


## MEMORANDUM

**DATE:** May 17, 2019

**TO:** Mayor White & City Council

**VIA:** Mercy Rushing, City Manager

**FROM:** Cindy Karch, City Secretary 

**SUBJECT:** Ordinance providing stop sign controlling traffic on South Johnson Street at the intersection of Front Street.  
**Council Meeting Agenda Item for May 20, 2019**

### **Background Information:**

Per a request from the Landmark Commission, City Attorney Blake Armstrong drafted the ordinance and the Chief of Police reviewed and approved for appropriateness.

The ordinance is an attempt to control traffic to provide added safety for pedestrian traffic at the Iron Horse Square Park on Front Street.

### **Recommendation:**

It is the recommendation of city staff that the council approve the ordinance.

### **Final Disposition:**

**ORDINANCE NO. 19-05-20-1**

**AN ORDINANCE OF THE CITY COUNCIL OF MINEOLA, TEXAS, PROVIDING FOR A STOP SIGN CONTROLLING TRAFFIC ON SOUTH JOHNSON STREET AT THE INTERSECTION OF FRONT STREET WITHIN THE CORPORATE LIMITS OF THE CITY OF MINEOLA; PROVIDING A PENALTY CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Sections 542.202 and 544.003 of the Texas Transportation Code provides that a local authority may designate, place, and maintain a traffic control device on streets within the boundaries of the Municipality. Pursuant to this authority, the City of Mineola has determined that it would be in the best interest, and in order to protect the health, safety, and general welfare of its citizens, to erect a stop sign controlling traffic on South Johnson Street at the intersection of Front Street

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Mineola, Texas (“City”):

1. Pursuant to the authority vested in the City pursuant to the Texas Transportation Code Sections 542.202 and 544.003, a stop sign controlling traffic on South Johnson Street at the intersection of Front Street shall be erected.

2. Any person violating any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount within the jurisdictional limits of the City of Mineola Municipal Court.

**3. SEVERABILITY**

It is hereby declared to be the intention of the City of Mineola, Texas, that all sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable and if any phrase, sentence, paragraph, or section of this Ordinance should be declared unconstitutional by a valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not effect any remaining phrases, clauses, sentences, paragraphs, or sections of this Ordinance and the remainder of this Ordinance shall be enforced as written.

**4. REPEALER**

All ordinances, or parts of ordinances, enforced when the provisions of this Ordinance become effective that are inconsistent, or in conflict with the terms and provisions contained in this Ordinance are hereby repealed to the extent of any such conflict.

**5. EFFECTIVE DATE**

This Ordinance shall become effective when an appropriate stop sign is erected and subsequent to the publication of this Ordinance as required by law.

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Duly PASSED and APPROVED by the City Council of the City of Mineola, Texas on this 20th day of May, 2019.

APPROVED BY:

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Kevin White, Mayor

ATTEST:

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Cindy Karch, City Secretary

APPROVED AS TO FORM:



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Blake E. Armstrong, City Attorney