

CITY OF LAVON, COLLIN COUNTY TEXAS

ORDINANCE NO: 2008-09-03

Nesmith Elementary School Zone

AN ORDINANCE OF THE CITY OF LAVON, COLLIN COUNTY, TEXAS ESTABLISHING THE NESMITH ELEMENTARY SCHOOL ZONE; ESTABLISHING TIMES FOR THE SCHOOL ZONE, MAKING IT UNLAWFUL TO EXCEED THE POSTED SPEED LIMIT IN THE SCHOOL ZONE; PROVIDING A PENALTY NOT TO EXCEED TWO THOUSAND DOLLARS (\$2000.00) FOR EACH OFFENSE 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 near schools;

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 school zones around our schools and to control vehicular speed within the school zones.

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) "School zone" shall mean an area in the general vicinity of a public or private school, in which the prima fascia speed limit is reduced during defined periods of time as a safety precaution.
- C) "Speed Limit" shall mean the maximum allowable speed under ideal conditions.

- D) "Posted Speed Limit" shall mean any sign or device that displays a speed limit along an alley, roadway, travel-way, street, or temporary passageway.
- E) "Vehicle" shall mean any car, truck, motorcycle, moped, tractor, farm implement or motor driven apparatus.

SECTION 2 Establishing Nesmith Elementary school zone

- A) The City Council hereby establishes the Nesmith Elementary school zone.
- B) The following streets shall define as within the boundaries of the Nesmith school zone:
 - 1) Presidents Boulevard from Eisenhower Lane to Hoover Avenue in both the north and south bound lanes; and
 - 2) Grant Lane from one hundred fifty feet (150') west of Presidents Boulevard to one hundred fifty feet (150') east of Presidents Boulevard, in both the east and west bound lanes; and
 - 3) Harding Lane from one hundred fifty feet (150') west of Presidents Boulevard to one hundred fifty feet (150') east of Presidents Boulevard, in both the east and west bound lanes; and
 - 4) Jackson Lane from Presidents Boulevard to one hundred fifty feet (150') east of Presidents Boulevard, in both the east and west bound lanes; and
 - 5) Hayes Street from Presidents Boulevard to one hundred fifty feet (150') east of Presidents Boulevard, in both the east and west bound lanes; and
 - 6) Hoover Avenue from Presidents Boulevard to one hundred fifty feet (150') east of Presidents Boulevard, in both the east and west bound lanes.
- C) The Director of Public works shall post school zone signage at or near the boundaries defined above.

SECTION 3. Establishing school zone times

- A) The school zones shall be active on school days during the following times: 7:00 am to 9:00 am and 2:00 pm and 4:00 pm.
- B) The school zones shall be active any other time or condition as posted on the school zone sign.

SECTION 4. Establishing the Offense of Speeding in a School Zone

- A) It shall be unlawful for any driver to operate a vehicle at any speed in excess of the posted speed limit in a school zone.
- B) It shall be unlawful for driver to operate a vehicle at any speed in excess of the prima fascia speed limit 20 miles per hour in a school zone.

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. 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 more than two thousand dollars (\$2000.00).
- 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 it is so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF
LAVON, COLLIN COUNTY, TEXAS ON THIS DAY OF ,2008.

Norma Martin
The Honorable Norma Martin, Mayor

Attest:

Linda Ardis
Linda Ardis, City Secretary

