



ORDINANCE # 2024-15

AN ORDINANCE OF THE COMMISSION OF THE CITY OF WEST MIAMI, FLORIDA, PROVIDING THAT NO TRUCKS OF THREE OR MORE AXLES SHALL DRIVE ON SYLVANIA BOULEVARD WITHIN WEST MIAMI CITY LIMITS, WITH EXCEPTIONS; PROVIDING FOR ENFORCEMENT; PROVIDING FOR CONFLICT, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, Sylvania Boulevard is not designed or adequate for use by trucks of 3 or more axles; and

WHEREAS, trucks of three or more axles are using Sylvania Boulevard for through travel, and are causing traffic congestion and safety hazards;

NOW, THEREFORE, THE FOLLOWING RESOLUTION IS ADOPTED AND THE FOLLOWING ORDINANCE IS ENACTED by the City Commission of the City of West Miami as follows:

Section 1: The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made part of the legislative history of this ordinance.

Section 2: Chapter ____, Article ____, Section ____ of the City Code is hereby adopted as follows:

Truck Restrictions on Sylvania Boulevard

(a) No trucks having three or more axles shall drive upon Sylvania Boulevard within the City of West Miami, unless delivery of goods is being made to property fronting on Sylvania Boulevard for which there is no alternative access.

(b) Violators of this restriction on Sylvania Boulevard, both the driver and the registered vehicle owner, shall be issued a West Miami civil code infraction citation, with a fine of fifty dollars (\$50) payable within thirty (30) days, which citation may be appealed to the Code Enforcement Board of the City.

Section 3: If any clause, section, or other part of the ordinance adopted herein shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of the ordinance shall not be affected thereby, and such remaining parts shall remain in full force and effect.

Section 4: The ordinance adopted herein shall be incorporated as part of the City Code of West Miami, and the sections of this ordinance may be re-numbered or re-lettered and the word "ordinance" may be changed to the words "article," or "section," or otherwise as

necessary to accomplish such incorporation, by the City Clerk with the cooperation of the City Attorney.

Section 5: The ordinance adopted herein shall take effect immediately upon passage on second reading.


PASSED and **ADOPTED** on Second Reading this 20th day of November 2024.

APPROVED:



ERIC DIAZ-PADRON, MAYOR

ATTEST:



ANNERY GONZALEZ, MMC
CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:



DEXTER LEHTINEN, CITY ATTORNEY

ROLL CALL VOTE:

This Ordinance was offered by Commissioner Suarez, who moved its adoption. The motion was seconded by Vice-Mayor Milian Orbis. The vote was as follows on Second Reading:

MAYOR ERIC DIAZ-PADRON
VICE-MAYOR NATALIE MILIAN ORBIS
COMMISSIONER JUAN M. BLANES
COMMISSIONER IVAN CHAVEZ, JR.
COMMISSIONER LUCIANO L. SUAREZ

Y
Y
ABSENT
ABSENT
Y

Date of 1 st Reading: <u>October 16th, 2024</u>
Date of Publication: <u>November 4th, 2024</u>
Date of 2 nd Reading: <u>November 20th, 2024</u>