

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

**Agenda Number: O-3**

**Date: February 27, 2008**

**Subject: Request that the City Council consider adopting the attached ordinance amending City Code Chapter 17, modifying the extents of an existing school speed zone for Peete Elementary School along Bellwood Road and Connally Street and adding a school speed zone with a speed limit of 20 mph along Grove Street, Hurt Avenue and Peach Avenue.**

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

**REVIEW OF SPEED LIMIT ON BELLWOOD ROAD**

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 constructed a new campus for Peete School adjacent to the existing facilities. At the school's request, Traffic Engineering staff studied traffic flow around the school and recommends extending the existing school speed zone further down Connally Street and Bellwood Road and establishing a new school speed zone with a speed limit of 20 mph on a portion of Grove Street, Hurt Avenue and Peach Avenue. The normal speed limit on all of these streets is 30 mph.

**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 February 7, 2008, 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 the attached ordinance amending City Code Chapter 17 to modify an existing school speed zone speed limit of 20 mph for Peete Elementary School along Bellwood Road and Connally Street and adding a school speed zone speed limit of 20 mph along Grove Street, Hurt Avenue and Peach Avenue.

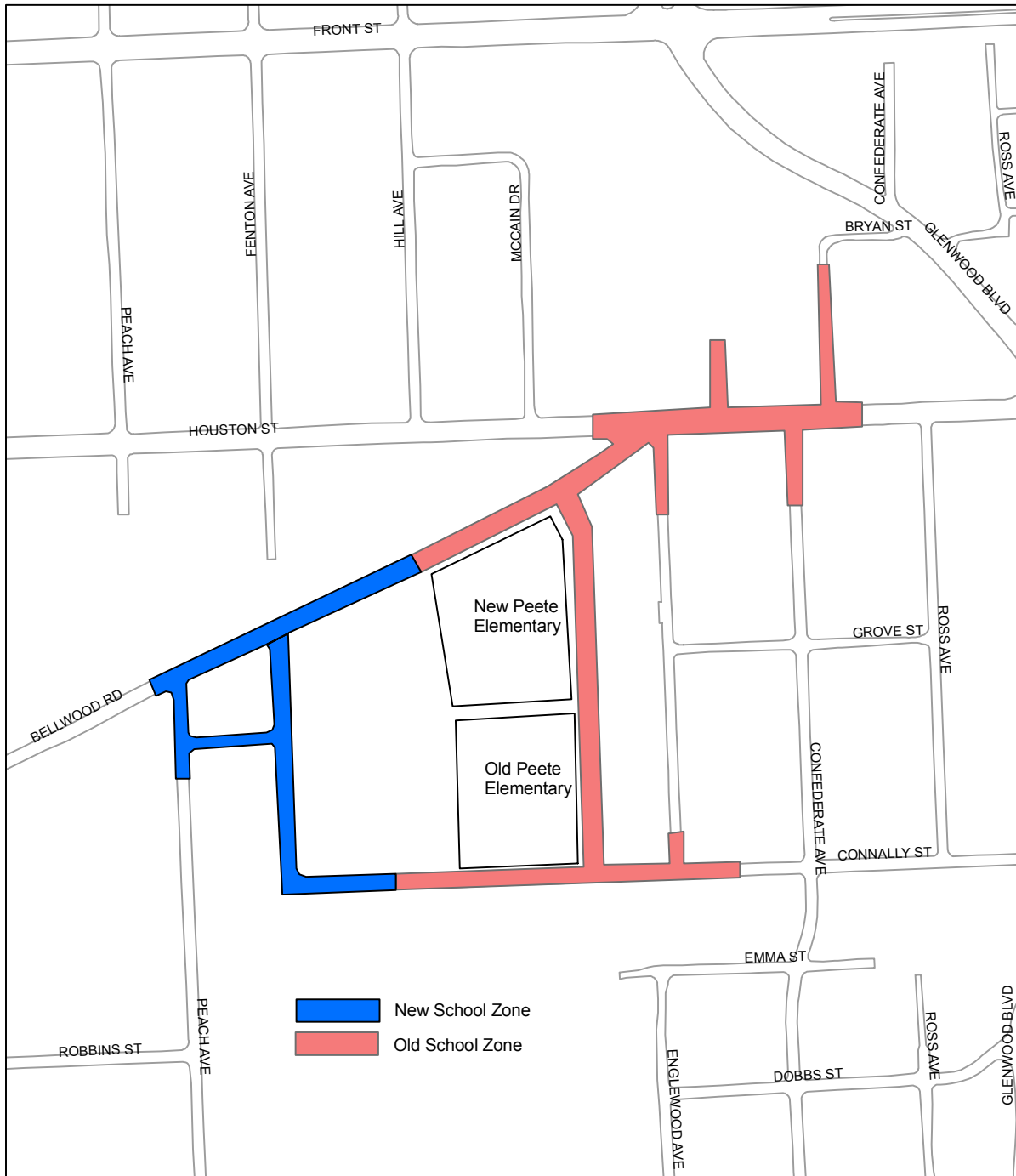
**Drafted/Recommended By:  
Department Leader**

**Kirk Houser, Traffic Engineer**

**Edited/Submitted By:  
City Manager**



# Peete Elementary



**ORDINANCE NO. 0-2008-36**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS, AMENDING TYLER CITY CODE CHAPTER 17, "TRAFFIC", ARTICLE III., "SPEED REGULATIONS", BY MODIFYING THE EXTENTS OF A SCHOOL SPEED ZONE FOR PEETE ELEMENTARY SCHOOL ON A PORTION OF BELLWOOD RD AND CONNALLY ST, AND ADDING THE LIMITS OF A SCHOOL SPEED ZONE ON A PORTION OF HURT AVE, GROVE ST AND PEACH AVE; 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:

Peete Elementary School	20 Bellwood Rd.	From east line of South Englewood Avenue 30 feet west of west line of South Peach Avenue. (0-2008-36, 2/27/08)
Peete Elementary School	20 Connally St.	From 375 feet east of west line of South Gaston Avenue to west line of South Hurt Avenue. (0-2008-36, 2/27/08)
Peete Elementary School	20 Gaston Avenue	From north line of West Connally Street to south line of Bellwood Road. (0-2008-36, 2/27/08)
Peete Elementary School	20 Hurt Avenue	From south line of West Connally Street to north line of Bellwood Road. (0-2008-36, 2/27/08)
Peete Elementary School	20 Grove Street	From west line of South Hurt Avenue to east line of South Peach Avenue. (0-2008-36, 2/27/08)
Peete Elementary School	20 Peach Avenue	From south line of Bellwood Road to 30 feet south of south line of West Grove Street. (0-2008-36, 2/27/08)

**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 February 29, 2008.

**PASSED AND APPROVED** this 27<sup>th</sup> day of February, A. D., 2008.

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

ATTEST:

APPROVED:

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CASSANDRA BRAGER, CITY CLERK

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CITY ATTORNEY