

**CITY OF SEABROOK
ORDINANCE NO. 2019-17**

**ADD NEW SECTION 90-7 PROHIBITING VEHICLES TURNING IN
CONTRAVENTION OF SIGNS OR DEVICES**

AN ORDINANCE AMENDING CHAPTER 90 OF THE CODE OF ORDINANCES OF THE CITY OF SEABROOK, TEXAS, ENTITLED “TRAFFIC AND VEHICLES,” ARTICLE I, “IN GENERAL,” BY ADDING A NEW SECTION 90-7, “TURNING NOT ALLOWED, PROHIBITING VEHICLES TURNING IN CONTRAVENTION OF SIGNS OR DEVICES”; PROVIDING FOR A PENALTY IN AN AMOUNT OF NOT MORE THAN TWO HUNDRED DOLLARS (\$200.00) FOR VIOLATION OF ANY PROVISIONS HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR NOTICE

WHEREAS, the City Council of the City of Seabrook has attempted to be continually aware of the problems and issues relating to hazards, nuisances and other circumstances which negatively impact the health, safety and well-being of its residents, citizens and inhabitants; and

WHEREAS, although not otherwise required by law, the City has required and requested investigations as are appropriate and necessary to determine the need for additional restrictions upon the turning of vehicles, particularly with due regard to the expansion of State Highway 146 by TxDot, and its impact upon safety on the related City streets; and

WHEREAS, the Texas Transportation Code, Section 545.101 authorizes: (1) the placement of an official traffic-control device in or adjacent to an intersection; and (2) require a course different from that specified in this section for movement by vehicles turning at an intersection; and

WHEREAS, the City Council of the City of Seabrook, after review has determined the necessity for this Ordinance in order to preserve the health, safety and well-being of the residents, citizens and inhabitants of the municipality;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS, AS FOLLOWS:

SECTION 1. FINDING OF FACT.

The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

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SECTION 2. AMENDMENT TO THE CODE.

That Chapter 90 entitled, “Traffic and Vehicles,” Article I, “In General”, be amended to add a new Section 90-7, “Turning Not Allowed, Prohibiting Vehicles Turning in Contravention of Signs or Devices” as follows:

“Sec. 90-7. - Turning Not Allowed, Prohibiting Vehicles Turning in Contravention of Signs or Devices.

“No person shall turn a vehicle at any place or in any direction where there appears an authorized sign or device prohibiting such turn.”

SECTION 3. PENALTY CLAUSE; INCLUSION INTO THE CODE.

This Ordinance is hereby incorporated into and made a part of the Seabrook City Code. Any person who shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not more than Two Hundred Dollars (\$200.00) per offense. Each day of violation shall constitute a separate offense.

SECTION 4. REPEAL OF CONFLICTING ORDINANCES.

All ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

SECTION 5. SEVERABILITY.

In the event any clause, phrase, provision, sentence, or any part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Seabrook, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

SECTION 6. NOTICE BY PUBLICATION

The City Secretary shall give notice of the enactment of this Ordinance by promptly publishing it or its descriptive caption and penalty after final passage in the official newspaper of the City; the Ordinance to take effect upon publication.

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SECTION 7. OPEN MEETING COMPLIANCE

That it is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required by law and that public notice of the time, place and purpose of said meeting was given as required by the Texas Open Meetings Act, Texas Government Code, Chapter 551.

PASSED AND APPROVED on first reading with a quorum present, by an affirmative vote of a majority of Councilmembers present, in accordance with Seabrook City Charter Section 2.10 on this 6TH day of August, 2019.

PASSED, APPROVED, AND ADOPTED on final reading with a quorum present, by an affirmative vote of a majority of Councilmembers present, in accordance with Seabrook City Charter Section 2.10 on this 20TH day of August, 2019.

By: _____
Thomas G. Kolupski
Mayor

ATTEST:

By: _____
Robin Hicks, TRMC
City Secretary

APPROVED AS TO FORM:

By: _____
Steven L. Weathered
City Attorney