

**ORDINANCE NO. 2010-05-25-001**  
**(revision of 2008-05-27-003)**

**AN ORDINANCE OF THE CITY OF KEMPNER, TEXAS, PROVIDING FOR REVISION OF SPEED ZONES WITHIN THE CITY LIMITS OF KEMPNER INCLUDING FM 2313, BEGINNING AT INTERSECTIN OF US 190; PROVIDING PENALTIES; AND PROVIDING SEVERABILTY, OPEN MEETINGS AND EFFECTIVE DATE CLAUSES.**

**SECTION 1. SPEED LIMITS – GENERALLY**

- (a) It shall, henceforth, be unlawful to operate a motor vehicle upon the streets, alleys and county roads in the town in excess of the following speeds:
  - (1) Fifteen (15) miles per hour in all alleys.
  - (2) Thirty (30) miles per hour within the city limits of the town, except when a lower rate of speed is required, or when a greater speed is permitted as set out and prescribed by this Article.
  - (3) Thirty (30) miles per hour on county roads which are located in residential areas within the city limits as follows:  
County Road Numbers 4807, 4808, 4810 and 4820.
  - (4) Thirty-five (35) miles per hour on County Road 4804
  - (5) Twenty (20) miles per hour on Pecan Street, Hickory Lane, Commanche, Cherokee and Cheyenne.
- (b) For the purposes of this section, an “alley” shall be defined as the entire width between the boundary lines of every road publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel, having no legal or official name and of twenty (20) feet or less in width.

**SECTION 2. SPEED LIMITS-FM 2313**

- (a) Engineering studies performed on FM 2313 by the Texas Department of Transportation indicate the need to revise the speed zones the entire length of FM 2313. The speed studies indicate a thirty (30) mph speed zone from the intersection of US 190 to a distance of 0.200 miles, a forty-five (45) mph zone for a distance of 0.291 miles, and a fifty-five (55) mph zone for the remaining length of FM 2313.
- (b) This ordinance includes the 0.200 miles thirty (30) mph zone and the 0.114 mile, forty-five (45) mph speed zone that are within the city limits of Kempner.

**SECTION 3. PENALTY**

Any person who violates any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof, shall be fined not less than \$25.00 and not more than \$200.00, plus court costs.

**SECTION 4. SEVERABILITY.**

If any provision of this ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications hereof which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are declared to be severable.

**SECTION 5. EFFECTIVE DATE.**

This ordinance shall take effect immediately from and after its passage and publication in the manner set forth with the provisions of the Local Government Code.

**SECTION 6. OPEN MEETINGS.**

That it is hereby officially found and determined that the meeting at which an ordinance is passed was open to the public as required and that public notice of the time, place, and purposes of said meeting was given as required by the Open Meetings Act., Chapter 551, Loc. Government Code.

**PASSED AND APPROVED on this the 25<sup>th</sup> day of May, 2010.**

**Attest:**

**City of Kempner, Texas**

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Frances Spinney, City Secretary

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Gene Isenhour, Mayor