

ORDINANCE 21-__

AN ORDINANCE OF THE CITY OF PORT ST. LUCIE, FLORIDA, AMENDING CH. 71, TRAFFIC RULES, SEC. 71.01, SPEED ZONES; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Title VII, Traffic Code, Chapter 71, Traffic Rules, section 71.01 of the City of Port St. Lucie (“City”) Code of Ordinances (“Code”) provides that the Chief of Police may determine and declare reasonable and safe speed limits on any municipal street; and

WHEREAS, the City Council desires to amend section 71.01 so that the Public Works Director, or his or her designee, will determine and declare reasonable and safe speed limits on any municipal street.

NOW, THEREFORE, THE CITY OF PORT ST. LUCIE HEREBY ORDAINS:

Section 1. Ratification of Recitals. The foregoing recitals are hereby ratified and confirmed as true and correct and are hereby made a part of this Ordinance.

Section 2. Title VII, Traffic Code, Chapter 71, Traffic Rules, section 71.01 is amended as follows:

Sec. 71.01. - Speed zones.

(a) For the purpose of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning:

~~Chief of police.~~ The chief of the city police department.

Public works director means the director of the city public works department or the public works director’s designee.

~~Municipal streets.~~ A means all dedicated rights-of-way within the city limits, except state highways or connecting links or extensions thereof, and county-maintained roads.

(b) The ~~Chief of Police~~ public works director, in accordance with the procedures set forth in F.S. § section 316.189, Florida Statutes, may determine and declare a reasonable and safe speed limit on any municipal street or portion thereof, which shall be effective at all times during hours of daylight or darkness, or at such other times as may be determined, as the appropriate signs giving notice thereof are erected. The procedure for establishing speed zones shall be as follows:

ORDINANCE 21-__

- (1) Prior to establishing a new speed zone or changing an existing speed zone, the ~~chief of police~~ public works director shall conduct an investigation to determine if the change is reasonable and in conformity with the criteria promulgated by the state department of transportation.
- (2) Prior to posting signs establishing a new speed zone or changing an existing speed zone, the ~~chief of police~~ public works director shall present to the city council ~~his~~ a proposal concerning new speed zones and obtain the council's approval of the proposal.

Section 3. Conflict. If any ordinances, or parts of ordinances, are in conflict herewith this Ordinance shall control to the extent of the conflicting provisions.

Section 4. Severability. The provisions of this Ordinance are intended to be severable. If any provision of this Ordinance is determined to be void or is declared illegal, invalid, or unconstitutional by a Court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

Section 5. Codification. The provisions of this Ordinance shall be made a part of the Code of Ordinances of the City of Port St. Lucie, Florida. The sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; the word "ordinance" may be changed to "section" or other appropriate word as may be necessary.

Section 6. Effective Date. This Ordinance shall become effective ten (10) days after final adoption on second reading.

PASSED AND ADOPTED by the City Council of the City of Port St. Lucie, Florida, this ____ day of _____, 2020.

CITY COUNCIL
CITY OF PORT ST. LUCIE

By: _____
Gregory J. Oravec, Mayor

ATTEST:

Karen A. Phillips, City Clerk

APPROVED AS TO FORM:

James D. Stokes, City Attorney