

ORDINANCE # 1388-2023

AN ORDINANCE AMENDING ARTICLE 12.05, "STOPPING, STANDING AND PARKING", OF THE CITY OF RIVER OAKS CODE OF ORDINANCES (2020) BY INCORPORATING INTO SECTION 12.05.012 "SPECIAL STOP INTERSECTIONS" SPECIFICALLY IN SUBSECTION (s) "OTHER SPECIAL STOPPING INTERSECTIONS" AS RECOMMENDED BY THE POLICE CHIEF AMENDING (s).(17) "SPECIAL STOP INTERSECTIONS ON YALE STREET" BY ADDING (17)(C) THAT DESIGNATES THAT A PROTECTED CONCRETE MEDIAN BE INSTALLED IN THE NORTHEAST BOUND LANE CREATING A RIGHT TURN LANE WITH A DESIGNATED STOPPING INTERSECTION AT YALE STREET ON ALL LANES THAT INTERSECT WITH ROBERTS CUT OFF ROAD (EXHIBIT A) AND INCORPORATING INTO SECTION 12.05.012 "SPECIAL STOP INTERSECTIONS" SPECIFICALLY IN SUBSECTION (s) BY ADDING (s).(19) "SPECIAL STOP INTERSECTION ON SANSOM CIRCLE" THAT DESIGNATES THAT A PROTECTED CONCRETE MEDIAN BE INSTALLED IN THE NORTHEAST BOUND LANE CREATING A RIGHT TURN LANE WITH A DESIGNATED STOPPING INTERSECTION AT SANSOM CIRCLE ON ALL LANES THAT INTERSECT WITH ROBERTS CUT OFF ROAD (EXHIBIT B); PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of River Oaks is a home rule City acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the police chief upon investigation determined that there is a potential traffic hazard affecting the safety and visibility of pedestrians and motorists; and

WHEREAS, in accordance to Sec. 12.03.001 "General powers and duties of chief of police", the chief of police shall place and maintain traffic-control signs, signals and devices when and as required under this chapter to make effective the provisions of this chapter, and may place and maintain such additional traffic-control devices as he may deem necessary to regulate traffic under this chapter or under state law, or to guide or warn traffic; and

WHEREAS, the Police Chief recommends that first a protected median be placed in the northeast bound lanes of both Yale and Sansom Circle creating right hand turn lanes on to Roberts Cut Off Rd. and second that a "Special Stopping Intersection" be designated on all traffic lanes where Yale St. and Sansom Circle intersects with Roberts Cut Off Road by placing stop signs on the southwest side of the right turn lanes of both the Yale and Sansom Circle that intersect with the traffic traveling south bound on Roberts Cut Off Rd. and that the existing stop signs on both Yale St. and Sansom Circle be moved up and installed in the protected median at the intersection with Roberts Cut Off Rd. where traffic can turn on to Roberts Cut Off traveling north bound as provided for in Exhibit A "Yale at Roberts Cut Off Rd." and Exhibit B "Sansom Circle at Roberts Cut Off Rd."; and

WHEREAS, the Police Chief has determined that stop signs will be placed in accordance to the Transportation Code within 18 inches of the prevailing edge of the street as provided for in this ordinance; and

WHEREAS, pursuant to Texas Transportation Code Section 542.202, the City of River Oaks, Texas has the authority to establish prohibited parking, standing or stopping zones within its corporate boundaries for vehicles on streets and highways.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIVER OAKS:

SECTION 1.

Section 12.05.012, Special Stop Intersections

That Article 12.05, "Stopping, Standing and Parking" of the City of River Oaks Code of Ordinances (2020) with the adoption of this ordinance, Section 12.05.012 "Special Stop Intersections" is amended by revising **Section 12.05.012 (s) "Other special stopping intersections" (17) "Special Stopping Intersections on Yale Street"** of the City of River Oaks Code by adding (17) (C) designating special stop intersections as herein provided for in this Ordinance to now read as follows:

"(17) "Special Stopping Intersections on Yale Street": In accordance with this chapter, police chief hereby directs that the city public works department install a stop sign at the following locations:

(C) At the intersection of Yale Street with Roberts Cut Off Road in order to protect the safety of motorists a protected median be placed in the northeast bound lanes of Yale Street creating a right hand turn lane on to Roberts Cut Off Rd. and that a "Special Stopping Intersection" be designated on all traffic lanes where Yale St. intersects with Roberts Cut Off Road as follows:

