

CITY OF LAVON, COLLIN COUNTY TEXAS

ORDINANCE NO: 2005-02-01

ORIGINAL

CONTROL OF SPEED

AN ORDINANCE OF THE CITY OF LAVON, COLLIN COUNTY, TEXAS PROVIDING FOR THE CONTROL OF VEHICULAR SPEED WITHIN THE CITY OF LAVON; DECLARING A PRIMA FASCIA SPEED LIMIT WITHIN RESIDENTIAL ZONES, ESTABLISHING THE AUTHORITY OF THE CITY ADMINISTRATOR TO DECLARE A POSTED SPEED LIMIT BY EXECUTIVE ORDER; MAKING IT UNLAWFUL TO EXCEED THE PRIMA FASCIA SPEED LIMIT, MAKING IT UNLAWFUL TO EXCEED THE POSTED SPEED LIMIT; REPEALING ORDINANCE 93-6-3, PROVIDING A PENALTY NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE, DOUBLING OF ALL FINES WHEN WORKERS ARE PRESENT AND PROVIDING SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Lavon has been presented with concerns by citizens regarding excessive speed of vehicles in the City of Lavon;

WHEREAS, the City Council has given due and diligent thought to this concern, and

WHEREAS, the City Council believes it is in the best interest for the City of Lavon, its citizens and visitors to establish a control of vehicular speed within the City of Lavon.

NOW THEREFORE:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAVON, COLLIN COUNTY, TEXAS:

SECTION 1. DEFINITIONS

- A) All definitions contained within this ordinance are for the purpose of this ordinance only and shall have no impact on any other rule, law or ordinance unless referenced directly within said rule, law or ordinance.
- B) "Speed Limit" shall mean the maximum allowable speed under ideal conditions.
- C) "Posted Speed Limit" shall mean any sign or device that displays a speed limit along an alley, roadway, travelway, street, or temporary passageway.
- D) "Vehicle" shall mean any car, truck, motorcycle, moped, tractor, farm implement or motor driven apparatus.

SECTION 2. PRIMA FASCIA SPEED LIMIT

- A) When no signs to the contrary are posted, the prima fascia speed limit on any arterial street within any area zoned residential shall be 30 miles per hour, except as described below.
- B) When no signs to the contrary are posted, the prima fascia speed limit, other than an arterial street, within any area zoned residential shall be 20 miles per hour, except as described below.
- C) When no signs to the contrary are posted, the prima fascia speed limit within any area zoned commercial shall be 45 miles per hour, except as described below.
- D) When no signs to the contrary are posted, the prima fascia speed limit on single entry/exit streets or cul-de-sacs within any area regardless of zoning shall be 15 miles per hour.

SECTION 3. AUTHORITY TO POST SIGNS

- A) The City Administrator for the City of Lavon may order posting of signs displaying the prima fascia speed limit anywhere within the City.
- B) When he/she deems appropriate, the City Administrator may, by executive order, declare a speed limit for any given stretch of alley, roadway, travelway, street, or temporary passageway that is higher or lower than the prima fascia speed limit and said speed limit shall be effective when signs are posted designating the new speed limit.

SECTION 4. ESTABLISHING THE OFFENSE OF SPEEDING

- A) It shall be unlawful for any driver to operate a vehicle at any speed in excess of the posted speed limit.
- B) It shall be unlawful for driver to operate a vehicle at any speed in excess of the prima fascia speed limit.
- C) It shall be unlawful to violate any Law related to vehicular speed of the State of Texas as contained in the Texas Transportation Code.

SECTION 5. EXCEPTING LAW ENFORCEMENT OFFICERS, FIRE FIGHTERS, AMBULANCE PERSONNEL AND EQUIPMENT USED AT THE DIRECTION OF EMERGENCY PERSONNEL

- A) It shall be an exception to any and all portions of this ordinance if the vehicle is operated by or at the specific direction of a Law Enforcement Officer, Firefighter, or Ambulance personnel while in the performance of their official duties.

SECTION 6. REPEALING ORDINANCE 93-6-3

- A) This ordinance shall repeal in act and effect the previously passed ordinance 93-6-3.

SECTION 7. FINES AND FEES

- A) Any person violating any portion of this Ordinance shall be deemed guilty of a Class "C" misdemeanor and upon conviction be punishable by a fine of not less than fifty dollars, (\$50.00) nor more than two hundred dollars (\$200.00).
- B) Each act shall constitute a separate violation under this Ordinance and shall result in a separate fine.

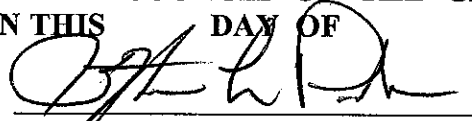
SECTION 8. SEVERABILITY

It is hereby declared by the City Council of the City of Lavon that if any of the sections, paragraphs, sentences, clauses or phrases of this ordinance shall be declared unconstitutional or otherwise illegal by the valid judgement or decree of any court of competent jurisdiction, such event shall not effect any remaining the sections, paragraphs, sentences, clauses or phrases of this ordinance.

SECTION 9. EFFECTIVE DATE


This ordinance shall be in full force and effect from and after its passage and publication and it is so ordained.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF
LAVON, COLLIN COUNTY, TEXAS ON THIS DAY OF ,2005.**



The Honorable Steve Parker, Mayor

Attest:



Rosa Stovall, City Secretary