

Henderson County, Texas



PROCEDURES FOR THE POSTING OF SPEED LIMIT SIGNS BELOW 30 MPH, BUT NOT LESS THAN 20 MPH, IN CERTAIN RESIDENCE DISTRICTS IN THE UNINCORPORATED AREAS OF HENDERSON COUNTY, TEXAS

SECTION 1: AUTHORITY

- 1.1 Section 545.355 of the Texas Transportation Code, as amended, authorizes the Commissioners Court of a county to declare a lower speed limit of not less than 20 miles per hour in a residence district, unless the roadway has been designed as a major thoroughfare.
- 1.2 These procedures are promulgated pursuant to and in conformity with section 545.355 of the Texas Transportation Code, as amended.

SECTION 2: DEFINITIONS

As used in these procedures and defined in the Texas Transportation Code:

- 2.1 “Residence District” means the territory, other than a business district, adjacent to and including a highway, if at least 300 feet of the highway frontage is primarily improved with:
 - (A) Residences; or
 - (B) Buildings used for business purposes and residences.
- 2.2 “Residential Subdivision” means a subdivision in HENDERSON COUNTY for which a plat is recorded in the HENDERSON COUNTY real property records and in which the majority of lots are subject to deed restrictions limiting the lots to residential use.

SECTION 3: SUBDIVISION'S RESPONSIBILITIES

3.1 The residents of a residential subdivision who want HENDERSON COUNTY Road and Bridge Precincts to post 20 mph signs in their subdivision must do the following:

(A) Provide a petition to the HENDERSON COUNTY PRERCINCT COMMISSIONER in the prescribed form, attached hereto, signed by at least 51 percent (51%) of the owners or tenants of residences in the subdivision.

(1) Contiguous subdivisions that are developed by the same entity or a successor to that entity and that are given the same public name are considered one subdivision. Separation of one of the subdivisions from another by a road, stream, greenbelt, or similar barrier does not make the subdivisions noncontiguous.

(2) Not more than one person from each residence may sign the petition.

(3) Each person signing the petition must be at least 18 years of age.

(B) Provide an affidavit (Attachment 1) to be signed by a representative of the subdivision, in the prescribed form attached hereto, which lists each and every street in the subdivision affected by the petition and attests to the following:

(1) The number of residences in the affected subdivision;

(2) That a majority of the lots in the affected subdivision are subject to deed restrictions limiting the lots to residential use;

(3) The number of individuals who have signed the petition;

(4) That each person signing the petition is over 18 years of age;

(5) That each person signing the petition is either an owner or tenant of a residence in the affected subdivision;

(6) That only one person from each residence in the affected subdivision has signed the petition; and

(7) That he/she has received a copy of the HENDERSON COUNTY regulations related to this matter and understands these regulations.

3.2 Speed limit signs must be placed on a street otherwise it remains at the prima facie speed limit of 30 mph. For this reason, the subdivision must identify each street they would like the speed limit lowered.

3.3 The petition(s) and affidavit required under subsection 3.1 shall be delivered to the HENDERSON COUNTY Commissioner. Within a reasonable time after receipt of an

3.3 The petition(s) and affidavit required under subsection 3.1 shall be delivered to the HENDERSON COUNTY COMMISSIONER. Within a reasonable time after receipt of an executed affidavit with all necessary documents, the Commissioner, or his designee, will prepare an item for presentation to Commissioners Court during a regularly scheduled meeting. If the Commissioners Court approves the petition, the Commissioner of the Precinct shall have a reasonable time in which to install the signs.

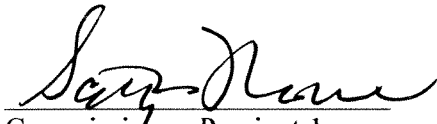
3.4 IT IS UNDERSTOOD THAT A REQUEST THAT CONFORMS WITH THESE PROCEDURES DOES NOT OBLIGATE COMMISSIONERS COURT TO APPROVE THE REQUESTED 20 MPH SPEED LIMIT.

NOW, THEREFORE, IT IS ORDERED BY THE COMMISSIONERS COURT OF HENDERSON COUNTY, that the Commissioners Court can declare a speed limit of not less than 20 miles per hour in a residential district.

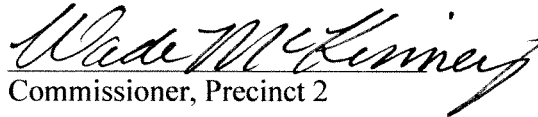
Adopted this 20th day of January, 20 15.



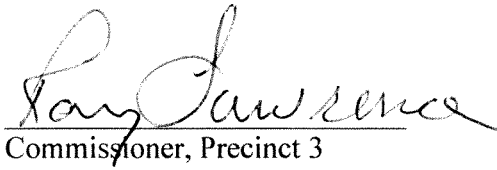
County Judge, Henderson County, Texas



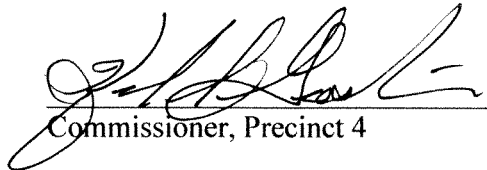
Commissioner, Precinct 1



Commissioner, Precinct 2



Commissioner, Precinct 3



Commissioner, Precinct 4

Attest:



County Clerk





Attachment 1

AFFIDAVIT

THE STATE OF TEXAS §
 §
COUNTY OF HENDERSON §

Before me, the undersigned Notary Public, on this day personally appeared _____, who being by me duly sworn on his oath deposed and said:

“My name is _____. I am over 18 years of age and am competent to make this affidavit. I have reviewed all of the plats for the _____ subdivision, which includes the following areas:

[LIST EACH SUBDIVISION STREET affected by the petition developed by same entity or a successor entity that are given same public name or variation of same public name.]

Each of the plats is recorded in the HENDERSON COUNTY real property records and the majority of the lots are subject to deed restrictions limiting the lots to residential use.

According to the plats, the total number of residences in the _____ subdivision is _____. A total of _____ individuals have signed the petition attached hereto. Each person who signed the petition is over 18 years old and is either an owner or tenant of a residence in the _____ subdivision. Further, only one person has signed the petition for each residence in the subdivision.

I have received and read a copy of the HENDERSON COUNTY regulations regarding the posting of speed limit signs below 30 mph, but not less than 20 mph, and I hereby acknowledge that I understand those regulations.”

SUBSCRIBED AND SWORN TO BEFORE ME, on this the ____ day of _____, 20____, to certify which witness my hand and official seal.

NOTARY PUBLIC in and for the
STATE OF TEXAS

