

CITY OF HORSESHOE BAY

ORDINANCE NO. ORD 07-07-10C

25 MPH SPEED LIMIT ORDINANCE

AN ORDINANCE OF THE CITY OF HORSESHOE BAY, TEXAS, PROVIDING FOR FINDINGS OF FACT; SPEED REGULATIONS, INCLUDING; COMPLIANCE REQUIRED; SPEED LIMITS; SIGNS; ENFORCEMENT; ADMINISTRATION; PENALTIES AND FINES NOT TO EXCEED \$200.00; EFFECTIVE DATE; REPEALER; SEVERABILITY; AND PROPER NOTICE AND MEETING

WHEREAS, Texas Transportation Code § 545.356 provides, among other things, that the governing body of a municipality may, for certain roads declare a lower speed limit of not less than 25 miles per hour; and

WHEREAS, the current speed limit on roads within The Trails of Lake LBJ Subdivision, an addition in Llano County, Texas located wholly within the territorial limits of the City of Horseshoe Bay, is unreasonable or unsafe; and

WHEREAS, the current speed limit on the roads within the Applehead Island Subdivision, an addition in Llano County, Texas located wholly within the territorial limits of the City of Horseshoe Bay, is unreasonable or unsafe; and

WHEREAS, the current speed limit on the roads within the Pecan Creek Subdivision, an addition in Llano County, Texas located wholly within the territorial limits of the City of Horseshoe Bay, is unreasonable or unsafe; and

WHEREAS, the current speed limit on the roads within the Peninsula Subdivision, an addition in Burnet County, Texas located wholly within the territorial limits of the City of Horseshoe Bay, would be unreasonable or unsafe if increased to a speed in excess of 25 miles per hour; and

WHEREAS, the speed limit on Lighthouse Drive, Near North Circle, and Far North Circle, streets located within the Horseshoe Bay Subdivision, an addition in Llano and Burnet Counties, Texas located wholly within the territorial limits of the City of Horseshoe Bay, is unreasonable or unsafe; and

WHEREAS, the City finds that all roads to be regulated by this ordinance are thirty five (35) feet or less in width, and along which vehicular parking is not prohibited on one or both sides of the road; and

WHEREAS, the City recognizes its responsibility and authority to impose ordinances, acts, laws, or regulations that are necessary for the government of the City, its interest, welfare, or good order of the City as a body politic; and

WHEREAS, the purpose of this Ordinance is to protect the public and provide for the government, interest, welfare or good order of the City; and

WHEREAS, the City finds this Ordinance is in the interest of the City generally;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HORSESHOE BAY, TEXAS:

I. FINDINGS OF FACT

All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council, and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

II. SPEED REGULATION

(a) Compliance Required

It shall be unlawful to violate any provision of this ordinance.

(b) Speed Limits

(1) The maximum speed an operator may drive on private roads within the Trails of Lake LBJ Subdivision, an addition in Llano County, Texas located wholly within the territorial limits of the City of Horseshoe Bay, is a speed of twenty five (25) miles per hour.

(2) The maximum speed an operator may drive on private roads within the Applehead Island Subdivision, an addition in Llano County, Texas located wholly within the territorial limits of the City of Horseshoe Bay, is a speed of twenty five (25) miles per hour.

(3) The maximum speed an operator may drive on private roads within the Pecan Creek Subdivision, an addition in Llano County, Texas located wholly within the territorial limits of the City of Horseshoe Bay, is a speed of twenty five (25) miles per hour.

(4) The maximum speed an operator may drive on private roads within the Peninsula Subdivision, an addition in Burnet County, Texas located wholly within the territorial limits of the City of Horseshoe Bay, is a speed of twenty five (25) miles per hour.

(5) The maximum speed an operator may drive on Lighthouse Drive, Near North Circle, and Far North Circle, streets located within the Horseshoe Bay Subdivision, an addition in Llano County and Burnet County, Texas located wholly within the territorial limits of the City of Horseshoe Bay, is a speed of twenty five (25) miles per hour.

(c) Signs

The City is hereby authorized to place any street sign necessary to effectuate this ordinance

III. ENFORCEMENT

Any police officer of the City or any officer of any law enforcement agency authorized to enforce an ordinance of the City of Horseshoe Bay may enforce this Ordinance. For purposes of this Ordinance “police officer” or “any officer of any law enforcement agency authorized to enforce an ordinance of the City of Horseshoe Bay” means an officer authorized to direct traffic or arrest persons who violate traffic regulations. “Law enforcement agency” means any law enforcement agency authorized to enforce any laws within the territorial limits of the City of Horseshoe Bay, Texas.

IV. ADMINISTRATION

Any violation of this Ordinance shall be prosecuted pursuant to the Texas Code of Criminal Procedure in the Municipal Court of the City of Horseshoe Bay, Texas, or any other court of competent jurisdiction.

V. PENALTIES AND FINES

(a) A person commits an offense pursuant to this Ordinance if that person commits, causes, permits, allows, or maintains a violation of this Ordinance. A violation of any provision of this ordinance is a misdemeanor.

(b) A person convicted of an offense under this Ordinance shall be punished by a fine of not less than \$1 or more than \$200.00.

(c) No culpable mental state is required for an offense under this Ordinance.

VI. EFFECTIVE DATE

This Ordinance shall be and become effective immediately upon its passage, publication, and after the City erects signs giving notice of the new speed limit and at all times thereafter.

VII. REPEALER

All ordinances or parts of ordinances in force when the provisions of this Ordinance becomes effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed only to the extent of such conflict.

