

ORDINANCE NO. 2021-229

AN ORDINANCE OF THE TOWN OF PROVIDENCE VILLAGE, TEXAS AMENDING THE CODE OF ORDINANCES TO MODIFY CHAPTER 12, TRAFFIC & VEHICLES, ARTICLE 12.03, DIVISION 2, SEC. 12.03.036 ENTITLED "SPEED LIMITS ON HIGHWAYS" AND SEC. 12.03.037 ENTITLED "SPEED LIMITS IN SCHOOL ZONES" TO DECREASE SPEED LIMITS BASED ON TEXAS DEPARTMENT OF TRANSPORTATION RECOMMENDATIONS; PROVIDING A PENALTY UP TO \$500 PER DAY; PROVIDING SAVINGS, REPEALING AND SEVERABILITY CLAUSES; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the Town Council of the Town of Providence Village, Texas ("Town Council") has previously taken action to establish the Code of Ordinances (the "Code"); and

WHEREAS, the Town of Providence Village became a Home Rule municipal government by adoption of the Home Rule Charter at an election held May 9, 2015; and

WHEREAS, the Home Rule Charter provides that the municipal government shall be known as the "Council-Manager Government" wherein the Town Council is vested with the power to enact local legislation, adopt budgets, determine policies and appoint a Town Manager, who shall be held responsible to the Town Council for the execution of the laws and the administration of the government; and

WHEREAS, the Town Council desires to modify the Code, Chapter 12, Article 12.03, Sec. 12.03.036 entitled "Speed Limits on Highway" to reduce speed limits based on recommendations from Texas Department of Transportation as noted in Exhibit "A" attached; and

WHEREAS, the Town Council desires to modify the Code, Chapter 12, Article 12.03, Sec. 12.03.037 entitled "Speed Limits in School Zones" to reduce speed limits based on recommendations from Texas Department of Transportation as noted in Exhibit "A" attached; and

WHEREAS, the Town Council has determined that ratifying and amending the Code is in the best interest of the citizens of the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PROVIDENCE VILLAGE, TEXAS:

Section 1. Findings Incorporated. The findings set forth above are true and correct and are incorporated into this Ordinance as if fully set forth herein.

Section 2. Amendment of Code.

ARTICLE 12.03 OPERATION OF VEHICLES, Division 2. Speed Limits, Section 12.03.036 entitled “Speed Limits on Highways” shall be amended, in part, as follows:

Division 2. Speed Limits

Sec. 12.03.036 Speed limits on highways

A speed in excess of the limits established by this section is prima facie evidence that the speed is not reasonable and prudent and that the speed is unlawful:

- (1) Fifty-five (55) miles per hour on Main Street (FM 2931), north and south bound, of the highway within the northern-most town boundary to Liberty Rd.
- (2) Forty-five (45) miles per hour on Main Street (FM 2931), north and south bound, of the highway within the boundary of Liberty Rd. to U.S. Highway 380.
- (3) Sixty (60) miles per hour on U.S. Highway 380, east and west bound, of the highway within the town.
- (4) Thirty-five (35) miles per hour on Fishtrap Road, east and west bound, of the highway within town.

ARTICLE 12.03 OPERATION OF VEHICLES, Division 2. Speed Limits, Section 12.03.037 entitled “Speed Limits in School Zones” shall be amended, in part, as follows:

Division 2. Speed Limits

Sec. 12.03.037 Speed limits in school zones

A speed in excess of the limits established by this section is prima facie evidence that the speed is not reasonable and prudent and that the speed is unlawful:

- (1) School zone on local streets for James A. Monaco Elementary School: Fifteen (15) miles per hour.
- (2) School zone on Main Street (FM 2931) for James A. Monaco Elementary School: Thirty (30) miles per hour.
- (3) School zone on local streets for Providence Elementary School: Fifteen (15) miles per hour.
- (4) School zone on Main Street (FM 2931) for Providence Elementary School: Thirty (30) miles per hour.

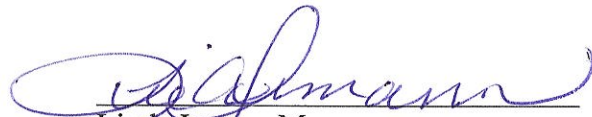
Section 3. Savings/Repealing Clause. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a

prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.


