

**Maya Sanchez**  
Mayor  
**Leticia Miranda**  
Alderman Place 1  
**David Cantu**  
Alderman Place 2



**Miguel Najera Jr.**  
Alderman Place 3  
**Rebecca Martinez-Juarez**  
Alderman Place 4  
**George Almanzar**  
Alderman Place 5

**ORDINANCE NO. 1710.03.02D**

AN ORDINANCE AUTHORIZING THE ESTABLISHMENT AND REGULATION OF SCHOOL CROSSING ZONES AND RECOGNIZING THE VALIDITY OF SCHOOL ZONES EXISTING ON THE EFFECTIVE DATE OF THIS ORDINANCE IN THE CITY OF SAN ELIZARIO; DECLARING A MISDEMEANOR OFFENSE AND IMPOSING CRIMINAL FINES NOT TO EXCEED \$500.00 PER OFFENSE; AND EFFECTIVE DATE.

RECITALS

WHEREAS, the City Council of the City of San Elizario ("City") seeks to promote orderly and safe use of property through the reasonable exercise of its police power; and

WHEREAS, pursuant to Chapter 545 of the Texas Transportation Code, the City is authorized to establish speed zones within its corporate boundaries; and

WHEREAS, the City Council desires, pursuant to Chapter 541 of the Texas Transportation Code to establish school crossing zones to facilitate safe crossing of the street by children going to or leaving a public or private elementary or secondary school within the jurisdiction of the authority; and

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the City has general authority to adopt an ordinance or police regulation that is for the good government, peace or order of the City and is necessary or proper for carrying out a power granted by law to the City.

WHEREAS, the City Council finds that adopting the process for establishing school crossing zones is reasonable and necessary for the good government, peace, and order of the City.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of San Elizario:

ARTICLE I. FINDINGS OF FACT

The foregoing recitals are adopted as facts and are incorporated fully herein.

ARTICLE II. ADOPTION AND ENACTMENT

The City Council of the City of San Elizario hereby adopts and enacts this Ordinance, attached hereto as Attachment A, and incorporated fully herein for all intents and purposes.

ARTICLE III. SIGNAGE

Upon approval and adoption, the City Administrator or his or her designee is authorized to have the appropriate traffic safety signs erected at such established school zones as provided under state law or regulations and the provisions of this ordinance..

ARTICLE IV. REPEALER AND SEVERABILITY

REPEALER: All ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

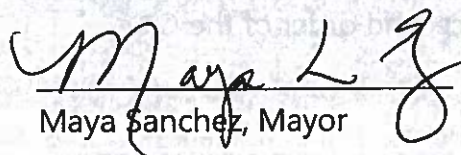
SEVERABILITY: Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

ARTICLE V. EFFECTIVE DATE

This Ordinance shall be effective immediately upon passage and publication.

PASSED AND APPROVED this, the 24<sup>th</sup> day of October, 2017, by a vote of 5 (ayes) to 0 (nays) to 0 (abstentions) of the City Council of San Elizario, Texas.

CITY OF SAN ELIZARIO, TEXAS

  
Maya Sanchez, Mayor

Ordinance of the City of San Elizario Establishment of School Crossing Zones

ARTICLE 1. EXISTING SCHOOL ZONES

All school crossing zones existing on the effective date of this ordinance are hereby recognized as having been validly established by the State of Texas by and through its Department of Transportation and/or the County of El Paso and are declared to have been in effect from the date of incorporation of the City of San Elizario and are continued in effect until such time as they may be modified, changed or removed pursuant to the provisions in this ordinance.

ARTICLE 2. AUTHORITY FOR CREATION OR MODIFICATION OF SCHOOL ZONES

- A. Whenever traffic engineering investigation conducted by or for the City Administrator or designee of the Mayor or City Administrator ("designee") discloses the need for safety precautions for the safety of school children, the City Administrator or designee is authorized to mark such locations as school crossing zones. Upon designating or re-designating an area of a school zone on and after the effective date of this Ordinance, the City Administrator or designee shall file a written statement in the Office of the City Clerk which documents the school zone and applicable regulations prior to the establishment of new or revised traffic control signs or devices for such zone. Such written statements shall be maintained by the City Clerk with the records relating to this Ordinance.
- B. When such school crossing zones are established, they shall be appropriately marked by traffic control signs or devices indicating the times in which the school zone speed limit shall be in effect and the prima facie speed limit within the school crossing zone. All such traffic control signs or devices shall be of a size and type approved by the City Administrator or designee and recommended by the Texas Department of Transportation.
- C. The traffic engineering investigation shall determine the intervals of operation for the zones, which generally shall be from approximately 45 minutes before school opens until classes begin, from the beginning to the end of the lunch period and for a 30 minutes period beginning at the close of school, or such other time intervals as determined to be reasonable and necessary for a school crossing zone location.

### ARTICLE 3. VIOLATIONS AND PENALTY

- A. When such school crossing zones are established and when signs indicate that regulations are in force, no vehicle shall proceed at a speed in excess of that posted on such signs between the signs designating the school crossing zone.
- B. Whenever such signs indicate that the regulations are in force, no vehicle shall pass any other vehicle proceeding in the same direction between the signs designating the school crossing zone, and all vehicles shall come to a complete stop at the school crossing when a crosswalk is occupied by any person and yield the right of way to such person.
- C. Any person violating any provision of this Ordinance shall be deemed guilty of a misdemeanor and shall be punished by a fine not to exceed \$500.00 per violation.