

ORDINANCE NO. 496

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 10, ARTICLE V, SECTION 10-47 OF THE MESQUITE CITY CODE OF 1960 SO AS TO REGULATE THE SPEED OF MOTOR VEHICLES UPON THE STREETS AND ALLEYS WITHIN THE CORPORATE LIMITS OF THE CITY OF MESQUITE; PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. That Chapter 10, Article V, Section 10-47 of the Mesquite City Code of 1960 is hereby amended so as to hereafter read as follows:

Section 10-47. Speeds Other than Reasonable and Prudent Unlawful.

No person shall operate a motor vehicle on any street within the corporate limits of the City of Mesquite, Texas, at a speed greater than is reasonable and prudent under the conditions then existing having regard to the actual and potential hazards when approaching and crossing an intersection or a railway grade crossing; when approaching and going around a curve; when approaching a hill crest; when travelling upon a narrow or winding roadway; or when special hazards exist with respect to pedestrians or other traffic or by reason of weather or street conditions; and in every event, speed shall be so controlled as may be necessary to avoid colliding with any person, vehicle or other conveyance on or entering the street in compliance with legal requirements and the duty of all persons to use due care.

Section 10-47.1. Speeds Greater Than 30 MPH Not Reasonable or Prudent.

When no special hazard exists that requires lower speed for compliance with Section 10-47 of this article, no person shall operate or drive any motor or other vehicle on any street within the corporate limits of the City of Mesquite, Texas, in an urban district as herein defined, at a greater speed than thirty (30) miles per hour, unless otherwise provided by subsequent sections of this article, and any speed in excess of thirty (30) miles per hour, unless otherwise provided by subsequent sections

of this article, shall be prima facie evidence that the speed is not reasonable or prudent and is unlawful.

Section 10-47.2. Determination of Maximum Speed Limits.

(a) The City Manager of the City of Mesquite shall determine on the basis of engineering and traffic surveys the reasonable and safe maximum speed limits for each street within the corporate limits of the City of Mesquite and submit recommendations based on his investigation to the City Council of the City of Mesquite.

(b) On the basis of the recommendations of the City Manager, the City Council may alter the prima facie maximum speed limit established in Section 10-47.1 of this ordinance as the Council may deem necessary.

Section 10-47.3. Posting of Speed Limit Signs.

The City Manager shall post the maximum and minimum speeds set forth in this ordinance by appropriate signs in conspicuous places so that every motorist may be aware of the speed limits established by this ordinance, except no sign shall be required where the maximum speed limit is thirty (30) miles per hour and where there is no minimum speed limit on that particular street.

Section 10-47.4. Minimum Speed Regulations.

(a) No person shall drive a motor vehicle at such a slow speed as to impede the normal and reasonable movement of traffic, except when reduced speed is necessary for safe operation or in compliance with the law.

(b) The City Manager of the City of Mesquite may determine on the basis of an engineering and traffic investigation that slow speeds on any part of a street, highway or alley consistently impede the normal and reasonable movement of traffic within the corporate limits of the City of Mesquite and submit recommendations based upon his investigation to the City Council.

(c) On the basis of the recommendations of the City Manager, the City Council may determine and declare a minimum speed limit thereat or thereon and when appropriate signs are erected giving notice of such minimum speed limit, no person shall drive a vehicle below that limit except when necessary for safe operation or in compliance with the law.

Section 10-47.5. School Zones.

No person shall operate a motor or any other vehicle in any school traffic zone at a greater speed than twenty (20) miles per hour and any speed in excess of twenty (20) miles per hour shall be prima facie evidence that the speed is not reasonable or prudent and it is unlawful. The City Manager shall designate school traffic zones with appropriate street markings and signs. The speed limit designated for school traffic zones shall be effective only at such times as appropriate signs advising motorists to this effect are placed in conspicuous places.

Section 10-47.6. Authorized Emergency Vehicles. - When Speed Restrictions Not Applicable.

The speed limitations set forth in this article shall not apply to an authorized emergency vehicle when responding to an emergency call, or when used in the pursuit of an actual or suspected violator of the law, or when responding to but not upon returning from a fire alarm, and the driver thereof sounds audible signal by bell, siren or exhaust whistle, and/or when such emergency vehicle is equipped with at least one lighted lamp exhibiting red light visible under normal atmospheric conditions from a distance of 500 feet to the front of such vehicle; except in no event shall an ambulance operating as an authorized emergency vehicle exceed a speed of 10 miles per hour greater than the authorized posted speed limits on the route of travel of such ambulance. This provision shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the street, nor shall it protect the driver of any such vehicle from the consequence of a reckless disregard of the safety of others.

