

**ORDINANCE NO. 1841**

**AN ORDINANCE AMENDING CHAPTER 82, "TRAFFIC AND MOTOR VEHICLES", ARTICLE III, "OPERATION OF VEHICLE", "SECTION 82-61, "SPEED LIMITS – GENERALLY", OF THE EULESS CODE OF ORDINANCES ESTABLISHING AN ALLEY SPEED LIMIT; AND SECTION 82-62, "SAME – ON CERTAIN STREETS AND PORTIONS OF STREETS", OF THE EULESS CODE OF ORDINANCES AMENDING THE SPEED LIMIT FOR GATEWAY BOULEVARD AND EAST HARWOOD ROAD FROM NORTH MAIN STREET TO STATE HIGHWAY 360; PROVIDING A PENALTY FOR VIOLATION THEREOF; PROVIDING AN EFFECTIVE DATE; AND PROVIDING A SEVERABILITY CLAUSE.**

**WHEREAS**, the City of Euless desires to establish a speed limit for alleys; and

**WHEREAS**, the City of Euless desires to amend the speed limit on Gateway Boulevard, and

**WHEREAS**, the City of Euless desires to amend the speed limit on East Harwood Road from North Main Street to State Highway 360; and

**WHEREAS**, appropriate speed studies have been performed to justify these speed limit amendments,

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

**SECTION I**

Section 82-61 "Speed Limits – Generally," of Article III, "Operation of Vehicle" of Chapter 82, "Traffic and Motor Vehicles" of the Euless Code of Ordinances is hereby amended to add paragraph (3) to be and read as follows:

(3) No person shall drive, as defined by state law, a motor vehicle, motorcycle, bicycle, motor-driven cycle, motor-assisted cycle or any other vehicle of any kind upon an alley within the corporate limits of the city at a speed greater than is reasonable and prudent under the circumstances then existing. Any speed in or upon any alley in the city in excess of the limit as established by this section shall be prima facie evidence that the speed is not reasonable or prudent and that it is unlawful. The speed limit in or upon any alley shall be 20 miles per hour.

## SECTION II

Section 82-62 “Same – On certain streets and portions of streets,” of Article III, “Operation of Vehicle” of Chapter 82, “Traffic and Motor Vehicles” of the Euless Code of Ordinances is hereby amended to increase the speed limit on Gateway Boulevard from 30 mph to 40 mph; and on Harwood Road East from Euless Main Street, N. east to State Highway 360 from 35 mph to 40 mph, as follows:

### Delete:

Gateway Boulevard	2200-2600N	Mid-Cities Boulevard north to Centurion Way	30 mph
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### Replace with:

Gateway Boulevard	2200—3000	Mid-Cities Boulevard north to Glade Road	40 mph
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### Delete:

Harwood Rd., E.	0—1000E	Euless Main St., N east to Minters Chapel Rd.	35 mph
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### Replace with:

Harwood Rd., E.	0—1200E	Euless Main St., N. east to State Highway 360	40 mph
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## SECTION III

Any person, firm or corporation violating any of the terms and provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in accordance with Chapter 1, Section 1-12, Euless Code of Ordinances. Each such violation shall be deemed a separate offense and shall be punishable as such hereunder.

## SECTION IV

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.

## SECTION V

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.

**PRESENTED AND APPROVED ON FIRST AND FINAL READING** at a regular meeting of the Eules City Council on the 10<sup>th</sup> day of February, 2009, by a vote of \_\_\_ ayes, \_\_\_ nay and \_\_\_ abstentions.

**APPROVED:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Mary Lib Saleh, Mayor

\_\_\_\_\_  
Bob McFarland, City Attorney

**ATTEST:**

\_\_\_\_\_  
Susan Crim, TRMC, City Secretary