

ORDINANCE NO. 2012-039

AN ORDINANCE AMENDING THE TOWN OF PROVIDENCE VILLAGE ORDINANCE NO. 2010-09, "ESTABLISHMENT OF PRIMA FACIE SPEED LIMITS WITHIN THE CORPORATE LIMITS", TO CLARIFY THE SCHOOL ZONE SPEED LIMITS ON LOCAL STREETS AND F.M. 2931.

WHEREAS, the Town of Providence Village has the authority to provide for the health, safety and welfare of its citizens; and

WHEREAS, Texas Local Government Code Section 51.001(1) provides that the governing body of a municipality may adopt, publish, amend, or repeal an ordinance, rule or police regulation that is for the good government, peace, or order of the municipality; and

WHEREAS, the establishment of prima facie speed limits is in the best interest of the public and will assist in law enforcement and maintaining order in the town; and

WHEREAS, it is necessary to clarify the school zone speed limits for local streets and F.M. 2931 as defined in the Town of Providence Village Ordinance No. 2010-09 entitled "Establishment of Prima Facie Speed Limits" and amended by Ordinance No. 2011-17.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PROVIDENCE VILLAGE, TEXAS:

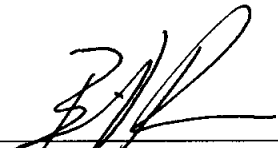
PART 1: That Town of Providence Village Ordinance No. 2010-09, "Establishment of Prima Facie Speed Limits", Section 7, "Speed Limits in School Zones", is hereby amended to read as follows:

7. Speed Limits in School Zones. A speed in excess of the limits established by this subsection is prima facie evidence that the speed is not reasonable and prudent and that the speed is unlawful:
 - (A) School Zone on Local Streets for James A. Monaco Elementary School – fifteen (15) miles per hour
 - (B) School Zone on F.M. 2931 for the James A. Monaco Elementary School – thirty-five (35) miles per hour
 - (C) School Zone on Local Streets for Providence Elementary School – fifteen (15) miles per hour
 - (D) School Zone on F.M, 2931 for Providence Elementary School – thirty-five (35) miles per hour

PART 2: That if any provision or any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

PART 3: That any person who violates a provision of this ordinance is guilty of a separate offense for each day or part of a day during which the violation is committed, continued, or permitted. Each offense, upon conviction, is punishable by a fine as provided for in the general penalty provision found in Ordinance 2010-011, as amended, of the Town of Providence Village.

PASSED AND APPROVED this 12th day of March, 2012.



Brian D. Roberson, Mayor of the
Town of Providence Village, Texas

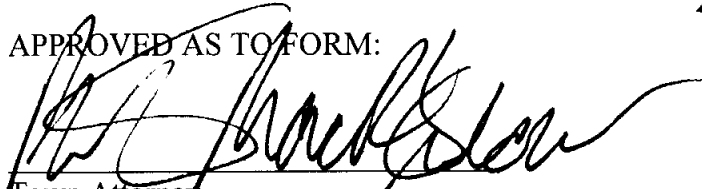
ATTEST:



Connie S. Hansen, Town Secretary



APPROVED AS TO FORM:



Town Attorney