

**An Ordinance of the City of Plano, Texas, amending Section 12-74(b), Maximum Limits on Specific Streets, of Article IV, Speed, of Chapter 12, Motor Vehicles and Traffic, of the City of Plano Code of Ordinances, to lower the prima facie maximum speed limit from forty-five (45) miles per hour to forty (40) miles per hour on Hedgcoxe Road from its intersection with Legacy Drive to its intersection with Robinson Road and to maintain the prima facie maximum speed of forty-five (45) miles per hour on Hedgcoxe Road from its intersection with Robinson Road to its intersection with Custer Road within the city limits of the City of Plano; and providing a penalty clause, a repealer clause, a severability clause, a savings clause, a publication clause, and an effective date.**

**WHEREAS**, on August 23, 2010, by Ordinance No. 2010-8-20, the City Council of the City of Plano set the prima facie maximum speed limit at forty-five (45) miles per hour along and upon Hedgcoxe Road from its intersection with Legacy Drive to its intersection with Custer Road, and such Ordinance was codified as subsection "Hedgcoxe Road" of Section 12-74(b) of Chapter 12, Motor Vehicles and Traffic, of the City of Plano Code of Ordinances; and

**WHEREAS**, Section 545.356 of the Texas Transportation Code, as amended, provides that a governing body of a municipality has the authority to alter prima facie speed limits because of an engineering and traffic investigation and to prescribe reasonable and safe prima facie maximum speed limits for the same by Ordinance. Such Ordinance shall be effective once appropriate signs are erected at such intersection to give notice of the new limit; and

**WHEREAS**, the Transportation Engineering Division of the City of Plano received a request to lower the prima facie maximum speed limit on a section of Hedgcoxe Road where a number of horizontal curves are present; and

**WHEREAS**, based on a traffic study completed by staff, the Transportation Engineering Division of the City of Plano determined that the proposed reduction in the prima facie maximum speed limit is warranted and proposes to amend a certain section of the Code of Ordinances to lower the prima facie maximum speed limit for the said section of Hedgcoxe Road.

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

**Section I.** 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 upon the named streets or highways or parts thereof. No motor vehicle shall be operated along or upon said portions of said named streets or highways within the incorporated limits of the City of Plano in excess of the speeds now set forth in the following limits.

**Section II.** Subsection entitled “Hedgcoxe Road” of Section 12-74(b), Maximum Limits on Specific Streets, of Article IV, Speed, Chapter 12, Motor Vehicles and Traffic, of the City of Plano Code of Ordinances, is hereby amended to read as follows:

*“Hedgcoxe Road:*

- (1) Forty (40) miles per hour along and upon Hedgcoxe Road from its intersection with Legacy Drive to its intersection with Robinson Road.
- (2) Forty-five (45) miles per hour along and upon Hedgcoxe Road from its intersection with Robinson Road to its intersection with Custer Road.”

**Section III.** The Traffic Engineer of Plano is hereby authorized to cause placement or removal of traffic control signs along the portions of the roadways described herein, and such signs shall give notice to all persons of the prima facie maximum speed limits.

**Section IV.** All provisions of the Ordinances of the City of Plano, codified or uncodified, in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Ordinances of the City of Plano, codified or uncodified, not in conflict with the provisions of this Ordinance shall remain in full force and effect.

**Section V.** It is the intention of the City Council that this Ordinance, and every provision hereof, shall be considered severable, and the invalidity or unconstitutionality of any section, clause, provision or portion of this Ordinance shall not affect the validity or constitutionality of any other portion of this Ordinance.

**Section VI.** Any violation of any provision or term of this Ordinance shall be a Class C Misdemeanor offense. Any person, firm, corporation, or association who is adjudged guilty of a Class C Misdemeanor offense under this Ordinance shall be punished by a fine not to exceed FIVE HUNDRED AND NO/100 DOLLARS (\$500.00) for each offense. Each and every violation shall be deemed to constitute a separate offense.

**Section VII.** The repeal of any Ordinance or part of an Ordinance effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such Ordinance or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any Ordinances at the time of passage of this Ordinance.

**Section VIII.** This Ordinance shall become effective from and after its passage and publication as required by law and after all necessary signs and pavement markings have been installed.

**PASSED AND APPROVED** on the 26th day of August, 2024.

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John B. Muns, MAYOR

ATTEST:

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Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

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Paige Mims, CITY ATTORNEY