

ORDINANCE NO. 0- 2013-4

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS, AMENDING CHAPTER 17, "STREETS AND TRAFFIC", ARTICLE IX., "SIGNED BICYCLE ROUTES AND EXCLUSIVE BICYCLE LANES", OF THE CODE OF ORDINANCES OF THE CITY OF TYLER, TEXAS, BY CREATING NEW BICYCLE ROUTE 5 ON EARL CAMPBELL PARKWAY AND NEW BICYCLE ROUTE 7 ON W. 32ND, N. GRAND AVE, W. MARTIN LUTHER KING JR. BOULEVARD, N. PARKDALE DRIVE, CLAUDE STREET, FORREST AVENUE, S. LYONS AVENUE, SHAW STREET, AND BENNETT AVENUE; 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 October 4, 2012, the Traffic Safety Board discussed the need for an ordinance amending the bicycle routes, 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, "Streets and Traffic", Article IX., "Signed Bicycle and Exclusive Bicycle Lanes", is hereby amended by amending Section 17-151, subsection c., by adding the following bicycle lanes in the appropriate alphabetical order, and amending subsection d., 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
Earl Campbell Parkway	From the Intersection with Frankston Highway to the intersection with SSW Loop 323
W. 32 nd Street	From the entrance to Glass Recreation Center to the Intersection with N. Grand Avenue
N. Grand Avenue	From the intersection with W. 32 nd Street to the intersection with W. Martin Luther King Boulevard
W. Martin Luther King Boulevard	From the intersection with N. Grand Avenue to the intersection with N. Parkdale Drive
N. Parkdale Drive	From the intersection with W. Martin Luther King Boulevard to the intersection with Claude Street
Claude Street	From the intersection with N. Parkdale Drive to the intersection with Forrest Avenue
Forrest Avenue	From the intersection with Claude Street to the intersection with W. Erwin Street
W. Erwin Street	From the intersection with Forrest Avenue to the intersection with S. Lyons Avenue
S. Lyons Avenue	From the intersection with W. Erwin Street to the intersection with Shaw Street
Shaw Street	From the intersection with S. Lyons Avenue to the intersection with Bennett Avenue
Bennett Avenue	From the intersection with Shaw Street to the intersection with Earl Campbell Parkway

(Ord. 0-2005-36, 5/11/05) (Ord. 0-2006-35, 4/12/06) (Ord. No. 0-2009-104; 10/14/09) (Ord. No. 0-2010-76; 07/28/10) (Ord. No. 0-2012-29, 04-11-2012) (Ord. No. 0-2013-4; 1/9/13)

d. A map labeled "Location Map for Signed Bicycle Routes" showing the signed bicycle routes within the City limits is hereby adopted and is made a part of this ordinance. A copy of the map is on file and is available for review in the Traffic Engineering Department. (Ord. 0-2005-36, 5/11/05) (Ord. 0-2006-35, 4/12/06) (Ord. 0-2012-29, 4/11/12) (Ord. No. 0-2013-4; 1/9/13)

PART 2. A map labeled Exhibit "A" showing Bike Routes 5 and 7 as described in c. above is attached and made a part of this ordinance

PART 3: That Tyler City Code Chapter 17, "Streets and Traffic", Article IX., "Signed Bicycle and Exclusive Bicycle Lanes", is hereby amended by amending Section 17-152 by adding the following bicycle lanes in the appropriate alphabetical order to Section 17-152, subsection e., to read as follows:

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:

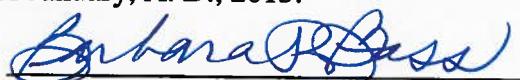
Street	Extent
Earl Campbell Parkway	From the Intersection with Frankston Highway to the intersection with SSW Loop 323

(Ord. 0-2005-36, 5/11/05) (Ord. No. 0-2009-104; 10/14/09) (Ord. No. 0-2010-76; 07/28/10) (Ord. No. 0-2013-4; 1/9/13)

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 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, January 11, 2013.

PASSED AND APPROVED this 9th day of January, A. D., 2013.



