

ORDINANCE 2051-19

AN ORDINANCE OF THE CITY OF PLUM GROVE, TEXAS, ESTABLISHING MAXIMUM PRIMA FACIE SPEED LIMITS UPON CERTAIN PORTIONS OF PUBLIC STREETS AND HIGHWAYS SITUATED IN THE TERRITORIAL LIMITS OF THE CITY OF PLUM GROVE, TEXAS; ESTABLISHING ADVISORY SPEEDS UPON CERTAIN PORTIONS OF PUBLIC STREETS AND HIGHWAYS SITUATED IN THE TERRITORIAL LIMITS OF THE CITY OF PLUM GROVE, TEXAS; PROVIDING A PENALTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Texas Transportation Code Section 545.356 authorizes the City to modify Prima Facie speed limits within the City based on a traffic engineering study; and

WHEREAS, the City has previously commissioned and received a traffic engineering study, and now wishes to modify certain speed limits and advisory speeds upon certain portions of public streets and highways situated in the territorial limits of the City;

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

Section 1. The maximum speed limits for vehicles traveling upon certain portions of streets and public highways in the territorial limits of the City of Plum Grove, Texas, shall be as set forth in the attached **Exhibit A**. Such prima facie speeds are declared to be reasonable, prudent, and safe and it shall be unlawful to drive or operate a vehicle at a speed greater than is reasonable and prudent under the circumstances then existing, and any speed in excess of the posted speed is prima facie evidence that the speed is not reasonable or prudent at that location.

Section 2. The advisory speeds for vehicles traveling upon certain portions of streets and public highways in the territorial limits of the City of Plum Grove, Texas, shall be as set forth in the attached **Exhibit A**.

Section 3. The Mayor is hereby authorized and directed to erect or cause to be erected appropriate signs giving notice of the maximum prima facie speed limits and advisory speeds established in Section 1.

Exhibit A

Prima Facie Speed Limits

<u>Street</u>		<u>Speed Limit</u>
<u># Segment</u>	<u>Limits</u>	<u>(mph)</u>
1 1010/2090	INSIDE PLUM GROVE CITY LIMITS	45
2 PLUM GROVE RD	INSIDE PLUM GROVE CITY LIMITS	35
3 CR 343	INSIDE PLUM GROVE CITY LIMITS	25
3 CR 347 NORTH	INSIDE PLUM GROVE CITY LIMITS	25
4 CR 347 SOUTH	INSIDE PLUM GROVE CITY LIMITS	25
5 CR 349	INSIDE PLUM GROVE CITY LIMITS	25

Section 4. Penalty. Any person who violates any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than One Dollar (\$1.00) nor more than Five Hundred Dollars (\$500.00), provided, however, that no penalty shall be greater or less than the penalty provided for the same or a similar offense of the laws of the State. Each occurrence of any such violation of this Ordinance shall constitute a separate offense.

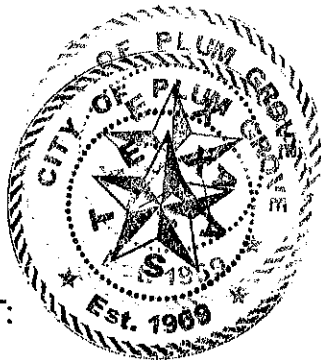
Section 5. Severability. In the event any clause, phrase, provision, sentence or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Plum Grove, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 6. Repeal Clause. All other ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

Section 7. Effective Date. This Ordinance shall become effective when published as required by law and signage is posted upon such streets and highways reflecting the speed limit set forth herein.

PASSED, APPROVED, and ADOPTED this 11th day of November 2019.

CITY OF PLUM GROVE, TEXAS



Lee Ann Penton-Walker, Mayor

ATTEST:

Missy Pouncey, City Secretary

