

**AN ORDINANCE OF THE TOWN OF PROSPER, TEXAS, AMENDING SECTION 12.09.003, "SPEED LIMITS ON SPECIFIC STREETS," OF CHAPTER 12, "TRAFFIC AND VEHICLES," OF THE CODE OF ORDINANCES OF THE TOWN OF PROSPER BY MODIFYING THE PRIMA FACIE SPEED LIMITS ON CERTAIN STREETS WITHIN THE TOWN OF PROSPER; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.**

**WHEREAS**, the Town of Prosper, Texas ("Town"), is a home-rule municipal corporation duly organized under the laws of the State of Texas; and

**WHEREAS**, Section 545.356 of the Texas Transportation Code provides that the governing body of a municipality may alter prima facie speed limits by ordinance based on the results of an engineering and traffic investigation; and

**WHEREAS**, the Town has investigated the speed limits on streets within its corporate limits and has determined that restating and modifying the prima facie speed limits is in the best interests of the Town and its citizens.

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

**SECTION 1**

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

**SECTION 2**

Existing Section 12.09.003, "Speed Limits on Specific Streets," of Chapter 12, "Traffic and Vehicles," of the Code of Ordinances of the Town of Prosper, Texas, is hereby amended by modifying the prima facie speed limits on certain streets, to read as follows:

**"Sec. 12.09.003      Speed Limits on Specific Streets**

A person shall not operate a vehicle upon a public street or highway listed in this section at a speed greater than established by this section, with the limits established being prima facie evidence that the speed is not reasonable and prudent and that the speed is unlawful. The following maximum speed limits are established:

Town Streets		
Street Name	Limits	Speed Limit (MPH)
Broadway	McKinley Street to Coleman Street	25
Coit Road	US 380 (University Drive) to FM 1461 (Frontier Pkwy)	45
Coleman Street	Richland Boulevard to Lovers Lane	40
Coleman Street	Lovers Lane to Broadway	30
Coleman Street	Broadway to Gorgeous Drive	30
Coleman Street	Gorgeous Drive to Talon Lane	45
Coleman Street	Talon Lane to SH 289 (Preston Road)	45
Cook Lane	First Street to Prosper Trail	35
Craig Road	SH 289 (Preston Road) to FM 1193 (Broadway)	25
Dallas Parkway	US 380 (University Drive) to Frontier Parkway	45
First Street	Legacy Drive to 400 feet west of BNSF Railroad	45
First Street	400 feet west of BNSF Railroad to Craig Road	30
First Street	Craig Road to FM 2478 (Custer Road)	45
Fishtrap Road	FM 1385 to Legacy Drive	45
Frontier Parkway	Legacy Drive to Dallas Parkway	35
Frontier Parkway	Dallas Parkway to SH 289 (Preston Road)	45
Gee Road	US 380 (University Drive) to Fishtrap Road	45
Good Hope Road	Windsong Parkway to Parvin Road	35
Hays Road	First Street to South Chandler Circle	30
La Cima Boulevard	US 380 (University Drive) to First Street	40
Legacy Drive	US 380 (University Drive) to 1,600 feet north of Prairie Drive	45
Legacy Drive	Fishtrap Road to Frontier Parkway	35
Lovers Lane	US 380 (University Drive) to SH 289 (Preston Road)	40
Lovers Lane	SH 289 (Preston Road) to Coleman Street	40

McKinley Street	First Street to Fifth Street	25
Main Street	First Street to Seventh Street	25
Parvin Road	FM 1385 to Legacy Drive	35
Prairie Drive	1,400 feet west of Legacy Drive to 1,900 east of Legacy Drive	45
Prosper Commons Blvd.	US 380 (University Drive) to Richland Boulevard	30
Prosper Road	Teel Parkway to Legacy Drive	35
Prosper Trail	Legacy Drive to 1,000 feet east of Legacy Drive	35
Prosper Trail	1,000 feet east of Legacy Drive to Dallas Parkway	45
Prosper Trail	Dallas Parkway to SH 289 (Preston Road)	45
Prosper Trail	SH 289 (Preston Road) to Coit Road	45
Prosper Trail	Coit Road to FM 2478 (Custer Road)	45
Richland Boulevard	Coleman Street to SH 289 (Preston Road)	40
Richland Boulevard	SH 289 (Preston Road) to Lovers Lane	40
Richland Boulevard	1,100 feet west of La Cima Boulevard to 900 feet east of La Cima Boulevard	45
Richland Boulevard	Prosper Commons Boulevard to Coit Road	45
Richland Boulevard	Coit Road to 900 feet east of Coit Road	45
Safety Way	Dallas Parkway to Cook Lane	35
Shawnee Trail	Star Trace Parkway to Caruth Drive	45
Talon Lane	Coleman Street to Frontier Parkway	45
Teel Parkway	US 380 (University Drive) to Windsong Parkway	45
Teel Parkway	Windsong Parkway to Prosper Road	35
Victory Way	Coleman Street to Frontier Parkway	45
Windsong Parkway	US 380 (University Drive) to 1,000 feet north of US 380 (University Drive)	30

State Highways		
Highway	Limits	Speed Limit (MPH)
FM 1193 (Broadway)	Coleman Street to SH 289 (Preston Road)	35
FM 1385	US 380 to Parvin Road	55
FM 1461 (Frontier Pkwy)	SH 289 (Preston Road) to FM 2478 (Custer Road)	55
FM 2478 (Custer Road)	US 380 (University Drive) to FM 1461 (Frontier Pkwy)	55
SH 289 (Preston Road)	US 380 (University Drive) to FM 1461 (Frontier Pkwy)	55
US 380 (University Drive)	FM 1385 to Red Bud Drive	60
US 380 (University Drive)	Red Bud Drive to FM 2478 (Custer Road)	55

### **SECTION 3**

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 repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portion of conflicting ordinances shall remain in full force and effect.

### **SECTION 4**

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason, held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The Town of 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.

### **SECTION 5**

Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by fine not to exceed the sum of five hundred dollars (\$500.00) for each offense.

**SECTION 6**

This Ordinance shall become effective after its passage and publication, as required by law.

**DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, ON THIS 8TH DAY OF SEPTEMBER, 2020.**

**APPROVED:**

\_\_\_\_\_  
**Ray Smith, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Melissa Lee, Town Secretary**

**APPROVED AS TO FORM AND LEGALITY:**

\_\_\_\_\_  
**Terrence S. Welch, Town Attorney**