

ORDINANCE NO. 2018-27

AN ORDINANCE OF THE CITY OF BASTROP, TEXAS; AMENDING THE CODE OF ORDINANCES, RELATED TO CHAPTER 12 TITLED "TRAFFIC AND VEHICLES," ARTICLE 12.05 TITLED "SPEED LIMITS," ADDING SECTION 12.05.010 TITLED "25 MPH SPEED ZONES;" PROVIDING FOR THE PROVISION THAT ESTABLISHES A SPEED LIMIT OF TWENTY-FIVE (25) MILES PER HOUR IN THE 1700 BLOCK OF FARM STREET, THE 1700 BLOCK OF SPRING STREET, AND THE 1000 AND 1100 BLOCKS OF CP JOHNSON LANE AND REPEALING ALL PRIOR ORDINANCES THAT ARE IN CONFLICT HERewith; AS ATTACHED IN EXHIBIT A; AND PROVIDING FOR FINDINGS OF FACT, ENACTMENT, EFFECTIVE DATE, REPEALER, SEVERABILITY, PROPER NOTICE AND MEETING.

WHEREAS, the City of Bastrop ("City") has the responsibility to address any public health and safety problems; and

WHEREAS, the Bastrop City Council ("Council") has received information from the Police Department and Public Works Department regarding the safety of the following specific locations: 1700 Block of Farm Street, the 1700 Block of Spring Street, and the 1000 and 1100 Blocks of CP Johnson Lane; and

WHEREAS, the 1700 Block of Farm Street, the 1700 Block of Spring Street, and the 1000 and 1100 Blocks of CP Johnson Lane are public roadways within the incorporated limits of the City; and

WHEREAS, on August 14, 2018, citizens reported to the Council that they were concerned about the volume of traffic and the speed of that traffic traveling in the 1700 Block of Farm Street, the 1700 Block of Spring Street, and the 1000 and 1100 Blocks of CP Johnson Lane; and

WHEREAS, between August 28, 2018 and September 4, 2018, the Public Works Department and the Police Department conducted a traffic study / analysis regarding the speed and number of vehicles that utilized the roads located in the 1700 Block of Farm Street, the 1700 Block of Spring Street, and the 1000 and 1100 Blocks of CP Johnson Lane as well as motor vehicle crashes that occurred in the vicinity of these locations for the past two (2) years; and

WHEREAS, on September 11, 2018, the Council received a report of the traffic study / analysis and determined that due to the imminent threat to public health and safety, the speed limit for the 1700 Block of Farm Street, the 1700 Block of Spring Street, and the 1000 and 1100 Blocks of CP Johnson Lane intersection needed to be reduced from a speed of thirty (30) miles per hour to a speed of twenty-five (25) miles per hour; and

WHEREAS, the City has the authority to alter speed limits of a highway or a part of a highway in the municipality, including a highway or part of a highway that is not an officially designated or marked highway or road of the state highway system, pursuant to section Texas Transportation Code Section 545.356; and

WHEREAS, the City Council has exclusive control over and under its public streets and may control or regulate certain aspects of the movement of vehicles pursuant to Texas Transportation Code Chapter 311; and

WHEREAS, the City has the full power of local self-government as recognized by Tex. Loc. Gov't Code § 51.072; and

WHEREAS, the City Council finds the attached amendments reasonable and necessary.

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

Section 1: FINDINGS OF FACT

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

Section 2: AMENDMENT

Chapter 12, Article 12.05, of the City of Bastrop Code of Ordinances is hereby amended, and after such amendment, shall read in accordance with *Attachment "A"*, which is attached hereto and incorporated into this Ordinance for all intents and purposes. Any underlined text shall be inserted into the Code and any struck-through text shall be deleted from the Code, as stated on *Attachment A*.

Section 3: REPEALER

To the extent reasonably possible, ordinances are to be read together in harmony. However, all ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

Section 4: SEVERABILITY

Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

Section 5: CODIFICATION

The City Secretary is hereby directed to record and publish the attached rules, regulations and policies in the City's Code of Ordinances as authorized by Section 52.001 of the Texas Local Government Code.

Section 6: EFFECTIVE DATE

This ordinance shall take effect upon the date of final passage noted below, or when all applicable publication requirements, if any, are satisfied in accordance with the City's Charter, Code of Ordinances, and the laws of the State of Texas.

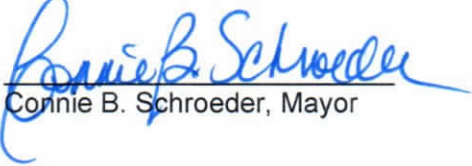
Section 7: PROPER NOTICE & MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

READ & ACKNOWLEDGED on First Reading on this, the 25th day of September 2018.

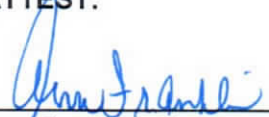
READ & APPROVED on the Second Reading on this, the 9th day of October 2018.

APPROVED:



Connie B. Schroeder, Mayor

ATTEST:



Ann Franklin, City Secretary

APPROVED AS TO FORM:



Alan Bojorquez, City Attorney

City of Bastrop Code of Ordinances

Chapter 12 – TRAFFIC AND VEHICLES

ARTICLE 12.05 – SPEED LIMITS

Sec. 12.05.010 – 25 MPH SPEED ZONES.

- (a) Due to an imminent threat to public health and safety, the speed limits in the 1700 Block of Farm Street, the 1700 Block of Spring Street, and the 1000 and 1100 Blocks of CP Johnson Lane within the city shall be as follows:
- (1) *1700 Block of Farm Street.* On Farm Street from State Highway (SH) 95 to CP Johnson Lane, shall hereby be a maximum speed limit of twenty-five (25) miles per hour.
 - (2) *1700 Block of Spring Street.* On Spring Street from SH 95 to CP Johnson Lane, shall hereby be a maximum speed limit of twenty-five (25) miles per hour.
 - (3) *1000 and 1100 Blocks of CP Johnson Lane.* On CP Johnson Lane from State Loop 150 to Farm Street, shall hereby be a maximum speed limit of twenty-five (25) miles per hour.
- (b) The director of public works shall cause speed limit signs and other traffic-control devices to be erected at such locations deemed necessary to provide reasonable notice of the above speed limits to those traveling on 1700 Block of Farm Street, the 1700 Block of Spring Street, and the 1000 and 1100 Blocks of CP Johnson Lane within the city.
- (c) Violators shall be cited and subject to a fine for the offense of speeding as set forth in section 12.05.008.