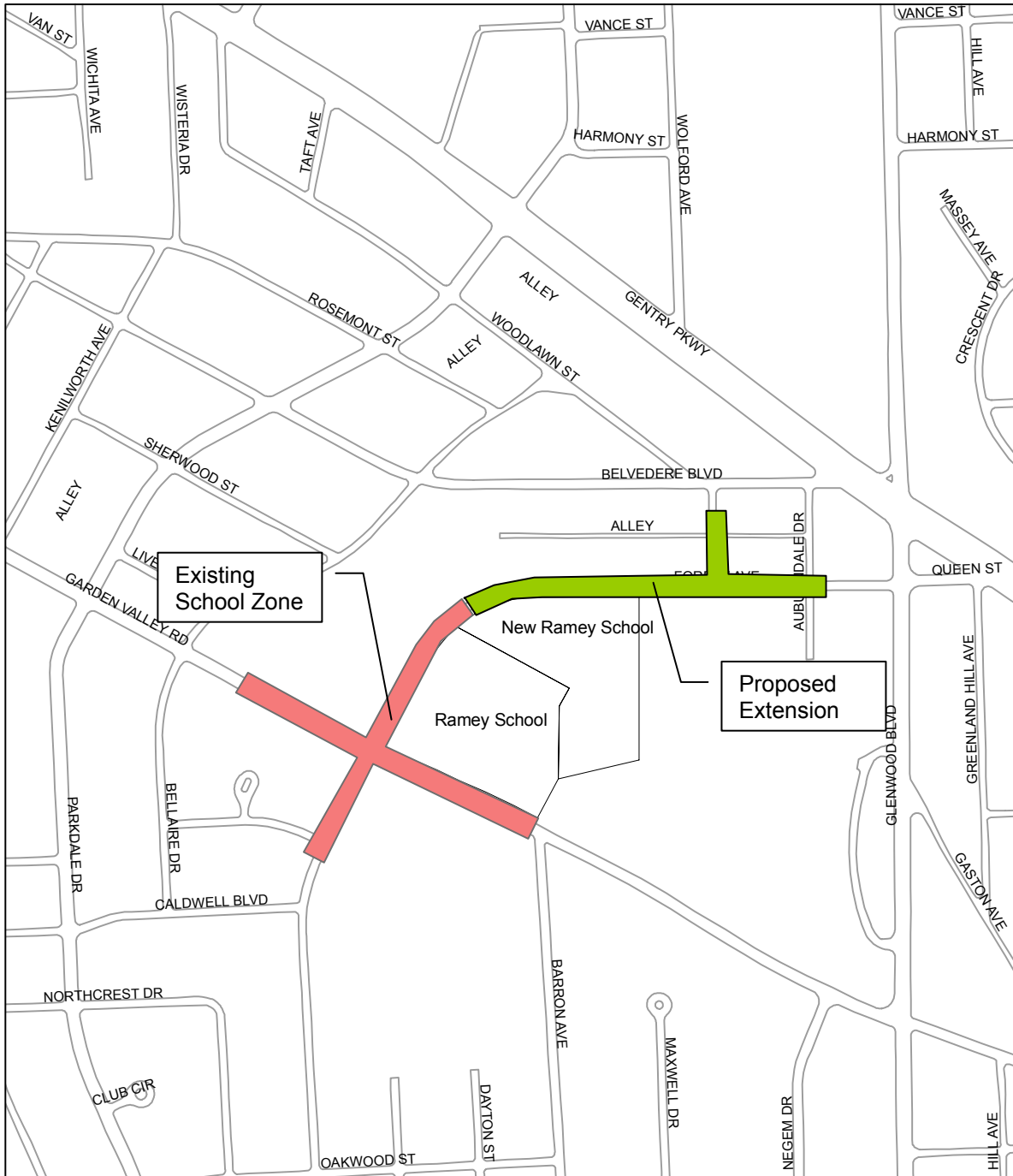
**Drafted/Recommended By:
Department Leader**


Kirk Houser, Traffic Engineer

**Edited/Submitted By:
City Manager**



Proposed Ramey School Zone



ORDINANCE NO. 0-2007-47

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 RAMEY ELEMENTARY SCHOOL ON A PORTION OF NORTH FOREST AVENUE, AND ADDING THE LIMITS OF A SCHOOL SPEED ZONE ON A PORTION OF EVERGREEN AVENUE; 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 amending the following school speed limit in Section 17-64 to read as follows:

Ramey Elementary School 25 North Forest Avenue From 22 feet east of the east curblin
e of Auburndale Drive to 260 feet
south of the south line of Garden
Valley Road (Ord. 0-2007-47, 4/25/07)

Ramey Elementary School 25 Evergreen Avenue From 94 feet south of south curblin
e of Belvedere Boulevard to north
curblin
e of Forest Avenue (Ord. 0-
2007-47, 4/25/07)

PART 2: That the Traffic Engineer is hereby directed to remove any existing signage that is no longer necessary and to post all appropriate new signage, as required by Tyler City Code Section 17-62, so that every motorist will be aware of the altered speed zone 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 27, 2007.

PASSED AND APPROVED this 25th day of April, A. D., 2007.

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

ATTEST:

APPROVED:

CASSANDRA BRAGER, CITY CLERK

CITY ATTORNEY