



City of North Port

ORDINANCE NO. 2025-19

1 **AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, PROVIDING FOR USE OF SPEED**
2 **DETECTION SYSTEMS IN SCHOOL ZONES, DESIGNATING LOCAL HEARING OFFICERS TO**
3 **CONDUCT HEARINGS ON CONTESTED VIOLATIONS AND DETERMINING SCHOOL ZONES**
4 **WHERE SPEED DETECTION SYSTEMS WILL BE PLACED; AMENDING THE CODE OF THE**
5 **CITY OF NORTH PORT, FLORIDA, BY ADDING SECTION 74-31; PROVIDING FOR FINDINGS;**
6 **PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR**
7 **CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

8
9 **WHEREAS**, pursuant to Chapter 166, Florida Statutes, and Article VIII of the Florida Constitution, the
10 legislative body of each municipality is vested with the authority to enact ordinances necessary to protect
11 the health, safety, and welfare of its residents; and
12

13 **WHEREAS**, on July 1, 2023, House Bill 657 (HB 657), as codified under Chapter 2023-174 of the Laws of
14 Florida, went into effect, authorizing municipalities to use speed detection systems in accordance with
15 certain technical specifications established by the Florida Department of Transportation to enforce the
16 speed limit in a school zone at specified periods; and
17

18 **WHEREAS**, HB 657 provides that the city may issue notices of violation and may authorize a law
19 enforcement officer or traffic infraction enforcement officer to issue uniform traffic citations for violations
20 of sections 316.1895 and 316.183, Florida Statutes, that are captured by Speed Detection Systems during
21 specified time periods and further provides for notice to the registered owner of the subject vehicle,
22 hearing procedures, appellate remedies, and the assessment and remittance of civil penalties; and
23

24 **WHEREAS**, prior to utilizing speed detection systems to enforce eligible school zone speeding violations
25 within its jurisdiction, municipalities are required to adopt an ordinance authorizing the placement and
26 installation of speed detection systems and creating administrative and enforcement procedures for the
27 use of speed detection systems at designated school zones; and
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29 **WHEREAS**, based upon the relevant traffic data and other evidence presented, the City of North Port,
30 Florida has determined that each school zone where a speed detection system is to be placed or installed
31 constitutes a heightened safety risk that warrants additional enforcement measures; and
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33 **WHEREAS**, the City Commission approves the implementation of the school zone speed detection
34 program pursuant to the rules and regulations of HB 657 and other applicable state laws.
35

WHEREAS, the City Commission finds that these amendments serve the public health, safety, and welfare of the citizens of the City of North Port, Florida.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA:

SECTION 1 – FINDINGS

- 1.01 The above recitals are true and correct and are incorporated in this ordinance by reference.
- 1.02 Pursuant to Florida Statutes Section 166.041(4)(c), a business impact estimate was not required because this ordinance is required for compliance with federal or state law or regulation and is required to implement a contract or an agreement, including but not limited to, any federal, state, local or private grant, or other financial assistance accepted by the municipal government.

SECTION 2 – ADOPTION

- 2.01 Chapter 74 of the Code of the City of North Port, Florida is hereby amended as follows:

“Chapter 74 – TRAFFIC AND VEHICLES

...

ARTICLE II. – ADMINISTRATION AND ENFORCEMENT

...

Sec. 74-31. – Speed Detection Systems for Enforcement of School Zone Speed Limits.

- (a) Speed Detection Systems. Speed Detection Systems shall be used 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. This section shall further enable the City to enter into 164 agreements with one (1) or more vendors to place or install speed detection 165 systems and carry out services consistent with the implementation and 166 enforcement of the provisions of Chapter 2023-174, Laws of Florida, subject to 167 any other applicable state or local legal requirements or this section.
- (b) Use of Speed Detection System. In accordance with Chapter 316, Florida Statutes, the City exercises its authority to authorize placement or installation of speed detection systems to enforce applicable speed limits on roadways maintained as school zones within the City of North Port’s jurisdiction. Use of such systems shall comply with Chapter 316, Florida Statutes, including but not limited to the requirements and procedures for the collection of evidence, public records and retention, enforcement powers and procedures, review of the photograph or video images from the speed detection system, notice of violation issuance, hearing procedures and appeals, defenses and penalties. The use of Speed Detection Systems 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.
- (c) Traffic Infraction Enforcement Officers. Pursuant to Section 316.1896, Florida Statutes, a traffic infraction enforcement officer under Section 316.640 Florida Statutes is

authorized to issue a uniform traffic citation(s) for violations of Sections 316.1895 and 316.183, Florida Statutes, as authorized by 316.008(9) Florida Statutes.

(d) Notice of violation. A written notification shall be sent to the registered owner of a vehicle after a school zone speed infraction by the vehicle has been captured by the 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 Florida Statutes Section 316.1896.

(e) Designation of Local Hearing Officer. The City may utilize a Code Enforcement Hearing Officer/Special Magistrate as its Local Hearing Officer to conduct hearings requested by alleged violators wishing to contest a notice of violation detected by Speed Detection Systems in accordance with Chapter 316, Florida Statutes.

(f) Determination of Safety Need. Automated Speed Detection Systems are authorized for use at the following locations, based upon the Commission's findings 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:

1. Toledo Blade Elementary School;
2. Glenallen Elementary School;
3. Cranberry Elementary School;
4. North Port High School/Heron Creek Middle School;
5. Woodland Middle School;
6. College Preparatory School at Wellen Park;
7. Lamarque Elementary School;
8. Atwater Elementary School;
9. Imagine School(s) at North Port;
10. Heron Creek Middle School
11. All future schools in the City of North Port.

(g) Signage requirements. The installation and operation of speed detection systems, including require signage, shall be in accordance with Chapter 316, Florida Statutes all applicable regulations of the Florida Department of Transportation and the Florida Department of Highway Safety and Motor Vehicles.

..."

SECTION 3 – CONFLICTS

3.01 In the event of any conflict between the provisions of this ordinance and any other ordinance, in whole or in part, the provisions of this ordinance will prevail to the extent of the conflict.

SECTION 4 – SEVERABILITY

4.01 If a court of competent jurisdiction finds that any section, subsection, sentence, clause, phrase, or provision of this ordinance is for any reason invalid or unconstitutional, that provision will be deemed a separate, distinct, and independent provision and will not affect the validity of the remaining portions of the ordinance.

SECTION 5 – CODIFICATION

5.01 In this ordinance, additions are shown as underlined and deletions as ~~striketrough~~. Any additional codification information and notations appear in *italics*. These editorial notations are not intended to appear in the codified text.

SECTION 6 – EFFECTIVE DATE

6.01 This ordinance takes effect immediately upon adoption.

READ BY TITLE ONLY at first reading by the City Commission of the City of North Port, Florida, in public session on September 9, 2025.

ADOPTED by the City Commission of the City of North Port, Florida, on the second and final reading in public session on September 23, 2025.

CITY OF NORTH PORT, FLORIDA

PHIL STOKES
MAYOR

ATTEST

HEATHER FAUST, MMC
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS

MICHAEL GOLEN, CPM
INTERIM CITY ATTORNEY