



ORDINANCE NO. 3507

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE CODE OF ORDINANCES, CHAPTER 82 “TRAFFIC AND VEHICLES”, ARTICLE II “OPERATION OF VEHICLES”, DIVISION 2 “SPEED LIMITS”, SECTION 82-34 “SPEED LIMIT ON CERTAIN PUBLIC STREETS”, BY ALTERING THE MAXIMUM SPEED LIMITS ON INTERSTATE HIGHWAY 635 MAIN LANES AND SERVICE ROADS AND INTERSTATE HIGHWAY 35-E MAIN LANES, SERVICE ROADS, AND EXPRESS LANES; CONTAINING A SAVINGS CLAUSE; CONTAINING A SEVERABILITY CLAUSE; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED \$200.00; AND PROVIDE AN EFFECTIVE DATE.

WHEREAS, the Texas Department of Transportation has jurisdictional control of Interstate Highway 635 and Interstate Highway 35-E, and evaluates and determines prudent and reasonable speeds for the main lanes, express lanes, and frontage roads within the City;

WHEREAS, the Texas Transportation Commission (“the Commission”), pursuant to its authority under Texas Transportation Code §545.353 and an engineering and traffic investigation, has determined that the prima facie maximum speed limit for those portions of Interstate Highway 35-E, including the main lanes, service roads, and express lanes, located within the incorporated limits of the City of Farmers Branch should be altered; and

WHEREAS, the City Council of the City of Farmers Branch, Texas, upon the basis of the engineering and traffic investigation conducted by the Commission, finds it in the public interest to amend the Code of Ordinances to determine and declare the maximum prima facie speed limits of said portions of Interstate Highway 635 and Interstate Highway 35-E to be consistent with the maximum speed limits established by the Commission and such speed limits to be reasonable and safe.

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

SECTION 1. Code of Ordinances, Chapter 82, “Traffic and Vehicles”, Article II, “Operation of Vehicles”, Division 2, “Speed Limits”, Section 82-34, “Speed limits on certain public streets”, is hereby amended by amending as follows the maximum prima facie speed limits upon Interstate Highway 635 main lanes and service roads and Interstate Highway 35-E, including the main lanes and service roads, and adding provisions relating to the speed limit for the Interstate Highway 35-E express lanes, located within the corporate limits of the City:

Street:	Extent	Speed Limit (mph)
Interstate Highway 35 E	From the north city limits line to the south city limits line	As set forth in compliance with the speed limits set by the State of Texas pursuant to the Texas Transportation Code.

Interstate Highway 35, east service road	From the north city limits line to the south city limits line	As set forth in compliance with the speed limits set by the State of Texas pursuant to the Texas Transportation Code.
Interstate Highway 35, west service road	From the north city limits line to the south city limits line	As set forth in compliance with the speed limits set by the State of Texas pursuant to the Texas Transportation Code.
Interstate Highway 35 E, express lanes	From the north city limits line to the south city limits line	As set forth in compliance with the speed limits set by the State of Texas pursuant to the Texas Transportation Code.
Interstate Highway 635	From the west city limits line to the east city limits line	As set forth in compliance with the speed limits set by the State of Texas pursuant to the Texas Transportation Code.
Interstate Highway 635, north and south service roads	From the west city limits line to the east city limits line	As set forth in compliance with the speed limits set by the State of Texas pursuant to the Texas Transportation Code.

SECTION 2. All ordinances or parts thereof expressly in conflict with this ordinance are hereby repealed.; provided, however, that all other provisions of said ordinances not in conflict herewith shall remain in full force and effect.

SECTION 3. Appropriate signs controlling the movement of vehicles consistent with this Ordinance shall be installed and maintained by Texas Department of Transportation.

SECITON 4. Any person violating any provision of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be fined a sum not to exceed TWO HUNDRED DOLLARS (\$200.00).

SECTION 5. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 6. If any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged to be invalid or unconstitutional by a court of competent jurisdiction, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than the portion so decided to be invalid or unconstitutional.

SECTION 7. This ordinance shall take effect from and after its passage and the publications of the caption of said ordinance as the law and the City Charter in such cases provides.

DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, ON THE 19th DAY OF JUNE 2018.

ATTEST:

APPROVED:

Amy Piukana, City Secretary

Robert Dye, Mayor

APPROVED AS TO FORM:

Peter G. Smith, City Attorney
(nc:6/6/18:99989)