

ORDINANCE NO. 3636

AN ORDINANCE OF THE CITY OF NORTH RICHLAND HILLS, TEXAS, AUTHORIZING ESTABLISHMENT OF A COMBINED SCHOOL ZONE FOR WALKER CREEK ELEMENTARY AND BIRDVILLE HIGH SCHOOL ON HAWK DRIVE; ADDING A SCHOOL ZONE ON ICE HOUSE DRIVE FOR THE WALKER CREEK SCHOOL ZONE; EXTENDING THE SCHOOL ZONE ON BRIDGE STREET FOR THE WALKER CREEK SCHOOL ZONE; PROVIDING A PENALTY; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES AND REPEAL OF CONFLICTING PROVISIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; 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, Pursuant to Chapter 545 of the Texas Transportation Code, the City Council has the authority to regulate speed limits within its boundaries to create reasonable and safe driving conditions; and

WHEREAS, After an investigation, the City’s Engineer is recommending changes to the City’s ordinance establishing school zones to address student pedestrian traffic in the vicinity of Walker Creek Elementary and Birdville High School.

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 Section 54-121 of the North Richland Hills Code of Ordinances be amended to be read as follows:

"Sec. 54-121. Established.

...

(b) *Designated school zones.* On that portion of those streets or highways listed below marked as a school zone, the maximum prima facie reasonable and prudent speed limit in miles per hour (mph) as posted Monday through Friday on days when school is in session shall be the speed as indicated below, provided that an appropriate sign giving notice

thereof is erected. The times of operation of each school zone shall be established by the City Engineer.

(1) Birdville Independent School District (BISD) Elementary School

Zones listed below: 20mph

...

i. Walker Creek Elementary School Zones:

...

3. 6000 – 6200 Blocks of Hawk Avenue
4. 8800 – 8900 Blocks of Ice House Drive

...”

SECTION 3: No person shall drive a motor vehicle at a speed greater than established by this section in a school zone when such school zone is in force. Violators shall be punished by a fine not exceeding \$200.00. It shall be a defense to the prosecution for a violation of this section that school was not in session on the day of such offense.

SECTION 4: 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 5: 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 6: 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 7: The City Secretary is hereby authorized and directed to cause the publication of the descriptive caption and penalty clause of this ordinance as an alternative method of publication provided by law.

SECTION 8: This Ordinance shall be in full force and effect from and after its passage and publication as required by law.

AND IT IS SO ORDAINED.

PASSED AND APPROVED on this 13th day of January, 2020.

CITY OF NORTH RICHLAND HILLS

By: _____
Oscar Trevino, Mayor

ATTEST:

Alicia Richardson, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Maleshia B. McGinnis, City Attorney

APPROVED AS TO CONTENT:

Caroline Waggoner, Director of Public Works