

1 RESOLUTION NO. 2015-\_\_\_

2 A RESOLUTION OF THE BOARD OF COUNTY  
3 COMMISSIONERS OF BROWARD COUNTY, FLORIDA,  
4 PERTAINING TO THE INSTALLATION OF NEW TRAFFIC  
5 CONTROL DEVICES; AMENDING CHAPTER 25, PART  
6 XIX, "GUIDELINES TO REQUEST INSTALLATION OF  
7 NEW TRAFFIC CONTROL DEVICES," SECTION 25.128,  
8 "FOR ROADS WITHIN THE BOUNDARIES OF A  
9 MUNICIPALITY," OF THE BROWARD COUNTY  
10 ADMINISTRATIVE CODE ("ADMINISTRATIVE CODE");  
11 AND PROVIDING FOR SEVERABILITY, INCLUSION IN  
12 THE ADMINISTRATIVE CODE, AND AN EFFECTIVE  
13 DATE.

9 WHEREAS, the Broward County Board of County Commissioners ("Board"),  
10 through its Traffic Engineering Division ("TED"), provides traffic engineering services to  
11 local municipalities in Broward County, Florida, pursuant to traffic engineering  
12 agreements; and

13 WHEREAS, some of the services under the traffic engineering agreements  
14 involve the performance of traffic engineering studies and the installation of new traffic  
15 control devices by TED when warranted by such studies; and

16 WHEREAS, where some of the new traffic control devices are located within  
17 Broward County school zones, the School Board of Broward County ("School Board")  
18 should be able to initiate a request to TED for a traffic engineering study; and

19 WHEREAS, the Board finds it is reasonable and in the best interest of the public  
20 to amend Part XIX, Section 25.128, of the Broward County Administrative Code in order  
21 to include the School Board in the process to request TED to perform traffic engineering  
22 studies for consideration of new traffic control devices within school zones, NOW,  
23 THEREFORE,

1 BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF  
2 BROWARD COUNTY, FLORIDA:

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4 Section 1. The recitals set forth in the preamble to this Resolution are  
5 incorporated by reference herein.

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7 Section 2. Section 25.128 of the Broward County Administrative Code is  
8 hereby amended to read as follows:

9 **25.128. For Roads Within the Boundaries of a Municipality.**

10 a. Prior to Broward County Traffic Engineering Division ("TED") conducting  
11 the necessary traffic engineering studies for consideration of approval for the installation  
12 of any new traffic control device, the ~~local municipality~~ or the School Board of Broward  
13 County ("School Board") shall provide the TED Director with a written request to  
14 conduct the necessary traffic engineering studies to determine if a new traffic control  
15 device is warranted. Such written request ~~from the municipality~~ must be supported by  
16 either a resolution from the local municipal governing body (~~City Commission, Town~~  
17 ~~Council, or equivalent governing body; the "Municipal Board"~~), or the School Board, or  
18 by the municipal or School Board official duly authorized ~~by the Municipal Board~~ to  
19 make such official requests to the ~~County on behalf of the Municipality~~ TED Director.

20 b. Notwithstanding the above, Broward County shall not be prohibited or  
21 otherwise prevented from conducting traffic engineering studies, or accepting, in its  
22 place or as a supplement, traffic engineering studies conducted by the ~~M~~municipality or  
23 School Board, for consideration of approval for the installation of any new traffic control  
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underscored type are additions.

1 device when Broward County has reason to believe that the current traffic conditions  
2 support such traffic engineering studies.

3 c. TED shall notify the ~~M~~municipality and School Board, when applicable, the  
4 District Commissioner, and the County Administrator of the results of such studies.

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6 Section 3. SEVERABILITY.

7 If any portion of this Resolution is determined by any Court to be invalid, the  
8 invalid portion shall be stricken, and such striking shall not affect the validity of the  
9 remainder of this Resolution. If any Court determines that this Resolution, or any  
10 portion hereof, cannot be legally applied to any individual(s), group(s), entity(ies),  
11 property(ies), or circumstance(s), such determination shall not affect the applicability  
12 hereof to any other individual, group, entity, property, or circumstance.

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14 Section 4. INCLUSION IN ADMINISTRATIVE CODE.

15 It is the intention of the Board of County Commissioners that the provisions of  
16 this Resolution shall become and be made a part of the Broward County Administrative  
17 Code; and that the sections of this Resolution be renumbered or relettered and the word  
18 "resolution" may be changed to "section," "article," or such other appropriate word or  
19 phrase in order to accomplish such intentions.

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Section 5. EFFECTIVE DATE.

This Resolution shall become effective upon adoption.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

Approved as to form and legal sufficiency:  
Joni Armstrong Coffey, County Attorney

By /s/ Al A. DiCalvo 01/30/15  
Al A. DiCalvo (date)  
Assistant County Attorney

AAD/hb  
01/30/15  
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