

1                                   A bill to be entitled  
2           An act relating to road designations;  
3           designating a specified portion of Le Jeune  
4           Road in the City of Coral Gables and the City  
5           of Miami in Miami-Dade County as a state  
6           historic road; prohibiting the expenditure of  
7           state funds for certain purposes; providing  
8           construction of the act; directing the Division  
9           of Historical Resources of the Department of  
10          State to provide for the erection of suitable  
11          markers; providing an effective date.

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13           WHEREAS, the master plan of the City of Coral Gables,  
14          created in the early 1920's, was a singular achievement  
15          unequaled in its blend of beauty and practicality and  
16          unsurpassed in its foresight, and

17           WHEREAS, that portion of Le Jeune Road situated within  
18          the corporate limits of the City of Coral Gables and lying  
19          between U.S. Highway 1 and Cartagena Plaza is a roadway graced  
20          by huge mahogany trees that have matured for at least 40  
21          years, forming a canopy for the roadway that offers shade to  
22          residents and passersby and thereby creating the beauty and  
23          repose sought by the founder of the City of Coral Gables,  
24          George E. Merrick, and

25           WHEREAS, the citizens of the City of Coral Gables have  
26          expressed their unalterable opposition to the widening of this  
27          portion of Le Jeune Road, to the alteration of its appearance,  
28          or to its utilization as a north-south arterial highway, and

29           WHEREAS, the citizens of the City of Coral Gables  
30          desire to maintain the historic and aesthetic beauty of this  
31          portion of Le Jeune Road, NOW, THEREFORE,

1 Be It Enacted by the Legislature of the State of Florida:

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3           Section 1. That portion of Le Jeune Road situated  
4 within the corporate limits of the City of Coral Gables and  
5 the City of Miami and lying between U.S. Highway 1 and  
6 Cartagena Plaza is hereby designated as a state historic road.  
7 No state funds may be expended by any public body or agency  
8 for the following purposes:

9           (1) To widen or broaden that portion of Le Jeune Road  
10 described in this section or to alter its physical dimensions  
11 or location.

12           (2) To alter, remove, or replace any landscaping of  
13 that portion of Le Jeune Road described in this section, which  
14 shall include any mahogany trees on either side of the paved  
15 surface of the road.

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17 Nothing in this act shall be construed to prevent the ordinary  
18 maintenance and repair of that portion of Le Jeune Road  
19 situated within the corporate limits of the City of Coral  
20 Gables and the City of Miami and lying between U.S. Highway 1  
21 and Cartagena Plaza, provided that the physical dimensions and  
22 location of the highway are preserved; nor to prevent the  
23 removal or replacement of any landscaping, including any  
24 mahogany trees located on either side of the paved surface of  
25 the road, if such landscaping is determined by the appropriate  
26 governmental authority to be diseased or damaged; nor to  
27 prevent any work that is necessary for the public health or  
28 safety as determined by the agency having jurisdiction over  
29 the portion of Le Jeune Road described in this section; nor to  
30 prevent the removal of invasive plant species on the roadway  
31 or right-of-way; nor to prevent such action deemed necessary

1 to clear or maintain the road subsequent to a natural disaster  
2 such as a hurricane. The term "ordinary maintenance" means  
3 those activities necessary to preserve the existing traffic  
4 patterns and to accommodate the volume of traffic operating on  
5 that portion of Le Jeune Road described in this section on the  
6 effective date of this act. However, the preservation of the  
7 portion of Le Jeune Road described in this section and its  
8 landscaping take priority over considerations of traffic  
9 management, and the public safety shall not be construed to  
10 require alterations in that portion of Le Jeune Road described  
11 in this section or its landscaping when alternative means of  
12 promoting safety, including more restrictive regulations, are  
13 available.

14           Section 2. The Division of Historical Resources of the  
15 Department of State shall provide for the erection of suitable  
16 markers on and along that portion of Le Jeune Road described  
17 in section 1 of this act.

18           Section 3. The provisions of this act shall not  
19 supersede a more restrictive law, ordinance, or rule already  
20 in effect or taking effect after the effective date of this  
21 act.

22           Section 4. This act shall take effect upon becoming a  
23 law.

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