- i. A stop sign will be placed on the southwest corner of the right turn lane created with the installation of the concrete median where motorists intersect with the south bound traffic on Roberts Cut Off Road as plotted on the attached Exhibit A in accordance to the Texas Manual on Uniform Traffic Devices to be placed within 18-inches of the prevailing edge of the street within the dedicated public right-of-way as a stopping intersection in accordance to the Transportation Code all under the control of the City of River Oaks for vehicular traffic on Yale Street intersecting with south bound traffic on Roberts Cut Off Road ; and
- ii. There is an existing stop sign located on Yale Street at the southwest corner of Yale Street set back from the intersection with Roberts Cut Off Road that is placed within 18 inches of the prevailing edge of the street on Yale Street within the dedicated public right-of-way all under the control of the City of River Oaks that shall be relocated to be placed in the protected concrete median more visible to motorists as a stopping intersection on the northeast corner as plotted on the attached Exhibit A in accordance to the Texas Manual on Uniform Traffic Devices where the traffic lane turns left from Yale Street on to Roberts Cut Off Road for vehicular traffic traveling south to north on Roberts Cut Off Road; and
- iii. The Police Chief has determined that the new median shall be adequately marked to alert motorists of the new addition and that all traffic Lanes be adequately marked as indicated on Exhibit A to this Ordinance."

SECTION 2.

Section 12.05.012, Special Stop Intersections

That Article 12.05, "Stopping, Standing and Parking" of the City of River Oaks Code of Ordinances (2006) with the adoption of this ordinance, Section 12.05.012 "Special Stop Intersections" is amended by revising **Section 12.05.012 (s) "Other special stopping intersections"** amending (s) **"Other Special Stopping Intersections" specifically by adding (s).(19)** to the River Oaks Code of Ordinances (2020) designating special stop intersections on Sansom Circle as herein provided for in this Ordinance to now read as follows:

"(s) (19) **"Special Stopping Intersections on Sansom Circle** : "In accordance with this chapter, police chief hereby directs that the city public works department install a stop sign at the following locations:

- i. At the intersection of Sansom Circle with Roberts Cut Off Road in order to protect the safety of motorists a protected median be placed in the northeast bound lane of Sansom Circle to Roberts Cut Off Road creating a right hand turn lane on to Roberts Cut Off Rd. and that a "Special Stopping Intersection" be designated on all traffic lanes where Sansom Circle intersects with Roberts Cut Off Road.
- ii. A stop sign will be placed on the southwest corner of the right turn lane created with the installation of the concrete median where motorists intersect with the south bound traffic on Roberts Cut Off Road as plotted on the attached Exhibit B in accordance to the Texas Manual on Uniform Traffic Devices to be placed within 18-inches of the prevailing edge of the street within the dedicated public right-of-way as a stopping intersection in accordance to the Transportation Code all under the control of the City of River Oaks for vehicular traffic on Yale Street intersecting with south bound traffic on Roberts Cut Off Road ; and
- iii. There is an existing stop sign located on Sansom Circle at the southwest corner set back from the intersection with Roberts Cut Off Road that is placed within 18 inches of the prevailing edge of the street on Sansom Circle within the dedicated public right-of-way all under the control of the City of River Oaks that shall be relocated to be placed in the protected concrete median more visible to motorists as a stopping intersection on the northeast corner as plotted on the attached Exhibit B in accordance to the Texas Manual on Uniform Traffic Devices where the traffic lane turns left from Sansom Circle on to Roberts Cut Off Road for vehicular traffic traveling south to north on Roberts Cut Off Road or straight across Roberts Cut Off Road at a slight angle into the City of Fort Worth to travel east on Columbia Avenue; and
- iv. The Police Chief has determined that the new median shall be adequately marked to alert motorists of the new addition and that all traffic Lanes be adequately marked as indicated on Exhibit B to this Ordinance."

SECTION 3. CUMULATIVE

This Ordinance shall be cumulative of all provisions of Ordinances of the city, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

SECTION 4. SEVERABILITY

It is hereby declared to be the intentions of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 5.
SAVINGS**

All rights and remedies of the City of River Oaks are expressly saved as to any and all violations of the provisions of the City of River Oaks Code of Ordinances (2006) or any other ordinances affecting Stopping, Standing and Parking which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

**SECTION 6.
PENALTY**

In accordance to Section 1.01.009, "General penalty for violations of code; continuing violations", of the City of River Oaks Code of Ordinances (2020) as adopted and as amended; whenever in this code or in any ordinance of the city an act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in such code or ordinance the doing of any act is required or the failure to do any act is declared to be unlawful, and no specific penalty is provided therefor, the violation of any such provision of this code or any such ordinance shall be punished by a fine of not exceeding five hundred dollars (\$500.00). However, a fine or penalty for the violation of a rule, ordinance or police regulation that governs fire safety, zoning or public health and sanitation other than dumping of refuse may not exceed two thousand dollars (\$2,000.00).

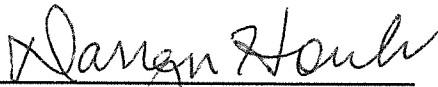
**SECTION 7.
PUBLICATION**

The City Secretary of the City of River Oaks is hereby directed to publish in the official newspaper the caption, savings clause, penalty clause, publication clause and effective date clause of this ordinance one (1) time after the adoption of this ordinance as authorized by Chapter 5, Section 5.02(c) of the Charter of the City of River Oaks.

