

ORDINANCE NO. 2000- 59

AN ORDINANCE OF ST. JOHNS COUNTY, FLORIDA, RESTRICTING THE USE OF COUNTY ROADS LOCATED WITHIN RESIDENTIAL SUBDIVISIONS; RESTRICTING CERTAIN VEHICLE TYPES FROM THROUGH TRAFFIC WITHIN RESIDENTIAL SUBDIVISIONS; PROVIDING DEFINITIONS; PROVIDING FOR SIGNAGE; PROVIDING FOR EXCEPTIONS; PROVIDING FOR ENFORCEMENT AND PENALTIES; SETTING AN EFFECTIVE DATE.

RECITALS:

WHEREAS, St. Johns County, Florida may regulate traffic as a reasonable exercise of its police power, pursuant to § 316.008(1), Florida Statutes; and

WHEREAS, St. Johns County, Florida may restrict the use of local streets, and may prohibit vehicles by class or kind of traffic when such vehicles or traffic would be incompatible with the safety of the public, pursuant to § 316.008(1), Florida Statutes; and

WHEREAS, St. Johns County, Florida, may adopt temporary or experimental traffic regulations necessary to address special conditions, pursuant to § 316.008(1), Florida Statutes; and

WHEREAS, St. Johns County, Florida, has accepted certain streets as County Roads for the benefit of the public; and

WHEREAS, streets within residential subdivisions are generally designed primarily for the internal movement of traffic of the residents of the subdivision; and

WHEREAS, Trucks and Commercial Motor Vehicles, due to their size and reduced maneuverability, pose an additional safety hazard to the public when travelling within the internal streets of a residential subdivision; and

WHEREAS such vehicle types are incompatible with the normal and safe movement of traffic within the internal streets of a residential subdivision; and

WHEREAS, limiting such traffic within the internal streets of a residential subdivision would promote the health, safety and welfare of the public and is a necessary and reasonable exercise of the County's police power.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:

Section 1.     Definitions.

1.     Street(s) shall mean any paved or unpaved right of way primarily used for vehicular traffic.
2.     County Road(s) shall mean any Street which has been dedicated to, and accepted by, St. Johns County.
3.     Truck(s) shall mean any motor vehicle designed, used, or maintained primarily for the transportation of property, but shall specifically not include the vehicle type commonly known as a "pickup" truck.
4.     Commercial Motor Vehicle(s) shall mean any self-propelled or towed vehicle used on the public right of way in commerce to transport passengers or cargo, if such vehicle:
  - (a)     Has a gross vehicle weight rating of 10,000 pounds or more;
  - (b)     Is designed to transport more than 15 passengers, including the driver, or
  - (c)     Is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act, as amended (49 U.S.C. §§ 1801 et seq.).
5.     Internal Subdivision Street(s) shall mean a street located entirely within a Residential Subdivision.
6.     Residential Subdivision(s) shall mean a typical division of land into 2 or more residential lots, accessed by one road located off of an arterial, collector, or State roadway. Typical Residential Subdivision designs may include connected streets, cul-de-sac streets , and/or curvilinear-loop streets which provide access to individual homesites.

Section 2.     Trucks and Commercial Motor Vehicles shall be prohibited from travelling on Internal Subdivision Streets, unless otherwise specifically exempted by this ordinance.

Section 3.     Exceptions: The following Trucks and Commercial Motor Vehicles shall be exempt from the prohibitions of this ordinance:

1.     Trucks and Commercial Motor Vehicles owned by residents and their guests or invitees.
2.     Trucks and Commercial Motor Vehicles servicing the subdivision, including but not limited to solid waste collection, pest control, landscaping, and delivery services.

3. Trucks and Commercial Motor Vehicles used by emergency, police, and other governmental entities.

Section 4. Signage. Signage shall consist of two (2) 24" by 24" square regulatory signs, in white background with black lettering or graphic. One sign being sign R14-5 found in the Manual on Uniform Traffic Control Devices, depicting a truck within a circle and slash. The second sign composed of the phrase "NO THRU TRUCKS SJC ORD. NO. ~~2000-59~~", with the appropriate ordinance number included. (See Attachment "A".)

Section 5. Enforcement. This Ordinance may be enforced by any method prescribed by law, including but not limited to Chapters 125, 162, and 316, Florida Statutes. Any person issued a ticket by a law enforcement officer pursuant to the provisions of this ordinance shall be deemed to be charged with a noncriminal traffic infraction as provided in Chapter 318, Florida Statutes. Such infraction shall be punishable as a moving violation not requiring a mandatory appearance pursuant to Chapter 318.18(3)(a).

Section 6. Severability. It is the intent of the Board of County Commissioners of St. Johns County, and is hereby provided, that if any section, subsection, sentence, clause, phrase or provision of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining provisions of this Ordinance.

Section 7. Effective Date: This Ordinance shall take effect upon its being filed with the Secretary of State of Florida.

PASSED AND ENACTED by the Board of County Commissioners of St. Johns County, Florida, this 24<sup>th</sup> day of October, 2000.

