

ORDINANCE NO. 37-24

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE CITY OF DELRAY BEACH CODE OF ORDINANCES, CHAPTER 74, "CIVIL TRAFFIC ENFORCEMENT", BY REPEALING THE ADOPTED CHAPTER 74 IN ITS ENTIRETY AND READOPTING SAME, AS REVISED, WITH A NEW CHAPTER 74, "SPEED DETECTION SYSTEMS IN SCHOOL ZONES" TO PROVIDE FOR THE USE AND IMPLEMENTATION OF SCHOOL ZONES SPEED LIMIT DETECTION SYSTEMS; PROVIDING FOR A LOCAL HEARING OFFICER TO HEAR APPEALS; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

WHEREAS, during the 2023 Legislative Session, the Florida Legislature passed CS/HB 657, "Enforcement of School Zone Speed Limits," amending certain provisions of state law governing the use of automated Speed Detection Systems ("SDS") in school zones; and

WHEREAS, CS/HB 657 took effect on July 1, 2023 and is codified as Sections 316.003, 316.008, and 316.0776, Florida Statutes; and

WHEREAS, Section 316.003, Florida Statutes defines a speed detection system as a "portable or fixed automated system used to detect a motor vehicle's speed using radar or LiDAR and to capture a photograph or video of the rear of a motor vehicle that exceeds the speed limit in force at the time of the violation;" and

WHEREAS, CS/HB 657 authorizes cities to enforce applicable speed limits in school zones during school hours "through the use of a speed detection system for the detection of speed and capturing of photographs or videos for violations in excess of 10 miles per hour over the speed limit in force at the time of the violation;" and

WHEREAS, CS/HB 657 further authorizes cities to place or install, or contract with a vendor to place or install, "a speed detection system within a roadway maintained as a school zone as provided in Section 316.1895, Florida Statutes, to enforce unlawful speed violations;" and

WHEREAS, CS/HB 657 requires that a speed detection system be installed in accordance with the placement and installation specifications established by the Florida Department of Transportation; and

WHEREAS, CS/HB 657 requires cities to post signage "indicating photographic or video enforcement of the school zone speed limits," which "shall clearly designate the time period during which the school zone speed limits are enforced using a speed detection system and must meet the placement and installation specifications established by the Florida Department of Transportation;" and

WHEREAS, CS/HB 657 further requires cities that implement a school zone speed detection system program to “make a public announcement and conduct a public awareness campaign of the proposed use of speed detection systems at least 30 days before commencing enforcement under the speed detection system program;” and

WHEREAS, a city that operates school zone speed detection systems must annually report the results of all systems within the city’s jurisdiction by placing the required report on an agenda of a regular or special meeting of the city’s governing body; and

WHEREAS, CS/HB 657 authorizes a city to designate a traffic infraction enforcement officer, under Section 316.640, Florida Statutes, to issue uniform traffic citations for violations of Sections 316.1895 and 316.183, Florida Statutes, as authorized by Section 316.008(9), Florida Statutes, and further regulates how such notices of violation shall be sent and what information such notices must include; and

WHEREAS, CS/HB 657 establishes penalties that may be assessed and remitted to various entities, as well as for a process whereby individuals who receive notices of violation may request a hearing; and

WHEREAS, CS/HB 657 prescribes that a city electing to authorize traffic infraction enforcement officers to issue uniform traffic citations “must designate by resolution existing staff to serve as the clerk to the local hearing officer;” and

WHEREAS, CS/HB 657 provides that a city implementing speed detection systems “must enact an ordinance in order to authorize the placement or installation of a speed detection system on a roadway maintained as a school zone” and that, as part of the public hearing on such proposed ordinance, the city must consider traffic data or other evidence supporting the installation and operation of each proposed school zone speed detection system, and “must determine that the school zone where a speed detection system is to be placed or installed constitutes a heightened safety risk that warrants additional enforcement measures;” and

WHEREAS, speeding in designated school zones poses a threat to the health and safety of the public, and all school-aged children in the City of Delray Beach; and

