

ORDINANCE NO. 2022-06

AN ORDINANCE OF THE CITY OF TALTY, TEXAS, ALTERING THE MAXIMUM LAWFUL PRIMA FACIE SPEED LIMIT TO 25 MILES PER HOUR ON COUNTY ROAD 216 A/K/A BUNNY RUN IN THE CITY OF TALTY, TEXAS, PROVIDING FOR THE ERECTION OF SIGNS; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED (\$500.00) DOLLARS FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of Talty, Texas has determined that the portion of County Road 216 a/k/a Bunny Run is situated in an urban district, is not an officially designated or marked highway or road of the state highway system, is 35 feet or less in width and does not have four or more lanes used for vehicular travel, and along which vehicular parking is not prohibited on one or both sides of the highway; and

WHEREAS, the City Council of Talty, Texas has determined that the existing prima facie maximum speed limit is unreasonable and unsafe and, therefore, finds that the prima facie maximum speed limit should be altered as set forth hereinafter; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TALTY:

SECTION 1. That it shall be and is hereby unlawful and an offense for any person to drive or operate a motor vehicle at a speed greater than twenty-five (25) miles per hour on CR 216 a/k/a Bunny Run, within the territorial limits of the City of Talty, Texas, and any speed in excess of such limit shall constitute prima facie evidence that such speed is unreasonable and imprudent under the conditions and having regard to the actual and potential hazards then existing.

SECTION 2. That the Mayor of the City of Talty, or his designee, is authorized and directed to erect and maintain such signs as may be necessary to give notice of the speed limits adopted hereby. Such signs shall be erected in the form and manner required by the Code of Ordinances of the City of Talty, Texas, and the laws of the State of Texas.

SECTION 3. That all ordinances of the City of Talty, Texas in conflict with the provisions of this ordinance be and the same are hereby repealed and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4. That an offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the ordinances of the City of Talty, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 5. That should any article, paragraph, subdivision, clause or provision of this ordinance, or the ordinances of the City of Talty, Texas as hereby amended, be adjudged or held invalid or unconstitutional for any reason, such judgment or holding shall not affect the validity of this ordinance as a whole, or any part or provision hereof, other than the part so declared to be invalid or unconstitutional.

SECTION .6. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall, upon conviction, be punished by a fine not to exceed the sum of five hundred dollars (\$500.00) for each offense.

SECTION 7. This ordinance shall take effect immediately from and after its passage and the publication of the caption as the law in such cases provides.

DULY PASSED by the City Council of Talty, Texas on the 19th day of April, 2022.

APPROVED: _____
Mayor Frank Garrison

ATTEST: _____
City Secretary, Sherry Bagby

APPROVED AS TO FORM:

City Attorney

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