

**CITY OF MARCO ISLAND  
ORDINANCE NO. 99-9**

**AN ORDINANCE TO ESTABLISH TRAFFIC REGULATIONS;  
TO ADOPT FLORIDA UNIFORM TRAFFIC CONTROL LAW;  
TO DESIGNATE POWERS AND DUTIES OF THE CITY  
MANAGER; AUTHORITY OF PUBLIC SAFETY AND PUBLIC  
WORKS DEPARTMENTS; SPECIFICATIONS FOR TRAFFIC  
CONTROL DEVICES; PROVIDING FOR INCORPORATION,  
CONFLICT, AND SEVERABILITY; AND PROVIDING AN  
EFFECTIVE DATE.**

WHEREAS, Article VIII of the State Constitution and Chapter 166 of the Florida Statutes provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal services, and exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, Section 1.01 of the Marco Island City Charter provides that the City shall have the power to adopt, amend, or repeal such ordinances, resolutions, and codes as may be required for the good governing of the City; and

WHEREAS, Chapter 316, F.S., provides that chartered municipalities shall have original jurisdiction over all streets and highways located within their boundaries, except state roads, and may place and maintain such traffic control devices which conform to the manual and specifications of the Department of Transportation upon all streets and highways under their original jurisdiction, as they shall deem necessary to indicate and to carry out the provisions of said Chapter or to regulate, warn, or guide traffic,

NOW, THEREFORE, BE IT ORDAINED BY THE MARCO ISLAND CITY COUNCIL, IN COUNCIL DULY ASSEMBLED, THE FOLLOWING:

**Sec. 1. Adoption of Florida Uniform Traffic Control Law.**

There is hereby adopted by reference, the Florida Uniform Traffic Control Law, Chapter 316, Florida Statutes, as amended, which laws shall be in full force and effect in the City as if fully set forth in this section, and shall be considered as part of this Chapter.

**Sec. 2. Powers and Duties of the City Manager.**

(a) The City Manager, except as otherwise directed by the City Council, is hereby authorized and is given the full power to: designate direction of traffic; time limits and locations for parking; reservation of parking places; maximum and minimum speeds insofar as such speeds shall not conflict with the laws of the state; to establish through streets and stop crossings, traffic control devices indicating prohibited or limited parking, restricted speed zones, one-way streets, through or arterial streets, stop signs, "U" turns, school zones, vehicles weight limits; to designate cross-walks, safety zones, truck routes, traffic lanes on streets and parts of streets indicating and directing the flow of traffic.

(b) The City Manager shall have authority when he deems it in the interest of public safety or convenience, to temporarily close any street, alley, or portion of the same to vehicular or foot traffic or to divert such traffic therefrom. Such provisions and designations shall be of the same force and effect as if provided for specifically by ordinance, and any violation thereof shall be unlawful.

(c) The City Manager shall be responsible for performing all functions relating to traffic as are required of municipalities by state law.

(d) The existence of official traffic control devices in any place within the corporate limits of the City shall be prima facie evidence that such official traffic control devices were erected or placed by and at the direction of the City Manager, and in accordance with the provisions of this section.

(e) Any person failing or refusing to comply with the directions indicated on any official traffic control device erected or placed in accordance with the provisions of this section when so placed or erected, shall be guilty of a violation of this Code.

**Sec. 3. Authority of Public Safety and Public Works Departments.**

(a) The Public Safety Department, under the direction of the City Manager, shall have full power and be charged with all duties in relation to the direction of vehicle traffic and enforcement of all laws governing vehicle traffic.

(b) The Public Works Department, under the direction of the City Manager, shall have full power and be charged with all duties in relation to the planning, engineering, and management of vehicular and pedestrian traffic.

**Sec. 4. Specifications for Traffic Control Devices.**

All traffic control signs, signals, markings, and devices shall conform to the then current manual of Uniform Traffic Control Devices for Streets and Highways of the Florida Department of Transportation.

**Sec. 5. Incorporation, Conflict, and Severability.**

(a) It is the intention of the City Council and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Marco Island, Florida, and that the sections of this Ordinance may be renumbered or re-lettered and that the word "ordinance" may be changed to "section", "article" or other appropriate word.

(b) All sections or parts of sections of the Code of Laws and Ordinances of Collier County, Florida, all Collier County Ordinances or parts of ordinances and all Collier County Resolutions or parts of resolutions made applicable by the City Charter in conflict herewith are hereby repealed to the extent of such conflict.

(c) In the event this Ordinance conflicts with any other Ordinance of the City of Marco Island or other applicable law, the more restrictive shall apply. If any phrase or portion of this Ordinance is held invalid or unconstitutional by any 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 portion.

**Sec. 6. Effective Date.**

This Ordinance shall take effect immediately upon adoption by the Marco Island City Council.

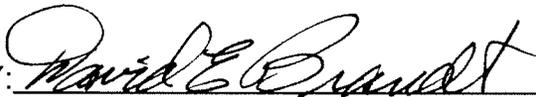
Passed in open and regular session through roll call vote by the City Council of the City of Marco Island, Florida, this 21st day of June, 1999.

Attest:

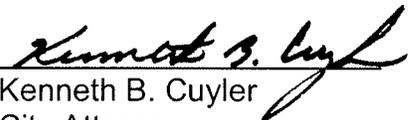
CITY OF MARCO ISLAND, FLORIDA



A. William Moss  
City Manager/City Clerk

BY:   
David E. Brandt, Chairman

Approved as to form and  
legal sufficiency:



Kenneth B. Cuyler  
City Attorney

Naples Daily News  
Naples, FL 34102

Affidavit of Publication  
Naples Daily News

CITY OF MARCO ISLAND  
ATT: DEE PHILLIPS  
950 N COLLIER BLVD #308  
MARCO ISLAND FL 34145

REFERENCE: 054361  
57890351 SECOND READING & PUB

State of Florida  
County of Collier

Before the undersigned authority, personally appeared B. Lamb, who on oath says that she serves as the Assistant Corporate Secretary of the Naples Daily News, a daily newspaper published at Naples, in Collier County, Florida: that the attached copy of advertising was published in said newspaper on dates listed.

Affiant further says that the said Naples Daily News is a newspaper published at Naples, in said Collier County, Florida, and that the said newspaper has heretofore been continuously published in said Collier County, Florida, each day and has been entered as second class mail matter at the post office in Naples, in said Collier County, Florida, for a period of 1 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 coporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

PUBLISHED ON: 06/11

AD SPACE: 21.000 INCH  
FILED ON: 06/11/99

SECOND READING &  
PUBLIC HEARING  
ORDINANCE  
CITY OF  
MARCO ISLAND  
The City Council of Mar-  
co Island, meeting in reg-  
ular session at 6:00 p.m.,  
on June 21, 1999, at the  
Marco Island YMCA, 101  
Sandhill Street, Marco Is-  
land, Florida will consid-  
er:  
AN ORDINANCE TO  
ESTABLISH TRAFFIC  
REGULATIONS.  
Members of the Public  
are invited to make oral  
or written comments in  
regards to this Ordinance.  
June 11 No. 1429420

Signature of Affiant B. Lamb

Sworn to and Subscribed before me this 15 day of June 1999

Personally known by me Joyce E. Blazier



Joyce E. Blazier  
MY COMMISSION # CC702521 EXPIRES  
April 10, 2002  
BCNDED THRU TROY FAIN INSURANCE, INC.