

CHAPTER 12

TRAFFIC AND VEHICLES

ARTICLE 12.100 STREETS AND SIDEWALKS

Sec. 12.101 Obstruction of Streets and Sidewalks; Tree Limbs

All streets, alleys and sidewalks within the city shall be kept free of all obstructions of every kind and character, including merchandise, rubbish or any other item which may hinder the free use of such streets, sidewalks or alleys. In the event a tree is allowed to grow so that a limb or limbs extend over any street, the limbs must be trimmed so that the lowest point of any limb extending over the street is at least fifteen (15) feet above the street. (Ordinance 1923 adopted 7/7/05)

Sec. 12.102 Access Driveways to Highways; State Regulations Adopted

The booklet, a copy of which is on file in the office of the city secretary, entitled "Regulations for Access Driveways to State Highways" dated September 23, 1953, as amended in September 1960, and published by the Texas Highway Department in accordance with Minute Order No. 34719, is hereby adopted by the city for the public safety and protection of the citizens of the city. (1965 Code of Ordinances, Chapter 17, Article I, Section 17-2)

ARTICLE 12.200 TRAFFIC REGULATIONS; GENERALLY^{*(1)}

Sec. 12.201 Definitions

The following words and phrases, when used in this article shall, for the purpose of this article, have the meanings respectively ascribed to them in this section:

Alley. A public thoroughfare, which ordinarily affords only a second means of access to abutting property.

Authorized Emergency Vehicle. Vehicles of the fire department (fire patrol), police vehicles and such ambulances and emergency vehicles of municipal departments or public service

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corporations as are designated or authorized by the chief of police.

Bicycle. Every device propelled by human power upon which any person may ride, having two (2) tandem wheels either of which is over twenty (20) inches in diameter.

Bus. Every motor vehicle designed for carrying more than ten (10) passengers and used for the transportation of persons; and every other motor vehicle other than taxicab designed and used for the transportation of persons.

Business District. The territory contiguous to and including a roadway when, within any six hundred (600) feet along such roadway, there are buildings in use for business or industrial purposes, which occupy three hundred (300) feet of frontage on one side or three hundred (300) feet collectively on both sides of the roadway.

Commercial Vehicle. Every vehicle designed, maintained or used primarily for the transportation of property.

Controlled-Access Highway. Every highway, street, or roadway in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the same except at such points only and in such manner as may be determined by the public authority having jurisdiction over such highway, street or roadway.

Crosswalk. That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the street measured from the curbs, or in the absence of curbs, from the edges of the traversable roadway. The word "crosswalk" also means any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

Curb Loading Zone. A space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.

Driver or Operator. Every person who drives or is in actual physical control of a vehicle.

Farm Tractor. Every motor vehicle designed and used primarily as farm implement for drawing plows, mowing machines and other implements of husbandry.

Freight Curb Loading Zone. A space adjacent to a curb for the exclusive use of vehicles during the loading or unloading of freight.

Intersection. The area embraced within the prolongation of connection of the lateral club lines, or if none, then the lateral boundary lines of the roadways of two (2) streets which join one

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another at or approximately at right angles, or the area within which vehicles traveling upon different streets joining at any other angle may come in conflict. Where a street includes two (2) roadways thirty (30) feet or more apart, then every crossing of each roadway of such divided street by an intersecting street shall be regarded as a separate intersection. In the event such intersecting street also includes two (2) roadways thirty (30) feet or more apart, then every crossing two (2) roadways of such streets shall be regarded as a separate intersection.

Laned Roadway. A roadway which is divided into two (2) or more clearly marked lanes for vehicular traffic.

Limited-Access or Control-Access Highway. Every highway, street or roadway in respect to which owners or occupants of abutting property or lands and other persons have no legal right of access to or from the same except at such points only and in such manner as may be determined by the public authority having jurisdiction over such highway, street or roadway.

Motorcycle. Every motor vehicle having a saddle for the use of the rider and designed to travel on not more than three (3) wheels in contact with the ground, but excluding a tractor.

Motor Vehicle. Every vehicle which is self-propelled and every vehicle which is propelled by electric power, obtained from overhead trolley wires, but not operated upon rails.

Official Time Standard. Whenever certain hours are named herein they shall mean standard time or daylight-saving time as may be in current use in this city.

Official Traffic-Control Devices. All signs, signals, markings and devices not inconsistent with this article placed or erected by authority of a public body or official having jurisdiction for the purpose of regulating, warning or guiding traffic.

Owner. A person who holds the legal title of a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right to purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this article.

Park. When prohibited, the standing of a vehicle whether occupied or not, other than temporarily for the purpose of and while actually engaged in loading or unloading.

Passenger Curb Loading Zone. A place adjacent to a curb for the exclusive use of vehicles during the loading or unloading of passengers.

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Pedestrian. Any person afoot.

Police Officer. Every officer of the city police department or any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

Private Road or Driveway. Every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner but not by other persons.

Railroad. A carrier of persons or property upon cars, other than streetcars, operated upon stationary rails.

Railroad Sign or Signal. Any sign, signal or device erected and intended to give notice of the presence of railroad tracks or the approach of a railroad train.

Railroad Train. A steam engine, electric or other motor, with or without cars coupled thereto, operated upon rails, except streetcars.

Residence District. The territory contiguous to and including a street or highway not comprising a business district when the property on such street or highway, for a distance of three hundred (300) feet or more, is in the main improved with residences or residences and buildings in use for business.

Right-of-Way. The privilege of the immediate use of the roadway.

Roadway. That portion of a street or highway improved, designed or ordinarily used for vehicular travel. In the event a highway includes two (2) or more separate roadways; the term "roadway" shall refer to any such roadway separately but not to all such roadways collectively.

Safety Zones. The area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.

School Bus. Every motor vehicle owned either by a public or governmental agency or privately and operated for compensation for the transportation to and from school.