WHEREAS, the City of Delray Beach desires to implement a speed detection system program in school zones in order to reduce speeding and benefit public safety; and

WHEREAS, on January 7, 2025, the City of Delray Beach held a public hearing at which traffic data demonstrating a significant safety need for traffic infraction detectors was presented consistent with the requirements of Section 316.008(c), Florida Statutes, and in consideration of creating a speed detection system program; and

WHEREAS, in accordance with and pursuant to the provisions of Section 316.088(c), Florida Statutes, the City of Delray Beach has considered said traffic data or other evidence supporting the installation and operation of each proposed school zone speed detection system and has determined that each school zone

where a speed detection system will be placed or installed constitutes a heightened safety risk that warrants additional measures; and

WHEREAS, the City Commission deems approval of this Ordinance to serve a public purpose and finds this Ordinance to be in the best interest of the City of Delray Beach.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AS FOLLOWS:

Section 1. The above recitals are true and correct and are hereby incorporated into this Ordinance as if fully set forth herein.

Section 2. Chapter 74, "Civil Traffic Enforcement", Sections 74.01 through 74.16 of the City of Delray Beach Code of Ordinances, incorporated and attached hereto as Exhibit "A", is hereby repealed in its entirety and replaced with a new Chapter 74, "Speed Detection Systems in School Zones," incorporated herein and attached hereto as Exhibit "B".

Section 3. All ordinances or parts of ordinances in conflict herewith be, and the same are hereby repealed.

Section 4. Should any section or provision of this ordinance or any portion thereof, any paragraph, sentence, or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or part thereof other than the part declared to be invalid.

Section 5. Specific authority is hereby given to the City Clerk to codify this Ordinance.

Section 6. This Ordinance shall become effective upon its passage on second and final reading.

PASSED AND ADOPTED in regular session on second and final reading on this the \_\_\_\_ day of \_\_\_\_\_, 2025.

ATTEST

\_\_\_\_\_  
Alexis Givings, City Clerk

\_\_\_\_\_  
Thomas F. Carney, Jr., Mayor

First Reading \_\_\_\_\_

Second Reading \_\_\_\_\_

Approved as to form and legal sufficiency:

\_\_\_\_\_  
Lynn Gelin, City Attorney

## EXHIBIT "A"

### ~~CHAPTER 74. CIVIL TRAFFIC ENFORCEMENT~~

#### ~~Sec. 74.01. INTENT.~~

~~The purpose of this Chapter is to authorize the use of an unmanned cameras/monitoring system to promote compliance with red light signal indicators as described by this Chapter, and to adopt a civil enforcement system for red light signal violations. Failing to stop at steady red light signal places the offending vehicle in violation of the city intersection safety ordinance. This chapter prohibits vehicles from obstructing, occupying or passing into an intersection when a steady red light is projected from a traffic control device. This chapter will also supplement law enforcement personnel in the enforcement of red light signal violations and shall not prohibit county, state or local law enforcement officers from issuing a citation for a red light signal violation in accordance with normal statutory traffic enforcement techniques.~~

#### ~~Sec. 74.02. USE OF IMAGE CAPTURE TECHNOLOGIES.~~

~~The City shall utilize image capture technologies as a supplemental means of monitoring compliance with laws related to traffic control signals, while assisting law enforcement personnel in the enforcement of such laws, which are designated to protect and improve public health, safety and welfare. This section shall not supersede, infringe, curtail or impinge upon state or county laws related to red light signal violations or conflict with such laws. This chapter shall serve to enable the City to provide enhanced enforcement and respect for authorized traffic signal devices. The City may utilize image capture technologies as an ancillary deterrent to traffic control signal violations and to thereby reduce accidents and injuries associated with such violations. Notices of infractions issued pursuant to the chapter shall be addressed using the City's own Code Enforcement Hearing Officer pursuant to Section 37.45 of the Code of Ordinances of the City of Delray Beach and not through the uniform traffic citations or county courts. This shall not bar the use of uniform traffic citations and the county courts when City police personnel decide not to rely on this chapter as the enforcement mechanism for a specific violation.~~

#### ~~Sec. 74.03. DEFINITIONS.~~

~~The following definitions shall apply to this Chapter:~~

~~*Hearing Officer* shall mean the City's Code Enforcement Hearing Officer, as described in Chapter 37, Section 37.45 (B)(1)(a) of the Code of Ordinances of the City of Delray Beach.~~

~~*Intersection* shall mean the area embraced within the prolongation or connection of the lateral curb line; or, if none, then the lateral boundary lines of the roadways of two (2) roads which join or intersect one another at, or approximately at, right angles; or the area within which vehicles traveling upon different roads joining at any other angle may come in conflict.~~

~~*Motor vehicle* shall mean any self-propelled vehicle not operated upon rails or guide way, but not including any bicycle or electric personal assisted mobility device, moped or motorized scooter.~~

~~*Notice of Infraction* shall mean a City of Delray Beach citation issued for a Red Zone Infraction.~~

~~*Owner or vehicle owner* shall mean the person or entity identified by the state department of motor vehicles, or other state vehicle registration office, as the registered owner of a vehicle. Such term shall also mean a lessee of a motor vehicle pursuant to a lease of six (6) months or more.~~

~~Recorded images shall mean images recorded by a traffic control signal monitoring system/device on:~~

~~Two (2) or more photographs.~~

~~Two (2) or more electronic images.~~

~~Two (2) or more digital images.~~

~~Digital or video movies; or~~

~~Any other medium that can display a violation; and~~

~~that shows the rear of a motor vehicle and on at least one image, clearly identifying the license plate number of the vehicle.~~

~~Red Zone Infraction shall mean a traffic offense whereby a traffic control signal monitoring system established that a vehicle entered an intersection controlled by a duly erected traffic control device at a time when the traffic control signal for such vehicle's direction of travel was emitting a steady red signal.~~

~~Traffic Control Infraction Review Officer shall mean the City Police Department employee designated by the City Police Chief to review recorded images and issue Red Zone Infractions based upon those images.~~

~~Traffic control signal shall mean a device exhibiting different colored lights or colored lighted arrows, successively one at a time or in combination, using only the colors green, yellow, and red which indicate and apply to drivers of motor vehicles as provided in F.S. § 316.075.~~

~~Traffic control signal monitoring system/device shall mean an electronic system consisting of one or more vehicle sensors, working in conjunction with a traffic control signal, still camera and video recording device, to capture and produce recorded images of motor vehicles entering an intersection against a steady red light signal indication.~~

#### **Sec. 74.04. — ADHERENCE TO RED LIGHT TRAFFIC CONTROL SIGNALS.**

~~Motor vehicle traffic facing a traffic control signal's steady red light indication shall stop before entering the crosswalk on the rear side of an intersection or, if none, then before entering the intersection and shall remain standing until a green indication is shown on the traffic control signal; however, the driver of a motor vehicle which is stopped at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection or, if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection in obedience of a steady red traffic control signal, may make a right turn (unless such turn is otherwise prohibited by posted sign or other traffic control device) but shall yield right-of-way to pedestrians and other traffic proceeding as directed by the traffic control signal at the intersection.~~

#### **Sec. 74.05. — VIOLATION.**

~~—A violation of this Chapter known as a Red Zone Infraction shall occur when a motor vehicle does not comply with the requirements of Chapter 74. Violations shall be enforced pursuant to Chapter 74. This chapter shall not prohibit law enforcement personnel from issuing a citation for a red light signal violation in accordance with standard statutory enforcement techniques. This section shall not supersede, infringe, curtail or impinge upon state laws related to red light signal violations or conflict with such laws. Notices of infractions issued pursuant to this Chapter shall not be by the Florida Uniform Traffic Citation and shall not be subject to prosecution or appeal in the County courts.~~

