

**ORDINANCE NO. 3520**

**AN ORDINANCE OF THE CITY OF NORTH RICHLAND HILLS, TEXAS, ESTABLISHING A TEMPORARY MORATORIUM ON THE ACCEPTANCE OF REQUESTS AND IMPLEMENTATION OF THE TRAFFIC CALMING POLICY CODIFIED IN CHAPTER 70, ARTICLE VII OF THE CODE OF ORDINANCES; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES AND REPEAL OF CONFLICTING PROVISIONS; PROVIDING SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS,** the City of North Richland Hills, Texas (“the City”) is a home rule city acting under its power adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

**WHEREAS,** Chapter 311.001 the Texas Transportation Code gives the City exclusive control over and under the public highways, streets, and alleys within the city, including the exclusive right to control, regulate, remove an encroachment or obstruction, or improve all city streets and roadways; and

**WHEREAS,** the current Code of Ordinances includes a Traffic Calming Policy (the “Policy”) established in 2003, which has become outdated; and

**WHEREAS,** the City desires to update its approach to addressing neighborhood traffic concerns; and

**WHEREAS,** City Engineering staff desires to study and evaluate the current traffic calming policy to make recommendations for changes;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH RICHLAND HILLS, TEXAS:**

**SECTION 1:** The City Council hereby finds the recitals above to be true and correct, and such recitals are hereby incorporated into this Ordinance as if written herein.

**SECTION 2:** That a temporary Moratorium is hereby established on the acceptance of requests and implementation of Article VII of Chapter 70, Traffic Calming Policy, of the Code of Ordinances.

**SECTION 3:** That this Moratorium shall expire ninety (90) days after this ordinance becomes effective.

**SECTION 4:** That the City Manager, or his designee, is directed to study and evaluate the current Traffic Calming Policy and recommend appropriate changes to the Policy to the City Council.

**SECTION 5:** This Ordinance shall be cumulative of all provisions of the Code of Ordinances of the City of North Richland Hills, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event conflicting provisions of such ordinances and such Code are hereby repealed.

**SECTION 6:** All rights and remedies of the City of North Richland Hills are expressly saved as to any and all violations of the provisions of any ordinances in the Code of Ordinances of the City of North Richland Hills that have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

**SECTION 7:** It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 8:** This Ordinance shall be in full force and effect from and after its passage.

**AND IT IS SO ORDAINED.**

**PASSED AND APPROVED** on this 23<sup>rd</sup> day of July, 2018.

**CITY OF NORTH RICHLAND HILLS**

By: \_\_\_\_\_  
Oscar Trevino, Mayor

**ATTEST:**

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Alicia Richardson, City Secretary

**APPROVED AS TO FORM AND LEGALITY:**

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Maleshia B. McGinnis, City Attorney

**APPROVED AS TO CONTENT:**

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Mike Curtis, Managing Director