

ORDINANCE NO.

AN ORDINANCE AMENDING CITY CODE SECTION 12-4-41 (*TEMPORARY CONSTRUCTION ZONE SPEED LIMITS*) TO MODIFY THE DURATION OF REDUCED SPEED LIMITS FROM A 90-DAY MAXIMUM TO AN INDEFINITE PERIOD, BASED ON A DETERMINATION BY THE CITY TRAFFIC ENGINEER, OR DESIGNEE, THAT A SPECIAL HAZARD EXISTS REQUIRING A REDUCED SPEED LIMIT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. City Code Section 12-4-41 (*Temporary Construction Zone Speed Limits*) is amended to read:

§ 12-4-41 TEMPORARY CONSTRUCTION ZONE SPEED LIMITS.

- (A) The City Traffic Engineer or Designee (“traffic engineer”) [~~traffic engineer~~] may set a reduced speed limit for a construction zone for an indefinite period [~~of not more than 90 days~~] if the traffic engineer determines that a special hazard exists due to the construction that requires a lower speed limit to protect the public safety and welfare.
- (B) The traffic engineer must base a determination under this section on an engineering and traffic investigation, in accordance with applicable law.
- (C) At the direction of the [~~The~~] traffic engineer, [~~shall install one or more~~] traffic control signs, signals, or other devices notifying the public of the reduced speed limit shall be installed on the streets in the construction zone.
- (D) On or before the date the traffic engineer installs the signs required by this section, the traffic engineer shall post the temporary construction zone speed limit notice at city hall describing the streets subject to the

reduced speed limit for a construction zone. A notice filed under this section must state the effective start date ~~[dates]~~ of the reduced speed limit.

(E) Upon determination by the traffic engineer that a special hazard no longer exists due to the construction that requires a lower speed limit to protect the public safety and welfare, the traffic engineer shall post termination of the temporary construction zone speed limit notice at city hall describing the streets that were subject to the reduced speed limit for a construction zone.

(F) The temporary construction zone speed limits set by the traffic engineer are lawful.

(G) A speed in excess of the temporary construction zone speed limits set by the traffic engineer is prima facie evidence that the speed is not reasonable or prudent and that it is unlawful, unless an increased or reduced speed is necessary for safe operation or in compliance with law.

PART 2. City Code Section 12-4-42 (*Extension of Temporary Construction Speed Limit*) is deleted and remaining sections renumbered accordingly.

~~**[§ 12-4-42 EXTENSION OF TEMPORARY CONSTRUCTION SPEED LIMIT.]**~~

~~(A) Before the expiration of a temporary construction zone speed limit, if the traffic engineer determines that a hazardous condition still exists, the traffic engineer:~~

(1) ~~may extend the temporary construction speed limit for a
maximum of 90 days; and~~

(2) ~~must post a notice of extension of the temporary construction
speed limit at city hall.~~

(B) ~~If an extension under this section is for fewer than 90 days, the notice
must state the length of time of the extension.]~~

§ 12-4-~~42~~[43] RECORD OF TEMPORARY CONSTRUCTION ZONE.

The traffic engineer shall keep a record of each temporary construction zone, including the type of traffic control sign, signal, and device installed, the streets affected, and the installation and removal dates of the traffic control devices.

§§ 12-4-~~43~~[44] TO 12-4-60 [RESERVED].

PART 3. This ordinance takes effect on _____, 2025.

PASSED AND APPROVED

§

§

§

_____, 2025

Kirk Watson
Mayor

APPROVED: _____

Deborah Thomas
City Attorney

ATTEST: _____

Erika Brady
City Clerk