

ORDINANCE NO. 2024-04

SPEED LIMIT ON FM 969

AN ORDINANCE OF THE CITY OF BASTROP, TEXAS; AMENDING THE CODE OF ORDINANCES, RELATED TO CHAPTER 12 TITLED “TRAFFIC AND VEHICLES”, ARTICLE 12.05 TITLED “SPEED LIMITS”, ADDING SECTION 12.05.011 TITLED “FM 969 SPEED LIMITS.” ZONING FOR TRAFFIC AND RATE OF SPEED THEREIN, ON FM 969 IN THE CITY LIMITS OF THE CITY OF BASTROP; DEFINING SPEEDING AND FIXING A PENALTY THEREFORE; DECLARING WHAT MAY BE A SUFFICIENT COMPLAINT IN PROSECUTIONS HEREUNDER; REPEALING ALL PRIOR ORDINANCES THAT ARE IN CONFLICT HEREWITH; AND PROVIDING FOR FINDINGS OF FACT, ENACTMENT, CODIFICATION, EFFECTIVE DATE, REPEALER, SEVERABILITY, PROPER NOTICE AND MEETING.

WHEREAS, the Texas Department of Transportation has determined upon the basis of engineering and traffic investigation that the prima facie maximum speed limit for that portion of FM 969 as shown on the attached Exhibit A, shall be as stated and described hereinafter; and

WHEREAS, the City of Bastrop desires to protect and ensure the public health, safety, and welfare of its residents and business by regulating and guiding the general traveling public; and

WHEREAS, the City Council desires to change the current prima facie speed limits on FM 969 in the city limits of the City of Bastrop, as provided herein, to 60 mph pursuant to Section 12.05.003 of the Code of Ordinances to better protect the convenience, health, safety, and welfare of the residents of the City and of the motoring public.

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

Section 1. The facts and recitations set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. It is hereby determined upon the basis of an Engineering and Traffic investigation that the prima facie maximum speed limit on those portions of FM 969 routed in the City of Bastrop, is hereby stated, which prima facie maximum speed limit shall be effective at all times and signs will be erected giving notice of the prima facie maximum speed limit so declared to wit.

Speed Zone

FOR EASTBOUND TRAFFIC

Beginning at Control Section 1186-02 at milepoint 11.424 (Bastrop Northern City Limit - 755 feet South of Sam Houston Dr.) to milepoint 12.164 (SH 21-SH71), a distance of 0.740 miles, a prima facie maximum speed limit of 60 miles per hour.

FOR WESTBOUND TRAFFIC

Beginning at Control Section 1186-02 at milepoint 12.164 (SH 21-SH71) to milepoint 11.424 (Bastrop Northern City Limit - 755 feet South of Sam Houston Dr.), a distance of 0.740 miles, a prima facie maximum speed limit of 60 miles per hour.

Section 3. That all of the streets of this city, and all portions of any such streets, are hereby declared to be public streets and that the driving or operating of any motor vehicle on or along any portion of any street of this city at a rate of speed that is greater than the maximum rate of speed for said portion of said street, as fixed by this ordinance shall be guilty of a misdemeanor, which is named " The Offense of Speeding " and that the said offense is punishable by a fine in any sum not to exceed Two Hundred dollars (\$200.00). That the use of the word " Speeding " shall be sufficient to designate the said offense, and shall mean that a motor vehicle has been driven upon a public street at a greater rate of speed than fixed by City Ordinance for the street and for the zone thereof, that such motor vehicle was so being driven upon, if zoned.

That in prosecutions under this ordinance, for the offense of speeding, the complaint, if in other respects sufficient in form, shall as to the portion thereof seeking to acknowledge the offense, be sufficient if it in substance alleges that the defendant did while driving a motor vehicle in said city commit the offense of " Speeding " .

Section 4. Amendment To City Code. The City of Bastrop Code of Ordinances shall be amended to add Chapter 12 "Traffic and Vehicles", Article 12.05 "Speed Limits", Section 12.05.011 "FM 969 Speed Limits." and Section 12.05.011 "FM 969 Speed Limits." of the Code of Ordinances shall read in accordance with Section 2 of this Ordinance.

