

ORDINANCE 007-01

AN ORDINANCE OF THE CITY OF DE LEON, TEXAS, AUTHORIZING AND DIRECTING THE INSTALLATION, PLACEMENT AND ERECTION OF TRAFFIC CONTROL SIGNS AT THE HIGH SCHOOL/MIDDLE SCHOOL AND AT THE ELEMENTARY SCHOOL PROHIBITING THROUGH TRAFFIC AT CERTAIN TIMES ON SCHOOL DAYS AT THE LOCATIONS SPECIFIED HEREIN; MAKING FINDINGS OF FACT; PROVIDING A PENALTY; SEVERABILITY AND OPEN MEETINGS AND PUBLICATION CLAUSES.

Whereas, the placement, installation, erection and enforcement of traffic control signs on the city streets and at intersections to control, regulate and direct the travel and operation of motor vehicles and conveyances is essential and necessary to the public safety;

Whereas, the of City of De Leon, Texas (the "City") has received a request from the De Leon Independent School District to erect no through traffic signs at Johnson St.; Carnes; Pecan St. and Houston St. as hereinafter specified;

Whereas, the hereinafter specified locations are located adjacent to the High School/Middle School and the Elementary School where many children attend and whose safety would be better protected by the erection of no through traffic signs at certain times and locations;

Whereas, Johnson, Carnes, Pecan and Houston streets are streets under the City's jurisdiction pursuant to the *Texas Transportation Code Chapter 544* and the City may erect traffic-control devices;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DE LEON, TEXAS, THAT:

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Traffic Control Signs and Devices. The City Council hereby orders and directs that the traffic control signs hereinafter set forth in this Section 2 be placed, installed and erected at the locations designated, and that each such sign and device be hereafter maintained and enforced by the City.

No Through Traffic 3:15 P:M to 3:45 P:M except school buses on School Days at the following locations:

600 Block of Johnson St.
Carnes St. at Johnson St.
Pecan St. between Lamar St. and Hwy 16.
Houston St. at Pecan St.

Section 3. Penalty. Any person who violates this ordinance or part thereof shall be guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine not to exceed \$500.00. Each day of violation and each incident of violation of this ordinance shall constitute a separate offense.

Section 4. Severability. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity 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 of this ordinance of any such invalid phrase, clause, sentence, paragraph or section. If any provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision, and to this end the provisions of this Ordinance are declared to be severable.

Section 5. Open Meetings. It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, *Chapt. 511, Tex. Gov't. Code.*

Section 7. Publication. This Ordinance shall take effect and be in full force and effect ten (10) days after the publication of the caption hereof in the manner required by law.

Section 8. Effective Date. This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the *Tex. Loc. Gov't. Code.*

Passed and Adopted on first reading this the 25 day of Sept, 2001.

Passed and Adopted on second reading this the 9 day of Oct, 2001.

The City of De Leon, Texas


John R. Adcock, Mayor

Attest:


B. Gail Neeley, City Secretary