

ORDINANCE NO. 2001 - 5

AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA AMENDING THE TOWN CODE BY CREATING A NEW SECTION OF THE CODE OF THE TOWN OF SOUTHWEST RANCHES TO PROVIDE FOR A TRAFFIC ORDINANCE CONCERNING VEHICLES APPROACHING ANIMALS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Southwest Ranches, Florida, finds and determines it to be in the best interests of the Town of Southwest Ranches to create a traffic ordinance because of its concern for the protection of horses and other animals threatened by vehicular traffic:

WHEREAS, an Ordinance is necessary to accomplish the proper purpose of protecting said animals:

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA:

Section 1: The Code of Ordinances of the Town is hereby amended to add that the Town of Southwest Ranches hereby adopts by reference all of the provisions of Florida Statutes Chapter 316, known as the Florida Uniform Traffic Control Law, regulating the movement of all vehicular, all pedestrian and all other traffic upon the streets and highways and elsewhere throughout the state where the public might have a right to travel; providing definitions; providing for the respective powers of state and local authorities in the control of traffic upon the streets and highways; establishing the enforcement of jurisdictions of traffic laws; establishing the rules of the road to be applicable throughout the state; establishing a standard of equipment of vehicles throughout the state; and prescribing penalties for violation.

Section 2: The Code of Ordinances of the Town of Southwest Ranches is further amended to highlight Florida Statutes Section 316.0825, entitled Vehicle Approaching an Animal, which states:

Every person operating a motor vehicle shall use reasonable care when approaching or passing a person who is riding or leading an animal upon a roadway or the shoulder thereof, and shall not intentionally startle or injure such animal. A violation of this section is a noncriminal traffic infraction, punishable as a moving violation as provided in Chapter 318

Furthermore, the Town shall, to the extent deemed appropriate and necessary by the Town Administrator, cause signs to be erected throughout the Town advising motorists of this ordinance and the impact of its violation.

Section 3: If any word, phrase, clause, sentence, or section of this ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this ordinance.

Section 4: Effective Date. This Ordinance shall take effect immediately upon its adoption.

PASSED ON FIRST READING this 11th day of January 2001.

PASSED AND ADOPTED ON SECOND READING this 8th day of March, 2001.

Mecca Fink, Mayor

Attest:

Arielle Haze Tyner, Town Clerk

Approved as to Form and Correctness:

Gary A. Poliakoff, J.D., Town Attorney