

ORDINANCE NO. 04022012

AN ORDINANCE OF THE CITY OF NIEDERWALD, TEXAS ESTABLISHING A TEMPORARY CONSTRUCTION SPEED LIMIT OF FIFTY-FIVE (55) MILES PER HOUR ON FM 2001 FROM MILEPOINT 5.353 TO MILEPOINT 8.877; PROVIDING FOR A PENALTY; PROVIDING FOR A REPEALER AND SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Niederwald, Texas is a Type A general-law municipality; and

WHEREAS, Texas Department of Transportation will soon begin a project to repair edges of the roadway and shoulders of FM 2001; and

WHEREAS, a portion of this project is situated within the city limits of the City of Niederwald, Texas; and

WHEREAS, Section 545.356(b) of the Texas Transportation Code authorizes the City of Niederwald to alter speed limits when a roadway is under repair, construction or maintenance; and

WHEREAS, the City Council of the City of Niederwald has determined that the temporary construction speed limit established by this Ordinance is necessary to protect the health, safety, and general welfare of the citizens of the City of Niederwald;

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

Section 1.

There is hereby established a temporary construction speed limit of fifty-five (55) miles per hour for traffic traveling in either direction on FM 2001 from milepoint 5.353 to milepoint 8.877, within the city limits of the City of Niederwald, Texas. This temporary construction speed limit will be enforced when signs are erected giving notice of the construction speed limit, and will expire when the construction is completed and the construction speed limit signs have been removed.

Section 2.

That any person, firm or corporation violating the provisions or terms of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine not to exceed Five Hundred Dollars (\$500.00) for each offense.

Section 3.

All provisions of the ordinances of the City of Niederwald in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Ordinances of the City of Niederwald, not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

Section 4.

It is the intention of the City Council that this Ordinance, and every provision thereof, shall be considered severable and the invalidity of any section, clause or provision or part or portion of any section, clause, or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

Section 5.

This Ordinance shall become effective immediately upon its passage and publication as required by law.

PASSED AND APPROVED THIS THE 2nd DAY OF April, 2012.



HON. REYNELL SMITH, MAYOR

ATTEST:



RICHARD CRANDAL, CITY SECRETARY