ORDINANCE NO. 08-2010

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA TO AUTHORIZE THE INSTALLATION OF TRAFFIC INFRACTION DETECTORS INSTALLATIONS; PROVIDING THAT THE TOWN COMMISSION MAY IDENTIFY THE SPECIFIC LOCATIONS OF THE TRAFFIC INFRACTION DETECTORS BY SEPARATE RESOLUTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR THE REPEAL OF ALL ORDINANCES, OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Florida Legislature passed CS/CS/HB325 during its 2010 Legislative Session authorizing the use by local governments of red light cameras to detect certain traffic infractions and to enforce certain provisions of Chapter 316, Florida Statutes relating to red light violations; and

WHEREAS, the Governor of the State of Florida signed CS/CS/HB325 into law on or about May 14, 2010, resulting in the Law of Florida, 2010-80 taking effect on July 1, 2010; and

WHEREAS, the Town Commission] of the Town of Lake Park recognizes that drivers who fail to comply with certain provisions of Chapter 316, Florida, specifically pertaining to infractions involving the failure to obey the laws governing red lights can be dangerous to the motoring public; and

WHEREAS, local governments throughout the State of Florida and the United States of America have successfully implemented cameras to detect traffic infractions which has resulted in increased public safety; and

WHEREAS, the Town Commission has relied upon studies form Florida and other States which finds that the use of traffic infraction detectors (cameras) to enforce red light violations will improve public safety; and

WHEREAS, the Town Commission finds that the use of traffic infraction detectors furthers the intent of the Legislature's amendments to Chapter 316, Florida Statutes and will allow for the more efficient use of the Town's law enforcement personnel throughout the Town; and

WHEREAS, the Town Commission finds that it is appropriate to exercise its local option to implement traffic infraction detectors to enforce the State Uniform Traffic Code, and

WHEREAS, the Town Commission finds that the implementation of Laws of Florida, 2010-80 would further the public's health, safety, and general welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF LAKE PARK, FLORIDA:

Section 1. The WHEREAS clauses are hereby ratified and confirmed as being true and correct and shall serve as the Commission's legislative findings.

Section 2. The Town Commission hereby exercises its option under Florida Statute Section 316.008 (2010) to use traffic infraction detectors within its jurisdiction to enforce the Sections 316.074(1) and 316.075(1)(c)1 of the Florida Statutes.

Section 3. Upon the Commission's agreement to enter into a contract the Town Manager is authorized to implement the provisions and requirements of Law of Florida, 2010-80 within the Town, including but not limited to, the implementation of traffic infraction detectors at locations to be determined through a resolution of the Town Commission.

Section 4. Severability. If any part of this ordinance is declared invalid by a court of competent jurisdiction, such part or parts shall be severable, and the remaining part or parts shall continue to be in full force and effect.

Section 5. Repeal of Ordinances in Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed. All ordinances or parts of ordinances not specifically in conflict herewith are hereby continued in full force and effect.

Section 6. Codification. The provisions of this ordinance shall become and be made a part of the Town Code of Ordinances and the sections of this ordinance may be renumbered and codified to accomplish this end.

Section 7. Effective Date. This ordinance shall take effect immediately upon its passage and approval, consistent with all requirements of general law.

Upon First Reading this 14 day of July, 2010, the foregoing Ordinance, was offered by Commissioner Rumsey, who moved its approval. The motion was seconded by Vice-Mayor Osterman and being put to a vote, the result was as follows:

	AYE	NAY
MAYOR DESCA DUBOIS	✓	
VICE MAYOR PATRICIA OSTERMAN	✓	
COMMISSIONER STEVEN HOCKMAN	✓	
COMMISSIONER JEANINE LONGTIN		✓
COMMISSIONER KENDALL RUMSEY	✓	

PUBLISHED IN THE PALM BEACH POST THIS 18 DAY OF July, 2010

Upon Second Reading this 4 day of August, 2010, the foregoing Ordinance, was offered by Vice-Mayor Osterman, who moved its adoption. The motion was seconded by Commissioner Rumsey and being put to a vote, the result was as follows:

	AYE	NAY
MAYOR DESCA DUBOIS	✓	
VICE MAYOR PATRICIA OSTERMAN	✓	
COMMISSIONER STEVEN HOCKMAN	✓	
COMMISSIONER JEANINE LONGTIN		✓
COMMISSIONER KENDALL RUMSEY	✓	

The Mayor thereupon declared **Ordinance No.** 08-2010 duly passed and adopted this 4 day of August, 2010.

TOWN OF LAKE PARK, FLORIDA

BY: _____
Mayor, Desca DuBois

ATTEST:

_____
Town Clerk, Vivian M. Lemley
(Town Seal)

TOWN OF LAKE PARK SEAL FLORIDA

Approved as to form and legal sufficiency:

_____
Town Attorney, Thomas J. Baird