**Sec. 74.06. — REVIEW OF RECORDED IMAGES.**

- ~~(A) The owner of the vehicle which is observed by recorded images committing a Red Zone Infraction shall be issued a Notice of Infraction. The recorded image shall be sufficient grounds to issue a City Notice of Infraction.~~
- ~~(B) The City shall designate a Traffic Control Infraction Review Officer(s) who shall meet the qualifications set forth in F.S. § 943.13 or F.S. § 316.640(5)(A), or any other relevant statute. The Traffic Control Infraction Review Officer shall review recorded images prior to the issuance of a Notice of Infraction to ensure accuracy and the integrity of the recorded images. The Traffic Control Infraction [Review] Officer shall also verify that the traffic control monitoring system/devices which captured the recorded images was functioning properly at the time the recorded images were captured. Once the Traffic Control Infraction Review Officer has verified the accuracy of the recorded images and functionality of the traffic control monitoring system/devices, he or she shall complete a report, and a Notice of Infraction shall be sent to the vehicle owner at the address on record with the Florida Department of Highway Safety and Motor Vehicles or the address on record with the appropriate agency having such information in another state.~~

**Sec. 74.07. — NOTICE OF VIOLATION/INFRACTION.**

~~—The notice of violation/infraction shall include:~~

- ~~(A) The name and address of the vehicle owner.~~
- ~~(B) The license plate number and registration number of the vehicle.~~
- ~~(C) The make, model, and year of the vehicle.~~
- ~~(D) Notice that the violation charged is pursuant to this Chapter.~~
- ~~(E) The location of the intersection where the violation occurred.~~
- ~~(F) The date and time of the Red Zone Infraction.~~
- ~~(G) Notice that the recorded images relating to the vehicle and a statement that the recorded images are evidence of a Red Zone Infraction.~~
- ~~(H) The civil penalty imposed.~~
- ~~(I) Images depicting violation.~~
- ~~(J) A signed statement by the Traffic Control Infraction Officer that based on inspection of recorded images, the vehicle was involved in a Red Zone Infraction.~~
- ~~(K) The procedures for payment of the civil penalty and contesting the Notice of Infraction.~~

**Sec. 74.08. — VEHICLE OWNER RESPONSIBILITIES.**

- ~~(A) A vehicle owner receiving a Notice of Infraction may, within thirty (30) days of the date of the Notice of Infraction:
  - ~~(1) Pay the assessed civil penalty pursuant to instructions on the Notice of Infraction; or~~
  - ~~(2) Request an appeal before the Code Enforcement Hearing Officer to contest the Notice of Infraction pursuant with procedures as outlined in this Chapter.~~~~

- ~~(B) The failure to comply with the provisions of this section within thirty (30) days from the date of the Notice of Infraction shall constitute a waiver of the right to contest the Notice of Infraction and will be considered an admission of liability and in such case an order may be entered against the violator for an amount up to the maximum civil penalty, plus any administrative costs.~~

~~**Sec. 74.09. APPEAL TO HEARING OFFICER.**~~

~~—The City's Hearing Officer is authorized to consider appeals under this Chapter. Within thirty (30) days of the date of the Notice of Infraction, the vehicle owner may file an appeal with the City Code Enforcement Hearing Officer pursuant to the directions on the Notice of Infraction. A hearing on the appeal shall be scheduled for all appeals in which the vehicle owner requests such a hearing within thirty (30) days, except those in which the vehicle owner submits an affidavit pursuant to Section 74.10 in which the vehicle owner affirms under penalty of perjury that the vehicle was not under his or her care, custody, or control or that of someone with the vehicle owner's consent.~~

- ~~(A) Upon receipt of the request for an appeal, the City shall schedule a hearing before the Hearing Officer to occur not later than sixty (60) days after the City's receipt of the Notice of Appeal. A Notice of Hearing shall be provided to the vehicle owner no less than ten (10) days prior to the hearing, and shall be provided by certified and U.S. mail to the same address to which the Notice of Infraction was sent.~~
- ~~(B) The following shall be permissible grounds for an appeal:~~
- ~~(1) At the time of the infraction, the vehicle was not under the care, custody, or control of the vehicle owner or an individual with vehicle owner's consent, established pursuant to affidavit as provided in Section 74.10.~~
  - ~~(2) The motor vehicle driver was issued a citation by a law enforcement officer, which was separate and distinct from the citation issued under this Chapter, for violating the steady red traffic control signal.~~
  - ~~(3) The motor vehicle driver was required to violate the steady red traffic control signal in order to comply with other governing laws.~~
  - ~~(4) The motor vehicle driver was required to violate the steady red traffic control signal in order to reasonably protect the property or person of another.~~
  - ~~(5) The steady red traffic control signal was inoperable or malfunctioning; or~~
  - ~~(6) Any other reason the Hearing Officer deems appropriate.~~
- ~~(C) All testimony before a Hearing Officer shall be under oath and shall be recorded.~~
- ~~(D) The Traffic Control Infraction Officer may testify at the hearing. The vehicle owner may then present testimony and evidence.~~
- ~~(E) The formal rules of evidence shall not apply, but fundamental due process shall be observed and shall govern the proceedings.~~
- ~~(F) Recorded images indicating a Red Zone Infraction, verified by the Traffic Control Infraction Review Officer, are admissible in any proceeding before the City's Hearing Officer to enforce the provisions of this Chapter, and shall constitute prima facie evidence of the violation.~~

- ~~(G) Upon determination of the Hearing Officer irrelevant, immaterial and unduly repetitious evidence may be excluded but, all other evidence of a type commonly relied upon by reasonable prudent persons in the conduct of their affairs shall be admissible.~~
- ~~(H) Unless an affidavit is provided pursuant to Section 74.10, it is presumed the person registered as the vehicle owner with the Florida Department of Motor Vehicles or any other state vehicle registration office, or an individual having the owner's consent was operating the vehicle at the time of a Red Zone Infraction.~~

**Sec. 74.10. VEHICLE OWNER AFFIDAVIT OF NONRESPONSIBILITY.**

~~—In order for the vehicle owner to establish that the motor vehicle was, at the time of the Red Zone Infraction, either: (a) in the care, custody, or control of another person without the consent of the registered owner; or (b) was subject to a short term (less than six (6) months) car rental agreement entered into between a car rental agency, which is licensed as required by applicable law and is authorized to conduct business in the state, and the operator of the vehicle. The vehicle owner is required within twenty one (21) days from the date listed on the notice, to furnish to the City, an affidavit setting forth the circumstances demonstrating, either: (a) that the motor vehicle was not in the vehicle owner's care, custody, or control, and was not in the care, custody or control of another person with the vehicle owner's consent, or (b) that the motor vehicle was subject to a short term (less than six months) rental agreement between the car rental agency receiving the notice and the vehicle operator and provide a true and correct copy of the short term car rental agreement, as applicable. The affidavit must be executed in the presence of a notary, and include:~~

- ~~(A) If known to the vehicle owner, the name, address, and driver's license number of the person who had care, custody, or control of the motor vehicle, without the vehicle owner's consent, at the time of the alleged Red Zone Infraction; or~~
- ~~(B) The name, address and driver's license number of the person who rented the motor vehicle from the car rental agency which has received the Notice, at the time of the alleged Red Zone Infraction; or~~
- ~~(C) If the vehicle was stolen, the police report indicating the vehicle was stolen at the time of the alleged Red Zone Infraction; and~~
- ~~(D) The following language immediately above the signature line: "Under penalties of perjury, I declare that I have read the foregoing affidavit and the facts stated in it are true".~~

~~Upon timely receipt of a sufficient affidavit pursuant to this Section, any prosecution of the notice issued to the vehicle owner shall be terminated. Proceedings may be commenced by the City against the responsible person identified in the affidavit, and in such event, the responsible person shall be subject to the same process and procedures which are applicable to vehicle owners.~~

**Sec. 74.11. — PENALTY.**

~~A violation of this Chapter shall be deemed a noncriminal, nonmoving violation for which a civil penalty in the amount one hundred twenty five dollars (\$125.00) shall be assessed. As the violation relates to this Chapter and not to the state statutes, no points as otherwise provided in F.S. § 322.27, shall be recorded on the driving record of the vehicle owner or responsible party.~~



**~~Sec. 74.12. — ADMINISTRATIVE CHARGES.~~**

~~In addition to the penalty pursuant to Section 74.11, there shall be imposed and assessed against the violator an administrative cost of twenty five dollars (\$25.00) in the event of an unsuccessful appeal of the Notice of Infraction.~~

**~~Sec. 74.13. — COLLECTION OF FINES.~~**

~~The City may establish procedures for the collection of a penalty imposed herein and may enforce such penalty by civil action in the nature of debt collection.~~

**~~Sec. 74.14. — EXCEPTIONS.~~**

~~This Chapter shall not apply to Red Zone Infractions involving vehicle collisions or to any authorized emergency vehicle responding to a bona fide emergency; nor shall a Notice be issued in any case where the operator of the vehicle was issued a citation for violating the state statute regarding the failure to stop at a red light indication for the same event or incident.~~

**~~Sec. 74.15. — APPEAL OF ORDER.~~**

~~An aggrieved party, including the City, may appeal an Order of a hearing officer to the appellate division of the Circuit Court by Writ of Certiorari as stated in Section 37.45(M) of the City of Delray Beach Code of Ordinances.~~

**~~Sec. 74.16. — ENFORCEMENT.~~**

~~This Chapter may be enforced by any other means available to the City.~~

## EXHIBIT "B"

### CHAPTER 74. - SPEED DETECTION SYSTEMS IN SCHOOL ZONES

#### Sec. 74.01. PURPOSE AND INTENT.

- (A) The City elects to utilize Automated Speed Detection Systems ("SDS") in school zones within its jurisdiction, in accordance with Florida law, including Chapter 316, Florida Statutes, and authorizes the placement of SDS within school zones in the City, in accordance with Chapter 316, Florida Statutes.
- (B) The City shall utilize SDS consistent with and pursuant to all applicable provisions of Florida law to detect, process, and penalize speeding in its school zones, as set forth in the Florida Uniform Traffic Control Law. The use of SDS shall be deemed a supplemental means of enforcing state law, and nothing herein shall be construed or operate to preclude the enforcement of the Florida Uniform Traffic Control Law by any other means provided by law.

#### Sec. 74.02. DEFINITIONS.

For purposes of this Chapter, the following terms shall have the meanings given to them below.

Motor vehicle shall mean, as defined by Section 316.003, Florida Statutes, a self-propelled vehicle not operated upon rails or guideway, but not including any bicycle, electric bicycle, motorized scooter, electric personal assistive mobility device, mobile carrier, personal delivery device, swamp buggy, or moped.

School zone shall mean that portion of a street or highway established as a school zone pursuant to Section 316.1895, Florida Statutes, as it may be amended.

Speed detection system shall mean a portable or fixed automated system used to detect a motor vehicle's speed using radar or LiDAR and to capture a photograph or video of the rear of a motor vehicle that exceeds the speed limit in force at the time of the violation. This term is synonymous with the term "Speed Detection System" defined in Section 316.003(83), Florida Statutes, as it may be amended.

Violation shall mean a person that drives a motor vehicle on a roadway designated as a School Zone at a speed as follows:

- (a) In excess of 10 miles per hour over the School Zone speed limit which occurs within 30 minutes before through 30 minutes after the start of a regularly scheduled breakfast program in violation of Section 316.1895, Florida Statutes.
- (b) In excess of 10 miles per hour over the School Zone speed limit which occurs within 30 minutes before through 30 minutes after the start of a regularly scheduled school session in violation of Section 316.1895, Florida Statutes.
- (c) In excess of 10 miles per hour over the posted speed limit during the entirety of a regularly scheduled school session in violation of Section 316.183, Florida Statutes.
- (d) In excess of 10 miles per hour over the School Zone speed limit which occurs within 30 minutes before through 30 minutes after the end of a regularly scheduled school session in violation of Section 316.1895, Florida Statutes.

