

ORDINANCE NO. 2023-463

A TRAFFIC ORDINANCE BY THE CITY COUNCIL OF THE CITY OF PANORAMA VILLAGE, TEXAS, REPEALING ORDINANCE NO. 2022-459 AND ORDINANCES AMENDING SAME; DEFINING WORDS AND PHRASES; PROVIDING AUTHORITY TO THE CITY POLICE DEPARTMENT TO DIRECT TRAFFIC AND TOW VEHICLES IN VIOLATION OF THIS CITY ORDINANCE; DESIGNATING THE LOCATION OF TRAFFIC SIGNS ON CITY STREETS; SETTING A SPEED LIMIT OF 25 MILES PER HOUR FOR MOTOR VEHICLES TRAVELING WITHIN THE CITY; PROHIBITING CERTAIN PARKING IN THE CITY; PROVIDING PROHIBITION AGAINST STANDING, PARKING, AND STOPPING VEHICLES IN CERTAIN PLACES WITHIN THE CITY WITH EXCEPTIONS; PROVIDING REGULATIONS CONCERNING THE OPERATION OF MOTOR VEHICLES WITHIN THE CITY; PLACING PROHIBITIONS AGAINST OBSTRUCTION OF TRAFFIC, UNNECESSARY NOISE, AND TRUCK TRAVEL WITHIN THE CITY; PROVIDING REGULATIONS FOR OPERATION OF GOLF CARTS ON PUBLIC STREETS; PROVIDING CRIMINAL PENALTIES OF UP TO \$500 FOR VIOLATING THE ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A CONFLICT OF ORDINANCES CLAUSE; PROVIDING A TEXAS OPEN MEETINGS ACT CLAUSE; AND SETTING AN EFFECTIVE DATE AFTER PUBLICATION.

WHEREAS, the City of Panorama Village, Texas ("City") as a general-law municipality has exclusive control over the highways, streets, and alleys of the City pursuant to § 311.002 and § 311.003 of the Texas Transportation Code; and

WHEREAS, Texas Transportation Code § 545.356, Subsection (b-1) authorizes a Texas municipality to set a speed limit of not more than 25 miles per hour on a street or highway within the municipality if the governing body of the municipality determines that the prima facie speed of 30 miles per hour on a city street or highway is unreasonable or unsafe; and

WHEREAS, the City Council for the City of Panorama Village, Texas finds that the City is a residential subdivision municipality with narrow curving streets; and

WHEREAS, the City Council for the City of Panorama Village, Texas finds that any speeds in excess of 25 miles per hour on the City streets are unreasonable and unsafe; and

WHEREAS, the City Council finds that parking along a portion of Thunderbird between Dogwood Trail and Hiwon Drive creates a traffic problem to vehicular and pedestrian safety.

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

ARTICLE I
WORDS AND PHRASES DEFINED

Section 1. Wherever in this Ordinance the following terms are used, they shall have the meanings respectively ascribed to them in this section:

Chief of Police. The police chief of the City of Panorama Village or designee

City. The City of Panorama Village, Texas.

City Council. The city council of the City of Panorama Village, Texas.

Easement. The unpaved area of a roadway extending thirty (30) feet from the center of the roadway and shall include the common areas of town homes and apartments.

Golf Cart. Means a motor vehicle designed by the manufacturer primarily for transporting persons on a golf course

Intersection. The area embraced with the prolongation of the lateral curb lines or, if none, then the lateral boundary lines of two or more streets or highways which join on another at an angle whether or not one such street or highway crosses the other.

Motor Vehicle. Every vehicle, as herein defined, which is self-propelled.

Official Traffic Sign. All signs, markings and devices, other than signals, not inconsistent with this Ordinance, placed or erected by the City of Panorama Village, for the purpose of guiding, directing, warning or regulating traffic.

Official Traffic Signs. All signals, not inconsistent with the Ordinance, placed or erected by the City of Panorama Village, for the purpose of directing, warning or regulating traffic.

Operator. As used in reference to a vehicle, a person who drives or has physical control of a vehicle.

Owner. As used in reference to a vehicle, a person who has a property interest in or title to a vehicle. The term:

(a) includes a person entitled to use and possess a vehicle subject to a security interest;
and

(b) excludes a lienholder and a lessee whose lease is not intended as security.

Parking. The standing of a vehicle, whether occupied or not, upon a roadway, otherwise

than temporarily for the purpose of and while actually engaged in loading or unloading, or in obedience of traffic regulations or traffic signs and signals.

Pedestrian. Any person afoot.

