

ORDINANCE NO. O-2009-36

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS, ESTABLISHING A TEMPORARY CONSTRUCTION SPEED LIMIT OF 30 MILES PER HOUR, WHEN SO POSTED OR INDICATED, FOR TRAFFIC TRAVELING NORTH AND SOUTH ON RHONES QUARTER ROAD (FM 2694) FROM HOLLOWBROOK DRIVE, SOUTH TO THE CITY LIMITS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

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

WHEREAS, Tyler City Code Section 17-63 establishes certain speed limits with the City limits; and

WHEREAS, The City of Tyler is in the process of constructing Grande Boulevard from Paluxy Drive (FM 756) east to Troup Highway (SH 110); and

WHEREAS, the Traffic Engineering Department has determined that a construction speed zone of 35 mph will be required for the project while under construction;

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

PART 1. That any and all ordinances or parts of ordinances relating to speed zones on Rhones Quarter Road within the project limits in the City of Tyler are hereby temporarily revised as follows:

The limits for Rhones Quarter Road (FM 2964) traffic traveling both North and South for which a maximum speed of 35 mph applies, when said speed is so posted and/or indicated, is hereby ordained and shall extend from Hollowbrook Drive south to the City limits until completion of work on Rhones Quarter Road (FM 2964) as part of The City of Tyler project, Smith County.

PART 2. 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 3. 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 10, 2009.

PASSED AND APPROVED this 8th day of April, 2009.



BARBARA BASS, MAYOR
THE CITY OF TYLER, TEXAS

ATTEST:


CASSANDRA BRAGER, CITY CLERK



APPROVED:


GARY LANDERS, CITY ATTORNEY