

CITY OF ROLLINGWOOD, TEXAS
ORDINANCE 2012-02-15 (B)

AN ORDINANCE OF THE CITY OF ROLLINGWOOD, TEXAS, DETERMINING THAT THE PRIMA FACIE SPEED LIMIT IN THE VICINITY OF THE CITY'S PARK ON ROLLINGWOOD DRIVE IS UNREASONABLE AND UNSAFE; ESTABLISHING A SPEED LIMIT OF 25 M.P.H. ON ROLLINGWOOD DRIVE IN THE VICINITY OF THE PARK; AMENDING SECTION 12.03.052 OF THE CITY OF ROLLINGWOOD CODE OF ORDINANCES TO PROVIDE FOR SUCH SPEED LIMIT; PROVIDING FOR THE INSTALLATION OF SIGNAGE; PROVIDING FOR A PENALTY FOR A VIOLATION; PROVIDING FOR PUBLICATION; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council determines that the prima facie speed limit on Rollingwood Drive in the area of the City's park is unreasonable and unsafe based on the number of pedestrians travelling to the park and the presence of children playing in the park and in the vicinity of the park;

WHEREAS, the City Council has determined to reduce the speed limit on Rollingwood Drive in the vicinity of the City's park in the interest of the safety of users of the park and motorists traveling on Rollingwood Drive,

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

SECTION 1. The determinations of the City Council recited above are expressly found and determined by the City Council in adopting this Ordinance.

SECTION 2. The City of Rollingwood Code of Ordinances Section 12.03.052 is amended to provide as follows:

**Sec. 12.03.052 Reasonable and prudent speed required; prima facie speed limit;
reduced speed limit on Rollingwood Drive**

(a) No person shall operate a vehicle on a street or highway within the corporate limits of the city at a speed greater than is reasonable and prudent under the circumstances then existing. Except as otherwise provided in subsection (b) of this Section 12.03.052 and in Section 12.03.053, and except when a special hazard exists that requires lower speeds in order to operate a vehicle in a reasonable and prudent manner on or entering a street or highway, a speed of thirty (30) miles per hour along the streets and highways within the corporate limits of the city shall be lawful, but any speed in excess of thirty (30) miles per hour shall be prima facie evidence that the speed is not reasonable or prudent and that it is unlawful.

(b) A maximum speed limit of 25 miles per hour is declared and established for the Park Zone of Rollingwood Drive. A speed of twenty five (25) miles per hour in the Park Zone on Rollingwood Drive shall be lawful, but any speed in excess of twenty five (25) miles per hour in such Park Zone on Rollingwood Drive shall be prima facie evidence that the speed is not reasonable or prudent and that it is unlawful.

(c) As used in this Section 12.03.052, the term "Park Zone of Rollingwood Drive" shall mean that part of Rollingwood Drive in the corporate limits of the city from the western edge of Almarion

Drive at its intersection with Rollingwood Drive, constituting the eastern end of such Park Zone, and extending continuously west to a point fifty (50) feet, more or less, west of the intersection of Randolph Place and Rollingwood Drive, for the western end of such Park Zone. The Director of Public Works is authorized to establish the precise location of the western end of the Park Zone, which shall be the location of a sign indicating the reduced maximum speed limit to be installed approximately fifty (50) west of the intersection of Rollingwood Drive and Randolph Place.

SECTION 3. The City's Director of Public Works shall immediately install appropriate signage, in compliance with all applicable law, alerting the public to the reduced speed limit in the Park Zone on Rollingwood Drive. Such signage may include, in addition to postings of the reduced maximum speed limit in such Park Zone, signage indicating the beginning and ending of such Park Zone, and signage outside the area of such Park Zone providing a warning of a reduced maximum speed limit in such Park Zone. The Director of Public Works shall remove or replace any signage in the Park Zone on Rollingwood Drive that is inconsistent with the reduced speed limit established by this Ordinance.

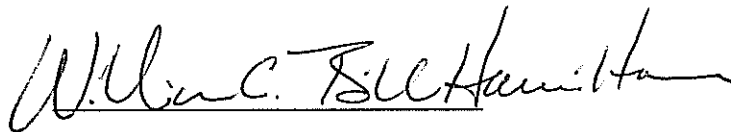
SECTION 4. Any person who operates any motor vehicle in or along the Park Zone of Rollingwood Drive at a rate of speed that is greater than the maximum rate of speed established by this Ordinance shall be guilty of a misdemeanor which is named "the offense of speeding," and said offense is punishable as provided in City of Rollingwood Code of Ordinances Section 12.03.051.

SECTION 5. A caption that summarizes the purpose of this Ordinance and the penalty for violating this Ordinance shall be published as provided by Tex. Loc. Gov't Code § 52.011.

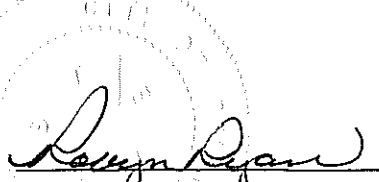
SECTION 6. This Ordinance shall be effective immediately upon adoption. However, the reduced speed limit effective in the Park Zone of Rollingwood Drive shall not be enforced until signage has been installed pursuant to Section 3.

SECTION 7. If any provision of this Ordinance is found by a court of competent jurisdiction to be void or unenforceable, such void or unenforceable provision shall be severed as though it never formed a part of this Ordinance, and all other provisions hereof shall remain in full force and effect.

PASSED AND APPROVED BY THE CITY COUNCIL OF ROLLINGWOOD, TEXAS,
on the 15th day of February, 2012.


William C. (Bill) Hamilton, Mayor

ATTEST:


Robyn Ryan, City Secretary