

ORDINANCE NO. 0- 2010-76

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS, AMENDING CHAPTER 17, "TRAFFIC", ARTICLE IX., "SIGNED BICYCLE ROUTES AND EXCLUSIVE BICYCLE LANES", OF THE CODE OF ORDINANCES OF THE CITY OF TYLER, TEXAS, BY CREATING A NEW EXCLUSIVE BICYCLE LANE ON OLD OMEN ROAD; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, it is the intent of the City Council to protect the public health, safety, and welfare; and

WHEREAS, municipalities may, under their police powers, enact reasonable regulations to promote the health, safety and general welfare of citizens; and

WHEREAS, the City of Tyler is a home-rule municipality acting under its Charter adopted by the electorate pursuant to Article 11, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and

WHEREAS, Texas Transportation Code Section 311.001(a) provides that a home-rule municipality has exclusive control over the public highways, streets, and alleys of the municipality; and

WHEREAS, Texas Transportation Code Chapter 542 authorizes local authorities to regulate traffic; and

WHEREAS, Tyler City Code Chapter 17 establishes regulations for vehicular and pedestrian traffic; and

WHEREAS, the City Council has designated bicycle routes/lanes in City Code Section 17-151; and

WHEREAS, the City Council has designated exclusive bicycle routes/lanes in City Code Section 17-152; and

WHEREAS, Tyler City Code Section 17-30.c. states that the Traffic Safety Board shall make recommendations through the Traffic Engineer regarding traffic safety as it deems necessary; and

WHEREAS, on June 3, 2010, the Traffic Safety Board discussed the need for an ordinance amending the bicycle routes along Old Omen Road, and the Board voted to recommend adoption of this ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS:

PART 1: That Tyler City Code Chapter 17, “Traffic”, Article IX., “Signed Bicycle and Exclusive Bicycle Lanes”, is hereby amended by amending Sections 17-151 and 17-152 to read as follows:

Sec. 17-151. Designated bicycle routes/lanes.

- a. No changes...
- b. No changes...
- c. The following street segments are hereby designated as signed shared roadways (signed bicycle routes).

Street	Extent
Amherst Street	From the intersection with Old Bullard Road Donnybrook Avenue to the intersection with DeCharles Street
Baxter Avenue	From the intersection with Devine Street to the intersection with Lake Street
Copeland Road	From the intersection with Amherst Street to the intersection with Hubbard Drive
DeCharles Street	From the intersection with Amherst Street to the intersection with Paluxy Drive
Devine Street	From the intersection with Golden Road to the intersection with Baxter Avenue
Donnybrook Avenue	From the intersection with Lake Street to the intersection with Amherst Street
Golden Road	From the intersection with Paluxy Drive to the intersection with Devine Street
Grand Street	From the intersection with 29 th Street to the intersection with Mims Street
Lake Street	From the intersection with Baxter Avenue to the intersection with Donnybrook Avenue
Old Omen Road	From the intersection with Varsity Drive to the intersection with Old Bascom Road.
Paluxy Drive	From the intersection with DeCharles Drive to the intersection with Golden Road
Rieck Road	From the intersection with Quail Creek Drive to Rose Rudman Trail.
Sunnybrook Drive	From the intersection with Frankston Highway to the intersection with Old Bullard Road
29th Street	From the intersection with Cecil Avenue to the intersection with Border Avenue

(Ord. 0-2005-36, 5/11/05) (Ord. 0-2006-35, 4/12/6) (Ord. No. 0-2009-104; 10/14/09) (Ord. No. 0-2010-76; 7/28/10)

- d. No changes... (Ord. 0-2005-36, 5/11/05) (Ord. 0-2006-35, 4/12/06)

Sec. 17-152. Exclusive bicycle lanes.

- a. No changes...
- b. No changes...
- c. No changes...
- d. No changes...
- e. The following street segments are hereby designated to include exclusive bicycle lanes:

Street	Extent
Amherst Street	From the intersection with Old Bullard Road to the intersection with Broadway Avenue
Donnybrook Avenue	From the intersection with Seagle Street to the intersection with Wilma Street
Golden Road	From approximately 330 feet east of the intersection with Old Troup Highway to the intersection with Debby Drive
Golden Road	From the intersection with McDonald Road to the intersection with Sarasota Drive
Old Omen Road	From the intersection with Varsity Drive to the intersection with Old Bascom Road.
Rieck Road	From the intersection with Quail Creek Drive to Rose Rudman Trail.
Sunnybrook Drive	From the intersection with Green Street to the intersection with Old Bullard Road

(Ord. 0-2005-36, 5/11/05) (Ord. No. 0-2009-104; 10/14/09) (Ord. No. 0-2010-76; 7/28/10)

PART 2: That if any provision or any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

PART 3. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine as provided in Section 1-4 of the Tyler Code. Each day such violation shall continue, or be permitted to continue, shall be deemed a separate offense. Since this ordinance has a penalty for violation, it shall become effective upon its publication in the newspaper as provided by Section 85 of the Charter of the City of Tyler, Texas, which date is expected to be Friday, July 30, 2010.

PASSED AND APPROVED this 28th day of July, A. D., 2010.

Barbara Bass

BARBARA BASS, MAYOR OF
THE CITY OF TYLER, TEXAS

ATTEST:

Cassandra Brager

CASSANDRA BRAGER, CITY CLERK

APPROVED:

Gary C Landers

GARY C. LANDERS, CITY ATTORNEY

