

TOWN OF FLOWER MOUND, TEXAS

ORDINANCE NO. 02-10

AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING CHAPTER 66, ARTICLE V, SECTION 66-214 OF THE CODE OF ORDINANCES OF THE TOWN OF FLOWER MOUND, TEXAS BY REVISING THE LIST OF ENUMERATION OF PRIMA FACIE SPEED LIMITS FOR SPECIFIC STREETS; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 545.356 of the Texas Transportation Code, a municipality may declare a reduction of speed limits on certain local streets to 25 mph if the Council finds that the established speeds are unreasonable or unsafe; and

WHEREAS, the Town of Flower Mound has approved a policy for the reduction of the speed limit to 25 mph on certain residential streets within ¼ mile of a school property; and

WHEREAS, the Town of Flower Mound has approved a policy for the reduction of the speed limit to 25 mph on certain residential streets within ¼ mile of a construction zone located on a major arterial street; and

WHEREAS, Council approved these policies based upon evidence that the existing conditions are unreasonable and unsafe; and

WHEREAS, the reduction in speed limit to 25 mph requires approval by the Town Council of the Town of Flower Mound; and

WHEREAS, the Town Council of the Town of Flower Mound hereby finds and determines that the existing speed limits within ¼ mile of all school property and ¼ mile of construction zones located on a major arterial street is unreasonable and unsafe due to the conditions existing in those areas and declares that the speeds in those areas may be reduced to 25 miles per hour.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, THAT:

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SECTION 1

All of the above premises are found to be true and correct factual and legislative determinations of the Town of Flower Mound and are hereby approved and incorporated into the body of this ordinance as if copied in their entirety.

SECTION 2

From and after the effective date of this ordinance, the prima facie speed limits for specific streets listed in Section 66-214 of the Code of Ordinances of the Town of Flower Mound, is hereby amended by adding the following:

<i>Location</i>	<i>Speed (mph)</i>
Ponderosa Pine Drive	25
Bur Oak Drive	25
Princewood Drive	25
Stone Creek Drive	25
Halsey Drive	25
Durango Place	25
Baldcypress Lane	25
Britt Drive	25
Chinaberry Drive	25

SECTION 3

The reduced speed limits set forth in Section 2, above, are effective when the Town Manager, or his designee, erects signs giving notice of the new speed limits. The Town Manager is directed to take such action necessary to ensure that such new speed limit signs are erected and installed.

SECTION 4

All ordinances, orders or resolutions heretofore passed and adopted by the Town Council of the Town of Flower Mound, Texas are hereby repealed to the extent that said ordinances, orders or resolutions, or parts thereof, are in conflict herewith.

SECTION 5

It is hereby declared to be the intention of the Town Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are

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severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, since same would have been enacted by the Town Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section, and said remaining portions shall remain in full force and effect.

SECTION 6

This Ordinance shall take effect and be in full force from and after its passage and publication, as provided by the Revised Civil Statutes of the State of Texas and the Home Rule Charter of the Town of Flower Mound, Texas.

DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS BY A VOTE OF 5 TO 0 ON THIS 21ST DAY OF JANUARY, 2010.



Jody A. Smith, MAYOR

ATTEST:



Paula J. Paschal, TOWN SECRETARY

APPROVED AS TO FORM AND LEGALITY:



Terrence S. Welch, TOWN ATTORNEY

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