

ORDINANCE NO. 3670

AN ORDINANCE OF THE CITY OF NORTH RICHLAND HILLS, TEXAS, AMENDING SECTION 54-102(b) OF THE NORTH RICHLAND HILLS CODE OR ORDINANCES; ALTERING THE PRIMA FACIA SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF THE TRANSPORTATION CODE, CHAPTER 545, SECTION 545.356, UPON THE BASIS OF AN ENGINEERING AND TRAFFIC INVESTIGATION ON DAVIS BOULEVARD (FM 1938) WITHIN THE CORPORATE LIMITS OF THE CITY OF NORTH RICHLAND HILLS AS SET OUT IN THIS ORDINANCE; PROVIDING A PENALTY; 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, 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 a speed study and investigation, the City's Engineer is recommending changes to the City's ordinance establishing that posted speed limits be changed as herein established.

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 54-102(b) of the North Richland Hills Code of Ordinances be amended by amending the speed limits established for Davis Boulevard (FM 1938) by deleting from the table inset all speed limits for Davis Boulevard and FM 1938 and replacing such table inset for Davis Boulevard with the following:

“TABLE INSET:

STREET / HIGHWAY		SPEED LIMIT (miles per hour)
18.	Davis Boulevard:	
	a. Control 1978-01, Davis Boulevard, FM Road 1938, North Richland Hills/Keller City Limit to 900 feet north of Odell Street as described by TxDOT Mile Point (MP) 21.712 south 2.910 miles to MP 24.622, excluding school zone times:	50
	b. Control 1978-01, Davis Boulevard, FM Road 1938, 900 feet north of Odell Street to Smithfield Road as described by TxDOT Mile Point (MP) 24.622 south 1.320 miles to MP 25.942, excluding school zone times:	45
19.	Control 1978-01, Davis Boulevard, FM Road 1938, Smithfield Road to State Highway 26 (Boulevard 26) as described by TxDOT Mile Point (MP) 25.942 south 1.572 miles to MP 27.514:	40

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SECTION 3: Any person intentionally, knowingly, recklessly, or with criminal negligence violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined an amount not to exceed two hundred dollars (\$200.00).

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: 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 26th day of October, 2020.

CITY OF NORTH RICHLAND HILLS

By: _____
Oscar Trevino, Mayor

ATTEST:

Alicia Richardson, City Secretary/Chief Governance Officer

APPROVED AS TO FORM AND LEGALITY:

Maleshia B. McGinnis, City Attorney

APPROVED AS TO CONTENT:

Caroline Waggoner, Director of Public Works