

**RESOLUTION NO. 2018-10**

**A RESOLUTION OF THE CITY OF EDGEWOOD, FLORIDA, AMENDING RESOLUTION 2013-04 TO CORRECT A SCRIVENER'S ERROR AND TO PERMIT THE CITY CLERK TO DESIGNATE AN EXISTING STAFF MEMBER IN THE CITY CLERK'S ABSENCE TO ACT AS THE CLERK TO THE LOCAL HEARING OFFICER FOR RED LIGHT CAMERA INFRACTION HEARINGS PURSUANT TO CHAPTER 62, ARTICLE IV OF THE EDGEWOOD CITY CODE; PROVIDING OF CONFLICTS; PROVIDING FOR SEVERABILITY; AND AN EFFECTIVE DATE.**

**WHEREAS**, the City Council for the City of Edgewood adopted Ordinance 2013-03 expanding Chapter 62 of the Edgewood City Code, to include Article IV entitled the "Traffic Light Safety Act"; and

**WHEREAS**, pursuant to Ordinance 2013-03, and consistent with section 316.0083, Florida Statutes, the "Mark Wandall Traffic Safety Act", the City adopted Resolution 2013-04 to designate the City Clerk to serve as the clerk for the local hearing officer for red light camera infraction hearings; and

**WHEREAS**, Resolution 2013-04 contained a scrivener's error in the recitals; and

**WHEREAS**, consistent with Ordinance 2013-3 and section 316.0083, Florida Statutes, the City of Edgewood desires to amend Resolution 2013-04 to correct the scrivener's error and to designate an additional existing staff member, in the City Clerk's absence, to serve as the clerk for the local hearing officer for red light camera infraction hearings; and

**WHEREAS**, this Resolution is adopted pursuant to Section 3.13(A) of Edgewood City Code, Ordinance 2013-03, and Section 166.041, Florida Statutes.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EDGEWOOD, FLORIDA:**

Section 1. Recitals: The following recitals are hereby affirmed and ratified.

Section 2. The City Council of the City of Edgewood, pursuant to Section 3.13(A) of the Edgewood City Code and Section 166.041, Florida Statutes, hereby approves the following amendments to Resolution 2013-04 as set forth in Section 3 below. The text of the amendments reflects the changes by showing additions with underlining and deletions with ~~strike through~~ type.

Section 3. Resolution 2013-04 is hereby amended as follows:

The following recital is amended due a scrivener's error:

**WHEREAS**, pursuant to Ordinance 2013-03, and consistent with section 316.0083, Florida Statutes, the "Mark Wandall Traffic Safety Act", the City is required to designate an existing staff member to serve as the clerk to the local hearing officer for red light camera infraction hearings;

Section 2 of Resolution 2013-04 is amended as follows:

Section 2. Appointment: The City Council of the City of Edgewood hereby confirms the appointment of the City Clerk or, in the City Clerk's absence, a designee of the City Clerk, who is an existing staff member with authority to administer the oath, to function as the clerk to the local hearing officer for red light camera infraction hearings.

Section 4. Conflict: Any and all resolutions in conflict herewith are hereby repealed.

Section 5. Severability: If any section, subsection, sentence, clause, phrase or portion of this resolution is for any reason 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 thereto.

Section 6. Effective Date: This resolution shall become effective upon its adoption.

**PASSED AND ADOPTED** by the City Council of the City of Edgewood, Florida on the 18<sup>th</sup> day of December, 2018.

  
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John Dowless, Council President

ATTEST:

  
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Bea Meeks  
City Clerk