

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, REPEALING EXISTING SECTION 12.02.001, "MAYOR'S DUTIES," AND EXISTING SECTION 12.02.002, "TRAFFIC ADMINISTRATOR," OF ARTICLE 12.02, "ADMINISTRATION," OF CHAPTER 12, "TRAFFIC AND VEHICLES," OF THE CODE OF ORDINANCES OF THE TOWN OF PROSPER, TEXAS, AND REPLACING IT WITH A NEW SECTION 12.02.001, "TRAFFIC ADMINISTRATION"; MAKING FINDINGS; PROVIDING FOR REPEALING, SAVING AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Prosper, Texas ("Town"), has deemed it necessary to review its traffic administration regulations and to update them in accordance with current practices, thus eliminating outdated references and practices currently found in Article 12.02 of the Town's Code of Ordinances; and

WHEREAS, it is the desire and intent of the Town Council to fully comply with existing practices while also protecting the health and safety of Town residents who utilize the Town's traffic facilities; and

WHEREAS, the Town Council has further determined that it will be advantageous and beneficial to Prosper and its inhabitants to amend Article 12.02 as described below.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS:

SECTION 1

The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2

From and after the effective date of this Ordinance, existing Section 12.02.001, "Mayor's Duties," and existing Section 12.02.002, "Traffic Administrator," of Article 12.02, "Administration," of Chapter 12, "Traffic and Vehicles," of the Code of Ordinances of the Town of Prosper, Texas, are hereby repealed and replaced with a new Section 12.02.001, "Traffic Administration," to read as follows:

"ARTICLE 12.02

ADMINISTRATION

Sec. 12.02.001. Traffic Administration.

- (a) Pursuant to the authority granted the Town Manager in the Town Charter to see to the enforcement of all state laws and Town ordinances, the Town Manager or designee is authorized to exercise the following powers and duties relative to traffic:

- (1) Determine the installation and proper timing of traffic-control devices, to conduct engineering analyses of traffic accidents, to devise remedial measures, to conduct engineering investigation of traffic conditions and to direct other Town officials in the development of ways and means to improve traffic conditions and to carry out the additional powers and duties granted by law;
 - (2) To install and maintain traffic signals and signs, road and highway markings and other traffic-control devices indicating prohibited or limited parking, the establishment of speed limits, the designation of restricted speed areas, the establishments of one-way streets, the establishment of school traffic zones, the establishment of the times when school traffic zones are in effect, and other signs or markings indicating the place and manner of operating or parking vehicles;
 - (3) To regulate the movement of pedestrians upon the streets and sidewalks by the erection or placing of proper signs, signals or markers indicating the flow of pedestrian traffic;
 - (4) To designate bus stops, ride share areas and taxicab stands and to erect signs prohibiting the parking of vehicles other than buses, taxicabs, and ride share areas in such stands;
 - (5) To cause all necessary signs, markers, lights or other traffic-control devices to be erected or placed on any street or part of a street when he deems such action necessary to correct or give warning of a hazard and is further empowered to place such temporary speed limits at a construction site until the completion of such construction;
 - (6) To determine fire lanes, to prohibit or limit parking therein and to cause all necessary signs, markers, or other traffic-control devices to be erected or placed therein; and
 - (7) To mark off traffic lanes on streets and parts of streets indicating and directing the flow of traffic when, in his judgment, such action is necessary.
- (b) Nothing in this Article shall restrict the authority of the Town Council to adopt any ordinance or other regulation that limits the authority of the Town Manager or designee to regulate traffic in the Town.
- (c) All traffic control signs, markers and devices designated by the Town prior to the date of adoption of this section shall be deemed to be in full compliance with this section and lawful, with no further action required pursuant to this section.

Sec. 12.02.002. Reserved."

SECTION 3

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. Prosper 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 4

All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the appeal prevent a prosecution from being commenced for any violation if occurring prior to the repealing of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 5

This Ordinance shall become effective from and after its passage.

DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, ON THIS 10TH DAY OF FEBRUARY, 2026.

David F. Bristol, Mayor

ATTEST:

Michelle Lewis Sirianni, Town Secretary

APPROVED AS TO FORM AND LEGALITY:

Terrence S. Welch, Town Attorney