

AN ORDINANCE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH, TEXAS, AMENDING THE FAIR OAKS RANCH CODE OF ORDINANCES CHAPTER 12 TRAFFIC AND VEHICLES, ARTICLE 12.01 GENERAL PROVISIONS, SECTION 12.01.003 PRIMA FACIE SPEED LIMIT BY REDUCING THE MAXIMUM SPEED LIMIT ON NO LE HACE BETWEEN FAIR OAKS PARKWAY AND DIETZ ELKHORN TO 25 MILES PER HOUR; AND PROVIDING FOR REPEALING, SAVINGS, AND SEVERABILITY CLAUSES, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Chapter 12, Section 12.01.003 of the City of Fair Oaks Ranch Code of Ordinances provides for the establishment of the maximum, reasonable, and prudent speed limits in the City of Fair Oaks Ranch; and

WHEREAS, in December 2024 the City received a resident request to reduce the speed limit on No Le Hace below the prima facie speed limit; and

WHEREAS, on February 26, 2025, after reviewing and discussing the request, the Fair Oaks Ranch Transportation Safety Advisory Committee ("TSAC") made an affirmative vote to recommend reducing the speed limit on No Le Hace to 25 mph due to the road curves and traffic in a residential area; and

WHEREAS, pursuant the TSAC Rules of Procedure, after due consideration and an affirmative Committee vote, recommended actions are advanced to City Council for consideration; and

WHEREAS, on March 20, 2025, after reviewing the TSAC recommendation, the City Council directed the preparation of a city ordinance reducing the speed limit to 25 mph on No Le Hace between Fair Oaks Parkway and Dietz Elkhorn; and

WHEREAS, the City Council finds for the safety of city residents the maximum, reasonable, and prudent speed limit on No Le Hace between Fair Oaks Parkway and Dietz Elkhorn is 25 miles per hour.

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 12.01.003 Prima Facie Speed Limits is hereby amended reducing the maximum speed limit on No Le Hace between Fair Oaks Parkway and Dietz Elkhorn to 25 miles per hour as shown in **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 17th day of April 2025.

PASSED, APPROVED, and ADOPTED on second and final reading by the City Council of the City of Fair Oaks Ranch, Texas, on this 1st day of May 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 12.01.003 Prima Facie Speed Limits is hereby amended as follows:

[Additions shown as underscore]

(2) 25 mph

No Le Haze between Fair Oaks Parkway and Dietz Elkhorn