Antonio Araujo Mayor

Leticia Miranda Alderperson Place 1

David Cantu Alderperson Place 2



Lorenzo E. Leyva Sr. Alderperson Place 3

Irene D. Jaquez Alderperson Place 4

George Almanzar Alderperson Place 5

# ORDINANCE NO. 2207.05

## **SPEED LIMIT CHANGE FM 258 (ZONES 5-12)**

AN ORDINANCE OF THE CITY OF SAN ELIZARIO TO MODIFY THE SPEED LIMITS FOR ZONES 5 THRU 12 OF FM 258 ("FM 258"), IN ACCORDANCE WITH TXDOT APPROVAL; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT, ADOPTION, ENACTMENT, REPEALER, SEVERABILITY, AND EFFECTIVE DATE.

#### RECITALS

- WHEREAS, the City of San Elizario (the "City") finds it in the best interest of the community to periodically review and update speed zones within the City limits; and
- WHEREAS, the Texas Transportation Code Section 311.002 provides a general law municipality with exclusive control over the streets and highways of the municipality; and
- WHEREAS, the City received approval on March 11, 2022 from the Texas Department of Transportation ("TXDot") for modification of speed limits in the City on the stretch of Highway known as FM 258 ("FM 258") for eight (8) different zones ("Zones") known as Zone 5, Zone 6, Zone 7, Zone 8, Zone 9, Zone 10, Zone 11, and Zone 12; and
- **WHEREAS**, the City Council of the City of San Elizario finds it in the best interest of the citizens of the City to update the speed zones set out herein within the city limits of the City at this time.
- NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of San Elizario:

#### ORDINANCE I. FINDINGS OF FACT

The foregoing recitals are adopted as facts and are incorporated fully herein to modify the speed limits for the following Zones of FM 258 within the City:

Zone 5 is modified from MP 6.787 to MP 7.664/0.877 miles: 40 mph Zone 6 is modified from MP 7.664 to MP 8.464/0.800 miles: 30 mph

Zone 7 is modified from MP 7.771 to MP 8.022/0.251 miles: 20 mph (School Zone) Zone 8 is modified from MP 8.022 to MP 8.354/0.332 miles: 20 mph (School Zone)

Zone 9 is modified from MP 8.464 to MP 9.424/0.960 miles: 40 mph

Zone 10 is modified from MP 9.096 to MP 9.322/0.226 miles: 25 mph (School Zone)

Zone 11 is modified from MP 9.424 to MP 11.064/1.640 miles: 45 mph Zone 12 is modified from MP 10.112 to MP 10.731/0.619 miles: 30 mph

### ORDINANCE II. ADOPTION AND ENACTMENT

The City Council hereby adopts and enacts the Ordinance "Speed Limit Change FM 258: Zones 5-12)" as laid out herein.

#### ORDINANCE III. 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.

#### ORDINANCE IV. EFFECTIVE DATE

This Ordinance shall be effective immediately upon passage and publication.

PASSED AND APPROVED this, the 2 day of , 2022, by a vote of 5 (ayes) to (abstentions) of the City Council of San Elizario, Texas.

CITY OF SAN ELIZARIO, TEXAS

Antonio Araujo, Mayor

ATTEST:

Nancy Montes, City Clerk

APPROVED AS TO FORM:

Sylvia Borunda Firth, Assistant City Attorney

