

ORDINANCE NO. 2125

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF EULESS, CHAPTER 82, "TRAFFIC AND MOTOR VEHICLES," ARTICLE III, "OPERATION OF VEHICLE," SECTION 82-63 "SAME - SCHOOL ZONES," TO AMEND THE EULESS JUNIOR HIGH SCHOOL ZONE LOCATIONS; DESIGNATING A PARTICULAR STREET AS ONE-WAY DURING EFFECTIVE SCHOOL ZONE TIMES; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A PENALTY FOR VIOLATION CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVING CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Euless, Texas, is a home rule city acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City of Euless desires to provide for traffic safety adjacent to school locations; and

WHEREAS, due to traffic safety concerns, the City of Euless desires to amend the current location of the school zones serving Euless Junior High and to establish an additional school zone to facilitate pedestrian traffic and to protect the children crossing the street in that area to attend Euless Junior High; and

WHEREAS, the City Council hereby finds and determines that the amendments set forth herein are in the best interest of the public and are adopted in furtherance of the public health, safety, morals, and general welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EULESS, TEXAS, THAT:

SECTION 1.

Chapter 82, "Traffic and Motor Vehicles," Article III, "Operation of Vehicle," Section 82-63, "Same - School zones," is hereby amended by revising subsection (b)(10) and adding a new subsection (d) to read as follows:

Sec. 82-63 Same – School zones

(b) School zones enumerated.

(10) Euless Junior High school zone:

a. On Himes Drive between signs posted at or near the intersection of Himes Drive and S.H. 183 westbound Frontage Road for

northbound traffic and 405 Himes Drive (Midway Park Addition No. 2, block 22, lot 1, southeast property corner) for southbound traffic.

- b. On North Service Road of S.H. 183, a one-way roadway, from between signs or flashing lights posted at or near Byers Street, westbound to signs at or near N. Sheppard Drive.
- c. On South Service road of S.H. 183, a one-way roadway, between signs or flashing lights posted at or near S. Sheppard Drive, eastbound to signs or flashing lights posted at or near Vine Street.

(d) One-way streets during school zone times. The following streets shall be one-way during effective school zone times:

- (1) Himes Drive south bound only from West Fuller to North Service Road of State Highway 183.

SECTION 2.

CUMULATIVE CLAUSE. This Ordinance shall be cumulative of all provisions of the City Code and other ordinances of the City of Euless, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of other ordinances, in which event the conflicting provisions of the other ordinances are hereby repealed.

SECTION 3.

PENALTY FOR VIOLATION. Any person, firm or corporation violating any of the terms and provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in accordance with Chapter 1, Section 1-12, Euless Code of Ordinances. Each violation shall be deemed a separate offense.

SECTION 4.

SEVERABILITY CLAUSE. That it is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such invalid or unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 5.

SAVINGS CLAUSE. All rights and remedies of the City of Euless are expressly saved as to any and all violations of the provisions of Section 82-63 of the Code of Ordinances, City of Euless or any other ordinances regarding speed limits that have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

SECTION 6.

PUBLICATION CLAUSE. The City Secretary of the City of Euless is hereby directed to publish the caption, penalty clause and effective date of this ordinance in the official newspaper of the City of Euless, as required by Section 12 of Article II of the Charter of the City of Euless.

SECTION 7.

EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its passage and publication as provided by the Euless City Charter and the laws of the State of Texas.

PRESENTED AND PASSED ON FIRST AND FINAL READING at a regular meeting of the Euless City Council on June 28, 2016; by a vote of ___ ayes, ___ nays, and ___ abstentions.

APPROVED:

Linda Martin, Mayor

ATTEST:

Kim Sutter, TRMC, City Secretary

APPROVED AS TO FORM:

Wayne Olson, City Attorney