

RESOLUTION # 23-224R

A RESOLUTION OF THE OSCEOLA COUNTY BOARD OF COUNTY COMMISSIONERS, DESIGNATING EXISTING STAFF TO SERVE AS THE CLERK TO THE LOCAL HEARING OFFICER; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 2023-174, Laws of Florida, enacted and signed by the Governor on May 31, 2023, effective July 1, 2023, amended Chapter 316, Florida Statutes, in regard to enforcement of school zone speed limits and authorized counties to enforce the speed limit in a school zone at specified periods through the use of a speed detection system; and

WHEREAS, to promote public health, welfare, and safety, especially in regard to the safety of this jurisdiction's children, the Osceola County Board of County Commissioners (BOCC) adopted Ordinance No. 2023-67, authorizing the use and implementation of school zone speed detection systems within the County; and

WHEREAS, per Ordinance No. 2023-67, the BOCC designated its currently appointed Code Enforcement Special Magistrate, or any other Special Magistrate appointed by the County Manager or County Manager's designee, as its Local Hearing Officer, who shall have jurisdiction to conduct proceedings in accordance with Chapter 2023-174, Laws of Florida and section 316.1896, Florida Statutes, as such may be amended from time to time; and

WHEREAS, counties electing to authorize traffic infraction enforcement officers to issue uniform traffic citations under Chapter 2023-174, Laws of Florida must designate by resolution existing staff to serve as the clerk to the local hearing officer; and

WHEREAS, the BOCC determines that the adoption of this Resolution is in the best interest of the County.

NOW, THEREFORE, be it resolved by the Osceola County Board of County Commissioners, that:

SECTION 1. DESIGNATION OF EXISTING STAFF TO SERVE AS CLERK TO THE LOCAL HEARING OFFICER.

The County Manager, or County Manager's designee, shall designate existing staff to serve as Clerk to the Local Hearing Officer pursuant to Ordinance No. 2023-67 and Chapter 2023-174, Laws of Florida, as either may be amended.

SECTION 2. CONFLICT.

Any other Resolution or part thereof in conflict with this Resolution or any part hereof is hereby repealed to the extent of the conflict.

SECTION 3. SEVERABILITY.

It is declared to be the intent of the Board of County Commissioners that, if any section, subsection, sentence, clause, phrase, or portion of this Resolution, is for any reason held invalid or unconstitutional, by a 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 portions hereof.

SECTION 4. EFFECTIVE DATE.

This Resolution shall be in force and take effect immediately upon its passage and adoption.

DONE AND ADOPTED this ____ day of _____, 2023.

**BOARD OF COUNTY COMMISSIONERS
OF OSCEOLA COUNTY, FLORIDA**

By: _____
Chair/Vice Chair

**ATTEST:
OSCEOLA COUNTY CLERK OF THE BOARD**

By: _____
Clerk/Deputy Clerk of the Board

As authorized for execution at the Board of
County Commissioners meeting of:
