

**ORDINANCE NO. O-2013-73**

**AN ORDINANCE PROVIDING FOR THE STREET NAME CHANGE FROM GARY AVENUE TO ROY RAY AVENUE COMMENCING AT THE INTERSECTION OF GARY AVENUE AND EAST BARRETT STREET AND CONTINUING NORTH APPROXIMATELY 1,400 FEET TO THE CITY LIMIT BOUNDARY. THIS AREA ENCOMPASSES THE STREET AREA ADJACENT TO LOTS 17 AND 20 OF NCB 491, LOTS 6 AND 9 OF NCB 492, LOTS 15 AND 16 OF NCB 671K, LOTS 17 AND 18A OF NCB 1436, LOTS 14 AND 15 OF NCB 1440, LOT 10 OF NCB 1440A AND LOT 13 OF NCB 500F; 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 Gary Avenue is hereby changed to Roy Ray Avenue along the entire length of the street, to-wit:

**I. APPLICATION N05-13-003**

Commencing at the intersection of Gary Avenue and East Barrett Street and continuing north approximately 1,400 feet to the city limit boundary. The area encompasses the street area adjacent to Lots 17 and 20 of NCB 491, Lots 6 and 9 of NCB 492, Lots 15 and 16 of NCB 671K, Lots 17 and 18A of NCB 1436, Lots 14 and 15 of NCB 1440, Lot 10 of NCB 1440A and Lot 13 of NCB 500F.

**PART 2:** That the purpose of this street name change is to recognize a longtime resident of Smith County and leader of a local area church.

**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.

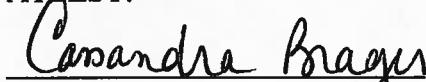
**PART 5:** That this Ordinance shall take effect immediately upon its adoption.

PASSED AND APPROVED this the 28<sup>th</sup> day of August, A.D., 2013.



BARBARA BASS, MAYOR  
OF THE CITY OF TYLER, TEXAS

ATTEST:



CASSANDRA BRAGER, CITY CLERK

APPROVED:



DEBORAH G. PULLUM,  
CITY ATTORNEY

