



TO: Mayor and Councilmembers

FROM: City Manager John Moran

DATE: September 13, 2011

SUBJECT: Consider, discuss and act upon an amendment to Article 10, "Traffic Control," of the Code of Ordinances, City of Farmersville, Texas, through the amendment of Article 10, "Traffic Control," by amending Section 10.119.3, "Areas Designated As Loading Zone," by deleting Section 10.119.3 in its entirety and replacing Section 10.119.3 with a new Section 10.119.3, entitled, "Areas Designated As Loading Zone" and by amending and modifying the map contained in Section 10.119.4, entitled "Map Of Restricted Parking," to reflect the revisions made to Section 10.119.3 by this ordinance; by amending Section 10.119.6, "Parking Prohibited," by deleting Section 10.119.6 in its entirety and replacing Section 10.119.6 with a new Section 10.119.6, entitled, "Parking Prohibited"; by amending Section 10.122.3, "Exemptions," by deleting Section 10.122.3 in its entirety; repealing ordinances in conflict herewith; providing for severability; providing for governmental immunity; providing for injunctions; providing a penalty or fine not to exceed the sum of Five Hundred Dollars (\$500.00) for each offense; and providing an effective date.

Ordinance # O-2011-0927-001 is attached

**ACTION: Approve or disapprove the first reading of Ordinance # O-2011-0927-001.**

(VI – A)

**CITY OF FARMERSVILLE  
ORDINANCE O-2011-0927-001**

**AN ORDINANCE OF THE CITY OF FARMERSVILLE, TEXAS, AMENDING THE CODE OF ORDINANCES, CITY OF FARMERSVILLE, TEXAS, AS HERETOFORE AMENDED, THROUGH THE AMENDMENT OF ARTICLE 10, "TRAFFIC CONTROL," BY AMENDING SECTION 10.119.3, "AREAS DESIGNATED AS LOADING ZONE," BY DELETING SECTION 10.119.3 IN ITS ENTIRETY AND REPLACING SECTION 10.119.3 WITH A NEW SECTION 10.119.3, ENTITLED, "AREAS DESIGNATED AS LOADING ZONE" AND BY AMENDING AND MODIFYING THE MAP CONTAINED IN SECTION 10.119.4, ENTITLED "MAP OF RESTRICTED PARKING," TO REFLECT THE REVISIONS MADE TO SECTION 10.119.3 BY THIS ORDINANCE; BY AMENDING SECTION 10.119.6, "PARKING PROHIBITED," BY DELETING SECTION 10.119.6 IN ITS ENTIRETY AND REPLACING SECTION 10.119.6 WITH A NEW SECTION 10.119.6, ENTITLED, "PARKING PROHIBITED"; BY AMENDING SECTION 10.122.3, "EXEMPTIONS," BY DELETING SECTION 10.122.3 IN ITS ENTIRETY; REPEALING ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR GOVERNMENTAL IMMUNITY; PROVIDING FOR INJUNCTIONS; PROVIDING A PENALTY OR FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Farmersville, Texas ("City"), desires to eliminate the prohibition against overnight parking in the City parking lots situated north and south of the City Square; and

**WHEREAS**, the City desires to eliminate certain exemptions concerning the parking of trucks or trailers in excess of one (1) ton in particular areas; and

**WHEREAS**, the City Council of the City of Farmersville, Texas finds that all prerequisites to the adoption of this Ordinance have been met;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS, THAT:**

**SECTION 1. Findings Incorporated**

All of the above premises are hereby found to be true and correct legislative and factual determinations of the City of Farmersville and they are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

**SECTION 2. Amendment of Article 10, "Traffic Control," by deleting Section 10.119.3 in its entirety and replacing Section 10.119.3 with a new Section 10.119.3, entitled, "Areas Designated as Loading Zone."**

From and after the effective date of this Ordinance, Article 10, Section 10.119.3, of the Code of Ordinances, City of Farmersville, Texas, entitled, "Areas Designated as Loading Zone," is hereby deleted in its entirety and replaced with a new Section 10.119.6 to read as follows:

**"Sec. 10.119.3. Areas Designated as Loading Zone**

The following areas are hereby designated as a 15 Minute Loading Zone between the hours of 9:00 a.m. and 3:00 p.m. only:

- a. the west side of Main Street between Candy Street and McKinney Street, as indicated by yellow curb markings on the street in accordance with the map contained in Section 10.119.4; and,
- b. the east side of Main Street between College Street and McKinney Street, as indicated by yellow curb markings on the street in accordance with the map contained in Section 10.119.4.

