

**ORDINANCE NO. 2024-002
MILE 3 ROAD SPEED LIMIT**

AN ORDINANCE OF THE CITY OF PEÑITAS, TEXAS, ALTERING THE PRIMA FACIE SPEED LIMIT FOR VEHICLES ON MILE 3 ROAD WITHIN THE CORPORATE LIMITS OF THE CITY OF PEÑITAS, TEXAS; PROVIDING FOR PENALTIES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERANCE CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION.

WHEREAS, Section 545.356 of the Texas Transportation Code provides that whenever the governing body of a city determines upon the basis of an engineering and traffic investigation that any prima facie speed limit established under Section 545.352 of the Texas Transportation Code is greater or less than is reasonable or safe under existing conditions at any intersection or any part of a street or highway, taking into consideration the width and condition of the pavement, the usual traffic, and other circumstances, the governing body may declare a reasonable and safe prima facie speed limit at such location by ordinance which shall be effective when appropriate signs giving notice thereof are erected; and

WHEREAS, an engineering and traffic investigation was performed by or on behalf of the City of Peñitas within the city limits; and

WHEREAS, the engineering and traffic investigation revealed that the current speed limit of 25 miles per hour on Mile 3 Road between the city limits is inappropriate based on the design of the newly constructed roadway; and

WHEREAS, the City Council of the City of Peñitas, Texas, finds and determines that it is in the best interest of the public health, safety and general welfare of the citizens of the City of Penitas, Texas, to increase the speed limit on Mile 3 Road within the City Limits from 25 miles per hour to 45 miles per hour.

Now, THEREFORE, be it ordained by the City Council of the City of Peñitas, Texas, that:

SECTION 1. Upon the basis of an engineering and traffic investigation made pursuant to Section 545.356 of the Texas Transportation Code, the following prima facie speed limit is hereby determined and declared to be reasonable and safe, and from and after the date of passage and publication of this ordinance and the erection of appropriate speed limit signs, no motor vehicle shall be operated along or upon the following street area within the corporate limits of the City of Peñitas in excess of the following speed limit:

45 miles per hour on Mile 3 Road within the City limits.

SECTION 2. The Mayor is hereby authorized to cause appropriate speed limit signs to be erected indicating the new prima facie speed limit.

SECTION 3. PENALTY

Any person who shall violate any of the provisions of this ordinance shall be guilty of a misdemeanor, and upon conviction thereof shall be liable for a fine in an amount not to exceed Five Hundred Dollars (\$500), and each and every instance of the violation of this ordinance constitutes a separate offense and shall be punishable by separate fines for each offense.

SECTION 4. SAVINGS CLAUSE

In the event that any other ordinance of the City of Penitas, Texas, heretofore enacted is found to conflict with the provisions of this ordinance, this ordinance shall prevail.

SECTION 5. SEVERANCE CLAUSE

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 6. EFFECTIVE DATE

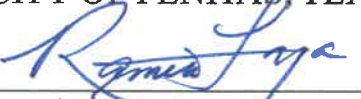
Because of the nature of the interest and safeguard sought to be protected by this ordinance and in the interest of health, safety and welfare of the citizens of the City of Peñitas, Texas, this ordinance shall take effect immediately after passage, publication and the erection of appropriate speed limits signs, as required by law.

SECTION 7. PUBLICATION

The City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause hereof as an alternative method of publication provided by law.

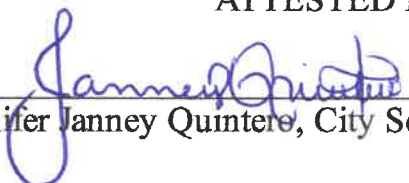
READ and CONSIDERED on First Reading this the 7th day of February 2024 at a REGULAR CALLED MEETING OF THE CITY COMMISSION OF THE CITY OF PEÑITAS, TEXAS, at which a quorum was present, and which was held in accordance with Chapter 551, of the Texas Government Code.

CITY OF PEÑITAS, TEXAS



Ramiro Loya, Mayor

ATTESTED BY:



Jennifer Janney Quintero, City Secretary

READ and CONSIDERED and APPROVED on Second Reading and waiving Third Reading this the 18th day of March 2024 at a SPECIAL CALLED MEETING OF THE CITY COMMISSION OF THE CITY OF PEÑITAS, TEXAS, at which a quorum was present, and which was held in accordance with Chapter 551, of the Texas Government Code.

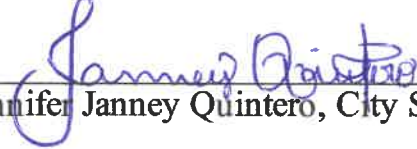
Executed this 18th day of March, 2024.

CITY OF PEÑITAS, TEXAS



Ramiro Loya, Mayor

ATTESTED BY:



Jennifer Janney Quintero, City Secretary

