

ORDINANCE 22-03

AN ORDINANCE OF THE CITY OF KENEDY, TEXAS, AMENDING THE CODE OF ORDINANCES, CHAPTER 82 TRAFFIC AND VEHICLES, ARTICLE III SPECIFIC STREET REGULATIONS, DIVISION 8 TRUCK ROUTES, SECTION 82-241 OPERATION RESTRICTED; PROVIDING A REPEALING CLAUSE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Kenedy desires to continue to protect and ensure the public health, safety, and welfare of its residents and businesses by regulating and guiding road users for the protection of the general travelling public; and

WHEREAS, the City of Kenedy is authorized by Title 7, Subchapter C of the Texas Transportation Code to establish and regulate compliance with rules governing the use of public thoroughfares; and

WHEREAS, the City Council desires to amend its regulations as provided by and consistent with Texas law.

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

SECTION 1. FINDINGS OF FACT

The foregoing recitals are incorporated into this Ordinance by reference as finding of fact, as if expressly set forth herein.

Chapter 82 Traffic and Vehicles, Article III Specific Street Regulations; Division 8 Truck Routes, Section 82 -241 Operation Restricted, of the City of Kenedy, Texas Code of Ordinances is hereby amended as follows:

[Note – additions are shown as underlined and deletions are shown as ~~striketrough~~]

Sec. 82-241. Operation restricted.

(a) It shall be unlawful for the operator of any truck, or truck-trailer combination, or the operator of any vehicle which has a capacity in excess of 26,000 pounds according to the manufacturer's rating to drive or operate such truck, such truck-trailer, or such vehicle upon any street within the city limits.

1. It shall be unlawful for the operator of any vehicle, vehicle-trailer combination, or any vehicle which has the capacity in excess of 26,000 pounds according to the manufacturer's rating as described in item (a) above to drive or operate such vehicle, vehicle-trailer in any direction on Houston Street.

(b) It is, however, excepted and this section shall not be construed to prohibit the operation of any truck, or any truck-trailer, or any vehicle described in this section from making any delivery or pickup from any point within the city limits. It is further excepted, and this section shall not prohibit the owner of any truck or other vehicle described in this section, excluding a trailer, from driving on city streets leading to and from the owner's residence and parking the truck or vehicle at the owner's residence.

1. Any vehicle meeting the vehicle description in (a) and (a-1) above, making a delivery to Ashland shall be permitted to turn North on Business 181 G and then turn immediately North into Ashland.
2. Any vehicle meeting the description in (a) and (a-1) above, that has completed a delivery to Ashland and is departing from Ashland's parking lot, shall be permitted to turn South on Business 181 G; and then either east onto Business 72, or west onto Farm Road 1145 (Flax Plant)

SECTION 2. REPEALER

To the extent reasonable possible, ordinances are to be read together in harmony. However, all ordinances, or parts thereof, that are in conflict or inconsistent with any provisions of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

SECTION 3. SEVERABILITY

Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

SECTION 4. OPEN MEETING CERTIFICATION

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

SECTION 5. EFFECTIVE DATE


This Ordinance shall take effect April 1, 2022.

PASSED AND APPROVED this, the 8th, day of March 2022 by the City Council of the City of Kenedy, Karnes County, Texas;



Joe Baker, Mayor

ATTEST:



Ruby Mowles, City Secretary