

ORDINANCE NO. 2024-19

SPEED LIMIT ON SH 21

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”, AMENDING SECTION 12.05.007 TITLED “SH 21 SPEED LIMITS.” ZONING FOR TRAFFIC AND RATE OF SPEED THEREIN, ON SH 21 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 SH 21 as shown on the attached Exhibit A, shall be 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 SH 21 in the city limits of the City of Bastrop, as provided herein, to 45 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 SH 21 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.

FOR EASTBOUND TRAFFIC

Beginning at Control Section 0322-01 at mile point 20.000 (SH 71) to milepoint 20.393 (Chestnut St.), a distance of 0.393 miles, a prima facie maximum speed limit of forty-five (45) miles per hour.

FOR WESTBOUND TRAFFIC

Beginning at Control Section 0322-01 at mile point 20.393 (Chestnut St.) to milepoint 20.000 (SH 71), a distance of 0.393 miles, a prima facie maximum speed limit of forty-five (45) 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 the City Code. The City of Bastrop Code of Ordinances Chapter 12 “Traffic and Vehicles”, Article 12.05 “Speed Limits”, Section 12.05.007 “SH 21 Speed Limits” of the Code of Ordinances is hereby amended to lower the speed limit on those portions of SH 21 routed in the City of Bastrop per section 2 of this ordinance, and shall read in accordance with Exhibit B.

Section 5. Passage. 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 6. 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 7. 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 8. Effective Date. This Ordinance shall take effect upon the date of final passage noted below, or when all applicable publication requirements, if any, are satisfied in accordance with the City's Charter, Code of Ordinances, and the laws of the State of Texas.

READ & ACKNOWLEDGED on First Reading by the City Council of the City of Bastrop, on this, the 25th day of June 2024.

PASSED & APPROVED on Second Reading by the City Council of the City of Bastrop, on this, the 9th day of July 2024.

APPROVED:

by: _____
Lyle Nelson, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney

Exhibit B – Amendment to;

City of Bastrop Code of Ordinances Chapter 12; Traffic and Vehicles

Article 12.05; Speed Limits - Section 12.05.007; SH 21 Speed Limits.

Sec. 12.05.007 - SH 21 speed limits.

(a) Due to an imminent threat to public health and safety, the speed limits on SH 21 within the city shall be as follows:

(1) *Eastbound.*

(A) On SH 21 from mile point 14.813 to mile point 15.041, a distance of 0.228 miles, shall hereby be a maximum speed limit of fifty-five (55) miles per hour.

(B) On SH 21 from mile point 14.041 to mile point 14.709 (at Jackson St.), a distance of 0.668 miles, shall hereby be a maximum speed limit of fifty-five (55) miles per hour.

(C) On SH 21 from mile point 20.000 (at SH 71) to mile point 20.393 (Chestnut St.), a distance of 0.393 miles, a prima facie maximum speed limit of forty-five (45) miles per hour.

(2) *Westbound.*

(A) On SH 21 from mile point 14.709 (at Jackson St.) to mile point 14.041, a distance of 0.668 miles, shall hereby be a maximum speed limit of fifty-five (55) miles per hour.

(B) On SH 21 from mile point 15.041 to mile point 14.813, a distance of 0.228 miles, shall hereby be a maximum speed limit of fifty-five (55) miles per hour.

(C) On SH 21 from mile point 20.393 (Chestnut St.) to mile point 20.000 (at SH 71), a distance of 0.393 miles, a prima facie maximum speed limit of forty-five (45) miles per hour.

(b) The director of public works shall cause SH 21 speed limit signs and other traffic-control devices to be erected at such locations deemed necessary to provide reasonable notice of the above speed limits to those traveling on SH 21 within the city.

(c) Violators shall be cited and subject to a fine for the offense of speeding as set forth in section 12.05.008.

MAP 3 OF 5

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



C.L. BEARINGS

SH 21



CONTROL/SECTION
265-4 & 265-5
322-1 & 265-10

- - CITY ORDINANCE
DATE

ZONE SPEEDS MPH	
ZONE LENGTHS MILE	
ACCIDENTS	NOT RECORDED
R.O.W. AND RDBD WIDTH	
SURFACE WIDTH AND TYPE	
GRADES OVER 3%	NONE
CURVES OVER 2°	
BALL BANK or ADVISORY SPEED	NONE
RES. SIGHT DISTANCE	NONE
DEVELOPMENT	

DIST. AUSTIN COUNTY BASTROP		MINUTE NO.
HIGHWAY SH 21 CITY BASTROP		REPLACES
DATE OF SURVEY 07/18/23 SCALE 1" = 800'		REPLACED BY
		CANCELED BY

SECTION ONE			LENGTH 0.393 MILES	SECTION TWO		
BEGINS	STA. OR M.P.	CONT. & SECT.	PROJECT	BEGINS	STA. OR M.P.	CONT.
	20.000	0322-01				
ENDS	STA. OR M.P.	CONT. & SECT.	PROJECT	ENDS	STA. OR M.P.	CONT.
	20.393	0322-01				

4-12' LANES
1-12' MEDIAN
2-10' SHOULDERS

05.664/20.000

20.393/01.500

0.393 MILES

END 265-5

BEG 322-1

45 MPH

END 322-1

BEG 265-1

S=053 L=000480 H15 DL
0008-CONC GRDR SPA

CURRENTLY 50 MPH

SPEED CK# 115

MP 20.189

this is where it splits 21/71

005.664

020.000
JACKSON ST

020.107
EMILE ST.

020.167

38
50
372

07/18/23

020.308
020.515
DRAIN

001.435
020.393

SH0095

000480 H20 DL
C GRDR SPA

2-8' X8' BC

S=008 L=000027 H15 D
0004-NO VALUE

CURRENTLY 50 MPH

0.393 MILES

45 MPH

USROW0210-MNROW0210

x USROW010

4-12' LANES
1-12' MEDIAN
2-10' SHOULDERS

x044FT-61