

**CITY OF DAVENPORT FACT SHEET
CITY COMMISSION**

DATE: April 13, 2026

TO: Vice-Mayor Jeremy Clark, Davenport City Commission

VIA: Kelly Callihan, City Manager

FROM: Steve Parker, Chief of Police

SUBJECT: Public Hearing and Second and Final Reading of Ordinance No. 1445 amending Chapter 11 of City Code to include Article VI titled, "Traffic Infraction Detection Devices," and Article VII titled, "School Zone Speed Limit Detection Systems."

BACKGROUND: The City of Davenport has determined a heightened traffic safety risk exists at various intersections and school zones within the community, specifically speeding in school zones and red light violations. Enforcement of a city ordinance addressing this dangerous trend is necessary for the safety of the public.

The State of Florida has enacted laws that authorize municipalities to create a traffic safety program that includes installation of speed detection systems in designed school zones and traffic infraction detectors at intersections to address this growing concern. Section 316.008 and Section 316.0083, Florida Statutes, require municipalities to enact a local ordinance authorizing placement and operation of a school zone speed detection system and traffic infraction detector system.

The City Commission has previously passed Ordinance 1445 on first reading.

FINANCIAL IMPACT: There is no financial impact to the City.

RECOMMENDATION: Approve on second and final reading City Ordinance No. 1445.

ATTACHMENTS:

- Ordinance No. 1445, amending Chapter 11 of City Code to include Article VI titled, "Traffic Infraction Detection Devices," and Article VII titled, "School Zone Speed Limit Detection Systems."

ORDINANCE NO. 1445

AN ORDINANCE OF THE CITY OF DAVENPORT, FLORIDA; AMENDING THE DAVENPORT CODE OF ORDINANCES, CHAPTER 11, "MOTOR VEHICLES AND TRAFFIC," TO INCLUDE A NEW ARTICLE VI, "TRAFFIC INFRACTION DETECTION DEVICES AND SCHOOL ZONE SPEED LIMIT DETECTION SYSTEMS;" PROVIDING FOR PURPOSE AND INTENT; PROVIDING DEFINITIONS; AUTHORIZING THE USE OF TRAFFIC INFRACTION DETECTORS; AUTHORIZING THE USE OF SCHOOL ZONE SPEED LIMIT DETECTION SYSTEMS; DESIGNATING A TRAFFIC ENFORCEMENT OFFICER; DESIGNATING A HEARING OFFICER; PROVIDING FOR FINDINGS; PROVIDING FOR ENFORCEMENT PROCEDURES; PROVIDING FOR A BUSINESS IMPACT ESTIMATE, SEVERABILITY, CONFLICTS, CODIFICATION, AND AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF DAVENPORT, FLORIDA, AS FOLLOWS:

SECTION 1. CREATION OF ARTICLE VI, CHAPTER 11, CODE OF ORDINANCES. Chapter 11, Article VI is hereby created to read as follows:

"Chapter 11. – MOTOR VEHICLES AND TRAFFIC

ARTICLE VI – TRAFFIC INFRACTION DETECTION DEVICES AND SCHOOL ZONE SPEED LIMIT DETECTION SYSTEMS

Sec. 11-90. – Short Title.

This Article shall be known and may be cited as the "Traffic Infraction Detection Devices and School Zone Speed Limit Detection Devices Ordinance."

Section 11-91. – Findings.

In adopting this Ordinance, the City Commission of the City of Davenport, Florida (the "City") hereby makes and expresses the following findings, purposes, and intent:

(1) The City Commission finds that violations of traffic laws, including the running of red lights and speeding within school zones within the City limits, creates a hazard to the citizens of and visitors to the City.

(2) The City Commission finds that the available traffic data, speed studies, crash reports, and other competent evidence support the installation and operation of traffic infraction detectors, including red-light cameras and school zone speed limit detection systems.

(3) The City Commission finds that specific intersections and school zones where such speed detection systems will be installed constitute heightened safety risks and warrant additional enforcement measures.

(4) Devices such as traffic infraction detectors, including “red light cameras” and school zone speed limit detection systems or “speed cameras” are valuable tools to help reduce traffic violations.

(5) Sections 316.0083 and 316.1896, Florida Statutes, provide for implementation and administration of traffic citations by municipalities for infractions detected by red-light cameras and school zone speed limit detection systems, respectively.

(6) The City Commission desires to implement the usage of red-light cameras and school zone speed limit detection systems in accordance with the laws of the State of Florida.

(7) The City shall procure such devices in accordance with Sections 316.0077 and 316.0078, Florida Statutes, as amended.

(8) The City shall enact an additional ordinance to authorize the placement of such red-light cameras and school zone speed limit detection systems as required by and in compliance with Sections 316.008 and 316.0083(4)(a), Florida Statutes, as amended.

(9) The City shall comply with all annual reporting requirements pursuant to Sections 316.0083(4) and 316.1896(16)(a), Florida Statutes, as amended.

(10) The City Commission finds that the implementation and administration of such devices is necessary to ensure the health, safety, and welfare of the citizens of the City of Davenport.

Sec. 11-92. – Definitions.

The definitions as set forth in Chapter 316, Florida Statutes, as amended, shall apply to the City’s implementation and application of this Article.

Sec. 11-93. – Use of traffic infraction detectors.

