ORDINANCE NO. 1840

AN ORDINANCE EXTENDING CERTAIN SPECIFIED TRAFFIC RULES THAT APPLY TO ROADS OWNED BY THE CITY OF EULESS, TEXAS, TO THE ROADS IN THE "THE COURTYARDS ADDITION" ON PETITION BY THE GOVERNING BODY OF THE ENTITY THAT MAINTAINS THE ROADS IN SAID SUBDIVISION; FINDING THAT THIS ORDINANCE IS IN THE INTEREST OF THE CITY OF EULESS, GENERALLY; SPECIFYING THE REQUESTED RULES TO BE EXTENDED TO THE ROADS IN SAID SUBDIVISION; ALLOWING THE CITY TO REQUIRE THAT OWNERS OF PROPERTY IN SAID SUBDIVISION PAY ALL OR PART OF THE COST OF EXTENDING AND ENFORCING THE TRAFFIC RULES TO SAID SUBDIVISION, INCLUDING COSTS ASSOCIATED WITH PLACEMENT OF NECESSARY OFFICIAL TRAFFIC CONTROL DEVICES; ALLOWING FOR PLACEMENT OF NECESSARY TRAFFIC CONTROL DEVICES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVING CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, Section 542.008 of the Texas Transportation Code allows the City of Euless, upon petition by twenty-five percent (25%) of the property owners residing in a subdivision or on the request of the governing body of the entity that maintains the roads in a subdivision, to extend by ordinance any traffic rules that apply to roads owned by the City of Euless, so that the roads in said subdivision are under some of the same traffic rules as govern public roads within the city; and

WHEREAS, the City Council of the City of Euless, Texas, has received a petition from the governing body of the entity that maintains the roads in The Courtyards Addition, a subdivision of the City of Euless, Texas, requesting that the city extend by ordinance certain, specified traffic rules that apply to roads owned by the municipality to the roads located within that subdivision; and

WHEREAS, the City Council of the City of Euless hereby finds that it would be in the best interests of the city, generally, to extend such traffic rules to apply to the roads in said subdivision; and

WHEREAS, the City Council of the City of Euless, Texas, further finds that the following ordinance provisions promote the health, safety and general welfare of the citizens of Euless.

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

SECTION I

THAT the following specified traffic rules that apply to public streets in the City of Euless are hereby extended by this ordinance to the streets located within The Courtyards Addition to the City of Euless (hereinafter "the Subdivision") and shown within Exhibit A.

SECTION II

THAT the City Council hereby finds that this ordinance is in the interest of the City of Euless, generally.

SECTION III

THAT as a condition of extending such traffic rules, the City Council hereby requires that owners of property in the subdivision shall pay all or part of the costs of extending and enforcing the traffic rules in said subdivision, including the costs associated with the placement of necessary official traffic control devices. The City Council shall consult with the Euless Police Department to determine the cost of enforcing traffic rules in this subdivision.

SECTION IV

THAT on the effective date of this ordinance, the private roads located in the subdivision are considered to be public highways or streets for the purposes of the application and enforcement of the following specified traffic laws which apply to public streets within the city. Without limiting the generality hereof, the following specific traffic rules and regulations are hereby applied to the roads within said subdivision.

1. Failure to yield to an emergency vehicle - - - Section 545.156.

2. Interfering with emergency vehicles - - - Section 545.407.

3. Crossing a fire hose - - - Section 545.408.

4. Regulations governing parking, stopping or standing - - - Sections 545.302 and 545.303.

5. Removal of unlawfully stopped vehicle - - - Section 545.305.

6. Passing a school bus - - - Section 545.066.

7. Driving with expired, wrong or fictitious license plates or registration insignia - - - Sections 502.407 and 502.409.

8. Driving without a driver's license, or with an expired, suspended or revoked license - - - Sections 521.021, 521.451, 521.457.

9. Failure to Maintain Financial Responsibility (no insurance) - - - Sections 601.191, 601.195.

10. Failure to comply with a lawful order of a police officer - - - Section 542.501.

11. Maximum speed requirement - - - Section 545.351.

SECTION V

Severability Clause. That it is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such invalidity or 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 in this ordinance of any such invalid or unconstitutional phrase, clause, sentence, paragraph or section.

SECTION VI

Saving Clause. That Chapter 82 of the Code of Ordinances, City of Euless, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION VII

Effective Date. This ordinance shall be in full force and effect from and after its passage and publication as provided by the Euless City Charter and the laws of the State of Texas.

