

ORDINANCE 2025-10

AN ORDINANCE AMENDING CHAPTER 42, CITY CODE, BY CREATING ARTICLE V, SECTIONS 42-140 THROUGH 42-145, , SCHOOL SPEED ZONE INFRACTIONS BY USE OF ENFORCEMENT CAMERAS, WHICH AUTHORIZES A SCHOOL SPEED ZONE SPEED ENFORCEMENT PROGRAM AND USE OF SPEED DETECTION SYSTEMS, PROVIDING PROGRAM IMPLEMENTATION REQUIREMENTS, DESIGNATION OF SCHOOL ZONES AND ENFORCEMENT; PROVIDING LEGISLATIVE FINDINGS, SEVERABILITY, CODIFICATION, CORRECTION OF SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

WHEREAS, the City of Palatka ("City") possesses broad home rule powers granted under the State of Florida Constitution and pursuant to the grant of power set forth in §2(b), Article VIII of the State Constitution, the legislative body of each municipality has the power to enact legislation concerning any subject matter upon which the Florida Legislature may act, unless otherwise prohibited or preempted; and

WHEREAS, on April 28, 2023, the Florida Legislature passed CS/C/HB 657 ("HB 657"), authorizing municipalities to enforce the applicable speed limit on a roadway properly maintained as a school zone through the use of a Speed Detection System; and

WHEREAS, on May 31, 2023, HB 657 was signed into law under Chapter 2023-174, Laws of Florida, taking effect on July 1, 2023; and

WHEREAS, HB 657 provides that a municipality may issue Notices of Violation and may authorize a law enforcement officer or traffic infraction enforcement officer to issue uniform traffic citations for violations of §316.1895 and §316.183, Florida Statutes, that are captured by speed detection systems during specified time periods and further provide for notice to the registered owner of the subject vehicle, a hearing procedure, appellate remedies and the assessment and remittance of civil penalties and costs; and

WHEREAS, HB 657 requires municipalities that elect to operate a school speed zone detection program to implement a public awareness campaign at least 30 days before commencing with the enforcement of violations and to annually report information about the program to both the public and the Florida Department of Highway Safety and Motor Vehicle; and

WHEREAS, the City wishes to deter drivers from speeding through school zones and provide a supplemental means for the enforcement of unlawful speed violations by enacting an ordinance to implement a school zone speed enforcement program; and

WHEREAS, the City must determine the appropriate speed detection system vendor and procure such a vendor to assist with the City's school zone speed enforcement program in cooperation with the relevant City staff, and in conformance with all requirement set forth in HB 657; and

WHEREAS, the School Zone Speed Detection Systems provides data and evaluation criteria to support a finding that schools, and associated school zones, have a heightened safety risk; and

WHEREAS, based on the traffic data and other evidence, the City determined that schools set forth in this Ordinance have a heightened safety risk which supports the installation of school speed zone safety cameras, and

WHEREAS, as part of the public hearing on this matter, the City Commission of the City of Palatka has considered the data and other evidence provided by City staff supporting the installation and operation of speed detection systems on roadways maintained as school zones and has determined that each school zone where a speed detection system is to be placed or installed constitutes a heightened safety risk that warrants additional enforcement measures on the roadway maintained as a school zone; and

WHEREAS, the City Commission finds that motor vehicles speeding on a roadway maintained as a school zone before, during, and after school hours is a hazard that threatens the health, safety, and welfare of students and pedestrians in the City, and that enforcement of applicable speed limits in school zones before, during, and after school session through the use of a speed detection system may reduce safety risks in school zones, City Commission approves the implementation of a school zone speed detection program pursuant to the rules and regulations of HB 657 and other applicable state law.

BE IT ENACTED BY THE PEOPLE OF THE CITY OF PALATKA, FLORIDA:

Section I. The City of Palatka Municipal Code Chapter 42, Article V, Sections 1-6 shall be created to read as set forth in Exhibit A attached hereto and by this reference incorporated herein.

Section II. All ordinances or parts of ordinances in conflict therewith are hereby repealed to the extent of such conflict.

Section III. If any section or portion of a section or subsection of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or portion of a section, subsection, or part of this ordinance.

Section IV. EFFECTIVE DATE: This Ordinance shall take effect upon adoption.

Section V. A copy of this Ordinance shall be furnished to the Municipal Code Corporation for insertion in the Code of Ordinances for the City of Palatka, Florida.

Section VI. SCRIVENER'S ERRORS: The City Manager or designee, without public hearing, is authorized to correct any typographical scrivener's errors, which do not affect the intent of this Ordinance. A corrected copy shall be posted in the public record by the City Clerk.

PASSED on first reading by the City Commission of the City of Palatka, Florida, on the ____ day of February, 2025.

PASSED AND ADOPTED on the second reading by the City Commission of the City of Palatka, Florida, this ____day of March, 2025.

CITY OF PALATKA

By: _____

Its MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM AND LEGALITY:

CITY ATTORNEY

EXHIBIT A

SCHOOL SPEED ZONE INFRACTIONS

Section

42.140	Intent, purpose, scope
42.141	Definitions
42.142	Use of Speed Detection Systems
42-143	Program Administration
42-144	Program Implementation Requirements
42-145	Designation of School Zones

SEC. 42-140. INTENT, PURPOSE, SCOPE

The intent of this section is to protect the health, safety, and welfare of the citizens of Palatka by authorizing the placement or installation and use of speed detection systems on roadways maintained as a school zone as authorized under F.S. § 316.008, pursuant to F.S. § 316.1895, within the jurisdiction of the city, to promote compliance with speed limits in school zones, and to adopt a quasi-judicial system to enforce violations. This section provides a supplemental means of enforcing unlawful speed violations in school zones and shall not prohibit a law enforcement officer from issuing a uniform traffic citation for a traffic violation in accordance with F.S. Ch. 316.

SEC. 42-141. DEFINITIONS

For the purposes of this section, the following terms shall have the meanings given below:

- *Hearing Procedures:* The procedures set forth under F.S. § 316.1896, governing noticing, scheduling, and conducting hearings before a local hearing officer.
- *Law Enforcement Officer:* As defined by F.S. § 943.10(1), any person who is elected, appointed, or employed full-time by a municipality or the state or any political subdivision thereof; who is vested with authority to bear arms and make arrests; and whose primary responsibility is the prevention and detection of crime or the enforcement of the penal, criminal, traffic, or highway laws of the state.

- *Motor Vehicle*: As defined by F.S. § 316.003, 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.
- *Notice of Violation*: The written notification sent to the registered owner of a vehicle after a school zone speed infraction by that vehicle has been captured by a Speed Detection System and thereafter reviewed and approved by a law enforcement officer or traffic infraction enforcement officer. A notice of violation must be in the form and include the contents prescribed by F.S. § 316.1896.
- *School Zone*: That portion of a street or highway established as a school zone pursuant to F.S. § 316.1895.
- *School Zone Speed Enforcement Program*: The regulations and procedures governing the use of Speed Detection Systems on roadways maintained as a School Zone within the jurisdiction of the City, as provided for by applicable law and established by this section.
- *School Zone Speed Infraction*: A violation of F.S. § 316.183 or 316.1895, captured by a Speed Detection System on a roadway maintained as a School Zone during the hours provided for by applicable law and set forth in this section.
- *Speed Detection System*: 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 F.S. § 316.003(83), as it may be amended.
- *Traffic Infraction Enforcement Officer*: A person who meets the qualifications established by F.S. § 316.640.
- *Uniform Traffic Citation*: The citation issued to the registered owner of a vehicle for a school zone speed infraction, in the form and including the contents prescribed by F.S. §§ 316.1896 and 316.650.

SEC. 42-142. USE OF SPEED DETECTION SYSTEMS

Pursuant to F.S. § 316.008(9), the City of Palatka elects to use speed detection systems on roadways properly maintained as a school zone to enforce speed limits within the city's jurisdiction. The city may utilize speed detection systems as a supplemental means of assisting law enforcement personnel in the enforcement of compliance with state law related to unlawful speed in school zones, in accordance with F.S. Ch. 316.

SEC. 42-143. PROGRAM ADMINISTRATION

(1) The Palatka Police Department in cooperation with any necessary city staff and any approved vendor and its employees and agents, shall be enabled and empowered by this section to assist with the City's school zone speed enforcement program.

(2) The city may utilize a Code Enforcement Hearing Officer/Special Magistrate, and/or its Code Enforcement Board as its local hearing officer, who shall have jurisdiction to conduct proceedings challenging the issuance of a notice of violation.

SEC. 42-144. PROGRAM IMPLEMENTATION REQUIREMENTS

(1) *Vendor Contract*: The City Commission shall approve any contract for placement or installation of a speed detection system in a school zone in accordance with F.S. § 316.0776.

(2) *Installation and Operation of Speed Detection Systems*: Speed Detection Systems may only be installed and operated in the School Zones designated by this section.

(3) *Signage Requirements*: Signage related to speed detection systems shall comply with F.S. Ch. 316, Florida Department of Transportation, and Florida Department of Highway Safety and Motor Vehicles regulations.

SEC. 42-145. DESIGNATIONS OF SCHOOL ZONES

Based on data showing heightened safety risk, school zones for initial installation of speed detection systems include:

- Palatka High School – Mellon Rd & St. Johns Avenue (NB/SB)
- Putnam Academy of Arts & Sciences – 310 S. Palm Avenue

Additional school zones may be added at the sole discretion of the Chief of Police based upon demonstrable data showing heightened safety risks.

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PASSED on first reading by the City Commission of the City of Palatka, Florida, on the 13th day of March, 2025.

PASSED AND ADOPTED on the second reading by the City Commission of the City of Palatka, Florida, this 27th day of March, 2025.

CITY OF PALATKA

By:  

Its MAYOR

ATTEST:



CITY CLERK

APPROVED AS TO FORM AND LEGALITY:



CITY ATTORNEY



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