

COPY

AN ORDINANCE ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF ARTICLE 6701D, VERNON'S TEXAS CIVIL STATUTES, UPON THE BASIS OF AN ENGINEERING AND TRAFFIC INVESTIGATION, UPON CERTAIN STREETS AND HIGHWAYS, OR PARTS THEREOF, WITHIN THE CORPORATE LIMITS OF THE CITY OF FRANKSTON AS SET OUT IN THIS ORDINANCE; REPEALING ORDINANCES INCONSISTENT HEREWITH; CONTAINING A SAVINGS CLAUSE; PROVIDING A PENALTY; AND THE EFFECTIVE DATE THEREOF.

WHEREAS, Article 6701D, Vernon's Texas Civil Statutes, provides that whenever the governing body of the City shall determine upon the basis of an engineering and traffic investigation that any prima facie speed therein set forth is greater or less than is reasonable or safe under the conditions found to exist at any intersection or other place or upon any part of a street or highway within the City, taking into consideration the width and condition of the pavement and other circumstances on such portion of said street or highway, as well as the usual traffic thereon, said governing body may determine and declare a reasonable and safe prima facie speed thereat or thereon by the passage of an ordinance, which shall be effective when appropriate signs giving notice are erected at such intersection or other place or part of the street or highway, NOW, THEREFORE,

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

Section 1: Upon the basis of an engineering and traffic investigation heretofore made as authorized by the provisions of Article 6701D, Vernon's Texas Civil Statutes, the following prima facie speed limits hereafter indicated for vehicles are hereby determined and declared to be reasonable and safe; and such speed limits are hereby fixed at the rate of speed indicated for vehicles traveling upon the named streets and highways, or parts thereof, described as follows:

1. From milepoint 0.000, said milepoint being the north city limit of Frankston to milepoint 0.580, a distance of 0.580 mile, the maximum rate of speed shall be 55 mph.
2. From milepoint 0.580 to milepoint 1.578, a distance of 0.998 mile, the maximum rate of speed shall be 45 mph, except from milepoint 0.663 to milepoint 0.994, a distance of 0.331 mile, where signed for a school zone when flashing beacons are on, the maximum rate of speed shall be 35 mph

Section 2: All ordinances or parts of ordinances inconsistent with the terms of this ordinance are hereby repealed, provided, however, that such repeal shall be only to the extent of such inconsistency and, in all other respects, the subject matter covered by this ordinance.

Section 3: If any provision, exception, section, subsection, paragraph, sentence, clause or phrase of this ordinance of the application of same to any person or set of circumstances shall for any reason be held unconstitutional, void or invalid, such invalidity shall not affect the validity of the remaining provisions of this ordinance or their application to other persons or sets of circumstances and, to this end, all provisions of this ordinance are declared to be severable.

Section 4: Any person, firm or corporation violating any provisions of this ordinance or failing to observe any provisions hereof shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum not exceeding \$2000.00.

Section 5: The great necessity having been found to exist, the rule requiring three readings is hereby suspended and this ordinance shall take effect from and after ten (10) days from its passage by the City Council. The City Clerk is hereby directed to give notice hereof by causing the caption of this ordinance to be published in the official newspaper of the City of Frankston at least twice within ten (10) days after the passage of this ordinance.

INTRODUCED, READ, AND PASSED by the affirmative vote of the City Council of
the City of Frankston, Texas, this the _____ day of _____, 2013.

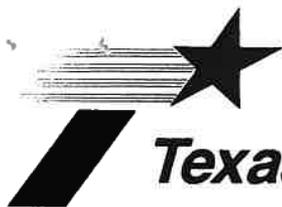
Mayor, City of Frankston

ATTEST:

City Secretary

APPROVED AS TO FORM:

City Attorney



Texas Department of Transportation

2709 W. FRONT STREET • TYLER, TEXAS 75702 • (903) 510-9100

August 31, 2011

Control: 0520-08
Highway: SH 155
County: Anderson

Al Mann
Mayor
City of Frankston
P.O. Box 186
Frankston, Texas 75763

Subject: Speed Zone Review

Dear Mr. Mann:

Attached for your information and further handling is a computer printout of the speed zone study on SH 155 in the City of Frankston. We believe the recommended speeds will correspond closely to the speeds at which the normal and prudent driver will drive under the existing conditions.

