

10-13-87

AN ORDINANCE

ADOPTING A SPEED LIMIT FOR ALL ROADWAYS WITHIN THE INCORPORATED LIMITS OF THE CITY; MAKING IT UNLAWFUL TO DRIVE IN EXCESS OF 20 MILES PER HOUR ON A ROADWAY WITHIN THE INCORPORATED CITY LIMITS UNLESS SUCH ROADWAY HAS A POSTED SPEED LIMIT CONTRARY TO THIS PROVISION; PROVIDING PENALTIES FOR VIOLATION; REPEALING CONTRARY ORDINANCES; PROVIDING FOR PUBLICATION; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRANKSTON, ANDERSON COUNTY, TEXAS:

Section 1 - Definitions. Roadway shall be that portion of a street or highway between the regularly established curb lines or that part devoted to vehicular traffic.

Vehicles shall be every device in, upon or by which any person or property is or may be transported or drawn upon a public highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks.

Motor vehicle shall be every vehicle, as herein defined, which is self-propelled.

Official traffic signs shall be all signs, markings and devices, other than signals, inconsistent with this article, placed or erected by the Chief of Police of the City of Frankston, or the appropriate authorities of Anderson County, Texas, or the State of Texas for the purpose of guiding, directing, warning or regulating traffic.

Section 2. Any operator of a vehicle on a roadway shall operate the same at a careful and prudent speed not greater than is reasonable and proper, having due regard to the traffic, surface and width of the roadway, and of any other conditions

then existing, and no operator shall drive any vehicle upon a roadway at such speed as to endanger the life, limb or property of any person. Rates of speed in excess of the following are "prima facie" evidence of violation of this section:

On any roadway in the incorporated limits of the City of Frankston upon which no official traffic sign authorizing a different rate of speed is located, then the maximum lawful speed limit will be and is 20 miles per hour.

It shall be unlawful for any person to drive any vehicle upon a roadway carelessly and heedlessly in willful or wanton disregard of the rights or safety of others, or without due caution or circumspection and at a speed or in a manner so as to endanger or to be likely to endanger any person or property.

Section 3. Any person, firm or corporation, who shall violate any provision of this article shall, upon conviction, be deemed guilty of a Class "C" misdemeanor and fined in any amount not to exceed \$200.00 per violation.

Section 4. A necessity to adopt this ordinance at the earliest possible date, creates a public emergency and imperative public necessity of requiring suspension of all requirements of the reading of the ordinance at several meetings of the City Council, and the Mayor having declared such emergency and necessity to exist, and having requested the suspension of the rule and that this ordinance be passed finally on the date of its introduction and take effect as provided for therein, it is accordingly so ordained.

Section 5. If for any reason, any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be held invalid, it shall not affect any valid provisions of this ordinance.

All ordinances in conflict herewith be and the same are hereby repealed to the extent of such conflict.

This ordinance shall take effect from and after its publication one time in the official publication of the City of Frankston, which publication shall contain the caption stating in summary the purpose of the ordinance and the penalty for violation thereof.

PASSED AND APPROVED at a duly-called meeting of the City Council of the City of Frankston, Texas on the 13<sup>th</sup> day of October, 1987.

  
MAYOR RONALD A. SMITH

ATTESTED:

  
Jean Calhoun, City Secretary