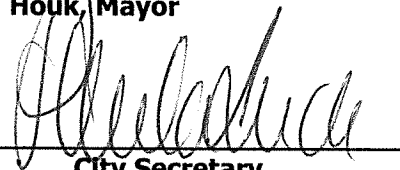
**SECTION 8.
EFFECTIVE DATE**

This Ordinance shall be in full force and effect after its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED THIS THE 26th DAY OF SEPTEMBER 2023.



Darren Houk, Mayor

ATTEST: 

**City Secretary
City of River Oaks**

EXHIBIT A

YALE AT ROBERTS CUT OFF RD.

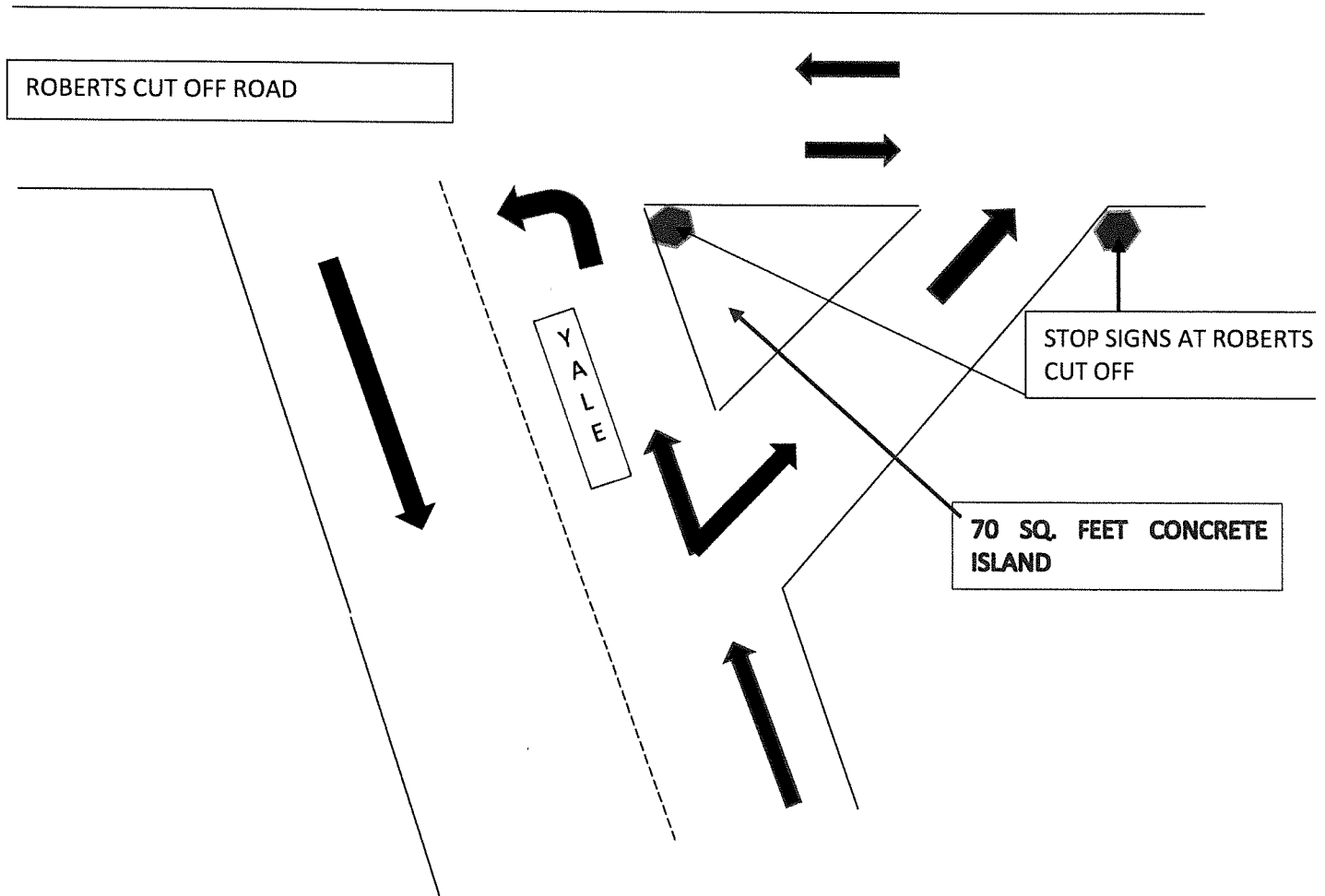


EXHIBIT B

SANSOM CIRCLE AT ROBERTS CUT OFF RD.

