

ORDINANCE NO. 16-03-1009

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MURPHY, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF MURPHY, TEXAS BY AMENDING CHAPTER 20 TRANSPORTATION AND TRAFFIC, ARTICLE 20.03 TRAFFIC RULES, SECTION 20.03.047 SPEED THROUGH SCHOOL ZONES (F) NO PASSING IN SCHOOL ZONES WHILE SCHOOL SPEED LIMIT IN EFFECT; PROVIDING A PENALTY CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR SAID ORDINANCE TO TAKE EFFECT FROM AND AFTER ITS DATE OF PUBLICATION.

WHEREAS, the City Council adopted an ordinance on December 3, 2007, revising existing rules that were previously located in Chapter 20 in the Code of Ordinances.

WHEREAS, the City Council of the City of Murphy finds and determines that modification of Chapter 20 – Transportation and Traffic, Article 20.03 Traffic Rules, Section 20.03.047 (f) Passing Another Vehicle is Prohibited in School Zone while School Zone Speed Limit is in Effect is in the best interests of the citizens of the City of Murphy.

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

Section 1. FINDINGS INCORPORATED

The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

Section 2. That Section 20.03.047 (f) of Chapter 20 of the Code of Ordinances of the City of Murphy, Texas, is hereby amended and the section should read in its entirety as follows:

“Section 20 Transportation and Traffic.

Article 20.03 Traffic Rules,

Section 20.03.047 Speed through school zones

...

(f) Passing another vehicle in school zone prohibited when school zone speed limit is in effect. Excluding roadways with four or more marked lanes, it shall be unlawful for any person to drive or operate a vehicle through a school zone as designated and established in this section between the school zone hours specified in this section on school days in such a manner as to overtake and pass another vehicle being driven in the same direction by use of the oncoming traffic lane.”

Section 3. PENALTY CLAUSE

Any person, firm, or corporation violating any of the provisions or terms of this Ordinance shall be guilty of a misdemeanor and upon conviction, shall be fined a sum not to exceed \$ 200.00 for each offense, and each and every violation or day such violation shall continue or exist, shall be deemed a separate offense.

Section 4. 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 5. REPEALER CLAUSE

Any provision of any prior ordinance of the City whether codified or uncoded, which are 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 uncoded, which are not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

Section 6. EFFECTIVE DATE

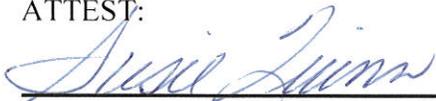
This Ordinance shall become effective immediately upon its passage and publication as required by law.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Murphy, Texas, on this the 15th day of March, 2016.



Eric Barna, Mayor
City of Murphy

ATTEST:



Susie Quinn, City Secretary
City of Murphy

APPROVED AS TO FORM:



Wm. Andrew Messer, City Attorney