Section 5. Passage. Pursuant to Section 3.15 of the City Charter, the Council determined that the first reading of this Ordinance is sufficient for adequate consideration by an affirmative vote of a majority of members of the City Council during the first reading, and therefore, this Ordinance is adopted and enacted without further readings.

Section 6. Codification. The City Secretary is hereby directed to record and publish the attached rules, regulations, and policies in the City's Code of Ordinances as authorized by Section 52.001 of the Texas Local Government Code.

Section 7. Severability. If any clause or provision of this Ordinance shall be deemed to be unenforceable for any reason, such unenforceable clause or provision shall be severed from the remaining portion of the Ordinance, which shall continue to have full force and effect.

Section 8. Repeal. This Ordinance shall be and is hereby cumulative of all other ordinances of the City of Bastrop, Texas, and this Ordinance shall not operate to repeal or affect any of such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, in such other Ordinances, are hereby repealed.

Section 9. Effective Date. That the fact that prompt action should be taken in the regulation of traffic, on the streets of this city, in the manner provided for in this ordinance creates an emergency requiring that the rules that provide that an ordinance shall be read at two separate meetings of the city council before final passage, be suspended; and that the said rules are hereby suspended, and this ordinance is here and now passed, and that it is ordered that it take effect from and after its passage and publication.

READ & ACKNOWLEDGED on First Reading on this, the 13th day of February 2024.

READ & APPROVED on the Second Reading on this, the 27th day of February 2024.

APPROVED:

by: _____
Lyle Nelson, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney

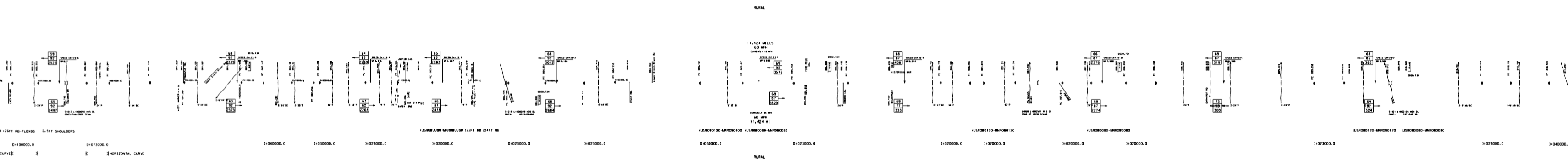
MAP 1 OF 1
 DEVELOPMENT
 RES. SIGHT DISTANCE
 BALL BANK or ADVISORY SPEED
 CURVES OVER 2"
 GRADES OVER 3%
 SURFACE WIDTH AND TYPE
 R.O.W. AND ROBD. WIDTH
 ACCIDENTS
 ZONE LENGTHS MILE
 ZONE SPEEDS MPH

TOWARD BASTROP WCOL
 C.L. BEARINGS
 TOWARD SH 21/71

ZONE SPEEDS MPH
 ZONE LENGTHS MILE
 ACCIDENTS
 R.O.W. AND ROBD WIDTH
 SURFACE WIDTH AND TYPE
 GRADES OVER 3%
 CURVES OVER 2"
 BALL BANK or ADVISORY SPEED
 RES. SIGHT DISTANCE
 DEVELOPMENT

DIST. AUSTIN COUNTY BASTROP
 HIGHWAY FM 969 CITY UNINC./RURAL
 DATE OF SURVEY 04/11/23 SCALE 1" = 800'
 LIMITS OF ZONE

SECTION	LINE	LENGTH 11,424 MILES	SECTION TWO	LENGTH	MILES
BEGINS	STA. OR N.P.	CONT. & SECT.	PROJECT	BEGINS	STA. OR N.P.
ENDS	STA. OR N.P.	CONT. & SECT.	PROJECT	ENDS	STA. OR N.P.
	0.000	1186-2			
	11.424	1186-2			



REPLACES 11821 DATE 07/29/05
 REPLACES 10687 DATE 06/18/06
 CANCELED BY DATE

42 85 PERCENTILE SPEED
 62 TOP SPEED MEASURED
 125 NUMBER OF CARS CHECKED

FATAL ACCIDENT
 PERSONAL INJURY ACCIDENT
 PROPERTY DAMAGE ACCIDENT
 INDICATES SECTION ZONED BY COMMISSION MINUTE

SPEED ZONE