The City of Davenport may use traffic infraction detectors within its jurisdictional limits to enforce, detect, process, and penalize traffic violations by utilization of traffic control devices under the Florida Uniform Traffic Control Law. The use of such detectors is 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. 11-94. – Traffic infraction enforcement officer.

The Chief of Police, or his or her designee, shall designate traffic enforcement officers. Upon receipt of information that a violation has been detected by a traffic infraction detector, and upon review of recorded images or other such data as may be gathered and verification of the accuracy of the same, the traffic enforcement officer will note the violation. Notice of violation shall be provided to the registered owner of the vehicle in accordance with F.S. § 316.0083(1)(b), as amended.

Sec. 11-95. – Implementation of general law and designation of local hearing officer.

Alleged violators who receive notices of violations are entitled to request a hearing on the same with a local hearing officer. The City shall designate a local hearing officer for the purpose of conducting hearings requested by alleged violators wishing to contest a notice of violation. The City Clerk, or his or her designee, shall serve as the clerk to the local hearing officer.

Sec. 11-96. – School Zone Speed Limit Detection System.

The City may utilize and install a speed limit detection system as a supplemental means of monitoring the speed of vehicles and assisting law enforcement personnel in the enforcement of compliance with laws related to speed limits on roadways maintained as school zones within the jurisdictional limits of the City, as permitted and provided for by general law.

Sec. 11-97. – Enforcement procedures.

All procedures related to notices of violations, hearings, penalties, and appeals shall be in accordance with Section 316.0083, Florida Statutes, as amended.

Sec. 11-98. – Placement of Detection Devices by Later Ordinance.

This Ordinance establishes the foundation for the City to use speed detection devices and red-light cameras. For any new placement of a traffic infraction detector, including both school zones and non-school zones, state statute mandates that the City consider traffic data or other evidence to determine and designate locations that present a heightened safety risk prior to installation of the devices. Until these evaluations and the supporting data and analysis for the proposed locations have been completed, the City cannot finalize the location and placement of any such devices pursuant to this Ordinance. When appropriate, the City will establish each location via separate ordinance once the traffic data or other evidence has been assimilated and reviewed in accordance with §§ 316.008(9)(c) and 316.0083(4)(a)(1), Florida Statutes, as amended.

SECTION 2. BUSINESS IMPACT ESTIMATE. Pursuant to Section 166.041(4), Florida Statutes, the City of Davenport is required to prepare a business impact estimate for certain proposed ordinances. This proposed ordinance authorizes the use of traffic

infraction detectors and school zone speed detection systems within the City in accordance with Chapter 316, Florida Statutes. Such traffic regulations (1) serve a public purpose by serving the public health, safety, morals, and welfare of the City, (2) have no direct negative economic impact on private, for-profit businesses in the City, as this Ordinance regulates traffic enforcement only and does not impose any operational or financial obligations on businesses, (3) will benefit all City residents by helping to ensure compliance with traffic laws and increasing safety in intersections and school zones, (4) will not result in direct compliance costs by businesses, (5) does not impose any new charge or fee on businesses for which businesses will be financially responsible but rather modifies the method of collection, and (6) does not create any additional municipal regulatory cost which is not recovered appropriately and lawfully by the City. Thus, it is estimated that neither residents nor any businesses will incur additional costs. The City does not seek to impose any additional user or regulatory fees or charges beyond those costs necessary to implement and administer traffic infraction detectors and school zone speed detection systems within the City, nor are any direct compliance costs expected. In fact, another source of authority for this Ordinance is the program established pursuant to Chapter 316, Florida Statutes, which sets guidelines for traffic safety and contemplates enforcement via local government ordinance. The Business Impact Estimate form for this Ordinance is on file with the City Clerk.

SECTION 3. SEVERABILITY. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full effect.

SECTION 4. CONFLICTS. Should any provision contained in this Ordinance conflict with any prior provision of the Code or any City ordinance, then the provisions of this Ordinance shall control to the extent of the conflict.

SECTION 5. CODIFICATION. It is the intent of the Davenport City Commission that Section 1 of this Ordinance shall be codified in the City of Davenport Code of Ordinances. The sections of this Ordinance may be renumbered or re-lettered and the word “ordinance” may be changed to “chapter”, “section”, “article”, or such other appropriate word or phrase in order to accomplish such intentions. The correction of typographical and/or scrivener’s errors which do not affect the intent of this Ordinance may be authorized by the City Manager or their designee, without the need of public hearing, by filing a corrected or recodified copy of the same with the City Clerk.

SECTION 6. EFFECTIVE DATE. This Ordinance takes effect upon adoption at its second reading.

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INTRODUCED, PASSED AND DULY ADOPTED ON FIRST READING, by the City Commission of Davenport, Florida, meeting in Regular Session this 6th day of April, 2026.

CITY OF DAVENPORT, FLORIDA

By: _____
Donna Fellows-Coffey, Mayor

Attest:

By: _____
Raquel Castillo, City Clerk

INTRODUCED, PASSED AND DULY ADOPTED ON SECOND READING, by the City Commission of the City of Davenport, Florida, meeting in Regular Session this 20th day of April, 2026.

CITY OF DAVENPORT, FLORIDA

By: _____
Donna Fellows-Coffey, Mayor

Attest:

By: _____
Raquel Castillo, City Clerk

APPROVED AS TO FORM:

By: _____
Thomas A. Cloud, City Attorney