

**ORDINANCE 014 - 2014**

**AN ORDINANCE OF THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING SECTION 25-2 OF THE MONROE COUNTY CODE; PROVIDING FOR 45 MPH SPEED LIMIT ON CR905 FROM C905A TO 1.4 MILES NORTH OF C 905A AND CORRECTING SPEED ZONES TO CORRECTLY REFLECT POSTED SPEED LIMITS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ALL ORDINANCES INCONSISTENT HEREWITH; PROVIDING FOR INCORPORATION INTO THE MONROE COUNTY CODE OF ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the CR 905 bicycle lane construction project is in progress; and

**WHEREAS**, the project design includes 5 ft. wide bicycle lanes along the portion of CR905 where the speed limit is 55 miles per hour (MPH) and 4 ft. wide lanes from just south of the Card Sound Road intersection to Ocean Reef due to site constraints such as adjacent wetlands and endangered species habitat prohibit constructing 5 ft. wide lanes in this area; and

**WHEREAS**, in order to provide increased safety for cyclists, the design includes, upon completion of the construction, reducing the speed limit from 50 MPH to 45 MPH for an additional 1.15 miles for a total distance of 1.4 miles of the road ; and

**WHEREAS**, since the construction is nearing completion, it is now appropriate to implement the lower speed limit so that the speed limit will be enacted before project completion; and

**WHEREAS**, the speed zones as set forth in Section 25-2(b), Monroe County Code need to be amended to correctly and precisely reflect the speed limits posted; and

**WHEREAS**, the speed zone chart listed in subsection (b) and subsection (c) of Section 25-2 are duplicative and therefore subsection (c) should be deleted; and

**WHEREAS**, the Board of County Commissioner has authority pursuant to F.S. 316.189 to establish speed zones;

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA:**

**SECTION 1: Section 25-2(b) Establishment of county speed zones in the chart shall be amended as follows:**

**(b) The following speed limits are hereby established for certain other roads:**

<b>ROAD</b>	<b>DIRECTION</b>	<b>FROM</b>	<b>TO</b>	<b>MPH</b>
C 905	NB	U.S. 1	8.0 miles N. of U.S. 1	55
		8.0 miles N. of U.S. 1	1.4 miles N. of C905A	45
		1.4 miles N. of C 905A	1.55 miles N. of C 905A	40
		1.55 miles N. of C 905A	Ocean Reef Club	30
	SB	Ocean Reef Club	1.3 miles N. of C 905A	30
		1.3 miles N. of C 905A	0.2 miles N. of C 905A	45
		0.2 miles N. of C 905A	500 ft. N. of C 905A	40
		500 ft. N. of C 905A	C 905A	30
		C 905A	8.3 miles N. of U.S. 1	45
		8.3 miles N. of U.S. 1	0.6 miles North of U.S. 1	55
		0.6 miles N. of U.S. 1	0.45 miles N. of U.S. 1	45
		0.45 miles N. of U.S. 1	U.S. 1	35
C 905A	WB	C 905	3.9 miles W. of C 905	55

		3.9 miles W. of C 905	Dade County Line	45
	EB	Dade County Line	Card Sound Toll Booth	40
		Card Sound Toll Booth	3.9 miles W. of C 905	45
		3.9 miles W. of C 905	0.4 miles W. of C 905	55
		0.4 miles W. of C 905	C 905	45

**SECTION 2: Section 25-2(c) shall be deleted in its entirety as follows:**

(c) The following speed limits are hereby established for C905 and Card Sound Road (C905A):

Road	Direction	From	To	mph
C905	NB	U.S. 1	8.0 miles N. of U.S. 1	55
		8.0 miles N. of U.S. 1	C905A	45
		C905A	1.2 miles N. of C905A	50
		1.2 miles N. of C905A	1.45 miles N. of C905A	40
		1.45 N. of C905A	Ocean Reef Club	30
	SB	Ocean Reef Club	0.6 miles N. of C905A	50
		0.6 miles N. of C905A	C905A	40

		C905A	0.3 miles N. of U.S. 1	55
		0.3 miles N. of U.S. 1	U.S. 1	45
C905A	WB	C905	3.9 miles W. of C905	55
		3.9 miles W. of C905	Dade County Line	45
	EB	Dade County Line	Card Sound Toll Booth	40
		Card Sound Toll Booth	3.9 miles W. of C905	45
		3.9 miles W. of C905	0.4 miles W. of C905	55
		0.4 miles W. of C905	C905	45

**SECTION 3: SEVERABILITY.** If any portion of this ordinance is for any reason held invalid or declared to be unconstitutional, inoperative or void, such holding shall not affect the remaining portions of this ordinance. If this ordinance or any provision thereof shall be held to be inapplicable to any person, property or circumstances, such holding shall not affect its applicability to any other person, property or circumstances.

**SECTION 4: CONFLICT WITH OTHER ORDINANCES.** All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of said conflict.

**SECTION 5: INCLUSION IN CODE OF ORDINANCES.** The provisions of this ordinance shall be included and incorporated in the Code of Ordinances of the County of Monroe, Florida, as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

**SECTION 6: TRANSMITTAL AND EFFECTIVE DATE.** This Ordinance shall be filed with the Department of state and shall be effective as provided in section 125.66(2), Florida Statutes.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a regular meeting of said Board held on the 17<sup>th</sup> day of October, 2014.

Mayor Sylvia Murphy	<u>Yes</u>
Mayor Pro Tem Danny Kolhage	<u>Yes</u>
Commissioner Heather Carruthers	<u>Yes</u>
Commissioner George Neugent	<u>Yes</u>
Commissioner David Rice	<u>Yes</u>



(SEAL)  
Attest: AMY HEAVILIN, Clerk

By *Dorothy Ballada*  
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS  
OF MONROE COUNTY, FLORIDA

By *Sylvia J. Murphy*  
Mayor/Chairperson

MONROE COUNTY ATTORNEY  
APPROVED AS TO FORM:  
*Christine M. Limbert-Barrows*  
CHRISTINE M. LIMBERT-BARROWS  
ASSISTANT COUNTY ATTORNEY  
Date 11/14/14

STATE OF FLORIDA  
COUNTY OF MONROE  
This Copy is a True Copy of the  
Original on File in this Office. Witness  
my hand and Official Seal.  
This 10<sup>th</sup> day of March  
A.D., 20 15  
AMY HEAVILIN  
Clerk Circuit Court  
By *Dorothy Ballada* D.C.