

**CITY OF FORNEY, TEXAS  
ORDINANCE NO. 21- \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF FORNEY, TEXAS, AMENDING CHAPTER 12, ARTICLE 12.03, "OPERATIONS OF VEHICLES" OF THE CODE OF ORDINANCES OF THE CITY OF FORNEY, TEXAS, BY AMENDING A SECTION 12.03.032 "SPEED LIMITS ON SPECIFIC STREETS" TO PROVIDE ADDITIONAL SPEED RESTRICTIONS FOR NEW SCHOOL ZONES IN THE CITY OF FORNEY; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALING AND SEVERABILITY CLAUSES; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Forney, Texas (the "City") is a home-rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and

**WHEREAS**, Transportation Code section 545.352 establishes prima facie reasonable and prudent speed limits for various categories of public roads, streets and highways; and

**WHEREAS**, Transportation Code section 545.356 empowers the City of Forney, Texas, to alter those prima facie limits on public roads, streets, and highways in the City as determined from the results of an engineering and traffic investigation conducted according to the procedures adopted by the Texas Transportation Commission; and

**WHEREAS**, the Forney Independent School District has opened Jackson Middle School located at 651 Innovation Boulevard, Forney, Texas 75126 and Rhodes Intermediate School located at 775 Innovation Boulevard, Forney, Texas 75126; and

**WHEREAS**, the City has conducted the prescribed engineering and traffic investigations to determine reasonable and safe prima facie maximum speed limits for those portions of those certain public roads and streets adjacent to Jackson Middle School and Rhodes Intermediate School, as shown on Exhibit "A" and Exhibit "B" attached hereto and incorporated herein; and

**WHEREAS**, the City Council desires to amend existing school zone regulations to add the roads and streets adjacent to Jackson Middle School and Rhodes Intermediate School; and

**WHEREAS**, the City Council finds that it is advantageous, beneficial, and in the best interest of the public health, safety, and welfare to adopt the amendments set forth herein.

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

**Section 1. FINDINGS INCORPORATED**

All of the above premises are found to be true and correct factual and legislative determinations of the City of Forney and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

**Section 2. AMENDMENT OF ARTICLE 12.03 “OPERATIONS OF VEHICLES”**

From and after the effective date of this Ordinance, Chapter 12, Article 12.03, of the Code of Ordinances of the City of Forney, Texas, is hereby amended by amending Section 12.03.032 “Speed limits on specific streets” to include the streets as follows:

Innovation Boulevard. At all points in the city limits, a maximum speed of 30 miles per hour, and 20 miles per hour at locations and during effective times designated as school zones for Rhodes Intermediate School and Jackson Middle School by traffic-control signs, signals, and markings installed as provided by section 12.03.034.

Inspiration Way. At all points in the city limits, a maximum speed of 30 miles per hour, and 20 miles per hour at locations and during effective times designated as school zones for Rhodes Intermediate School and Jackson Middle School by traffic-control signs, signals, and markings installed as provided by section 12.03.034.

Ranch Road. At all points in the city limits, a maximum of 35 miles per hour, and 20 miles per hour at locations and during effective times designated as school zones for Rhodes Intermediate School and Jackson Middle School by traffic-control signs, signals, and markings installed as provided by section 12.03.034.

**Section 2. SAVINGS CLAUSE**

All rights and remedies of the City of Forney, Texas, are expressly saved as to any and all violations of the provisions of the Ordinance or any other ordinance which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

**Section 3. SEVERABILITY CLAUSE**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation of this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**Section 4. REPEALER CLAUSE**

Any provision of any prior ordinance of the City, whether codified or uncodified, which is in conflict with any provision of this Ordinance, is hereby repealed to the extent of the conflict, but all other provisions of the ordinances of the City, whether codified or uncodified, which are not in conflict with the provisions of this Ordinance shall remain in full force and effect.

**Section 5. EFFECTIVE DATE**

This Ordinance shall become effective immediately upon its passage and publication as required by law.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Forney, Texas, on this the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

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**Amanda Lewis, Mayor**

**ATTEST:**

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**Dorothy Brooks, City Secretary**

**APPROVED AS TO FORM AND LEGALITY:**

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**Jon Thatcher, City Attorney**