

**ORDINANCE NO. 0-2010-115**

**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 EXISTING SCHOOL SPEED ZONE FOR GRIFFIN ELEMENTARY; 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 adding the following school speed limits to Section 17-64 in the appropriate alphabetical order to read as follows:

Griffin Elementary

25 North Broadway Avenue

From 250 feet north of the north curb of Twenty-Eighth Street to 250 feet south of the

			north curb of Twenty-Sixth Street. (0-2010-115, 10/27/10)
Griffin Elementary	25	North BoisD'Arc Avenue	From the south curb of Twenty-Sixth Street to 250 feet south of the south curb of Twenty-Sixth Street. (0-2010-115, 10/27/10)
Griffin Elementary	25	North Glass Avenue	From north line of West 32nd Street to 200 feet south of south line of West 29th Street. (0-2010-115, 10/27/10)
Griffin Elementary	25	North Grand Avenue	From 30 feet south of south line of West 28th Street to 25 feet north of north line of West 30th Street. (0-2010-115, 10/27/10)
Griffin Elementary	25	North Palace Avenue	From 165 feet south of south line of West 29th Street to south line of West 29th Street. (0-2010-115, 10/27/10)
Griffin Elementary	25	North Tenneha Avenue	From 210 feet south of south line of West 29th Street to south line of West 29th Street. (0-2010-115, 10/27/10)
Griffin Elementary	25	North Witten Avenue	From the north curb line of Twenty-Sixth Street to 250 feet north of the north curb of Twenty-Sixth Street. (0-2010-115, 10/27/10)
Griffin Elementary	25	West 26th Street	From 250 feet east of east line of North Border Avenue to the west curb line of North Broadway . (0-2010-115, 10/27/10)
Griffin Elementary	25	West 28th Street	From 240 feet east of east line of North Border Avenue to the west curb line of North Broadway (0-2010-115, 10/27/10)
Griffin Elementary	25	West 28th Street	From 160 feet east of east line of North Grand Avenue to east line of North Grand Avenue. (0-2010-115, 10/27/10)
Griffin Elementary	25	West 29th Street	From 205 feet east of east line of North Border Avenue

to 315 feet west of west line of North Grand Avenue. (0-2010-115, 10/27/10)

Griffin Elementary 25 West 28th Street

From 265 feet west of west line of North Grand Avenue to west line of North Grand Avenue. (0-2010-115, 10/27/10)

Dogan Middle School 25 West 27th Street

From 245 feet west of west line of North Border Avenue to west line of North Border Avenue. (0-2010-115, 10/27/10)

Dogan Middle School 25 West 31st Street

From 125 feet east of east line of North Border Avenue to east line of North Border Avenue. (0-2010-115, 10/27/10)

Dogan Middle School 25 West 32nd Street

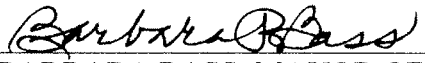
From west line of North Border Avenue to 200 feet west of west line of North Glass Avenue. (0-2010-115, 10/27/10)

**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.

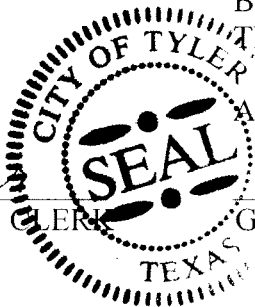
**PART 4.** That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine as provided in Section 1-4 of the Tyler Code. Each day such violation shall continue, or be permitted to continue, shall be deemed a separate offense. Since this ordinance has a penalty for violation, it shall not become effective until 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 October 29, 2010.

**PASSED AND APPROVED** this 27<sup>th</sup> day of October, A. D., 2010.

  
BARBARA BASS, MAYOR OF  
THE CITY OF TYLER, TEXAS

ATTEST:

  
CASSANDRA BRAGER, CITY CLERK



APPROVED:  
  
GARY C. LANDERS, CITY ATTORNEY