

ORDINANCE NO. 106

AN ORDINANCE OF THE CITY OF HIGHLAND HAVEN, TEXAS, ADOPTING A TRAFFIC SIGNS ORDINANCE; AUTHORIZING AND DIRECTING THE INSTALLATION AND ERECTION OF STOP SIGNS FOR THE REGULATION OF TRAFFIC; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER THEREOF.

Whereas, the regulation of traffic, motor vehicles and conveyances upon all public streets, roadways and right-of-ways is essential and necessary to protect and to preserve the public safety of the City of Highland Haven, Texas (the "City");

Whereas, the City Council reviewed the public streets, roadways and rights-of-way within the City limits of the City; and

Whereas, after review, the City Council has found the stop signs and related other signage hereinafter set forth and listed in this Ordinance are reasonable and necessary for the public safety;

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

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Adoption of Traffic Control Devices and Signage. The City Council hereby approves and adopts the following provisions related to Traffic Signs within the corporate limits of the City, as follows:

ARTICLE I. - IN GENERAL

Sec. 1.001. - Traffic devices—Conformation to state manual.

All traffic control devices including signs, signals and markings (pavement and/or curb) installed or used for the purpose of directing and controlling traffic within the city shall conform with the state Manual on Uniform Traffic Control Devices for Streets and Highways, volumes I and II (hereafter called the manual), V.T.C.A., Transportation Code § 544.001. All signs, signals and markings erected or used by the city shall be uniform and be located so far as practicable according to the directions shown in the manual throughout the city. All existing traffic control devices and those erected in the future by the city being consistent with the manual, state law and this chapter shall be official traffic control devices.

Sec. 1.002. - Same—Installation and report.

(a) The city council shall by ordinance direct that the mayor shall have the duty of erecting or installing upon, over, along, or beside any highway, street or alley signs, signals and markings, or cause the same to be erected, installed or placed in accordance with this chapter and consistent with the manual. Said traffic control devices shall be installed immediately, or as soon as such specific device, sign or signal can be procured.

(b) Whenever the mayor has erected and installed any official traffic control device, signal or sign at any location in the city, or has caused the same to be done under his direction, in obedience to this chapter and the manual, the mayor shall thereafter file a report with the city secretary in writing and signed officially by the mayor, stating the type of traffic control device, sign or signal, and when and where the same was erected and installed. The city secretary shall file and maintain such report of the mayor among the official papers of the office of the city secretary.

Sec. 1.003. - Same—Mayor to be only authority for installation.

It being unlawful for any person other than the mayor, acting pursuant to an ordinance of the city, to install or cause to be installed any signal, sign or device purporting to direct the use of the streets or the activities on those streets of pedestrians, vehicles, motor vehicles, or animals, proof, in any prosecution for a violation of this chapter or any traffic regulations of the city, that any traffic control device, sign, signal or marking was actually in place on any street shall constitute prima facie evidence that the same was installed by the mayor pursuant to the authority of this chapter and of the ordinance directing the installation of such device, signal or marking.

Section 3. Repeal of Conflicting Ordinances. All parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict only. In the event of a conflict or inconsistency between this Ordinance and any other code or ordinance of the City, the terms and provisions of the most restrictive ordinance shall govern.

Section 4. Effective Date. This Ordinance shall be published in the official newspaper of the City, as required by law and shall become effective after publication as provided by law.

Section 5. Severability. 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, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity 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 phrase, clause, sentence, paragraph or section. If any provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, the invalidity shall not affect other


provisions or applications of this Ordinance which can be given effect without the invalid provision, and to this end the provisions of this Ordinance are declared to be severable.


Section 6. Open Meetings. It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, *Chapt. 551, Tex. Gov't. Code*.

PASSED AND APPROVED ON the 16th day of JUNE, 2020.

ATTEST:

THE CITY OF HIGHLAND HAVEN, TEXAS


Jeannie Gruetzner, City Secretary


Olan Kelley, Mayor

