

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING THE CITY OF PFLUGERVILLE, TEXAS CODE OF ORDINANCES, CHAPTER 72 REGARDING SPEED LIMITS ON CITY STREETS (JESSE BOHLS ROAD AND CAMERON ROAD) TO ESTABLISH PRIMA FACIE MAXIMUM SPEEDS; PROVIDING FOR A PENALTY FOR A VIOLATION OF CHAPTER 72 AS A CLASS C MISDEMEANOR AND A FINE IN AN AMOUNT NOT TO EXCEED \$200.00; REPEALING ALL ORDINANCES TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Pflugerville is a Texas Home-Rule Municipality acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, 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; and

WHEREAS, pursuant to Section 545.356 of the Texas Transportation Code, the City of Pflugerville, Texas has the authority to establish prima facie maximum reasonable and prudent speeds within its corporate boundaries for vehicles on streets and highways; and

WHEREAS, the City desires to continue to protect and ensure the public health, safety, and welfare of its residents and businesses by regulating and guiding road users throughout the City; and

WHEREAS, by approving Ordinance 1580-23-02-14 on February 14, 2023, the City Council annexed the subject segments of Jesse Bohls Road and Cameron Road into the City of Pflugerville's full purpose jurisdictional area; and

WHEREAS, the City has heretofore adopted Chapter 72 Traffic Schedules; Schedule II Speed Limits on City Streets which includes streets added through annexation; and

WHEREAS, the City's Transportation Master Plan classifies Cameron Road as a minor arterial roadway for which the City of Pflugerville's adopted, current edition of the "Engineering Design Manual & Construction Standards" (Engineering Design Manual) specifies a design speed of 45 miles per hour (mph); and

WHEREAS, the City's Transportation Master Plan classifies Jesse Bohls Road as a minor collector roadway for which the Engineering Design Manual specifies a design speed of 35 mph; and

WHEREAS, the American Association of State Highway and Transportation Officials' manual (AASHTO manual) titled "A Policy on Geometric Design of Highways and Streets", 2018 Edition is the standard used for highway and street design throughout the United States and is the basis for many of the standards found in the Engineering Design Manual; and

WHEREAS, as provided by and consistent with Texas law, the City Council desires to amend its regulations by establishing prima facie speed limits for the subject segments of Jesse Bohls Road and Cameron Road such that posted speed limits not exceed the maximum design speeds cited herein.

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

Section 1. Recitals and 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. City Code Amended. Chapter 72, Schedule II of the City of Pflugerville, Texas Code of Ordinances is hereby amended by replacing the current speed limits with the following speed limits for the corresponding street sections.

SCHEDULE II. SPEED LIMITS ON CITY STREETS

The prima facie maximum speed limits for the section of the streets described below (see Exhibit A) are hereby determined to be as follows:

<i>Street</i>	<i>Direction of Traffic</i>	<i>Location</i>	<i>Speed Limit (m.p.h.)</i>
Jesse Bohls Road	Eastbound, northbound, westbound, and southbound	Beginning 3,300 ft west of the intersection with Cameron Road and ending at the intersection with Cameron Road.	35
Cameron Road	Northbound and southbound	Beginning at the intersection with Jesse Bohls Road and ending 2,600 feet south of the intersection with Jesse Bohls Road.	45

Section 2. Penalty. That a violation of this Ordinance shall be an offense punishable upon conviction as prescribed in Title VII, Chapter 70, Section 70.99 of this Code of Ordinances.

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 _____, 2023.

CITY OF PFLUGERVILLE, TEXAS

By: _____
Victor Gonzales, Mayor

ATTEST:

Trista Evans, City Secretary

APPROVED AS TO FORM:

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