

**ORDINANCE NO. 2021-07**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, AMENDING SECTION 100-005 “LOCAL AND COLLECTOR ROADWAYS, GENERALLY” OF PART IV “PARKING AND LOADING, ACCESS AND SUBDIVISION, SIGHT DISTANCE” OF ITS UNIFIED LAND DEVELOPMENT CODE TO PROVIDE FOR A MAXIMUM SPEED LIMIT OF 25 MILES PER HOUR ON ROADWAYS WITHIN THE TOWN BOUNDARIES OTHER THAN OKEECHOBEE BOULEVARD AND SOUTHERN BOULEVARD; PROVIDING FOR CONFLICT, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.**

**WHEREAS**, the Town Council, as the governing body of the Town of Loxahatchee Groves, Florida (“Town”), pursuant to the authority vested in Chapter 166, Florida Statutes is authorized and empowered to adopt land development regulations within the Town; and

**WHEREAS**, Section 316.008(j), Florida Statutes, authorizes the Town Council to regulate the streets, highways, and bridges within its jurisdiction, including altering or establishing speed limits; and

**WHEREAS**, Section 316.189, Florida Statutes, provides that a municipality may establish a maximum speed limit of 25 miles per hour (mph) on local streets and highways in residence districts after an investigation determines that such limit is reasonable; and

**WHEREAS**, the roadways through the Town, other than Okeechobee Boulevard and Southern Boulevard, are within residence districts and are considered local streets and collectors; and

**WHEREAS**, the Town Council has received and accepted a traffic study from Simmons & White dated May 5, 2021, (Traffic Study); and

**WHEREAS**, the Town Council has reviewed the Traffic Study and has determined that establishing a maximum speed limit of 25 mph on all local streets and collectors within the Town boundaries is appropriate and is in the best interest of the citizens of the Town of Loxahatchee Groves, Florida.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, THAT:**

**Section 1.** The foregoing “Whereas” clauses are hereby ratified and confirmed as being true and correct and incorporated herein by this reference.

**Section 2.** The Town of Loxahatchee Groves hereby amends Section 100-005 “Local and Collector Roadways, Generally” of Article 100 “Access Standards and Subdivision” of Part IV

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“Parking and Loading, Access and Subdivision, Sight Distance” of the Unified Land Development Code to read as follows:

**Sec. 100-005. – Local and collector roadways, generally.**

- A. The design of all local streets and collectors shall preserve the unique, rural character of the Town and discourage non-resident traffic in residential areas. In part this shall be achieved by ensuring that all local roadways and collectors be constructed of a width, design, and materials deemed acceptable by the Town of Loxahatchee Groves Town Council.
- B. The maximum speed limit on all local streets and collectors within the Town boundaries; except Southern Boulevard, Okeechobee Boulevard, and Folsom Road; is 25 miles per hour.

**Section 3. Conflict.** All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith be, and the same are hereby repealed to the extent of such conflict.

**Section 4. Severability.** If any clause, section, or other part or application of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part or application shall be considered as eliminated and so not affecting the validity of the remaining portions or applications remaining in full force and effect.

**Section 5. Codification.** It is the intention of the Town Council of the Town of Loxahatchee Groves that the provisions of this Ordinance shall become and be made a part of the Unified Land Development Code of the Town of Loxahatchee Groves, Florida, that the Sections of this ordinance may be renumbered, re-lettered, and the word "Ordinance" may be changed to "Section", "Article" or such other word or phrase in order to accomplish such intention.

**Section 6. Effective Date.** This Ordinance shall become effective immediately upon its passage and adoption.

Council Member Maniglia offered the foregoing ordinance. Council Member Idenog seconded the motion, and upon being put to a vote, the vote was as follows:

**PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ON FIRST READING, THIS 20<sup>th</sup> DAY OF July, 2021.**

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
ROBERT SHORR, MAYOR	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LAURA DANOWSKI, VICE MAYOR	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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MARGE HERZOG, COUNCIL MEMBER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PHILLIS MANIGLIA, COUNCIL MEMBER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MARIANNE MILES, COUNCILMEMBER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

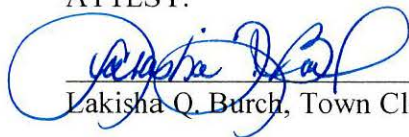
Council Member Maniglia offered the foregoing ordinance. Council Member Danowski seconded the motion, and upon being put to a vote, the vote was as follows:

**PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN LOXAHATCHEE GROVES, ON SECOND READING AND PUBLIC HEARING, THIS 8<sup>th</sup> DAY OF September, 2021.**

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
ROBERT SHORR, MAYOR	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LAURA DANOWSKI, VICE MAYOR	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MARGE HERZOG, COUNCIL MEMBER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PHILLIS MANIGLIA, COUNCIL MEMBER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MARIANNE MILES, COUNCILMEMBER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**TOWN OF LOXAHATCHEE GROVES, FLORIDA**


ATTEST:

  
Lakisha Q. Burch, Town Clerk

  
Mayor Robert Shorr

  
Vice Mayor Laura Danowski

APPROVED AS TO LEGAL FORM:

  
Office of the Town Attorney

  
Council Member Marge Herzog

  
Council Member Phillis Maniglia

  
Council Member Marianne Miles