

TOWN OF ADDISON, TEXAS

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS AMENDING THE CODE OF ORDINANCES, CHAPTER 78 – TRAFFIC AND VEHICLES TO REPEAL THE REQUIREMENT FOR A TRAFFIC REGISTER; AUTHORIZING THE CITY MANAGER OR THEIR DESIGNEE TO PLACE, ERECT AND MAINTAIN SUCH TRAFFIC CONTROL DEVICES WHICH ARE DEEMED TO BE NECESSARY OR AS MAY BE REQUIRED BY ORDINANCES OF THE CITY; APPROVING ALL TRAFFIC CONTROL DEVICES PREVIOUSLY AUTHORIZED, PLACED OR ERECTED ON ADDISON ROADWAYS; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF FIVE DOLLARS (\$500.00) FOR EACH OFFENSE; PROVIDING AN EFFECTIVE DATE.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS THAT:**

**Section 1.** The Code of Ordinances of the Town of Addison, Texas, Chapter 78 – Traffic and Vehicles, Section 78-35, Traffic Register, shall be and is hereby repealed and such section shall be reserved for future use.

**Section 2.** The Code of Ordinances of the Town of Addison Texas, Chapter 78 – Traffic and Vehicles, Section 78-53, Specific Remedies, shall be and is hereby repealed and such section shall be reserved for future use.

**Section 3.** The Code of Ordinances of the Town of Addison Texas, Chapter 78 – Traffic and Vehicles, Section 78-71, Manual and Specifications, shall be amended to read in its entirety as follows:

**Sec. 78-71. – Manual and specifications.**

All traffic control signs, signals and markings and devices shall conform to the “Manual on Uniform Traffic Control Devices” approved by the State of Texas, as subsequently amended. All signs and signals required under this chapter for a particular purpose shall so far as practicable be uniform as to their type and location throughout the town. All traffic control devices so erected or marked not inconsistent with the provisions of state law or this chapter shall be official traffic control devices.

**Section 4.** The Code of Ordinances of the Town of Addison Texas, Chapter 78 – Traffic and Vehicles, Section 78-72, Existing Signs and Signals, shall be renamed and amended to read in its entirety as follows:

**Sec. 78-72. – Existing traffic control devices.**

All traffic-control signs, signals, devices, and markings placed or erected prior to the adoption of this Ordinance and presently erected for the purpose of regulating, warning or guiding traffic are hereby affirmed, ratified and declared to be official traffic-control devices consistent with the provisions of this Ordinance, the Uniform Manual on Traffic Control Devices adopted by the State of Texas, or any other applicable state or federal law.

**Section 5.** The Code of Ordinances of the Town of Addison Texas, Chapter 78 – Traffic and Vehicles, Section 78-73, Placement; Maintenance, shall be renamed and amended to read in its entirety as follows:

**Sec. 78-73. – Installation of traffic control devices.**

The City Manager or their designee shall direct the location of all future traffic control signs, signals and markings in accordance with the “Manual on Uniform Traffic Control Devices” adopted by the State of Texas, as subsequently amended. The City Manager or their designee shall have the duty of erecting or installing upon, over, along or beside any highway, street or alley, signs, signals and markings, or cause the same to be erected, installed, placed, or removed in accordance with this Ordinance and state law, and consistent with the “Manual on Uniform Traffic Control Devices” adopted by the State of Texas, as subsequently amended.

**Section 6.** The Code of Ordinances of the Town of Addison Texas, Chapter 78 – Traffic and Vehicles, Section 78-74, Loading Zones, shall be and is hereby repealed and such section shall be reserved for future use.

**Section 7.** The Code of Ordinances of the Town of Addison Texas, Chapter 78 – Traffic and Vehicles, Section 78-79, Location of Signals, shall be and is hereby repealed and such section shall be reserved for future use.

**Section 8.** The Code of Ordinances of the Town of Addison Texas, Chapter 78 – Traffic and Vehicles, Section 78-80, Stop Signs, shall be and is hereby repealed and such section shall be reserved for future use.

**Section 9.** The Code of Ordinances of the Town of Addison Texas, Chapter 78 – Traffic and Vehicles, Section 78-81, Yield Signs, shall be and is hereby repealed and such section shall be reserved for future use.

**Section 10. Savings; Repealer.** This Ordinance shall be cumulative of all other ordinances of the City and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those ordinances are in direct conflict with the provisions of this Ordinance. Provided, however, that the repeal of such ordinances or parts of such ordinances and the amendments and changes made by this Ordinance, shall not affect any right, property or claim which was or is vested in the City, or any act done, or right accruing or accrued, or established, or any suit, action or proceeding had or commenced before the time when this Ordinance shall take effect; nor shall said repeals, amendments or changes affect any offense committed, or an penalty or forfeiture incurred, or any suit or prosecution pending at the time when this Ordinance shall take effect under any of the ordinances or sections thereof

so repealed, amended or changed; and to that extent and for that purpose the provisions of such ordinances or parts of such ordinances shall be deemed to remain and continue in full force and effect.

**Section 11.** Severability. The sections, paragraphs, sentences, phrases, clauses and words of this Ordinance are severable, and if any section, paragraph, sentence, phrase, clause or word in this Ordinance or application thereof to any person or circumstances is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares that it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

**Section 12.** Penalty. Any person violating this Ordinance or the requirements to obey traffic control devices contained in the Texas Transportation Code and other applicable law shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined a sum not exceeding \$500.00. The penalty imposed for a violation of this Ordinance shall not exceed the penalty prescribed by state law for the same or a similar offense. Except as otherwise provided by law or ordinance, with respect to violations of this Code that are continuous with respect to time, each day that the violation continues is a separate offense. As to other violations, each violation constitutes a separate offense.

**Section 13.** Effective Date. This Ordinance shall take from and after its adoption and publication as required by law.

**PASSED AND APPROVED** by the City Council of the Town of Addison, Texas this the 23rd day of August, 2016.

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Todd Meier, Mayor  
Town of Addison, Texas

ATTEST:

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Laura Bell, City Secretary

APPROVED AS TO FORM:

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Brenda N. McDonald, City Attorney