

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY THROUGH THE AMENDMENT OF CHAPTER 73, "TRAFFIC SCHEDULES," SCHEDULE I (C), RELATING TO SPEED LIMITS OF 35 MPH ON ESTABLISHED STREETS; ESTABLISHING A TEMPORARY SPEED LIMIT OF 35 MILES PER HOUR FOR OLD DENTON ROAD, FROM FRANKFORD ROAD TO ROSEMEADE PARKWAY; PROVIDING FOR A PENALTY; PROVIDING SAVINGS AND SEVERABILITY CLAUSES; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Carrollton, Texas (the "City") is a Home Rule municipality possessing the full power of local self-government pursuant to Article 11, Section 5 of the Texas Constitution, Section 51.072 of Texas Local Government Code and its Home Rule Charter;

WHEREAS, Chapter 545, and particularly Section 545.356 of the Texas Transportation Code, as amended, grants municipalities the authority to prescribe by ordinance reasonable and safe prima facie maximum speed limits to control the operation of motor vehicles;

WHEREAS, Title 43 Part 1, Chapter 25 of the Texas Administrative Code provides for construction speed zones to be authorized by the City Council for the duration of a construction project;

WHEREAS, Old Denton Road between Frankford Road and Rosemeade Parkway is currently under repair, construction or maintenance, has a high volume of traffic, and the workers will be working in close proximity to the drive lanes; and

WHEREAS, the construction along the road way may create an actual or potential hazard at the location, and reduction of the speed limit will increase the safety along that portion of the roadway.

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

SECTION 1.

Chapter 73 Schedule I (C) of the Carrollton City Code is hereby amended by changing the 40 mph speed limit on Old Denton Road, from Frankford Road to Rosemead Parkway, to a construction speed zone limit of 35 mph.

SECTION 2.

For the duration of the construction project along the project for Old Denton Road Reconstruction between Frankford Road and Rosemeade Parkway, the speed limit set herein shall prevail over the conflicting speed limit established for this portion of the roadway contained in Ordinance No. 1092.

SECTION 3.

A conviction of a violation of the terms of this Ordinance shall be a misdemeanor punishable in accordance with Section 10.99 of the Carrollton City Code, as amended.

SECTION 4.

Ordinance No. 1092 for this roadway segment shall remain in full force and effect save and except as temporarily modified by this Ordinance.

SECTION 5.

Allegation and evidence of culpable mental state is not required for the proof of an offense defined in Chapter 73 Schedule I Speed Limits.

SECTION 6.

The construction speed zone of 35 miles per hour shall remain in effect until June 15, 2017, at which time it shall automatically cancel pursuant to Texas Administrative Code Rule §25.22 and the original 40 mph speed limit shall apply as provided in Ordinance 1092.

SECTION 7.

This Ordinance shall take effect immediately from and after its adoption and publication as required by law.

DULY PASSED AND APPROVED by the City Council of the City of Carrollton, Texas this 7th DAY OF FEBRUARY, 2017.

CITY OF CARROLLTON, TEXAS

By: _____
Matthew Marchant, Mayor

ATTEST:

Laurie Garber
City Secretary

APPROVED AS TO FORM:

Susan Keller
Assistant City Attorney

APPROVED AS TO CONTENT:

Tom Hammons, P.E.
Transportation Engineering
Division Manager