

ORDINANCE NO. 19-5-3

AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA AMENDING CHAPTER 17 “TRAFFIC AND MOTOR VEHICLES” OF THE CITY CODE OF ORDINANCES BY SPECIFICALLY AMENDING ARTICLE IV, ENTITLED “TRAFFIC CALMING DEVICES”; PROVIDING PROCEDURES FOR THE APPLICATION FOR THE INSTALLATION OF TRAFFIC CALMING DEVICES; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission desires to improve roadway safety and reduce adverse traffic conditions on residential neighborhood streets within the 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 permit the installation of traffic calming devices on public and private roads in order to promote safe and convenient conditions for motorists, bicyclists and pedestrians on City streets.

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA, AS FOLLOWS:

Section 1. Recitals Adopted. That each of the above stated recitals is hereby adopted and confirmed.

Section 2. City Code Amended. That Article IV, entitled “Traffic Calming Devices” of Chapter 17, entitled “Traffic and Motor Vehicles,” of the City Code is hereby amended and shall read as follows:

Article IV. Traffic Calming Devices.

Section 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. A set of plans, signed and sealed by a professional engineer, demonstrating the location, size and form of the Traffic Calming Device to be installed.~~

(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 sixty-seven (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 set of plans, signed and sealed by a professional engineer, specifying the location, size, and form of the Traffic Calming Device to be installed. A traffic study indicating that the criteria set forth in Section 17-38(B)(2) have been met. The traffic study shall be performed by a Florida licensed professional engineer.~~

(3) ~~A traffic study justifying the need for the installation of indicating that the proposed Traffic Calming Device Measures(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, are warranted and appropriate, and that the 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. A completed permit application form. Permit application forms shall be made available by the City Engineer.~~

~~(54) 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.

Section 17-38. Public Roads.

~~The City shall accept petitions for the installation of Traffic Calming Devices on Public Roads. Traffic Calming Devices and measures may be installed by the City, provided all~~

of the following conditions are met, and provided that a sufficient budget exists to fund the expenses associated with the installation of such devices/measures.

A). APPLICATION PROCESS ~~Petition to request installation of Traffic Calming Devices.~~ A petition for the installation of a Traffic Calming Device on a Public Road must be submitted to the City Engineer by the duly authorized representative of the Affected Property Owners within the Impact Area where the proposed Traffic Calming Device(s) is to be located. The petition should include the following:

(1) A cover letter requesting consideration for the installation of a Traffic Calming Device(s). The cover letter shall identify the traffic conditions that the Traffic Calming Device is intended to rectify and shall identify a single representative of the petitioners who shall be authorized to communicate with the City.

~~(2) A drawing depicting the Public Road and the specific locations thereon where installation of a Traffic Calming Device is sought.~~

~~(3) Signatures of Affected Property Owners located at sixty-seven (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) Petitions shall be reviewed for completeness by the City Engineer. Petitions deemed to be incomplete shall be returned to the petitioner.~~

~~(4) A traffic study indicating that the speed criteria set forth in Section 17-39(B)(2)(d) have been met. The traffic study may be performed by:~~

~~(a) A Florida licensed professional engineer retained by the petitioner at petitioner's sole expense and approved by the City; or~~

~~(b) The City, at the request of the petitioner. Where the traffic study is performed by the City at the request of the petitioner, the City shall charge the petitioner a traffic study fee in an amount equal to the total costs incurred during the completion of a traffic study.~~

B). ANALYSIS AND ELIGIBILITY

~~Procedure for petition consideration:~~

~~(1) The City Engineer shall conduct a transportationthe appropriate traffic engineering studies to determine the eligibility of the Public Road for installation of a Traffic Calming Device(s) and the impact of such installation on the traffic patterns for the surrounding area and roadways. Petitions shall be reviewed for completeness by the City Engineer. Petitions deemed to be incomplete shall be returned to the petitioner.~~

~~(2) The City Engineer shall evaluate completed petitions to determine whether the location of the desired Traffic Calming Device is an Eligible Street. An Eligible Street must meet each of the following criteria:~~

~~(a) The street is in an area zoned for residential use.~~

~~(b) The street is a straight line section, at least seven hundred fifty (750) feet long, is not curved with a centerline radius of 350 feet or less.~~

~~(c) The street must have no more than two (2) lanes of traffic, with no intersections.~~

~~(ed) The street is not an alley.~~

~~(de)~~ The observed 85th percentile speed is at least ten (10) mph over the posted or statutory speed limit.

~~(f)~~ The average daily traffic count must be no greater than 2,000 vehicles per day and no less than 500 vehicles per day.

(e) The street is not a major access route for emergency vehicles.

(f) The speed limit must be thirty (30) miles per hour or less.

(g) There are no other Traffic Calming Devices or traffic control devices, including but not limited to stop signs and traffic signals, within 600 feet of the location of the proposed Traffic Calming Device.

