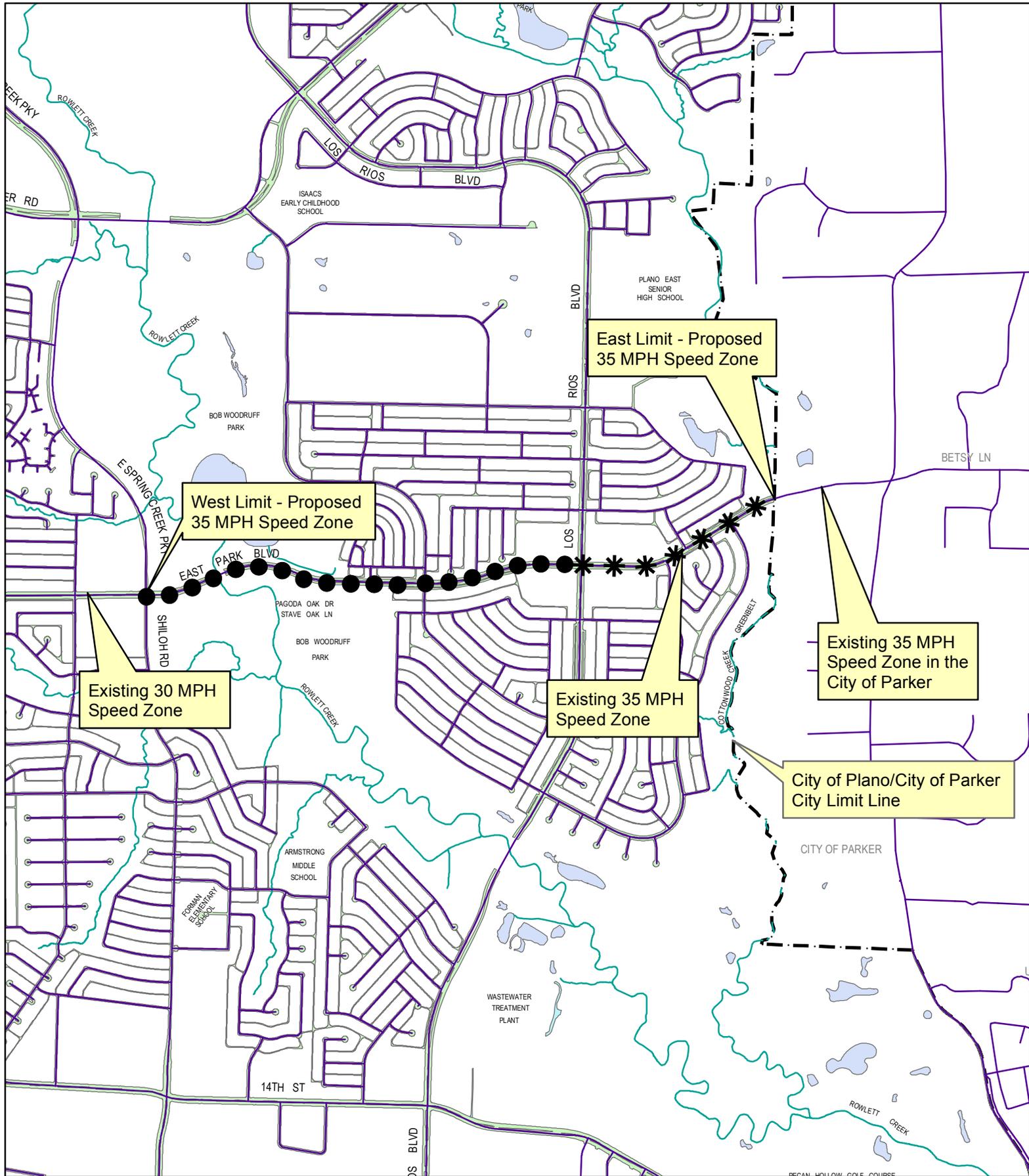


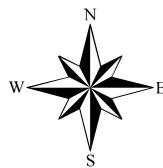


CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY					
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory					
Council Meeting Date:		8/27/12			
Department:	Public Works				
Department Head	Gerald Cosgrove				
Agenda Coordinator (include phone #):		Kathleen Schonne (X-7198)			
CAPTION					
<p>An Ordinance of the City of Plano, Texas, amending Section 12-74(b) of Chapter 12, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Plano, Texas to amend the prima facie maximum speed limits for motor vehicles operating on certain sections of Park Boulevard 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 penalty 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:	2011-12	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget		0	0	0	0
Encumbered/Expended Amount		0	0	0	0
This Item		0	0	0	0
BALANCE		0	0	0	0
FUND(s): GENERAL FUND					
<p>COMMENTS: Any revenue received is undeterminable at this time. STRATEGIC PLAN GOAL: Amending the Code of Ordinances relates to the City's Goal of Financially Strong City with Service Excellence.</p>					
SUMMARY OF ITEM					
<p>On June 25, 2012, City Council considered an ordinance to speed zone Park Boulevard from K Avenue to Los Rios Drive at 35 miles per hour (mph). The ordinance was not approved, in part due to the inclusion of the section of the street with front entry drive single family homes. Staff has revised the original proposal to include only the section of Park Boulevard from Shiloh Road east to the east City limit line. The single family homes along this section of Park Boulevard are all rear-entry homes. Seventeen homes face Park Boulevard, but are separated from it by a service road that runs from 400 feet west of San Gabriel Drive to 1,100 feet east of San Gabriel Drive. The remaining homes do not face the Park Boulevard right-of-way and are separated from the roadway by alleys and screening. Staff recommends speed zoning Park Boulevard from Shiloh Road to the east City limit line at 35 mph and has prepared the attached ordinance for City Council consideration.</p>					
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies		
Ordinance			N/A		
Location Maps					



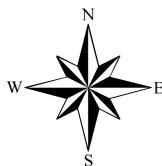
**Park Boulevard
35 MPH Speed Zoning