Police Officer. Every police officer of the City of Panorama Village or any officer authorized by the State of Texas to direct or regulate traffic or to make arrests for violations of traffic regulations.

Private Road or Driveway. Every road or driveway not open to the use of the public for purposes of vehicular travel.

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

Roadway. That portion of a street or highway between the regularly established boundary lines or that part devoted to vehicular traffic.

Sidewalk. That portion of a street between the curb lines and the adjacent property lines.

Street or Highway. Every way set apart for public travel, except footpaths.

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

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

ARTICLE II

AUTHORITY OF POLICE DEPARTMENT

Section 1. POLICE TO DIRECT TRAFFIC. It shall be the duty of the Police Department of this City to enforce the provisions of this Ordinance. The Chief of Police and his/her Police Officers are hereby authorized to direct all traffic either in person or by means of visible or audible signal in conformance with the provisions of this Ordinance, provided that in the event of a fire or other emergency or to expedite traffic or safeguard pedestrians, a Police Officer may direct traffic as conditions may require, notwithstanding the provisions of this Ordinance. The Police Department shall enforce within the City of Panorama Village, all applicable traffic laws of the State of Texas as defined in the Texas Transportation Code.

Section 2. OBEDIENCE TO OFFICERS. It shall be unlawful for any person to refuse to or fail to comply with any lawful order, signal or direction of a Police Officer.

Section 3. EXEMPTIONS TO AUTHORIZED EMERGENCY VEHICLES. The provisions of this Ordinance regulating the movement, parking and standing of vehicles shall not apply to law enforcement vehicles, fire department vehicles, or to ambulances, while the operator of such vehicle is operating the same in an emergency in the necessary performance of public duties. This exemption shall not, however, protect the driver of any such vehicle from the consequences of reckless disregard for the safety of others, or of the property of others.

Section 4. POLICE DEPARTMENT AUTHORIZED TO TOW VEHICLES TO POUND. The Chief of Police of the City, or any of his/her Police Officers, are hereby given authority to tow or cause to be towed to the City pound or other place designated as a pound any vehicle which is parked in violation of any of the provisions of this Ordinance.

ARTICLE III **TRAFFIC SIGNS, AND LOCATION UPON STREETS**

Section 1. COUNCIL TO DETERMINE LOCATION OF SIGNS.

- (a) The City Council shall, by ordinance, determine and designate all official traffic control signs and signals, and shall designate the location where same shall be installed. All signs shall conform to *The Texas Manual on Uniform Traffic Control Devices for Streets and Highways*.
- (b) Subject to this selection, the Chief of Police is hereby authorized and as to those signs and signals required hereunder, it shall be his duty, to place and maintain or cause to be placed and maintained all official traffic signs and signals. All signs and signals required hereunder for a particular purpose shall conform to *The Texas Manual on Uniform Traffic Control Devices for Streets and Highways*, and so far as practicable shall be uniform as to type and location through the City.

Section 2. DESIGNATION OF PLACEMENT OF TRAFFIC SIGNS

- (a) The City Council hereby selects, determines, and designates that "Stop" signs be placed at the intersection of the following streets, roadways and/or avenues, to-wit:
 - 1. Rolling Hills West, northbound at its intersection with State FM Road No. 830.

2. Boca Raton, westbound at its intersection with Rolling Hills West
3. Rolling Hills West, southbound at its intersection with Boca Raton.
4. Rolling Hills West, southbound at its intersection with Hallmark.
5. Rolling Hills West, southbound at its intersection with Thunderbird.
6. Rolling Hills West, southbound at its intersection with Jackrabbit.
7. Rolling Hills West, northbound at its intersection with Jackrabbit.
8. Rolling Hills East, westbound at its intersection with Thunderbird.
9. Thunderbird southbound at its intersection with League Line Road.
10. Thunderbird southbound at its intersection with Rolling Hills.
11. Thunderbird northbound at its intersection with Rolling Hills.
12. Thunderbird, northwest corner at its intersection with Shady Oaks
13. Thunderbird Court, eastbound at its intersection with Thunderbird.
14. Point Clear southbound at its intersection with Thunderbird Court.
15. Jackrabbit eastbound at its intersection with Hiwon.
16. Jackrabbit westbound at its intersection with Rolling Hills.
17. Hiwon southbound at its intersection with Thunderbird.
18. Velda Rose westbound at its intersection with Thunderbird.
19. Apple Valley eastbound at its intersection with Thunderbird.
20. Deep Dale northbound at its intersection with Rolling Hills.
21. Colonial Court northbound at its intersection with Rolling Hills.
22. Hallmark southbound at its intersection with League Line Road.
23. Hallmark northbound at its intersection with Rolling Hills.
24. Tambrisk westbound at its intersection with Rolling Hills.
25. Tambrisk eastbound at its intersection with Blush Hill.
26. Blush Hill northbound at its intersection with Tambrisk.
27. Blush Hill southbound at its intersection with Cherry Hills.
28. Green Tree southbound at its intersection with Jackrabbit.
29. Green Tree eastbound at its intersection with Blush Hill.
30. Green Tree eastbound at its intersection with El Dorado.
31. El Dorado eastbound at its intersection with Blush Hill.
32. La Quinta southbound at its intersection with Jackrabbit.
33. Wingedfoot southbound at its intersection with Greenbriar.
34. Panorama Drive southbound at its intersection with Greenbriar.
35. Panorama Drive southbound at its intersection with League Line Road.
36. Panorama Drive northbound at its intersection with the southbound service road of Interstate 45.
37. Velda Rose eastbound at its intersection with Paradise Valley
38. Velda Rose westbound at its intersection with Paradise Valley.
39. Paradise Valley northbound at its intersection with Rollins Hills East.
40. Tubac northbound at its intersection with Rolling Hills East.

41. Tubac southbound at its intersection with Velda Rose.
42. Westchester northbound at its intersection with State FM 830.
43. Westchester Loop northbound at its intersection with Westchester.
44. Hanover northbound at its intersection with Indian Wells.
45. Hanover southbound at its intersection with Cherry Hills.
46. Colebrook southbound at its intersection with Cherry Hills.
47. Amherst northbound at its intersection with Cherry Hills.
48. Orinda westbound at its intersection with Westchester.
49. Stone Creek eastbound at its intersection with Westchester.
50. Stone Ct. westbound at its intersection with Westchester.
51. Palos Verde loop westbound at both intersections with Orinda.
52. Coral Court eastbound at intersection with Blush Hill.
53. Mid-Pines eastbound at its intersection with Greenbriar.
54. Mid-Pines westbound at its intersection with Indian Creek.
55. Mid-Pines eastbound at its intersection with Panorama Drive.
56. Mid-Pines westbound at its intersection with Greenbriar.
57. Indian Creek southbound at its intersection with League Line Road.
58. Mesa Court westbound at its intersection with Paradise Valley.
59. Sun City westbound at its intersection with Paradise Valley.
60. Masters westbound at its intersection with Greenbriar.
61. Masters eastbound at its intersection with Panorama Drive.
62. Champion westbound at its intersection with Greenbriar.
63. Champion eastbound at its intersection with Panorama Drive.
64. Torrey Pines southbound at its intersection with State FM 830.
65. Parkside southbound at its intersection with State FM 830.
66. Torrey Pines eastbound at its intersection with Parkside.
67. Las Colinas eastbound at its intersection with Parkside.
68. Kingsmill eastbound at its intersection with Parkside.
69. Lakeway northbound at its intersection with Panorama Drive.
70. Apache Circle eastbound at both intersections with Indian Creek.
71. Moon Valley westbound at its intersection with Thunderbird.
72. Pinecrest eastbound at its intersection with Thunderbird.
73. Shalimar westbound at its intersection with Thunderbird.
74. Camelback westbound at its intersection with Thunderbird.
75. Shady Oaks southbound at its intersection with Thunderbird.
76. Dogwood southbound at its intersection with Thunderbird.

(b) No provision of this Ordinance for which signs are required shall be enforced against an alleged violator if, at the time and place of the alleged violation, the sign herein required is not in proper position and sufficiently legible to be seen by an ordinarily

observant person.

- (c) Whenever a particular section of this Ordinance does not state that signs are required, such section shall be effective without signs being erected to give notice thereof.

Section 3. UNLAWFUL TO VIOLATE TRAFFIC SIGNS OR SIGNALS. It shall be unlawful for any operator or driver of any motor vehicle or vehicle of any kind to disobey the instruction of any official traffic sign or signal placed in accordance with the provisions of this Ordinance, unless otherwise directed by the City Chief of Police or Police Officers.

Section 4. CITY POLICE CHIEF AUTHORIZED TO DESIGNATE CROSSWALKS. The City Chief of Police is hereby authorized to establish and to designate and shall thereafter maintain or cause to be maintained, by appropriate devices, marks or lines upon the surface of the roadway, crosswalks at intersections where in his opinion there is particular danger to pedestrians crossing the roadway, and at such other places as he may deem necessary.

Section 5. CITY POLICE CHIEF AUTHORIZED TO DESIGNATE SAFETY ZONES AND LANES FOR TRAFFIC.

- (a) The City Chief of Police is hereby empowered to establish safety zones of such kind and character and at such places as he may deem necessary for the protection of pedestrians.
- (b) The City Chief of Police is also authorized to mark lanes for traffic on street pavements at such places as he may deem advisable consistent with the provisions of this Ordinance.

ARTICLE IV **SPEED LIMITS**

- (a) The City Council shall have the right to establish speed zones in the City and maintain or cause to be maintained appropriate signs indicating the same.
- (b) It shall be unlawful for any operator to travel at a rate of speed in excess of twenty-five (25) miles per hour on any street or streets in Panorama Village, Texas
- (c) Exception: The speed limit on State FM 830 in the City shall be established by the State of Texas.

ARTICLE V
PARKING PROHIBITONS

Section 1. NO PARKING IN CITY LIMITS

- (a) The City Council shall have the right to establish "No Parking" zones on streets within Panorama Village, Texas.
- (b) No vehicle shall park at any time on Thunderbird between Dogwood Trail and Hiwon Drive.
- (c) Except as authorized in Section 2 of Article VI below, it shall be unlawful for any operator to park a motor vehicle:
 - 1) over 24 hours Monday through Friday or 48 hours Saturday through Sunday on any street or streets so designated in Westchester and Parkside of Panorama; and
 - 2) shall not park in the street at any other location in Panorama Village, Texas.

ARTICLE VI
STANDING, PARKING AND STOPPING

Section 1. STOPPING PROHIBITED IN SPECIFIED PLACES. It shall be unlawful for the operator of a vehicle to stop, stand, or park such vehicle in any of the following places, except when necessary to avoid conflict with other vehicular traffic or in compliance with the directions of the Chief of Police or his/her Police Officers, or a traffic control sign or signal:

- (a) In the street or lane of traffic, except on curbed streets in Westchester and Parkside of Panorama.
- (b) Within a street intersection.
- (c) On a crosswalk.
- (d) Upon a bridge, and the approach thereto.
- (e) Within twenty-five (25) feet from the intersection of curb lines, or, if none, then within fifteen (15) feet of the intersections of property lines at an intersection, except at alleys.

- (f) Within ten (10) feet of any fire hydrant.
- (g) In front of any private driveway, except with the consent of the owner.
- (h) On a sidewalk.
- (i) Alongside or opposite any street excavation or obstruction when such stopping, standing or parking would obstruct traffic.
- (j) At any places where official traffic signs have been erected prohibiting standing and parking.
- (k) On the roadway beside any vehicle stopped or parked at the right hand edge or curb of a street. It is the intention of this paragraph to prohibit what is commonly known as double line parking.
- (l) Within reserved zones.
- (m) To be legally parked a vehicle must have all four wheels of the vehicle off of the paved area of the streets/drives/lanes.

Section 2. EXCEPTIONS TO PARKING ON CITY STREETS

An operator of a motor vehicle may park the vehicle on a City street for no more than four (4) consecutive hours provided the motor vehicle:

- (a) is parked with at least two right tires off the street payment so that it does not interfere with vehicular traffic on the street.;
- (b) is not parked along a City street overnight; and
- (c) does not impede the flow of traffic on the street including emergency vehicles.

ARTICLE VII **PARKED WHILE LOADING OR UNLOADING** **MERCHANDISE OR EQUIPMENT**

Section 1. PLACEMENT OF TRAFFIC CONES. The operator of a commercial vehicle standing or parked upon a street or roadway to load or unload merchandise or equipment, they

shall place two (2) traffic cones or other approved traffic warning device twenty-five (25) feet to the front of the standing vehicle and twenty-five (25) feet to the rear of the vehicle.

Section 2. TEMPORARY PARKING OF COMMERCIAL VEHICLE. The operator of a commercial vehicle standing or parked upon a street or roadway to load or unload merchandise or equipment shall immediately move the vehicle upon completion of the loading or unloading.

Section 3. VEHICLE DIRECTION, STANDING OR PARKING.

- (a) Except when necessary in obedience to traffic regulations or traffic signs, the operator of a vehicle shall not stop, stand or park such vehicle in a roadway other than parallel with the edge of the roadway, headed in the direction of the traffic.
- (b) The City Council shall determine by resolution upon what street angle parking shall be permitted and shall, at the time of such determination, provide for the marking or signing of such streets.

ARTICLE VIII
OPERATION OF VEHICLES

Section 1. STOPPING VEHICLE AT INTERSECTION.

It shall be unlawful for any operator of a vehicle to approach any street intersection without bringing such vehicle to a full stop within a distance of five (5) feet from the line of intersection and before crossing such line of intersection where a 'Stop' sign is displayed by being plainly marked or painted and displayed in the street in full view of such operator or operators of vehicles at such street intersections. Such stop sign locations shall be designated by resolution of the City Council.

Section 2. RIGHT OF WAY

- (a) Except where traffic is controlled by official sign or signal, or by Police Officers, the operator of a vehicle approaching an intersection shall yield the right of way to any vehicle approaching from his right when such vehicle is within fifty (50) feet of the intersection.
- (b) The operator of a vehicle entering a public street from a private road or driveway shall yield the right of way to all vehicles approaching on such public roadway.
- (c) The operator of a vehicle on a roadway shall yield the right of way to authorized emergency vehicles when the latter are operated upon official business and the operators thereof activate emergency flashing lights and/or sound an audible signal.

ARTICLE IX
MISCELLANEOUS PROVISIONS

Section 1. TRAFFIC NOT TO BE OBSTRUCTED. No vehicle shall be operated or allowed to remain upon any street in such manner as to form an unreasonable obstruction to the traffic thereon.

Section 2. LOUD VEHICULAR NOISE PROHIBITED. It shall be unlawful to operate a vehicle that makes unusually loud or unnecessary noise.

Section 3. NO THROUGH TRUCK TRAVEL; EXCEPTION. No large trucks or trailers shall be permitted to use or travel the streets and roadways of the City of Panorama Village from one roadway/highway to another for short-cut purposes.

All trucks making bona fide deliveries into the City of Panorama Village are hereby exempted from the foregoing provision.

ARTICLE X
OPERATION OF GOLF CART ON PUBLIC STREETS

Section 1. REGULATION OF GOLF CARTS. As provided by Article 502.284 of the Texas Transportation Code, Golf Carts may be operated on a street or roadway within the City of Panorama Village, provided:

- (a) the operation of the golf cart occurs in the daytime, as defined by Section 541.401; and the operation:
 - 1. Does not exceed a distance of two miles from the point of origin to the destination if driven to and from a golf course;
 - 2. The operator of the golf cart possesses a valid driver's license.
 - 3. The operator of a golf cart shall follow all of the rules of the road as defined in Chapter 541 of the Texas Transportation Code, all state statutes, and all local ordinances.
- (b) For the purpose of this Ordinance, Article X, Section 1 (a)(3) shall include, but is not limited to, stopping at all posted Stop Signs, obeying all officially posted Traffic Control Devices, and giving hand signals when required.

Section 2. REGISTRATION AND SAFETY INSPECTION.

The owner of a golf cart is not required to register or obtain a Texas Safety Inspection for

the golf cart if the operator complies with all sections of this Ordinance.

ARTICLE XI
CRIMINAL PENALTIES

Section 1. FINE FOR VIOLATING ORDINANCE. Any person violating the provisions of this Ordinance shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by fine not to exceed Five Hundred (\$500.00) Dollars.

Section 2. OWNER PRIMA FACIE RESPONSIBLE FOR ILLEGAL PARKING. If any vehicle is found upon the street as herein set out, in violation of the provisions of this Ordinance regulating the stopping, standing, or parking of vehicles on the streets herein described, and the identity of the operator cannot be determined, the owner or person in whose name such vehicle is registered shall be held prima facie responsible for such violation.

ARTICLE XII
SEVERABILITY CLAUSE

That the City Council of the City of Panorama Village, Texas, does hereby declare that if any section, subsection, paragraph, sentence, clause, phrase, work or portion of this Ordinance is declared invalid, or unconstitutional, by a court of competent jurisdiction, that, in such event it would have passed and ordained any and all remaining portions of this Ordinance without the inclusion or that portion or portions which may be so found to be unconstitutional or invalid, and declares its intent is to make no portion of this Ordinance dependent upon the validity of any other portion thereof, and that all said remaining portions shall continue in full force and effect.

ARTICLE XIII
REPEALING CONFLICTING ORDINANCES

City Ordinance No. 2022-459, dated November 1, 2022 and all ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby expressly repealed.\


ARTICLE XIV
OPEN MEETINGS CLAUSE

It is hereby officially found and determined that the meeting at which this Ordinance was considered was open to the public as required 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.

ARTICLE XV
EFFECTIVE DATE


That this Ordinance and each section hereof shall take effect and be in full force from and after its passage and publication by the City Secretary as provided by law.

PASSED AND APPROVED this the 4th day of April 2023.



Lynn Scott, Mayor

ATTEST:



Angela Wallace, City Secretary