

**Ordinance No. 2010.04
Village of Salado
County of Bell
State of Texas
March 4, 2010**

**ORDINANCE MODIFYING MAXIMUM SPEED
LIMIT ON MAIN STREET IN THE CITY LIMITS**

WHEREAS, the Board of Aldermen of the Village of Salado (“Board of Aldermen”) seeks to promote safe streets; and

WHEREAS, the Board of Aldermen finds that vehicles traveling at high rates of speed within the Village pose a threat to the general health, safety, and welfare; and

WHEREAS, pursuant to Texas Local Government Code Chapter 51, the Board of Aldermen has the general authority to adopt and publish an ordinance or police regulation that is for the peace or order of the municipality and is necessary or proper for the carrying out a power granted by law to the municipality; and

WHEREAS, pursuant to Texas Transportation Code Chapters 542-546, and 553, the Board of Aldermen has the express authority to regulate traffic by traffic-control devices, regulate the operation and movement of vehicles, regulate stopping, standing or parking of vehicles and to enforce such regulations; and

WHEREAS, the Board of Aldermen reviewed the traffic survey for Main Street (FM 2268) inside the city limits (dated July 27, 2009) conducted by the Texas Department of Transportation (TxDOT), and finds the speed limit established by this Ordinance to be reasonable and prudent in light of that survey; and

WHEREAS, the Board of Aldermen finds that the measures stated in this Ordinance are reasonable and necessary.

NOW, THEREFORE, BE IT ORDAINED by the Board of Aldermen of Salado, Texas, that:

SECTION 1. ENACTMENT PROVISIONS

- A. Recitals:** The foregoing recitals are adopted and incorporated herein for all purposes.
- B. Scope:** This Ordinance, and the rules or regulations enacted herein, shall apply in the City Limits. This Ordinance applies to conduct on public streets and public street rights-of-way.
- C. Effective Date:** This Ordinance shall take effect immediately upon passage and publication.

SECTION 2. SPEED LIMITS ON MAIN STREET

- A. Speed Limit:** The Board of Aldermen hereby determines that the *prima facie* maximum speed limit that is determined and declared to be reasonable and safe shall be as follows:
- (1) Along Main Street (FM 2268) from the intersection with the South access road North a distance of approximately 0.195 miles the speed limit shall be “**45 MPH**”.
 - (2) Along Main Street (FM 2268) from the 0.195 mile location North a distance of approximately 1.229 miles the speed limit shall be “**30 MPH**”.
- B. Signage:** The Board of Aldermen hereby authorizes the Mayor to designate locations in and along the public rights-of-way of public streets inside the City Limits for the placement of signs warning motorists of the maximum allowed rate of speed for motor vehicles. The Board of Aldermen also authorizes and instructs the Chief of Police to consult with the Mayor regarding the most advantageous locations for speed limit signs throughout the City.
- C. Funds for Signage:** The Board of Aldermen authorizes the Mayor to expend funds of the Village for the purchase and installation of the speed limit signs.
- D. Record of Speed Limit:** The Village Secretary of the Village of Salado is hereby instructed to maintain in and among the Village records a public list of the locations of the speed limit signs.

SECTION 3. SEVERABILITY

It is not the intention of the Board of Aldermen to enact any provision of this Ordinance in regard to which Federal or State law preempts the Village's authority, and it is hereby declared that if any section, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional or otherwise illegal by the valid judgment or decree of any court of competent jurisdiction, such event shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this, since the same would have been enacted by the Board without such unconstitutional or illegal phrase, clause, sentence, paragraph, or section.

SECTION 4. CONFLICTS

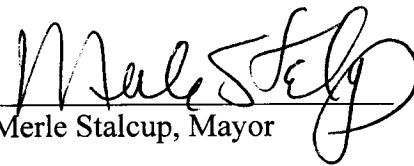
This Ordinance shall be cumulative of all provisions of ordinances of the Village except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed. Nothing contained in this Ordinance generally or this chapter specifically shall be construed to allow the violation of any residential deed restriction.

SECTION 5. PUBLICATION

This Ordinance shall become effective immediately upon the date of its publication as required by §52.011, Local Government Code. The Village Secretary is hereby directed to cause the caption of this Ordinance to be published in the manner required by law.

PASSED & APPROVED, this, the 4 day of March 2010, by a vote of 5 (ayes) to 0 (nays) to 0 (abstentions) of the Board of Aldermen of the Village of Salado, Texas.

VILLAGE OF SALADO:

by: 
Merle Stalcup, Mayor

ATTEST:


Dianna Zulauf, Village Secretary

APPROVED AS TO FORM:

Alan J. Bojorquez, Village Attorney