School Zones. Streets or roads adjacent to any portion of any school grounds and shall extend in every direction along said streets for a radius of six hundred (600) feet from the nearest portion of the school premises.

Sidewalk. That portion of a street between the curb lines, or the lateral lines of a roadway, and

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the adjacent property lines intended for the use of pedestrians.

Stop. When required, means complete cessation of movement.

Stop, Stopping or Standing. When prohibited, means any stopping or standing of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control sign or signal.

Street or Highway. The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

Through Roadway. Every roadway or portion thereof on which vehicular traffic is given preferential right-of-way, and at the entrances to which vehicular traffic from intersecting roadways is required by law to yield right-of-way to vehicles on such through roadway in obedience to either a stop sign or a yield sign, when such signs are erected as provided in this article.

Traffic. Pedestrians, ridden or herded animals, vehicles, streetcars and other conveyances, either singly or together, while using any street for purposes of travel.

Traffic-Control Signal. Any device, whether manually, electrically or mechanically operated by which traffic is alternately directed to stop and to proceed.

Trailer. Every vehicle with or without motive power designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

Truck. Every motor vehicle designed, used or maintained primarily for the transportation of property.

Truck Tractor. Every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

Vehicle. Every device in, upon or by which any person or property is or may be transported or drawn upon a street or highway, except devices moved by human power or used exclusively upon stationary rails or tracks.

(1965 Code of Ordinances, Chapter 20, Article I, Section 20-1)

Sec. 12.202 General Duties of Chief of Police Relative to Traffic

It shall be the duty of the chief of police to conduct analysis of traffic accidents, and to devise remedial measures to conduct investigations of traffic conditions and to cooperate with other city officials in the development of ways and means to improve traffic conditions, and to carry out the additional powers and duties imposed by this article and other traffic ordinances. (1965 Code of Ordinances, Chapter 20, Article I, Section 20-2)

Sec. 12.203 Authority of Chief of Police to Make Traffic Regulations

The chief of police is hereby empowered to make regulations necessary to make effective the provisions of this article and other traffic ordinances and to make and enforce temporary or experimental regulations to cover emergencies or special conditions. No such temporary or experimental regulation shall remain in effect for more than ninety (90) days, nor shall it be effective until approved by the city manager. (1965 Code of Ordinances, Chapter 20, Article I, Section 20-3)

Sec. 12.204 Duty of Police Officers to Enforce Traffic Laws

It shall be the duty of the officers of the police department or such officers as are assigned by the chief of police to enforce all street traffic laws of this city and all of the state vehicle laws applicable to street traffic in this city. (1965 Code of Ordinances, Chapter 20, Article I, Section 20-4)

Sec. 12.205 Authority of Police Officers to Direct Traffic

Officers of the police department or such officers as are assigned by the chief of police are hereby authorized to direct all traffic by voice, hand or signal in conformance with traffic laws. In the event of fire or other emergency or to expedite traffic or to safeguard pedestrians, officers of the police department may direct traffic as conditions may require notwithstanding the provisions of the traffic laws. (1965 Code of Ordinances, Chapter 20, Article I, Section 20-5)

Sec. 12.206 Authority of Officers of Fire Department to Direct Traffic

Officers of the fire department when at the scene of a fire may direct or assist the police in directing traffic thereat or in the immediate vicinity. (1965 Code of Ordinances, Chapter 20, Article I, Section 20-6)

Sec. 12.207 Obedience to Traffic Officers

No person shall willfully fail or refuse to comply with any lawful order or direction of a police

officer or fire department official given to direct or control traffic as authorized in this article. (1965 Code of Ordinances, Chapter 20, Article I, Section 20-7)

Sec. 12.208 Obedience to Fire and Police Officers

It shall be unlawful for any person to willfully fail or refuse to comply with any lawful order or direction given by any member of the fire or police department. (1965 Code of Ordinances, Chapter 20, Article I, Section 20-8)

Sec. 12.209 Annual Traffic Report

The police department shall annually prepare a traffic report which shall be filed with the city manager. Such report shall contain information on traffic matters in the city as follows:

- (1) The number of traffic accidents, the number of persons killed, the number of persons injured and other pertinent traffic accident data;
- (2) The number of traffic accidents investigated and other pertinent data on the safety activities of the police;
- (3) The plans and recommendations of the department for future traffic safety activities.

(1965 Code of Ordinances, Chapter 20, Article I, Section 20-14)

ARTICLE 12.300 ACCIDENTS

Sec. 12.301 Negligent Collision

No person driving, operating or in charge of any motor vehicle, animal or any other vehicle shall by negligence cause or suffer to permit the same to come in collision with any other vehicle of any nature whatsoever, or with any animal, person, street sign, street post, water plug, mailbox or any obstacle or object whatsoever in or on any street, roadway or highway, or any other public place whatsoever in the city. Violation of this section shall be known as the offense of “negligent collision” and shall be deemed a misdemeanor. (1965 Code of Ordinances, Chapter 20, Article II, Section 20-34)

Sec. 12.302 Garages to Report Damaged Vehicles

The person in charge of any garage or repair shop to which is brought any motor vehicle which shows evidence of having been involved in an accident of which report must be made as

provided by state law, or struck by any bullet, shall report to the police department within twenty-four (24) hours after such motor vehicle is received, giving the engine number, registration number and the name and address of the owner or operator of such vehicle. (1965 Code of Ordinances, Chapter 20, Article II, Section 20-42)

