

RESOLUTION 24-11

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, APPOINTING EXISTING STAFF TO SERVE AS THE CLERK TO THE CITY'S LOCAL HEARING OFFICER PURSUANT TO CHAPTER 2023-174, LAWS OF FLORIDA; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, to promote deterrence of drivers speeding through school zones, and thereby aid in further protecting the health, safety and welfare of students, pedestrians and residents, the City of Eustis (the "City") adopted Ordinance Number 24-11, authorizing the use and implementation of school zone speed detection systems within City limits in accordance with Chapter 2023-174, Laws of Florida; and

WHEREAS, per Ordinance Number 24-11, the City adopted Resolution 24-10 designating its Code Enforcement Board to serve as its Local Hearing Officer, having jurisdiction to conduct proceedings in accordance with Chapter 2023-174, Laws of Florida and section 316.1896, Florida Statutes, as such may be amended from time to time; and

WHEREAS, section 316.1896, Florida Statutes, provides that municipalities electing to enforce school zone speed limit violations using speed detection systems must designate by resolution existing staff to serve as the clerk to the local hearing officer; and

WHEREAS, the City Commission designates the Eustis Police Chief or his/her designee to serve as clerk to the local hearing officer for hearings on school zone speed limit infractions enforced through speed detection systems.

NOW, THEREFORE, be it resolved by the City Commission of the City Eustis, Florida that:

Section 1. Designation of Existing Staff as Clerk to the Local Hearing Officer. The Eustis City Commission hereby designates the Eustis Police Chief or his/her designee to serve as the clerk to the City's Local Hearing Officer in accordance with Chapter 2023-174, Laws of Florida and section 316.1896, Florida Statutes, as such may be amended from time to time.

Section 2. Conflict. Any other Resolution or part thereof in conflict with this Resolution or any part hereof is hereby repealed to the extent of the conflict.

Section 3. Severability. It is declared to be the intent of the Eustis City Commission that, if any section or portion of this Resolution is for any reason held invalid or unconstitutional, by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

Section 4. Effective Date. This Resolution shall become effective immediately upon adoption.

DONE AND ADOPTED in Regular Session of the City Commission of the City of Eustis, Florida, this 1st day of February, 2024.

**CITY COMMISSION OF THE
CITY OF EUSTIS, FLORIDA**

Michael L. Holland
Mayor/Commissioner

ATTEST:

Christine Halloran, City Clerk

CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this 1st day of February, 2024 by Michael L. Holland, Mayor, and Christine Halloran, City Clerk, who are personally known to me.

Notary Public - State of Florida
My Commission Expires:
Notary Serial Number:

CITY ATTORNEY'S OFFICE

This document is approved as to form and legal content for reliance and use by the Eustis City Commission.

City Attorney's Office

Date

CERTIFICATE OF POSTING

The foregoing Resolution Number 24-11 is hereby approved, and I certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk