**ORDINANCE NO. 2023-18**

**AN ORDINANCE OF THE CITY OF THE CITY OF HIGH SPRINGS, FLORIDA ADDING SECTIONS 74-6 THROUGH 74-8; SCHOOL ZONE SPEED INFRACTIONS; ADOPTING FINDINGS; PROVIDING FOR USE OF TRAFFIC INFRACTION DETECTORS IN ACCORDANCE WITH STATE LAW; PROVIDING FOR A LOCAL HEARING OFFICER; REPEALING ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS,** the Florida Legislature passed CS/CS/HB 657 during the 2023 Legislative Session, amending certain provisions of State law governing the use of automated Speed Detection Systems (SDS) in School Zones; and

**WHEREAS,** CS/CS/HB 657 became law on June 1, 2023, resulting in Law of Florida 2023-174 taking effect on July 1, 2023 and codified at s 316.003, F.S., 316.008, F.S., and 316.0776, F.S.; and

**WHEREAS,** speeding in School Zones presents a threat to the health and safety of the public and in particular the children in this City; and

**WHEREAS,** consistent with s. 316.008(c), in consideration of this program the City has considered traffic data at a public hearing demonstrating a significant safety need; and

**WHEREAS,** the City Commission of the City of High Springs wishes to implement an automated SDS program in school zones in order to reduce speeding and benefit public safety;

**NOW THEREFORE, BE IT ORDAINED BY THE PEOPLE OF HIGH SPRINGS, FLORIDA, as follows:**

**SECTION 1. Recitals Adopted.** The foregoing findings are true and correct and are made a part hereof and incorporated herein by reference.

**SECTION 2.**

**(a). Use of Automated Speed Detection Systems Pursuant to State Law.**  The City of High Springs hereby elects to commence the use of Automated Speed Detection Systems in school zones within its jurisdiction in accordance with the provisions of State law, including Chapter 316, Florida Statutes. The City Authorizes the placement of SDS within Municipal School Zones, in accordance with Chapter 316, Florida Statutes.

**(b). Collection of Use of Incidental Video.** In order to provide fair and even enforcement of school zone speed, the City prefers video-based enforcement over “still-photograph” enforcement for the dual purposes of reducing camera obstructions and for the benefit of having lane-specific video, which may be used for determining civil or criminal liability for incidents captured incidental to speed enforcement, in accordance with s. 316.1896(15)(a), Laws of Florida 2023-174.

**SECTION 3. Amendment of City Code.** Sections 74-6 through 74-8 of the City Code are hereby added:

**Sec. 74-6. Use of Automated Speed Detection Systems (SDS) Pursuant to Chapter 316, Florida Statutes.**

The City of High Springs shall utilize Automated Speed Detection Systems (SDS) consistent with and pursuant to all applicable provisions of State law in order to detect, process and penalize speeding in school zones under the Florida Uniform Traffic Control Law. The use of SDS shall be deemed a supplemental means of enforcing the Florida Uniform Traffic Control 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. 74-7. Designation of Local Hearing Officers.**

Local Hearing Officers from the Special Magistrate are hereby designated to conduct hearings requested by alleged violators wishing to contest a notice of violation detected by SDS in accordance with Chapter 316, Florida Statutes.

**Sec 74-8. Determination of Safety Need.**

Automated Speed Detection Systems are authorized for use at the following locations, based upon the Commission’s finding 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:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(This list may be expanded by a Further Ordinance).

**SECTION 4. Repeal of Conflicting Ordinances.** All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 5. Severability.** If any word, sentence, clause, phrase, or provision of this Ordinance, for any reason, is held to be unconstitutional, void, or invalid, the validity of the remainder of this Ordinance shall not be affected thereby.

**SECTION 6. Effective Date.** This Ordinance shall become effective immediately upon its passage.

**SECTION 7.** **Adoption by Reference.** Chapter 316, Florida Statutes provisions for SDS are hereby incorporated by Reference.

DONE THE FIRST READING, by the City Commission of the City of High Springs, Florida, at a regular meeting, this \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2023.

DONE, THE PUBLIC NOTICE, in a newspaper of general circulation in the City of High Springs, Florida, by the City Clerk of the City of High Springs, Florida on the \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2023. 

DONE THE SECOND READING, AND ADOPTED ON FINAL PASSAGE, by an affirmative vote of a majority of a quorum present of the City Commission of the City of High Springs, Florida, at a regular meeting, this \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2023.

**BY THE MAYOR OF THE CITY OF HIGH SPRINGS, FLORIDA**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Katherine Weitz, Mayor

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| **ATTEST, BY THE CLERK OF THE**  **CITY COMMISSION OF THE CITY OF**  **HIGH SPRINGS, FLORIDA:**    \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Angela Stone, City Clerk | **APPROVED AS TO FORM AND**  **LEGALITY:**    \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  S. Scott Walker, City Attorney |