

ORDINANCE NO. 2010-06

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF MABANK, TEXAS RELATING TO TEMPORARY SPEED ZONES AT A SPECIFIC DESIGNATED AREA OF THE CITY OF MABANK WHICH RATE OF SPEED OF 55 MILES PER HOUR IS AUTHORIZED, TEMPORARILY; REVISING ALL ORDINANCES IN CONFLICT HERewith AND DECLARING THAT ATTENDANT FACTS NECESSITATE IMMEDIATE ACTION; PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY OF MABANK, TEXAS

SECTION 1.

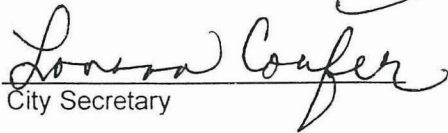
THAT any and all ordinances or parts of ordinances relating to speed zones on US-175 in the City of Mabank are hereby temporarily revised. The limits for US 175 traffic traveling both East and West for which a maximum speed of 55 miles per hour applies, when said speed is so posted and/or indicated, is hereby ordained and shall extend from 0.25 miles East of the SH 198 bridge, East 2 miles to the Little Dry Creek Bridge. Upon completion of Texas Department of Transportation Project NH 2008 (024) and accepted by the State, the temporary speed zone shall revert to those as ordained by the City's original ordinance

SECTION II.

WHEREAS the preservation of the General Welfare of the public necessitates the immediate action, this ordinance shall be effective from the date of its passage until completion of Project NH 2008(024), US-175, Henderson County.

Passed and approved this 6<sup>th</sup> day of April, 2010.

Attested By:

  
City Secretary

  
Mayor

ORDINANCE NO.2004-34

AN ORDINANCE OF THE CITY OF MABANK, TEXAS TO ELIMINATE THE SCHOOL SPEED ZONE ON NORTH FIRST STREET AND EAST MASON STREET; TO INSTALL NO THROUGH TRAFFIC SIGNS ON EAST KEMPNER STREET, CASTEEL STREET AND LETAVA STREET; PROVIDING FOR SEVERABILITY; PROVIDING FOR PENALTIES; PROVIDING AN EFFECTIVE DATE.

SECTION 1. The school zone on North First Street and East Mason providing for a speed limit of 20 miles per hour is hereby eliminated. All existing school zone and speed limit signs shall be removed.

SECTION 2. "No Through Traffic" signs shall be installed at the intersection of East Kempner Street and Casteel Street and on Letava Street at its intersection with US Highway 175. The Mayor is authorized to cause to be erected, appropriate signs indicating No Through Traffic at these locations.

SECTION 3. Severability.

The repeals provided for in Section 1 of this Ordinance shall not affect any other articles in the City of Mabank Code of Ordinances.

SECTION 4. Penalties

Any person violating any of the provisions of this ordinance shall be deemed guilty of a Class C Misdemeanor.

SECTION 4. Effective Date.

This Ordinance shall take effect and become effective from the date of its passage and publication as provided by law.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Mabank, Texas on the 3<sup>rd</sup> day of August, 2004.

\_\_\_\_\_  
Larry Teague, Mayor

ATTEST:

\_\_\_\_\_  
Secretary/Administrator

341.001  
ARTICLE \_\_\_\_\_ ELIMINATE THE SCHOOL SPEED ZONE ON NORTH FIRST STREET AND EAST MASON STREET; TO INSTALL NO THROUGH TRAFFIC SIGNS ON EAST KEMPNER STREET, CASTEEL STREET AND LETAVA STREET; PROVIDING FOR SEVERABILITY; PROVIDING FOR PENALTIES; PROVIDING AN EFFECTIVE DATE.

SECTION 1. The school zone on North First Street and East Mason providing for a speed limit of 20 miles per hour is hereby eliminated. All existing school zone and speed limit signs shall be removed.

SECTION 2. "No Through Traffic" signs shall be installed at the intersection of East Kempner Street and Casteel Street and on Letava Street at its intersection with US Highway 175. The Mayor is authorized to cause to be erected, appropriate signs indicating No Through Traffic at these locations.

SECTION 3. Severability.  
The repeals provided for in Section 1 of this Ordinance shall not affect any other articles in the City of Mabank Code of Ordinances.

SECTION 4. Penalties  
Any person violating any of the provisions of this ordinance shall be deemed guilty of a Class C Misdemeanor.

SECTION 4. Effective Date.

This Ordinance shall take effect and become effective from the date of its passage and publication as provided by law.

Ordinance # 2004-34 – adopted August 3, 2004

ORDINANCE No. 020903

AN ORDINANCE SPECIFYING THE LOCATION OF TRAFFIC CONTROL DEVICES AND SETTING SPEED LIMITS FOR VEHICLES ON STREETS OR HIGHWAYS WITHIN THE CORPORATE LIMITS OF THE CITY OF MABANK SETOUT IN THIS ORDINANCE; REPEALING ORDINANCES INCONSISTENT HEREWITH; CONTAINING A SAVINGS CLAUSE; PROVIDING A PENALTY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City, in its jurisdiction, may place and maintain any traffic control devices and speed limits upon any highway under its jurisdiction as the City may deem necessary to regulate, warn or guide traffic to protect the public safety. All such traffic control devices or speed limit signs hereinafter erected shall conform to the State Department of Highways and Public Transportation's manual and specifications.

WHEREAS, the driver of any vehicle shall obey the instructions of any official traffic control device applicable thereto placed in accordance with the provisions of this Ordinance, unless otherwise directed by a traffic or police officer, subject to the exemptions granted the driver of an authorized emergency vehicle in the Texas Uniform Act Regulating Traffic on Highways.

WHEREAS, no provision of this Ordinance for which official traffic control devices are required shall be enforced against an alleged violator if, at the time and place of the alleged violation, an official device is not in proper position and sufficiently legible to be seen by an ordinarily observant person.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MABANK, TEXAS:

Section 1. Upon the basis of the foregoing provisions of this Ordinance, the City Council of the City of Mabank has determined that traffic control signs should be installed at the following locations to protect the public safety of the citizens of Mabank.

- A. 4-way stop signs at the intersection of South Second Street and Pine Street;
- B. 3-way stop signs at the intersection of Park Boulevard and West Walnut Street;
- C. Stop signs at the intersection of South Second Street and East Andrew Drive.
- D. No Through Truck signs on East Andrew Drive and South Second Street.

Section 2. Upon the basis of the foregoing provisions of this Ordinance, the City Council of the City of Mabank has determined that the speed limit on the following streets should be 20 miles per hour and that the appropriate traffic control signs should be installed to protect the public safety of the citizens of Mabank.

- A. South Second Street, between East Mason Street and Pine Street;
- B. West Walnut Street, between the eastern boundary of George Watts Park and Ninth Street;

C. South Easley Parkway, between Harbor Point Road (CR 4006) and Ninth Street.

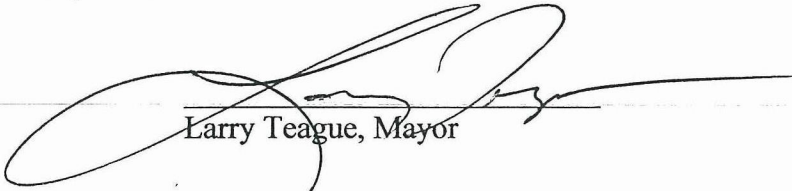
Section 3. All ordinances or parts of ordinances inconsistent with the terms of this ordinance are hereby repealed for the life of this ordinance; provided however, that such repeal shall be only to the extent of such inconsistency and, in all other respects, the subject matter covered by this ordinance.

Section 4. If any provision, exception, section, subsection, paragraph, sentence, clause or phrase of this ordinance, or the application of same to any person or set of circumstances, shall for any reason be held unconstitutional, void or invalid, such invalidity shall not affect the validity of the remaining provisions of this ordinance or their application to other persons or sets of circumstances and; to this end, all provisions of this ordinance are declared to be severable.

