

ORDINANCE NO. O-2016-96

AN ORDINANCE PROVIDING FOR THE STREET NAME CHANGE OF A PORTION OF SOUTH PALACE AVENUE TO OLD PALACE AVENUE, SAID PORTION COMMENCING AT THE INTERSECTION OF WEST HOUSTON STREET AND SOUTH PALACE AVENUE WEST OF THE FIVE-WAY INTERSECTION OF WEST HOUSTON STREET, SOUTH PALACE AVENUE AND SOUTH VINE AVENUE, AND CONTINUING NORTH UNTIL ITS PRESENT TERMINUS. THIS AREA ENCOMPASSES THE STREET AREA ADJACENT TO LOTS 4, 39, 40, 41A, 41B, AND 42 OF NCB 324 AND LOTS 11, 16, 17, 27A, 28, 32A, AND 33A OF NCB 326; 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 Sound Palace Avenue is hereby changed to South Vine Avenue along the entire length of the portion of the street, as described, to-wit:

I. APPLICATION N16-002

Commencing at the intersection of West Houston Street and South Palace Avenue west of the five-way intersection of West Houston Street, South Palace Avenue and South Vine Avenue, and continuing north until its present terminus. This area encompasses the street area adjacent to Lots 4, 39, 40, 41A, 41B, and 42 of NCB 324 and Lots 11, 16, 17, 27A, 28, 32A, and 33A of NCB 326.


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 26th day of October, A.D., 2016.



MARTIN HEINES, MAYOR
OF THE CITY OF TYLER, TEXAS


ATTEST:

APPROVED:



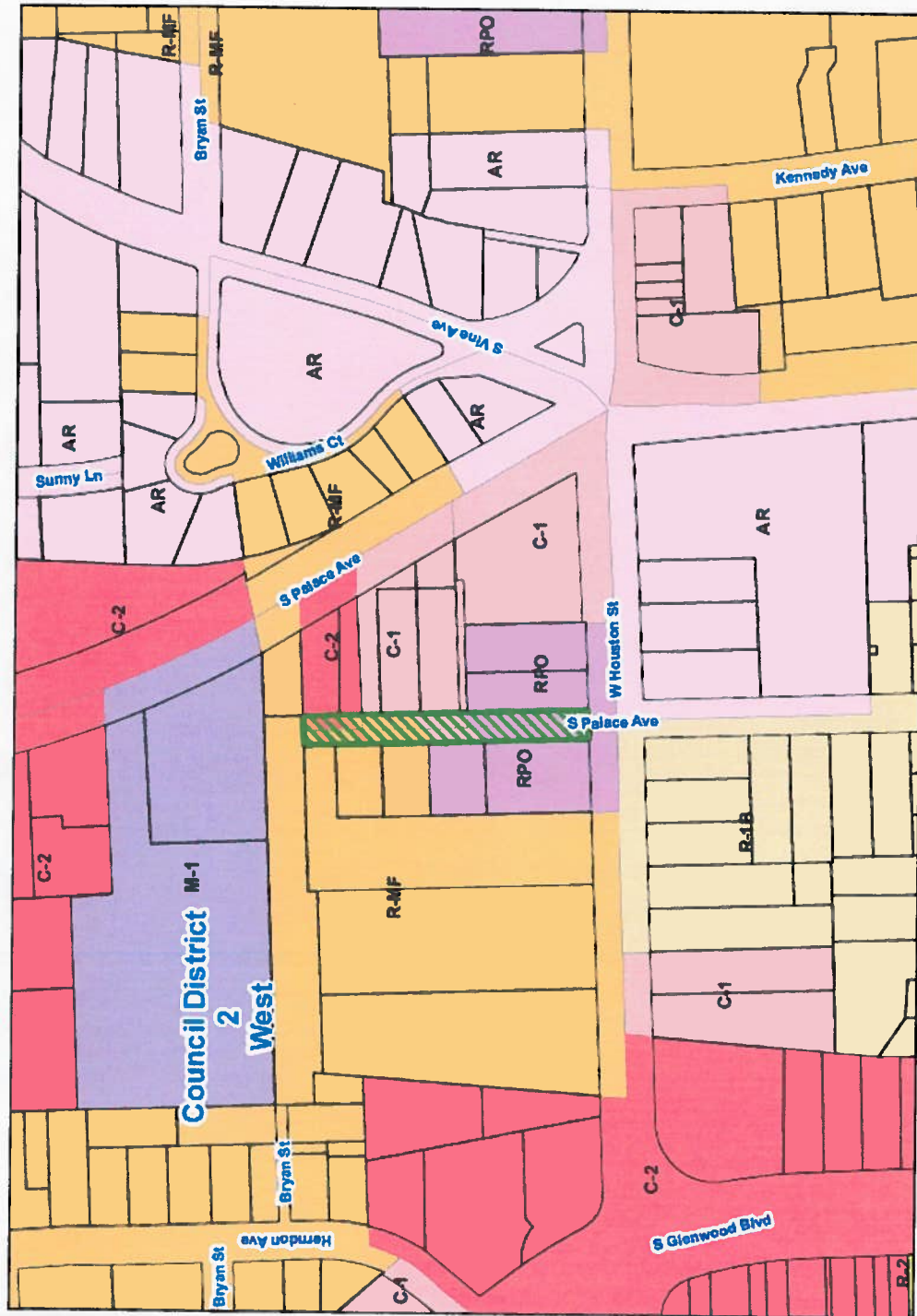
CASSANDRA BRAGER, CITY CLERK





DEBORAH G. PULLUM,
CITY ATTORNEY

**ORDINANCE NO. O-2016-96
EXHIBIT "A"
LOCATION MAP**

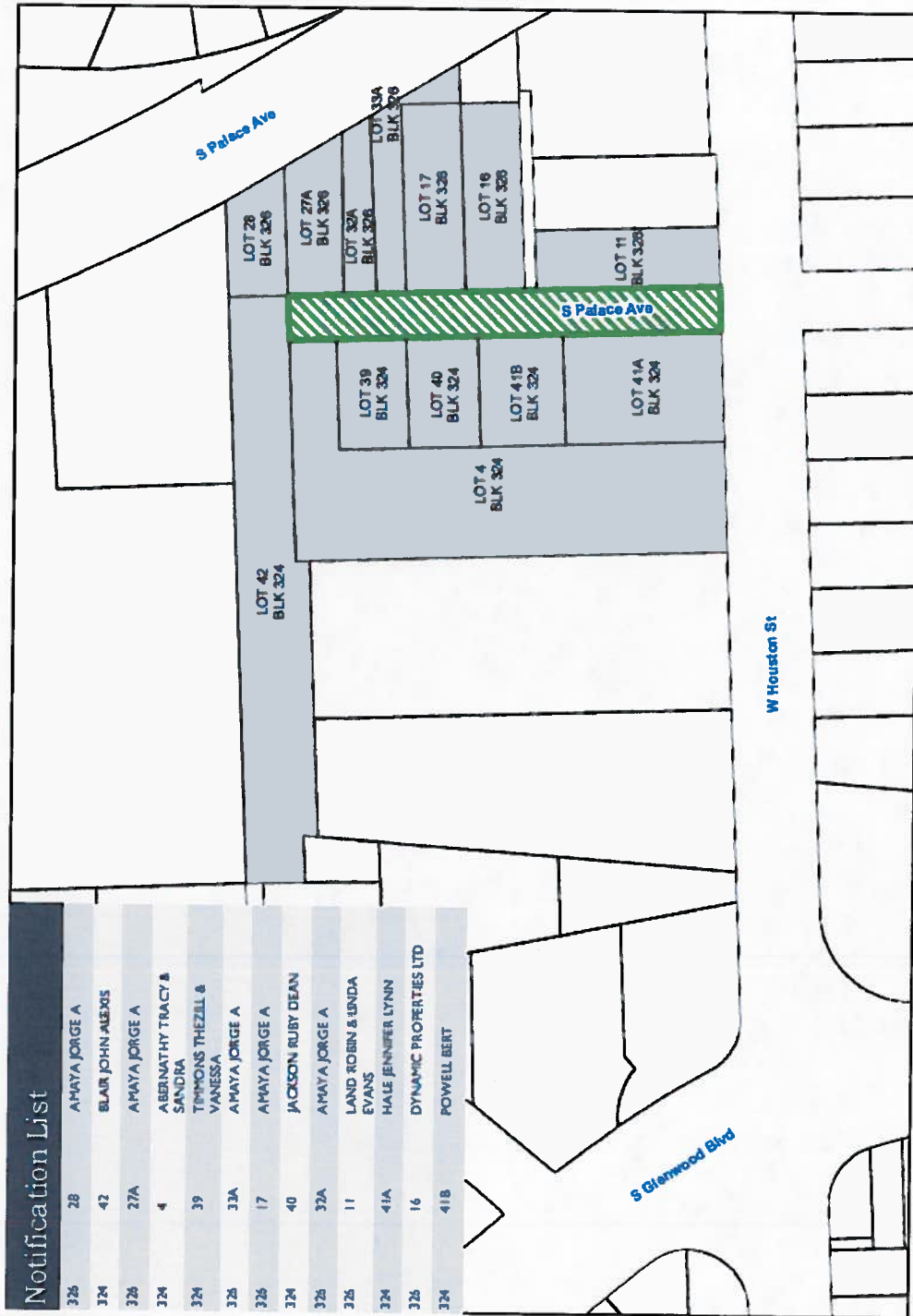


Zoning Case
Zoning Case #: N16-003
Thoroughfare Name Change
Applicant: City of Tyler

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



**ORDINANCE NO. O-2016-96
EXHIBIT "B"
NOTIFICATION MAP**



Zoning Case
Zoning Case #: N16-003
Thoroughfare Name Change
Applicant: City of Tyler

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