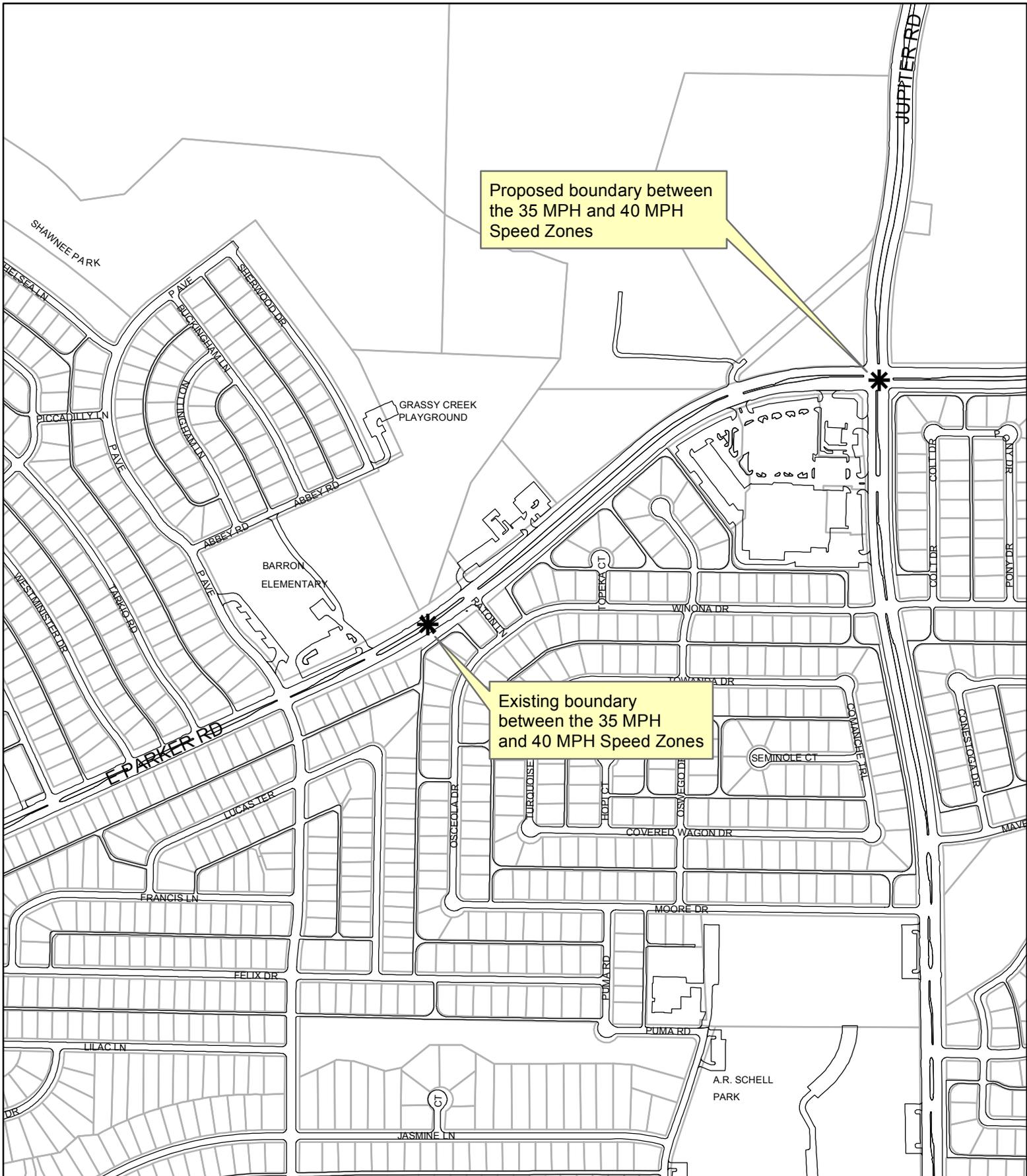


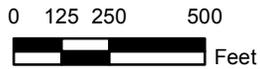
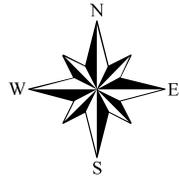


CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		1/24/2011		
Department:	Public Works & Engineering			
Department Head	Alan L. Upchurch			
Agenda Coordinator (include phone #): Irene Pegues (7198)				
CAPTION				
<p>An Ordinance of the City of Plano, Texas, amending Section 12-74(b) of Chapter 12 (Traffic Code) of the Code of Ordinances to revise the limits of the speed zone for certain sections of Parker Road within the corporate limits of the City of Plano; providing a fine for criminal penalties not to exceed \$200.00 for each offense; and providing a repealer clause, a severability clause, a savings clause, a publication clause, and an effective date.</p>				
FINANCIAL SUMMARY				
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input checked="" type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	2010-11	Prior Year (CIP Only)	Current Year	Future Years
		0	0	0
		0	0	0
		0	0	0
		0	0	0
FUND(S): GENERAL FUND				
COMMENTS: Any revenue received via fines as a result of this Ordinance is undeterminable at this time.				
STRATEGIC PLAN GOAL: Passage of this Ordinance relates to the City's Goal of Financially Strong City with Service Excellence.				
SUMMARY OF ITEM				
<p>The proposed revision of the school zone boundaries on Parker Road at P Avenue for Barron Elementary School requires relocating the boundary between the 35 mile per hour (MPH) speed zone and the 40 MPH speed zone on Parker Road. The boundary between the two speed zones is currently aligned with the east property line of the school. The Transportation Engineering Division (TED) proposes to relocate the boundary between the two speed zones to the Jupiter Road intersection. The base speed limit for Parker Road would be 40 MPH east of Jupiter Road and 35 MPH west of Jupiter Road to K Avenue. The TED has prepared the attached ordinance for City Council consideration and recommends approval of the ordinance.</p>				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	
Location Map			N/A	



**Proposed Revision to Parker Road
Speed Zone Boundary**



An Ordinance of the City of Plano, Texas, amending Section 12-74(b) of Chapter 12 (Traffic Code) of the Code of Ordinances to revise the limits of the speed zone for certain sections of Parker Road within the corporate limits of the City of Plano; providing a fine for criminal penalties not to exceed \$200.00 for each offense; and providing a repealer clause, a severability clause, a savings clause, a publication clause, and an effective date.

WHEREAS, Section 545.356 of the Texas Transportation Code, as amended, grants to cities operating under a Home Rule Charter the authority to control the operation of motor vehicles using its streets and to prescribe reasonable and safe prima facie maximum speed limits for the same; and

WHEREAS, the base speed zoning for a roadway should not change within a school speed zone; and

WHEREAS, the proposed limits of the school speed zone on Parker Road for Barron Elementary School encompass the boundary between a 40 mile per hour (MPH) speed zone and a 35 MPH speed zone for Parker Road; and

WHEREAS, this conflict between the school speed zone and base roadway speed zone boundaries requires resolution; and

WHEREAS, Jupiter Road is an effective alternative division point between sections of Parker Road and is close to the current boundary between the 35 MPH speed zone and the 40 MPH speed zone on Parker Road.

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

Section I. The following prima facie maximum speed limits hereafter indicated for motor vehicles are hereby determined and declared to be reasonable and safe, and such maximum speed limits are hereby fixed at the rate of speed indicated for motor vehicles traveling upon the named streets or highways or parts thereof. No motor vehicle shall be operated along or upon said portions of said named streets or highways within the corporate limits of the City of Plano in excess of the speeds now set forth.

Section II. Section 12-74(b) of Chapter 12 (Traffic Code) of the City of Plano Code of Ordinances is hereby amended by the repeal of the following Subsections:

“Parker Road:

- (1) Forty-five (45) miles per hour along and upon Parker Road from east city limits to Morton Vale;

(2) Forty (40) miles per hour along and upon Parker Road from Morton Vale to the east boundary line of Barron Elementary School;

(3) Thirty-five (35) miles per hour along and upon Parker Road from the east boundary of Barron Elementary School to Avenue K;

(4) Forty (40) miles per hour along and upon Parker Road from Avenue K to Marsh Lane;

(5) Forty (40) miles per hour along and upon Parker Road from Marsh Lane to the west city limits.”

Section III. Section 12-74(b) of Chapter 12 (Traffic Code) of the City of Plano Code of Ordinances is hereby amended by the addition of the following Subsections to read as follows:

“Parker Road:

(1) Forty-five (45) miles per hour along and upon Parker Road from east city limits to Morton Vale;

(2) Forty (40) miles per hour along and upon Parker Road from Morton Vale to Jupiter Road;

(3) Thirty-five (35) miles per hour along and upon Parker Road from Jupiter Road to Avenue K;

(4) Forty (40) miles per hour along and upon Parker Road from Avenue K to the west city limits.”

Section IV. The Traffic Engineer of Plano is hereby authorized to cause to be erected appropriate signs indicating such speed zones.

Section V. All provisions of the Ordinances of the City of Plano, codified or uncodified, in conflict with the provisions of this Ordinance are hereby repealed, except that an ordinance of the city establishing a school zone and speed limit therefore within the zones changed herein, shall not be repealed but shall prevail over this Ordinance. All other provisions of the Ordinances of the City of Plano, codified or uncodified, not in conflict with the provisions of this Ordinance, shall remain in full force and full effect.

Section VI. It is the intention of the City Council that this ordinance, and every provision hereof, shall be considered severable, and the invalidity of any section, clause or provision or part or portion of any section, clause, or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

Section VII. Any person, firm, or corporation violating any of the provisions of this Ordinance shall be guilty of a misdemeanor and, upon conviction in the Municipal Court, shall be subject to a fine not to exceed TWO HUNDRED AND NO/100 DOLLARS (\$200.00) for each offense. Each and every violation shall be deemed to constitute a separate offense.

Section VIII. The repeal of any ordinance or part of any ordinance effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any ordinances at the time of passage of this Ordinance.

Section IX. This Ordinance shall become effective immediately from and after its passage and publication as required by law.

DULY PASSED AND APPROVED this 24th day of January, 2011.

Phil Dyer, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY