

RESOLUTION NO. 2024 – _____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA, PROHIBITING PARKING WITHIN THE RIGHT OF WAY ON LINDEN DRIVE (SOUTHWEST OF THE TRAFFIC CIRCLE AT JESSICA DRIVE ADJACENT TO THE DRAINAGE RETENTION AREA), PURSUANT TO SECTION 20-40, CODE OF ORDINANCES, HERNANDO COUNTY, FLORIDA, AND CHAPTER 316, FLORIDA STATUTES; PROVIDING FOR FINDINGS; PROVIDING FOR PLACEMENT OF “NO PARKING ON RIGHT OF WAY” “TOW AWAY ZONE” “\$101 FINE” SIGNS; PROVIDING FOR ENFORCEMENT AND PENALTIES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 316.006(3), *Florida Statutes*, Hernando County has original jurisdiction over all streets and highways located within Hernando County, excluding state roads and streets and highways within municipalities; and

WHEREAS, pursuant to Section 316.006(3), *Florida Statutes*, Hernando County may place and maintain traffic control devices, which conform to the specifications of the Florida Department of Transportation, upon all streets and highways under its jurisdiction as the County deems necessary to regulate, warn or guide traffic; and

WHEREAS, pursuant to Section 316.006(3), *Florida Statutes*, Hernando County may, with respect to streets and highways under its jurisdiction, provide for the installation of regulatory signs if a determination is made that the signage will enhance traffic safety; and

WHEREAS, pursuant to Section 20-40, *Code of Ordinances, Hernando County, Florida*, the Board of County Commissioners may prohibit parking upon designated county streets, roads, medians, highways, or bridges, including road right of ways thereof, by posting signs indicating that no parking is allowed on designated portions of a roadway, including right of ways; and

WHEREAS, the Department of Public Works – Engineering Division, has reported the reasons why parking is detrimental within the public road right of way on Linden Drive (Southwest of the traffic circle at Jessica Drive adjacent to the drainage retention area), as shown on **EXHIBIT A** attached hereto; and

WHEREAS, the Board of County Commissioners find that prohibiting parking within the road right of way on Linden Drive (Southwest of the traffic circle at Jessica Drive adjacent to the drainage retention area), as shown on **EXHIBIT A**, is necessary to protect the public’s health, safety, and welfare.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA, AS FOLLOWS:

SECTION 1. Findings. Pursuant to Section 20-40, *Code of Ordinances, Hernando County, Florida*, and Chapter 316, *Florida Statutes*, the Board of County Commissioners have received the report of the Department of Public Works – Engineering Division, stating the reasons why parking within the road right of way on Linden Drive (Southwest of the traffic circle at Jessica Drive adjacent to the drainage retention area), as shown on **EXHIBIT A**, is detrimental, including but not limited to, damage to the roadway shoulders, roadway edge and irrigation infrastructure, and find that prohibiting such parking is necessary to protect the public’s health, safety, and welfare.

SECTION 2. No Parking on Right of Way, Tow Away Zone, \$101 Fine to be Placed. “NO PARKING ON RIGHT OF WAY” “TOW AWAY ZONE” “\$101 FINE” signs may be placed within the right of way on Linden Drive (Southwest of the traffic circle at Jessica Drive adjacent to the drainage retention area).

SECTION 3. Enforcement and Penalties. Any person found guilty of violating the parking restriction established by this Resolution shall be punished according to the provisions of Chapter 316, *Florida Statutes*, the Florida Uniform Traffic Control Law, Section 316.655, Penalties, and Chapter 318, Disposition of Traffic Infractions.

SECTION 4. Effective Date. This Resolution shall become effective immediately upon adoption.

ADOPTED IN REGULAR SESSION THE _____ DAY OF _____, 2024, A.D.

BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA

ATTEST:

DOUGLAS A. CHORVAT, JR.
CLERK OF CIRCUIT COURT & COMPTROLLER

ELIZABETH NARVERUD
CHAIRPERSON

(SEAL)

Approved as to Form and
Legal Sufficiency

By: Victoria Anderson
County Attorney’s Office

EXHIBIT A

LINDEN DRIVE (SOUTHWEST OF THE TRAFFIC CIRCLE AT
JESSICA DRIVE ADJACENT TO THE
DRAINAGE RETENTION AREA)

JESSICA DR

C
1640451

LINDEN DR

F
1696445

**NO
PARKING
ON
RIGHT
OF WAY**

BY ORDER OF COUNTY

TOW AWAY ZONE

\$101 FINE

30
1115947