Section 4. Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Providence Village hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

Section 5. Effective Date. This Ordinance shall take effect immediately upon and after its passage and publication as provided by law.

PASSED AND ADOPTED by the Town Council of the Town of Providence Village, Texas, on this 18th day of May, 2021.


Linda Inman, Mayor

ATTEST:


Connie S. Hansen, TRMC
Town Secretary

APPROVED AS TO FORM:


Julie Fort, Town Attorney



Publication Date: May 21, 2021



Texas Department of Transportation

4777 EAST US HIGHWAY 80, MESQUITE, TEXAS 75150-6643 | 214-320-6100 | WWW.TXDOT.GOV

May 5, 2021

Control: 2979-01
Highway: FM 2931
County: Denton

Mr. Brian Roberson
Town Manager
1755 Main Street
Providence Village, TX 76227

Subject: Speed Zones

Dear Mr. Roberson:

Attached for your information and handling is a computer printout of the speed zone study on FM 2931 in the Town of Providence Village. The speed zone study was done after the request from the Denton Area Office to re-evaluate the speed for the entire FM 2931 in Denton County. The printout shows that the recommended speeds correspond to the speeds at which the normal and prudent driver is driving under the existing conditions.

To proceed with the changing of the speed limits, TxDOT requires a signed town ordinance matching the zones on the speed study. To assist the Town in the preparation of the ordinance, a sample speed zone ordinance has been attached to serve as a guide. Please forward the signed ordinance to our office by June 18, 2021 for further processing. Upon receipt of the ordinance from the Town of Providence Village, TxDOT will furnish and install the necessary signs at the proper locations. Should the Town already have an ordinance on file that matches the limits shown on the study, please forward a copy of that to our office for our records.

If we may be of further assistance, please feel free to contact Bahman Afsheen, P.E. at the above address or by telephone at 214-320-6229.

Sincerely,

DocuSigned by:

Felicia R. Cortez, P.E.

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Felicia R. Cortez, P.E.

