

**ORDINANCE NO. 2013-1**

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 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 vehicles traveling upon the following named streets and highways and parts 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 275 in a southerly direction from the North City Limit of Cumby for a distance of approximately 3.709 miles, a speed limit of sixty-five (65) miles per hour at all times as Authorized by the Transportation Commission minute 111197 ; thence southerly for a distance of approximately 0.336 miles a speed limit of fifty-five (55) miles per hour at all times; thence southerly for a distance of approximately 0.200 miles a speed limit of forty (40) miles per hour at all times ; thence southerly for a distance of approximately 0.234 miles a speed limit of thirty (30) miles per hour at all times to mile point 5.028; mile point 5.028 to mile point 5.193 covered under ordinance for Farm to Market 499; thence from mile point 5.193 in a southerly

direction for a distance of approximately 0.205 miles a speed limit of thirty (30) miles per hour at all times; thence southerly for a distance of approximately 0.323 miles a speed limit of forty (40) miles per hour at all times to mile point 5.721; mile point 5.721 to mile point 6.257 covered under ordinance for IH 30; from mile point 6.257 for a distance of approximately 2.549 miles, a speed limit of sixty-five (65) miles per hour at all times with in the city limit of Cumby and 2.273 outside the city limits for a total of 4.822 miles that appeared in and was Authorized by the Transportation Commission minute 111197 as evidenced by the attached plan is hereby approved and made a 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 FIVE HUNDRED AND NO/100 (\$500.00) DOLLARS.

V.

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 5<sup>th</sup> day of February, 2013.

  
MAYOR

ATTEST:

  
CITY SECRETARY

