

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING THE CITY OF PFLUGERVILLE, TEXAS CODE OF ORDINANCES TITLE VII TRAFFIC CODE, CHAPTER 72 TRAFFIC SCHEDULES, SECTION I SPEED LIMITS ON STATE HIGHWAYS TO AMEND PROVISION FOR F.M HIGHWAY 1825 (PECAN STREET); PROVIDING FOR A PENALTY FOR A VIOLATION OF CHAPTER 70.99 AS A CLASS C MISDEMEANOR AND A FINE IN AN AMOUNT NOT TO EXCEED \$200.00; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; REPEALING ALL ORDINANCES TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council finds the City of Pflugerville is a Texas Home-Rule Municipality and that the City has the exclusive control over and under the public highways, streets, and alleys within the City, as established by Texas Transportation Code, Section 311.001;

WHEREAS, the Texas Department of Transportation (TxDOT) conducted a Speed Study on F.M. 1825 (Pecan Street) and is recommending amending the prima facie speed limit in designated locations along F.M. 1825; and

WHEREAS, the City of Pflugerville staff concurs with the Texas Department of Transportation (TxDOT) and is recommending amending the prima facie speed limit in designated locations along F.M. 1825; and

WHEREAS, the City Council finds that the City of Pflugerville Code of Ordinances, Article VII, Chapter 72, Section I should be amended to add the prima facie speed limit be amended along F.M. 1825 (Pecan Street) to protect the public health, safety and welfare; and

WHEREAS, the City Council finds that it has the authority to amend the speed limit along F.M. 1825 (Pecan Street) under the Texas law.

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

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes and findings of fact.

Section 2. Amendment to Municipal Code of Ordinances. The City of Pflugerville, Texas Code of Ordinances, Title VII (“*Traffic Code*”), Chapter 72 (“*Traffic Schedules*”), Section I (“*Speed Limits on State Highways*”) is hereby amended by implementing the speed limit for the corresponding street sections.

SCHEDULE II. SPEED LIMITS ON STATE HIGHWAYS.

(A) The prima facie maximum speed limits for the section of the streets described below are amended and underlined as follows:

FOR WESTBOUND TRAFFIC

Beginning at milepoint 3.128 (FM 685/Dessau Rd.) to milepoint 2.928 (176 feet West of Robbins St.), a distance of 0.200 miles, a prima facie maximum speed limit of 40 miles per hour.

Beginning at milepoint 2.928 (176 feet West of Robbins St.) to milepoint 2.491 (74 feet West of 5th St.), a distance of 0.437 miles, a prima facie maximum speed limit of 30 miles per hour.

From milepoint 2.491 (74 feet West of 5th St.) to milepoint 0.371 (185 ft East of Sarah’s Creek Dr./Central Commerce Dr.-Pflugerville City Limits), a distance of 2.120 miles, a prima facie maximum speed limit of 45 miles per hour.

School Speed Zones:

Beginning at milepoint 2.028 (63 feet West of Russel St.) to milepoint 1.715 (655 feet West of Swenson Farms Blvd.), a distance of 0.313 miles, a prima facie maximum speed limit of 30 miles per hour when flashing.

FOR EASTBOUND TRAFFIC

Beginning at milepoint 0.371 (185 ft East of Sarah’s Creek Dr. – Central Commerce Dr.-Pflugerville City Limits) to milepoint 2.491 (74 feet West of 5th St.), a distance of 2.120 miles, a prima facie maximum speed limit of 45 miles per hour.

From milepoint 2.491 (74 feet West of 5th St.), to milepoint 2.928 (176 feet West of Robbins St.), a distance of 0.437 miles, a prima facie maximum speed limit of 30 miles per hour.

From milepoint 2.928 (176 feet West of Robbins St.), to milepoint 3.128 (FM 685/Dessau Rd.), a distance of 0.200 miles, a prima facie maximum speed limit of 40 miles per hour.

School Speed Zones:

Beginning at milepoint 1.715 (655 feet West of Swenson Farms Blvd.) to milepoint 2.028 (63 feet West of Russel St.), a distance of 0.313 miles, a prima facie maximum speed limit of 30 miles per hour when flashing.

Street	Direction of Traffic	Location	Speed Limit(m.p.h.)
F.M. Highway 685	Northbound	Beginning at F.M. Highway 1825 at milepoint 4.867 to mile point 4.605	45
F.M. Highway 685	Northbound	From milepoint 4.605 to milepoint 3.550	50
F.M. Highway 685	Northbound	From milepoint 3.550 to the north city limit at milepoint 1.120	55
F.M. Highway 685	Southbound	Beginning at the north city limit at milepoint 1.120 to milepoint 3.550	55
F.M. Highway 685	Southbound	From milepoint 3.550 to milepoint 4.605	50
F.M. Highway 685	Southbound	From milepoint 4.605 to F.M. Highway 1825 at milepoint 4.867	45
F.M. Highway 1825 (Pecan Street)	Eastbound	Beginning at the west city limit at milepoint 0.371 to milepoint 2.491	45
F.M. Highway 1825 (Pecan Street)	Eastbound	Beginning at the west city limit at milepoint 2.491 to milepoint 2.928	30
F.M. Highway 1825 (Pecan Street)	Eastbound	From milepoint 2.928 to milepoint 3.128	40
F.M. Highway 1825 (Pecan Street)	Eastbound	From milepoint 1.715 to milepoint 2.028	30 in school speed zone when traffic-control devise is flashing
F.M. Highway 1825 (Pecan Street)	Westbound	Beginning at milepoint 3.128 to milepoint 2.928	40
F.M. Highway 1825 (Pecan Street)	Westbound	From milepoint 2.028 to milepoint 1.715	30 in school speed zone when traffic-control devise is flashing

Section 3. Severability. If any provision of this Ordinance is illegal, invalid, or unenforceable under present or future laws, the remainder of this Ordinance will not be affected and, in lieu of each illegal, invalid, or unenforceable provision, a provision as similar in terms to the illegal, invalid, or unenforceable provision as is possible and is legal, valid, and enforceable will be added to this Ordinance.

Section 4. Repealer. This ordinance shall be cumulative of all other ordinances of the City of Pflugerville, and this ordinance shall not operate to repeal or affect any other ordinances of the City of Pflugerville except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, are hereby repealed.

Section 5. Effective Date. This Ordinance will take effect upon its adoption by the City Council in accordance with Section 3.15(d) of the City Charter.

PASSED AND APPROVED this _____ day of _____ 2020.

CITY OF PFLUGERVILLE, TEXAS

By: _____
Victor Gonzales, Mayor

ATTEST:

Karen Thompson, City Secretary

APPROVED AS TO FORM:

Charles Zech, City Attorney
DENTON NAVARRO ROCHA BERNAL & ZECH, PC