Sec. 12.303 Moving or Removal of Wrecked Vehicles by Wrecker Trucks

It shall be unlawful for the operator of any vehicle equipped with a crane, hoist, winch or towing device who has answered a call to, or is attending the scene of any collision or accident of one or more vehicles on any highway or street in the city to remove or attempt to remove any vehicle involved in such collision or accident, or in any way to interfere with or change the position of any such vehicle, except upon authority or direction and in the presence of a police officer of the city, unless such change is made or attempted for the purpose of releasing a person or persons imprisoned within or under such vehicle; provided however, that it shall be unlawful for such operator of any such vehicle equipped with a crane, hoist, winch or towing device to remove any vehicle from the scene of accident or collision without the consent of the owner of the vehicle so removed, unless directed by a police officer to remove such vehicle as a public safety measure or for the protection of private property. (1965 Code of Ordinances, Chapter 20, Article II, Section 20-43)

ARTICLE 12.400 VEHICLE EQUIPMENT

Sec. 12.401 Headlights-When Required

Every vehicle upon a highway at any time from one-half (1/2) hour after sunset to one-half (1/2) hour before sunrise and at any other time when there is not sufficient light to render clearly discernible persons and vehicles on the highway at a distance of five hundred (500) feet ahead shall display lighted lamps and illuminating devices as hereinafter respectively required for different classes of vehicles, subject to exceptions with respect to parked vehicles. (1965 Code of Ordinances, Chapter 20, Article III, Section 20-54)

Sec. 12.402 Same-Visibility Distance; Mounted Height

(a) Whenever requirement is hereinafter declared as to the distance from which certain lamps and devices shall render objects visible or within which such lamps or devices shall be visible, said provisions shall apply during the times stated in Section 12.401 in respect to a vehicle without load when upon a straight, level, unlighted highway under normal atmospheric conditions unless a different time or condition is expressly stated.

(b) Whenever requirement is hereinafter declared as to the mounted height of lamps or devices,

it shall mean from the center of such lamp or device to the level ground upon which the vehicle stands when such vehicle is without a load.

(1965 Code of Ordinances, Chapter 20, Article III, Section 20-55)

Sec. 12.403 Same-on Motor Vehicles

(a) Every motor vehicle other than a motorcycle or motor-driven cycle shall be equipped with at least two (2) headlamps with one (1) on each side of the front of the motor vehicle, which lamp shall comply with the requirements and limitations set forth in this article.

(b) Every motorcycle and every motor-driven cycle shall be equipped with at least one (1) and not more than two (2) headlamps which shall comply with the requirements and limitations of this article.

(c) Every headlamp upon every motor vehicle, including every motorcycle and motor-driven cycle, shall be located at a height measured from the center of the headlamp of not more than fifty-four (54) inches nor less than twenty-four (24) inches to be measured as set forth in subsection (b).

(1965 Code of Ordinances, Chapter 20, Article III, Section 20-56)

Sec. 12.404 Taillights

(a) Every motor vehicle, trailer, semitrailer, pole trailer and any other vehicle which is being drawn at the end of a train of vehicles, shall be equipped with at least one (1) taillamp mounted on the rear, which, when lighted, shall emit a red light plainly visible from a distance of five hundred (500) feet to the rear, provided that in the case of a train of vehicles only the taillamp on the rearmost vehicle need actually be seen from the distance specified.

(b) Either a taillamp or a separate lamp shall be so constructed and placed as to illuminate with a white light the rear registration plate and render it clearly legible from a distance of fifty (50) feet to the rear. Any taillamp or taillamps, together with any separate lamp for illuminating the rear registration plate, shall be so wired as to be lighted whenever the headlamps or auxiliary driving lamps are lighted.

(1965 Code of Ordinances, Chapter 20, Article III, Section 20-57)

Sec. 12.405 Engine Brakes Prohibited

It shall be unlawful for the driver of any vehicle to use or operate or cause to be used or operated

within the city limits, any engine brake, compression brake or mechanical exhaust device designed to aid in the braking or deceleration of any vehicle that results in excessive, loud, unusual, or explosive noise from such vehicle. (Ordinance 1956 adopted 5/3/07)

ARTICLE 12.500 OPERATION OF VEHICLES GENERALLY*(2)

Sec. 12.501 Driving in Processions

Each driver in a funeral or other procession shall drive as near to the right-hand edge of the roadway as practical and shall follow the vehicle ahead as close as is practical and safe. (1965 Code of Ordinances, Chapter 20, Article IV, Section 20-109)

Sec. 12.502 Driving Between Vehicles of Procession

No driver of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously identified. This provision shall not apply at intersections where traffic is controlled by traffic-control signals or police officers. (1965 Code of Ordinances, Chapter 20, Article IV, Section 20-110)

Sec. 12.503 Golf Carts

(a) The operation of golf carts by persons 18 years of age and older is authorized upon all public streets and highways within the city subject to the following requirements:

- (1) For the purpose of this section the term “golf cart” shall be defined as contained in Section 502.001 of the Texas Transportation Code.
- (2) Golf carts may not be operated upon any streets or highways which have a posted speed limit of not more than 35 miles per hour. In the event it becomes necessary for a golf cart to cross a street or highway upon which the operation of a golf cart is prohibited, the operator shall cross the street or highway at an intersection. Golf carts shall follow all rules of the road as required by the Texas Transportation Code. Golf carts shall carry liability insurance in amounts required for motor vehicles.
- (3) Golf carts may not be operated upon the following streets:
 - (A) North and South Cedar Street.
 - (B) North and South “D” Street.

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- (C) "B" Street south of Tahoka Highway (U.S. Hwy 380).
 - (D) Ballard Street north of Tahoka Highway (U.S. Hwy 380).
 - (E) Cub Drive North of Tahoka Highway (U.S, Hwy 380).
 - (F) 100 Block to 900 Block of East Felt Street.
 - (G) 100 Block to 1200 Block of East Bynum.
 - (H) 100 Block to 900 Block of East Lanny.
 - (I) Old Lamesa Road.
 - (J) 100 Block to 800 Block of West Broadway.
 - (K) 100 Block to 900 Block of West Main.
 - (L) 900 Block to 1300 Block of East Grace.
 - (M) 1300 Block to 1700 East Webb Street.
- (4) A golf cart operated under this section must have the following equipment:
- (A) Headlamps;
 - (B) Taillamps;
 - (C) Reflectors;
 - (D) Parking brake; and
 - (E) Mirrors.

Sec. 12.504 Alternative Vehicles

The operation of alternate vehicles by persons 18 years of age and older is authorized upon the public streets and highways within the city subject to the following requirements:

- (1) Alternative vehicles, as used in this section, means those vehicles similar to golf carts which were originally designed for off-road operation for farming or hunting

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commonly known as gators and which are not otherwise eligible to be registered as a motor vehicle.

- (2) Alternative vehicles shall meet all the standards and shall follow all regulations required of golf carts in Section 12.503.
- (3) The use of alternative vehicles shall be allowed by those persons issued a permit by the chief of police. The granting of a permit shall be based upon the following:
 - (A) The presentation to the chief of police of a statement from a licensed practicing physician stating that the driver, because of a physical disability, is unable to operate a motor vehicle and that the driver is capable of operating an alternative motor vehicle;
 - (B) Payment of fee of \$10.00 for a two-year permit;
 - (C) An inspection by the chief of police or his designee to determine that the alternative vehicle meets the requirements of this section and that the vehicle is not otherwise authorized to be registered as a motor vehicle; and
 - (D) Only the person named in the permit is authorized to operate the alternative vehicle on the streets of the city.

(Ordinance 2007 adopted 9/16/10)

ARTICLE 12.600 TRAFFIC-CONTROL DEVICES GENERALLY*(3)

Sec. 12.601 Conformity with Manual; Uniformity

All traffic-control devices including signs, signals and markings (pavement and/or curb) installed or used for the purpose of directing and controlling traffic within the City of Brownfield shall conform with the "Texas Manual on Uniform Traffic Control Devices for Streets and Highways," Volumes I and II (hereafter called the manual). Article 6701d, Vernon's Civil Statutes states: "All signs, signals and markings erected or used by the City of Brownfield shall be uniform and be located so far as practicable according to the directions shown in the manual throughout the city." All existing traffic-control devices and those erected in the future by the city being consistent with the manual, state law and this article shall be official traffic-control devices. (1965 Code of Ordinances, Chapter 20, Article V, Section 20-129)

Sec. 12.602 Prohibited Signs, Signals or Markings

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- (a) No person shall place, maintain or display upon or in view of any highway, street or alley any unauthorized signs, signal, marking or device which purports to be or is an imitation of or resembles an official traffic-control device or railroad sign or signal, or which attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of any official control device or any railroad sign or signal.
- (b) No person shall place or maintain nor shall any public authority permit upon any highway, street or alley any traffic sign or signal bearing thereon any commercial advertising.
- (c) This section shall not be deemed to prohibit the erection upon private property adjacent to highways, streets or alleys of signs giving useful directional information and of a type that cannot be mistaken for official signs.
- (d) Every such prohibited sign, signal or marking is hereby declared to be a public nuisance, and the chief of police is hereby empowered to remove the same or cause it to be moved without notice.

(1965 Code of Ordinances, Chapter 20, Article V, Section 20-132)

Sec. 12.603 Installation of Devices

- (a) The city council of the City of Brownfield shall by ordinance direct that the chief of police shall have the duty of erecting or installing upon, over, along or beside any highway, street or alley; signs, signals and markings, or cause the same to be erected, installed or placed in accordance with this article and consistent with the manual. Such traffic-control devices shall be installed immediately or as soon as such specific device, sign or signal can be produced.
- (b) Whenever the chief of police has erected and installed any official traffic-control device, signal or sign at any location in the city or has caused the same to be done under his direction in obedience to this article, the manual or another ordinance directing the erection of such device, signal or sign shall thereafter file a report with the city secretary in writing and signed officially by the chief of police, stating the type of traffic-control device, sign or signal, and when and where the same was erected or installed. The city secretary shall file and maintain such report of the chief of police among the official papers of the office of the city secretary.

(1965 Code of Ordinances, Chapter 20, Article V, Section 20-134)

ARTICLE 12.700 SPEED REGULATIONS*(4)

Sec. 12.701 Maximum Limits on Specific Streets

(a) Prima Facie Limits. Where no special hazard exists that requires lower speed for compliance with this section, the speed of any vehicle not in excess of the limits specified in this subsection or established as hereinafter authorized shall be lawful, but any speed in excess of the limits specified in this subsection or established as hereinafter authorized shall be prima facie evidence that the speed is not reasonable or prudent and that it is unlawful. (1965 Code of Ordinances, Chapter 20, Article VI, Section 20-152)

(1) U.S. Highway 62. The speed zones established by this section shall include all of U. S. Highway 62 within the city limits:

(A) Beginning at the existing south city limits, the speed limit shall be 55 miles per hour which speed zone shall extend north to a point 628 feet north of centerline of F.M. 403, at which point the speed limit shall be 50 mph which limit shall extend north to a point 206 feet south of the centerline of Buckley Street, at which point the speed limit shall be 35 mph which zone shall extend north to a point 1,943 feet north of the intersection of U.S. 380 East and Hwy 62, at which point the speed limit shall be 40 mph which zone shall extend north to a point 3,363 feet north of the intersection of U.S. Highway 62 and U.S. Highway 380 East, at which point the speed shall be 50 mph which zone shall extend north to a point to 5,518 feet north of the intersection of U.S. Highway 380 East, at which point the speed limit shall be 60 mph which zone shall extend to the north city limits.

(Ordinance 1994 adopted 7/23/09)

(B) Beginning at the south city limit, a point 0.011 mile northerly from the point of intersection with the center line of FM 403, the maximum legal speed for traffic bound northeasterly, only, shall be 50 mph for a distance of 1.088 miles to a point; thence 40 mph for a distance of 0.200 mile to the point of intersection with the center line of Reppto Street; thence 30 mph for a distance of 0.503 mile to the point of intersection with the center line of Tahoka Road; thence 35 mph for a distance of 0.252 mile to the point of intersection with the center line of Ripley Street extending easterly; thence 40 mph for a distance of 0.511 mile to the point of intersection with the center line of Legion Avenue; thence 50 mph for a distance of 0.200 mile to a point; thence 60 mph for a distance of 0.368 mile to a point 0.568 mile northerly from the point of intersection with the center line of Legion Avenue, a point 0.200 mile south of the north city limit.

(2) Service Roads, U.S. 62. The speed zones established by this section shall include all

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of those portions of service roads paralleling U.S. 62 within the corporate limits of the City of Brownfield, Texas; the maximum legal speed shall be as follows:

- (A) Beginning at the north end of the two-way service road, paralleling the east side of U.S. 62 in the north part of Brownfield, this point being 0.249 mile north of the point of intersection with the center line of Legion Avenue, the maximum legal speed for both southbound traffic and northbound traffic shall be 35 mph for a distance of 0.249 mile to the south end of the service road, the point of intersection with the center line of Legion Avenue.
 - (B) Beginning at the northeast end of the two-way service road paralleling the southeast side of U.S. 62 in the south part of Brownfield, the point of intersection with the center line of 2nd Street, the maximum legal speed for both traffic bound northeasterly and traffic bound southwesterly shall be 40 mph for a distance 0.500 mile to a point; thence 35 mph for a distance of 0.400 miles to a point; thence 30 mph for a distance of 0.299 mile to the south city limit, a point 0.028 mile northeasterly from the point of intersection with the center line of FM 403.
 - (C) Beginning at the north end of the two-way service road paralleling the northwest side of U.S. 62 in the south part of Brownfield, that point of intersection with the center line of 2nd Street, the maximum legal speed for traffic bound southwesterly shall be 35 mph for a distance of 0.650 mile to the point of intersection with the center line of Webb Street; thence 45 mph for a distance of 0.597 mile to the south city limit, a point 0.009 mile southwesterly from the point of intersection with the center line of S.H. 137 extending northerly.
 - (D) Beginning at the south city limit, a point 0.009 mile southwesterly from the point of intersection with the center line of S.H. 137 extending northerly, this point being on the two-way service road paralleling the northwest side of U.S. 62 in the south part of Brownfield, the maximum legal speed for traffic bound northwesterly shall be 40 mph for a distance of 0.597 mile to the point of intersection with the center line of Webb Street; thence 35 mph for a distance of 0.650 mile to the point of intersection with the center line of 2nd Street.
- (3) U.S. Highway 385. Speed zones established by this section shall include all of U.S. 385 within the corporate limits of Brownfield, Texas; the maximum legal speed shall be as follows:

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- (A) Beginning at a point 0.200 mile south of the north city limit, the point of intersection with the center line of Flint Street, the maximum legal speed for traffic bound southeasterly, only, shall be 55 mph for a distance of 0.251 mile to the point of intersection with the center line of Austin Street; thence 45 mph for a distance of 0.325 mile to the point of intersection with the center line of U.S. 62, Lubbock Road.
 - (B) Beginning at the point of intersection with the center line of U.S. 62, Lubbock Road, the maximum legal speed for traffic bound northwesterly only, shall be 45 mph for a distance of 0.307 mile to the point of intersection with the center line of Austin Street; thence 55 mph for a distance of 0.251 mile to a point 0.200 mile south of the north city limit, the point of intersection with the center line of Flint Street.
- (4) State Highway 137. Speed zones established by this section shall include all of S.H. 137 (via both 14th Street and Lamesa Road), within the corporate limits of Brownfield, Texas; the maximum legal speed shall be as follows:
- (A) Beginning at the north city limit, the point of intersection with the center line of Powell Street, the maximum legal speed for southbound traffic, only, shall be 40 mph for a distance of 0.339 mile to a point 0.200 mile south of the point of intersection with the center line of U.S. 380, Main Street; thence 55 mph for a distance of 0.596 mile to a point 0.062 mile north of the point of intersection with the center line of a county road extending to the west; thence 50 mph for a distance of 0.200 mile to the point of intersection with the center line of Stockton Street; thence 45 mph for a distance of 0.239 mile to the south city limit, a point 0.012 mile north of the point of intersection with the center line of U.S. 62, Seagraves Road.
 - (B) Beginning at the south city limit, a point 0.012 mile north of the point of intersection with the center line of U.S. 62, Seagraves Road, the maximum legal speed for northbound traffic only shall be 45 mph for a distance of 0.239 mile to the point of intersection with the center line of Stockton Street; thence 50 mph for a distance of 0.200 mile to a point 0.062 mile north of the point of intersection with the center line of a county road extending to the west; thence 55 mph for a distance of 0.596 mile to a point 0.200 mile south of the point of intersection with the center line of U.S. 380, Main Street; thence 40 mph for a distance of 0.339 mile to the point of intersection with the center line of Powell Street; thence 50 mph for a distance of 0.200 mile to a point; thence 60 mph for a distance of 0.382 mile to the north city limit, the point of intersection with the center line of a paved county road extending to the east.

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- (C) Beginning at another point of U.S. 62, Seagraves Road, this point being 0.223 mile northeasterly from the intersection with 14th Street and being point of intersection with the center line of Lamesa Road, the maximum legal speed for both southbound traffic and northbound traffic shall be 40 mph for a distance of 0.154 mile to the south city limit.
- (5) Farm/Market Road 2066. The speed zones established by this section shall include all of FM 2066 within the corporate limits of Brownfield, Texas; the maximum legal speed shall be as follows:
 - (A) Beginning at the north city limit, a point 0.198 miles north of the point of intersection with the center line of a paved city street extending to the west, the maximum legal speed for southbound traffic, only, shall be 50 mph for a distance of 0.300 mile to a point; thence 40 mph for a distance of 0.266 mile to the point of intersection with the center line of the west lanes of U.S. 62.
 - (B) Beginning at the point of intersection with the center line of west lanes of U.S. 62 the maximum legal speed for northbound traffic only, shall be 40 mph for a distance of 0.266 mile to a point 0.102 mile south of the point of intersection with the center line of a paved city street extending to the west; thence 45 mph for a distance of 0.300 mile to the north city limit a point 0.198 mile north of the center line of the paved city street extending to the west.
- (6) U.S. Highway 380. The speed zones established by this section shall include all of U.S. 384 (via Main Street and Tahoka Road) within the corporate limits of Brownfield, Texas; the maximum legal speed shall be as follows:
 - (A) Beginning at the point of intersection with the west city limit, a point 0.076 mile west of the point of intersection with the center line of S.H. 137 (14th Street) extending to the south, the maximum legal speed for both eastbound traffic and westbound traffic shall be 40 mph for a distance of 0.380 mile to the point of intersection with the center line of 10th Street; thence 30 mph for a distance of 0.649 mile to the point of intersection with the center line of U.S. 62 (1st Street).

(1965 Code of Ordinances, Chapter 20, Article VI, Section 20-152)

- (B) Beginning at another point of intersection with the center line of U.S. 62 (Lubbock Road), the maximum legal speed for both eastbound traffic and

westbound traffic shall be 35 mph for a distance of 0.575 mile to the point of intersection with the center line of Avenue D extending to the north; thence 55 mph for a distance of 0.437 mile to the point of intersection with the center line of Cedar Street extending to the south; thence 50 mph for a distance of 0.250 mile to a point thence 60 mph for a distance of 0.489 mile to the point of intersection with the east city limit. (Ordinance adopting Code)

- (7) U.S. Highway 380. The speed zones established by this subsection shall include all of that portion of U.S. 380, Tahoka Road, within the corporate limits of the city; the maximum legal speed shall be as follows: Beginning at the west city limits, a point 0.075 miles west of the intersection with S.H. 137, the maximum legal speed for both eastbound and westbound traffic shall be 40 mph for a distance of 0.239 miles to the point of intersection with the centerline of 12th Street; thence 35 mph for a distance of 0.213 miles to the point of intersection with 9th Street extending northerly; thence 30 mph for a distance of 0.577 miles to the point of intersection with U.S. 62-380. Beginning at the point of intersection with U.S. 62-385, the maximum legal speed for both eastbound and westbound traffic shall be 35 mph for a distance of 0.734 miles to the point of intersection with Fir Street extending to the south; thence 40 mph for a distance of 0.279 miles to the point of intersection with Cedar Street extending to the south; thence 50 mph for a distance of 0.250 miles; thence 55 mph for a distance of 0.488 miles to the point of intersection with the east city limits.

(c) Penalty. Any person violating any of the provisions of this section shall upon conviction thereof be fined in accordance with the general penalty provision as set forth in Section 1.109 of this code.

(1965 Code of Ordinances, Chapter 20, Article VI, Section 20-152)

Sec. 12.702 Trucks Restricted From Certain Streets; Exemptions

(a) Except for making deliveries to a business, residence or school situated thereon or for going to or from the place where such vehicles are kept or stationed by the owners thereof, all trucks with a capacity of more than ten thousand (10,000) pounds are prohibited from and shall not use the following described streets or portions of streets.

<u>Street</u>	<u>Extent</u>
Cedar Street	From Tahoka Road to Webb Street
South D Street	From Tahoka Road to Old Lamesa Road
South B Street	From Tahoka Road to Old Lamesa Road

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<u>Street</u>	<u>Extent</u>
North Ballard Street	From Tahoka Road to Bynum Street

(b) Unloaded trucks going to, during and returning from driver's testing at the department of public safety shall be exempt from restrictions on North Ballard Street.

(1965 Code of Ordinances, Chapter 20, Article VI, Section 20-157)

Sec. 12.703 School Zones

(a) The following are established as twenty (20) mile per hour school zones within the City of Brownfield:

- (1) On Broadway Street beginning 265 feet east of the east edge of the intersection of Broadway and Elm Streets and extending west on Broadway Street to the west edge of the intersection of Broadway and Ballard Streets during the hours of 7:00 a.m. to 10:00 a.m. and from 2:00 p.m. to 4:00 p.m.
- (2) On Cactus Street beginning 58 feet east of intersection of Cactus and Cub Streets and extending west on Cactus Street to the west edge of the intersection of Cactus and Ballard Streets during the hours of 7:00 a.m. to 10:00 a.m. and from 2:00 p.m. to 4:00 p.m.
- (3) On Shinnery Street beginning at the west edge of the intersection of Ballard and Shinnery Streets and extending east on Shinnery Street to the City Limits during the hours of 7:00 a.m. to 10:00 a.m. and from 2:00 p.m. to 4:00 p.m.
- (4) On Ballard Street beginning 153 feet North of the North edge of the intersection of Ballard and Shinnery Streets and extending South on Ballard Street to a line 38 feet North of the North edge of the intersection of South Lane and Ballard Streets during the hours of 7:00 a.m. to 10:00 a.m. and from 2:00 p.m. to 4:00 p.m.
- (5) On D Street beginning 55 feet North of the North edge of the intersection of D and Main Streets and extending South on D Street to a line 182 feet South of the South edge of the intersection of D and Broadway Streets during the hours of 7:00 a.m. to 10:00 a.m. and from 2:00 p.m. to 4:00 p.m.
- (6) On Main Street beginning at the west edge of the intersection of Main and Ballard Streets and extending east on Main Street to the west edge of the intersection of Main and D Streets during the hours of 7:00 a.m. to 10:00 a.m. and from 2:00 p.m. to 4:00 p.m.

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- p.m.
- (7) On B Street beginning at the North edge of the intersection of B and Hill Streets and extending South on B Street to a line 99 feet North of the North edge of the intersection of B and Tate Streets during the hours of 7:00 a.m. to 10:00 a.m. and from 2:00 p.m. to 4:00 p.m.
 - (8) On US Highway 380 beginning 221 feet west of the west edge of the Southern intersection of US Highway 380 and North Ballard Street and extending east on US Highway 380 to a line 224 feet east of the east edge of the Northern intersection of US Highway 380 and North D Street during the hours in which the school zone lights have been activated in accordance with the policies of the Brownfield Independent School District.
 - (9) On US Highway 62/82 beginning 313 feet South of the South edge of the intersection of US Highway 62/82 and Ripley Street and extending North to the North edge of the intersection of US Highway 62/82 and Story Street during the hours in which the school zone lights have been activated in accordance with the policies of the Brownfield Independent School District.
 - (10) On East Reppto Street, beginning 485 feet east of the east edge of the intersection of Cub Drive and East Reppto Street and extending to a line 180 feet west of the west edge of the intersection of East Reppto and Elm Streets during the hours of 7:00 a.m. to 10:00 a.m. and from 2:00 p.m. to 4:00 p.m.
 - (11) On Cub Drive, beginning at the South edge of the intersection of Cub Drive and Reppto Street and extending to the North edge of the intersection of Cub Drive and Hester Street during the hours of 7:00 a.m. to 10:00 a.m. and from 2:00 p.m. to 4:00 p.m.
 - (12) On Elm Street, beginning at the South edge of the intersection of Elm and Reppto Streets and extending North to the North edge of the intersection of Elm and Hester Streets during the hours of 7:00 a.m. to 10:00 a.m. and from 2:00 p.m. to 4:00 p.m.
 - (13) On East Lons Street, beginning at a line 180 feet of the west edge of the intersection of East Lons and Elm Streets and extending to the west edge of the intersection of East Lons and Elm Streets during the hours of 7:00 a.m. to 10:00 a.m. and from 2:00 p.m. to 4:00 p.m.
 - (14) On East Lons Street, beginning at a line 200 feet east of the east edge of the intersection of East Lons and Cub Drive and extending to the west edge of the

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intersection of East Lons Street and Cub Drive during the hours of 7:00 a.m. to 10:00 a.m. and from 2:00 p.m. to 4:00 p.m.

- (15) On East Hester Street, beginning 175 feet west of the west edge of the intersection of East Hester and Elm Streets and extending on Hester Street to a line 210 feet east of the east edge of the intersection of East Hester Street and Cub Drive during the hours of 7:00 a.m. to 10:00 a.m. and from 2:00 p.m. to 4:00 p.m.

(Ordinance 1884 adopted 8/21/03)

- (16) On “D” Street beginning at a point 58 feet south of the south edge of the intersection of “D” Street and Cactus Street and extending to a point 58 feet north of the north edge of the intersection of “D” Street and Stewart Street from 7:00 a.m. to 10:00 a.m. and from 2:00 p.m. to 4:00 p.m. (Ordinance 2006 adopted 4/15/10)

(b) Penalty. Any person violating any of the provisions of this section shall, upon conviction thereof, be fined in accordance with the general penalty provision found in Section 1.109 of this code. Each instance in which a violation of this section occurs shall constitute a separate offense. (Ordinance 1884 adopted 8/21/03)

Sec. 12.704 Speed Limits in City Parks

(a) The maximum speed limit for all roads contained within city parks within the city shall be fifteen (15) miles per hour. The limit as established shall constitute prima facie evidence of the reasonable and prudent speed. Where no special circumstances exist that require a lower speed as defined in chapter 545, subchapter H of the Texas Transportation Code, the speed of any vehicle not in excess of the limits specified shall be lawful, but any speed in excess of the speeds specified shall be prima facie evidence that the speed is not reasonable or prudent and that it is unlawful. The city manager is hereby authorized to place appropriate signage establishing the speed limits at the entrance of all park properties within the city.

(b) Penalty. Any person violating any of the provisions of this section shall upon conviction thereof be fined in accordance with the general penalty provision as set forth in section 1.109 of this code.

(Ordinance 1924 adopted 7/28/05)

Cross reference—Chapter 15, Parks and Recreation.

ARTICLE 12.800 STOPPING, STANDING AND PARKING ^{*(5)}

Sec. 12.801 Prohibited for Certain Purposes

No person shall stand or park a vehicle upon any roadway for the principal purpose of:

- (1) Displaying it for sale or any other advertising purpose.
- (2) Washing, greasing, filling with gas or oil or repairing such vehicle, except repairs necessitated by an emergency.

(1965 Code of Ordinances, Chapter 20, Article VII, Section 20-170)

Sec. 12.802 Stop Intersections

The chief of police may designate any street intersection as a stop intersection and designate the streets upon which vehicles shall stop before entering such intersections. Whenever any intersection has been so designated, the chief of police shall cause the same to be identified by the erection of stop signs indicating which vehicles approaching the intersection shall stop, and it shall be the duty of the driver of any vehicle approaching such a sign to bring such vehicle to a complete stop at such sign or at a clearly marked stop line before entering the intersection, except when directed to proceed by a police officer or a traffic-control signal. After having so stopped, such driver shall yield the right-of-way to other vehicles which have entered the intersection or which are approaching so closely as to constitute an immediate hazard. Such driver after having so yielded, may proceed and the drivers of all other vehicles approaching on the intersecting street shall yield the right-of-way to the vehicle so proceeding into or across the intersection. (1965 Code of Ordinances, Chapter 20, Article VII, Section 20-172)

Sec. 12.803 Designation and Marking of Parking Spaces and Areas Where Parking is Prohibited or Limited

(a) The chief of police shall cause parking spaces to be maintained and marked off in and on such streets and parts thereof as may be designated by the city council from time to time and he shall cause spaces in which parking is prohibited to be maintained and marked off in and on such streets and parts thereof as may be designated by the city council from time to time. The chief of police shall also cause time limit parking areas to be maintained and marked off in and on such part or parts of streets as may be designated by the city council from time to time. All such spaces or areas shall be clearly indicated by appropriate signs or markings on the pavement.

