

**ORDINANCE NO. 2005-002**

**AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, IN FURTHERANCE OF FLORIDA STATUTORY SECTION 316.006 2(a), CLOSING VEHICULAR ACCESS TO 202<sup>nd</sup> AVENUE AND 205<sup>th</sup> AVENUE AT THE TOWN'S BOUNDARY LINE; PROVIDING A PUBLIC PURPOSE FOR THE ROAD CLOSURE; AUTHORIZING THE PREPARATION AND EXECUTION OF THE EFFECTING DOCUMENTS; PROVIDING INSTRUCTIONS TO THE TOWN CLERK; PROVIDING FOR RECORDATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town is the legal owner of 202<sup>nd</sup> Avenue and 205<sup>th</sup> Avenue up to the Town's boundary line, which are local roads located within the Town of Southwest Ranches (hereinafter the "Roads"); and

**WHEREAS**, these local roads are void of any traffic signals and were created solely to service a rural residential community and its equestrian traffic; and

**WHEREAS**, due to the Roads' connection with an arterial roadway, the Town has seen a significant increase in the vehicular use of the Roads; and

**WHEREAS**, in part, due to the Roads' long uninterrupted expanse, motorists commonly treat the Roads as speedways and fail to abide by any of the traffic rules and regulations; and

**WHEREAS**, the Town has had numerous reports of residents relating to hazardous encounters and near misses caused by vehicles speeding down the Roads; and

**WHEREAS**, upon studying the Roads the Town's Staff has determined that most of the Roads' vehicular problems are directly associated with motorists using these local roads solely as cut through streets; and

**WHEREAS**, after analyzing the various options, the Town has determined that in order to protect the health, safety, and welfare of its residents that the Roads need to be closed; and

**WHEREAS**, the Town has found that there will be no adverse economic impact caused by the Roads' closure and that the Roads do not service a commercial facility.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA:**

**Section 1:** The foregoing "WHEREAS" clauses are true and correct and hereby ratified and confirmed by the Town Council.

**Section 2:** That, at duly noticed public hearings held on October 14<sup>th</sup>, 2004 and April 14<sup>th</sup>, 2004, the Town Council, having considered the evidence submitted, the analysis of the Town Staff, and comments from interested parties, upon a motion duly made and acted upon, has determined that closing vehicular traffic to 202<sup>nd</sup> Avenue and 205<sup>th</sup> Avenue at the Town's boundary line is in the public interest and that the road closure is necessary to protect the health, safety, and welfare of the Town's residents and to preserve the rural nature of the community.

**Section 3:** The Town Council hereby authorizes the Town Administrator to take whatever actions are necessary to facilitate the closing of the Roads following the conclusion of the school year.

**Section 4.** The Town Attorney is hereby authorized to prepare any and all documents necessary to effectuate the intent of this Ordinance and the appropriate Town officials are hereby authorized to execute said documents.

**Section 5.** The Town Clerk is hereby directed, if necessary, to record a copy of this Ordinance in the Public Records of Broward County, Florida.

**Section 6. Conflicts.** All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

**Section 7. Severability.** If any word, phrase, clause, sentence or section of this Ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this Ordinance.

**Section 8. Effective Date.** This Ordinance shall be effective immediately upon its adoption.

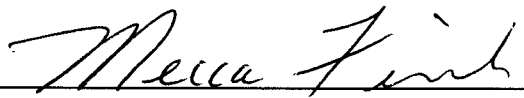
**[Signatures on Following Page]**

**PASSED ON FIRST READING** this 14<sup>th</sup> day of October, 2004 on a motion made by Vice Mayor Knight and seconded by Council Member Blanton.

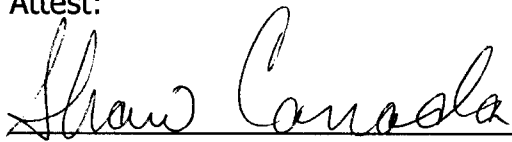
**PASSED AND ADOPTED ON SECOND READING** this 14<sup>th</sup> day of April, 2005, on a motion made by Council Member Knight and seconded by Vice Mayor Blanton.

Fink	<u>Y</u>
Knight	<u>Y</u>
Blanton	<u>Y</u>
Maines	<u>Y</u>
Nelson	<u>Y</u>

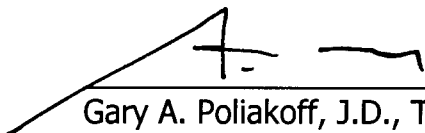
Ayes	<u>5</u>
Nays	<u>0</u>
Absent or Abstaining	<u>0</u>

  
\_\_\_\_\_  
Mecca Fink, Mayor

Attest:

  
\_\_\_\_\_  
Shari Canada, Town Clerk

Approved as to Form and Correctness:

  
\_\_\_\_\_  
Gary A. Poliakoff, J.D., Town Attorney  
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