



Item Brief

Meeting Date

October 22, 2024

Agenda Item

Discuss and consider action: Ordinance No. 2024-43: B. Lee

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, ESTABLISHING NEW SPEED LIMITS ON STATE HIGHWAY 29 IN THE CITY LIMITS OF THE CITY OF BURNET, PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00); AND PROVIDING AN EFFECTIVE DATE

Information

This ordinance proposes establishing new speed limits on State Highway 29 within the city limits of Burnet, based on an engineering and traffic study conducted by the Texas Department of Transportation (TxDOT). The ordinance outlines new speed limits for both eastbound and westbound traffic on specific sections of the highway and provides penalties for violations.

TxDOT conducted an engineering and traffic investigation to determine safe and reasonable speed limits on the east section of the highway, particularly between Creekfall Road and County Road 250.

The study found that reducing the speed limit from 65 mph to 55 mph on this section would enhance traffic safety. The findings and recommendations of the study are incorporated into the proposed ordinance. The ordinance also outlines the placement of appropriate signage and penalties for exceeding the speed limit.

Key provisions of the ordinance include the following:

- Speed Limit Changes (See Exhibit A):
 - Eastbound Traffic: From milepoint 1.100 to milepoint 1.362 (60 mph) and from milepoint 1.362 to milepoint 3.967 (65 mph).
 - Westbound Traffic: From milepoint 3.967 to milepoint 1.362 (65 mph) and from milepoint 1.362 to milepoint 1.100 (60 mph).
- Penalty: Violations of the new speed limits will result in a Class C misdemeanor with a maximum fine of \$200.
- Signage: The City Manager is authorized to coordinate with TxDOT to ensure appropriate speed limit signs are installed.

Fiscal Impact

There is no direct fiscal impact associated with this ordinance, aside from the potential minor costs related to coordinating the placement of new signage in collaboration with TxDOT.

Recommendation

Staff recommends the approval and adoption of Ordinance No. 2024-43 as presented.

ORDINANCE NO. 2024-43

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, ESTABLISHING NEW SPEED LIMITS ON STATE HIGHWAY 29 IN THE CITY LIMITS OF THE CITY OF BURNET, PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00); AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Texas Department of Transportation has established State Highway 29 as an East/West corridor through the City of Burnet; and

WHEREAS, an engineering and traffic investigation has been conducted by the Texas Department of Transportation to determine the reasonable and safe prima facie maximum speed of motor vehicles on the east section of Texas Highway 29 within the City of Burnet City Limits; and

WHEREAS, it has been determined by the engineering study and traffic investigation that the reasonable and safe prima facie maximum speed for motor vehicles on Texas Highway 29 at the section between Creekfall Road and County Road 250 should be hereinafter reduced from 65-mph to 55-mph; and

WHEREAS, City Council deems it beneficial to public health, safety and welfare to adopt the findings of the engineering study and traffic investigation in this Ordinance; and

WHEREAS, City Council, finds, determines, and declares that publication of notice of this Ordinance, as required by Section 3.14 of the City Charter and the laws of the State of Texas, was made by the City Secretary within the period prescribed by Section 3.14; and

WHEREAS, City Council, finds, determines, and declares that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given as required by Chapter 551 of the Texas Government Code.

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

Section One. Findings. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

Section Two. Speed Limit Established. This Ordinance shall apply to Texas Highway 29, in both easterly and westwardly directions as described herein:

For Eastbound Traffic:

Beginning at Control Section 0151-01 milepoint 1.100 (1,485 ft West of County Road 250) to milepoint 1.362 (591 ft East Summit Ridge Rd.), a distance of 0.262 miles, a prima facie maximum speed limit of 60 miles per hour.

From milepoint 1.362 (591 ft East Summit Ridge Rd.) to milepoint 3.967 (Burnet East City Limits - 1,077 ft West County Road 333), a distance of 2.605 miles, a prima facie maximum speed limit of 65 miles per hour.

For Westbound Traffic:

Beginning at Control Section 0151-01 milepoint 3.967 (Burnet East City Limits - 1,077 ft West County Road 333) to milepoint 1.362 (591 ft East Summit Ridge Rd.), a distance of 2.605 miles, a prima facie maximum speed limit of 65 miles per hour.

From at Control Section 0151-01 milepoint 1.362 (591 ft East Summit Ridge Rd.) to milepoint 1.100 (1,485 ft West of County Road 250), a distance of 0.262 miles, a prima facie maximum speed limit of 60 miles per hour.

Section Three. Speed Limit Signs. The City Manager is hereby authorized and directed to coordinate with the Texas Department of Transportation to have signs placed on Texas Highway 29 advising motorists of the speed limit imposed by this ordinance.

Section Four. Penalty. Violation of this Ordinance is a class C misdemeanor subject to criminal penalty in a monetary amount not to exceed \$200.00.

Section Five. Cumulative. This ordinance shall be cumulative of all provisions of all ordinances and codes, or parts thereof, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinances, in which event the more restrictive provision shall apply.

Section Six. Repealer. All ordinances and codes, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

Section Seven. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City hereby declares that this Ordinance would have been enacted without such invalid provision.

Section Eight. Publication. The publishers of the City Code are authorized to amend said Code to reflect the changes adopted herein and to correct typographical errors and to format and number paragraphs to conform to the existing Code.

Section Nine. Effective Date. This ordinance shall be effective upon final passage, approval, and adoption.

FINALLY PASSED AND APPROVED on this the 22nd day of October 2024.

CITY OF BURNET

Gary Wideman, Mayor

ATTEST:

Maria Gonzales, City Secretary