(b) In areas designated as time limit parking areas, parking may be limited to any period prescribed by the council, the same to be designated with clearly distinguishable markings or signs at both ends of the time limit area and at reasonable intervals between the beginning and

ending of such time limit area, indicating the time allowed for parking in such area.

(c) Any time limit on parking established under this section shall apply on all days except Sundays and official holidays and between the hours of 8:00 a.m. and 6:00 p.m.

(1965 Code of Ordinances, Chapter 20, Article VII, Section 20-175)

Sec. 12.804 Designation and Use of Curb Loading Zones

(a) The chief of police is hereby authorized, subject to approval by the board of aldermen, to determine the location of passenger and freight curb loading zones and shall place and maintain appropriate signs indicating the same and stating the hours during which the provisions of this section are applicable, where in his opinion the dimensions of the streets and sidewalks, the flow of traffic and the use of property abutting the streets are such that he finds it to be necessary for the free flow and expeditious handling of traffic and the safety of persons and property.

(b) No person shall stop, stand or park a vehicle for any purpose or period of time other than for the expeditious loading or unloading of passengers in any place marked as a passenger curb loading zone during hours when the regulations applicable to such curb loading zones are effective, and then only for a period not to exceed two (2) minutes.

(c) No person shall stop, stand or park a vehicle for any purpose or length of time other than for the expeditious unloading and delivery or pick-up and loading of materials in any place marked as a freight curb loading zone during hours when the provisions applicable to such zones are in effect. In no case shall the stop for loading and unloading of materials exceed thirty (30) minutes.

(1965 Code of Ordinances, Chapter 20, Article VII, Section 20-181)

Sec. 12.805 Parking of Certain Types of Trucks, Buses, Motor Homes, Recreational Vehicles or Trailers Prohibited on Certain Types of Street; Exceptions

It shall be unlawful for any person owning or having control of any truck, bus, motor home, recreational vehicle or trailer having a carrying capacity in excess of one ton or which is more than eighteen (18) feet in length, seven (7) feet in width or seven (7) feet in height, to park the same upon any street in an R-1, R-2 or R-3 Zone in the city; provided, however, the provisions of this section shall not be deemed to prohibit the parking of any such truck, bus, motor home, recreational vehicle or trailer on any street in an R-1, R-2 or R-3 Zone for the purpose of the actual loading and unloading of goods, wares and merchandise when such vehicle is accompanied by a driver; and provided further, "loading" and "unloading" as used in this section shall be limited to the actual time necessarily consumed in such operation. (1965 Code of

Ordinances, Chapter 20, Article VII, Section 20-185)

Sec. 12.806 Penalty Provided for Parking in Disabled Parking Area on Private Property; Identification Requirements Established

Pursuant to Section 6A(c) of Article 6675a-5e.1, the city council hereby provides for the application of Section 10 of Article 6675a-5e.1 to any parking space or area for the disabled on private property designated in compliance with the identification requirements contained in Section 6(a) of Article 6675a-5e.1 and Section 28-31.1 of the Texas Manual on Uniform Traffic Control Devices. (1965 Code of Ordinances, Chapter 20, Article VII, Section 20-186)

State law reference—Privileged parking for persons with disabilities, V.T.C.A., Transportation Code, ch. 681.

ARTICLE 12.900 PEDESTRIANS

Sec. 12.901 Application of Article Provisions

Pedestrians shall be subject to traffic-control signals at intersections as required in this article, but at all other places pedestrians shall be accorded the privileges and shall be subject to the restrictions stated in this article. (1965 Code of Ordinances, Chapter 20, Article VIII, Section 20-194)

State law references—Applicability of traffic-control devices to pedestrians, V.T.C.A., Transportation Code, sec. 552.001; pedestrian right-of-way if control signal present, V.T.C.A., Transportation Code, sec. 552.002.

Sec. 12.902 Crossing at Places Other Than Crosswalks

(a) Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway.

(b) Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right-of-way to all vehicles on the roadway.

(c) Between any adjacent intersections at which traffic-control signals are in operation, pedestrians shall not cross at any place except in a marked crosswalk.

(1965 Code of Ordinances, Chapter 20, Article VIII, Section 20-196)

Endnotes

1 (Popup - Popup)

* **State law references**—Traffic regulation generally, V.T.C.A., Transportation Code; rules of the road, V.T.C.A., Transportation Code, ch. 541 et seq.

2 (Popup - Popup)

* **State law references**—Rules of the road, V.T.C.A., Transportation Code, title 7, subtitle C, ch. 541 et seq.; powers of local authorities regarding traffic and vehicles, V.T.C.A., Transportation Code, sec. 542.202; limitation on local authorities regarding traffic and vehicles, V.T.C.A., Transportation Code, sec. 542.203.

3 (Popup - Popup)

* **State law references**—Authority to place and maintain traffic-control devices, V.T.C.A., Transportation Code, sec. 542.202(1); traffic signs, signals and markings, V.T.C.A., Transportation Code, ch. 544.

4 (Popup - Popup)

* **State Law reference**—Authority to establish or alter prima facie speed limits, V.T.C.A., Transportation Code, Sec. 542.202(12).

5 (Popup - Popup)

* **State Law reference**—Authority to regulate parking, V.T.C.A., Transportation Code, Sec. 542.202(2).; Editor's note—"No Parking" zones as designated by the city are on file in the office of the city secretary.