

City of Cottonwood Shores

ORDINANCE 12005

AN ORDINANCE OF THE CITY OF COTTONWOOD SHORES, TEXAS, ESTABLISHING SPEED ZONES, ON FM 2147 IN THE CITY LIMITS OF THE CITY OF COTTONWOOD SHORES; DEFINING SPEEDING AND FIXING A PENALTY THEREFORE; DECLARING WHAT MAY BE A SUFFICIENT COMPLAINT IN PROSECUTIONS HEREUNDER; PROVIDING A SAVING CLAUSE; REPEALING CONFLICTING LAWS; DECLARING AN EMERGENCY; AND PROVIDING AN OPEN MEETINGS CLAUSE.

History: August 16, 2012 – Repealed Ordinance 012102, adopted Ordinance 12005; updated enforcement and penalty clause.

September 19, 2013 – Changed speed limit on 2147 from 50 mph to 45 mph.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COTTONWOOD SHORES, TEXAS THAT:

Section 1. It is hereby determined upon the basis of an Engineering and Traffic investigation that the prima facie maximum speed limit on those portions of FM 2147 routed in the City of Cottonwood Shores, 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.

Section 2. FOR WESTBOUND TRAFFIC.

Beginning at the east city limit of Cottonwood Shores at milepoint 11.178 to the west city limit of Cottonwood Shores at milepoint 9.770, a distance of 1.408 miles, a prima facie maximum speed limit of 45 miles per hour.

Section 3. FOR EASTBOUND TRAFFIC.

Beginning at the west city limit of Cottonwood Shores at milepoint 9.770 to the east city limit of Cottonwood Shores at milepoint 11.178, a distance of 1.408 miles, a prima facie maximum speed limit of 45 miles per hour.

Section 4. That 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 operation 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". This ordinance shall be enforced by all law enforcement officers of the City of Cottonwood Shores, on all shifts.

Section 5. That in 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 6. An offense under this section shall be filed with the Municipal Court of Cottonwood Shores by citation issued by any peace officer of the State of Texas and is punishable by the assessment of a fine not to exceed five hundred dollars (\$500.00).

Section 7. That should 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.

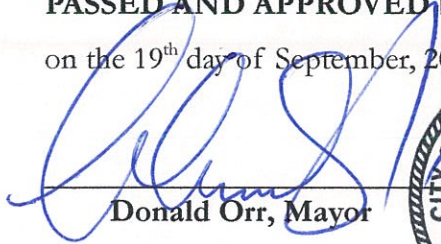
Section 8. That all ordinances and parts or ordinances that are in conflict with this ordinance are hereby repealed.

Section 9. That the fact that prompt action should be taken in the regulation of traffic, on the streets of this city, in the manner provided for in this ordinance creates an emergency requiring that this ordinance is here and now passed, and that it is ordered that it take effect from and after its passage and publication.


Section 10. OPEN MEETINGS.

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

PASSED AND APPROVED by the City Council of Cottonwood Shores, Texas, at a meeting on the 19th day of September, 2012 with 5 votes in favor, 0 votes against and 0 abstentions.


Donald Orr, Mayor



Attest:

Sheila C. Moore,
City Administrator/City Secretary