Also attached for your information is a sample speed zone ordinance that might serve as a guide in the preparation of your speed zone ordinance. We will also furnish and install the necessary signs at the proper locations upon receipt of the signed ordinance from the City of Frankston establishing the new speed limits. If we haven't heard from your office within 90 days concerning this speed zone study, we will assume concurrence and we will begin proceedings to have the zoning adopted by Commission Minute.

We appreciate the interest you have shown and the cooperation you have given. If we may be of further assistance, please feel free to contact me at the above address or by telephone at 903-510-9106.

Sincerely,

Juanita Daniels-West, P.E.
Transportation Engineer
Tyler District Office

Attachments

GWF: wf

cc: Traffic

Jeffrey Harmon, Area Engineer

Mike Schneider, Director of Operations

ORDINANCE NO. 10112011

AN ORDINANCE ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF ARTICLE 6701D, VERNON'S TEXAS CIVIL STATUTES, UPON THE BASIS OF AN ENGINEERING AND TRAFFIC INVESTIGATION, UPON CERTAIN STREETS AND HIGHWAYS, OR PARTS THEREOF, WITHIN THE CORPORATE LIMITS OF THE CITY OF FRANKSTON AS SET OUT IN THIS ORDINANCE; REPEALING ORDINANCES INCONSISTENT HEREWITH; CONTAINING A SAVINGS CLAUSE; PROVIDING A PENALTY; AND THE EFFECTIVE DATE THEREOF.

WHEREAS, Article 6701D, Vernon's Texas Civil Statutes, provides that whenever the governing body of the City shall determine upon the basis of an engineering and traffic investigation that any prima facie speed therein set forth is greater or less than is reasonable or safe under the conditions found to exist at any intersection or other place or upon any part of a street or highway within the City, taking into consideration the width and condition of the pavement and other circumstances on such portion of said street or highway, as well as the usual traffic thereon, said governing body may determine and declare a reasonable and safe prima facie speed thereat or thereon by the passage of an ordinance, which shall be effective when appropriate signs giving notice are erected at such intersection or other place or part of the street or highway, NOW, THEREFORE,

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

Section 1: Upon the basis of an engineering and traffic investigation heretofore made as authorized by the provisions of Article 6701D, Vernon's Texas Civil Statutes, the following prima facie speed limits hereafter indicated for vehicles are hereby determined and declared to be reasonable and safe; and such speed limits are hereby fixed at the rate of speed indicated for vehicles traveling upon the named streets and highways, or parts thereof, described as follows:

1. From milepoint 0.000, said point being the north city limits of Frankston to milepoint 0.580, a distance of 0.580 mile, the maximum rate of speed shall be 55 mph.
2. From milepoint 0.580 to milepoint 1.579, said distance being 0.998 mile, the maximum rate of speed shall be 45 mph, except from milepoint 0.794 to milepoint 0.994 where signed for a school zone, the maximum rate of speed shall be 35 mph when flashers are on.

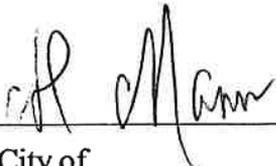
Section 2: All ordinances or parts of ordinances inconsistent with the terms of this ordinance are hereby repealed, provided, however, that such repeal shall be only to the extent of such inconsistency and, in all other respects, the subject matter covered by this ordinance.

Section 3: If any provision, exception, section, subsection, paragraph, sentence, clause or phrase of this ordinance of the application of same to any person or set of circumstances shall for any reason be held unconstitutional, void or invalid, such invalidity shall not affect the validity of the remaining provisions of this ordinance or their application to other persons or sets of circumstances and, to this end, all provisions of this ordinance are declared to be severable.

Section 4: Any person, firm or corporation violating any provisions of this ordinance or failing to observe any provisions hereof shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum not exceeding \$2000.00.

