

ORDINANCE NO. 2025-_____

AN ORDINANCE AMENDING CHAPTER 35 OF THE ORANGE COUNTY CODE BY CREATING ARTICLE IX, “SCHOOL SPEED ZONE INFRACTIONS AND ENFORCEMENT CAMERAS”; AUTHORIZING A SCHOOL SPEED ZONE SPEED ENFORCEMENT PROGRAM AND USE OF SPEED DETECTION SYSTEMS, SPECIFYING INTENT, CREATING DEFINITIONS, PROVIDING FOR PROGRAM ADMINISTRATION AND IMPLEMENTATION REQUIREMENTS, DESIGNATING SCHOOL ZONES, CREATING ENFORCEMENT PROCEDURES, PROVIDING FOR COLLECTION OF EVIDENCE, PUBLIC RECORDS AND RETENTION REQUIREMENTS, REQUIRING ANNUAL REPORTING, PROVIDING FOR THE REMITTANCE OF COLLECTED FINES AND COSTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Article VIII of the Florida Constitution and section 125.66, Florida Statutes, authorize the Orange County Board of County Commissioners (“BCC”) to enact ordinances to protect the health, safety, and welfare of the County’s citizens; and

WHEREAS, Chapter 2023-174, Laws of Florida, enacted and signed by the Governor on May 31, 2023, effective July 1, 2023, amended Chapter 316, Florida Statutes, regarding enforcement of school zone speed limits and authorized local governments to enforce the speed limit in a school zone at specified periods through the use of a speed detection system; and

WHEREAS, Chapter 2023-174, Laws of Florida restricts the location and use of speed detection systems to school zones that the County has determined constitute a heightened safety risk warranting additional enforcement measures based on data or other evidence presented at a public hearing; and

WHEREAS, the County wishes to deter drivers from speeding through school zones and provide a supplemental means for the enforcement of unlawful speed violations by enacting an ordinance to implement a school zone speed enforcement program; and

WHEREAS, the County must determine the appropriate speed detection system vendor and procure such a vendor to assist with the County’s school zone speed enforcement program in cooperation with the relevant County staff, and in conformance with all requirements set forth in Chapter 2023-174, Laws of Florida; and

WHEREAS, the Orange County School District has over 206,965 students across 210 schools school sites and serves as the school district for the County; and

WHEREAS, the County School Speed Zone Speed Assessment, along with accompanying memo dated July 24, 2025, (the “Study”), attached hereto and adopted herewith as **Exhibit “A”**, provides data and evaluation criteria to support a finding that certain schools, and associated school zones, have a heightened safety risk; and

WHEREAS, the Study finds there is a heightened risk at school zones within the County in which: (1) flashers indicate a reduced speed limit is in effect; and (2) data indicate that drivers frequently exceed the school speed zone speed limit during the arrival and dismissal periods when the school zone is active; and

WHEREAS, based on the traffic data and other evidence presented in the Study, the County determines that certain schools set forth in this Ordinance have a heightened safety risk which supports the installation of school speed zone safety cameras; and

WHEREAS, the Study is being incorporated by reference and submitted to the Clerk of the BCC as supplemental information to this Ordinance, and part of the record, at the time of adoption; and

WHEREAS, as part of the public hearing on this matter, the BCC has considered the data and other evidence provided by County staff supporting the installation and operation of speed detection systems on roadways maintained as school zones and has determined that each school zone where a speed detection system is to be placed or installed constitutes a heightened safety risk that warrants additional enforcement measure on the roadway maintained as a school zone; and

WHEREAS, the BCC finds that motor vehicles speeding on a roadway maintained as a school zone before, during, and after school hours is a hazard that threatens the health, safety, and welfare of students and pedestrians in the County, and that enforcement of applicable speed limits in school zones before, during, and after school session through the use of a speed detection system may reduce safety risks in school zones, and, therefore, approves the implementation of a school zone speed detection program pursuant to the rules and regulations of Chapter 2023-174, Laws of Florida and any other applicable state laws.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY:

Section 1. Creation of Article IX. Chapter 35, Article IX of the Orange County Code is hereby created to read as follows:

86 **ARTICLE IX. – SCHOOL SPEED ZONE INFRACTIONS AND**
ENFORCEMENT CAMERAS

88 **Sec. 35-116. Intent.**

90 The intent of this section is to protect the health, safety, and
92 welfare of the citizens of Orange County by authorizing the
94 placement or installation and use of speed detection systems on
96 roadways maintained as a school zone as authorized under F.S.
98 § 316.008, pursuant to F.S. § 316.1895, within the jurisdiction of the
100 County, to promote compliance with speed limits in school zones,
 and to adopt a quasi-judicial system to enforce violations. This
 section provides a supplemental means of enforcing unlawful speed
 violations in school zones and shall not prohibit a law enforcement
 officer from issuing a uniform traffic citation for a traffic violation
 in accordance with F.S. Ch. 316.

