

ORDINANCE NO. 25-04

AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA; AMENDING CHAPTER 17 OF THE CITY’S CODE OF ORDINANCES ENTITLED “TRAFFIC AND MOTOR VEHICLES” BY SPECIFICALLY AMENDING SECTION 17-37 ENTITLED “PRIVATE ROADS” OF ARTICLE IV ENTITLED “TRAFFIC CALMING DEVICES”; AMENDING THE PROCESS AND REQUIREMENTS TO INSTALL TRAFFIC CALMING DEVICES ON PRIVATE ROADS WITHIN RESIDENTIAL COMMUNITIES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Cooper City (“City”) desires to update and amend the process to apply for and install traffic calming devices on private roads within residential communities; and

WHEREAS, there has been an increased demand from private residential communities to install traffic calming devices and the City Commission desires to establish a process that best helps to preserve the health, safety, and welfare of the citizens and residents of the City of Cooper City; and

WHEREAS, the City Commission has held a public hearing in accordance with Florida law; and

WHEREAS, the City Commission has determined that it is in the best interest of the City to amend the current process to apply for and install traffic calming devices on private roads within residential communities.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA:

Section 1. RECITALS ADOPTED. That each of the above-stated recitals is hereby adopted and confirmed.

Section 2. CHAPTER 17 OF CITY CODE AMENDED. The City Commission of the City of Cooper City hereby amends Chapter 17 of the City's Code of Ordinances, entitled "TRAFFIC AND MOTOR VEHICLES," by amending Section 17-37 entitled "Private Roads" of Article IV Entitled, "TRAFFIC CALMING DEVICES," as follows:

Sec. 17-37. Private Roads

- ~~(a) *Application.* The entity owning or having control of a private road shall apply to the City for an engineering permit prior to the installation of a traffic calming device. A permit application shall include the following:~~
- ~~(1) A completed permit application form. Permit application forms shall be made available by the City Engineer.~~
 - ~~(2) If the road is not the jurisdiction of, or owned by, a homeowner's association, community development district, or other community association, the permit application shall include the signatures of affected property owners located at 67 percent of the addresses within the projected impact area followed by the printed name, address, and the telephone number of each affected property owner. Only one person per address will be counted toward meeting this criterion.~~
 - ~~(3) A traffic study justifying the need for the installation of traffic calming measure(s) as well as identifying the most appropriate traffic calming treatment to address the neighborhood's concerns. The study must also demonstrate that the evaluated road is not a major access route for emergency vehicles. The traffic study shall be performed, and signed/sealed, by a Florida licensed professional engineer.~~
 - ~~(4) A set of engineering construction plans, signed and sealed by a professional engineer, showing the location of the selected traffic calming device to be installed, and providing sufficient design details to ensure construction of such device.~~
 - ~~(5) Permit fee. Permit fees shall be determined by the City and may be related to the cost of installation for the desired traffic calming device(s).~~
- ~~(b) *Payment.* The applicant shall be solely responsible for all costs associated with the design, permitting, inspection, installation and maintenance of the traffic calming device.~~
- ~~(c) *Inspection.* Traffic calming devices installed on private roads shall be subject to inspection by the City Engineer. Traffic calming devices deemed not to be installed in accordance with the specifications enumerated in an approved application and the provisions of this Code shall be reinstalled at the applicant's sole cost and expense.~~

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Section 3. **CHAPTER 17 OF CITY CODE AMENDED.** The City Commission of the City of Cooper City hereby amends Chapter 17 of the City’s Code of Ordinances, entitled “TRAFFIC AND MOTOR VEHICLES,” by amending Section 17-37 entitled “Private Roads” of Article IV Entitled, “TRAFFIC CALMING DEVICES,” as follows:

Sec. 17-37. Private Roads

(a) Notification and Pre-Application Meeting

Prior to submitting an application to install traffic calming devices within a homeowner’s association or community development district (“Private Community”), the president of the Private Community shall request a pre-application meeting with the City Engineer to discuss the Private Community’s intent to install traffic calming devices.

