

## **ORDINANCE #149-2017B**

**(Amending #149-2017A)**

**AN ORDINANCE OF THE CITY OF LONE OAK, TEXAS ESTABLISHING PRIMA FACIE REASONABLE AND PRUDENT SPEED FOR CITY STREETS AND PUBLIC PLACES IN THE CITY OF LONE OAK REPEALING ALL ORDINANCE AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; FIXING PENALTIES FOR VIOLATION HEREOF; AND DECLARING AN EMERGENCY**

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WHEREAS, it is necessary for the health, safety and welfare of the citizens of Lone Oak to establish maximum reasonable and prudent speeds on the streets at all times.

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

Section 1. Speed limits as set forth in the City of Lone Oak Code of Ordinances, are hereby established in 'Appendix A' attached hereto. This appendix will be reviewed annually, amended as necessary and will not require adopting a new ordinance. The amended appendix will be adopted by vote of the council and will reside as part of this ordinance as "Appendix A".

Section 2. The recitals set forth above are hereby found by the City Council to be true and correct, and are incorporated herein by reference and expressly made a part hereof as if copied verbatim.

Section 3. A speed in excess of the limits established herein is prima facie evidence that the speed is not reasonable and prudent and that the speed is unlawful on the following portions of the streets and it shall be an offense to operate a vehicle at a speed in excess thereof;

- (a) All city maintained streets, (see Appendix A), a speed limit of 10-20 miles per hour.

Section 4. The city staff is authorized and instructed to place and erect signs consistent with this ordinance.

Section 5. In the prosecution of an offense under this ordinance, the prosecution shall not be required to plead or prove a culpable mental state.

Section 6. All ordinances and part of ordinances in force in the City of Lone Oak, Texas which conflict with the terms and provisions of this ordinance are hereby repealed insofar as they conflict with this ordinance, but all other provisions of said ordinance shall remain in full force and effect.

Section 7. Should any one or more of the provisions contained in this Ordinance for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegal or unenforceable shall not affect any other provisions of this Ordinance, but this Ordinance shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

Section 8. Any person violating the provisions of this Ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding Five Hundred Dollars (\$500.00).

Section 9. This Ordinance shall be effective from and after its passage approval, publication or posting as required by law.

**AMENDED AND APPROVED THIS** 9<sup>th</sup> **DAY OF** October, 2018.

  
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Douglas E. Williams, Mayor

**ATTEST:**

  
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Kathy Voss, City Secretary

**City of Lone Oak**  
**Street Speed Limits**  
**'Appendix A'**

*(Ordinance 149-2017B Amended 10/09/2018)*

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**Streets at 20mph -**

College  
E. Cedar  
Gladys  
Jones  
McBride  
Main  
Mill  
Mud  
W. Cedar

**Streets at 10 mph -**

Division  
Elm  
Etter  
Hall  
Hickory  
Lone Oak  
Magnolia  
New  
Norton  
Oak  
Olive  
Patterson  
St. John  
Town Square  
Wallace  
Windsor