

ORDINANCE NO. O-2021-29

AN ORDINANCE PROVIDING FOR THE THOROUGHFARE NAME CHANGE OF APPROXIMATELY 1,215 FEET OF EASTSIDE ROAD TO YACHT CLUB WAY, THE THOROUGHFARE IS LOCATED NEAR LAKE TYLER IN ZONE 4 OF THE CITY OF TYLER EXTRATERRITORIAL JURISDICTION; 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, Texas Local Government Code Section 341.903(2) provides that a home rule municipality may police areas owned by and located outside the municipality, including lakes and land contiguous to and used in connection with a lake; and

WHEREAS, the City of Tyler has established regulations in City Code Chapter 19, Article VI., governing all waters impounded by dams constituting Lake Tyler and Lake Tyler East and their tributaries and the adjacent lands owned or controlled by the City; and

WHEREAS, Tyler City Code Sec. 10-143.a.4. defines Zone 4, City-Owned ETJ Lands, as including City-owned land contiguous to Lake Tyler and within the Tyler extraterritorial jurisdiction; and

WHEREAS, the City of Tyler has established regulations related to certain roads at Lake Tyler and Lake Tyler East; and

WHEREAS, Tyler City Unified Development Code, City Code Chapter 10, Article V., Division F, Sections 10-260–10-266, 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 Eastside Road, located near Lake Tyler, is hereby changed to Yacht Club Way along the entire length of the portion of the street as described, to-wit:

I. APPLICATION N21-001

An approximately 1,215 feet of Eastside Road to Yacht Club Way and is shown in the drawing attached hereto as Exhibit "A" and incorporated herein.

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 28th day of April, A.D., 2021.



DONALD P. WARREN, MAYOR
OF THE CITY OF TYLER, TEXAS

ATTEST:



CASSANDRA BRAGER, CITY CLERK



APPROVED:



DEBORAH G. PULLUM,
CITY ATTORNEY

ORDINANCE NO. O-2021-29
EXHIBIT "A"
LOCATION MAP