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By: James E. Bryant  
James E. Bryant, Chairman

ATTEST: Cheryl Strickland, Clerk of Court

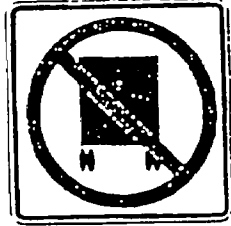
By: Patricia LeGrande  
Deputy Clerk

Effective Date: 11-01-2000



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Attachment "A"



R14-5  
24" x 24"

NO  
THRU  
TRUCKS  
SJC Ord. No. \_\_\_\_\_

THE ST. AUGUSTINE RECORD

PUBLISHED EVERY AFTERNOON MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA, COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared Linda Y. Murray who on oath says that she is an Accounting Clerk of the St. Augustine Record, a daily newspaper published at St. Augustine in St. Johns County, Florida: that the attached copy of advertisement, being a

NOTICE OF PUBLIC HEARING

in the matter of RESTRICTING CERTAIN VEHICLE USE OF COUNTY ROADS LOCATED WITHIN RESIDENTIAL SUBDIVISION

in the Court, was published in said newspaper in the issues of

OCTOBER 11, 2000

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper heretofore been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, for a period of one year preceding the first publication of the copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing the advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 12TH day of OCTOBER 2000,

by [Signature] who is personally known to me or who has produced PERSONALLY KNOWN as identification.

[Signature] (Signature of Notary Public)



Zoe Ann Moss MY COMMISSION # CC841814 EXPIRES August 22, 2001 BONDING THRU TROY FAIN INSURANCE, INC.

Zoe Ann Moss

COPY OF

NOTICE OF PUBLIC HEARING OF THE ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS. NOTICE IS HEREBY GIVEN that the Board of County Commissioners of St. Johns County, Florida, at a regular meeting on Tuesday, October 24, 2000 at 9:00 a.m. in the County Auditorium at the County Administration Building, 4020 Lewis Speedway (County Road 16-A) and U.S. 1 North, St. Augustine, Florida, will hold a public hearing to consider passage of the following ordinance: AN ORDINANCE OF ST. JOHNS COUNTY, FLORIDA, RESTRICTING THE USE OF COUNTY ROADS LOCATED WITHIN RESIDENTIAL SUBDIVISIONS; RESTRICTING CERTAIN VEHICLE TYPES FROM THROUGH TRAFFIC WITHIN RESIDENTIAL SUBDIVISIONS; PROVIDING DEFINITIONS; PROVIDING FOR SIGNAGE; PROVIDING FOR EXCEPTIONS; PROVIDING FOR ENFORCEMENT AND PENALTIES; AND SETTING AN EFFECTIVE DATE. The proposed Ordinance is on file in the office of the Clerk of the Board of County Commissioners, St. Johns County Administration Complex, 4020 Lewis Speedway (CR 16-A and U.S. 1 North), St. Augustine, Florida, and may be examined by parties interested prior to said public hearing. Interested parties may appear at the meeting and will be afforded an opportunity to be heard at the public hearing with respect to the proposed ordinance. If a person decides to appeal any decision made with respect to any matter considered at this hearing, he/she will need a record of the proceedings, and for such purposes he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in these proceedings should contact the ADA Coordinator, at (904) 823-2501 or at the County Administration Building, 4020 Lewis Speedway, St. Augustine, FL 32095. For hearing impaired individuals: Telecommunications Device for the Deaf (TDD): Florida Relay Service: 1-800-955-8770, no later than 5 days prior to the date of this hearing. BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA. CHERYL STRICKLAND, ITS CLERK. By: Yvonne King, Deputy Clerk. L2609 Oct 11, 2000

DIVISIONS OF FLORIDA DEPARTMENT OF STATE  
Office of the Secretary  
Division of Administrative Services  
Division of Corporations  
Division of Cultural Affairs  
Division of Elections  
Division of Historical Resources  
Division of Library and Information Services  
Division of Licensing

MEMBER OF THE FLORIDA CABINET



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Preservation Board  
RINGLING MUSEUM OF ART

FLORIDA DEPARTMENT OF STATE  
**Katherine Harris**  
Secretary of State  
DIVISION OF ELECTIONS

November 1, 2000

Honorable Cheryl Strickland  
Clerk to Board of Commissioners  
St. Johns County  
Post Office Drawer 300  
St. Augustine, Florida 32085-0300

Attention: Patricia DeGrande  
Minutes and Records Division

Dear Ms. Strickland:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated October 27, 2000 and certified copies of Ordinance Nos. 2000-59 through 2000-62, which were filed in this office on November 1, 2000.

Sincerely,

Liz Cloud, Chief  
Bureau of Administrative Code

LC/mp

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BUREAU OF ADMINISTRATIVE CODE

The Elliot Building • 401 South Monroe Street • Tallahassee, Florida 32399-0250 • (850) 488-8427  
FAX: (850) 488-7869 • WWW Address: <http://www.dos.state.fl.us> • E-Mail: [election@mail.dos.state.fl.us](mailto:election@mail.dos.state.fl.us)