

**CITY OF LAKEWAY
ORDINANCE NO. 2021-06-21-03**

SPEED LIMIT ON A PORTION OF TOMICHI TRAIL

AN ORDINANCE AMENDING THE CITY OF LAKEWAY CODE OF ORDINANCES CHAPTER 18, TRAFFIC AND VEHICLES; SECTION 18.04.042, SPEED LIMITS ON SPECIFIC STREETS; ESTABLISHING SCHOOL CROSSING ZONE AND ADOPTING A SPEED LIMIT ON A PORTION OF TOMICHI TRAIL IN THE CITY LIMITS OF THE CITY OF LAKEWAY; AND PROVIDING FOR SAVINGS, SEVERABILITY, REPEALER, AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Lakeway, Texas, (the Council) has, within its police powers, the right to protect the public health, safety, welfare, and the general well-being of its citizens; and

WHEREAS, pursuant to Texas Transportation Code Chapters 542-546, the City Council has the express authority to regulate traffic by traffic-control devices, regulate the operation and movement of vehicles, regulate stopping, standing or parking of vehicles and to enforce such regulations; and

WHEREAS, pursuant to Tex. Transp. Code § 541.302(13), a “school crossing zone” is a reduced-speed zone designated on a street to facilitate safe crossing of the street by children going to or leaving a public or private elementary or secondary school during the time the reduced speed limit applies; and

WHEREAS, pursuant to Tex. Transp. Code § 545.356, a City has authority to alter by ordinance prima facie speed limits after the results of an engineering and traffic investigation; and

WHEREAS, an engineering and traffic investigation has been conducted on portions of Tomichi Trail near Rough Hollow Elementary School which is attached hereto as Exhibit A and incorporated herein for all purposes; and

WHEREAS, the Council determines on the basis of the investigation that altering the prima facie speed limits on Tomichi Trail near Rough Hollow Elementary School and establishing a school crossing zone is in the best interest of the City and will promote the health, safety, and general well-being its citizens.

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

1. FINDINGS OF FACT

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

2. AMENDMENT

Chapter 18 (Traffic and Vehicles), Section 18.04.042 (Speed limits on specific streets), of the Code of Ordinances of the City of Lakeway is hereby amended by the addition of the following language:

The portion of Tomichi Trail beginning at a point 865-feet south of the southern edge of the crosswalk at Gunison Drive to a point 400-feet north of the northern edge of the crosswalk at Gunison Drive is a school crossing zone with a prima facie maximum speed limit of 20 miles per hour during the posted times.

3. SEVERABILITY

If any section, subsection, sentence, clause, phrase or word of this Ordinance is for any reason held to be unconstitutional, such holding shall not affect the validity of the remaining portions of this Ordinance.

4. GENERAL 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.

5. EFFECTIVE DATE

This Ordinance shall be effective immediately upon passage and publication as provided for by law.

6. PROPER NOTICE & MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.


PASSED & APPROVED this 21st day of June, 2021, by the

City Council of Lakeway, Texas.

CITY OF LAKEWAY:

By: 
Thomas Kilgore, Mayor

ATTEST:


Jo Ann Touchstone, City Secretary

