

ORDINANCE NO. 56

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ORDINANCE NO. 56

ADOPTION OF UNIFORM ACT AND GENERAL PROVISIONS

ARTICLE - 2

1. ADOPTION OF UNIFORM ACT

The City Council hereby adopts the Texas Uniform Act Regulating Traffic on Highways, known as Article 6701d of Vernon's Texas Civil Statutes, as heretofore amended, and ordains that such Act shall be in full force and effect upon all streets, roads, alleys and thoroughfares within the City.

TRAFFIC CONTROL DEVICES

ARTICLE - 3

A. TEXAS MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES ADOPTED

All traffic control devices including signs, signals, and markings on pavement and curbs used for the purpose of directing and controlling traffic within the City, shall conform with the Texas Manual on Uniform Traffic Control Devices for Streets and Highways. All traffic control devices so erected shall be official traffic control devices for the City of Log Cabin.

B. RATIFICATION OF EXISTING DEVICES

All Traffic control signs, signals, devices and markings placed or erected prior to the adoption of this Code and in use for the purpose of regulating, warning or guiding traffic are hereby affirmed, ratified and declared to be official traffic control devices, provided such traffic control devices are not inconsistent with the provisions of this Chapter or State Law.

C. THROUGH STREETS

The City hereby designates certain streets as through streets. The designated through streets for the City of Log Cabin are

described in Traffic Control from FM 3054 to SH 198. Sagebrush, Jesse James, Buffalo Bill to Recreation Area to Palladin, on file in the office of the City Secretary. This schedule is hereby adopted and incorporated in this Code as if set out at length herein. The schedule may be amended from time to time by Ordinance of the City Council. A current schedule shall be maintained by the City Secretary at all times. Whenever any Ordinance of this City designates and describes a through street, it shall be the duty of the City to place and maintain a stop sign, or on the basis of an engineering and traffic investigation at any intersection, a yield sign, on each and every street intersecting such through street unless traffic at any such street is controlled at all times by traffic control signals; provided, however, that at the intersection of two (2) such through streets, or at the intersection of a through street and a heavily traveled street not so designated, stop signs shall be erected at the approaches of either, or both of said streets as may be determined by the City upon the basis of an engineering and traffic study.

#### D. FOUR-WAY STOP INTERSECTIONS

The City hereby designates certain intersections to be controlled by four-way stop signs. The designated four-way stop intersections for the City of Log Cabin are described in Traffic Control on file in the office of the City Secretary. This schedule is hereby adopted and incorporated in this Code as if set out at length herein. The schedule may be amended from time to time by Ordinance of the City Council. A current schedule shall be maintained by the City Secretary at all times.

#### E. SPECIAL HAZARD INTERSECTIONS CONTROLLED BY STOP SIGNS

The City hereby designates certain special hazard intersections to be controlled by stop signs. The designated special hazard intersections for the City of Log Cabin to be controlled by stop signs are described in Traffic Control on file in the office of the City Secretary. This schedule is hereby adopted and incorporated in this Code as if set out at length herein. The schedule may be amended from time to time by Ordinance of the City Council. A current schedule shall be maintained by the City Secretary at all times.

#### F. AUTHORITY TO INSTALL

The Police Department of the City of Log Cabin shall conduct or cause to be conducted studies and investigations of the public streets and highways within the City of Log Cabin, Texas, and shall determine where a particular danger or hazard exists to pedestrian and motor vehicle traffic and shall make recommendations to the City Council for placement of traffic control signs, signals and devices in accordance with such studies and determinations. Immediately upon adoption of an Ordinance authorizing the location of traffic control devices by the City

Council, it shall be the responsibility of the City Council to install and maintain such sign, signal or device in accordance with the Texas Manual on Uniform Traffic Control Devices

#### SPEED LIMIT GENERALLY

#### ARTICLE - 4

##### A. SPEEDS OTHER THAN REASONABLE AND PRUDENT UNLAWFUL

No person shall operate a motor vehicle on any street within the City at a speed greater than is reasonable and prudent under the conditions then existing, having regard to the actual and potential hazards when approaching and crossing an intersection; when approaching and going around a curb; when approaching a hillcrest; when traveling upon a narrow or winding roadway; or when special hazards exist with respect to pedestrians or other traffic or by reason of weather or street conditions; and in every event, speed shall be so controlled as may be necessary to avoid colliding with any person, vehicle or other conveyance on or entering the street in compliance with legal requirements and the duty of all persons to use due care.

##### B. SPEEDS GREATER THAN THIRTY (30) MILES PER HOUR NOT REASONABLE OR PRUDENT

When no special hazard exists that requires lower speed for compliance with Part 1, no person shall operate or drive any motor or other vehicle on any street within the City at a greater speed than thirty (30) miles per hour, unless otherwise provided by subsequent Articles of this Chapter, and any speed in excess of thirty (30) miles per hour, unless otherwise provided by subsequent Articles of this Chapter, shall be prima facie evidence that the speed is not reasonable or prudent and is unlawful.

##### C. MINIMUM SPEED REGULATIONS

No person shall drive a motor vehicle at such a slow speed as to impede or block the normal and reasonable movement of traffic except when reduced speed is necessary for safe operation or in compliance with the law.

##### D. SPEED LIMIT ON SPECIFIC STREETS

No person shall operate a motor or other vehicle on the following designated streets within the corporate limits of the City at a greater speed than the speed designated for that street or portion of that street as set forth below in this Section, and any speed in excess of the speed limit set forth in this Section shall be prima facie evidence that such speed is neither reasonable nor prudent and is unlawful

Goliad to Park Drive one-way North to South.  
Park Drive to Goliad one-way South to North.

E. SPEED ON STATE HIGHWAYS

Upon the basis of an engineering and traffic investigation heretofore made as authorized by the provisions of Section 169(b) of Article 6701d, Vernon's Texas Civil Statutes, the following prima facie speed limits hereafter indicated for vehicles are hereby determined and declared to be reasonable and safe, and such speed limits are hereby fixed at the rate of speed indicated for vehicles traveling upon the named streets and highways, or parts thereof, described as follows:

1. Construction speed zone on F M 3054 within the limits where and when regulatory speed limit signs are in place facing traffic, beginning at the south city limits of Log Cabin, thence north to City Limit Sign, a maximum speed as set by State Law.

2. Authority to Erect Signs

The City Council of Log Cabin is hereby authorized to cause to be erected, appropriate signs indicating such speed zone.

PARKING REGULATIONS

Article - 5

PARKING FOR HANDICAPPED

A. Parking With Special License Device; Offense

1. Only vehicles with a special license device may occupy a parking space or area on public property designated specifically for a permanently disabled person.
2. It is an offense for a person not permanently disabled or not transporting a permanently disabled person to park a vehicle, which has a special license affixed thereto, in a parking space or area on public property designated specifically for the physically handicapped.

B. Parking Without Special License Device; Offense; Prima' Facie Evidence.

1. It is an offense for a person to park a vehicle which does not have a special license device affixed thereto, in any parking space or area on public property designated specifically for the physically handicapped.
2. If any vehicle, without a special license device, is found unattended or unoccupied within any parking space or area on public property designated specific-

ally for the physically handicapped, the registered owner of such vehicle shall be presumed to be the person who illegally parked it.

3. The records of the State Highway Department, or any medium which accurately reproduces such records, showing the name of the person to whom the vehicle was registered shall constitute prima facie evidence of the ownership of the illegally parked vehicle.

## VEHICLES ON PUBLIC PROPERTY

### ARTICLE - 6

#### PARKING IN PUBLIC PLACES

- A. No person shall stop, stand or park a vehicle in:
  1. Places prohibited by Tex.Rev.Civ.Stat. Ann. Art. 6701d.
  2. Places prohibited by official signs, markings or City Ordinance.
  3. Parking spaces designated for official use.
  4. City parks, except in designated parking areas.
- B. A person commits an offense, without regard to his mental state if he stops, stands or parks a vehicle in any of the places prohibited in this Section.
- C. It is a defense to prosecution under this Section that
  1. The operator of a vehicle was a permittee.
  2. The stopping, standing or parking of a vehicle was necessary to avoid conflict with other traffic, or in compliance with the law or the direction of a police officer or official traffic control device.

#### OPERATION OF VEHICLES ON PUBLIC PROPERTY

- A. All persons operating vehicles in a city park or on public property in the City shall confine the operation of said vehicles to designated roadways and parking areas.
- B. A person commits an offense, without regard to his mental state if he was the operator of a vehicle and fails to confine the vehicle to a designated roadway or parking area while in a city park or on public property.
- C. It is a defense to prosecution under this Section that
  1. The operator of the vehicle was a permittee.

2. The operation of the vehicle was necessary to avoid conflict with other traffic, or in compliance with the law or the direction of a police officer or official traffic control device

## TRAFFIC VISION OBSTRUCTIONS

### ARTICLE - 7

#### VISIBILITY REGULATIONS; OFFENSE; DEFENSES

- A. All real property shall be kept free of obstacles which would obstruct the view of motorists approaching an intersecting street, alley, or roadway and constitute a traffic hazard.
- B. An owner of real property commits an offense, without regard to his mental state, if he erects, plants, or maintains any wall, screen, hedge, tree, bush, shrub, billboard, or structure extending into the area of visibility over his property.
- C. It is a defense to prosecution under this Section that:
  1. The sight line of a motorist is not impaired in any way by the wall, screen, hedge, tree, bush, shrub, billboard, or structure.
  2. The owner did not receive notice of the offense from the Director prior to prosecuting any offense under this Section

## MEETING OR OVERTAKING SCHOOL BUSES

### ARTICLE - 8

#### ON PUBLIC STREETS GENERALLY

The driver of a motor vehicle upon a public street or highway within the city limits of the City of Log Cabin, Texas, whether inside or outside of a business or residence district upon meeting or overtaking from either direction, any school bus which is stopped on the highway for the purposes of receiving or discharging any school children, shall stop the vehicle before reaching such school bus when there is in operation upon said school bus a visual signal as specified in Section 124 of the Texas Motor Vehicle Law Uniform Act, the same being Article 6701d, Vernon's Annotated Civil Statutes, and said driver shall not proceed until such school bus resumes motion or is signaled by the school bus driver to proceed or the visual signals are no longer actuated.

## TRUCK ROUTES AND TRUCK PARKING

### ARTICLE - 9

A. UNLAWFUL TO OPERATE COMMERCIAL VEHICLE OFF TRUCK ROUTE AND EXCEPTIONS.

It shall be unlawful for any person or owner to operate, leave, park or stand or permit to be operated or parked, any "commercial vehicle", on any street within the City which is not a designated truck route. Provided, however, the provisions of this subsection shall not apply to a commercial vehicle which has left a truck route in order to proceed to a location which is off the truck route for the purpose of loading or unloading merchandise at such location and shall not apply to such vehicle while parked at such location for the purpose of such loading or unloading and shall not apply to such vehicle while returning to a truck route, if the driver of the vehicle is taking the shortest practical distance, has in his possession documents for inspection by police officers evidencing the destination and point of origin that will justify the presence of the vehicle off a truck route and his inability to reach the destination by an authorized truck route. Provided further, however, the parking of such vehicle at the point of loading or unloading shall be permitted only to the extent reasonably necessary for such loading or unloading and shall not authorize the parking of any such vehicle for any other purpose.

B. UNLAWFUL TO PARK COMMERCIAL VEHICLE OFF TRUCK ROUTE EXCEPT WHERE AUTHORIZED OR WHILE LOADING OR UNLOADING

It shall be unlawful for any person or owner to leave, park or stand or permit to be parked, any "commercial vehicle," on any public or private property within the City which is not zoned for the parking or storage of such vehicles or where such vehicle is in the process of loading or unloading at a point off a truck route as permitted in the foregoing subsection

GENERAL TRAFFIC REGULATIONS

ARTICLE - 10

A. IMPOUNDMENT OF MOTOR VEHICLES

B. WRECKER SERVICE



C. ABANDONED AND JUNK VEHICLES

TRAFFIC REGULATIONS

ARTICLE - 11

DEFINITIONS

Whenever in this Chapter the following terms are used, they shall have the meanings respectively ascribed to them in this Article:

**Alley:** Any street having no regular or official name other than "alley" and being twenty (20') feet or less in width.

**Authorized Emergency Vehicles:** Vehicles of the Fire Department (Fire Patrol), police vehicles, public and private ambulances for which permits have been issued by the State Board of Health, and emergency vehicles of municipal departments or public service corporations as are designated or authorized by the City Council and private vehicles operated by volunteer firemen while answering a fire alarm.

**Driveway, Private:** Any entrance or exit over the sidewalk or sidewalk area of any street affording a means of ingress or egress for vehicles to or from any private property, or the entrance or exits of any private garage into or from any alley.

**Driveway, Public:** Any entrance or exit over the sidewalk or sidewalk area of any street affording a means of ingress or egress for vehicles to or from any public property.

**Intersection:** The area embraced within the prolongation or connection of the lateral curb lines or, if none, then the lateral boundary lines of the roadways of two (2) streets or highways which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different streets or highways joining at any other angle may come in conflict. Where a highway includes two (2) roadways thirty (30') feet or more apart, then every crossing of each roadway of such divided street or highway by an intersecting highway shall be regarded as a separate intersection. In the event such intersecting street or highway also includes two (2) roadways thirty (30') feet or more apart, then every crossing of the two (2) roadways of such highway shall be regarded as a separate intersection.

**Laned Street:** A street which is divided into two (2) or more clearly marked lanes for vehicular traffic.

**Motor Vehicle:** Every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails.

**No-parking Zone:** A space or area on the roadway adjacent to the curb, whether marked by official signs or not, in which no vehicle may be parked.

**Official Traffic-control Devices:** All signs, signals, markings and devices not inconsistent with this Chapter placed or erected by authority of a public body or official having jurisdiction for the purpose of regulating, warning or guiding traffic.

**One-way Street:** A street on which all vehicular traffic is required to move in the same general direction as indicated by direction signs.

**Park or Parking:** The standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading materials or passengers.

**Passenger:** Any person in or on a vehicle other than the driver, whether or not the vehicle is moving.

**Pedestrian:** Any person afoot.

**Permanently Disabled Person:** A person who is so severely disabled as to be unable to ambulate without the aid of a wheelchair or other mechanical device.

**Police Officer:** Every officer of the Municipal Police Department or any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

**Private Road or Driveway:** Every way or place in private ownership and used for vehicular travel by the owner and those having expressed or implied permission from the owner but not by other persons.

**Public Place:** A place where people are assembled or to which people commonly resort for purposes of business, amusement, recreation or other lawful purposes and, for the purpose of this Chapter, shall include all streets and alleys within the boundaries of the City.

**Right-of-way:** When pertaining to traffic, the privilege of the immediate use of the roadway. When pertaining to land, that portion of land that is publicly owned and primarily destined either all or in part for the use of the public as a street or roadway.

**Roadway:** That portion of a street or highway, improved, designed or ordinarily used for vehicular traffic exclusive of the berm or shoulder. In the event a highway includes two (2) or more separate roadways the term "roadway" as used herein shall refer to any such roadway separately but not to all such roadways collectively.

**Route:** A street on which signs are erected giving notice thereof that certain types of vehicles may or may not be operated.

**School Bus:** Every motor vehicle that complies with the color and identification requirements set forth in the standards produced and sponsored by the National Commission on Safety Education of the National Education association, Washington, D.C., and is being used to transport children to or from school or in connection with school activities, but not including buses operated by common carriers in urban transportation of school children.

**Special License Device:** The specially designed symbol, tab, or other device, with the word "disabled" printed thereon, issued by the State Highway Department, to be attached to the license plates of a motor vehicle regularly operated by or for the transportation of a permanently disabled person.

**Stand or Standing:** The halting of a vehicle whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in receiving or discharging passengers.

**State Highway Department:** The State Department of Highways and Public Transportation of the State of Texas.

**Stop:** When required, means complete cessation of movement.

**Stop, Stopping or Standing:** When prohibited, means any halting even momentarily of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control sign or signal.

**Street or Highway:** The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

**Through Street or Highway:** A street or highway, or a portion thereof, on which vehicular traffic is given preferential right-of-way, and at the entrances to which vehicular traffic from intersecting highways is required by law to yield the right-of-way to vehicles on such through highway in obedience to a stop sign, yield sign or other official traffic control device, when such signs or devices are erected as provided in this Chapter.

**Truck:** The same as a commercial vehicle.

**Vehicle:** Every device in, upon or by which any person or property is or may be transported or drawn upon a public highway, except devices moved by human power or used exclusively upon stationary rails or tracts.

ORDINANCE NO. 56

PASSED AND APPROVED THIS 20<sup>th</sup> DAY OF March 1997.

SECOND READING THIS 17<sup>th</sup> DAY OF April 1997.

  
JOHN-DAVID BROOME, MAYOR

ATTESTED:

  
SHIRLEY TOWNSEND, CITY SECRETARY