

**CITY OF SANDY OAKS, TEXAS**

**ORDINANCE NO. 2018-85**

**AN ORDINANCE OF THE CITY OF SANDY OAKS, TEXAS AUTHORIZING AND DIRECTING THE INSTALLATION, PLACEMENT AND ERECTION OF TRAFFIC REGULATION SIGNS, RATIFYING AND CONFIRMING THE ORIGINAL PLACEMENT AND ENFORCEMENT OF SUCH TRAFFIC REGULATION SIGNS AND DEVISES AND PROVIDING FOR A PENALTY, SEVERABILITY AND PUBLICATION.**

**WHEREAS**, the City of Sandy Oaks, Texas ("City") is a Type A General Law municipality with the authority to adopt ordinances that are not inconsistent with state law, that are necessary for the government, interest, welfare, or good order of the municipality pursuant to section 51.012 of the Local Government Code; and

**WHEREAS**, the City Council of the City of Sandy Oaks, Texas has determined that the adoption of this ordinance is necessary to the health, safety and general welfare of the inhabitants of the City and the members of the public traveling upon the City's streets; and

**WHEREAS**, speed limit signs placed by a local authority must conform to the manual and specifications adopted by the Texas Department of Transportation under sections 544.001 and 544.002 of the Texas Transportation Code; and

**WHEREAS**, existing speed limit signs have been removed or damaged and the City Council finds it necessary to install, place and erect speed limit signs in the original place of the removed or damaged speed limit signs indicating the existing speed limit;

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

**Section 1. Speed Limit Signs Authorized.** The City Council hereby establishes and authorizes the installation, placement and erection of speed limit signs in their original places of those which have been removed or damaged indicating the existing speed limit. The original placement and enforcement of such speed limit signs is hereby ratified and confirmed by the City Council. The City Engineer or Alderman Douglas Tomasini are hereby authorized and directed to erect and install appropriate signs and markings and approve and allow the placement of speed limit signs in conformance with the State Highway Department's Manual and Specifications, indicating and carrying out the provisions of this ordinance. The City Council hereby approves and authorizes the expenditure not to exceed \$2,500 and in conformance with the City's budget by the Mayor for the purchase and installation of such signs.

**Section 2. Damage to Public Property.** It shall be illegal for any person to knowingly or intentionally damage public streets, roadways or any sign posted by the City for regulation of traffic. Any person who knowingly, intentionally or recklessly causes damage to public streets, roadways or any sign posted thereon for the regulation of traffic shall be responsible for the costs of repair or replacement.

**Section 3. Penalty.** Any person who violates this Ordinance shall be guilty of a misdemeanor, and upon conviction therefore, assessed a fine not to exceed Five Hundred Dollars (\$500.00); each and every day any such violation continues and each day or portion of each day any such violation continues shall constitute a separate offense.

**Section 4. Severability.** It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such 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 unconstitutional phrase, clause, sentence, paragraph or section.

**Section 5. Publication.** The City Clerk is hereby authorized and directed to publish the caption of this Ordinance together with the penalty provision contained herein in the manner and for the length of time prescribed by law.

**Section 6. Effective Date.** This Ordinance shall take effect immediately upon its publication as required by section 52.011 of the Local Government Code.

**PASSED AND APPROVED** on this 11<sup>th</sup> day of January 2018.

**CITY OF SANDY OAKS, TEXAS**

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Karen Mendiola Tanguma, Mayor

**ATTEST:**

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Charlotte Rabe, City Clerk