PRESENTED AND APPROVED ON FIRST READING at a regular meeting of the Euless City Council on the 10th day of February, 2009, by a vote of _____ ayes, _____ nays and _____ abstentions.

APPROVED:

_____
Mary Lib Saleh, Mayor

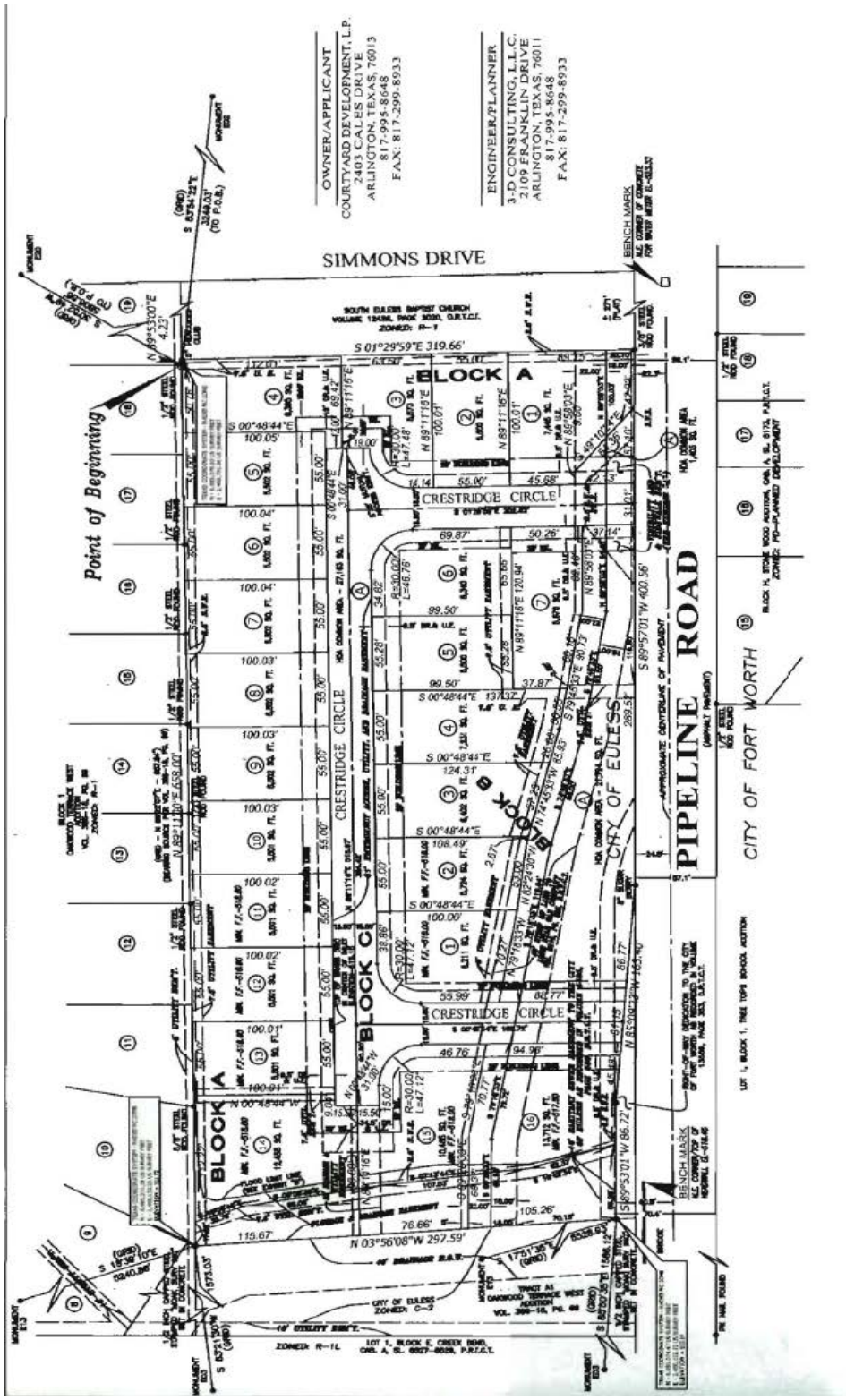
APPROVED AS TO FORM:

_____
Bob McFarland, City Attorney

ATTEST:

_____
Susan Crim, TRMC, City Secretary

EXHIBIT A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SIMMONS DRIVE
Point of Beginning
BLOCK A
BLOCK B
BLOCK C
CRESTRIDGE CIRCLE
CITY OF EULESS
PIPELINE ROAD
CITY OF FORT WORTH
BENCH MARK