

ORDINANCE NO. 718

AN ORDINANCE ADOPTING SPEED LIMITS WITHIN SCHOOL ZONES ON CERTAIN ROADWAYS WITHIN THE CITY OF KENNEDALE, TEXAS; DESIGNATING A ONE-WAY STREET; DIRECTING THE ERECTION OF SIGNS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Kennedale, Texas is a home rule city 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, pursuant to Section 545.356 of the Texas Transportation Code, the City of Kennedale, Texas previously established prima facie maximum reasonable and prudent speeds in school zones within its corporate boundaries; and

WHEREAS, the City Council desires to amend existing school zone regulations to clarify that reduced speeds apply when the school zone flasher is flashing or during times as posted on reduced school zone speed limit sign while school is in session; and

WHEREAS, the City Council has the authority to designate one-way streets and desires to designate a one-way street on a portion of Mistletoe Drive from Paula Lane to Reeves Lane; and

WHEREAS, the City Council finds that an amendment to the speed limit times on portions of streets as set out herein and the designation of a one-way street are in the best interest of the City of Kennedale and will promote the health, safety, and general welfare of the citizens of the City of Kennedale and the general public.

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

SECTION 1.

The prima facie maximum reasonable and prudent speed on the following portions of streets or highways in the City of Kennedale during the times listed below shall be the speed in miles per hour (mph) designated in this section, provided that an appropriate sign giving notice of such school speed zone is erected.

1. Kennedale Parkway (Business 287) from Crestview Drive to Cloverlane Drive (30 mph when the school zone flasher is flashing or during times as posted on reduced school zone speed limit sign while school is in session).
2. Cloverlane Drive from Kennedale Parkway to Crestview Drive (20 mph when the school zone flasher is flashing or during times as posted on reduced school zone speed limit sign while school is in session).

3. Crestview Drive from Cloverlane Drive to a point 200 feet north of Kennedale Parkway (20 mph when the school zone flasher is flashing or during times as posted on reduced school zone speed limit sign while school is in session).
4. Mistletoe Drive from Timberline Drive to Arthur Drive (20 mph when the school zone flasher is flashing or during times as posted on reduced school zone speed limit sign while school is in session).
5. Arthur Drive from a point 100 feet east of the James A. Arthur Intermediate School east school property line to a point 100 feet west of the James A. Arthur Intermediate School west property line (20 mph when the school zone flasher is flashing or during times as posted on reduced school zone speed limit sign while school is in session).
6. Corry A. Edwards Drive from Rolanda Street to a point 100 feet east of Bowman Springs Road (20 mph when the school zone flasher is flashing or during times as posted on reduced school zone speed limit sign while school is in session).
7. Bowman Springs Road from a point 200 feet east of the Fellowship Academy School east property line to a point 200 feet west of the Fellowship Academy School west property line (30 mph when the school zone flasher is flashing or during times as posted on reduced school zone speed limit sign while school is in session).

SECTION 2.

The following street is designated as a one-way street and vehicular traffic must move only in the indicated direction when signs indicating the direction of traffic are erected and maintained at every intersection where movement in the opposite direction is prohibited:

1. Mistletoe Drive from Paula Lane to Reeves Lane on school days during times as posted on signs.

SECTION 3.

The Director of Public Works is hereby directed to ensure that appropriate signs are erected and maintained giving notice of the speed limits and directional requirements adopted in this ordinance.

SECTION 4.

This ordinance shall be cumulative of all provisions of ordinances of the City of Kennedale, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

SECTION 5.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 6.

Any person, firm or corporation, who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Two Hundred Dollars (\$200.00) for each offense. Each day that violation is permitted to exist shall constitute a separate offense.

SECTION 7.

All rights and remedies of the City of Kennedale are expressly saved as to any and all violations of the provisions of the Kennedale City Code or any other ordinances affecting speed limits or traffic violations which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

SECTION 8.

The City Secretary of the City of Kennedale is hereby directed to publish this ordinance or caption to the extent required by law.

SECTION 9.

This ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF KENNEDALE, TEXAS, ON THE 17TH DAY OF NOVEMBER, 2020.

APPROVED:

MAYOR BRIAN JOHNSON

[CITY SEAL]

ATTEST:

CITY SECRETARY LESLIE E. GALLOWAY

APPROVED AS TO FORM AND LEGALITY:

EFFECTIVE DATE:
