



CITY COUNCIL AGENDA ITEM REQUEST FORM

MEETING DATE: February 23, 2023

AGENDA PLACEMENT:

- PUBLIC HEARING
- RECOGNITION
- CONSENT
- OLD BUSINESS
- INDIVIDUAL
- CLOSED

CAPTION:

Discussion of and action on amending Municipal Code of Ordinances Chapter 86 *Traffic and Vehicles*, Article I *In General*, by adding Section 86-9 *No Thru Vehicles* to regulate increased traffic in the Beverly Hills Subdivision, whereby said increased traffic is creating a safety hazard and the streets in the Beverly Hills Subdivision are not designed for such traffic. (Staff)

EXECUTIVE SUMMARY:

Residents of Beverly Hills Subdivision in the City of Helotes have expressed concern for a growing number of vehicles from outside of Helotes city limits using residential streets to travel from one arterial roadway to another, or, to travel to a destination outside of Helotes. Through traffic means no vehicle traffic is allowed on any street within the specified subdivision unless it is making a scheduled stop at a residential address within the subdivision.

The increased traffic from Davis Ranch, adjacent to Beverly Hills, is creating a hazard threatening the safety of motorists and pedestrians within the subdivision. It is also causing unnecessary destruction of the streets that are not designed for such increased traffic. The streets in Beverly Hills are not built for such traffic, and the number of vehicles utilizing the streets are contributing to the rapid damage of the surface of these streets.

The amendments are as follows:

- Listing of the streets and roadways with the city limits that are prohibited for through vehicle traffic;
- Listing exceptions; and
- Providing penalty provisions to violations of this section.

ATTACHMENTS:

Attachment A - Ordinance

PREPARED BY: Marian Mendoza, City Administrator

DATE SUBMITTED: February 17, 2023

ORDINANCE NO. 23-_____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HELOTES, TEXAS ENACTING REGULATIONS WITH REGARDS TO REGULATING THE ACTIVITIES OF VEHICLES IN THE CITY OF HELOTES BY AMENDING CHAPTER 86, TRAFFIC AND VEHICLES; PROVIDING FOR UNLAWFUL ACTS AND EXEMPTIONS TO THE REGULATIONS; PROVIDING FOR THE NOTIFICATION OF NO THRU TRUCK TRAFFIC IN THE BEVERLY HILLS SUBDIVISION BY THE INSTALLATION OF SIGNS AND MARKERS TO REGULATE VEHICLES; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR REPEALING; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, traffic has dramatically increased on certain streets in the Beverly Hills subdivision because of a new development in Davis Ranch adjacent to the City of Helotes, and such traffic is creating a hazard threatening the health, safety and welfare of motorists and pedestrians in Beverly Hills, and creating unnecessary destruction of streets not designed for such traffic; and

WHEREAS, the City of Helotes has exclusive control and power over the streets, alleys, and public grounds and highways of the City pursuant to Transportation Code §311.001, as it may be amended; and

WHEREAS, drastic increase on the number of vehicles on streets not built for such traffic can contribute to rapid destruction of surface streets typical to residential areas; and

WHEREAS, the City desires to eliminate such hazards and destruction by regulating and restricting truck traffic at such locations;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Helotes, Texas that the following regulations and provisions be adopted:

SECTION 1: Findings. The recitals are hereby found to be true and correct and are hereby incorporated as part of this Ordinance.

SECTION 2: Amendments to Chapter 86. Chapter 86 ("Traffic and Vehicles") shall be amended as set forth herein and incorporated by reference, which is entitled "No Thru Vehicles" and which shall have the full force of law and shall be amended by adding Sections 86-9 as follows:

“Chapter 86 Traffic and Vehicles

Article I In General

Sec. 86-9 - No Thru Traffic

- (a) It shall be unlawful for any person to drive or operate any vehicle on the following listed street, roadway, or highway within the city limits when such street is marked with a sign prohibiting through-vehicle traffic:

- i. Sunset Ranch
- ii. Paloma Drive
- iii. Beverly Hill Drive
- iv. Baxtershire
- v. Sunset Boulevard
- vi. Doheny Road

- (b) **Exceptions.** The provisions of this section shall not apply to vehicles that are:
- (1) Owned, leased, used or in service to the city, the county, the state or the United States;
 - (2) School buses and public buses;
 - (3) Emergency vehicles in route to and returning from an emergency, including any wrecker or tow trucks;
 - (4) Making home deliveries or pickups of goods or services to a residence located on said street;
 - (5) Owned or used in the service of public utilities when in the performance of their duties; or
 - (6) Making business deliveries to or pickups from a business or construction site located on said street.
- (c) The city shall erect "No Thru Traffic" signs in conformance with the Texas Transportation Commission's Manual on Uniform Traffic Control Devices on the aforementioned roadways.
- (d) **Penalty.** Any person found in violation of this article shall be deemed guilty of a Class C misdemeanor and, upon conviction thereof, shall be punished by a fine not to exceed \$500.00 and each day during which such violations continue shall constitute a separate and distinct offense.

SECTION 3. Severability. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, subsections, clauses, or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared void.

SECTION 4. Conflicting Ordinances or Resolutions. All resolutions or ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance as adopted and amended herein, are hereby REPEALED to the extent of such conflict. In the event of a conflict or inconsistency between this ordinance and any other resolution, code or ordinance of the City, or parts thereof, the terms and provisions of this ordinance shall govern.

SECTION 5. Effective Date. The City shall publish this Ordinance in the local newspaper as required by state law. The following rules will apply within the corporate city limits of Helotes upon the installation of signs designating the No Thru Traffic.

PASSED AND APPROVED, by the City Council of the City of Helotes on this the ____ day of February, 2023.

CITY OF HELOTES, TEXAS:

Rich Whitehead, Mayor

ATTEST:

APPROVED AS TO FORM:

Celina Perez, City Secretary

Frank J. Garza, City Attorney

Published February ____, 2023, and February ____, 2023, in San Antonio Express News.