Section 5: The great necessity having been found to exist, the rule requiring three readings is hereby suspended and this ordinance shall take effect from and after ten (10) days from its passage by the City Council. The City Clerk is hereby directed to give notice hereof by causing the caption of this ordinance to be published in the official newspaper of the City of Frankston at least twice within ten (10) days after the passage of this ordinance.

INTRODUCED, READ, AND PASSED by the affirmative vote of the City Council of
the City of Frankston, Texas, this the 11th day of October, 2011.



Mayor, City of _____

ATTEST:

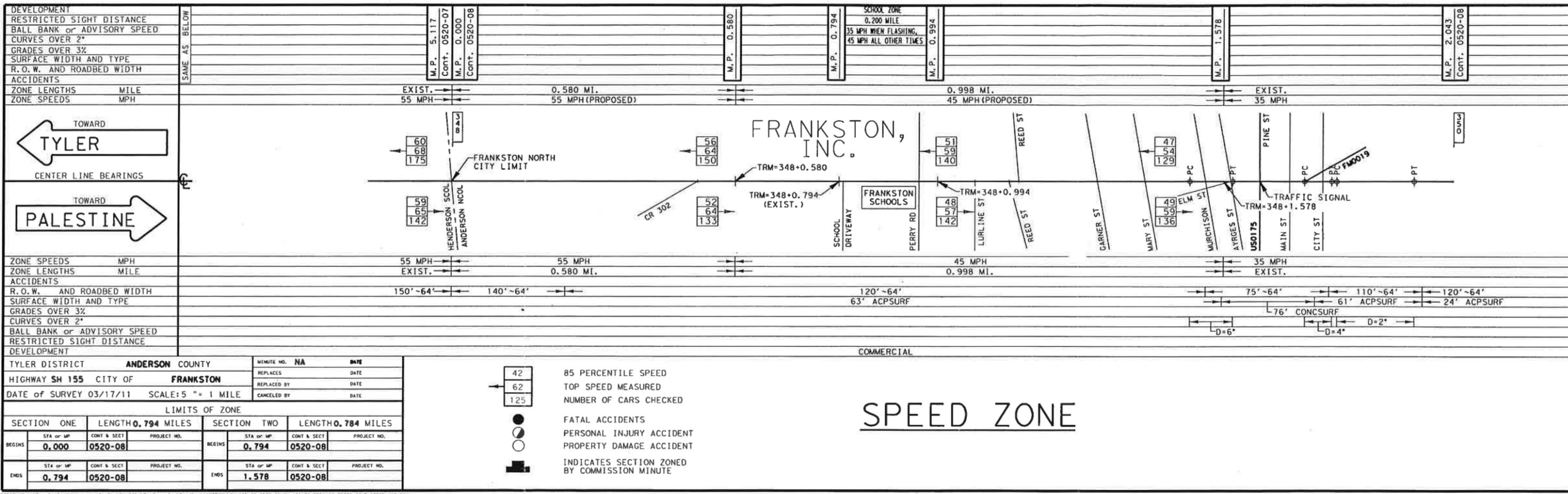


City Secretary

APPROVED AS TO FORM:

City Attorney

OLD
2011



TYLER DISTRICT	ANDERSON COUNTY	MINUTE NO. NA	DATE
HIGHWAY SH 155	CITY OF FRANKSTON	REPLACES	DATE
DATE OF SURVEY 03/17/11	SCALE: 5" = 1 MILE	REPLACED BY	DATE
		CANCELED BY	DATE
LIMITS OF ZONE			
SECTION ONE		SECTION TWO	
LENGTH 0.794 MILES		LENGTH 0.784 MILES	
BEGINS	STA or MP 0.000	CONT & SECT 0520-08	PROJECT NO.
BEGINS	0.794	0520-08	
ENDS	0.794	0520-08	
ENDS	1.578	0520-08	

STRIPMAP NAME: T:\tyl\Transportat\anderson\Traffic\Engineering\Studies\ANDERSON\SH 155 CS 0520-08\SH 155 CS 0520-08 SPEED ZONE STRIP MAP.DWG

