

ORDINANCE NO.

96-2

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 AN EMERGENCY.

WHEREAS, by authority and direction of the City Council of Cumby, Texas an engineering and traffic study and survey have been made by the Texas Department of Transportation to determine the maximum, reasonable and prudent speeds for vehicles traveling upon the the following named 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 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 Interstate Highway 30 easterly from the west city limits of the City of Cumby, Texas, to the east city limits of the City of Cumby, Texas, For a distance of approximately 0.644 miles, a speed limit of seventy (70) miles per hour day time sixty-five (65) miles per hour night time at all times as authorized by the Transportation Commission Minute 106410 as evidenced by the attached plan which is hereby approved and made a part hereby.

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in force in the City of Cumby, Texas, which conflict with the terms and provisions of this ordinance are hereby repealed insofar as they conflict with this ordinance, but all other portions of said ordinance shall remain in full force and effect.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 this 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 the 2nd day of April 1996
month, year

Lillian Battle
MAYOR

ATTEST:

Mary France
CITY SECRETARY (SEAL)

I, MARY FRANCE, Secretary of the City of
(secr. name)

Cumby, Texas, do hereby certify that the above is a true and correct copy of an ordinance shown on Page 1975-96, Book _____ of the Minutes of the City of Cumby, Texas, and that the same has not been repealed and is in full force and effect.

Mary France
(name of Sec.), City Secretary
City of Cumby, Texas

SWORN TO AND SUBSCRIBED BEFORE ME, on this day the 2nd day of April, 1996, to certify which witness my hand and seal of office.

Mary France
Notary Public, State of Texas