

RESOLUTION 2018 - 75

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA, RELATING TO A RESTRICTION OF USE OF LAKE NORRIS ROAD (7187) AND HART RANCH ROAD (6585) AND POSTING ADVANCE SIGNS IN THE EUSTIS AREA; PROVIDING FOR FINDINGS BY THE BOARD OF COUNTY COMMISSIONERS; PROVIDING FOR PLACEMENT OF "NO TRUCKS OVER 10 TONS" AND "NO TRUCKS OVER 10 TONS EXCEPT BY PERMIT ONLY" SIGNS; EXEMPTING LOCAL DELIVERIES TO RESIDENTIAL PROPERTIES; AUTHORIZING THE COUNTY ENGINEER TO ISSUE PERMITS IN SPECIFIED CIRCUMSTANCES; 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 the roads were 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 roads; and

WHEREAS, the Board of County Commissioners of Lake County, Florida, further finds that placement of "No Trucks Over 10 Tons" and "No Trucks Over 10 Tons Except by Permit Only" signs as hereinafter described 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 and posting advance signs and hereby determines "No Trucks Over 10 Tons" signs are necessary. Garbage collection vehicles and local deliveries to residential properties shall be exempt from these restrictions, including but not limited to, sod deliveries, hay deliveries, moving trucks, and furniture deliveries.

Section 3. Restrictions Imposed on Hart Ranch Road. The Board of County Commissioners has determined the use of Hart Ranch Road (6585) as a no through truck zone for trucks over 10 tons and posting advance signs and hereby determines "No Trucks Over 10 Tons Except by Permit Only" signs are necessary. Garbage collection vehicles and local deliveries to residential properties shall be exempt from these restrictions, including but not limited to, sod deliveries, hay deliveries, moving trucks, and furniture deliveries.

Section 4. Signs to be placed. "No Trucks Over 10 Tons" 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. Garbage collection vehicles and local deliveries to residential properties shall be exempt from these restrictions, including but not limited to, sod deliveries, hay deliveries, moving trucks, and furniture deliveries.

Section 5. Signs to be placed. "No Trucks Over 10 Tons Except by Permit Only" signs shall be erected at the following locations:

On CR 44A at Hart Ranch Road, east and westbound. On Hart Ranch Road at CR 44A, 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. Garbage collection vehicles and local deliveries to residential properties shall be exempt from these restrictions, including but not limited to, sod deliveries, hay deliveries, moving trucks, and furniture deliveries.

Section 6. County Engineer Authorization. The County Engineer is hereby authorized to issue permits to use the restricted roadways identified herein to vehicles over 10 tons where the Board of County Commissioners has duly approved a contract for services or has approved an agreement specific to using such roadways as a haul route.

Section 7. Penalties. Any person found guilty of violating the street use prohibition established by this Resolution shall be punished 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.

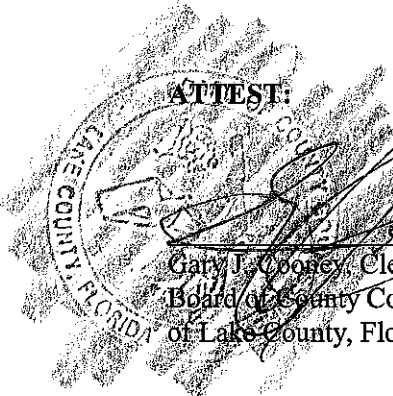
Section 8. Severability. If any section, sentence, clause, or phrase of the Resolution is held to be invalid or unconstitutional by any court of competent jurisdiction, the holding will in no way affect the validity of the remaining portions of this Resolution.

Section 9. Effective Date. This Resolution will take effect upon approval by the Lake County Board of County Commissioners.

PASSED AND ADOPTED this 10th day of July, 2018.

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

ATTEST:



[Signature]

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

[Signature]

Timothy E. Sullivan, Chairman

This 18 day of July, 2018.

Approved as to form and legality:

[Signature]

Melanie Marsh, County Attorney