Recommendation**



Transportation Engineering Division



Park Boulevard
 35 MPH Speed Zoning
 Recommendation
 Homes facing Park Boulevard



Transportation Engineering Division

An Ordinance of the City of Plano, Texas, amending Section 12-74(b) of Chapter 12, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Plano, Texas to amend the prima facie maximum speed limits for motor vehicles operating on certain sections of Park Boulevard 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 penalty 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, traffic and engineering studies of Park Boulevard have been completed, and the City Council is of the opinion that the speed limits applicable to certain portions of this roadway should be altered.

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, Motor Vehicles and Traffic, of the City of Plano Code of Ordinances is hereby amended by the repeal of the following Subsection:

“Park Boulevard (FM 544):

- (1) Thirty-five (35) miles per hour along and upon Park Boulevard from east city limits to its intersection with Los Rios Boulevard; and
- (2) Thirty (30) miles per hour along and upon Park Boulevard from its intersection with Los Rios Boulevard to its intersection with Avenue K (State Highway 5); and
- (3) Forty (40) miles per hour along and upon Park Boulevard from the intersection of Avenue K to the west city limits.”

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

“Park Boulevard:

- (1) Thirty-five (35) miles per hour along and upon Park Boulevard from the east city limit line to its intersection with Shiloh Road.
- (2) Thirty (30) miles per hour along and upon Park Boulevard from its intersection with Shiloh Road to its intersection with K Avenue.
- (3) Forty (40) miles per hour along and upon Park Boulevard from its intersection with K Avenue to the west city limit line.”

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

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 violation of the provisions or terms of this ordinance by any person, firm, or corporation shall be a misdemeanor offense and 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 upon its passage and publication as required by law.

DULY PASSED AND APPROVED this 27th day of August, 2012.

Phil Dyer, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY