

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF HOLLYWOOD, FLORIDA, AMENDING TITLE VII OF THE CODE OF ORDINANCES ENTITLED "TRAFFIC CODE" BY CREATING CHAPTER 78 ENTITLED "SPEED DETECTION SYSTEMS IN SCHOOL ZONES"; PROVIDING FOR USE OF TRAFFIC INFRACTION DETECTORS IN ACCORDANCE WITH STATE LAW; PROVIDING FOR A LOCAL HEARING OFFICER; PROVIDING A REPEALER PROVISION AND SEVERABILITY.

WHEREAS, during the 2023 Legislative Session, the Florida Legislature passed CS/CS/HB 657, amending certain provisions of state law governing the use of automated Speed Detection Systems ("SDS") in School Zones, which became law effective July 1, 2023, and was codified at sections 316.003, 316.008, and 316.0776, Florida Statutes; and

WHEREAS, speeding in designated school zones presents a threat to the health and safety of the public, and in particular, all school aged children who attend schools in the City; and

WHEREAS, consistent with the requirements of section 316.008(9)(c), Florida Statutes, in consideration of creating a speed detection system, the City held a public hearing at which traffic data demonstrated a significant safety need for traffic infraction detectors; and

WHEREAS, the City desires 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 CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA:

Section 1: That the foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are incorporated in this Ordinance.

Section 2: That Chapter 78 of the Code of Ordinances entitled "SPEED DETECTION SYSTEMS IN SCHOOL ZONES" is hereby created to read as follows<sup>1</sup>:

<sup>1</sup> Coding: ~~Struck through~~ words are deletions from existing text; underscored words are additions to existing text.

## TITLE VII: TRAFFIC CODE

\* \* \*

### **CHAPTER 78. SPEED DETECTION SYSTEMS IN SCHOOL ZONES**

(A) Use of Automated Speed Detection Systems Pursuant to State Law. The City elects to commence the use of Automated Speed Detection Systems (“SDS”) in school zones within its jurisdiction in accordance with the provisions of state law, including Chapter 316, Florida Statutes, and authorizes the placement of SDS within City School Zones in accordance with Chapter 316, Florida Statutes.

(B) Collection and Use of Incidental Video. In order to provide fair and even enforcement of school zone speeds, the City prefers to utilize 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 section. 316.1896(15)(a), Laws of Florida 2023-174.

(C) Use of Automated Speed Detection Systems. The City shall utilize SDS consistent with and pursuant to all applicable provisions of state law in order 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.

(D) Designation of Local Hearing Officers. City Special Magistrates, as Local Hearing Officers, are designated to conduct hearings requested by alleged violators wishing to contest notices of violation detected by SDS in accordance with Chapter 316, Florida Statutes.

(E) Determination of Safety Need. SDS are authorized for use at the following locations, based upon the City Commission’s finding that the school zones where speed detection systems are to be placed or installed constitute a heightened safety risk that warrant additional enforcement measures:

<b><u>School</u></b>	<b><u>Address</u></b>
<u>Apollo Middle School</u>	<u>6800 Arthur St</u>
<u>Attucks Middle School</u>	<u>3500 N. 22nd Ave</u>
<u>Avant Garde Academy</u>	<u>2025 McKinley St</u>
<u>Beachside Montessori</u>	<u>2230 Lincoln St</u>
<u>Beacon Hill School</u>	<u>7600 Davie Road Extension</u>

<b><u>School</u></b>	<b><u>Address</u></b>
<u>Ben Gamla Charter School</u>	<u>2620 Hollywood Bl</u>
<u>Bethune Elementary</u>	<u>2400 Meade St</u>
<u>Boulevard Heights Elementary</u>	<u>7201 Johnson St</u>
<u>Chaminade High School</u>	<u>500 E. Chaminade Drive</u>
<u>Championship Academy</u>	<u>1100 Hillcrest Dr</u>
<u>Colbert Elementary</u>	<u>2702 Funston St</u>
<u>Driftwood Elementary</u>	<u>2700 N. 69th Ave</u>
<u>Driftwood Middle School</u>	<u>2751 N. 70th Terr</u>
<u>Hollywood Academy of Arts</u>	<u>1720 Harrison Street</u>
<u>Hollywood Central Elementary</u>	<u>1700 Monroe St</u>
<u>Hollywood Hills Elementary</u>	<u>3501 Taft St</u>
<u>Hollywood Hills High School</u>	<u>5400 Stirling Rd</u>
<u>Hollywood Park Elementary</u>	<u>901 N. 69th Way</u>
<u>International School of Broward</u>	<u>3100 N 75th Ave</u>
<u>International Studies Academy</u>	<u>2650 Van Buren St</u>
<u>Little Flower School</u>	<u>1843 Pierce Street</u>
<u>McArthur High School</u>	<u>6501 Hollywood Blvd</u>
<u>McNicol Middle School</u>	<u>1602 S. 27th Ave</u>
<u>Nativity School</u>	<u>5200 Johnson Street</u>
<u>Oakridge Elementary</u>	<u>1507 N. 28th Ave</u>
<u>Orangebrook Elementary</u>	<u>715 S. 46th Ave</u>
<u>Paragon Academy of Technology/ Sunshine Elementary Charter</u>	<u>502 N 28th Ave</u>
<u>Sheridan Hills Elementary</u>	<u>5100 Thomas St</u>
<u>Sheridan Park Elementary</u>	<u>2310 N. 70th Terr</u>
<u>South Broward High School</u>	<u>1901 N. Federal Hwy</u>
<u>Stirling Elementary</u>	<u>5500 Stirling Rd</u>
<u>West Hollywood Elementary</u>	<u>6301 Hollywood Blvd</u>

AN ORDINANCE OF THE CITY OF HOLLYWOOD, FLORIDA, CREATING CHAPTER 78 OF THE CODE OF ORDINANCES ENTITLED "SPEED DETECTION SYSTEMS IN SCHOOL ZONES".

Section 3: That it is the intention of the City Commission and it is ordained that the provisions of this Ordinance shall be made a part of the Code of Ordinances of the City of Hollywood, Florida, and the sections of the Code may be renumbered to accomplish such intention.

Section 4: That if any word, phrase, clause, subsection or section of this Ordinance is for any reason held unconstitutional or invalid, such invalidity shall not affect the validity of any remaining portions of this Ordinance.

Section 5: That all sections or parts of sections of the Code of Ordinances, all ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict are repealed to the extent of such conflict.

Section 6: That this Ordinance shall be in full force and effect immediately upon its passage and adoption.

Advertised \_\_\_\_\_, 2024.

PASSED on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

PASSED AND ADOPTED on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
JOSH LEVY, MAYOR

ATTEST:

\_\_\_\_\_  
PATRICIA A. CERNY, MMC  
CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
DOUGLAS R. GONZALES  
CITY ATTORNEY