102 **Sec. 35-117. Definitions.**

104 For the purposes of this section, the following terms shall
106 have the meanings given below:

108 (a) *Hearing procedures* means the procedures set forth
110 under F.S. § 316.1896, governing noticing, scheduling,
 and conducting hearings before a local hearing officer.

112 (b) *Law enforcement officer* means, as defined by F.S.
114 § 943.10(1), any person who is elected, appointed, or
116 employed full time by a county, the state, or any political
118 subdivision thereof; who is vested with authority to bear
 arms and make arrests; and whose primary responsibility
 is the prevention and detection of crime or the
 enforcement of the penal, criminal, traffic, or highway
 laws of the state.

120 (c) *Local hearing officer* means a person who is authorized
122 to conduct hearings related to a notice of violation issued
124 pursuant to s. 316.0083 or s. 316.1896, which includes
126 the County's designated official as defined in Chapter
 35, Article I, Section 35-1 of the Orange County Code or
 the County's currently appointed code enforcement
 board or special magistrate.

128 (d) *Motor vehicle* means, as defined by F.S. § 316.003, a
 self-propelled vehicle not operated upon rails or

130 guideway, but not including any bicycle, electric bicycle,
132 motorized scooter, electric personal assistive mobility
device, mobile carrier, personal delivery device, swamp
134 buggy, or moped.

136 (e) *Notice of violation* means the written notification sent to
the registered owner of a vehicle after a school zone
138 speed infraction by that vehicle has been captured by a
Speed Detection System and thereafter reviewed and
140 approved by a law enforcement officer or traffic
infraction enforcement officer. A notice of violation
142 must be in the form and include the contents prescribed
by F.S. § 316.1896, as it may be amended.

144 (f) *School Zone* means that portion of a street or highway
established as a school zone pursuant to F.S. § 316.1895,
146 as it may be amended.

148 (g) *School Zone Speed Enforcement Program* means the
regulations and procedures governing the use of Speed
150 Detection Systems on roadways maintained as a School
Zone within the jurisdiction of the County, as provided
152 by applicable law and established by this section.

154 (h) *School Zone Speed Infraction* means a violation of F.S.
§316.183 or § 316.1895, captured by a Speed Detection
156 System on a roadway maintained as a School Zone
during the hours provided for by applicable law and set
158 forth in this section.

160 (i) *School Zone Speed Limit* means the regularly posted or
reduced posted speed limit within a school zone pursuant
162 to F.S. § 316.1895.

164 (j) *Speed Detection System* means a portable or fixed
automated system used to detect a motor vehicle's speed
166 using radar or LiDAR and to capture a photograph or
video of the rear of a motor vehicle that exceeds the
168 speed limit in force at the time of the violation. This term
is synonymous with the term "Speed Detection System"
170 defined in F.S. § 316.003(84), as it may be amended.

172 (k) *Traffic Infraction Enforcement Officer* means a person
who meets the qualifications established by F.S.
174 § 316.640, as it may be amended.

(1) *Uniform Traffic Citation* means the citation issued to the registered owner of a vehicle for a school zone speed infraction, in the form and including the contents prescribed by F.S. §§ 316.1896 and 316.650, as amended.

Sec. 35-118. Use of speed detection systems.

Pursuant to F.S. § 316.008(9), the County elects to use speed detection systems on roadways properly maintained as a school zone to enforce speed limits within the County's jurisdiction. The County may utilize speed detection systems as a supplemental means of assisting law enforcement personnel in the enforcement of compliance with state law related to unlawful speed in school zones, in accordance with F.S. Ch. 316.

Sec. 35-119. Program administration.

(1) The Orange County Sheriff's Office in cooperation with any necessary County staff and any approved vendor and its employees and agents, shall be enabled and empowered by this section to assist with the County's school zone speed enforcement program. This section shall further enable the County to enter into agreements with one (1) or more vendors to place or install speed detection systems and carry out services consistent with the implementation and enforcement of the provisions of Chapter 2023-174, Laws of Florida, subject to any other applicable state or local legal requirements or this section.

(2) The County may utilize a local hearing officer, who shall have jurisdiction to conduct proceedings challenging the issuance of a notice of violation.