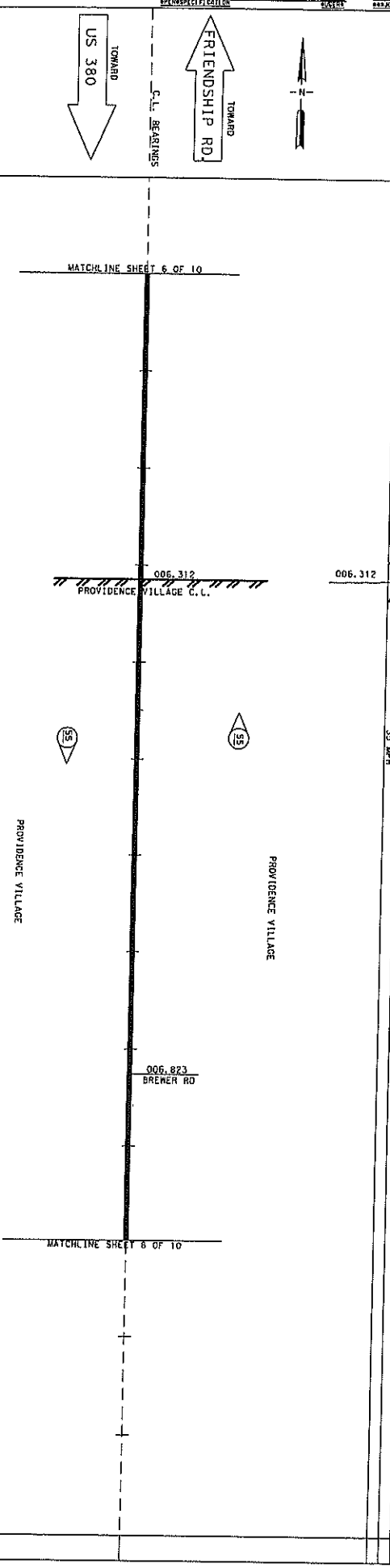
District Traffic Engineering Supervisor

Attachments

cc: Traffic - Speed Zone Folder
Massey, Area Engineer
Blain/Cortez
J. Bush
TF

FM 2931

DEVELOPMENT	RES. SIGHT DISTANCE	OPEN
BALL BANK OR ADVISORY SPEED	GRADES OVER 2'	
GRADES OVER 3'	GRADES OVER 3'	
GRADES OVER 4'	GRADES OVER 4'	
GRADES OVER 5'	GRADES OVER 5'	
GRADES OVER 6'	GRADES OVER 6'	
GRADES OVER 7'	GRADES OVER 7'	
GRADES OVER 8'	GRADES OVER 8'	
GRADES OVER 9'	GRADES OVER 9'	
GRADES OVER 10'	GRADES OVER 10'	
GRADES OVER 11'	GRADES OVER 11'	
GRADES OVER 12'	GRADES OVER 12'	
GRADES OVER 13'	GRADES OVER 13'	
GRADES OVER 14'	GRADES OVER 14'	
GRADES OVER 15'	GRADES OVER 15'	
GRADES OVER 16'	GRADES OVER 16'	
GRADES OVER 17'	GRADES OVER 17'	
GRADES OVER 18'	GRADES OVER 18'	
GRADES OVER 19'	GRADES OVER 19'	
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GRADES OVER 22'	GRADES OVER 22'	
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GRADES OVER 25'	GRADES OVER 25'	
GRADES OVER 26'	GRADES OVER 26'	
GRADES OVER 27'	GRADES OVER 27'	
GRADES OVER 28'	GRADES OVER 28'	
GRADES OVER 29'	GRADES OVER 29'	
GRADES OVER 30'	GRADES OVER 30'	
GRADES OVER 31'	GRADES OVER 31'	
GRADES OVER 32'	GRADES OVER 32'	
GRADES OVER 33'	GRADES OVER 33'	
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GRADES OVER 38'	GRADES OVER 38'	
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GRADES OVER 41'	GRADES OVER 41'	
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GRADES OVER 73'	GRADES OVER 73'	
GRADES OVER 74'	GRADES OVER 74'	
GRADES OVER 75'	GRADES OVER 75'	
GRADES OVER 76'	GRADES OVER 76'	
GRADES OVER 77'	GRADES OVER 77'	
GRADES OVER 78'	GRADES OVER 78'	
GRADES OVER 79'	GRADES OVER 79'	
GRADES OVER 80'	GRADES OVER 80'	
GRADES OVER 81'	GRADES OVER 81'	
GRADES OVER 82'	GRADES OVER 82'	
GRADES OVER 83'	GRADES OVER 83'	
GRADES OVER 84'	GRADES OVER 84'	
GRADES OVER 85'	GRADES OVER 85'	
GRADES OVER 86'	GRADES OVER 86'	
GRADES OVER 87'	GRADES OVER 87'	
GRADES OVER 88'	GRADES OVER 88'	
GRADES OVER 89'	GRADES OVER 89'	
GRADES OVER 90'	GRADES OVER 90'	
GRADES OVER 91'	GRADES OVER 91'	
GRADES OVER 92'	GRADES OVER 92'	
GRADES OVER 93'	GRADES OVER 93'	
GRADES OVER 94'	GRADES OVER 94'	
GRADES OVER 95'	GRADES OVER 95'	
GRADES OVER 96'	GRADES OVER 96'	
GRADES OVER 97'	GRADES OVER 97'	
GRADES OVER 98'	GRADES OVER 98'	
GRADES OVER 99'	GRADES OVER 99'	
GRADES OVER 100'	GRADES OVER 100'	



EXISTING SPEED	60 MPH	60 MPH
ZONE LENGTH (MILES)	2.308	2.308
ACCIDENTS		
R.O.M. AND ROAD WIDTH		
SURFACE WIDTH AND TYPE		
GRADES OVER 3'		
GRADES OVER 2'		
BALL BANK OR ADVISORY SPEED		
RES. SIGHT DISTANCE		
DEVELOPMENT		
DISTRICT: DALLAS	COUNTY: DENTON	
HIGHWAY: FM 2931	CITY: PROVIDENCE VILLAGE	
DATE OF STUDY: 01-29-2021	SCALE: 1" = 0.1 MILES	
MINUTE NO.:	DATE:	
REPLACES:	DATE:	
CANCELLED BY:	DATE:	
LIMITS OF ZONE		
SECTION ONE	LENGTH	MILES
STA. OR M.P.	CONT. AND SECT.	PROJECT
0 - 00		
ENDS		
SECTION TWO	LENGTH	MILES
STA. OR M.P.	CONT. AND SECT.	PROJECT
0 - 00		
ENDS		

42 85 PERCENTILE SPEED
52 TOP SPEED MEASURED
55 NUMBER OF CARS CIRCLED

● FATAL ACCIDENT
○ PERSONAL INJURY ACCIDENT
○ PROPERTY DAMAGE ACCIDENT
○ INDICATES SECTION ZONED BY COMMISSION MINUTE

— SIGNALIZED INTERSECTION
— TRIAL RUN

LIMITS: FROM FRIENDSHIP RD. TO US 380
CONT. 2979 SEC. 01

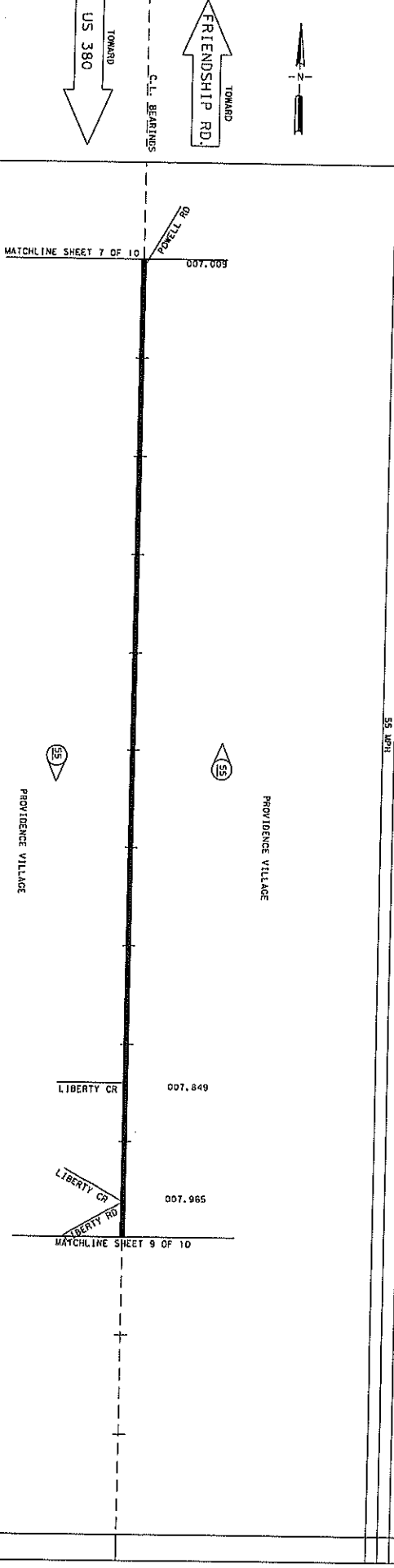
SPEED ZONE

TEXAS Department of Transportation
SPEED STUDY
DENTON COUNTY
FM 2931
SHEET 7 OF 10

DATE	TIME	BY	NO.

FM 2931

DEVELOPMENT	RES. SIGHT DISTANCE	OPEN
BALL BANK OR ADVISORY SPEED		
CURVES OVER 2'		
GRADES OVER 2%		
SURFACE WIDTH AND TYPE		
R.O.W. AND R.O.B.D. WIDTH		
ACCIDENTS		
ZONE LENGTHS (MILES)		
ZONE SPEEDS (M.P.H.)		



EXISTING SPEED	60 MPH
ZONE SPEEDS (M.P.H.)	55 MPH
ZONE LENGTHS (MILES)	1.687
ACCIDENTS	
R.O.W. AND R.O.B.D. WIDTH	
GRADES OVER 2%	
CURVES OVER 2'	
BALL BANK OR ADVISORY SPEED	
RES. SIGHT DISTANCE	
DEVELOPMENT	

DISTRICT: DALLAS	COUNTY: DENTON	OPEN	DATE	DATE	
HIGHWAY: FM 2931	CITY: PROVIDENCE VILLAGE	REPLACES BY #	DATE	DATE	
DATE OF STUDY: 01-29-2021	SCALE: 1" = 9.1 MILES	CANCELLED BY #	DATE	DATE	
LIMITS OF ZONE					
SECTION ONE	LENGTH	MILES	SECTION TWO	LENGTH	MILES
STA. OR M.P.	CONT. AND SECT.	PROJECT	STA. OR M.P.	CONT. AND SECT.	PROJECT
ENDS			ENDS		

85 PERCENTILE SPEED
 TOP SPEED MEASURED
 NUMBER OF CARS CHECKED
 FATAL ACCIDENT
 PERSONAL INJURY ACCIDENT
 PROPERTY DAMAGE ACCIDENT
 INDICATES SECTION ZONED BY COMMISSION MINUTE
 SIGNALIZED INTERSECTION
 TRIAL RUN

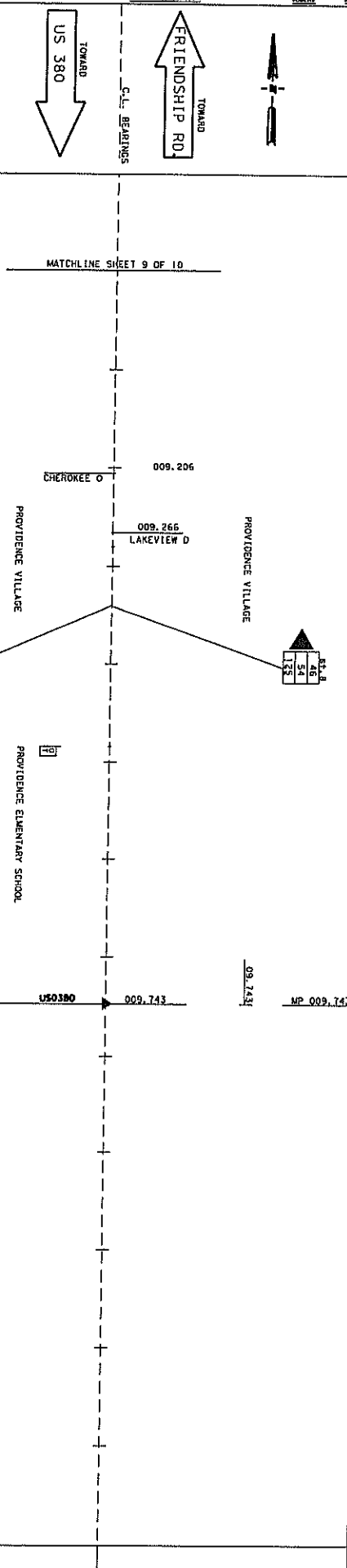
SPEED ZONE
 CONT. 2979 SEC. 01
 LIMITS: FROM FRIENDSHIP RD. TO US 380

Texas Department of Transportation
SPEED STUDY
 DENTON COUNTY
 FM 2931
 SHEET 8 OF 10

DATE	BY	PROJECT NO.	SHEET NO.

FM 2931

SECTION ONE	LENGTH	MILES	SECTION TWO	LENGTH	MILES
BEGINS STA. OR M.P.	CONT. AND SECT.	PROJECT	BEGINS STA. OR M.P.	CONT. AND SECT.	PROJECT
ENDS STA. OR M.P.	CONT. AND SECT.	PROJECT	ENDS STA. OR M.P.	CONT. AND SECT.	PROJECT



EXISTING SPEED		ZONE SPEEDS (M.P.H.)	
ZONE SPEEDS (M.P.H.)	45 MPH	1.076	45 MPH
ACCIDENTS			50 MPH
R.O.W. AND ROAD WIDTH			SEE ABOVE
GRADES OVER 2%			
CURVES OVER 2'			
BALL BANK OR ADVISORY SPEED			
RES. SIGHT DISTANCE			
DEVELOPMENT			

LIMITS OF ZONE		MINUTE NO.	
HIGHWAY: FM 2931	CITY: PROVIDENCE VILLAGE	REPLACES BY 1	DATE
DATE OF STUDY 01-29-2021	SCALE 1" = 0.1 MILES	CANCELLED BY 1	DATE

- 45 MPH PERCENTILE SPEED MEASURED
- 50 MPH PERCENTILE SPEED MEASURED
- FATAL ACCIDENT
- PERSONAL INJURY ACCIDENT
- PROPERTY DAMAGE ACCIDENT
- INDICATES SECTION ZONED BY COMMISSION MINUTE
- ▲ SIGNALIZED INTERSECTION
- TRIAL RUN

SPEED ZONE
 CONT. 2979 SEC. 01
 LIMITS: FROM FRIENDSHIP RD. TO US 380

Texas Department of Transportation

SPEED STUDY
 DENTON COUNTY
 FM 2931

SHEET 10 OF 10

DATE	BY	CHECKED	DATE