

ORDINANCE NO. 06102008

AN ORDINANCE OF THE CITY OF MUNDAY, TEXAS, ZONING FOR TRAFFIC AND RATE OF SPEED THEREIN, ON SOUTH 12TH ST. IN THE CITY LIMITS OF MUNDAY; DEFINING SPEEDING AND FIXING A PENALTY THEREFOR; DECLARING WHAT MAY BE A SUFFICIENT COMPLAINT IN PROSECUTIONS HEREUNDER: WITH A SAVING CLAUSE REPEALING CONFLICTING LAWS AND DECLARING AN EMERGENCY:

BE IT ORDAINED BY THE CITY OF MUNDAY:

SECTION I

It is hereby determined on the basis of an Engineering and Traffic investigation that the prima facie maximum speed limit on those portions of South 12th routed in the city limits of Munday, Texas should be and is hereby ordered to be effective as stated below and signs will be erected giving notice of the prima facie maximum speed limits so declared, to wit.

SPEED ZONE FOR

SOUTHBOUND TRAFFIC:

From 200 block of South 12th to 400 block of South 12th Street, a prima facie maximum speed limit of 20 MPH.

NORTHBOUND TRAFFIC:

From 400 block of South 12th to 200 block of South 12th Street, a prima facie maximum speed limit of 20 MPH

SECTION II

That the driving or operating of any motor vehicle on or along any portion of any public street of this city at a rate of speed that is greater than the maximum rate of speed for said portion of said street, as fixed by this ordinance shall be guilty of a misdemeanor, which is named "The Offense of Speeding" and that the said offense is punishable by fine in any sum not to exceed Two Hundred Dollars (\$200.00).

That the use of the word "Speeding" shall be sufficient to designate the said offense, and shall mean that a motor vehicle has been driven upon a public street, at a greater rate of speed than that fixed by City Ordinance for the street and for the zone thereof, that such motor vehicle was so being driven upon if zoned.

That in prosecutions under this ordinance, for the offense of speeding, the complaint, if in other respects sufficient in form shall as to the portion thereof seeking to acknowledge the offense, be sufficient if it in substance alleges that the defendant did while driving a motor vehicle in said city commit the offense of "speeding".

SECTION III

That should any section of any portion of any section hereof be decreed to be void, the invalidity of such section or such portion thereof shall not affect the validity of the remaining portions of this ordinance; and that each section and each portion hereof not decreed to be invalid shall remain valid and enforceable.

That all ordinances and parts of ordinances that are in conflict with this ordinance are hereby repealed.

That the fact that prompt action should be taken in the regulation of traffic, on the streets of this city, in the manner provided for in this ordinance creates an emergency requiring that the rules that provide that an ordinance shall be read at three separate meeting of the City Council before final passage, be suspended; and that the said rules are hereby suspended, and this ordinance is here and now passed, and that it is ordered that it take effect from and after its passage and publication.

PASSED AND APPROVED THIS THE 10TH DAY OF JUNE, 2008

Mayor Robert Bowen



ATTEST:



Dwayne Bearden, City Administrator