

**ORDINANCE NO. O-2016-94**

**AN ORDINANCE PROVIDING FOR THE STREET NAME CHANGE OF A PORTION OF SUNNYBROOK DRIVE TO OLD SUNNYBROOK DRIVE, SAID PORTION COMMENCING AT THE WEST TERMINUS OF WEST 8TH STREET AND CONTINUING SOUTH UNTIL ITS TERMINUS INTO THE PREVIOUS ALIGNMENT WITH SUNNYBROOK DRIVE. THIS AREA ENCOMPASSES THE STREET AREA ADJACENT TO LOTS 1, 9, 10, AND 18 OF NCB 709E AND LOTS 1, 13, AND 14 OF NCB 709G; PROVIDING A SEVERABILITY CLAUSE; 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 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 Local Government Code Section 51.001(1) provides that the governing body of a municipality may adopt, publish, amend, or repeal an ordinance, rule or police regulation that is for the good government, peace, or order of the municipality; and

**WHEREAS**, Texas Local Government Code Section 51.001(2) provides that the governing body of a municipality may adopt, publish, amend, or repeal an ordinance, rule or police regulation that is necessary or proper for the carrying out of a power granted by law to the municipality or to an office or department of the municipality; and

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

**WHEREAS**, Tyler City Unified Development Code, Division F, Section 10-260, governs name changes of rights-of-way and thoroughfares; and

**WHEREAS**, it is in the public interest to change the name of a public street as set forth herein;

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

**PART 1:** That the name of a portion of Sunnybrook Drive is hereby changed to Old Sunnybrook Drive along the entire length of the portion of the street as described, to-wit:

**I. APPLICATION N16-001**

Commencing at the west terminus of West 8th Street and continuing south until its terminus into the previous alignment with Sunnybrook Drive. This area encompasses the

street area adjacent to Lots 1, 9, 10, and 18 of NCB 709E and Lots 1, 13, and 14 of NCB 709G.


**PART 2:** That the purpose of this street name change is ensure public safety.

**PART 3:** That the City Manager is hereby ordered and directed to cause City of Tyler maps to be amended to reflect the above described street name change.

**PART 4:** 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 5:** That this Ordinance shall take effect immediately upon its adoption.

**PASSED AND APPROVED** this the 26<sup>th</sup> day of October, A.D., 2016.

  
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MARTIN HEINES, MAYOR  
OF THE CITY OF TYLER, TEXAS

ATTEST:

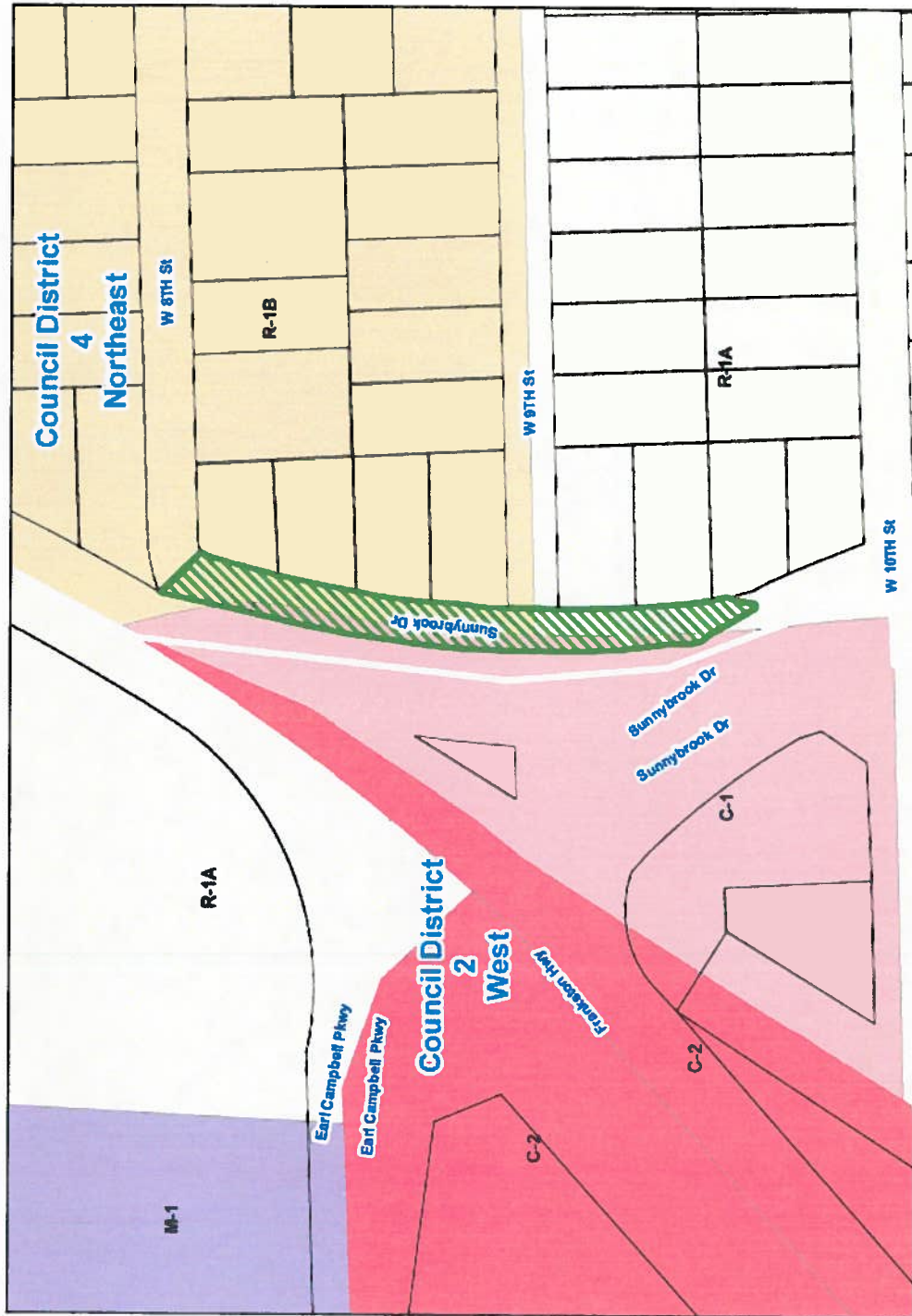
APPROVED:

  
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CASSANDRA BRAGER, CITY CLERK

  
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DEBORAH G. PULLUM,  
CITY ATTORNEY



**ORDINANCE NO. O-2016-94  
EXHIBIT "A"  
LOCATION MAP**



 Subject Property

**Zoning Case**  
Zoning Case # N16-001  
Thoroughfare Name Change  
Applicant: City of Tyler

This product is for informational purposes only and may not have been prepared for or be suitable for legal proceedings. It is not a substitute for a professional survey and does not represent an engineering or surveying firm. It represents only the approximate relative location of property boundaries.



**ORDINANCE NO. O-2016-94  
EXHIBIT "B"  
NOTIFICATION MAP**



**Zoning Case**  
Zoning Case #: N16-001  
Thoroughfare Name Change  
Applicant: City of Tyler

Subject Property  
 Protest Lots

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