

ORDINANCE
NUMBER 2025-

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; AMENDING CHAPTER 2-4, ARTICLE I, SECTION 2-4-12 OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA, AUTHORIZING THE PLACEMENT AND INSTALLATION OF SPEED DETECTION SYSTEMS ON ROADWAYS MAINTAINED AS SCHOOL ZONES; PROVIDING FOR CODIFICATION; PROVIDING FOR PENALTIES FOR VIOLATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, Section 316.008(9)(a)(4), Florida Statutes provides that the County may enforce the applicable speed limit on a roadway properly maintained as a school zone "within 30 minutes before through 30 minutes after the end of a regularly scheduled school session 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, Section 316.008(c), Florida Statutes(c) provides that a "county or municipality 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 as authorized by this subsection"; and

WHEREAS, the statute further provides that "as part of the public hearing on such proposed ordinance, the county or municipality must consider traffic data or other evidence supporting the installation and operation of each proposed school zone speed detection system, and the county or municipality 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 pursuant to this subsection";

and

WHEREAS, Section 316.008(b), Florida Statutes, authorizes “a county or municipality [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”; and

WHEREAS, Section 316.0776(3), Florida Statutes requires that a “speed detection system may be placed or installed in a school zone on a street or highway under the jurisdiction of a county or a municipality in accordance with placement and installation specifications established by the [Florida] Department of Transportation”; and

WHEREAS, Section 316.0776(3)(a) requires that a county that places or installs a speed detection system must notify the public that a speed detection system may be in use by posting signage indicating photographic or video enforcement of the school zone speed limits and other related requirements; and

WHEREAS, Section 316.0776(3)(a) requires that a county a county that has never conducted the above described program must make a public announcement and conduct a 30-day public awareness campaign of the proposed use of speed detection systems and must notify the public of the specific date on which the program will commence; and

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

WHEREAS, a county may authorize a traffic infraction enforcement officer under

Section 316.640, Florida Statutes, to issue uniform traffic citations for violations of section 316.1895 and 316.183 as authorized by section 316.008(9), and further regulates how such notices of violations shall be sent and what information such notices must include; and

WHEREAS, the related statutes provide for penalties to 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, a county 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, the Board of County Commissioners held the requisite hearing on _____, 2025 and finds that the evidence of heightened safety risk, which warrants additional enforcement measures, including the installation of school speed zone detection systems at the school zone locations described herein; and

WHEREAS, enforcement of speed limits in school zones with law enforcement officers alone can be difficult, as in the time a law enforcement officer has stopped and cited a speeding driver, other motorists can commit speeding violations and avoid citation; and

WHEREAS, given that speeding in school zones creates an detrimental hazard for students, and that enforcement of applicable speed limits in school zones during sessions through the use of a speed detection system may reduce instances of speeding in school zones and enhance the welfare and safety of students across Charlotte County, the Board desires to implement a school zone speed detection

79 system program to enforce applicable speed limits in school zones during school
80 sessions through the use of a speed detection systems.

81 NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners
82 of Charlotte County, Florida, that:

83 Section 1. Chapter 2-4, Article I, of the Charlotte County Code of Laws and
84 Ordinances is hereby created as set forth in Charlotte County Code Section 2-4-12 (the
85 underlined provisions below are added to the Code):

86 **Sec. 2-4-12. Speed detection systems for enforcement of school zone speed limits.**

87
88 1. Purpose and Intent. The purpose of this Ordinance is to authorize
89 and implement the use of speed detection systems to enforce applicable speed
90 limits in roadways properly maintained as school zones. as authorized by and in
91 accordance Sections 316.008 and 316.0776, Florida Statutes, as such may be
92 amended from time to time, to promote traffic safety and student welfare.

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94 2. Use of Speed Detection Systems. In accordance with law, Charlotte
95 County exercises its authority to authorize placement or installation of speed
96 detection systems to enforce applicable speed limits on roadways maintained as
97 school zones within Charlotte County. The County Administrator, or his/her
98 designee, is hereby authorized to implement speed detection systems within
99 Charlotte County consistent with the placement and installation specifications
100 established by the Florida Department of Transportation. as such may be amended
101 from time to time. to enforce unlawful speed violations. as specified in Sections
102 316.1895 and 316.183, Florida Statutes on roadways maintained as school zones.
103 The authority granted under this section is subject always to the county's budget
104 procedures and all funding must be approved by the Board of County
105 Commissioners before such spending may be obligated or expended.

106
107 3. Determination of Heightened Safety Risk. Having considered traffic
108 data or other evidence supporting the installation and operation of each proposed
109 school zone speed detection system, Charlotte County determines that the
110 following school zones, including the entrances and exits to the school facilities,
111 where a speed detection system is to be placed or installed constitute a heightened
112 safety risk that warrants additional enforcement measures pursuant to Section
113 316.008(9), Florida Statutes:

114
115 **Elementary Schools**

- 116 a. Deep Creek Elementary School
117 26900 Harbor View Rd.

- 118 Port Charlotte, FL 33983
119
120 b. East Elementary School
121 27050 Fairway Dr.
122 Punta Gorda, FL 33982
123
124 c. Kingsway Elementary School
125 23300 Quasar Blvd.
126 Port Charlotte, FL 33980
127
128 d. Liberty Elementary School
129 370 Atwater St.
130 Port Charlotte, FL 33954
131
132 e. Meadow Park Elementary School
133 750 Essex Ave.
134 Port Charlotte, FL 33948
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136 f. Myakka River Elementary School
137 12650 Wilmington Blvd.
138 Port Charlotte, FL 33981
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140 g. Neil Armstrong Elementary School
141 22100 Breezeswept Ave.
142 Port Charlotte, FL 33952
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144 h. Peace River Elementary School
145 4070 Beaver Ln.
146 Port Charlotte, FL 33952
147
148 i. Vineland Elementary School
149 467 Boundary Blvd.
150 Rotonda West, FL 33947
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152 **Middle Schools**

- 153 j. Murdock Middle School
154 17325 Mariner Way
155 Port Charlotte, FL 33948
156
157 k. L.A. Ainger Middle School
158 245 Cougar Way
159 Rotonda West, FL 33947
160
161 l. Port Charlotte Middle School
162 23000 Midway Blvd.
163 Port Charlotte, FL 33952

164 **High Schools**

- 165 m. Lemon Bay High School
166 2201 Placida Rd.
167 Englewood, FL, 34224
168
169 n. Port Charlotte High School
170 18200 Cochran Blvd.
171 Port Charlotte, FL 33948
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173 **Private Schools**

- 174 o. Babcock Neighborhood School
175 43301 Cypress Parkway
176 Babcock Ranch, FL 33982
177
178 p. Charlotte Preparatory School
179 365 Orlando Blvd.
180 Port Charlotte, FL 33954
181
182 q. Family Christian Academy
183 20035 Quesada Ave.
184 Port Charlotte, FL 33952
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186 r. St. Charles Borromeo Catholic School
187 21505 Augusta Ave.
188 Port Charlotte, FL 33952
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190 4. Traffic Infraction Enforcement Officers. Pursuant to Section
191 316.1896, Florida Statutes, a traffic infraction enforcement officer under Section
192 316.640, Florida Statutes, is authorized to issue uniform traffic citations for
193 violations of Section 316.1895 and 316.183, Florida Statutes as authorized by
194 Section 316.008(9), Florida Statutes.
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196 5. Notices, Penalties, and Appeals. The Office of the Sheriff or
197 designee shall provide notices of violations, assess penalties, remit applicable
198 portions of assessed penalties, and provide for appeals consistent with the
199 requirements of applicable law.
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201 6. Signage and Public Awareness Campaign. The County
202 Administrator, or his/her designee, shall post signage and conduct a public
203 awareness campaign regarding the placement or installation of speed detection
204 systems consistent with the requirements of applicable law.
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206 7. Reporting. The County Administrator, or his/her designee, shall
207 comply with the reporting requirements of applicable law.
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209 Section 2. The publisher of this County's Code is directed to incorporate the
210 amendments described in this ordinance into Chapter 2-4 of the Code as provided herein.

211 Section 3. Violations of this Ordinance, and the penalties therefor, shall be as
212 provided by general law.

213 Section 4. If any clause, phrase, provision, section or sentence of this Ordinance
214 is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity
215 or unconstitutionality shall not be construed as to render invalid or unconstitutional the
216 remaining provisions of this Ordinance.

217 Section 5. This Ordinance shall take effect pursuant to law.

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PASSED AND DULY ADOPTED this 9th day of September, 2025.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: _____
Joseph M. Tiseo, Chairman

ATTEST:
Roger D. Eaton, Clerk of the Circuit
Court and Ex-officio Clerk to the
Board of County Commissioners

By: _____
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

By: _____
Janette S. Knowlton, County Attorney
LR25-0461 