

AN ORDINANCE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH, TEXAS, AMENDING CHAPTER 12 TRAFFIC AND VEHICLES, ARTICLE 12.01 GENERAL PROVISIONS, SECTION 12.01.002 OF THE CITY OF FAIR OAKS RANCH CODE OF ORDINANCES ESTABLISHING YIELD SIGNS IN SETTERFELD ESTATES, FAIR OAKS RANCH, COMAL COUNTY, TEXAS, PROVIDING FOR PENALTY, REPEALING, SAVINGS, AND SEVERABILITY CLAUSES, PROVIDING FOR AN EFFECTIVE DATE, AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF

WHEREAS, the City of Fair Oaks Ranch is authorized by Title 7, Subchapter C of the Texas Transportation Code to establish and regulate compliance with rules governing the use of public thoroughfares, and

WHEREAS, Chapter 12, Section 12.01.002 of the City of Fair Oaks Ranch Code of Ordinances provides for the placement of traffic-control devices in the City of Fair Oaks Ranch, and

WHEREAS, yield signs provide enhanced safe and efficient intersections for vehicles and pedestrians, and

WHEREAS, on November 17, 2022 (signed January 30, 2023), the City Council for the City of Fair Oaks Ranch approved a Law Enforcement Agreement with the Setterfeld Estates Homeowners Association for the enforcement of traffic rules and laws related to operation of motor vehicles on public thoroughfares of the City to apply to the private streets in Setterfeld Estates, and

WHEREAS, Ordinance 2023-02, adopted May 2023, did not include existing yield signs in Setterfeld Estates, and

WHEREAS, the City Council finds codification of Setterfeld Estates yield signs is warranted.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH, TEXAS:

Section 1. The Fair Oaks Ranch Code of Ordinances Chapter 12 Traffic and Vehicles, Article 12.01 General Provisions, Section 12.01.002 is hereby amended to include two yield signs as set forth in the attached **Exhibit A**.

Section 2. That the recitals contained in the preamble hereto 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 3. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance be severable, and, if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared invalid by judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance and the remainder of this ordinance shall be enforced as written.

Section 4. That it is officially found, determined, and declared 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, all as required by Chapter 551, as amended, Texas Government Code.

- Section 5.** The provisions of this ordinance shall be cumulative of all ordinances not repealed by this ordinance and ordinances governing or regulating the same subject matter as that covered herein.
- Section 6.** 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 7.** All ordinances, 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 ordained herein.
- Section 8.** This ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.
- Section 9.** This ordinance shall take effect immediately from and after its second reading, passage and any publication requirements as may be required by governing law.

PASSED and APPROVED on first reading by the City Council of the City of Fair Oaks Ranch, Texas, on this 6th of February 2025.

PASSED, APPROVED, and ADOPTED on second and final reading by the City Council of the City of Fair Oaks Ranch, Texas, on reading this 20th day of February 2025.

Gregory C. Maxton, Mayor

ATTEST:

APPROVED AS TO FORM:

Christina Picioccio, TRMC
City Secretary

Denton Navarro Rodriguez Bernal Santee & Zech
P.C., City Attorney

EXHIBIT A

Chapter 12 Traffic and Vehicles; Article 12.01 General Provisions; Section 12.01.002 is hereby amended as follows [Additions shown as underscore]:

Private Subdivision

Setterfeld Estates - LE Agreement (January 30, 2023)

Through Street

Stop Sign Street

Yield Sign Street

Setterfeld Circle

Agarita Mist

Honeycomb Rock

Honeycomb Rock (x3)

Saur Legacy Drive

Wild Coyote Lane