

ORDINANCE NO. 1080

AN ORDINANCE OF THE CITY OF LAKE WORTH, TEXAS, AMENDING SECTION 12.704 "SPECIAL SPEED ZONES" OF CHAPTER 12 OF THE CODE OF ORDINANCES OF THE CITY OF LAKE WORTH, TEXAS, BY AMENDING TIME LIMITS FOR SCHOOL ZONES ON STREETS AND ROADWAYS IN THE CITY OF LAKE WORTH; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Lake Worth, 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 has conducted investigations and has determined the school zone time limits which are reasonable and safe on the city streets as listed in Section 12.704 of Chapter 12 City of the Lake Worth Code of Ordinances and are within the city limits of Lake Worth; 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 LAKE WORTH, TEXAS.

SECTION 1.

That Section 12.704(b) of the City of Lake Worth Code of Ordinances is hereby amended to read as follows:

Section 12.704 Special Speed Zones

(b) School Zones. The following streets or roadways are designated "School Zones" with a maximum speed limit of 20 miles per hour during the hours of 7:00 a.m. to 4:30 p.m. during school days, such streets being shown on the Master Thoroughfare Plan:

- (1) Charbonneau Road from Merrett Drive to Shawnee Trail and east Comanche Trail.
- (2) Dakota Street from Effie Morris Lane to Charbonneau Road.
- (3) Telephone Road from the 6700 block thereof to Delaware Trail.

Note: Refer to Section 12.704(a)(3) for school zone speed limit for state maintained roadway.

SECTION 2.

The City Manager is hereby directed to ensure that appropriate signs are erected giving notice of the speed limits adopted herein.

SECTION 3.

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Two Hundred Dollars (\$200.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 4.

This ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of Lake Worth, Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event the conflicting provisions of such ordinances and such Code are hereby repealed.

SECTION 5.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such 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 unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 6.

All rights and remedies of the City of Lake Worth are expressly saved as to any and all violations of Section 12.704 of the Code of Ordinances of the City of Lake Worth, as amended, or any other ordinances affecting school zone time limits which 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 7.

The City Secretary of the City of Lake Worth is hereby directed to publish in the official newspaper of the City of Lake Worth, the caption, penalty clause, publication clause, and effective date clause of this ordinance two (2) days as authorized by Section 52.013 of the Local Government Code.

SECTION 8.

This ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED on this 9th day of May, 2017.

CITY OF LAKE WORTH

/s/Walter Bowen
Walter Bowen – Mayor

ATTEST:

/s/Monica Solko
Monica Solko - City Secretary

APPROVED AS TO FORM AND LEGALITY:

/s/Drew Larkin
Drew Larkin - City Attorney

APPROVED AS TO CONTENT

/s/Sean Densmore
Sean Densmore - Public Works Director