

ORDINANCE NO. 25-107

AN ORDINANCE OF THE CITY OF GARRETT, TEXAS, ESTABLISHING SPEEDS ON CERTAIN AND SPECIFIC STREETS WITHIN THE TERRITORIAL LIMITS OF THE CITY OF GARRETT, TEXAS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALING CLAUSE PROVIDING A PENALTY CLAUSE ESTABLISHING A FINE NOT TO EXCEED \$200.00 FOR VIOLATION OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council ("Council") of the City of Garrett, pursuant to Section 311.002 of the Texas Transportation Code, as a Type A general municipality, the City has exclusive control over its streets, highways and alleys; and

WHEREAS, the Council of the City serves as the elected governing body of the City directly responsible for the promotion and protection of the public health and safety of its citizens and inhabitants; and

WHEREAS, the City is authorized and empowered to adopt and enforce ordinances, not inconsistent with state law, that are necessary to protect the safety of its inhabitants (TEXAS LOCAL GOVERNMENT CODE § 51.012); and

WHEREAS, the City is authorized by TEXAS TRANSPORTATION CODE Section 545.356 and TEXAS ADMINISTRATIVE CODE Title 43, Part 1, Chapter 25, Subchapter B, Rule Section 25.24 to alter the prima facie speed limits on an officially designated or marked highway of the state highway system within its municipal boundaries;

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

SECTION 1.

ARTICLE I – SPEED REGULATIONS

SECTION 1: GENERAL SPEED LIMITS

- a) Maximum Speed Limit. No person shall operate or drive any vehicle on any street within the City at a speed greater than thirty (30) miles per hour, unless signs which designate a different speed are erected in accordance with this Ordinance.
- b) Reasonable and Prudent Speed Limit. Notwithstanding any other provisions of this Ordinance, no person shall drive a vehicle on a street at a speed that is greater than is reasonable and prudent under existing conditions, having regard for the actual and potential hazards then existing. In every event, the posted speed limits for any street is the reasonable and prudent speed for that location

and any person driving on said street over or above the posted speed is driving at a speed which is imprudent and unreasonable for that location.

SECTION 2: SPECIFIC SPEED LIMITS.

a) Authority to Establish. The City Council may alter the maximum speed limit on any street, roadway, or highway, or any portion thereof, as established by this Ordinance within the City in accordance with the provisions of the Texas Transportation Code, Section 311.002 as it has exclusive authority over the streets, highways and alleys in its territorial limits. Whenever signs are posted giving notice of the maximum legal speed limit established for a particular street, roadway, or highway, or portion thereof, it shall be unlawful for any person to drive or operate any vehicle at a rate of speed in excess of such limit.

b) Speed Limits Established. Pursuant to the provisions of the proceeding Subsection, the following speed limits are hereby established for the specific streets, roadways, highways, or portions thereof, enumerated below:

| | |
|--|--------|
| Garrett Ave from North City Limits to South City Limits | 30 mph |
| Wyatt, from Boyce Rd. to Prachyl Rd. | 25 mph |
| Gibson St. from West City Limits to Boyce Road | 30 mph |
| Garrett Ave from North City Limits to South City Limits | 30 mph |
| Boyce Rd. from South City Limits to Gibson St. | 25 mph |
| Ferris St. from Gibson St. to West Patrick St. | 25 mph |
| Templeton St. from Dunn St. to West Patrick St. | 25 mph |
| Nash St. from Conner St. to West Patrick St. | 25 mph |
| Nash St. from Wyatt St. to end of Nash St. | 25 mph |
| Williams St. from Boyce Rd. to end of Williams St. | 25 mph |
| Merritt Ave. from Boyce Rd. to end of Merritt Ave. | 25 mph |
| Conner St. from Boyce Rd. to Nash St. | 25 mph |
| West Patrick St. from Boyce Rd. to Nash St. | 25 mph |
| East Patrick St. from Garrett Ave. to end of West Patrick | 25 mph |
| Margurite Lane from Garrett Ave. to end of Margurite Lane | 25 mph |
| Hart St. from Boyce Rd. to Garrett Ave. | 25 mph |
| Pecan Hollow St. | 25 mph |
| All streets within the addition known as "Hill Glenn": including, but not limited to the following: Beverly Dr., Christy Cr., and Holly Loop | 25 mph |

Sleepy Hollow, from Prachyl Rd. to Ennis Line

30 mph

SECTION 2: PENALTY. Any person violating any provisions of this Ordinance shall be deemed guilty of a misdemeanor, and, upon conviction, shall be subject to a fine of not more than two hundred dollars (\$200).

SECTION 3: 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 separable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional or invalid by the judgment or decree of any court of competent jurisdiction, such unconstitutionality of invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of unconstitutional or invalid phrases, clauses, sentences, paragraphs, or sections.

SECTION 4: RECITALS. The Council hereby adopts the Recitals and finding set forth in the preamble hereof as if fully incorporated.

SECTION 5. REPEALER. That any and all ordinances of the City of Garrett, Texas in conflict with any of the provisions of this Ordinance be and the same are hereby repealed to the extent they conflict with this Ordinance and all other ordinances of the City of Garrett, Texas not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 6. PUBLICATION. The City Secretary of the City of Garrett is hereby directed to publish this ordinance, or its caption and penalty clause, in one issue of the official City newspaper as required by the laws of the State of Texas.

SECTION 7. EFFECTIVE DATE. This ordinance shall become effective immediately from and after its passage and publication in accordance with Chapter 52 of the Texas Local Government Code.


PASSED AND APPROVED THIS 29th DAY OF MAY 2025.

APPROVED:



Matthew Newsom, Mayor

ATTEST:


Judy Braddock, City Secretary