

ORDINANCE NO. 1219-03-20

AN ORDINANCE AMENDING THE CITY OF HONDO CODE OF ORDINANCE ARTICLE 11.03 TO ESTABLISH NEW REGULATIONS FOR THE APPLICATION TO INSTALL SPEED HUMPS; REPEALING ALL ORDINANCES IN CONFLICT THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Hondo, Texas is a Home-Rule municipality operating pursuant to its City Charter and the laws of the State of Texas; and

WHEREAS, the City of Hondo is authorized to enact traffic laws under the laws of this state pursuant to the Texas Transportation Code, title 7, subtitle C, Ch. 541.

WHEREAS, pursuant to such statutory authority, the City of Hondo City Council ("City Council") adopted State Law, Section 11.01.001, City of Hondo Ordinances. Texas Transportation Code and the rules of the road contained in Texas Transportation Code, chapter 541 et seq.

WHERAS, concern has arisen regarding the installation of speed humps for safety to reduce vehicle speeds on certain types of streets; and

WHERAS, the City Council finds that the public would be better served by adding a section to the City of Hondo Code of Ordinances to provide for reasonable opportunities for residents and property owners in a process that may lead to speed hump installation.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HONDO, TEXAS:

SECTION 1. AMENDMENT. The following provision is appended to the Hondo Code of Ordinances:

SECTION 11.03.004 SPEED HUMP INSTALLATION

(a). **General.** Speed humps should be selectively located in accordance with defined transportation engineering criteria for the purpose of reducing documented speeding problems. Requests for the installation of speed humps shall comply with the requirements of the section.

(b) **Definitions.**

Low and Moderate Density Residential Dwellings - means dwellings located in RE, R1, R3, PH and MF zoning districts as established under the Hondo Unified Development Code.

Notification Area - mean the area within 500 feet of the Street/Petition Area (as defined below). The measurement of 500 feet includes streets and alleys.

Speed Hump - means a geometric design feature of a street consisting of a raised area in the street pavement surface extending transversely across the traveled portion of a street for the primary purpose of encouraging reduced speeds of vehicles traveling along that street.

Street/Petition Area - means the minimum length of the street segment for consideration is 1,000 feet (i.e., 500 feet on either side of the proposed speed hump located on the length of the block) whichever is greater. If the 1,000-foot segment extends into any part of an adjacent block, it shall include the entire length of the adjacent block, unless separated by an intervening thoroughfare, traffic signal or offset intersection.

Collector Street. A street which carries traffic from local streets to the system of major streets, including the principal entrance street or streets into a subdivision development and streets designed primarily to provide traffic circulation within or between one or more subdivisions.

Minor Street. Those which are used primarily for access to the abutting residential properties and which are intended to serve traffic within a residential district.

(c) Eligibility Requirements. A petition for speed hump installation must satisfy each of the following criteria:

1. Petition - A petition documenting that at least three-fourths of the addressed households in Low and Moderate Density Residential Dwellings on the street support the installation and/or potential cost sharing described herein. A single signature for each street address will suffice as demonstrating support for the proposed speed hump installation.
2. Location of the Street - The street for the proposed speed hump installation must be located in front of primarily of Low and Moderate Density Residential Dwellings and be located within one of the following zoning districts: R-1 District, R-2 District, R-3 District, Residential Estate District and R-1/CL District.
3. Operational Characteristics of the Street – The street must be designated by city as a residential Collector Street or residential Minor Street. In addition:
 - a) The street must be used to provide access to abutting Low and Moderate Density Residential Dwellings and/or a residential Minor Street used to collect traffic for a residential Collector Street.
 - b) There must be no more than one traffic lane in each direction and the paved width of the street must not exceed 30 feet.
 - c) Speed humps will only be located on a paved residential street (alleys are not eligible).
 - d) The existing speed limit must be 30 mph or less.
 - e) The 85th percentile speed must be more than five miles per hour above the posted speed limit.
 - f) The street should have curb and gutter, but a street with a defined drainage ditch on uncurbed streets may be considered.
 - g) The street must not have curves that would restrict visibility.
 - h) The street straight-a-way length must be at least 1,000 feet.
 - i) Traffic volume must be at least 500 vehicles per day.
4. Objections – A petition for a speed hump will be denied if:

- a) City receives a written objection by the Hondo Police Chief and/or Emergency Districts # 6 and # 3
- b) City receives written object from Owner(s) of the property abutting the speed hump

5. Prohibited Locations – A speed hump may not be located in the following locations:

- a) in front of a driveway
- b) within 200 feet of a traffic control device or within 50 feet of an intersection.
- c) on a street designated as a truck route.

