

ACTION FORM BRYAN CITY COUNCIL

DATE OF COUNCIL MEETING: August 6, 2013		DATE SUBMITTED: July 12, 2013	
DEPARTMENT OF ORIGIN: PW – Traffic Ops.		SUBMITTED BY: Dale Picha	
MEETING TYPE:	CLASSIFICATION:	ORDINANCE:	STRATEGIC INITIATIVE:
<input type="checkbox"/> BCD	<input type="checkbox"/> PUBLIC HEARING	<input type="checkbox"/> 1ST READING	<input checked="" type="checkbox"/> PUBLIC SAFETY
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input checked="" type="checkbox"/> 2ND READING	<input type="checkbox"/> SERVICE
<input checked="" type="checkbox"/> REGULAR	<input checked="" type="checkbox"/> STATUTORY		<input type="checkbox"/> ECONOMIC DEVELOP.
<input type="checkbox"/> WORKSHOP	<input type="checkbox"/> REGULAR		<input checked="" type="checkbox"/> INFRASTRUCTURE
			<input type="checkbox"/> QUALITY OF LIFE
AGENDA ITEM DESCRIPTION: Consideration of an ordinance amendment to Chapter 118-53, “Traffic and Vehicles: Speed: Restrictions Near Schools” to adopt a reduced speed school crossing zone for Rudder High School.			
SUMMARY STATEMENT: City of Bryan Code of Ordinances Section 118–53 “Traffic and Vehicles: Speed: Restriction Near Schools” is in place to increase safety and public awareness by regulating vehicular speeds around school properties when pedestrian and vehicle traffic are at peak volumes. Defined as “school crossing zones” by the Texas Transportation Code (§ 541.302), these speed-restricted areas are in effect during the times posted on each school zone sign or during the operation of flashing beacons at some locations, and almost always correlate with school begin/end times during a typical school day. This ordinance amendment includes an additional school crossing zone to be adopted on Austin’s Colony Parkway and Old Reliance Road for Rudder High School. As part of this same City Council meeting, staff has proposed to increase to regular speed limits on Austin’s Colony Parkway, based on traffic engineering studies and public input. With the proposed speed limit increase, Bryan Independent School District staff desires to have a school crossing zone on Austin’s Colony Parkway. Since the high school also has property frontage along Old Reliance Road, the school crossing zone would be extended to parts of that roadway, too.			
STAFF ANALYSIS AND RECOMMENDATION: Since the proposed speed limit on Austin’s Colony Parkway in the area near the high school is 40 miles per hour (per another Council Action Form to be considered at the same City Council meeting and assuming that action is approved), staff proposes a school crossing zone speed of 30 miles per hour on this roadway. Furthermore, the speed limit on Old Reliance Road is 45 miles per hour; therefore, staff proposes a school crossing zone of 35 mile per hour on this roadway. The limits of these school crossing zones are usually determined by crosswalk locations, school property boundaries, and/or geometric features of the roadway. Furthermore, these zones should not be excessive in length such that motorists forget they are traveling in a zone. The school zones on both roadways will be marked and signed in compliance with the Texas Manual on Uniform Traffic Control Devices and will be maintained by the Traffic Operations Department. The Texas Transportation Code gives authority to the governing body of a municipality to establish, by ordinance, school crossing zones in the interests of public safety (§541.302 and §545.356). Based on an analysis of existing conditions and proposed speed limit increases, staff recommends the following speed limits for the school crossing zones on Austin’s Colony Parkway and Old Reliance Road:			
Austin’s Colony Parkway			
From	To	School Crossing Zone Speed Limit	
750 Feet North of Colony Creek Drive	Old Reliance Road	30 MPH	

Old Reliance Road		
From	To	School Crossing Zone Speed Limit
600 Feet East of SH 6 East Frontage Road	200 Feet East of Austin's Colony Parkway	35 MPH

Figure 1 below presents the proposed school crossing zones on Austin's Colony Parkway and Old Reliance Road.

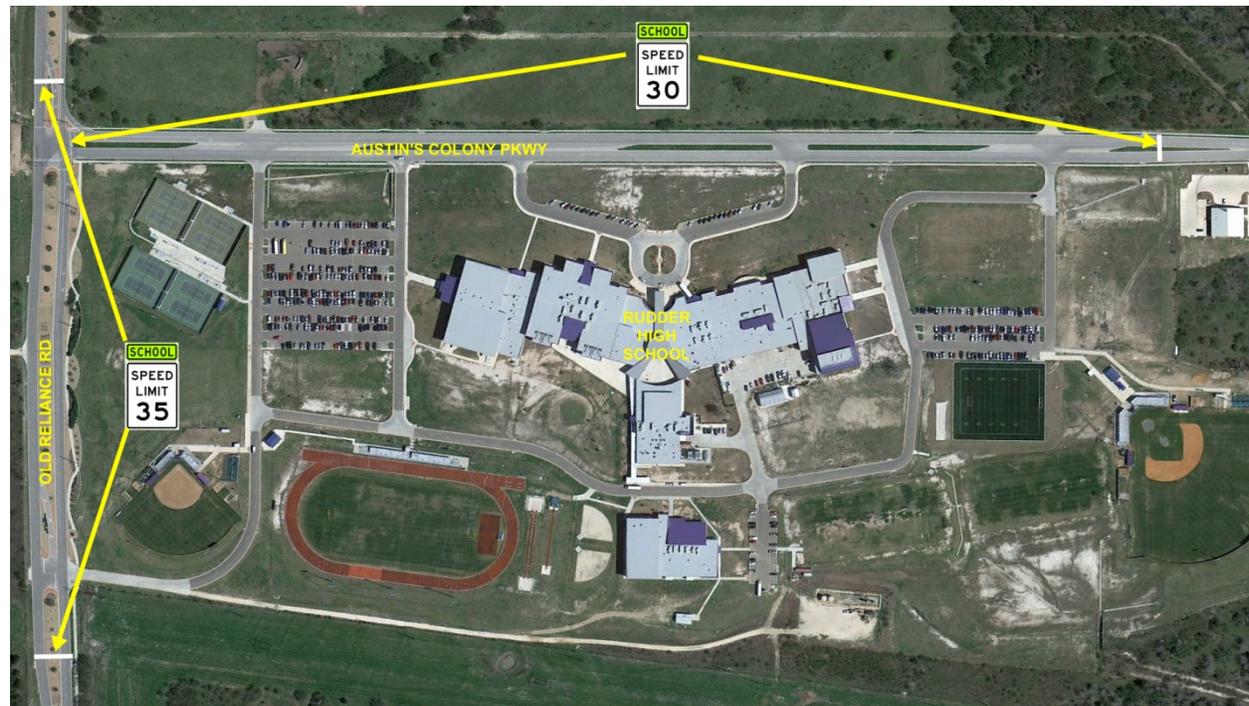


Figure 1. Proposed School Crossing Zones for Rudder High School.

Adopting these proposed school crossing zone speed limits will require the expenditure of funds. For both school crossing zones, an estimated 15 new signs would be necessary at a total cost of approximately \$1,500 (labor, equipment and material costs). If school flashers are used, the cost would be approximately \$12,000 (\$3,500 each for three new flasher assembly units plus the additional signs). Staff intends to install only signs at this time. The Traffic Operations Department will incur these expenses with FY 2013 operating funds.

OPTIONS (In Suggested Order of Staff Preference):

1. Adopt the new ordinance as proposed.
2. Adopt the ordinance with modifications, which may require consideration at a future City Council meeting.
3. Do not adopt the ordinance.

ATTACHMENTS:

All items are attached as a single Word document:

1. Proposed ordinance.

2. Proposed ordinance with additions/deletions.

FUNDING SOURCE: FY 2013 Traffic Operations General Fund Budget

APPROVALS: Jayson E. Barfknecht 07/15/13; Hugh R. Walker, 07/15/2013

APPROVED FOR SUBMITTAL: CITY MANAGER Kean Register, 07/25/2013

APPROVED FOR SUBMITTAL: CITY ATTORNEY Janis K. Hampton, 07-30-2013

Revised 04/2013

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BRYAN, TEXAS, AMENDING CHAPTER 118, "TRAFFIC AND VEHICLES," SECTION 118-53, "RESTRICTIONS NEAR SCHOOLS," OF THE CITY OF BRYAN CODE OF ORDINANCES, BY DESIGNATING NEW SCHOOL CROSSING ZONES FOR RUDDER HIGH SCHOOL ON AUSTIN'S COLONY PARKWAY AND OLD RELIANCE ROAD; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR CODIFICATION; PROVIDING FOR PUBLICATION; PROVIDING FOR PENALTY; FINDING AND DETERMINING THAT THE MEETINGS AT WHICH SAID ORDINANCE IS PASSED ARE OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 545.356 of the Texas Transportation Code, as amended, grants to cities operating under a Home Rule Charter the authority to control the operation of motor vehicles using its streets and to prescribe reasonable and safe prima facie maximum speed limits for the same.

WHEREAS, it is the desire of the City Council of the City of Bryan, Texas to provide a safe environment for citizens and their children while arriving and leaving school during peak traffic hours; and

WHEREAS, the City of Bryan has adopted Chapter 118, "Traffic and Vehicles," of the City of Bryan Code of Ordinances, as amended, which controls and regulates the movement of vehicles within the city; and

WHEREAS, Section 118-53, "Restrictions Near Schools," of the City of Bryan Code of Ordinances establishes school crossing zones throughout the City; and

WHEREAS, traffic studies indicate the need to establish school crossing zones on Austin's Colony Parkway and Old Reliance Road for Rudder High School.

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

1.

The following prima facie maximum speed limits hereafter indicated for motor vehicles are hereby determined and declared to be reasonable and safe, and such maximum speed limits are hereby fixed at the rate of speed indicated for motor vehicles traveling on the named streets or highways or parts thereof. No motor vehicles shall be operating along or upon said portions of said named streets or highways within the corporate limits of the City of Bryan in excess of the speeds now set forth.

2.

That Paragraph (c) of Section 118-53, "Restrictions Near Schools," of the City of Bryan Code of Ordinances is hereby amended as follows:

(c) The following areas are designated school speed zones. The maximum speed shall be 35 miles per hour effective at the times posted or during the flashing operation of standard flasher devices:

James Earl Rudder High School:

Austin's Colony Parkway from 750 feet north of Colony Creek Drive to Old Reliance Road.

Allen Academy:

~~Boonville Road (Farm to Market Road 158) for traffic moving in an easterly direction, within the limits of said 55 miles per hour limit from a point approximately 250 feet east of Farm to Market Road 1179 to a point approximately 250 feet northwest of Miramont Boulevard the speed limit shall be 35 miles per hour when so signed for school zone.~~

~~Boonville Road (Farm to Market Road 158) for traffic moving in a westerly direction, within the limits of said 55 miles per hour from a point approximately 200 feet northwest of Miramont Boulevard to a point approximately 250 feet east of Farm to Market Road 1179 the speed limit shall be 35 miles per hour when so signed for school zone.~~

~~Farm to Market Road 1179 from 400 feet north of Boonville Road (FM 158) to 280 feet northeast of Oak Forrest Drive.~~

Brazos Christian School:

West Villa Maria Road (Farm to Market Road 1179):

- a. ~~For traffic moving in a westerly direction, within the limits of said 55 miles per hour speed zone, from 300 feet southwest of Traditions Boulevard, southwest approximately 1,165 feet, the speed limit shall be 35 miles per hour when so signed for school zone.~~
- b. ~~For traffic moving in an easterly direction, within the limits of 55 miles per hour speed zone, from a point approximately 1,135 feet southwest of Traditions Boulevard, northeast approximately 1,165 feet, the speed limit shall be 35 miles per hour when so signed for school zone.~~

Jane Long Middle School:

North Harvey Mitchell Parkway (Farm to Market 2818):

- a. ~~For traffic moving in a southerly direction for 7.715 miles from the north city limit, the speed limit shall be 55 miles per hour to the south city limit. Within the limits of said 55 miles per hour limit from a point approximately 400 feet southeast of Providence Avenue to 130 feet past the intersection of Clear Leaf Drive for a distance of approximately 1,440 feet the speed limit shall be 35 miles per hour when so signed for a school zone.~~
- b. ~~For traffic moving in a northerly direction, for 7.715 miles from the south city limit, the speed limit shall be 55 miles per hour to the north city limit. Within the limits of said 55 miles per hour limit from 130 feet southeast of Clear Leaf Drive to a point approximately 400 feet south of Providence Avenue for a distance of approximately 1,440 feet the speed limit shall be 35 miles per hour when so signed for a school zone.~~

Mary Branch Elementary School:

West Villa Maria Road (Farm to Market Road 1179):

- a. ~~For traffic moving in a westerly direction, within the limits of said 55 miles per hour speed zone, from a point approximately 25 feet northeast of Shirewood Drive to 125 feet northeast of Kimmy Drive, the speed limit shall be 35 miles per hour when so signed for school zone.~~
- a. ~~For traffic moving in an easterly direction, within the limits of said 55 miles per hour speed zone, from approximately 125 feet northeast of Kimmy Drive to approximately 25 feet northeast of Shirewood Drive, the speed limit shall be 35 miles per hour when so signed for school zone.~~

Sam Rayburn Middle School:

North Earl Rudder Freeway (State Highway 6) East Frontage Road. The following is a specifically designated area in which the following rates of speed are authorized for a school zone:

- a. ~~For traffic moving in a northerly direction within said limits of the existing 55 miles per hour speed zone, from 600 feet northwest of Sam Rayburn Drive for 1,500 feet northwest, the speed limit shall be 35 miles per hour when so signed for a school zone, limits of said school zone beginning from a point 3,200 feet southeast of the centerline of Old Reliance Road for a total length of 1,500 feet.~~

3.

That Paragraph (d) of Section 118-53, "Restrictions Near Schools," of the City of Bryan Code of Ordinances is hereby added (with locations in alphabetical order by school name), as follows:

(d) The following areas are designated school speed zones. The maximum speed shall be 35 miles per hour effective at the times posted or during the flashing operation of standard flasher devices:

Allen Academy:

Boonville Road (Farm to Market Road 158) for traffic moving in an easterly direction, within the limits of said 55 miles per hour limit from a point approximately 250 feet east of Farm to Market Road 1179 to a point approximately 250 feet northwest of Miramont Boulevard the speed limit shall be 35 miles per hour when so signed for a school zone.

Boonville Road (Farm to Market Road 158) for traffic moving in a westerly direction, within the limits of said 55 miles per hour from a point approximately 200 feet northwest of Miramont Boulevard to a point approximately 250 feet east of Farm to Market Road 1179 the speed limit shall be 35 miles per hour when so signed for a school zone.

Farm to Market Road 1179 from 400 feet north of Boonville Road (FM 158) to 280 feet northeast of Oak Forrest Drive.

Brazos Christian School:

West Villa Maria Road (Farm to Market Road 1179):

- a. For traffic moving in a westerly direction, within the limits of said 55 miles per hour speed zone, from 300 feet southwest of Traditions Boulevard, southwest approximately 1,165 feet, the speed limit shall be 35 miles per hour when so signed for a school zone.
- b. For traffic moving in an easterly direction, within the limits of 55 miles per hour speed zone, from a point approximately 1,135 feet southwest of Traditions Boulevard, northeast approximately 1,165 feet, the speed limit shall be 35 miles per hour when so signed for a school zone.

Jane Long Middle School:

North Harvey Mitchell Parkway (Farm to Market Road 2818):

- a. For traffic moving in a southerly direction for 7.715 miles from the north city limit, the speed limit shall be 55 miles per hour to the south city limit. Within the limits of said 55 miles per hour limit from a point approximately 400 feet southeast of Providence Avenue to 130 feet past the intersection of Clear Leaf Drive for a distance of approximately 1,440 feet the speed limit shall be 35 miles per hour when so signed for a school zone.
- b. For traffic moving in a northerly direction, for 7.715 miles from the south city limit, the speed limit shall be 55 miles per hour to the north city limit. Within the limits of said 55 miles per hour limit from 130 feet southeast of Clear Leaf Drive to a point approximately 400 feet south of Providence Avenue for a distance of approximately 1,440 feet the speed limit shall be 35 miles per hour when so signed for a school zone.

Mary Branch Elementary School:

West Villa Maria Road (Farm to Market Road 1179):

- a. For traffic moving in a westerly direction, within the limits of said 55 miles per hour speed zone, from a point approximately 25 feet northeast of Shirewood Drive to 125 feet northeast of Kimmy Drive, the speed limit shall be 35 miles per hour when so signed for a school zone.
- b. For traffic moving in an easterly direction, within the limits of said 55 miles per hour speed zone, from approximately 125 feet northeast of Kimmy Drive to approximately 25 feet northeast of Shirewood Drive, the speed limit shall be 35 miles per hour when so signed for a school zone.

Sam Rayburn Middle School:

North Earl Rudder Freeway (State Highway 6) East Frontage Road. The following is a specifically designated area in which the following rates of speed are authorized for a school zone:

- a. For traffic moving in a northerly direction within said limits of the existing 55 miles per hour speed zone, from 600 feet northwest of Sam Rayburn Drive for 1,500 feet northwest, the speed limit shall be 35 miles per hour when so signed for a school zone, limits of said school zone beginning from a point 3,200 feet southeast of the centerline of Old Reliance Road for a total length of 1,500 feet.

James Earl Rudder High School:

Old Reliance Road

- a. For traffic moving in an easterly direction, within the limits of said 45 miles per hour limit from a point approximately 600 feet east of North

Earl Rudder Freeway (State Highway 6) East Frontage Road to a point approximately 200 feet east of Austin's Colony Parkway the speed limit shall be 35 miles per hour when so signed for a school zone.

b. For traffic moving in a westerly direction, within the limits of said 45 miles per hour limit from a point approximately 200 feet east of Austin's Colony Parkway to a point approximately 600 feet east of North Earl Rudder Freeway (State Highway 6) East Frontage Road the speed limit shall be 35 miles per hour when so signed for a school zone.

4.

That this ordinance shall be cumulative of all provisions of ordinances of the City of Bryan affecting motor vehicles and traffic, except that all ordinances or portions thereof that are in direct conflict with the provision of this ordinance, to the extent of such conflict, are hereby repealed. To the extent that such ordinances or portions thereof are not in conflict herewith, the same shall remain in full force and effect.

5.

The Code of the City of Bryan, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

6.

Should any section, paragraph, sentence, clause, phrase or word of this ordinance is declared unconstitutional or invalid for any purpose by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby, and to this end the provisions of this ordinance are declared to be severable.

7.

It is the intention of the City Council that this ordinance shall become a part of the Code of the City of Bryan, Texas, and it may be renumbered and codified therein accordingly.

8.

That the City Secretary is directed to publish this ordinance in a newspaper of general circulation in the City of Bryan in compliance with the provisions of the City Charter, which publication shall be sufficient if it contains the title of this ordinance, the penalty provided therein for violation thereof, and the effective date of the ordinance.

9.

A person who violates any section of this ordinance is guilty of a misdemeanor and upon conviction is punishable in accordance with Section 1-14 of the City of Bryan Code of Ordinances.

10.

It is hereby found and determined that the meetings at which this ordinance was passed were open to the public, as required by Chapter 551.001 et seq., Texas Government Code, and that advance public notice of time, place and purpose of said meetings was given.

11.

That this ordinance shall take effect from and after its final passage and publication as required by law. The effective date of this Ordinance will be _____.

PRESENTED AND GIVEN first reading the 6th day of August, 2013 at a regular meeting of the City Council of the City of Bryan, Texas; and given second reading, **PASSED AND APPROVED** on the 27th day of August, 2013 by a vote of ____yeses and ____ noes at a regular meeting of the City Council of the City of Bryan, Texas.

ATTEST:

CITY OF BRYAN:

Mary Lynne Stratta, City Secretary

Jason P. Bienski, Mayor

APPROVED AS TO FORM:

Janis K. Hampton, City Attorney

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BRYAN, TEXAS, AMENDING CHAPTER 118, "TRAFFIC AND VEHICLES," SECTION 118-53, "RESTRICTIONS NEAR SCHOOLS," OF THE CITY OF BRYAN CODE OF ORDINANCES, BY DESIGNATING NEW SCHOOL CROSSING ZONES FOR RUDDER HIGH SCHOOL ON AUSTIN'S COLONY PARKWAY AND OLD RELIANCE ROAD; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR CODIFICATION; PROVIDING FOR PUBLICATION; PROVIDING FOR PENALTY; FINDING AND DETERMINING THAT THE MEETINGS AT WHICH SAID ORDINANCE IS PASSED ARE OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 545.356 of the Texas Transportation Code, as amended, grants to cities operating under a Home Rule Charter the authority to control the operation of motor vehicles using its streets and to prescribe reasonable and safe prima facie maximum speed limits for the same:

WHEREAS, it is the desire of the City Council of the City of Bryan, Texas to provide a safe environment for citizens and their children while arriving and leaving school during peak traffic hours; and

WHEREAS, the City of Bryan has adopted Chapter 118, "Traffic and Vehicles," of the City of Bryan Code of Ordinances, as amended, which controls and regulates the movement of vehicles within the city; and

WHEREAS, Section 118-53, "Restrictions Near Schools," of the City of Bryan Code of Ordinances establishes school crossing zones throughout the City; and

WHEREAS, traffic studies indicate the need to establish school crossing zones on Austin's Colony Parkway and Old Reliance Road for Rudder High School.

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

1.

The following prima facie maximum speed limits hereafter indicated for motor vehicles are hereby determined and declared to be reasonable and safe, and such maximum speed limits are hereby fixed at the rate of speed indicated for motor vehicles traveling on the named streets or highways or parts thereof. No motor vehicles shall be operating along or upon said portions of said named streets or highways within the corporate limits of the City of Bryan in excess of the speeds now set forth.

2.

That Paragraph (c) of Section 118-53, "Restrictions Near Schools," of the City of Bryan Code of Ordinances is hereby amended as follows:

- (c) The following areas are designated school speed zones. The maximum speed shall be 30 miles per hour effective at the times posted or during the flashing operation of standard flasher devices:

James Earl Rudder High School:

Austin's Colony Parkway from 750 feet north of Colony Creek Drive to Old Reliance Road.

3.

That Paragraph (d) of Section 118-53, "Restrictions Near Schools," of the City of Bryan Code of Ordinances is hereby added (with locations in alphabetical order by school name), as follows:

- (d) The following areas are designated school speed zones. The maximum speed shall be 35 miles per hour effective at the times posted or during the flashing operation of standard flasher devices:

Allen Academy:

Boonville Road (Farm to Market Road 158) for traffic moving in an easterly direction, within the limits of said 55 miles per hour limit from a point approximately 250 feet east of Farm to Market Road 1179 to a point approximately 250 feet northwest of Miramont Boulevard the speed limit shall be 35 miles per hour when so signed for a school zone.

Boonville Road (Farm to Market Road 158) for traffic moving in a westerly direction, within the limits of said 55 miles per hour from a point approximately 200 feet northwest of Miramont Boulevard to a point approximately 250 feet east of Farm to Market Road 1179 the speed limit shall be 35 miles per hour when so signed for a school zone.

Farm to Market Road 1179 from 400 feet north of Boonville Road (FM 158) to 280 feet northeast of Oak Forrest Drive.

Brazos Christian School:

West Villa Maria Road (Farm to Market Road 1179):

- a. For traffic moving in a westerly direction, within the limits of said 55 miles per hour speed zone, from 300 feet southwest of Traditions Boulevard, southwest approximately 1,165 feet, the speed limit shall be 35 miles per hour when so signed for a school zone.
- b. For traffic moving in an easterly direction, within the limits of 55 miles per hour speed zone, from a point approximately 1,135 feet southwest of Traditions Boulevard, northeast approximately 1,165 feet, the speed limit shall be 35 miles per hour when so signed for a school zone.

Jane Long Middle School:

North Harvey Mitchell Parkway (Farm to Market Road 2818):

- a. For traffic moving in a southerly direction for 7.715 miles from the north city limit, the speed limit shall be 55 miles per hour to the south city limit. Within the limits of said 55 miles per hour limit from a point approximately 400 feet southeast of Providence Avenue to 130 feet past the intersection of Clear Leaf Drive for a distance of approximately

1,440 feet the speed limit shall be 35 miles per hour when so signed for a school zone.

- b. For traffic moving in a northerly direction, for 7.715 miles from the south city limit, the speed limit shall be 55 miles per hour to the north city limit. Within the limits of said 55 miles per hour limit from 130 feet southeast of Clear Leaf Drive to a point approximately 400 feet south of Providence Avenue for a distance of approximately 1,440 feet the speed limit shall be 35 miles per hour when so signed for a school zone.

Mary Branch Elementary School:

West Villa Maria Road (Farm to Market Road 1179):

- a. For traffic moving in a westerly direction, within the limits of said 55 miles per hour speed zone, from a point approximately 25 feet northeast of Shirewood Drive to 125 feet northeast of Kimmy Drive, the speed limit shall be 35 miles per hour when so signed for a school zone.
- b. For traffic moving in an easterly direction, within the limits of said 55 miles per hour speed zone, from approximately 125 feet northeast of Kimmy Drive to approximately 25 feet northeast of Shirewood Drive, the speed limit shall be 35 miles per hour when so signed for a school zone.

Sam Rayburn Middle School:

North Earl Rudder Freeway (State Highway 6) East Frontage Road. The following is a specifically designated area in which the following rates of speed are authorized for a school zone:

- a. For traffic moving in a northerly direction within said limits of the existing 55 miles per hour speed zone, from 600 feet northwest of Sam Rayburn Drive for 1,500 feet northwest, the speed limit shall be 35 miles per hour when so signed for a school zone, limits of said school zone beginning from a point 3,200 feet southeast of the centerline of Old Reliance Road for a total length of 1,500 feet.

James Earl Rudder High School:

Old Reliance Road:

- a. For traffic moving in an easterly direction, within the limits of said 45 miles per hour limit from a point approximately 600 feet east of North Earl Rudder Freeway (State Highway 6) East Frontage Road to a point approximately 200 feet east of Austin's Colony Parkway the speed limit shall be 35 miles per hour when so signed for a school zone.
- b. For traffic moving in a westerly direction, within the limits of said 45 miles per hour limit from a point approximately 200 feet east of Austin's Colony Parkway to a point approximately 600 feet east of North Earl Rudder Freeway (State Highway 6) East Frontage Road the speed limit shall be 35 miles per hour when so signed for a school zone.

4.

That this ordinance shall be cumulative of all provisions of ordinances of the City of Bryan affecting motor vehicles and traffic, except that all ordinances or portions thereof that are in direct conflict with

the provision of this ordinance, to the extent of such conflict, are hereby repealed. To the extent that such ordinances or portions thereof are not in conflict herewith, the same shall remain in full force and effect.

5.

The Code of the City of Bryan, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

6.

Should any section, paragraph, sentence, clause, phrase or word of this ordinance is declared unconstitutional or invalid for any purpose by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby, and to this end the provisions of this ordinance are declared to be severable.

7.

It is the intention of the City Council that this ordinance shall become a part of the Code of the City of Bryan, Texas, and it may be renumbered and codified therein accordingly.

8.

That the City Secretary is directed to publish this ordinance in a newspaper of general circulation in the City of Bryan in compliance with the provisions of the City Charter, which publication shall be sufficient if it contains the title of this ordinance, the penalty provided therein for violation thereof, and the effective date of the ordinance.

9.

A person who violates any section of this ordinance is guilty of a misdemeanor and upon conviction is punishable in accordance with Section 1-14 of the City of Bryan Code of Ordinances.

10.

It is hereby found and determined that the meetings at which this ordinance was passed were open to the public, as required by Chapter 551.001 et seq., Texas Government Code, and that advance public notice of time, place and purpose of said meetings was given.

11.

That this ordinance shall take effect from and after its final passage and publication as required by law. The effective date of this Ordinance will be _____.

PRESENTED AND GIVEN first reading the 6th day of August, 2013 at a regular meeting of the City Council of the City of Bryan, Texas; and given second reading, **PASSED AND APPROVED** on the 27th day of August, 2013 by a vote of ____yeses and ____ noes at a regular meeting of the City Council of the City of Bryan, Texas.

ATTEST:

CITY OF BRYAN:

Mary Lynne Stratta, City Secretary

Jason P. Bienski, Mayor

APPROVED AS TO FORM:

Janis K. Hampton, City Attorney