At all other times no parking shall be allowed in these areas."

**SECTION 3. Amendment of Article 10, "Traffic Control," by amending and modifying the map contained in Section 10.119.4, entitled "Map of Restricted Parking," to reflect the revisions made to Section 10.119.3 by this Ordinance.**

From and after the effective date of this Ordinance, Article 10, Section 10.119.4, of the Code of Ordinances, City of Farmersville, Texas, entitled, "Map of Restricted Parking," shall be amended and modified to reflect the revisions made to Section 10.119.3 by this Ordinance.

**SECTION 4. Amendment of Article 10, "Traffic Control," by deleting Section 10.119.6 in its entirety and replacing Section 10.119.6 with a new Section 10.119.6, entitled, "Parking Prohibited."**

From and after the effective date of this Ordinance, Article 10, Section 10.119.6, of the Code of Ordinances, City of Farmersville, Texas, entitled, "Parking Prohibited," is hereby deleted in its entirety and replaced with a new Section 10.119.6 to read as follows:

**"Sec. 10.119.6. Parking Prohibited**

It shall be unlawful and considered a violation of this Article for any person, corporation, partnership, or any other entity to allow any vehicle

owned by it to be parked or unattended anywhere along the 100 block of North Main Street.”

**SECTION 5. Amendment of Article 10, “Traffic Control,” by deleting Section 10.122.3 in its entirety.**

From and after the effective date of this Ordinance, Article 10, Section 10.122.3, of the Code of Ordinances, City of Farmersville, Texas, entitled, “Exemptions,” is hereby deleted in its entirety.

**SECTION 6. Cumulative Repealer**

This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances or parts thereof in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided however, that any complaint, action, claim or lawsuit which has been initiated shall continue to be governed by the provisions of such Ordinance and for that purpose the Ordinance shall remain in full force and effect.

**SECTION 7. Savings**

All rights and remedies of the City of Farmersville are expressly saved as to any and all violations of the provisions of any Ordinances which 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 8. Severability**

It is hereby declared to be the intention of the City Council of the City of Farmersville 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 should be declared unconstitutional by valid judgment or final decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Ordinance, since the same would have been enacted by the City Council without incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

**SECTION 9. Governmental Immunity**

All of the regulations provided in this ordinance are hereby declared to be governmental and for the health, safety and welfare of the general public. Any member

of the City Council or any City official or employee charged with the enforcement of this ordinance, acting for the City of Farmersville in the discharge of his/her duties, shall not thereby render himself/herself personally liable; and he/she is hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of his/her said duties.

#### **SECTION 10. Injunctions**

Any violation of this ordinance can be enjoined by a suit filed in the name of the City of Farmersville in a court of competent jurisdiction, and this remedy shall be in addition to any penal provision in this ordinance or in the Code of the City of Farmersville.

#### **SECTION 11. Engrossment and Enrollment**

The City Secretary of the City of Farmersville is hereby directed to engross and enroll this Ordinance by copying the exact Caption and the Effective Date clause in the minutes of the City Council of the City of Farmersville and by filing this Ordinance in the Ordinance records of the City.

#### **SECTION 12. Penalty**

Any person, firm or corporation violating any of the provisions or terms of this Ordinance or of the Code of Ordinances as amended hereby, shall be subject to the same penalty as provided for in the Code of Ordinances of the City of Farmersville, as previously amended, and upon conviction shall be punished by a fine not to exceed the sum of Five Hundred Dollars (\$500.00) for each offense.

#### **SECTION 13. Effective Date**

This Ordinance shall take effect immediately from and after its passage and publication of the caption as required by law.

**PASSED** on first reading on the 13th day of September, 2011, and second reading on the 27th day of September, 2011 at properly scheduled meetings of the City Council of the City of Farmersville, Texas, there being a quorum present, and approved by the Mayor on the date set out below.

