

RESOLUTION 2018 - 128

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA, RELATING TO A RESTRICTION OF USE OF LAKE NORRIS ROAD (7187) AND POSTING ADVANCE SIGNS IN THE EUSTIS AREA; PROVIDING FOR FINDINGS BY THE BOARD OF COUNTY COMMISSIONERS; MODIFYING THE RESTRICTIONS ADOPTED IN RESOLUTION 2018-75; PROVIDING FOR PLACEMENT OF "NO TRUCKS OVER 10 TONS EXCEPT BY EXEMPTION ONLY" SIGNS; EXEMPTING THE USES SET FORTH; PROVIDING FOR PENALTIES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 316, Florida Statutes, the Florida Uniform Traffic Control Law, Section 316.006, Jurisdiction, subsection 316.600(3), Counties, provides that Lake County has original jurisdiction over all its streets and highways located within its boundaries, except all state roads and municipal streets and highways, and may place and maintain such traffic control devices which conform to the specifications of the Florida Department of Transportation upon all streets and highways under their original jurisdiction as they shall deem necessary to regulate, warn, or guide traffic; and

WHEREAS, Chapter 316, Florida Statutes, the Florida Uniform Traffic Control Law, Section 316.008, Powers of Local Authorities, subsection 316.008(1)(g), further provides that local authorities may, with respect to streets and highways under their jurisdiction, exercise the police power to restrict the use of streets; and

WHEREAS, Chapter 15, Lake County Code, provides the procedures and rules for the exercise of the County's jurisdiction granted by Chapter 316, Florida Statutes, of traffic control over county streets, roads, and highways; and

WHEREAS, the Board of County Commissioners of Lake County, Florida, finds that heavy truck traffic along the roads hereinafter described has become increasingly dangerous to persons using said roads, and a noise nuisance to persons living alongside said roads; and

WHEREAS, road pavement corings were taken and Lake Norris Road was evaluated for existing condition, width, structure, and surface, which are insufficient, in whole or part, to handle large, continuous volumes of heavy truck traffic without causing significant damage to the road; and

WHEREAS, the Board did adopt Resolution 2018-75 in which it imposed restrictions on Lake Norris Road thereby prohibiting any trucks over 10 tons from using said road; and

WHEREAS, the Board of County Commissioners of Lake County, Florida, now desires to

restrict truck traffic exceeding 10 tons on Lake Norris Road unless otherwise exempted, and have determined that such restrictions shall serve the health, safety, welfare, and convenience of the residents of Lake County.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Lake County, Florida, that:

Section 1. Recitals. The above recitals are true and correct and incorporated herein.

Section 2. Restrictions Imposed on Lake Norris Road. The Board of County Commissioners has determined the use of Lake Norris Road (7187) from Lester Way (6786) to the road's end as a no through truck zone for trucks over 10 tons unless specifically exempted in this Resolution. Further, the Board has determined that the posting of advance signs notifying the public of the restrictions are necessary. The following shall be exempt from these restrictions: garbage collection vehicles; trucks used by area residents relating to their employment but not related to commercial ventures along Lake Norris Road; local deliveries; silvicultural activities; transport of agricultural goods or equipment to or from residential or agricultural properties, including but not limited to sod deliveries, citrus trucks, hay deliveries, moving trucks, and furniture deliveries; and St. Johns River Water Management District land management activities for the Lake Norris Conservation Area. The removal of sand is not exempt from these restrictions.

Section 3. Signs to be placed. "No Trucks Over 10 Tons Except by Exemption Only" signs shall be erected at the following locations:

On CR 44A at Lake Norris Road, east and westbound, between Lester Way and the road's end; On Lake Norris Road at Martin Street; On Lake Norris Road at Calusa Boulevard. On Lake Norris Road at Lester Way, in the Eustis Area.

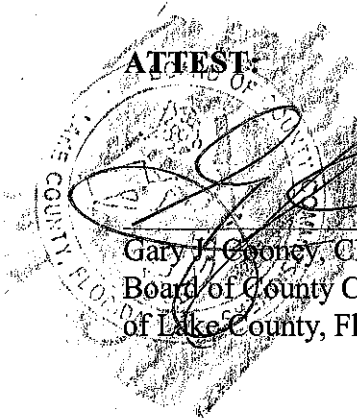
These locations may be modified, or additional locations may be added, by the County Engineer when deemed necessary and in the best interests of the public.

Section 4. Penalties. Any person found guilty of violating the street use prohibition established by this Resolution shall be punishable according to the provisions of Chapter 316, Florida Statutes, the Florida Uniform Traffic Control Law, Section 316.655, Penalties, and Chapter 318, Disposition of Traffic Infractions.

Section 5. Severability. If any section, sentence, clause, or phrase of the Resolution is held to be invalid or unconstitutional by any court of competent jurisdiction, the holding will in no way affect the validity of the remaining portions of this Resolution.

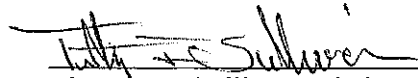
Section 6. Effective Date. This Resolution will take effect upon approval by the Lake County Board of County Commissioners.

PASSED AND ADOPTED this 21st day of August, 2018.

ATTEST:



Gary J. Cooney, Clerk
Board of County Commissioners
of Lake County, Florida

**BOARD OF COUNTY COMMISSIONERS
OF LAKE COUNTY, FLORIDA**



Timothy I. Sullivan, Chairman
This 24 day of August, 2018.

Approved as to form and legality:



Melanie Marsh, County Attorney