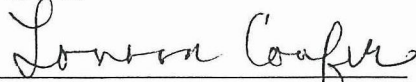
Section 5. Any person, firm or corporation violating any provisions of this ordinance or failing to observe any provisions thereof shall be deemed guilty to a Class C Misdemeanor and upon conviction thereof shall be fined in any sum not to exceed five hundred dollars (\$500.00).

Section 6. This ordinance shall take effect at such time of the traffic control devices setforth in Sections 1 and 2 of this Ordinance are erected. The City Secretary is hereby directed to give notice hereof by causing the caption of this ordinance to be published in the official newspaper of the City of Mabank at least twice after the passage of this Ordinance.

INTRODUCED, READ AND PASSED by the affirmative vote of the City Council of the city of Mabank, Texas this the 3<sup>rd</sup> day of September 2002.

  
Larry Teague, Mayor

ATTEST:

  
City Secretary/Administrator

ORDINANCE NO. 2000-01

AN ORDINANCE SPECIFYING THE LOCATION OF TRAFFIC CONTROL DEVICES FOR VEHICLES ON STREETS OR HIGHWAYS WITHIN THE CORPORATE LIMITS OF THE CITY OF MABANK SETOUT IN THIS ORDINANCE; REPEALING ORDINANCES INCONSISTENT HEREWITH; CONTAINING A SAVINGS CLAUSE; PROVIDING A PENALTY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City, in its jurisdiction, may place and maintain any traffic control devices upon any highway under its jurisdiction as the City may deem necessary to regulate, warn, or guide traffic to protect the public safety. All such traffic control devices hereinafter erected shall conform to the State Department of Highways and Public Transportation's manual and specifications.

WHEREAS, the driver of any vehicle shall obey the instructions of any official traffic control device applicable thereto placed in accordance with the provisions of this Ordinance, unless otherwise directed by a traffic or police officer, subject to the exemptions granted the driver of an authorized emergency vehicle in the Texas Uniform Act Regulating Traffic on Highways.

WHEREAS, no provision of this Ordinance for which official traffic control devices are required shall be enforced against an alleged violator if, at the time and place of the alleged violation, an official device is not in proper position and sufficiently legible to be seen by an ordinarily observant person.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MABANK, TEXAS:

That the Code of Ordinances, City of Mabank, Texas, is hereby amended by adding Article 502.008 to read as follows:

ARTICLE 502.008  
PLACEMENT OF TRAFFIC CONTROL DEVICES

Section 1. Upon the basis of the foregoing provisions of this Ordinance, the City Council of the City of Mabank has determined that traffic control signs, i.e. one-way street signs, should be installed at the following location to protect the public safety of the citizens of Mabank.

A. On North Park Plaza Blvd. from its intersection with SH 198 to the point of the roadway where North Park Plaza and South Way Drive split, a distance of approximately 250 feet. The one-way signs shall be placed to make the western portion of the roadway "one-way in" to the subdivision and the

eastern portion of the roadway "one-way out" of the subdivision. Do Not Enter signs shall also be placed at appropriate locations to notify motorists of the one-way portions of the street.

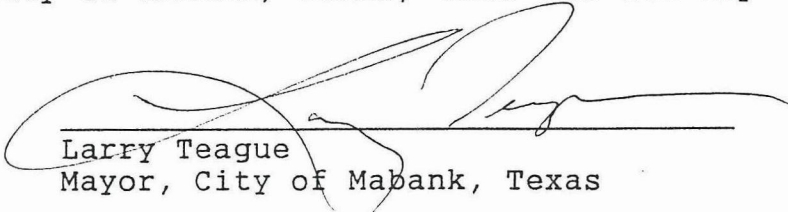
Section 2. All ordinances or parts of ordinances inconsistent with the terms of this ordinance are hereby repealed for the life of this ordinance; provided, however, that such repeal shall be only to the extent of such inconsistency and, in all other respects, the subject matter covered by this ordinance.

