

ORDINANCE NO. 2024-11

**AN ORDINANCE OF THE CITY OF BARDWELL, TEXAS REPEALING AND REPLACING ORDINANCE NO. 2024-10-1 WHICH AUTHORIZED AND DIRECTED THE INSTALLATION, PLACEMENT AND ERECTION OF TRAFFIC CONTROL SIGNS AND DEVICES WITHIN THE CITY; MAKING FINDINGS OF FACT; RATIFYING AND CONFIRMING THE ORIGINAL PLACEMENT AND ENFORCEMENT OF SUCH TRAFFIC CONTROL SIGNS AND DEVICES; AND PROVIDING A PENALTY NOT TO EXCEED \$200.00 FOR VIOLATIONS; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, on or about October \_\_, 2024, the City Council passed Ordinance No. 2024-10-1, which authorized and directed the placement, installation, erection and enforcement of traffic control signs on the City streets and intersections to control, regulate and direct the travel and operation of motor vehicles and conveyances is essential and necessary to the public safety; and

**WHEREAS**, the City of Bardwell ("City") has caused traffic control signs to be placed, installed and erected on the City streets; and

**WHEREAS**, after review, inquiry and the opportunity for citizen participation, the City Council has found Ordinance No. 2024-10-1, should be repealed and replaced with a new ordinance that details and describes where the traffic control signs shall be placed, which are reasonable and necessary for the public safety and are support by sound and accepted public safety and traffic engineering criteria, and which are included in the attached Exhibit "A", attached hereto and incorporated herein for all purposes.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BARDWELL, TEXAS:**

**SECTION 1. FINDINGS.** The City Council finds the statements made in the preamble above are true and correct. The City Council does authorize amendments to the budget and does authorize an expenditure as an amendment to the original budget, finding this is a situation which could not have been included in the original budget through the use of reasonably diligent thought and attention.

**SECTION 2. REPEAL AND REPLACEMENT.** Ordinance No. 2024-10-1 is hereby repealed in its entirety and replaced with this ordinance. The installation, placement, erection and enforcement of the traffic control signs as set forth in Exhibit "A" of this ordinance are hereby confirmed and ratified by the City Council.

**SECTION 3. TRAFFIC CONTROL SIGNS.** The City Council hereby orders and directs the traffic control signs hereinafter set forth in Exhibit "A" be placed, installed and

erected at the locations designated, and that each such sign be hereafter maintained and enforced by the City. Exhibit "A" is incorporated hereby as though fully transcribed herein for all purposes. Each stop sign listed in Exhibit "A" indicates the direction of travel regulated by the stop sign.

**SECTION 4.** It shall be unlawful for any person to drive or operated a motor vehicle that enters the intersections identified in Exhibit "A" without stopping in obedience to the sign erected and installed pursuant to this Ordinance. Further, it shall be unlawful for any person to tamper with, alter, remove, destroy, cover or hinder the visibility of any stop sign erected by this Ordinance in a manner which is inconsistent with its use as a traffic control device. Any person who violates this ordinance or part thereof, shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than \$50.00, nor more than \$200.00.


**SECTION 5.** That all provisions of the ordinances of the City of Bardwell in conflict with the provisions of this ordinance be and the same are hereby repealed and all ordinances not so in conflict shall remain in full force and effect, but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the appeal prevent a prosecution from being commenced for any violation if occurring prior to the repealing of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

**SECTION 6.** That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision hereof other than the part so decided to be unconstitutional, illegal or invalid, and shall not affect the validity of the Ordinance as a whole.

**SECTION 7.** This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such cases provides.

**DULY PASSED** by the City Council of the City of Bardwell, Texas, on the 4<sup>th</sup> day of November 2024.

APPROVED:

  
\_\_\_\_\_  
Jodie Odlozil, Mayor

ATTEST:

  
\_\_\_\_\_  
Debbie Strunc, City Secretary

**EXHIBIT "A"**

<b>TYPE OF SIGN</b>	<b>DIRECTION/LOCATION OF SIGN</b>	<b>DIRECTION OF CROSS STREET</b>
Stop	W/B Main Street	Beulah
Stop	E/B Commerce Street	Waxahachie Ave
Stop	W/B Commerce Street	Waxahachie Ave
Stop	E/B Commerce Street	Beulah
Stop	E/B Planter's Gin Rd	Waxahachie Ave
Stop	W/B Pecan Street	Waxahachie Ave
Stop	E/B Elm Street	Waxahachie Ave
Stop	W/B Elm Street	Waxahachie Ave
Stop	E/B Walnut Ave	Waxahachie Ave
Stop	N/B Locust Street	Italy Ave
Stop	E/B Locust Street	Italy Ave
Stop	W/B Main Street	Italy Ave
Stop	E/B Main Street	Italy Ave
Stop	N/B Commerce Street	Italy Ave
Stop	S/B Commerce Street	Italy Ave
Stop	W/B Elm Street	Italy Ave
Stop	E/B Pecan Street	Waxahachie Ave
Stop	W/B Walnut Street	Waxahachie Ave
Stop	W/B Ash Street	FM 984 North
Stop	W/B Locust Street	FM 984 North
Stop	E/B Ennis Ave	Ash Street
Stop	N/B Ash Street	Italy Ave
Stop	E/B Ash Street	Italy Ave
Stop	E/B Commerce Street	FM 984 North
Stop	W/B Commerce Street	FM 984 North
Stop	E/B Elm Street	FM 984 North
Stop	W/B Elm Street	FM 984 North

**SPEED LIMIT**

Speed  
Speed  
Speed  
Speed  
Speed  
Speed  
Speed  
Speed

**DIRECTION/LOCATION**

3630 Beulah Street (west)  
3691 Beulah Street (east)  
3630 Waxahachie Ave (west)  
3691 Waxahachie Ave (east)  
3730 Beulah Ave (west)  
5780 Beulah Ave (east)  
5746 Planter's Gin Rd (double sided)  
5711 Pecan Street (west)

**CROSS STREET**

<b>SPEED LIMIT</b>	<b>DIRECTION/LOCATION</b>	<b>CROSS STREET</b>
Speed	3710 Ellis Street (west)	
Speed	3821 Pond Street (east)	
Speed	5620 Italy Ave (east)	
Speed	5598 Margarite Ave (east)	
Speed	3592 Margarite Ave (west)	
Speed	5641 Italy Ave (west)	
Speed	3524 Italy Ave (west)	
Speed	5668 Main Street (northeast side) of Ennis Ave	
Speed	3590 Buchholtz Ave (northwest side) of Buchholtz	