

ORDINANCE NO. 2021-39

AN ORDINANCE RELATING TO TEMPORARY SPEED ZONES WHICH SPECIFICALLY DESIGNATES ADDITIONAL AREAS IN THE CITY OF HUNTSVILLE, TEXAS IN WHICH RATES OF SPEED OF THIRTY (30) MILES PER HOUR OR MORE ARE AUTHORIZED; RESCINDING ALL PARTS OF ORDINANCES IN CONFLICT HERewith; AND DECLARING THAT ATTENDANT FACTS NECESSITATE IMMEDIATE ACTION.

WHEREAS, the City of Huntsville received a request from Texas Department of Transportation to reduce the speed limit through incorporated limits of the City of Huntsville for the proposed construction zone on IH 45; and

WHEREAS, the Transportation Code, V.T.C.A., provides that whenever the governing body of the City shall determine upon the basis of an engineering and traffic investigation that any prima facie speed therein set forth is greater or less than is reasonable or safe under the conditions found to exist at any intersection or other place or upon any part of a street or highway within the City, taking into consideration the width and condition of the pavement and other circumstances of such portion of said street or highway, as well as the usual traffic thereon, said governing body may determine and declare a reasonable and safe prima facie speed thereat or thereon by the passage of an ordinance, which shall be effective when appropriate signs giving notice are erected at such intersection or other place or part of the street or highway; and

WHEREAS, the City has determined based on information and investigation, the need for the revised speed limits during construction as set out herein;

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

SECTION 1. That the findings set out in the preamble to this ordinance are hereby in all things approved and adopted.

SECTION 2. That upon the basis of an engineering and traffic investigation heretofore made as authorized by the provisions of Transportation Code, V.T.C.A., other State laws and the City Code of Ordinances, the following prima facie speed limits hereinafter indicated for vehicles are hereby determined and declared to be reasonable and safe; and such speed limits are hereby fixed at the rate of speed indicated for vehicles traveling upon the following named streets and highways, or parts thereof, during construction, described as follows:

A.) IH 45, for traffic moving in a northerly direction for 5.133 miles, from the Huntsville south city limit to Huntsville north city limit, the prima facie speed limit shall be sixty (60) mph. That this temporary speed limit shall expire when roadway improvements have been completed and the maximum prima facie speed limit shall thereafter return to original speeds.

B.) IH 45, for traffic moving in a southerly direction for 5.133 miles, from the Huntsville north city limit to Huntsville south city limit, the prima facie speed limit shall be sixty (60) mph. That this temporary speed limit shall expire when roadway improvements have been completed and the maximum prima facie speed limit shall thereafter return to original speeds.

C.) IH 45 NB Frontage Rd, for traffic moving in a northerly direction for 3.409 miles, from SH 19 to approximately 1,000 feet North of Smither Dr., the prima facie speed limit shall be forty-five (45) mph. That this temporary speed limit shall expire when roadway improvements have been completed and the maximum prima facie speed limit shall thereafter return to original speeds.

D.) IH 45 NB Frontage Rd, for traffic moving in a northerly direction for 1.155 miles, from approximately 1,000 feet North of Smither Dr. to approximately 1,500 feet North of SH 30, the prima facie speed limit shall be forty (40) mph. That this temporary speed limit shall expire when roadway improvements have been completed and the maximum prima facie speed limit shall thereafter return to original speeds.

E.) IH 45 NB Frontage Rd, for traffic moving in a northerly direction for 0.549 miles, from approximately 1,500 feet North of SH 30 moving North approximately 0.549 miles, the prima facie speed limit shall be forty-five (45) mph. That this temporary speed limit shall expire when roadway improvements have been completed and the maximum prima facie speed limit shall thereafter return to original speeds.

F.) IH 45 SB Frontage Rd, for traffic moving in a southerly direction for 1.420 miles, from FM 1791 to approximately 1,000 feet North of SH 30, the prima facie speed limit shall be forty-five (45) mph. That this temporary speed limit shall expire when roadway improvements have been completed and the maximum prima facie speed limit shall thereafter return to original speeds.

G.) IH 45 SB Frontage Rd, for traffic moving in a southerly direction for 0.947 miles, from approximately 1,000 feet North of SH 30 to approximately 1,000 feet North of Smither Dr., the prima facie speed limit shall be forty (40) mph. That this temporary speed limit shall expire when roadway improvements have been completed and the maximum prima facie speed limit shall thereafter return to original speeds.

H.) IH 45 SB Frontage Rd, for traffic moving in a southerly direction for 3.340 miles, from approximately 1,000 feet North of Smither Dr. to Veteran's Memorial Parkway, the prima facie speed limit shall be forty-five (45) mph. That this temporary speed limit shall expire when roadway improvements have been completed and the maximum prima facie speed limit shall thereafter return to original speeds.

SECTION 3. That all ordinances or parts of ordinances inconsistent with the terms of this ordinance are hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency.

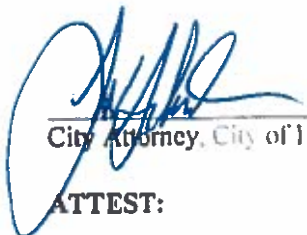
SECTION 4. Should any provision, section, subsection, paragraph, sentence, clause or phrase of this ordinance or the application of same to any person or set of circumstances shall for any reason be held unconstitutional, void or invalid, such invalidity shall not affect the validity of the remaining provisions of this ordinance or their application to other persons or sets of circumstances, and to this end, all provisions of this ordinance are hereby declared to be severable.

SECTION 5. That this ordinance will be in effect only during the period of construction. The temporary speed limit shall expire when roadway improvements have been completed.

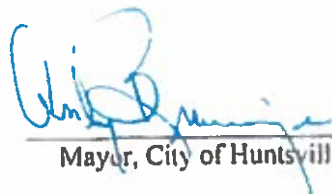
SECTION 6. That this ordinance shall be effective from and after its date of passage and publication as required by law.

Passed: 11-16-2021, 20__

APPROVED AS TO FORM:

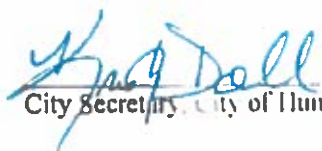


City Attorney, City of Huntsville



Mayor, City of Huntsville

ATTEST:



City Secretary, City of Huntsville

THE STATE OF TEXAS X

COUNTY OF WALKER X

I, Kersty Dall City Secretary of the City of Huntsville, County of Walker, State of Texas, do hereby certify that the above and foregoing is a true and correct copy of an Ordinance passed and approved by the City Council of said City on the 16 day of November, 2021, and is now in file in my office and notice is hereby given of the passage of the same in the manner and for the length of time as required by the Charter of the City of Huntsville.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 16th day of November, 2021



City Secretary, City of Huntsville