Section 3. If any provision, exception, section, subsection, paragraph, sentence, clause or phrase of this ordinance, or the application of same to any person or set of circumstances, shall for any reason be held unconstitutional, void or invalid, such invalidity shall not affect the validity of the remaining provisions of this ordinance or their application to other persons or sets of circumstances and, to this end, all provisions of this ordinance are declared to be severable.

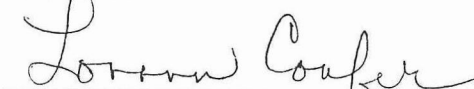
Section 4. Any person, firm or corporation violating any provisions of this ordinance or failing to observe any provisions thereof shall be deemed guilty of a Class C Misdemeanor and upon conviction thereof shall be fined in any sum not to exceed two hundred dollars (\$200.00).

Section 5. This ordinance shall take effect at such time as the traffic control devices setforth in Section 2 of this Ordinance are erected. The City Secretary is hereby directed to give notice hereof by causing the caption of this ordinance to be published in the official newspaper of the City of Mabank at least twice after the passage of this Ordinance.

INTRODUCED, READ AND PASSED by the affirmative vote of the City Council of the City of Mabank, Texas, this the 4th day of January 2000.

  
\_\_\_\_\_  
Larry Teague  
Mayor, City of Mabank, Texas

ATTEST:

  
\_\_\_\_\_  
City Secretary/Administrator

AN ORDINANCE ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF ARTICLE 6701D, VERNON'S TEXAS CIVIL STATUTES, UPON THE BASIS OF AN ENGINEERING AND TRAFFIC INVESTIGATION, UPON CERTAIN STREETS AND HIGHWAYS, OR PARTS THEREOF, WITHIN THE CORPORATE LIMITS OF THE CITY OF MABANK AS SET OUT IN THIS ORDINANCE; REPEALING ORDINANCES INCONSISTENT HERewith; CONTAINING A SAVINGS CLAUSE; PROVIDING A PENALTY; AND THE EFFECTIVE DATE THEREOF.

---

WHEREAS, Article 6701D, Vernon's Texas Civil Statutes, provides that whenever the governing body of the City shall determine upon the basis of an engineering and traffic investigation that any prima facie speed therein set forth is greater or less than is reasonable or safe under the conditions found to exist at any intersection or other place or upon any part of a street or highway within the City, taking into consideration the width and condition of the pavement and other circumstances on such portion of said street or highway, as well as the usual traffic thereon, said governing body may determine and declare a reasonable and safe prima facie speed thereat or thereon by the passage of an ordinance, which shall be effective when appropriate signs giving notice are erected at such intersection or other place or part of the street or highway, NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MABANK, TEXAS:

Section 1: Upon the basis of an engineering and traffic investigation heretofore made as authorized by the provisions of Article 6701D, Vernon's Texas Civil Statutes, the following prima facie speed limits hereafter indicated for vehicles are hereby determined and declared to be reasonable and safe; and such speed limits are hereby fixed at the rate of speed indicated for vehicles traveling upon the named streets and highways, or parts thereof, described as follows:

1. On US 175 from the Mabank east city limit (M.P. 1.884) to a point 1.036 mile west (M.P. 0.848), the maximum rate of speed shall be 65 mph.



Section 2: All ordinances or parts of ordinances inconsistent with the terms of this ordinance are hereby repealed, provided, however, that such repeal shall be only to the extent of such inconsistency and, in all other respects, the subject matter covered by this ordinance.

Section 3: If any provision, exception, section, subsection, paragraph, sentence, clause or phrase of this ordinance of the application of same to any person or set of circumstances shall for any reason be held unconstitutional, void or invalid, such invalidity shall not affect the validity of the remaining provisions of this ordinance or their application to other persons or sets of circumstances and, to this end, all provisions of this ordinance are declared to be severable.

Section 4: Any person, firm or corporation violating any provisions of this ordinance or failing to observe any provisions hereof shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum not exceeding \$500.00.

Section 5: The great necessity having been found to exist, the rule requiring three readings is hereby suspended and this ordinance shall take effect from and after ten (10) days from its passage by the City Council. The City Clerk is hereby directed to give notice hereof by causing the caption of this ordinance to be published in the official newspaper of the City of Mabank at least twice within ten (10) days after the passage of this ordinance.

SPEED ZONE ORDINANCE

AN ORDINANCE ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF SECTION 169(b) OF ARTICLE 6701 d, VERNON'S TEXAS CIVIL STATUTES, UPON State HIGHWAY NO. 198 OR PARTS THEREOF, WITHIN THE INCORPORATE LIMITS OF THE CITY OF MABANK, AS SET OUT IN THIS ORDINANCE; AND PROVIDING A PENALTY OF A FINE NOT TO EXCEED \$200.00 FOR THE VIOLATION OF THIS ORDINANCE.

WHEREAS, Section 169(b) of Article 6701 d, Vernon's Texas Civil Statutes, provides that whenever the governing body of the City shall determine upon the basis of an engineering and traffic investigation that any prima facie speed therein set forth is greater or less than is reasonable or safe under the conditions found to exist at any intersection or other place or upon any part of a street or highway within the City, taking into consideration the width and condition of the pavement and other circumstances on such portion of said street or highway, as well as the usual traffic thereon, said governing body may determine and declare a reasonable and safe prima facie speed limit thereat or thereon by the passage of an ordinance, which shall be effective when appropriate signs giving notice thereof are erected at such intersection or other place or part of the street or highway; NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MABANK, TEXAS:

SECTION 1.

Upon the basis of an engineering and traffic investigation heretofore made as authorized by the provisions of Section 169(b) of Article 6701 d, Vernon's Texas Civil Statutes, the following prima facie speed limits hereafter indicated for vehicles are hereby determined and declared to be reasonable and safe; and such speed limits are hereby fixed at the rate of speed indicated for vehicles traveling upon the named streets and highways, or parts thereof, described as follows:

A. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MABANK, TEXAS:

1. That from and after the date of the passage of this speed zone ordinance, no motor vehicle shall be operated along and upon State Highway No. 198 within the corporate limits of the City of Mabank in excess of the speeds now set forth in the following limits:

From the northeast City limits of the City of Mabank on S.H. 198 to FM 90, the speed limit shall be 55 mph;

From FM 90 to U.S. 175 Loop, the speed limit shall be 45 mph;

From U.S. 175 Loop to the Henderson County line, the speed limit shall be 35 mph.

SECTION 2.

The Mayor of Mabank is hereby authorized to cause to be erected, appropriate signs indicating such speed zones.

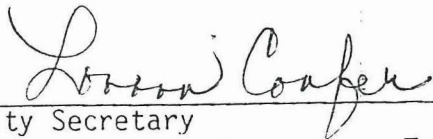
SECTION 3.

Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not to exceed Two Hundred Dollars (\$200.00).

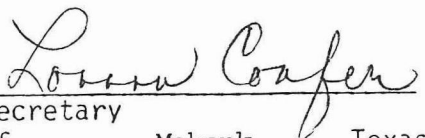
PASSED AND APPROVED THIS 9th DAY OF July, A.D., 1996

  
\_\_\_\_\_  
Mayor  
City of Mabank Texas

ATTEST:

  
\_\_\_\_\_  
City Secretary  
City of Mabank Texas

I, Louann Confer, City Secretary of the City of Mabank, Texas, hereby certify that the above and foregoing is a true and correct copy of Ordinance No. \_\_\_\_\_ adopted by the City Council of the City of Mabank, Texas, July 9, A.D., 19 96.  
To certify which, witness my hand and seal of office this 10th day of July, A.D., 19 96.

