

FILED FOR RECORD
R. B. SHORE

ORDINANCE 06 - 31

2006 MAY 23 AM 8:50

AN ORDINANCE OF MANATEE COUNTY, FLORIDA,
AMENDING ORDINANCE 03-52, AMENDING
ORDINANCE 05-73; REGULATING ENGINE
COMPRESSION RELEASE BRAKING ON CERTAIN
COUNTY JURISDICTION ROADWAYS; REQUIRING
ERECTION OF APPROPRIATE SIGNS; AND
PROVIDING AN EFFECTIVE DATE.

CLERK OF THE COUNTY COURT
MANATEE CO. FLORIDA

WHEREAS, Manatee County, as a political subdivision of the State of Florida, is empowered, pursuant to section 316.008, Florida Statutes, to regulate the travel of any class or kind of vehicle on the public roadways within the County's jurisdiction, and

WHEREAS, the Board of County Commissioners of Manatee County, Florida, adopted Ordinance 03-52 on September 11, 2003, prohibiting the use of compression release braking on certain designated roadways, and

WHEREAS, the residents and homeowners associations adjacent to certain roadways have requested the County to reduce truck noise impacts upon their residential neighborhoods, and

WHEREAS, the County is desirous of prohibiting the use of compression release braking by trucks and other large commercial vehicles on certain additional roadway sections in residential areas within the County.

NOW THEREFORE be it ordained by the Board of county Commissioners of Manatee County, Florida, as follows:

2006 MAY 19 AM 9:49
CLERK OF THE COUNTY COURT
MANATEE CO. FLORIDA

Section 1. Prohibitions – It shall be unlawful and an offense against the County for any truck, tandem trailer truck, or commercial vehicle to use engine compression release (“Jake”) braking while slowing or stopping on the following public roadways unless an emergency situation occurs in which the standard service braking system fails, or is inadequate to stop the vehicle in a safe manner.

Lorraine Road between SR 70 and University Parkway

Section 2. Signage – The County Transportation Department is hereby directed to erect appropriate signs in conspicuous locations upon all County rights of way included within the provisions of this Ordinance. The absence of a sign, however, shall not be a defense to any violation of this Ordinance.

Section 3. Effective Date – This Ordinance shall take effect immediately upon receipt of official acknowledgement from the office of the Secretary of State of the State of Florida that the Ordinance has been filed with said office

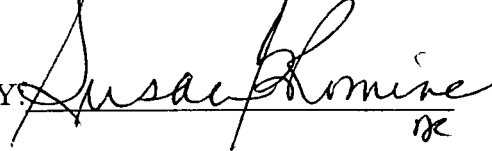
9th APPROVED AND DULY ADOPTED, with a quorum present and voting, this day of May, 2006.

BOARD OF COUNTY COMMISSIONERS
MANATEE COUNTY, FLORIDA

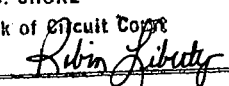


JOE MCCLASH
Chairman

ATTEST: R. B. SHORE
CLERK OF THE CIRCUIT COURT

BY: 
_____ *RS*



STATE OF FLORIDA, COUNTY OF MANATEE
This is to certify that the foregoing is a true and correct copy of the documents on file in my office:
Witness my hand and official seal this 16 day of May 2006
R. B. SHORE
Clerk of Circuit Court
By:  _____ *RS*



FILED FOR RECORD
R. B. SHORE

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CLERK OF CIRCUIT COURT
MANATEE CO. FLORIDA

FLORIDA DEPARTMENT OF STATE
Sue M. Cobb
Secretary of State
DIVISION OF LIBRARY AND INFORMATION SERVICES

May 19, 2006

Honorable R. B. "Chips" Shore
Clerk of Circuit Court
Manatee County
Post Office Box 25400
Bradenton, Florida 34206

Attention: Diane E. Vollmer, Deputy Clerk

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letters dated May 16, 2006 and certified copies of Manatee County Ordinance Nos. 06-31, 06-35 and PDR/PDC-96-03(G)(R8), which were filed in this office on May 18, 2006.

As requested, the date stamped copies are being returned for your records.

Sincerely,

A handwritten signature in cursive script that reads "Liz Cloud".

Liz Cloud
Program Administrator

LC/mp

Enclosures