

ORDINANCE NO. 2116

AN ORDINANCE OF THE TOWN OF HIGHLAND PARK, TEXAS AMENDING THE CODE OF ORDINANCES OF THE TOWN OF HIGHLAND PARK, CHAPTER 12, TRAFFIC AND VEHICLES, ARTICLE 12.03 TRAFFIC CONTROL DEVICES, SECTIONS 12.03.001 CONFORMITY WITH STATE MANUAL AND SPECIFICATIONS; UNIFORMITY, BY REFERENCING THE MANUAL FOR UNIFORM TRAFFIC CONTROL DEVICES AND BY ELIMINATING 12.03.005 TIME AND LOCATION OF FLASHING RED SIGNALS AND 12.03.006 TIME AND LOCATION OF FLASHING YELLOW SIGNALS, REMOVING OPERATIONAL DETAILS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Highland Park, Texas (the "Town"), is a Home Rule municipality having full powers of self-government and may enact ordinances relative to its citizens' health, safety, and welfare that are not inconsistent with the Constitution and laws of the State; and

WHEREAS, Section 311.001 of the Texas Transportation Code provides that a home-rule municipality has exclusive control over and under the public highways, streets, and alleys of the municipality; and

WHEREAS, the Town wishes to update the previously-adopted ordinance regarding conformity with state manual and specifications to reference the Texas Manual on Uniform Traffic Control Devices; and

WHEREAS, the Town has previously adopted ordinances setting location of all traffic control devices, codified in Section 12.03.003, thereby making Sections 12.03.005 and 12.03.006 redundant; and

WHEREAS, the Town Council wishes to delete the operational times and locations of flashing red signals and flashing yellow signals as in the ordinances so as to enhance flexibility and safety and remove redundancy; and

WHEREAS, the Town is authorized by law to adopt the provisions contained herein, and has complied with all the prerequisites necessary for the passage of this ordinance; and

WHEREAS, all statutory and constitutional requirements for the passage of this ordinance have been adhered to, including, but not limited to the Open Meetings Act; and

WHEREAS, the purpose of this ordinance is to promote the public health, safety, and general welfare of the citizens of the Town of Highland Park;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Highland Park, Texas:

SECTION 1. That, the statements contained in the preamble to this ordinance are hereby adopted as findings of fact and as a part of the operative provisions hereof.

SECTION 2. That, the Code of Ordinances of the Town of Highland Park, CHAPTER 12, TRAFFIC AND VEHICLES, SECTION 12.03.001 CONFORMITY WITH STATE MANUAL AND SPECIFICATIONS; UNIFORMITY is amended as follows:

12.03.001 CONFORMITY WITH STATE MANUAL AND SPECIFICATIONS; UNIFORMITY  
All traffic-control signs, signals and devices shall be in accordance with the most recent version of the Uniform Manual on Traffic Control Devices, as amended. All signs and signals required under this chapter for a particular purpose shall, so far as practicable, be uniform as to type and location throughout the Town. All traffic-control devices so erected and not inconsistent with the provisions of State law or this chapter shall be official traffic-control devices.

SECTION 3. That, the Code of Ordinances of the Town of Highland Park, CHAPTER 12, TRAFFIC AND VEHICLES, SECTION 12.03.005 TIME AND LOCATION OF FLASHING RED SIGNALS is eliminated in its entirety.

SECTION 4. That, the Code of Ordinances of the Town of Highland Park, CHAPTER 12, TRAFFIC AND VEHICLES, SECTION 12.03.006 TIME AND LOCATION OF FLASHING YELLOW SIGNALS is eliminated in its entirety.

SECTION 5. That, all ordinances, or any parts thereof in conflict with the terms of this ordinance shall be and hereby are deemed repealed and of no force or effect.

SECTION 6. That, should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or be held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part thereof decided to be unconstitutional, illegal, or invalid, and the same shall not affect the validity of the Code of Ordinances of the Town of Highland Park as a whole.

SECTION 7. That, this ordinance shall take effect immediately following its passage, approval, and publication as provided by law, and it is accordingly so ordained.

PASSED AND APPROVED by the Town Council of the Town of Highland Park, Texas, on this the 18<sup>th</sup> day of April, 2023.

APPROVED AS TO FORM:



Matthew C.G. Boyle  
Town Attorney

APPROVED:



Will C. Beecherl  
Mayor

ATTEST:

A handwritten signature in black ink, appearing to read "Joanna Mekeal". The signature is written in a cursive style with a large initial 'J'.

Joanna Mekeal  
Town Secretary