(3) The County shall, from time to time, designate a member of its existing staff to serve as clerk for the hearings before a local hearing officer.

Sec. 35-120. Program implementation requirements.

(1) *Vendor contract.* Any contract for placement or installation of a speed detection system in a school zone in accordance with F.S. § 316.0776 which shall be approved by the BCC.

(2) *Installation and operation of Speed Detection Systems.* Pursuant to F.S. §§ 316.008 and 316.0776, Speed

Detection Systems may be installed and operated only in the School Zones designated by this article and/or subsequent amendments thereto.

(3) *Signage requirements.* The installation and operation of speed detection systems, including required signage, shall be in accordance with F.S. Ch. 316, all applicable regulations of the Florida Department of Transportation and the Florida Department of Highway Safety and Motor Vehicles, and the terms of any Memorandum of Understanding or other written agreement that may be entered into between Orange County Sheriff's Office, and/or the County and its vendor(s).

(4) *Public awareness.* Pursuant to F.S. § 316.0776, before notices of violation for School Zone speed infractions may be issued, a public announcement and thirty-day public awareness campaign of the initial proposed use of Speed Detection Systems must be conducted. During the thirty-day public awareness campaign, only a warning may be issued to the registered owner for a school speed zone infraction and a fine shall not be imposed.

Sec. 35-121. Designation of School Zones.

Having considered evidence at a public hearing supporting the installation and operation of speed detection systems on certain roadways maintained as school zones within the jurisdiction of the County, the school zones on the roadways surrounding the following schools constitute a heightened safety risk that warrants additional enforcement measures by installation or placement of Speed Detection Systems pursuant to F.S. § 316.008. Additional Speed Detection Systems may be approved via amendment to this section in accordance with applicable law.

1. Dr. Phillips Elementary School (District 1)
 - a. Wallace Road near Sunbeam Avenue
2. Hunters Creek Elementary School (District 1)
 - a. Town Center Boulevard near Lord Barclay Drive
3. Rock Springs Elementary School (District 2)
 - a. Rock Springs Road near Faye Street
4. Meadowbrook Middle School (District 2)
 - a. North Lane near Wendy Drive
 - b. Powers Drive near Chalet Court
5. Three Points Elementary School (District 3)
 - a. SR 551 near Mai Tai Drive

- 6. Sally Ride Elementary School (District 3)
 - a. 4th Street near 8th Avenue
- 7. Discovery Middle School (District 4)
 - a. Lake Underhill Road near Spring Island Way
- 8. Southcreek Middle School (District 4)
 - a. Wetherbee Road near Cypress Pond Boulevard
- 9. Wedgefield K-8 (District 5)
 - a. Bancroft Boulevard near Ortega Street
- 10. Cheney Elementary School (District 5)
 - a. Forsyth Road near Dominion Avenue
- 11. Oak Hill Elementary School (District 6)
 - a. Hiawassee Road near Tallowtree Lane
- 12. Palmetto Elementary School (District 6)
 - a. Texas Avenue near Duskin Avenue

Sec. 35-122. Enforcement procedures.

(1) *General powers.* The Orange County Sheriff's Office and its Traffic Enforcement Section shall be authorized to enforce the applicable speed limit on a roadway properly maintained as a school zone pursuant to Chapter 2023-174, Laws of Florida, for violations of F.S. §§ 316.183 and 316.1895, through the use of a Speed Detection System for the detection of speed and capturing of photographs or videos for violations in excess of ten (10) miles per hour over the speed limit in force at the time of the violation. The Orange County Public Works Traffic Engineering Division or its designee is responsible for establishing the business rules of procedure between the vendor and the County necessary for implementing this section.

(2) *Review of speed detection system information.* Information captured by a speed detection system shall be reviewed by an authorized employee or agent of the County.

(3) *School zone speed detection system violations.* The applicable speed limit on a roadway properly maintained as a school zone may be enforced through the capturing of a violation by a speed detection system as follows:

(i) For a violation of F.S. § 316.1895, in excess of ten (10) miles per hour over the school zone speed limit which occurs within thirty (30) minutes before through thirty (30) minutes after the start of a regularly scheduled breakfast program.

(ii) For a violation of F.S. § 316.1895, in excess of ten (10) miles per hour over the school zone speed limit which occurs within thirty (30) minutes before through thirty (30) minutes after the start of a regularly scheduled school session.

(iii) For a violation of F.S. § 316.183, in excess of ten (10) miles per hour over the posted speed limit during the entirety of a regularly scheduled school session.

