

**Ordinance amending Code of Ordinances to decrease the speed limit on Beach Access Road 3A; providing for penalty**

**WHEREAS**, in accordance with the Texas Transportation Code and City Code of Ordinances, the maximum reasonable and prudent speed upon the streets of the city is 30 miles per hour;

**WHEREAS**, upon the basis of an engineering and traffic investigation, City Council can declare a different speed to be the maximum reasonable and prudent speed;

**WHEREAS**, speed studies determine the 85<sup>th</sup> percentile speed, which represents the speed most drivers will be traveling at or below, but the final speed limit may be reduced up to 10 miles per hour based on engineering judgment and other factors considered during the engineering and traffic investigation;

**WHEREAS**, the speed study on Beach Access Road 3A, from Saint Bartholomew Avenue to the beach, determined that the 85<sup>th</sup> percentile speed was 15 miles per hour;

**WHEREAS**, other factors considered during the engineering and traffic investigation were (1) lack of shoulders, (2) narrow pavement widths, (3) beach access, and (4) lack of street lighting;

**WHEREAS**, based on the engineering and traffic investigation, the final speed limit on Beach Access Road 3A, from Saint Bartholomew Avenue to the beach should be reduced to 15 miles per hour.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORPUS CHRISTI, TEXAS:**

**SECTION 1.** All of the Recitals are hereby found to be true and correct legislative and factual findings of the City of Corpus Christi Texas, and they are hereby approved and the Recitals are incorporated for all purposes as if they were fully recited herein.

**SECTION 2.** City Code of Ordinances, Chapter 53 Traffic, Article VIII Schedules, Section 53-255 Schedule VI, Decrease of state law maximum speed revised as follows:

“Sec. 53-255. – Schedule VI, Decrease of state law maximum speed.

It is hereby determined upon the basis of an engineering and traffic investigation that the speed permitted by state law upon the the following street is greater than is reasonable or safe under the conditions found to exist upon such streets and it is hereby declared that the speed limit shall be as herin set forth on those streets

or parts of streets herein designated at the time specified when signs are erected giving notice thereof:

*Beach Access Road 3A:*

*From Saint Bartholomew Avenue to beach — 15 mph — At all times.*

**SECTION 3.** If for any reason any section, paragraph, subdivision, clause, phrase, word or provision of this ordinance shall be held invalid or unconstitutional by final judgement of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word or provision of this ordinance, for it is definite intent of this City Council that every section, paragraph, subdivision, clause, phrase, word or provision hereof be given full force and effect for its purpose.

**SECTION 4.** Publication shall be made one time in the official publication of the City of Corpus Christi by publishing the caption stating the purpose of the ordinance. This ordinance to become effective upon such publication.

**SECTION 5.** A violation of this ordinance, or requirements implemented under this ordinance, constitutes an offense punishable as provided in Section 1-6 of the Corpus Christi Code of Ordinances.

That the foregoing ordinance was read for the first time and passed to its second reading on this the \_\_\_\_\_ day of \_\_\_\_\_, 2018, by the following vote:

Joe McComb	_____	Ben Molina	_____
Rudy Garza	_____	Lucy Rubio	_____
Paulette Guajardo	_____	Greg Smith	_____
Michael Hunter	_____	Carolyn Vaughn	_____
Debbie Lindsey-Opel	_____		

That the foregoing ordinance was read for the second time and passed finally on this the \_\_\_\_\_ day of \_\_\_\_\_, 2018, by the following vote:

Joe McComb	_____	Ben Molina	_____
Rudy Garza	_____	Lucy Rubio	_____
Paulette Guajardo	_____	Greg Smith	_____
Michael Hunter	_____	Carolyn Vaughn	_____
Debbie Lindsey-Opel	_____		

PASSED AND APPROVED on this the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

ATTEST:

\_\_\_\_\_  
Rebecca Huerta  
City Secretary

\_\_\_\_\_  
Joe McComb  
Mayor