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**ORDINANCE NO. 2023-07-19-10**

**AN ORDINANCE OF THE CITY OF ROLLINGWOOD, TEXAS, DETERMINING THAT THE PRIMA FACIE SPEED LIMIT IN THE CITY'S RESIDENTIAL AREAS IS UNREASONABLE AND UNSAFE; ESTABLISHING A SPEED LIMIT OF 25 M.P.H. IN THE CORPORATE LIMITS OF THE CITY, OTHER THAN EXCEPTED AREAS; AMENDING SECTION 32-92 OF THE CITY OF ROLLINGWOOD CODE OF ORDINANCES TO PROVIDE FOR SUCH SPEED LIMIT; PROVIDING FOR THE INSTALLATION OF SIGNAGE; PROVIDING FOR A PENALTY FOR A VIOLATION; PROVIDING FOR PUBLICATION; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council determines that the prima facie speed limit in the City's Residential area is unreasonable and unsafe; and

**WHEREAS**, the City Council has determined to reduce the speed limit in the city's corporate limits in the interest of the safety of residents and motorists traveling throughout the city.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROLLINGWOOD, TEXAS, THAT:**

**SECTION 1.** All the above premises are hereby found to be true and correct legislative and factual findings of the City Council and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

**SECTION 2.** Part 1, Chapter 32, Article III, Division 2, Section 32-92. – Reasonable and prudent speed required; prima facie speed limit; reduced speed areas is hereby amended as follows with underlines being additions and strikethroughs being deletions:

**Sec. 32-92. Reasonable and prudent speed required; prima facie speed limit; ~~reduced speed areas.~~**

(a) No person shall operate a vehicle on a street or highway within the corporate limits of the city at a speed greater than is reasonable and prudent under the circumstances then existing. Except as otherwise provided ~~in subsection (b) of this section and in section 32-93,~~ and except when a special hazard exists that requires lower speeds in order to operate a vehicle in a reasonable and prudent manner on or entering a street or highway, a speed of ~~30~~ 25 miles per hour along the streets and highways within the corporate limits of the city shall be lawful, but any speed in excess of ~~30~~ 25 miles per hour shall be prima facie evidence that the speed is not reasonable or prudent and that it is unlawful.

~~(b) A maximum speed limit of 25 miles per hour is declared and established for the park zone of Rollingwood Drive. A speed of 25 miles per hour in the park zone on Rollingwood Drive~~

44 shall be lawful, but any speed in excess of 25 miles per hour in such park zone on Rollingwood  
45 Drive shall be prima facie evidence that the speed is not reasonable or prudent and that it is  
46 unlawful.

47 (e) ~~(b) As used in this section, t~~The term "Park Zone of Rollingwood Drive" shall mean that  
48 part of Rollingwood Drive in the corporate limits of the city from the western edge of Almarion  
49 Drive at its intersection with Rollingwood Drive, constituting the eastern end of such park zone,  
50 and extending continuously west to a point 50 feet, more or less, west of the intersection of  
51 Randolph Place and Rollingwood Drive, for the western end of such park zone. ~~The director of~~  
52 ~~public works is authorized to establish the precise location of the western end of the park zone,~~  
53 ~~which shall be the location of a sign indicating the reduced maximum speed limit to be installed~~  
54 ~~approximately 50 west of the intersection of Rollingwood Drive and Randolph Place.~~

55 **SECTION 3.** Appropriate signage, in compliance with all applicable law, shall be  
56 installed immediately, alerting the public to the reduced speed limit in the corporate limits of the  
57 City. Any signage that is inconsistent with the reduced speed limit established by this Ordinance  
58 shall be removed.

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60 **SECTION 4.** This ordinance shall take effect immediately from and after its passage,  
61 upon the installation of signage pursuant to Section 3, and upon the publication of the caption as  
62 the law provides.

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64 **SECTION 5.** All provisions of the ordinances of the City of Rollingwood in conflict with  
65 the provisions of this ordinance are hereby repealed to the extent of such conflict, and all other  
66 provisions of the ordinances of the City of Rollingwood not in conflict with the provisions of this  
67 ordinance shall remain in full force and effect.

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69 **SECTION 6.** Should any sentence, paragraph, clause, phrase or section of this ordinance be  
70 adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this  
71 ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid,  
72 illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

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74 **SECTION 7.** it is hereby officially found and determined that the meeting at which this  
75 ordinance is passed was open to the public as required and that public notice of the time, place, and  
76 purpose of said meeting was given as required by the Open Meetings Act, Chapt. 551, Loc. Gov't.  
77 Code.

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79 **APPROVED, PASSED AND ADOPTED** by the City Council of the City of Rollingwood, Texas,  
80 on the \_\_\_\_ day of \_\_\_\_\_ 2023.

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APPROVED:

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Gavin Massingill, Mayor

88 ATTEST:

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Desiree Adair, City Secretary

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