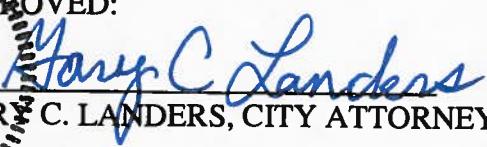
BARBARA BASS, MAYOR OF
THE CITY OF TYLER, TEXAS

ATTEST:



CASSANDRA BRAGER, CITY CLERK

APPROVED:

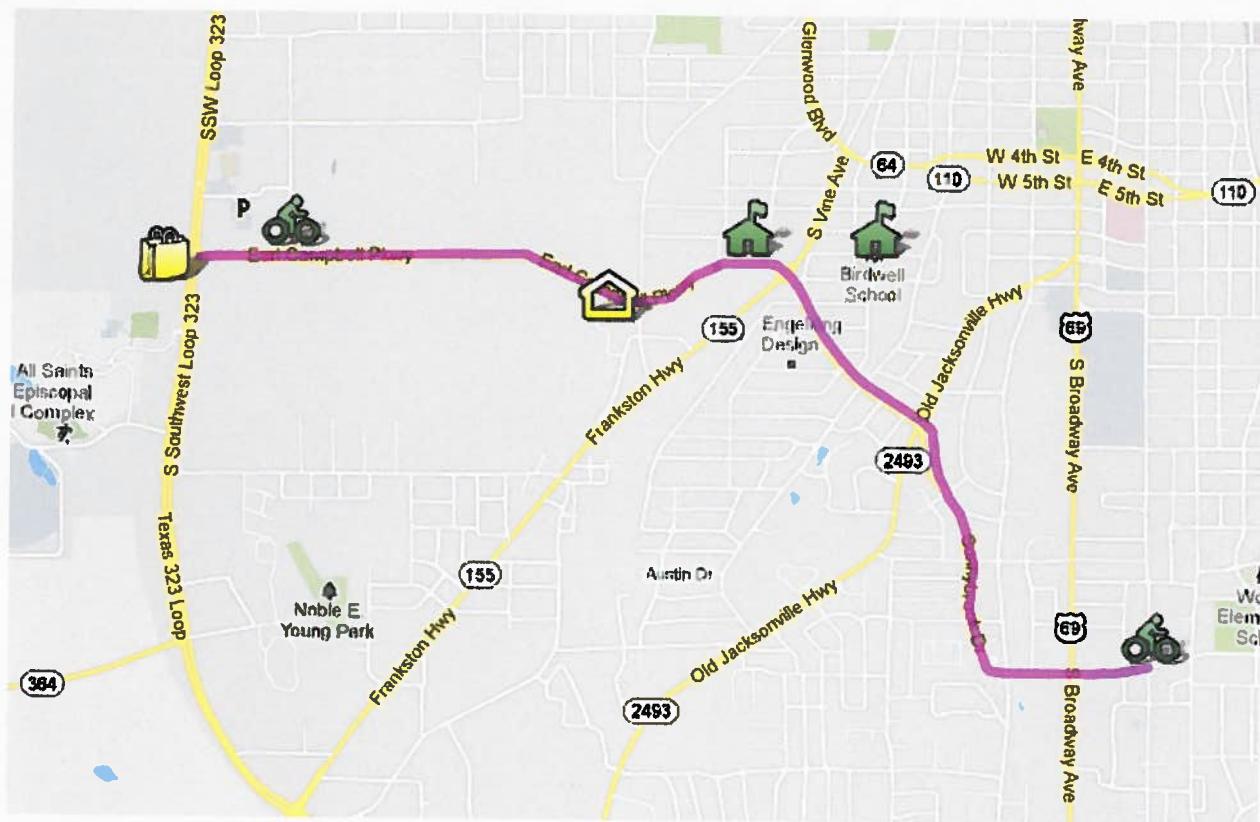


GARY C. LANDERS, CITY ATTORNEY



EXHIBIT "A" TO ORDINANCE 0-2013-4
PAGE 1 OF 2

BIKE ROUTE 5



**EXHIBIT "A" TO ORDINANCE 0-2013-4
PAGE 2 OF 2**

BIKE ROUTE 7