**APPROVED THIS 27th DAY OF SEPTEMBER, 2011.**

**APPROVED:**

BY: \_\_\_\_\_  
Joseph E. Helmberger, P.E., Mayor

**ATTEST:**

\_\_\_\_\_  
Edie Sims, City Secretary

**APPROVED AS TO FORM AND LEGALITY:**

\_\_\_\_\_  
Alan D. Lathrom, City Attorney



TO: Mayor and Councilmembers

FROM: City Manager John Moran

DATE: September 13, 2011

SUBJECT: Consider, discuss and act upon an amendment to Article 4 "Building and Construction," of the Code of Ordinances, City of Farmersville, Texas, by amending Section 4.105.7, entitled "Street naming and property numbering procedures are standards as authorized in the County Road and Bridge Act (art. 6702-1, Texas Civil Statutes). These procedures will include:," by deleting such section in its entirety and adopting a new Section 4.105.7 entitled "Street Naming and Property Numbering Procedures," by amending Section 4.105.9, "Street Names Adopted," by naming the newly annexed portion of County Road 610 between County Road 611 and U.S. Highway 380 as Collin Parkway and changing the current street names of the 100 block of South Rike, the 100 block of Austin, the 100 block of Collin, and Prospect all in accordance with Section 4.105.2 of the Code of Ordinances, City of Farmersville, Texas; repealing ordinances in conflict herewith; providing for severability; providing for governmental immunity; providing for injunctions; providing for notice and implementation; and providing an effective date.

See revised Ordinance # O-2011-0927-002

**ACTION: Approve or disapprove the first reading of Ordinance # O-2011-0927-002.**

(VI – B)

**CITY OF FARMERSVILLE  
ORDINANCE # O-2011-0927-002**

**AN ORDINANCE OF THE CITY OF FARMERSVILLE, TEXAS, AMENDING THE CODE OF ORDINANCES, CITY OF FARMERSVILLE, TEXAS, AS HERETOFORE AMENDED, THROUGH THE AMENDMENT OF ARTICLE 4, "BUILDING AND CONSTRUCTION," BY AMENDING SECTION 4.105.7, ENTITLED "STREET NAMING AND PROPERTY NUMBERING PROCEDURES ARE STANDARDS AS AUTHORIZED IN THE COUNTY ROAD AND BRIDGE ACT (ART. 6702-1, TEXAS CIVIL STATUTES). THESE PROCEDURES WILL INCLUDE;" BY DELETING SUCH SECTION IN ITS ENTIRETY AND ADOPTING A NEW SECTION 4.105.7 ENTITLED "STREET NAMING AND PROPERTY NUMBERING PROCEDURES," BY AMENDING SECTION 4.105.9, "STREET NAMES ADOPTED," BY NAMING THE NEWLY ANNEXED PORTION OF COUNTY ROAD 610 BETWEEN COUNTY ROAD 611 AND U.S. HIGHWAY 380 AS COLLIN PARKWAY AND CHANGING THE CURRENT STREET NAMES OF THE 100 BLOCK OF SOUTH RIKE, THE 100 BLOCK OF AUSTIN, THE 100 BLOCK OF COLLIN, AND PROSPECT ALL IN ACCORDANCE WITH SECTION 4.105.2 OF THE CODE OF ORDINANCES, CITY OF FARMERSVILLE, TEXAS; REPEALING ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR GOVERNMENTAL IMMUNITY; PROVIDING FOR INJUNCTIONS; PROVIDING FOR NOTICE AND IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the current names of certain existing roadways are duplicate or similar sounding names that cause or may cause confusion; and

**WHEREAS**, the City desires to rename the current street names of the 100 block of South Rike, the 100 block of Austin, the 100 block of Collin, and Prospect to eliminate duplicate or similar sounding names; and

**WHEREAS**, the City Council of the City of Farmersville, Texas finds that all prerequisites to the adoption of this Ordinance have been met; and

**WHEREAS**, the City Council of the City of Farmersville, Texas finds that it is in the best interest of the public health, safety and welfare to rename these existing street segments;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS, THAT:**

**SECTION 1. Findings Incorporated**

All of the above premises are hereby found to be true and correct legislative and factual determinations of the City of Farmersville and they are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