**Sec. 74.03. AUTHORIZING THE USE OF SCHOOL ZONE SPEED LIMIT DETECTION SYSTEMS.**

Pursuant to Section 316.008(9), Florida Statutes, the City hereby elects to use speed detection systems to enforce school zone speed limits within the City’s jurisdiction. The City may utilize a speed limit detection system as a supplemental means of monitoring the speed of vehicles and assisting law enforcement personnel in the enforcement of compliance with laws related to speed limits within school zones as permitted and provided for by general law, which are designed to protect and improve the public health, safety, and welfare of the community and thereby reduce accidents, injuries, and disruption of traffic associated with such violations.

**Sec. 74.04. DETERMINATION OF SAFETY NEED.**

SDS are authorized for use at the following locations, based upon the City’s findings after consideration of traffic data provided in the “School Zone Speed Report for the City of Delray Beach” prepared by RedSpeed, Florida, LLC (which is on file with the City Clerk) and any other relevant evidence provided at the public hearing held on January 7, 2025, the City Commission hereby finds that the following school zones where speed detection systems are to be placed or installed constitute a heightened safety risk that warrants additional enforcement measures pursuant to Section 316.008(9), Florida Statutes:

- (a) Pine Grove Elementary
- (b) S.D. Spady Elementary
- (c) Banyan Creek Elementary
- (d) Orchard View Elementary
- (e) Plumosa School of the Arts
- (f) Village Academy
- (g) Carver Middle School
- (h) Atlantic Community High School
- (i) Mount Olive Christian School
- (j) Trinity School
- (k) Unity School
- (l) Daughter of Zion Junior Academy
- (m) Saint Vincent Ferrer School

**Sec. 74.05. IMPLEMENTATION OF SPEED LIMIT DETECTION SYSTEMS IN SCHOOL ZONES.**

- (A) In accordance with the provisions of Chapter 2023-174, Laws of Florida, as of December 17, 2024, the City authorizes the implementation of the provisions and requirements of Sections 316.008 and 316.1896, Florida Statutes. The City will implement SDS within the City limits consistent with the placement and installation specifications established by the Florida Department of Transportation, as such may be amended from time to time, to enforce unlawful speed violations, as specified in Sections 316.1895 and 316.183, Florida Statutes, on roadways maintained as school zones.
- (B) Designation of Local Hearing Officer. The City’s Special Magistrate, as a Local Hearing Officer, is designated to conduct hearings requested by alleged violators desiring to contest notices of violation detected by SDS in accordance with Chapter 316, Florida Statutes.

- (C) Pursuant to Section 316.1896, Florida Statutes, a traffic infraction enforcement officer under Section 316.640, Florida Statutes, is authorized to issue uniform traffic citations for violations of Sections 316.1895 and 316.183, Florida Statutes, as authorized by Section 316.008(9), Florida Statutes.
- (D) *Notices, Penalties, and Appeals.* The City's Chief of Police, or designee, shall provide notices of violation, assess penalties, remit applicable portions of assessed penalties, and provide for hearing procedures and appeals consistent with the requirements of Section 316.1896, Florida Statutes, as such may be amended from time to time.
- (E) *Signage and Public Awareness Campaign.* The City's Chief of Police, or designee, shall post signage and conduct a public awareness campaign regarding the placement or installation of speed detection systems consistent with the requirements of Section 316.0776(2)(b), Florida Statutes, as such may be amended from time to time.
- (F) *Reporting.* The City's Chief of Police, or designee, shall comply with the reporting requirements of Section 316.0776(3)(c), Florida Statutes, as such may be amended from time to time.