

**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 (SWENSON FARMS BOULEVARD) 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 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**, the City of Pflugerville is authorized by Chapter 545 of the Texas Transportation Code to implement and enforce speed zones to meet the needs of changing conditions associated with City roadways; and

**WHEREAS**, the City Council desires to amend its regulations by establishing prima facie speed limits as provided by and consistent with Texas law.

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

Section 1. 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 street described below 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>
Swenson Farms Boulevard	northbound and southbound	Beginning 575 feet north of East Pecan Street (FM 1825) and ending at 200 feet north of the Timmerman Elementary School property	25 mph when school speed zone device flashing

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 8<sup>th</sup> day of August, 2017.

CITY OF PFLUGERVILLE, TEXAS

By: \_\_\_\_\_  
Victor Gonzales, Mayor

ATTEST:

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Karen Thompson, City Secretary

APPROVED AS TO FORM:

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Charles E. Zech, City Attorney  
Denton Navarro Rocha Bernal & Zech