(b) Application Submittal Requirements

(1) Upon meeting with the City engineer and discussing the potential to install traffic calming devices within a Private Community, the president of the Private Community shall submit an application form as provided by the City. An application for the installation of traffic calming devices on private roads shall include the following information:

- (a) A description of the existing circumstances warranting the installation of traffic calming devices such as cut-through traffic, speeding, and safety concerns, among other reasons;
- (b) Selection of one (1) of the two (2) City-approved traffic calming devices;
- (c) The number of traffic calming devices requested;
- (d) The location, including the street address, of each proposed traffic calming device;
and
- (e) Letters of support from all property owners whose residence abuts a street where a traffic calming device is proposed.
- (f) An approved Resolution from the governing board of the Private Community supporting the submittal of the application to install traffic calming devices within the community. Such Resolution shall acknowledge that the governing board of the

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Private Community has reviewed the City's requirements and guidelines for the installation of traffic calming devices within private communities and that the Private Community shall be solely responsible for the installation, maintenance, and removal of the traffic calming devices.

(g) An executed Indemnification and Hold Harmless Agreement as provided by the City; and

(h) Payment of the City's \$750.00 application fee covering the costs to review the application and conduct the required traffic engineering analysis.

(c) Traffic Data Collection, Approval Criteria, and City Determination

(1) Upon receipt and acceptance by the City of a completed application to install traffic calming devices within on private roads within a Private Community pursuant to Sec. 17-37(b)(1), the City Engineer shall commence a traffic engineering analysis on all private streets where such traffic calming devices have been requested. The traffic engineering analysis shall include, but not be limited to, a review of the following factors:

(a) The functional classification of roadways where traffic calming devices are proposed as local residential or minor collector roads;

(b) The existence of a proposed or existing speed limit of 25 miles per hour (or less) on all roads where the traffic calming devices are proposed;

(c) The amount of lanes on each road where a traffic calming device is proposed;

(d) The availability of turning volume movements, as necessary;

(e) That all proposed roadways do not exceed an annual average daily traffic amount of 4,000 vehicle trips;

(f) An analysis of how the proposed traffic calming devices will accomplish the Private Community's desired results; the expected impact of the proposed traffic calming devices on adjacent streets; and any additional impacts that the proposed traffic calming devices may have on the surrounding community; and

(g) Any other relevant factors that the City Engineer determines to be integral to

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preserving the health, safety, and welfare of the citizens and residents of Cooper City.

- (2) Upon review of the foregoing factors, traffic calming devices that are determined by the City Engineer to compromise roadway safety shall not be approved by the City.
- (3) Upon the conclusion of the traffic engineering analysis, the City Engineer shall issue a recommendation on the application to the City Manager.
- (4) Upon receipt of the City Engineer's recommendation, the City Manager shall issue a final determination on the application based on a review of the application, the results of the traffic engineering analysis, and the recommendation of the City Engineer.

(d) Implementation

- (1) Upon the approval of the of the application by the City Manager, the City shall furnish the Private Community with the approved application and the results of the traffic engineering analysis.
- (2) An approval of the application shall result in the issuance of a permit to install the approved traffic calming devices. The permit shall be conditioned on the applicant's adherence to the following:
 - (a) The approved traffic calming device(s) must be purchased from a City-approved manufacturer and installed by a City-approved installation contractor;
 - (b) All traffic control devices must meet the standards and guidelines specified within the Manual Uniform Traffic Control Devices (MUTCD) issued by the Federal Highway Administration as well as the specifications provided within the Broward County Traffic Engineering standards; and
 - (c) All posted speed limits must comply with Florida law.
- (3) A permit to install traffic calming devices shall be closed upon the execution of a Traffic Calming Enforcement Agreement between the City and the Private Community once the City has determined that the approved traffic calming devices have been properly installed.

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Section 4. It is the intention of the City Commission of the City of Cooper City that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Cooper City, Florida, and that the Sections of this ordinance may be renumbered, re-lettered and the word "Ordinance" may be changed to "Section," "Article" or such other word or phrase in order to accomplish such intention.

Section 5. 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 6. If any clause, section, or other part or application of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part or application shall be considered as eliminated and so not affecting the validity of the remaining portions or applications remaining in full force and effect.

Section 7. This Ordinance shall become effective immediately upon its passage and adoption.

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PASSED AND ADOPTED on First Reading this _____ day of _____, 2025.

PASSED AND FINAL ADOPTION on Second Reading this _____ day of _____, 2025.

ATTEST:

JAMES CURRAN
Mayor

TEDRA ALLEN
City Clerk

Approved As To Form:

JACOB G. HOROWITZ
City Attorney

ROLL CALL

Mayor Curran _____
Commissioner Shrouder _____
Commissioner Katzman _____
Commissioner Mallozzi _____
Commissioner Smith _____