

**ORDINANCE NO. 23-D-20**

**AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS, PROVIDING THAT THE CITY CODE OF ORDINANCES OF THE CITY OF SCHERTZ, TEXAS, BE AMENDED BY REVISING SECTION 86-118, MAXIMUM LIMITS IN SCHOOL ZONES, AND PROVIDING AN EFFECTIVE DATE AND DECLARING AN EMERGENCY**

**WHEREAS**, §542.202 of the Texas Transportation Code provides that local authorities with respect to a highway under its jurisdiction and in the reasonable exercise of the police power can designate school crossing zones; and

**WHEREAS**, §541.302 of the Texas Transportation Code defines a “school crossing zone” as a reduced speed zone designated on a street by a local authority to facilitate safe crossing of the street by children going to or leaving a public or private elementary school or secondary school during the time the reduced speed limit applies; and

**WHEREAS**, the City has received a request from the Comal Independent School District to designate a school crossing zone on Hubertus Road; and

**WHEREAS**, the City has investigated and determined that it would be advantageous and beneficial to the citizens of the City to amend Section 86-118 of the Schertz Code of Ordinances as set forth below.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS THAT:**

Section 1. That Section 86-118 Maximum Limits in School Zones of the Code of Ordinances, on roadways maintained by the City of Schertz, Texas be amended to add the following:

<b>Street</b>	<b>Extent</b>	<b>Speed Limit (mph)</b>
Hubertus Road	From intersection at FM 482 to 500’ north of intersection at IH 35 Frontage Road	20

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

Section 3. All ordinances and codes, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

Section 4. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City hereby declares that this Ordinance would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

Section 7. This Ordinance shall be effective upon the date of final adoption hereof and any publication required by law.

PASSED, APPROVED and ADOPTED ON FIRST and FINAL READING, the \_\_<sup>th</sup> day of \_\_\_\_\_, 2023.

CITY OF SCHERTZ, TEXAS

\_\_\_\_\_  
Ralph Gutierrez, Mayor

ATTEST:

\_\_\_\_\_  
Sheila Edmondson, City Secretary

(city seal)