**SECTION 2. Amendment of Article 4, “Building and Construction,” by amending Section 4.105.7, entitled “Street naming and property numbering procedures are standards as authorized in the County Road and Bridge Act (Art. 6702-1, Texas Civil Statutes). These procedures will include:,” by deleting such section in its entirety and adopting a new Section 4.105.7 entitled “Street Naming and Property Numbering Procedures” to read as follows:**

From and after the effective date of this Ordinance, Article 4, Section 4.105.7 of the Code of Ordinances, City of Farmersville, Texas, entitled, “Street naming and property numbering procedures are standards as authorized in the County Road and Bridge Act (Art. 6702-1, Texas Civil Statutes). These procedures will include:,” is hereby deleted in its entirety and a new Section 4.105.7 entitled “Street Naming and Property Numbering Procedures” is hereby adopted to read as follows:

**“Sec. 4.105.7. Street Naming and Property Numbering Procedures**

- (A) Street naming and property numbering shall conform to the requirements set forth in this article, the City’s Subdivision Ordinance and the requirements of state law.
- (B) New address notification of any newly approved street name, change in street name or change in street addressing assignment must be presented to the owner(s) and tenant(s) of property affected by such change(s) in writing when the final determination of the street name and/or assignment of street address(es) occurs. Notification should also be provided to the U.S. Postal Service. The street name, street name change and/or assignment of street address becomes effective as provided in the ordinance approving such action.
- (C) The property owner and tenant are responsible for posting proper address number signage within thirty (30) days after the effective date of such change as described in the new address notification.
- (D) Maintenance of the City’s addressing procedure and the inventory of public streets will be the responsibility of the City Manager or his designee.”

**SECTION 3. Amendment of Article 4, “Building and Construction,” by amending Section 4.105.9, “Street Names Adopted,” by naming the newly annexed portion of County Road 610 between County Road 611 and U.S. Highway 380 as Collin Parkway and changing the current street names of the 100 block of South Rike, the 100 block of Austin, the 100 block of Collin, and Prospect.**

From and after the effective date of this Ordinance, Article 4, Section 4.105.9 of the Code of Ordinances, City of Farmersville, Texas, entitled, "Street Names Adopted," is hereby amended in part by naming the newly annexed portion of County Road 610 between County Road 611 and U.S. Highway 380 as Collin Parkway and changing the current street names of the 100 block of South Rike, the 100 block of Austin, the 100 block of Collin, and Prospect and noting such changes in Section 4.105.9, in alphabetical order, to read as follows:

"EXISTING NAMES:	ADD OR CHANGE TO:
Austin, 100 block	North Honacker
Collin, 100 block	Yeary Collin Parkway
Prospect	Davis
S Rike St, 100 block	South Honacker"

**SECTION 3. Written Notice of Change in Street Name and Change in Signage**

City staff shall provide written notice of the street name changes contained in Section 2, above, together with the effective date of such street name changes to the United States Postal Service, all emergency service providers and governmental entities within whose jurisdiction such properties are situated, and the owners and tenants of all properties affected by the foregoing street name changes. New signage reflecting the street name changes contained in Section 2, above, should be installed by the City within thirty (30) days following the effective date of this Ordinance.

**SECTION 4. Cumulative Repealer**

This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances or parts thereof in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided however, that any complaint, action, claim or lawsuit which has been initiated shall continue to be governed by the provisions of such Ordinance and for that purpose the Ordinance shall remain in full force and effect.

**SECTION 5. Savings**

All rights and remedies of the City of Farmersville are expressly saved as to any and all violations of the provisions of any Ordinances which 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. Severability**

It is hereby declared to be the intention of the City Council of the City of Farmersville 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 should be declared unconstitutional by valid judgment or final decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Ordinance, since the same would have been enacted by the City Council without incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

#### **SECTION 7. Governmental Immunity**

All of the regulations provided in this ordinance are hereby declared to be governmental and for the health, safety and welfare of the general public. Any member of the City Council or any City official or employee charged with the enforcement of this ordinance, acting for the City of Farmersville in the discharge of his/her duties, shall not thereby render himself/herself personally liable; and he/she is hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of his/her said duties.

