

DESOTO COUNTY, FLORIDA

RESOLUTION NO. 2026 - ____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF DESOTO COUNTY, FLORIDA, TEMPORARILY SUSPENDING, FOR A PERIOD OF ONE (1) YEAR, THE PROHIBITION AGAINST THROUGH TRUCK TRAFFIC ON TURNER AVENUE ESTABLISHED BY RESOLUTION NO. 1988-55, SOLELY FOR TRUCKS ENGAGED IN THE TRANSPORTATION OF LIVESTOCK; PROVIDING FINDINGS; REQUESTING THAT THE DESOTO COUNTY SHERIFF'S OFFICE AND THE FLORIDA HIGHWAY PATROL REFRAIN FROM ENFORCING THE PROHIBITION AGAINST SUCH VEHICLES DURING THE TEMPORARY SUSPENSION; AUTHORIZING THE BOARD TO EXTEND THE SUSPENSION BY SUBSEQUENT RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on August 23, 1988, the Board of County Commissioners adopted Resolution No. 1988-55 prohibiting through truck traffic by vehicles having a rated load-carrying capacity in excess of one (1) ton on Turner Avenue from State Road 70 north to State Road No. 35 (U.S. 17), except for trucks whose trip originates or terminates on Turner Avenue or along public roads intersecting Turner Avenue, for the purpose of protecting the roadway, minimizing public maintenance costs, and promoting public safety; and

WHEREAS, the Florida Department of Transportation ("FDOT") is currently undertaking a major infrastructure improvement project affecting State Road 70, resulting in substantial traffic congestion, roadway delays, lane restrictions, and other traffic impacts in the vicinity of the intersection of State Road 70 and U.S. Highway 17; and

WHEREAS, Turner Avenue presently provides the only reasonably available bypass route around the congested intersection of State Road 70 and U.S. Highway 17 for motorists traveling through the area; and

WHEREAS, the Board finds that prolonged traffic delays create unique concerns for vehicles transporting live animals, as extended periods of confinement in stopped or slow-moving traffic may expose livestock to unnecessary stress, heat, dehydration, injury, and other conditions detrimental to the animals' health and welfare; and

WHEREAS, Section 585.01(13), Florida Statutes, defines "livestock" to mean grazing animals, such as cattle, horses, sheep, swine, goats, other hooved animals, poultry, ostriches, emus, and rheas, which are raised for private use or commercial purposes; and

WHEREAS, the Board finds that temporarily allowing trucks actively transporting livestock to utilize Turner Avenue during the pendency of the State Road 70 construction

project will reduce unnecessary delays affecting live animals while maintaining the existing prohibition for all other truck traffic; and

WHEREAS, the Board finds that the temporary exemption established herein is the least restrictive means of addressing the extraordinary traffic conditions created by the ongoing State Road 70 construction project because it is limited by vehicle type, cargo, duration, and purpose, thereby preserving the original intent of Resolution No. 1988-55 while accommodating the unique welfare needs associated with the transportation of live animals.

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

Section 1. Temporary Suspension for Livestock Transportation.

Notwithstanding the provisions of Resolution No. 1988-55, the prohibition against through truck traffic on Turner Avenue shall be temporarily suspended for a period of one (1) year from the effective date of this Resolution solely for trucks actively engaged in the transportation or hauling of livestock.

For purposes of this Resolution:

1. "Livestock" shall have the meaning set forth in Section 585.01(13), Florida Statutes, as may be amended from time to time, and includes grazing animals, such as cattle, horses, sheep, swine, goats, other hooved animals, poultry, ostriches, emus, and rheas, which are raised for private use or commercial purposes.
2. The exemption created by this Resolution shall apply only while livestock are physically present within the truck or trailer being transported. Empty trucks, trailers, or vehicles traveling to pick up livestock or returning after delivery are not exempt from the truck traffic prohibition established by Resolution No. 1988-55.
3. Except as expressly provided herein, all provisions of Resolution No. 1988-55 shall remain in full force and effect.

Section 2. Request for Enforcement Discretion. The Board respectfully requests that the DeSoto County Sheriff's Office and the Florida Highway Patrol refrain from enforcing the prohibition against through truck traffic established by Resolution No. 1988-55 with respect to vehicles qualifying for the exemption established in Section 1 of this Resolution during the effective period of this temporary suspension.

Section 3. Duration. Unless earlier repealed by subsequent resolution of the Board, this temporary suspension shall expire one (1) year from the effective date of this Resolution, at which time Resolution No. 1988-55 shall automatically resume full force and effect without further action by the Board.

Section 4. Extension. The Board of County Commissioners may extend the temporary suspension established by this Resolution by adopting one or more subsequent resolutions upon making findings that continued traffic conditions or other circumstances warrant such extension.

Section 5. No Other Modification. Except as expressly modified herein, Resolution No. 1988-55 shall remain unchanged and in full force and effect.

Section 6. Effective Date. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this 28th day of July 2026

ATTEST:

BOARD OF COUNTY COMMISSIONERS OF
DESOTO COUNTY, FLORIDA

Mandy Hines,
County Administrator

Steve Hickox, Chairman
Board of County Commissioners

Valerie Vicente,
County Attorney