

**RESOLUTION NO. 2127-13**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, SETTING THE AMOUNT OF THE MUNICIPAL COSTS FOR RED LIGHT CAMERA INFRACTIONS PURSUANT TO CHAPTER 98, WINTER PARK CODE OF ORDINANCES; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the Florida Legislature passed CS/CS/HB 7125 during the 2013 Legislative Session authorizing local hearings for notices of violations connected with the use of red light cameras as traffic infraction detectors to enforce Chapter 316, the State of Florida Uniform Traffic Code; and

**WHEREAS**, the Governor of the State of Florida signed CS/CS/HB 7125 into law on June 12, 2013, resulting in Chapter 2013-160, Laws of Florida, taking effect on July 1, 2013; and

**WHEREAS**, the use of a Local Hearing Officer allows citizens of the City of Winter Park to have a process for contesting notices of violation issued related to red light violations separate from the traffic court process; and

**WHEREAS**, the City incurs certain costs in the administration of the local hearing process created by Chapter 2013-160, Laws of Florida; and

**WHEREAS**, § 316.0083, Florida Statutes, as revised by Laws of Florida 2013-160, provides that the Local Hearing Officer may require a petitioner to pay municipal costs, not to exceed \$250.00.

**NOW, THEREFORE**, be it resolved by the City Commission of the City of Winter Park, Florida as follows:

**SECTION 1.** The recitals set forth above are hereby adopted and incorporated herein by reference.

**SECTION 2.** Municipal costs for the administration of the red light camera program and local hearing officer process under § 316.0083, Florida Statutes, and Chapter 98, Winter Park Code of Ordinances, are hereby set at \$137.00 but not to exceed \$250.00.

**SECTION 3.** This Resolution shall be published once in a newspaper of general circulation published in the City of Winter Park, Florida.

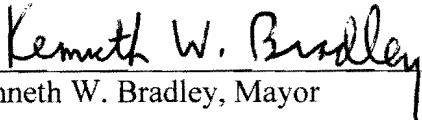
**SECTION 4.** Severability. If any section, subsection, sentence, clause, phrase, word or provision of this resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, or any other

reason, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Resolution.

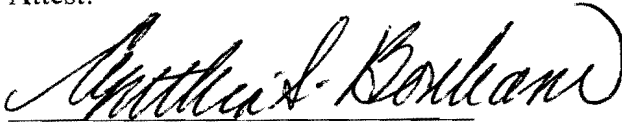
**SECTION 5.** Conflicts. All resolutions or parts of ordinances in conflict with any of the provisions of this resolution are hereby repealed.

**SECTION 6.** This Resolution shall become effectively immediately upon its passage and adoption.

**ADOPTED** at a regular meeting of the City Commission of the City of Winter Park, Florida, held at City Hall, Winter Park, Florida on the 12th day of August, 2013.

  
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Kenneth W. Bradley, Mayor

Attest:

  
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Cynthia S. Bonham, City Clerk