  
\_\_\_\_\_  
City Secretary  
City of Mabank Texas

ARTICLE 341.001~~e~~ SPEED LIMITS

SECTION 1: Upon the basis of an engineering and traffic investigation heretofore made as authorized by the provisions of Section 169 (b) Article 6701 d, Vernon's Texas Civil Statutes, the following prima facie speed limits hereafter indicated for vehicles are hereby determined and declared to be reasonable and safe; and such speed limits are hereby fixed at the rate of speed indicated for vehicles traveling upon the named streets and highways, or parts thereof, described as follows:

A. Be it ordained by the City Council of the City of Mabank, Texas:

- 1) That from and after the date of the passage of this speed zone ordinance, no motor vehicle shall be operated along and upon State Highway No. 198 within the corporate limits of the City of Mabank in excess of the speeds now set forth in the following limits:

From northeast City limits of the City of Mabank on S.H. 198 to FM 90, the speed limit shall be 55 mph;

From FM 90 to US 175 Loop, the speed limit shall be 45 mph;

From US 175 Loop to the Henderson County line, the speed limit shall be 35 mph;

SECTION II. The Mayor of Mabank is hereby authorized to cause to be erected, appropriate signs indicating such speed zones.

SECTION III: Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not to exceed two hundred dollars (\$200.00).

Ordinance # 960710 – adopted July 9, 1996

## ARTICLE 341.001 SPEED LIMITS

### SPEED LIMITS U.S. HIGHWAY NO. 175 \*

Section 1: Upon the basic of an engineering and traffic investigation heretofore made a authorized by the provisions of Article 6701D, Vernon's Texas Civil Statutes, the following prima facie speed limits hereafter indicated for vehicles are hereby determined and declared to be reasonable and safe; and such speed limits are hereby fixed at the rate of speed indicated for vehicles traveling upon the named streets and highways, or parts thereof, described as follows:

On US 175 from the Mabank east city limit (MP 1.884) to a point 1.036 miles west (MP 0.848), the maximum rate of speed shall be 65 mph.

Section 2: All ordinances or parts of ordinances inconsistent with the terms of this ordinance are hereby repealed, provided, however, that such repeal shall be only to the extent of such inconsistency and, in all other respects, the subject matter covered by this ordinance.

Section 3: If any provision, exception, section, subsection, paragraph, sentence, clause or phrase of this ordinance of the application of same to any person or set of circumstances shall for any reason be held unconstitutional, void or invalid, such invalidity shall not affect the validity of the remaining provisions of this ordinance or their application to other persons or set of circumstances and, to this end, all provisions of this ordinance are declared to be severable.

Section 4: Any person, firm or corporation violating any provisions of this ordinance or failing to observe any provisions hereof shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum not exceeding \$500.00.

Section 5: The great necessity having been found to exist, the rule requiring three readings is hereby suspended and this ordinance shall take effect from and after ten (10) days from it passage by the City Council. The City Clerk is hereby directed to give notice hereof by causing the caption of this ordinance to be published in the official newspaper of the City of Mabank at least twice within ten (10) days after the passage of this ordinance.

\* Ordinance 970708 – adopted July 7<sup>th</sup> 1997.

### SECTION II. SIGNS

The Mayor is authorized to cause to be erected, appropriate signs indicating such speed zone.

### SECTION III. FINE

Any person violating any of the provisions of this ordinance shall be deemed guilty of a Class C Misdemeanor.

### SECTION IV. CONSTRUCTION SPEED LIMITS

Upon the basis of an engineering an traffic investigation hereto fore made as authorized by the provisions Article 6701D, Vernon's Texas Civil Statutes, the following prima facie speed limits hereafter indicated for vehicles are hereby determined and declared to be reasonable and safe; and such speed limits are hereby fixed at the rate of speed indicated for vehicles traveling upon the named streets and highways, or parts thereof, described as follows:

- A. Beginning at said point (Station 1537+70 approximately) being Mabank Northwest City Limits thence continuing along U.S. 175 in a southeasterly direction for the distance of 3.049 miles, approximately, said point (Station 1700+00) being the end of the construction project, a construction speed limit of 40 MILES PER HOUR to be in effect only while the signs are so posted.

#### SECTION V. SIGNS

The State Department of Highways and Public Transportation is hereby authorized to cause to be erected, appropriated signs indicating such speed zones.

#### SECTION VI. FINE

Any person violating any of the provisions of this ordinance shall be deemed guilty of a Class C Misdemeanor.

#### SECTION VII. TERM

This construction speed zone ordinance shall terminate at such time as the construction project is accepted by the State Department of Highway and Public Transportation.

#### SECTION VIII. SPEED LIMITS F.M. HIGHWAY 198

Upon the basic of an engineering and traffic investigation heretofore made as authorized by the provisions of Article 6701D Vernon's Texas Civil Statutes, the following prima facie speed limits hereafter indicated for vehicles are hereby determined and declared to be reasonable and safe; and such speed limits are hereby fixed at the rate of speed indicated for vehicles traveling upon the names streets and highways, or parts thereof, described as follows:

- A. Beginning at said point (Station 0+09) being at the intersection of U.S. 175 in the City of Mabank, Texas, thence continuing along F.M. 198 in a Southerly direction for a distance of 0.331 MILE, approximately... a maximum speed of 30 MILES PER HOUR;
- B. Thence continuing along F.M. 198 in Southerly direction for a distance of 0.246 MILE, approximately... a maximum speed of 40 MILES PER HOUR;

- C. Thence continuing along F.M. 198 in a Southerly direction for a distance of 0.302 MILE, approximately... a maximum speed of 45 MILES PER HOUR;
- D. Thence continuing along F.M> 198 in a Southerly direction for a distance of 1.079 MILES, approximately, said point (Station 103.50) being the South City Limits of the City of Mabank... a maximum speed of 50 MILES PER HOUR.

#### SECTION IX. SIGNS

The Mayor is hereby authorized to cause to be erected appropriate signs indicating such speed zones.

#### SECTION X. FINE

Any person violating the provisions of this ordinance shall be guilty of a Class C Misdemeanor.

ORDINANCE NO. 920602

AN ORDINANCE ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF ARTICLE 6701D, VERNON'S TEXAS CIVIL STATUTES, UPON THE BASIS OF AN ENGINEERING AND TRAFFIC INVESTIGATION, UPON CERTAIN STREETS AND HIGHWAYS, OR PARTS THEREOF, WITHIN THE CORPORATE LIMITS OF THE CITY OF MABANK AS SET OUT IN THIS ORDINANCE; REPEALING ORDINANCES INCONSISTENT HERewith; CONTAINING A SAVINGS CLAUSE; PROVIDING A PENALTY; AND THE EFFECTIVE DATE THEREOF.

WHEREAS, Article 6701D, Vernon's Texas Civil Statutes, provides that whenever the governing body of the City shall determine upon the basis of an engineering and traffic investigation that any prima facie speed therein set forth is greater or less than is reasonable or safe under the conditions found to exist at any intersection or other place or upon any part of a street or highway within the City, taking into consideration the width and condition of the pavement and other circumstances on such portion of said street or highway, as well as the usual traffic thereon, said governing body may determine and declare a reasonable and safe prima facie speed thereat or thereon by the passage of an ordinance, which shall be effective when appropriate signs giving notice are erected at such intersection or other place or part of the street or highway, NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MABANK, TEXAS:

That the Code of Ordinances, City of Mabank, Texas, is hereby amended by adding Article 341.001E to read as follows:

ARTICLE 341.001E SPEED LIMITS

Section I: Upon the basis of an engineering and traffic investigation heretofore made as authorized by the provisions of Article 6701D, Vernon's Texas Civil Statutes, the following prima facie speed limits hereafter indicated for vehicles are hereby determined and declared to be reasonable and safe; and such speed limits are hereby fixed at the rate of speed indicated for vehicles traveling upon the named streets and highways, or parts thereof, described as follows:

- A. On SH 198 from the Kaufman/Henderson county line to a point 1.480 miles south of the Kaufman/Henderson county line, said point being the Mabank south city limits. The maximum rate of speed shall be 45 mph.

Section II: All ordinances or parts of ordinances inconsistent with the terms of this ordinance are hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency and, in all other respects, the



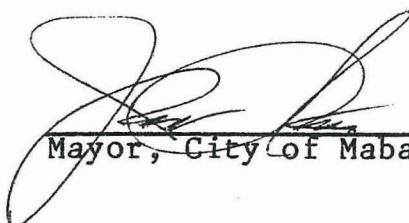
subject matter covered by this ordinance.

Section III: If any provision, exception, section, subsection, paragraph, sentence, clause or phrase of this ordinance of the application of same to any person or set of circumstances shall for any reason be held unconstitutional, void or invalid, such invalidity shall not affect the validity of the remaining provisions of this ordinance or their application to other persons or sets of circumstances and, to this end, all provisions of this ordinance are declared to be severable.

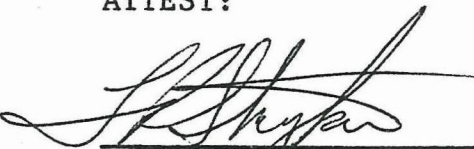
Section IV: Any person, firm or corporation violating any provisions of this ordinance or failing to observe any provisions hereof shall be deemed guilty of a Class C Misdemeanor.

Section V: The great necessity having been found to exist, the rule requiring three readings is hereby suspended and this ordinance shall take effect from and after ten (10) days from its passage by the City Council. The City Clerk is hereby directed to give notice hereof by causing the caption of this ordinance to be published in the official newspaper of the City of Mabank at least twice within ten (10) days after the passage of this ordinance.

INTRODUCED, READ, AND PASSED by the affirmative vote of the City Council of the City of Mabank, Texas, this the 2nd day of June, 1992.

  
\_\_\_\_\_  
Mayor, City of Mabank, Texas

ATTEST:

  
\_\_\_\_\_  
City Secretary

ARTICLE 341.0016 SPEED LIMITS

Section I. Upon the basis of an engineering and traffic investigation heretofore made as authorized by the provisions of Article 6701D, Vernon's Texas Civil Statutes, the following prima facie speed limits hereafter indicated for vehicles are hereby determined and declared to be reasonable and safe; and such speed limits are hereby fixed at the rate of speed indicated for vehicles traveling upon the named streets and highways, or parts thereof, described as follows:

- A. On SH 198 from the Kaufman/Henderson county line to a point 1.480 miles south of the Kaufman/Henderson county line, said point being the Mabank south city limits. The maximum rate of speed shall be 45 mph.

Section II. All ordinances or parts of ordinances inconsistent with the terms of this ordinance are hereby repealed; provided however, that such repeal shall be only to the extent of such inconsistency and, in all other respects, the subject matter covered by this ordinance.

Section III: If any provision, exception, section, subsection paragraph, sentence, clause or phrase of this ordinance of the application of same to any person or set of circumstances shall for any reason be held unconstitutional, void or invalid, such invalidity shall not affect the validity of the remaining provisions of this ordinance or their application to other persons or sets of circumstances and, to this end, all provisions of this ordinance are declared to be severable.

Section IV: Any person, firm or corporation violating any provisions of this ordinance or failing to observe any provisions hereof shall be deemed guilty of a Class C Misdemeanor.

Section V: The great necessity having been found to exist, the rule requiring three readings is hereby suspended and this ordinance shall take effect from and after ten (10) days from its passage by the City Council. The City Clerk is hereby directed to give notice hereof by causing the caption of this ordinance to be published in the official newspaper of the City of Mabank at least twice within (10) days after the passage of the ordinance.

ORDINANCE ADOPTED JUNE 2, 1992

Handwritten notes and dates: 7/1/92, 7-2-92, 8-5-92, 7-6-92, 12-5-92, 12/3/92, 7/9/92, 9/2/92, 9/2/92.