

ORDINANCE 2014-07

AN ORDINANCE OF THE CITY OF LA FERIA, TEXAS AMENDING SECTION 12.00 OF THE CODE OF ORDINANCES BY ADDING SECTION 12.02.036 TO REDUCE THE PRIMA FACIE SPEED LIMIT ON A PORTION OF PANCHO MAPLES DRIVE AND BY ADDING SECTION 12.05.006 TO SPECIFY THE TYPE OF VEHICULAR TRAFFIC PERMITTED ON A PORTION OF PANCHO MAPLES DRIVE; AUTHORIZING THE INSTALLATION OF SIGNAGE RELATED THERETO; ESTABLISHING PENALTIES FOR VIOLATIONS RELATED THERETO; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, in accordance with the Texas Transportation Code, a home-rule municipality has control over and under public highways, streets, and alleys of the municipality; and

WHEREAS, in accordance with applicable provisions of the Texas Transportation Code, a home-rule municipality has the authority to alter the prima facie speed limit on a municipal roadway without the necessity of a formal engineering and traffic study if such roadway is not an officially designated or marked highway or roadway of the state highway system and it is a two-way, undivided roadway; and

WHEREAS, in accordance with applicable provisions of the Texas Transportation Code, a home-rule municipality has the authority to control the type of vehicular traffic permitted on a municipal roadway; and

WHEREAS, Pancho Maples Drive from FM 506 to Rabb Road is a two-way, undivided municipal roadway within the City of La FERIA which is paved to the applicable residential standards of the City of La FERIA; and

WHEREAS, the residential paving standards are inadequate to withstand heavy truck traffic without deteriorating significantly; and

WHEREAS, one elementary school, one major outdoor recreational facility, one indoor recreational facility already exist along such portion of Pancho Maples Drive and a new emergency shelter facility is under construction soon to be completed; and

WHEREAS, such portion of Pancho Maples Drive is a transitory area with increased number of families with young children living in the area; and

WHEREAS, the City Commission of the City of La FERIA determined that it is in the best interest of the City and for the safety of residents to establish certain restrictions as to the prima facie speed limit on and type of vehicular traffic permitted on such portion of Pancho Maples Drive,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LA FERIA, THAT:

SECTION 1. The Code of Ordinances of the City of La FERIA shall be amended by adding Section 12.02.036 as follows:

Sec. 12.02.036 Pancho Maples Drive

The maximum vehicular speed limit on Pancho Maples Drive between FM 506 and Rabb Road is twenty-five (25) miles per hour.

SECTION 2. The Code of Ordinances of the City of La FERIA shall be amended by adding Section 12.05.006 as follows:

Sec. 12.05.006 Pancho Maples Drive

(a) Vehicles with tandem wheels or more than two (2) axles are hereby prohibited from driving on Pancho Maples Drive between Canal Street and Rabb Road unless providing services directly to properties along such portion of Pancho Maples Drive.

(b) The city manager is authorized to take legal action to recover damages against any owner of a vehicle that violates exceeds the use limitations as provided herein.

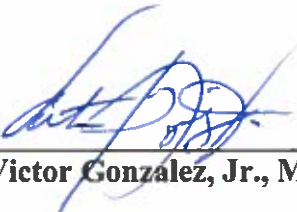
SECTION 3. The City Manager is hereby authorized to install appropriate signage alerting the public as required by the Texas Transportation Code.

SECTION 4. Any person violating any provisions of Sec. 12.02.036 or Sec. 12.05.006 shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in accordance with the general penalty in Section 1.01.009 of the Code of Ordinances.

SECTION 5. The effective date of this ordinance shall be September 1, 2014, or the date upon which the required signage is installed, whichever is later.

PASSED AND APPROVED BY THE LA FERIA CITY COMMISSION ON THIS THE 12th DAY OF AUGUST 2014.

APPROVED:



Victor Gonzalez, Jr., Mayor

ATTEST:


Olga Oberwetter, City Secretary

APPROVED AS TO FORM:


Richard S. Talbert, City Attorney