

CITY OF VON ARMY, TEXAS

ORDINANCE NO: 2011-84

AN ORDINANCE PROVIDING FINDINGS OF FACT; SPEED REGULATIONS; COMPLIANCE REQUIRED;

WHEREAS, Texas Transportation Code § 545.356 provides, among other things, that the governing body of a municipality may, for certain roads declare a lower speed limit of not less than 10 miles per hour; and

WHEREAS, Rife Lane, Torres Lane and Francisco Ruiz Lane are located wholly within the City Council of Von Army and are one lane roads used for two way access; and

WHEREAS, the current speed limits on Rife Lane, Torres Lane and Francisco Ruiz Lane are unreasonable or unsafe; and

WHEREAS, the City recognizes its responsibility and authority to impose ordinances, acts, laws, or regulations that are necessary for the government of the City, its interest, welfare, or good order of the City as a body politic; and

WHEREAS, the purpose of this Ordinance is in the interest of the City generally;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VON ARMY, TEXAS:

SECTION . FINDINGS OF FACT

All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council, and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2. SPEED REGULATION

It shall be unlawful to violate any provision of this ordinance.

SECTION 3. SPEED LIMITS

- A. The maximum speed an operator may drive on Rife Lane, a street located wholly within the territorial limits of the City of Von Army, is a speed of 10 (ten) miles per hour.
- B. The maximum speed an operator may drive on Torres Lane, a private road located wholly within the territorial limits of the City of Von Army, is a speed of 10 (ten) miles per hour.

- C. The maximum speed an operator may drive on Francisco Ruiz Lane, a private road located wholly within the territorial limits of the City of Von Ormy, is a speed of 10 (ten) miles per hour.

SECTION 4. SIGNS

The City is hereby authorized to place any street sign necessary to effectuate this ordinance.

SECTION 5. ENFORCEMENT

Any police officer of the City or any officer of any law enforcement agency authorized to enforce an ordinance of the City of Von Ormy may enforce this Ordinance. For purposes of this Ordinance “police officer” or “any officer of any law enforcement agency authorized to enforce an ordinance of the City of Von Ormy” means an officer authorized to direct traffic or arrest persons who violate traffic regulations. “Law enforcement agency” means any law enforcement agency authorized to enforce any laws within the territorial limits of the City of Von Ormy, Texas.

SECTION 6. ADMINISTRATION

Any violation of this Ordinance shall be prosecuted pursuant to the Texas Code of Criminal Procedure in the Municipal Court of the City of Von Ormy, Texas, or any other court of competent jurisdiction.

SECTION 7. PENALTIES AND FINES

- A. A person commits an offense pursuant to this Ordinance if that person commits, causes, permits, allows, or maintains a violation of this Ordinance. A violation of any provision of this ordinance is a misdemeanor.
- B. A person convicted of an offense under this Ordinance shall be punished by a fine of not less than \$1 or more than \$225.00.
- C. No culpable mental state is required for an offense under this Ordinance.

SECTION 8. EFFECTIVE DATE

This Ordinance shall be and become effective immediately upon its passage, publication, and after the City erects signs giving notice of the new speed limit and at all times thereafter.

SECTION 9. REPEALER

All ordinances or parts of ordinances in force when the provisions of this Ordinance becomes effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed only to the extent of such conflict.

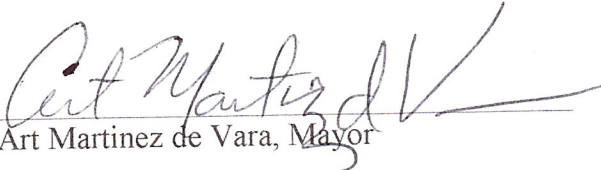
SECTION 10. SEVERABILITY

Should any part, sentence or phrase of this Ordinance be determined to be unlawful, void or unenforceable, the validity of the remaining portions of this Ordinance shall not be adversely affected. No portion of this Ordinance shall fail or become inoperative by reason of the invalidity of any other part. All provisions of this Ordinance are declared to be severable.

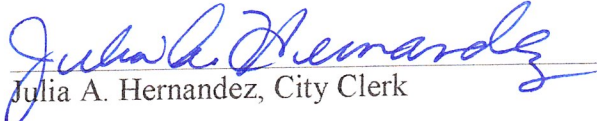
SECTION 11. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was adopted 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, Chapter 551 of the Texas Government Code.

PASSED, APPROVED AND ADOPTED THIS 6th DAY OF JULY, 2011


Art Martinez de Vara, Mayor

ATTEST:


Julia A. Hernandez, City Clerk