AN ORDINANCE ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF ARTICLE 6701D, VERNON'S TEXAS CIVIL STATUTES, UPON THE BASIS OF AN ENGINEERING AND TRAFFIC INVESTIGATION, UPON CERTAIN STREETS AND HIGHWAYS, OR PARTS THEREOF, WITHIN THE CORPORATE LIMITS OF THE CITY OF **FRANKSTON**, AS SET OUT IN THIS ORDINANCE; REPEALING ORDINANCES INCONSISTENT HERewith; CONTAINING A SAVINGS CLAUSE; PROVIDING A PENALTY; AND THE EFFECTIVE DATE THEREOF.

WHEREAS, Article 6701D, Vernon's Civil Statutes, provides that whenever the governing body of the City shall determine upon the basis of an engineering and traffic investigation that any prima facie speed therein set forth is greater or less than is reasonable or safe under the conditions found to exist at any intersection or other place or upon any part of a street or highway within the City, taking into consideration the width and condition of the pavement and other circumstances on such portion of said street or highway, as well as the usual traffic thereon, said governing body may determine and declare a reasonable and safe prima facie speed limit thereat or thereon by the passage of an ordinance, which shall be effective when appropriate signs giving notice are erected at such intersection or other place or part of the street or highway, NOW, THEREFORE,

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

Section 1: Upon the basis of an engineering and traffic investigation heretofore made as authorized by the provisions of Article 6701D, Vernon's Texas Civil Statutes, the following prima facie speed limits hereafter indicated for vehicles are hereby determined and declared to be reasonable and safe; and such speed limits are hereby fixed at the rate of speed indicated for vehicles traveling upon the named streets and highways, or parts thereof, described as follows:

- (1) On SH 155 from the Frankston North City Limit to a point 1.196 miles south the maximum rate of speed shall be 55 MPH, except from THD Milepost 0.975 to Milepost 1.175 the maximum rate of speed shall be 35 MPH when so signed for school crossing.
- (2) On SH 155 from 1.196 miles south of the Frankston North City Limit to 1.559 miles south the maximum rate of speed shall be 45 MPH.
- (3) On SH 155 from 1.559 miles south of the Frankston North City Limit to 1.759 miles south the maximum rate of speed shall be 30 MPH.
- (4) On SH 155 from 1.759 miles south of the Frankston North City Limit to 1.959 miles south the maximum rate of speed shall be 40 MPH.
- (5) On SH 155 from 1.959 miles south of the Frankston North City Limit to 2.159 miles south the maximum rate of speed shall be 50 MPH.
- (6) On SH 155 from 2.159 miles south of the Frankston North City Limit to 2.534 miles south, said point being the Frankston South City Limit, the maximum rate of speed shall be 35 MPH.

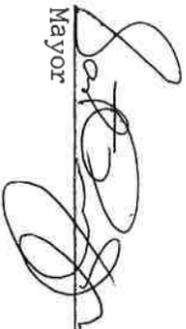
Section 2: All ordinances or parts of ordinances inconsistent with the terms of this ordinance are hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency and, in all other respects, this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this ordinance.

Section 3: If any provision, exception, section, subsection, paragraph, sentence, clause or phrase of this ordinance of the application of same to any person or set of circumstances shall for any reason be held unconstitutional, void or invalid, such invalidity shall not affect the validity of the remaining provisions of this ordinance or their application to other persons or sets of circumstances and, to this end, all provisions of this ordinance are declared to be severable.

Section 4: Any person, firm or corporation violating any provisions of this ordinance or failing to observe any provisions hereof shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum not exceeding _____.

Section 5: This ordinance shall take effect from and after ten (10) days from its passage by the City Council. The City Clerk is hereby directed to give notice hereof by causing the caption of this ordinance to be published in the official newspaper of the City of **Frankston** at least twice within ten (10) days after the passage of this ordinance.

INTRODUCED, READ and PASSED by the affirmative vote of the City Council of the City of **Frankston**, Texas, this the 2-14-78.



Mayor

ATTEST:


City Clerk

APPROVED AS TO FORM:

City Attorney