

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF HOLLYWOOD, FLORIDA, AMENDING CHAPTER 74 OF THE CODE OF ORDINANCES, ENTITLED "RAILROADS", TO CLARIFY THE SPEED LIMIT FOR PASSENGER TRAINS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS.

WHEREAS, the Hollywood Code of Ordinances provides for speed limits for freight and passenger trains as they pass through the corporate limits; and

WHEREAS, the Code currently allows only TriRail to exceed 30 miles per hour; however, it limits the speed of TriRail to 79 miles per hour; and

WHEREAS, in the more than 20 years since this section of the Code was amended, passenger rail has expanded, and includes Amtrak and Brightline services; and

WHEREAS, in order to provide a standard for freight and passenger trains, regardless of the operator, the Chief Civic Affairs Officer requests the following ordinance changes.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA:

Section 1: That the foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are incorporated in this Resolution.

Section 2: That Chapter 74 of the Code of Ordinances, entitled "Railroads", is hereby amended as follows:

#### 74.01 SPEED LIMIT.

The speed of trains and railroad equipment through the corporate limits of the city shall not be in excess of 30 miles per hour; provided, however, the maximum speed of passenger ~~Tri-Rail~~ trains shall not be in excess of 79 miles per hour.

Section 3: That it is the intention of the City Commission and it is ordained that the provisions of this Ordinance shall be made a part of the Code of Ordinances of the City of Hollywood, Florida, and the sections of this Code may be renumbered to accomplish such intention.

(Coding: Words and figures in ~~struck-through~~ type are deletions from existing text; words and figures underscored are additions to existing text.)

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Section 4: That if any word, phrase, clause, subsection or section of this Ordinance is for any reason held unconstitutional or invalid, that invalidity shall not affect the validity of any remaining portions of this Ordinance.

Section 5: That all sections or parts of sections of the Code of Ordinances, all ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict are repealed to the extent of such conflict.

Section 6: That this Ordinance shall be in full force and effect immediately upon its passage and adoption.

Advertised \_\_\_\_\_, 2018.

PASSED on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

PASSED AND ADOPTED on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
JOSH LEVY, MAYOR

ATTEST:

\_\_\_\_\_  
PATRICIA A. CERNY, MMC  
CITY CLERK

APPROVED AS TO FORM AND LEGAL  
SUFFICIENCY for the use and reliance of  
the City of Hollywood, Florida, only.

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DOUGLAS R. GONZALES  
CITY ATTORNEY