

AN ORDINANCE OF THE CITY BUDA, TEXAS, ZONING FOR TRAFFIC AND RATE OF SPEED THEREIN, ON RM 967 IN THE CITY LIMITS OF THE CITY OF BUDA; DEFINING SPEEDING AND FIXING A PENALTY THEREFORE; DECLARING WHAT MAY BE A SUFFICIENT COMPLAINT IN PROSECUTIONS HEREUNDER; WITH A SAVING CLAUSE REPEALING CONFLICTING LAWS; CREATING AN IMMEDIATE EFFECTIVE DATE AFTER PASSAGE AND PUBLICATION.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BUDA, TEXAS:

SECTION I

It is hereby determined upon the basis of an Engineering and Traffic investigation that the prima facie maximum speed limit on those portions of RM 967 routed in the city of Buda, is hereby stated, which prima facie maximum speed limit shall be effective at all times and signs will be erected giving notice of the prima facie maximum speed limit so declared to wit.

Speed Zone

FOR EASTBOUND/SOUTHBOUND TRAFFIC

Beginning at the west city limit of Buda at milepoint 12.216 to milepoint 13.514 (200' S of Vanessa Way), a distance of 1.298 miles, a prima facie maximum speed limit of 55 miles per hour.

From milepoint 13.514 (200' S of Vanessa Way) to milepoint 13.937 (410' S of St. Elizabeth Church driveway), a distance of 0.423 miles, a prima facie maximum speed limit of 50 miles per hour.

From milepoint 13.937 (410' S of St. Elizabeth Church driveway), to milepoint 14.403 (School Zone Flasher) a distance of 0.466 miles, a prima facie maximum speed limit of 40 miles per hour.

From milepoint 14.403 (School Zone flasher) to milepoint 14.637 (at Main St.), a distance of 0.234 miles, a prima facie maximum speed limit of 35 miles per hour.

From milepoint 11.640 (at Main St.) to milepoint 11.852 (at FM 2770), a distance of 0.212 miles, a prima facie maximum speed limit of 30 miles per hour.

From milepoint 11.852 (at FM 2770) to milepoint 12.190 (south Buda city limit), a distance of 0.338 miles, a prima facie maximum speed limit of 35 miles per hour.

REDUCED SPEED SCHOOL ZONE

From milepoint 14.229 to milepoint 14.403, a distance of 0.174 miles, a prima facie maximum speed limit of 25 miles per hour when flashing, 40 MPH at all other times.

FOR WESTBOUND TRAFFIC

From milepoint 12.190 (south Buda city limit) to milepoint 11.852 (at FM 2770), a distance of 0.338 miles, a prima facie maximum speed limit of 35 miles per hour.

From milepoint 11.852 (at FM 2770) to milepoint 11.640 (at Main St.), a distance of 0.212 miles, a prima facie maximum speed limit of 30 miles per hour.

From milepoint 14.637 (at Main St.) to milepoint 14.403 (School Zone Flasher), a distance of 0.234 miles, a prima facie maximum speed limit of 35 miles per hour.

From milepoint 14.403 (School Zone Flasher) to milepoint 13.937 (410' S of St. Elizabeth Church driveway), a distance of 0.466 miles, a prima facie maximum speed limit of 40 miles per hour.

From milepoint 13.937 (410' S of St. Elizabeth Church driveway) to milepoint 13.514 (200' S of Vanessa Way), a distance of 0.423 miles, a prima facie maximum speed limit of 50 miles per hour.

From milepoint 13.514 (200' S of Vanessa Way) to milepoint 12.216 (at the Buda west city limit), a distance of 1.298 miles, a prima facie maximum speed limit of 55 miles per hour.

REDUCED SPEED SCHOOL ZONE

From milepoint 14.403 to milepoint 14.229, a distance of 0.174 miles, a prima facie maximum speed limit of 25 miles per hour when flashing, 40 MPH at all other times.

SECTION II

All of the streets of this city, and all portions of any such streets, are hereby declared to be public streets and that the driving or operating of any motor vehicle on or along any portion of any street of this city at a rate of speed that is greater than the maximum rate of speed for said portion of said street, as fixed by this ordinance shall be guilty of a misdemeanor, which is named " The Offense of Speeding " and that the said offense is punishable by a fine in any sum not to exceed Two Hundred dollars (\$200.00). That the use of the word " Speeding " shall be sufficient to designate the said offense, and shall mean that a motor vehicle has been driven upon a public street at a greater rate of speed than fixed by City Ordinance for the street and for the zone thereof, that such motor vehicle was so being driven upon, if zoned.

Prosecutions under this ordinance, for the offense of speeding, the complaint, if in other respects sufficient in form, shall as to the portion thereof seeking to acknowledge the offense, be sufficient if it in substance alleges that the defendant did while driving a motor vehicle in said city commit the offense of " Speeding."

SECTION III

If any section or any portion of any section hereof be decreed to be void, the invalidity of such section or such portion thereof shall not affect the validity of the remaining portions of this ordinance; and that each section and each portion thereof not decreed to be invalid shall remain valid and enforceable.

All ordinances and parts of ordinances that are in conflict with this ordinance are hereby repealed.

SECTION IV

Pursuant to Section 3.11(A) of the City Charter, if the Council determines that the first reading of this ordinance is sufficient for adequate consideration by an affirmative vote of five or more members of the City Council during the first reading and the Ordinance is passed by a the affirmative vote of four or more members of the City council, this Ordinance is adopted and enacted without further readings. In the event a second reading is necessary, this Ordinance is adopted and enacted upon the affirmative vote of four or more members of the City Council upon second reading.

SECTION V

Pursuant to Section 3.11(D) of the City Charter, this ordinance is effective upon adoption, except that every ordinance imposing any penalty, fine or forfeiture shall become effective only after having been published once in its entirety, or a caption that summarizes the purpose of the ordinance and the penalty for violating the ordinance in a newspaper designated as the official newspaper of the City. An ordinance required by the Charter to be published shall take effect when the publication requirement is satisfied.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Buda, on this the ____ day of _____, 2013.

APPROVED:

Todd Ruge, Mayor
Mayor, City of Buda

Attest: _____
City Secretary

(CITY SEAL)