6. Drainage Consideration - City Engineer must verify that the speed hump location will not result in excessive storm runoff and/or flooding of the adjacent property

(d) Administrative Authority

1. The city will maintain a list of locations where members of the public have requested the installation of speed humps. The list includes the specific street location, the name, address and phone number of the requestor, and the date of request.
2. Upon approval by City Council, the City Manager will direct the city department(s) to install speed humps and such ancillary traffic control devices reasonably necessary to regulate traffic at high traffic public areas.
3. Pursuant to this ordinance, the city will study, assess, qualify and carry out the installation of speed humps based on the Eligibility Criteria specified herein, including other possible complementary traffic calming devices to mitigate any potential adverse impacts resulting from such installation.

(e) Cost Responsibility. City may not design or install a speed hump until it receives at least 60% of the project costs from the abutting property owner(s) and/or a grant or donation. These costs include, but are not limited to, the purchase, delivery, installation of the speed humps and any required signage. City Council at its discretion may waive all or part of property owner's requirement to pay 60% of the project costs.

(g) Speed Hump Removal or Alteration. A request for speed hump removal or alteration must satisfy the eligibility criteria in paragraph (f), review procedure in paragraph (h), and cost responsibility in paragraph (e). If city does not receive the monies required under paragraph (e) within one year of City Council approval, the project will be deemed cancelled.

(h) Procedures for Requesting Speed Hump Installation.

1. A request for the installation of speed humps may originate from one or more residents living on the street proposed for speed hump installation. A written request from a resident or a representative (such as a home owner's association) must be addressed to:

Speed Hump
Program City of
Hondo
1600 Ave M
Hondo, Texas 78861

2. City Manager, or his designee will make a preliminary determination of eligibility based on traffic data and criteria listed above in "Operational Characteristics of the Street".
3. If the street is determined to be ineligible based on the Eligibility Requirements specified herein, the applicant(s) will be notified in writing and given the reason for the determination.
4. The decision of ineligibility may be appealed to the City Council within 15 days of notification above. The City Council will review the determination and respond to the applicant(s) within 30 days of the appeal.
5. If the street is determined to be eligible for consideration, a meeting will be arranged between the applicant(s) and the City to define the petition area and the approximate speed hump locations. The applicant(s) will then submit a formal petition on forms provided by the City indicating that a minimum of three-fourths of the low and moderate density dwelling households on the street support the installation and cost sharing of speed humps. Only petition forms provided by the City or exact duplicates may be used.
6. After verification of the petition, the city will conduct the necessary transportation engineering studies and solicit comments and recommendation from other agencies.
7. If the street is determined to be ineligible for speed hump installation, the applicant(s) will be notified in writing stating the reasons for the determination. This decision may be appealed in the same manner described herein.
8. If the street is determined to be eligible, then:
 - a. the city will prepare an estimate of the total cost of the speed hump project and the residents' share of such costs.
 - b. city will notify property owners within the Notification Area of the proposed speed hump installation.
 - c. within 30 days of the above notice being mailed, if signatures representing twenty percent (20%) or more of property owners within the Notification Area state objection to the proposed speed hump installation, a Public Hearing will be held by the City Council. The applicant(s) and owners of real property within the Notification Area will be notified of the Public Hearing.
9. If approved by City Council, the city will contact the affected property owners for payment of the speed hump costs as provided under this Section. Upon receipt of payment from property owner(s), city will proceed with scheduling and installation of the speed hump(s). If total payment of the residents' share has not been received within one year from the date of City Council's approval, the speed hump project for that street will be cancelled. In that event, all monies received from residents, if any, will be returned to the payor.

SECTION 2. REPEALER.

Any previously adopted ordinances, and any subsequent amendments to them, which are in conflict with this Ordinance, are all hereby repealed.

SECTION 3. SEVERABILITY.

It is the intention of the City Council of the City of Hondo that if any phrase, sentence, section or paragraph of this ordinance shall be declared unconstitutional or otherwise invalid by final judgment of a court of competent jurisdiction such unconstitutionality or invalidity shall not affect any of the remainder of this ordinance since the same would have been enacted by the City Council without the incorporation of the unconstitutional or invalid phrase, sentence, section or paragraph.

SECTION 4. EFFECTIVE DATE.

This ordinance shall become effective upon adoption on second reading by the Hondo City Council and publication of the Ordinance caption in the official newspaper of the City of Hondo.

PASSED AND APPROVED this 9th day of MARCH, 2020.



James W. Danner, Sr.
Mayor

ATTEST:



Miguel Cantu
City Secretary

