

ORDINANCE NO. 16-09

AN ORDINANCE OF MANATEE COUNTY, FLORIDA,
AMENDING SEC. 2-22-14 OF THE MANATEE COUNTY
CODE; REGULATING ENGINE COMPRESSION
RELEASE BRAKING ON 17TH AVENUE WEST (FROM
43RD STREET WEST TO 34TH STREET WEST);
PROVIDING FOR CODIFICATION; PROVIDING FOR
SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE
DATE.

WHEREAS, Florida Statutes §§ 316.006 and 316.008 authorize the Board of County Commissioners of Manatee County to regulate the travel of any class or kind of vehicle on the public roadways within the County's jurisdiction; and

WHEREAS, the County is desirous to reduce truck noise impacts upon residential neighborhoods; and

WHEREAS, the County is desirous of prohibiting the use of engine 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:

Section 1. Section 2-22-14(2) of the Code of Laws of Manatee County, Florida (the "Code"), is amended to provide a new subsection (l) as follows:

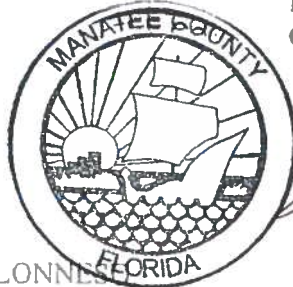
- (l) *17th Avenue West.* From 43rd Street West to 34th Street West.

SECTION 2. If any section, subsection, sentence, clause, provision or word of this Ordinance shall be held invalid, same shall be severable and the remainder of this Ordinance shall not be affected by such invalidity. The Manatee County Board of County Commissioners expressly indicates that it desires any remainder of the Ordinance to withstand any severed provision, as it would have adopted the Ordinance and its regulatory scheme even absent the invalid part.

SECTION 3. The Codifier shall codify the substantive amendments to the Manatee County Code contained in Section 1 of this Ordinance as provided for therein, and shall not codify any other sections not designed for codification.

SECTION 4. This Ordinance shall take effect immediately upon filing with the Department of State in Tallahassee, Florida.

February DULY ADOPTED with a quorum present and voting this 23rd day of _____, 2016.



BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

By: _____
Chairperson

Attest: ANGELINA COLONNE
Manatee County Clerk of Circuit Court and Comptroller

By: Robin Pith de
Deputy Clerk

BRADENTON HERALD

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STATE OF FLORIDA
COUNTY OF MANATEE

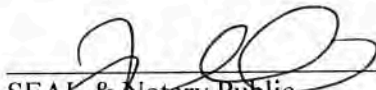
Before the undersigned authority personally appeared Steve Mansfield, who, on oath, says that he is a Legal Advertising Representative of The Bradenton Herald, a daily newspaper published at Bradenton in Manatee County, Florida; that the attached copy of the advertisement, being a Legal Advertisement in the matter of **Notice of Public Hearing Ordinance No., 16-09** was published in said newspaper in the issue(s) of **01/29/16**.

Affidavit further says that the said publication is a newspaper published at Bradenton, in said Manatee County, Florida, and that the said newspaper has heretofore been continuously published in said Manatee County, Florida, each day and has been entered as second-class mail matter at the post office in Bradenton, in said Manatee County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.


(Signature of Affiant)

Sworn to and subscribed before me this
2 Day of Feb, 2016




SEAL & Notary Public
Personally Known _____ OR Produced Identification _____
Type of Identification Produced _____

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, pursuant to Section 125.66(2)(a), Florida Statutes, that the Board of County Commissioners of Manatee County, Florida, will conduct a public hearing on February 23, 2016, beginning at 9:00 a.m., or as soon thereafter as possible, in the Commission Chambers, located on the first floor of the Manatee County Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, to consider the following ordinance:

ORDINANCE NO. 16-09

AN ORDINANCE OF MANATEE COUNTY, FLORIDA, AMENDING SECTION 2-22-14 OF THE MANATEE COUNTY CODE; REGULATING ENGINE COMPRESSION RELEASE BRAKING ON 17TH AVENUE WEST (FROM 43RD STREET WEST TO 34TH STREET WEST); PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Copies of the proposed ordinance may be inspected by the public during normal business hours in the Public Works Department, 2101 47th Terrace East, Bradenton, Florida. A reasonable charge may be made for the provision of copies. Interested parties may appear at the meeting or public hearing and be heard with respect to the proposed ordinance.

The Board of County Commissioners of Manatee County does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the Board's functions, including one's access to, participation in, employment with, or treatment in its programs or activities. Anyone requiring reasonable accommodation for this meeting as provided for in the Americans with Disabilities Act should contact Kaycee Ellis at (941)742-5800; TDD ONLY (941)742-5802 and wait 60 seconds; FAX (941)745-3790.

According to Section 286.0105, Florida Statutes, any person desiring to appeal any decision made by the Board of County Commissioners with respect to any matter considered at the above referenced meeting or public hearing will need a record of the proceedings, and, for such purposes, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.
01/29/16



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

February 24, 2016

Honorable Angelina Colonnese
Clerk of the Circuit Court
Manatee County
Post Office Box 25400
Bradenton, Florida 34206

Attention: Quantana Acevedo, Deputy Clerk

Dear Ms. Colonnese:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of **Manatee County Ordinance No. 16-09, which was filed in this office on February 24, 2016.**

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb