

AN ORDINANCE

AN ORDINANCE OF THE CITY OF FAIR OAKS RANCH, TEXAS ESTABLISHING STOP SIGNS WITHIN THE SETTERFELD ESTATES SUBDIVISION, FAIR OAKS RANCH, COMAL COUNTY, TEXAS; PRESCRIBING FOR A PENALTY OF NOT LESS THAN \$25 NOR MORE THAN \$500; PROVIDING FOR REPEALING AND A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF

WHEREAS, on November 17, 2022, the City Council for the City of Fair Oaks Ranch approved a Law Enforcement Agreement with the Setterfeld Estates Homeowner's 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, 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, the City Council finds it is in the best interest of the health, safety, and welfare of the City to provide for additional stop signs as authorized by and consistent with Texas law and pursuant to the Law Enforcement Agreement.

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

Section 1: For the safety and well-being of the citizens of Fair Oaks Ranch, the following full stop – stop sign street locations are designated in addition to those previously approved:

THROUGH STREET

Setterfeld Circle
Setterfeld Circle
Setterfeld Circle
Setterfeld Circle

STOP SIGN STREET/LOCATION

Honeycomb Rock
Wild Coyote Lane
Saur Legacy Drive
Agarita Mist

SECTION 2: Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 3: Violation. It shall be unlawful to operate a vehicle without bringing the vehicle to a full and complete stop before proceeding. All vehicles shall remain stopped until the intersection is free and clear of all oncoming vehicles which might constitute a hazard to life or property under the condition then and there existing.

SECTION 4: Severability. Should any section, subsection, sentence, clause, or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Fair Oaks Ranch hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

SECTION 5: Repealer. This ordinance shall be cumulative of all other ordinances of the City of Fair Oaks Ranch, and this ordinance shall not operate to repeal or affect any other ordinances of the City of Fair Oaks Ranch 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, are hereby repealed.

SECTION 6: Penalty Provision. Any violation of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined a sum of not less than \$25 nor more than \$500. The sign designated in this Ordinance shall become property of the City and penalty for removing or having in possession any signs designated as property of the City shall be punishable by a fine not less than \$25 nor more than \$500. The City of Fair Oaks Ranch retains all legal rights and remedies available to it pursuant to local, state, and federal law.

SECTION 7: Effective Date. This Ordinance shall be effective upon its passage, approval, and publication as required by law.

PASSED AND APPROVED on the first reading this 20th day of April, 2023.

PASSED, APPROVED, AND ADOPTED on the second reading this 4th day of May, 2023.

Gregory C. Maxton, Mayor

ATTEST:

APPROVED AS TO FORM:

Christina Picioccio, TRMC, City Secretary

Denton Navarro Rocha Bernal & Zech, P.C.,
City Attorney