~~(h)~~ Speed humps/tables will not be considered within 200 feet of an intersection, in front of a driveway, or adjacent to fire hydrants.

~~(C)~~ Installation of Traffic Calming Devices on Public Roads.

(1) The installation of Traffic Calming Devices on Public Roads must be approved by the City Commission.

(2) The City Engineer shall recommend the approval or disapproval of Traffic Calming Devices to the City Commission.

~~(3) Approved Traffic Calming Devices shall be installed by a licensed contractor authorized to perform such work in the State of Florida and Broward County. The contractor shall be retained by the petitioner at petitioner's sole expense and shall obtain an engineering permit from the City Engineer prior to commencing work on the installation of the Traffic Calming Device. The contractor must submit plans for the installation of the Traffic Calming Device signed and sealed by a professional engineer to be incorporated into the permit. The plans shall~~

~~incorporate, and conform to the requirements of the City of Cooper City Engineering Standards. The cost of the engineering study, design, installation and maintenance of Traffic Calming Devices on Public Roads shall be borne by the City, contingent upon budgetary constraints.~~

~~(4) The petitioner shall be solely responsible for all costs associated with the design, permitting, installation, inspection and maintenance of Traffic Calming Devices. The City may, at its option, install Traffic Calming Devices in emergency situations as supported by traffic studies and approved by the City Commission.~~

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.

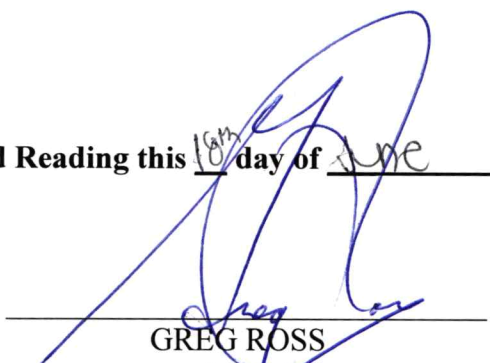
Section 6. If any clause, section, or other part or application of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part or application shall be considered as eliminated and so not affecting the validity of the remaining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

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

PASSED AND ADOPTED on First Reading this 28th day of May, 2019.


PASSED AND FINAL ADOPTION on Second Reading this 10th day of June,

2019.




GREG ROSS
Mayor

ATTEST:



Kathryn Sims
City Clerk

Approved As To Form:



JACOB G. HOROWITZ
City Attorney

ROLL CALL

Mayor Ross Yes
Commissioner Curran Yes
Commissioner Green Yes
Commissioner Meltzer Yes
Commissioner Pulcini Present



**Cooper City Commission Meeting
Agenda Item Request Form**

Commission Meeting/Workshop Date: June 18, 2019

Requesting Department: Utilities

Subject: Revise Ordinance 10-8-2 Regulation of Traffic Calming Devices in the City

Section:

Presentation

Consent

Regular

Discussion

Background and Recommendation (attach backup material to Item Request Form):

This is recommendation for Commission adoption of a proposed ordinance, on second reading, to revise Ordinance 10-8-2 regarding the regulation of traffic calming devices within the City.

General Ledger Account Number(s) and Amount(s):

N/A

Approvals:

Finance Director _____

City Manager 

City Clerk 

Approved by Commission on June 18, 2019



COOPER CITY UTILITIES DEPARTMENT MEMORANDUM

DATE: June 5, 2019

TO: Kathryn Sims, Interim City Manager

FROM: Michael F. Bailey, P.E., Utilities Director/City Engineer

SUBJECT: Ordinance to Revise Ordinance 10-8-2 - Traffic Calming Devices

This is a recommendation for Commission adoption of a proposed ordinance, on second reading, to revise Ordinance 10-8-2 regarding the regulation of traffic calming devices within the City.

On May 28, 2019, the City Commission adopted the first reading of Ordinance 19-5-3, which revises the City current ordinance regulating the implementation and construction of Traffic Calming Devices. At that meeting, the Commission directed staff to reconsider the criterion for eligible, public streets, that the street must be a straight-line section, at least seven hundred fifty (750) feet long.

After consultation with engineering consultant firm Calvin, Giordano and Associates, I have revised the proposed ordinance by removing that criterion and replacing it with two others, as follows:

- An eligible street must not be curved with a centerline radius of 350 feet or less.
- Speed humps/tables will not be considered within 200 feet of an intersection, in front of a driveway, or adjacent to fire hydrants.

These revisions will increase the number of public roads that will be eligible for traffic calming devices, including speed humps/tables.

Please note that the ordinance contains a provision that offers the Commission the flexibility to approve the installation of traffic calming devices in emergency situations as supported by traffic studies and approved by the City Commission

I recommend Commission consideration and approval of this ordinance on first reading.