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**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; PURSUANT TO SECTION 2-4-41, OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA; AMENDING THE SPEED LIMIT ON CERTAIN PORTIONS OF CARMALITA STREET IN CHARLOTTE COUNTY, FLORIDA; PROVIDING FOR PENALTIES FOR VIOLATION; PROVIDING THAT THE SPEED LIMIT IS NOT AFFECTED BY NAME OR ROAD DESIGNATION CHANGE; PROVIDING FOR CONFLICT WITH OTHER ORDINANCES; PROVIDING FOR INCORPORATION OF EXHIBITS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

## RECITALS

WHEREAS, Section 316.189, Florida Statutes, designates speed limits on county-maintained roads, unless otherwise set by the Board of County Commissioners pursuant to an investigation and in conformity with criteria promulgated by the State Department of Transportation; and

WHEREAS, an investigation performed by the Engineering Division of the Public Works Department of Charlotte County of the speed limit on a portion of Carmalita Street as depicted on Exhibit 1 indicates that establishment of the following speed limits on the below designated roads is reasonable.

NOW, THEREFORE, BE IT ORDAINED, by the Board of County Commissioners  
of Charlotte County, Florida, that:

Section 1. Pursuant to the authority granted by Section 316.189, Florida Statutes, the speed limit shall change from 45 miles per hour to 35 miles per hour on Carmalita Street, 650 feet east of Education Avenue to Florida Street, as depicted on the attached Exhibit 2.

34        Section 2. Penalties for violations. Violations of this Ordinance, and the penalties  
35 therefor, shall be as provided by general law.

36        Section 3. Name or road designation changes. The speed limits set upon the road  
37 sections described in this Ordinance shall not be affected by name or road designation  
38 changes.

39        Section 4. Conflict with other ordinances. The provisions of this Ordinance shall  
40 control to the extent of any conflict with any other county ordinance.

41        Section 5. Incorporation of Exhibits. The attached exhibits are hereby incorporated  
42 herein and made a part of this Ordinance.

43        Section 6. Severability. If any provision of this Ordinance or the application thereof  
44 to any person or circumstance is held invalid, the invalidity shall not affect other provisions  
45 or applications of this Ordinance which can be given effect without the invalid provision  
46 or applications. To this end, the provisions of this Ordinance are declared severable.

47        Section 7. Effective Date. A certified copy of this Ordinance shall be filed with the  
48 Department of State of the State of Florida within 10 days of enactment and shall take  
49 effect upon filing with said department.

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52                                (THIS SECTION INTENTIONALLY LEFT BLANK)  
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57 PASSED AND DULY ADOPTED this 26th day of March, 2024.

58 BOARD OF COUNTY COMMISSIONERS  
59 OF CHARLOTTE COUNTY, FLORIDA  
60  
61

62  
63 By: \_\_\_\_\_  
64 William G. Truex, Chairman  
65  
66

67  
68 ATTEST:  
69 Roger D. Eaton, Clerk of the Circuit  
70 Court and Ex-Officio Clerk to the  
71 Board of County Commissioners  
72

APPROVED AS TO FORM AND LEGAL  
SUFFICIENCY:

73  
74 By: \_\_\_\_\_  
75 Deputy Clerk  
76

By: \_\_\_\_\_  
Janette S. Knowlton, County Attorney  
LR22-0852 \_\_\_\_\_(PSP)