

ORDINANCE NUMBER 2008-5

AN ORDINANCE ESTABLISHING MAXIMUM, REASONABLE AND PRUDENT RATES OF SPEED ON CERTAIN PORTIONS OF CERTAIN STREETS AND HIGHWAYS AND PUBLIC PLACES IN THE CITY OF CUMBY REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; FIXING PENALTIES FOR VIOLATION HEREOF; AND DECLARING EMERGENCY.

WHEREAS, by authority and direction of the City Council of the City of Cumby, Texas an engineering and traffic study and survey have been made by the Transportation Operations Office of the Texas Department of Transportation to determine the maximum, reasonable and prudent speeds for vehicle traveling upon the following named streets and highways and part thereof, to facilitate the most effective use of said streets and highways and the safe and effective movement of vehicular traffic thereon; and

WHEREAS, such study and survey establishes, and it is so found by the City Council of the City of Cumby, Texas, that the following are the maximum, reasonable and prudent rates of speed for vehicular traffic upon said streets and highways and parts thereof;

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

No person shall drive a vehicle upon a public road, street and highway in the City of Cumby, Texas, at a speed greater than is reasonable and prudent under the conditions and circumstances then existing. Except when a special hazard exists that requires lower speeds for compliance with the above requirement, the limits hereinafter set out shall be lawful but any speed in excess of the limits as hereinafter set out for the streets and highways and portions thereof to which they apply shall be prima facie evidence that the speed is not reasonable or prudent:

I.

On Farm to Market 499 in a easterly direction from the West City Limit of Cumby for a distance of approximately 1.008 miles, a speed limit of fifty-five (55) miles per hour at all times to the end of the highway control section near the Hunt county line; thence easterly from the beginning of highway control section near Hunt county line for a distance of approximately 0.600 miles a speed limit of fifty-five (55) miles per hour at all times; thence easterly for a distance of approximately 0.250 miles at all times a speed limit of forty (40) miles per hour at all times. In a easterly direction for a distance of approximately 1.060 miles a speed limit of thirty (30) miles per hour at all times; except at a school zone from mile point 1.040 to mile point 1.130 a speed limit of twenty-five

(25) from 45 minutes before school opens until classes begin; from beginning to the end of the lunch period, if needed; and for a 30 minute period beginning at the close of school; thence easterly for a distance of approximately 0.225 miles a speed limit of forty-five (45) miles per hour at all times; in a southeasterly direction for a distance of approximately 1.365 miles a speed limit of fifty-five (55) miles per hour at all times to the South City Limit of Cumby as evidenced by the attached plan is hereby approved and made part thereof,

II.

All ordinances and parts of ordinances in force in the City of Cumby, Texas, which conflict with the terms and provisions of this ordinance are hereby repealed insofar as they conflict with this ordinance, but all other portions of said ordinance shall remain in full force and effect.

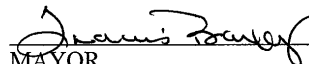
III.

Any person violating the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding TWO HUNDRED AND NO/100 (\$200.00) DOLLARS.

IV.

The fact that present traffic regulations are inadequate to control traffic in areas covered by the ordinance creates an emergency which is here and now declared, and all rules and regulations providing for the reading of ordinance is passed as an emergency measure and shall be in full force and effect from and after its passage and publication and after the installation of speed limit signs.

PASSED AND APPROVED this 1ST day of April, 2008.


MAYOR

ATTEST:


CITY SECRETARY