

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF TALTY, TEXAS, EXTENDING TRAFFIC RULES AND REGULATIONS TO PRIVATE STREETS IN THE LAYDEN FARM SUBDIVISION; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED (\$200.00) DOLLARS FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Talty has received a Resolution of the Board of Directors of the Amber Meadows Ranch Homeowners Association, Inc., requesting that the City extend its traffic rules and regulations to the private streets and rights-of-way within the Layden Farm subdivision; and

**WHEREAS**, the City Council of the City of Talty finds and determines that the Amber Meadows Ranch Homeowners Association is the entity that maintains the private streets and rights-of-way within the Layden Farm subdivision, and would be the responsible entity to maintain future roadways within the Layden Farm subdivision; and

**WHEREAS**, the City Council has the authority to extend traffic rules and regulations to private streets by virtue of the authority contained in Section 542.008 of the Texas Transportation Code; and

**WHEREAS**, the City Council finds and determines that extending traffic rules and regulations to private streets and rights-of-way in the Layden Farm subdivision is in the best interests of the City and its citizens. Now, Therefore

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TALTY, TEXAS:**

**SECTION 1.** That all traffic rules and regulations enforced and applied by the City of Talty, Texas, on all public streets, alleys and rights-of-way within the City that govern the operation and movement of vehicles be and are hereby extended to all streets, alleys and rights-of-way within the Layden Farm subdivision, as shown on Exhibit "A" attached hereto and incorporated herein. All such streets, roads, alleys, and rights-of-way, and all future roadways and extensions of roadways within the Layden Farm subdivision as each may be completed and

opened to public use, shall henceforth be governed and controlled by all traffic laws set forth in state law and City ordinance.

**SECTION 2.** That from and after the effective date of this ordinance, the maximum prima facie speed limit on all streets in the Layden Farm subdivision shall be and is hereby twenty-five (25) miles per hour, except when a special hazard exists that requires slower speeds, and the speed limit stated herein for the operation of motor vehicles shall be lawful, but any speed in excess of the limits specified in this section shall be prima facie evidence that the speed is not reasonable or prudent and is unlawful.

**SECTION 3.** That the City may erect and place such traffic control signs, signals and devices that may be necessary or appropriate in the application and extension of traffic rules and regulations to the Layden Farm subdivision. All existing traffic control signs, signals and devices are hereby ratified. All costs of erection, placement, replacement, maintenance and removal of traffic control signs, signals and devices shall be paid to the City by the Amber Meadows Ranch Homeowners Association, Inc., which shall include but not be limited to the acquisition of property for sign placement.

**SECTION 4.** 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 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 two hundred dollars (\$200.00) for each offense, except where the state law or City ordinance impose a greater fine, in which case the greater fine shall apply.

**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 the City of Talty, Texas, on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

APPROVED

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY SECRETARY

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY

## EXHIBIT A

All existing and future roadways:

Existing Roadways:

Amber Meadow Drive  
Briargrove Lane  
Dorsett Drive

Layden Farm Lane  
Whispering Lane  
Windrow Drive

Future Roadways:

Additional roadways within future phases of the Layden Farm subdivision are anticipated, including but not limited to extensions of Amber Meadow Drive and Layden Farm Lane, on a 71.161-acre parcel identified by Kaufman County as PID 16127. These future roadways are included in this Ordinance, effective as each roadway and extension are opened to public traffic.

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APPROVED

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY SECRETARY