#### **SECTION 8. Injunctions**

Any violation of this ordinance can be enjoined by a suit filed in the name of the City of Farmersville in a court of competent jurisdiction, and this remedy shall be in addition to any penal provision in this ordinance or in the Code of the City of Farmersville.

#### **SECTION 9. Engrossment and Enrollment**

The City Secretary of the City of Farmersville is hereby directed to engross and enroll this Ordinance by copying the exact Caption and the Effective Date clause in the minutes of the City Council of the City of Farmersville and by filing this Ordinance in the Ordinance records of the City.

#### **SECTION 10. Effective Date**

The change in street names adopted by this Ordinance shall take effect upon the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**PASSED** on first reading on the 13th day of September, 2011, and second reading on the 27th day of September, 2011 at properly scheduled meetings of the City Council of the City of Farmersville, Texas, there being a quorum present, and approved by the Mayor on the date set out below.

**APPROVED THIS 27th DAY OF SEPTEMBER, 2011.**

**APPROVED:**

BY: \_\_\_\_\_  
Joseph E. Helmberger, P.E., Mayor

**ATTEST:**

\_\_\_\_\_  
Edie Sims, City Secretary

**APPROVED AS TO FORM AND LEGALITY:**

\_\_\_\_\_  
Alan D. Lathrom, City Attorney



TO: Mayor and Councilmembers

FROM: City Manager John Moran

DATE: September 13, 2011

SUBJECT: Consider, discuss and act upon an amendment to Article 10, "Traffic Control," by amending Section 10.125, entitled "School Zones Established," by deleting Section 10.125, including Sections 10.125.1 Through 10.125.4, in its entirety and adopting a new Section 10.125 designating certain streets to be situated within school zones, declaring a reduction of the prima facie maximum speed limit on such enumerated streets and the time frames for such reduced speeds, and regulating and controlling the direction and flow of traffic on such streets during active school zone times; repealing ordinances in conflict herewith; providing for severability; providing for governmental immunity; providing for injunctions; providing a penalty or fine not to exceed the sum of Five Hundred Dollars (\$500.00) for each offense; and providing an effective date.

Ordinance # O-2011-0927-003 is attached

**ACTION: Approve or disapprove the first reading of Ordinance # O-2011-0927-003**

(VI – C)

**CITY OF FARMERSVILLE  
ORDINANCE # O-2011-0927-003**

**AN ORDINANCE OF THE CITY OF FARMERSVILLE, TEXAS, AMENDING THE CODE OF ORDINANCES, CITY OF FARMERSVILLE, TEXAS, AS HERETOFORE AMENDED, THROUGH THE AMENDMENT OF ARTICLE 10, "TRAFFIC CONTROL," BY AMENDING SECTION 10.125, ENTITLED "SCHOOL ZONES ESTABLISHED," BY DELETING SECTION 10.125, INCLUDING SECTIONS 10.125.1 THROUGH 10.125.4, IN ITS ENTIRETY AND ADOPTING A NEW SECTION 10.125 DESIGNATING CERTAIN STREETS TO BE SITUATED WITHIN SCHOOL ZONES, DECLARING A REDUCTION OF THE PRIMA FACIE MAXIMUM SPEED LIMIT ON SUCH ENUMERATED STREETS AND THE TIME FRAMES FOR SUCH REDUCED SPEEDS, AND REGULATING AND CONTROLLING THE DIRECTION AND FLOW OF TRAFFIC ON SUCH STREETS DURING ACTIVE SCHOOL ZONE TIMES; REPEALING ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; PROVIDING FOR GOVERNMENTAL IMMUNITY; PROVIDING FOR INJUNCTIONS; PROVIDING A PENALTY OR FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Texas Transportation Code establishes the prima facie maximum speed limit for highways and streets other than alleys within an urban area of the State of Texas; and

**WHEREAS**, the Texas Transportation Code grants to and recognizes the authority of Type A General Law Cities, such as the City of Farmersville, to regulate and control the streets and roadways within their corporate limits, to establish school zones, and to reduce the maximum prima facie speed limits on numbered highways that are a part of the Texas highway system and unnumbered roadways that are not a part of the Texas highway system; and

**WHEREAS**, the City of Farmersville has previously established certain school zones, regulated the direction, flow and parking of motor vehicles on streets in and about public school sites, and reduced the maximum prima facie speed limits on such streets during specific time frames for the protection of the public health, safety and welfare; and

**WHEREAS**, the City Council now desires to modify and amend those previously adopted regulations to better protect the residents of the City of Farmersville and particularly the health, safety and welfare of the children and young adults attending schools within the corporate limits of the City; and

**WHEREAS**, the City Council of the City of Farmersville, Texas finds that all prerequisites to the adoption of this Ordinance have been met; and

**WHEREAS**, the City Council of the City of Farmersville, Texas finds that it is in the best interest of the public health, safety and welfare to modify and amend the previously adopted regulations relating to school zones within the City of Farmersville;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS, THAT:**

**SECTION 1. Findings Incorporated**

All of the above premises are hereby found to be true and correct legislative and factual determinations of the City of Farmersville and they are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

**SECTION 2. Amendment of Article 10, "Traffic Control," by amending Section 10.125, entitled "School Zones Established," by deleting said Section 10.125, including Sections 10.125.1 through 10.125.4, in its entirety and adopting a new Section 10.125 also entitled "School Zones Established" to read as follows:**

From and after the effective date of this Ordinance, Article 10, Section 10.125 of the Code of Ordinances, City of Farmersville, Texas, entitled, "School Zones Established," including Sections 10.125.1 through 10.125.4, is hereby deleted in its entirety and a new Section 10.125 also entitled "School Zones Established" is hereby adopted to read as follows:

**"Sec. 10.125. School Zones Established**

**Sec. 10.125.1. Vehicle Speed and Operation -- Generally**

It shall be unlawful for any person to operate or drive any vehicle at a speed greater than the speed designated or posted, or to overtake or pass any other vehicle in any school zone as it may be marked or designated within the City during the hours indicated upon signs erected in such school zone, or whenever children are present in such school zones, or when such school zones have an alternating flashing light in operation.

**Sec. 10.125.2. School Zone Time**

The School Zone Time during which school zone speed limits, one-way traffic patterns, and no parking regulations contained in this Section 10.125 shall be in effect is during the hours indicated upon signs erected in such school zone, or whenever children are present in such school zones, or when such school zones have an alternating flashing light in operation. The normal posted speed limit, traffic patterns and parking regulations shall apply outside the School Zone Time.

**Sec. 10.125.3. Speed Limits**

The following prima facie maximum speed limits hereinafter designated for motor vehicles are hereby determined and declared to be reasonable and safe. Such maximum speed limits are hereby fixed as the rate of speed for motor vehicles traveling upon the main street or highway, or parts of the main street or highway, and no motor vehicle shall be operated upon or along such portions of the named streets and highways

identified below in excess of the speeds set forth as follows during School Zone Times:

Street or Highway	Approximate Start Limit	Approximate End Limit	Normal Speed Limit	School Zone Speed Limit
<b>High School and Junior High School</b>				
SH 78	200 Feet South of Pendleton	200 Feet North of Sycamore	50	35
Pendleton	275 Feet East of SH 78	SH 78	30	20
Westgate	240 Feet West of SH 78	SH 78	30	20
Gaddy	90 Feet East of Wilcoxson	SH 78	30	20
Gaddy	230 Feet East of SH 78	SH 78	30	20
Sycamore	200 Feet East of SH 78	SH 78	30	20
<b>Intermediate School</b>				
Business 78 (N. Main)	290 Feet South of Sycamore	90 Feet North of FM 2194	30	20
FM 2194	Business 78 (N. Main)	270 Feet East of Business 78 (N. Main)	55	20
<b>Tatum Elementary School</b>				
7th	Windom	200 Feet East of Washington	30	20
6th	Washington	200 Feet East of Washington	30	20
5th	Washington	200 Feet East of Washington	30	20
Gaddy	Windom	270 Feet West of Windom	30	20
Pendleton	300 Feet West of Windom	250 Feet East of Washington	30	20
Windom	335 Feet South of Pendleton	200 Feet North of 7 <sup>th</sup>	30	20
Washington	300 Feet South of Pendleton	200 Feet North of 7 <sup>th</sup>	30	20

Note 1: "Start Limit" and "End Limit" locations are approximate locations.

Note 2: Speed limit zones apply to both directions of traffic.

Note 3: Speed limits are measured in miles per hour.

