

**ORDINANCE NO. 0-2010-91**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS, AMENDING CHAPTER 17, "TRAFFIC", ARTICLE IV., "ONE WAY STREETS", OF THE CODE OF ORDINANCES OF THE CITY OF TYLER, TEXAS, ADJUSTING THE LIMITS OF THE ONE-WAY SEGMENT OF EAST ERWIN STREET BETWEEN SPRING AVENUE AND CENTER STREET; 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 one-way streets in City Code Section 17-70; 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 August 26, 2010, the Traffic Safety Board discussed the need for an ordinance amending the one-way segment of East Erwin Street between Spring Avenue and Center Street, 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 IV., "One-way Streets", is hereby amended by amending Sections 17-70 to read as follows:

**Sec. 17-70. Designated one-way streets.**

- a. No changes...

- b. No changes...
- c. No changes...
- d. Vehicle operators shall move only in the direction indicated, when signs indicating the direction of traffic are erected at each intersection upon the following streets or portions of streets:

<b>Street</b>	<b>Direction</b>	<b>Extent</b>
College	southerly	From its intersection with the south curb of Locust Street to its intersection with the north curb of Elm Street
Erwin	easterly	From its intersection with the east curb of Bois d'Arc Avenue to its intersection with the west curb of Spring Avenue (Ord. No. 0-2010-91; 8/25/10)
Ferguson	westerly	From its intersection with the west curb of Center Street to its intersection with the east curb of Bonner Avenue
Ferrell Place	westerly	From its intersection with the west curb of South Bois d'Arc Avenue to its intersection with the dedicated alley (350 feet)
5th Street	easterly	From the point where 5th Street and 4th Street converge to form Henderson Highway, to the point where 5th Street and 4th Street converge to form Glenwood Boulevard
4th Street	westerly	From the point where 4th Street and 5th Street converge to form Henderson Highway, to a point where 4th Street and 5th Street converge to form Glenwood Boulevard
Locust	easterly	From the intersection of the east curb of North Broadway to the intersection of the west curb of North Center
9th Street	easterly	From the intersection of the east curb of Old Jacksonville Highway to the intersection of the west curb of South Broadway Avenue
North Poplar Avenue	southerly	From its intersection with the west curb of Poplar-Beckham to its intersection with the north curb of East Line Street
East Oakwood	easterly	From its intersection with the west curb of North Spring Avenue to its west end (Ord. 0-99-38, 5/5/99)
Spring	northerly	From its intersection with the north curb of Elm Street to its intersection with the south curb of Locust Street
Spring	northerly	From the intersection of the south curb of East Locust to the intersection of the south curb of East Line
Valentine	northerly	Entrance from North Broadway
East Valentine	easterly	From North Broadway to the west curb of North Spring Avenue


Street	Direction	Extent
		Spring Avenue
Alley (between 410 West Erwin Street and 420 West Erwin Street)	southerly	From the south curb of West Erwin Street to the north curb of West Elm Street

(Ord. 0-98-44, 5/27/98) (Ord. 0-98-47, 6/10/98)

**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 not become effective until 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, September 10, 2010.

**PASSED AND APPROVED** this 8<sup>th</sup> day of September, A. D., 2010.

  
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 BARBARA BASS, MAYOR OF  
 THE CITY OF TYLER, TEXAS

ATTEST:

  
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 CASSANDRA BRAGER, CITY CLERK



APPROVED:

  
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 GARY C. LANDERS, CITY ATTORNEY