Section 10-47.7. Railroad Trains.

No person shall operate or run or cause to be operated or run within the corporate limits of the City of Mesquite any railroad engine, car or train of cars at a greater rate of speed than is safe and prudent.

Section 10-47.8. Speed Restrictions.

No person shall operate or drive a motor or other vehicle on the following designated streets at a greater speed than the speed designated for that street or portion

of that street as set forth below in this section, and any speed in excess of the limit set forth in this section shall be prima facie evidence that such speed is neither reasonable nor prudent and is unlawful.

<u>Street</u>	<u>Extent</u>	<u>Speed (MPH)</u>
Belt Line Road	From the south city limits, north to a point 100 feet south of the south curb line at Whitehurst Street and Belt Line Road.	40
Belt Line Road	From a point 100 feet south of the south curb line of Whitehurst Street and Belt Line Road, north on Belt Line Road or South Galloway Avenue to a point 50 feet south of the south curb line of Borchardt Street and South Galloway Avenue.	35
South Galloway Avenue	From a point 50 feet south of the south curb line of Borchardt Street and South Galloway Avenue, north to a point 50 feet north of the north curb line of Kearney Street and North Galloway Avenue.	30
North Galloway Avenue	From a point 50 feet north of the north curb line of Kearney Street and North Galloway Avenue, north to the intersection of North Galloway Avenue, Gus Thomasson Road, Grubb Drive and Belt Line Road continuing north from said intersection on Belt Line Road to a point 200 feet north of said intersection.	35
Belt Line Road	From a point 200 feet north of the intersection of Belt Line Road, North Galloway Avenue, Gus Thomasson Road and Grubb Drive, north to the existing city limit.	45

<u>Street</u>	<u>Extent</u>	<u>Speed (MPH)</u>
Gus Thomasson Road	From the intersection of Gus Thomasson Road, North Galloway Avenue, Belt Line Road and Grubb Drive, north to a point 50 feet north of the north curb line of Tripp Road and Gus Thomasson Road	35
Gus Thomasson Road	From a point 50 feet north of Tripp Road, north to a point 100 feet south of the south curb line of the South Service Road of U. S. Highway 67 and Gus Thomasson Road	40
Gus Thomasson Road	From a point 100 feet south of the south curb line of the South Service Road of U. S. Highway 67 and Gus Thomasson Road, north to the existing city limit	35
Oates Drive	From the west city limit, east to the east city limit	35
Gross Road	From the west city limit at LaPrada Drive, south to a point 100 feet south of the south curb line of Jane Street and Gross Road	35
Town East Boulevard	From the north curb line of Samuel Boulevard and Town East Boulevard in a northeasterly direction to the east city limit	35
Samuell Boulevard	From the west city limit, east to a point where Samuel Boulevard becomes the South Service Road of U. S. Highway 80	45
Gross Road	From a point 100 feet south of the south curb line of Jane Street and Gross Road, south to a point 100 feet north of the north curb line of Grubb Drive and Gross Road	40

<u>Street</u>	<u>Extent</u>	<u>Speed (MPH)</u>
Scyene Road	From the intersection of Military Parkway east to a point 100 feet west of the west curb line of Carmack Street and Scyene Road	40
Military Parkway	From the intersection of Scyene Road east to a point 100 feet west of the west curb line of Carmack Street and Military Parkway	40
Military Parkway	From the west city limit, east to the intersection of Scyene Road	50
Scyene Road	From the west city limit, east to the intersection of Military Parkway	35
Sam Houston Road	From the south city limits north to the north city limits	35
Peachtree Road	From the south city limit, north to the south curb line of Peachtree Road and Scyene Road	35
Hickory Tree Road	From the south city limit, north to the south curb line of Military Parkway and Hickory Tree Road	35
Bruton Road	From the west city limit, east to a point 200 feet east of the east curb line of Acorn Drive and Bruton Road	35
Bruton Road	From a point 200 feet east of the east curb line of Acorn Drive and Bruton Road, east to the west curb line of Belt Line Road and Bruton Road	40
New Market Road	From the east curb line of Hickory Tree Road, east to the west curb line of South Galloway Avenue and New Market Road	35