(iv) For a violation of F.S. § 316.1895, in excess of ten (10) miles per hour over the school zone speed limit which occurs within thirty (30) minutes before through thirty (30) minutes after the end of a regularly scheduled school session.

(4) *Notice of violation.* A notice of violation must be sent to the registered owner of the motor vehicle involved in the violation as provided under F.S. § 316.1896.

(5) *Hearing procedures and appeals.* Hearings to contest notices of violations shall be held in accordance with the requirements of Chapter 2023-174, Laws of Florida, and F.S. § 316.0083(5) and § 316.1896. An aggrieved party may appeal a final administrative order of the local hearing officer in accordance with F.S. § 316.1896.

(6) *Defenses, penalties and costs.* The enforcement of school zone speed infractions including the issuance of notices of violation and uniform traffic citations, the processing of affidavits to assert an exception to liability, and the assessment of fines and costs must comply with F.S. § 316.1896. In accordance with F.S. § 316.1896(14)(e), the local hearing officer must assess the statutorily authorized penalty if the petitioner is found in violation and may also require the petitioner to pay County costs not to exceed two hundred fifty dollars (\$250.00) per violation. A registered owner who receives a notice of violation may, within thirty (30) days:

(i) Pay the fine of one hundred dollars (\$100.00), as fixed by F.S. § 318.18(3)(d), as it may be amended;

(ii) Submit an affidavit establishing an exception to liability pursuant to F.S. § 316.1896(8), as it may be amended; or

(iii) Request a hearing.

(7) *Issuance of a uniform traffic citation.* A law enforcement officer or traffic infraction enforcement officer shall be authorized, pursuant to F.S. § 316.1896, to issue a uniform traffic citation for violations of F.S. § 316.1895 or § 316.183 as authorized by F.S. § 316.008(9). If the registered owner of a vehicle does not timely pay the fine reflected on the notice of violation, submit a sufficient affidavit, or request a hearing, a uniform traffic citation must be issued by a law enforcement officer or a traffic infraction enforcement officer to the registered owner and transmitted by the County to the Orange County Clerk of the Court for disposition by the county court.

Sec. 35-123. Collection of evidence, public records, and retention requirements.

In accordance with F.S. § 316.1896, a speed detection system in a school zone may not be used for remote surveillance. The collection of evidence by a speed detection system to enforce school zone speed infractions, or user-controlled pan or tilt adjustments of speed detection components, do not constitute remote surveillance. Recorded video or photographs collected as part of a speed detection system in a school zone may only be used to document school zone speed infractions and for purposes of determining criminal or civil liability for incidents captured by the speed detection system incidental to the permissible use of the speed detection system. Any recorded video or photograph obtained via a speed detection system must be destroyed within ninety (90) days after the final disposition of the recorded event, pursuant to F.S. § 316.1896. Written notice that such records have been destroyed must be provided by December 31st of each year. All public records related to the administration of this section must be maintained in accordance with Florida law and all requests for such records must be addressed in accordance with F.S. Ch. 119, and any other applicable state law.

Sec. 35-124. Annual reporting requirements.

The County, with the assistance of the Orange County Sheriff's Office and/or the vendor, will annually report on the County's school zone speed enforcement program to the public and to the Florida Department of Highway Safety and Motor Vehicles in accordance with F.S. § 316.0776 and § 316.1896, as they may be amended. Pursuant to F.S. § 316.0776(3)(c), the compliance or sufficiency of compliance with this subsection may not be raised in a proceeding challenging a notice of violation for a school zone speed infraction.

404 **Sec. 35-125. Remittance of collected fines and costs.**

406 All fines and costs collected pursuant to this section must be
408 remitted in accordance with F.S. §§ 316.1896 and 318.18, and any
410 other relevant state law.

412 **Secs. 35-126 – 35-140. Reserved.**

414 **Section 2. Codification.** The amendments to the Orange County Code set forth in
Section 1 shall be codified. No other sections or parts of sections of this ordinance shall be codified.

416 **Section 3. Effective date.** This ordinance shall become effective pursuant to general
law.
418

420 ADOPTED THIS 26th DAY OF August, 2025.

422 ORANGE COUNTY, FLORIDA
424 By: Board of Orange County Commissioners

426 BY: _____
 Jerry L. Demings
 Orange County Mayor

430 ATTEST: Phil Diamond, CPA County Comptroller
432 As Clerk of the Board of County Commissioners

434 By: _____
 Deputy Clerk

436

EXHIBIT A

438

COPY OF COUNTY SCHOOL SPEED ZONE SPEED ASSESSMENT