

AN ORDINANCE

AMENDING CHAPTER 12 TRAFFIC AND VEHICLES, ARTICLE 12.01 GENERAL PROVISIONS, SECTION 12.01.033 (4) OF THE CITY OF FAIR OAKS RANCH CODE OF ORDINANCES BY ADDING 25 MPH SPEED LIMIT ON STREETS WITHIN THE ELKHORN RIDGE SUBDIVISION; ESTABLISHING STOP SIGNS WITHIN THE ELKHORN RIDGE SUBDIVISION, FAIR OAKS RANCH, BEXAR COUNTY, TEXAS; PRESCRIBING FOR A PENALTY OF NOT LESS THAN \$25 NOR MORE THAN \$500; PROVIDING FOR REPEALING, SAVINGS, AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF

WHEREAS, the City Council of the City of Fair Oaks Ranch, Texas has passed and approved Ordinance 31.13 adopting the State of Texas prima facie maximum speed limit of thirty (30) miles per hour on all streets, with exceptions, within the City, as prescribed in Article 6701d, Section 166 (a) 1, Vernon's Annotated Texas Statutes; and,

WHEREAS, for the safety and well-being of the citizens of Fair Oaks Ranch, Ordinance 35.9 was passed and approved establishing and defining full stop signs within the City of Fair Oaks Ranch; and,

WHEREAS, the Elkhorn Ridge subdivision, located in the City of Fair Oaks Ranch ("City"), has requested traffic enforcement within the subdivision; and,

WHEREAS, on March 3, 2022, the City Council of the City of Fair Oaks Ranch approved a Law Enforcement Agreement with the Elkhorn Ridge Homeowners Association, Inc., authorizing the extension of traffic rules and laws related to operation of motor vehicles on public thoroughfares of the City to apply to the private streets in Elkhorn Ridge Homeowners Association, Inc.; and,

WHEREAS, the City Council of the City of Fair Oaks Ranch finds that it is necessary to amend Ordinance 31.13 and all subsequent ordinances; and,

WHEREAS, all stop sign traffic control devices situated at the street intersections hereinafter designated conform to the manual and specifications for uniform traffic control devices as adopted by State Highway Commission.

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

PART 1. Amends Chapter 12 Traffic and Vehicles, Article 12.01 General Provisions by modifying Section 12.01.003 (4) of the City of Fair Oaks Ranch Code of Ordinances.

PART 2. Adopts 25 MPH on the following streets:

- | | |
|-------------------|--------------------|
| 1. Elkhorn Ridge | 6. Mendrin Ridge |
| 2. Kearney Ridge | 7. Cheyenne Ridge |
| 3. Fowler Hill | 8. Whimsey Ridge |
| 4. Bellacor Ridge | 9. Slate Creek |
| 5. Graford Ridge | 10. Wackford Ridge |

PART 3. for the safety and well-being of the citizens of Fair Oaks Ranch, this Ordinance encompasses the following full stop – stop sign street location:

Exhibit B

THROUGH STREET

Dietz Elkhorn
Dietz Elkhorn
Elkhorn Ridge
Elkhorn Ridge
Elkhorn Ridge
Elkhorn Ridge
Elkhorn Ridge
Elkhorn Ridge
Elkhorn Ridge
Whimsey Ridge
Wackford Ridge
Wackford Ridge

STOP SIGN STREET/LOCATION

Elkhorn Ridge
Cheyenne Ridge
Kearney Ridge (each end)
Graford Ridge
Fowler Hill
Elkhorn Ridge (half mood cul-de-sac)
Mendrin Ridge
Bellacor Ridge
Cheyenne Ridge
Whimsey Ridge
Slate Creek
Whimsey Ridge
Slate Creek

- PART 4.** Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.
- PART 5.** 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.
- PART 6.** 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.
- PART 5.** Penalty Provision. Any violation 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.
- PART 6.** Effective Date. This Ordinance shall be effective upon its passage, approval, and publication as required by law.

PASSED and APPROVED on first reading the 18th day of August 2022.

PASSED, APPROVED AND ADOPTED on second reading this 1st day of September 2022.

Gregory C. Maxton, Mayor

ATTEST:

APPROVED AS TO FORM:

Christina Picioccio, TRMC, City Secretary

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