**Sec. 10.125.4. Tatum Elementary -- One Way Traffic Pattern**

A one-way traffic pattern shall be established during the School Zone Time for the following streets around Tatum Elementary School:

Street	Start Limit	End Limit	Direction
7 <sup>th</sup>	Windom	Washington	Eastbound
Pendleton	Washington	Windom	Westbound
Washington	7th	Pendleton	Southbound
Windom	Pendleton	Gaddy	Northbound

**Sec. 10.125.5. Tatum Elementary – No Parking Zones**

The following no parking zones shall be established for the following streets around Tatum Elementary School:

Street	Start Limit	End Limit	Side of Street
Pendleton	Windom	Business SH 78 (Main Street)	South
Pendleton	Windom	70 Feet East of Windom	North
Pendleton	Washington	20 Feet West of Washington	North
Windom	Pendleton	25 Feet North of Pendleton	East
Windom	Pendleton	280 Feet North of Pendleton	West
Windom	Pendleton	50 Feet South of Pendleton	East
Washington	30 Feet South of Pendleton	70 Feet North of 6 <sup>th</sup>	East
Washington	Pendleton	30 Feet South of Pendleton	West
Washington	Pendleton	25 Feet North of Pendleton	West
Pendleton	Washington	25 Feet East of Washington	North

Note 1: "Start Limit" and "End Limit" locations are approximate locations.

**Sec. 10.125.6. School Zone Signage**

The City Manager or his designee is hereby authorized to cause to be erected, appropriate signs indicating such school zones, reduced speed zones, one-way traffic patterns and no-parking areas."

**SECTION 3. Cumulative Repealer**

This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances or parts thereof in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided however, that any complaint, action, claim or lawsuit which has been initiated shall continue to be governed by the provisions of such Ordinance and for that purpose the Ordinance shall remain in full force and effect.

**SECTION 4. Savings**

All rights and remedies of the City of Farmersville are expressly saved as to any and all violations of the provisions of any Ordinances which 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 5. Severability**

It is hereby declared to be the intention of the City Council of the City of Farmersville 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 should be declared unconstitutional by valid judgment or final decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Ordinance, since the same would have been enacted by the City Council without incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

**SECTION 6. Governmental Immunity**

All of the regulations provided in this ordinance are hereby declared to be governmental and for the health, safety and welfare of the general public. Any member of the City Council or any City official or employee charged with the enforcement of this ordinance, acting for the City of Farmersville in the discharge of his/her duties, shall not thereby render himself/herself personally liable; and he/she is hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of his/her said duties.

**SECTION 7. Injunctions**

Any violation of this ordinance can be enjoined by a suit filed in the name of the City of Farmersville in a court of competent jurisdiction, and this remedy shall be in addition to any penal provision in this ordinance or in the Code of the City of Farmersville.

**SECTION 8. Engrossment and Enrollment**

The City Secretary of the City of Farmersville is hereby directed to engross and enroll this Ordinance by copying the exact Caption and the Effective Date clause in the minutes of the City Council of the City of Farmersville and by filing this Ordinance in the Ordinance records of the City.

**SECTION 9. Penalty**

Any person, firm or corporation violating any of the provisions or terms of this Ordinance or of the Code of Ordinances as amended hereby, shall be subject to the same penalty as provided for in the Code of Ordinances of the City of Farmersville, as previously amended, and upon conviction shall be punished by a fine not to exceed the sum of Five Hundred Dollars (\$500.00) for each offense.

**SECTION 10. Effective Date**

The change in street names adopted by this Ordinance shall take effect upon the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**PASSED** on first reading on the 13th day of September, 2011, and second reading on the 27th day of September, 2011 at properly scheduled meetings of the City Council of the City of Farmersville, Texas, there being a quorum present, and approved by the Mayor on the date set out below.

**APPROVED THIS 27th DAY OF SEPTEMBER, 2011.**

**APPROVED:**

BY: \_\_\_\_\_  
Joseph E. Helmberger, P.E., Mayor

**ATTEST:**

\_\_\_\_\_  
Edie Sims, City Secretary

**APPROVED AS TO FORM AND LEGALITY:**

\_\_\_\_\_  
Alan D. Lathrom, City Attorney