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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

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

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

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

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

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

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

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

104 **BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF**
106 **ORANGE COUNTY:**

108 *Section 1. Creation of Article IX.* Chapter 35, Article IX of the Orange County Code
110 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
 employed full time by a county, the state, or any political
116 subdivision thereof; who is vested with authority to bear
 arms and make arrests; and whose primary responsibility
118 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
 pursuant to s. 316.0083 or s. 316.1896, which includes
124 the County’s designated official as defined in Chapter
 35, Article I, Section 35-1 of the Orange County Code or
126 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.

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

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

184 Pursuant to F.S. § 316.008(9), the County elects to use speed
186 detection systems on roadways properly maintained as a school zone
188 to enforce speed limits within the County's jurisdiction. The County
190 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.

192 **Sec. 35-119. Program administration.**

194 (1) The Orange County Sheriff's Office in cooperation
196 with any necessary County staff and any approved vendor and its
198 employees and agents, shall be enabled and empowered by this
200 section to assist with the County's school zone speed enforcement
202 program. This section shall further enable the County to enter into
204 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.

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

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

214 **Sec. 35-120. Program implementation requirements.**

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

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

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

226 (3) *Signage requirements.* The installation and operation
228 of speed detection systems, including required signage, shall be in
accordance with F.S. Ch. 316, all applicable regulations of the
230 Florida Department of Transportation and the Florida Department
of Highway Safety and Motor Vehicles, and the terms of any
232 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).

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

242 **Sec. 35-121. Designation of School Zones.**

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

- 254
- 256 1. Dr. Phillips Elementary School (District 1)
 - a. Wallace Road near Sunbeam Avenue
 - 258 2. Hunters Creek Elementary School (District 1)
 - a. Town Center Boulevard near Lord Barclay Drive
 - 260 3. Rock Springs Elementary School (District 2)
 - a. Rock Springs Road near Faye Street
 - 262 4. Meadowbrook Middle School (District 2)
 - a. North Lane near Wendy Drive
 - b. Powers Drive near Chalet Court
 - 264 5. Three Points Elementary School (District 3)
 - a. SR 551 near Mai Tai Drive
- 266

- 268 6. Sally Ride Elementary School (District 3)
 - a. 4th Street near 8th Avenue
- 270 7. Discovery Middle School (District 4)
 - a. Lake Underhill Road near Spring Island Way
- 272 8. Southcreek Middle School (District 4)
 - a. Wetherbee Road near Cypress Pond Boulevard
- 274 9. Wedgefield K-8 (District 5)
 - a. Bancroft Boulevard near Ortega Street
- 276 10. Cheney Elementary School (District 5)
 - a. Forsyth Road near Dominion Avenue
- 278 11. Oak Hill Elementary School (District 6)
 - a. Hiawassee Road near Tallowtree Lane
- 280 12. Palmetto Elementary School (District 6)
 - a. Texas Avenue near Duskin Avenue
- 282

284 **Sec. 35-122. Enforcement procedures.**

286 (1) *General powers.* The Orange County Sheriff's
288 Office and its Traffic Enforcement Section shall be authorized to
290 enforce the applicable speed limit on a roadway properly maintained
292 as a school zone pursuant to Chapter 2023-174, Laws of Florida, for
294 violations of F.S. §§ 316.183 and 316.1895, through the use of a
296 Speed Detection System for the detection of speed and capturing of
298 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.

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

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

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

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

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

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

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

330 (5) *Hearing procedures and appeals.* Hearings to
332 contest notices of violations shall be held in accordance with the
requirements of Chapter 2023-174, Laws of Florida, and F.S. §
334 316.0083(5) and § 316.1896. An aggrieved party may appeal a final
administrative order of the local hearing officer in accordance with
336 F.S. § 316.1896.

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

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

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

356 (iii) Request a hearing.

358 (7) *Issuance of a uniform traffic citation.* A law
360 enforcement officer or traffic infraction enforcement officer shall be
362 authorized, pursuant to F.S. § 316.1896, to issue a uniform traffic
364 citation for violations of F.S. § 316.1895 or § 316.183 as authorized
366 by F.S. § 316.008(9). If the registered owner of a vehicle does not
368 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.

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

374 In accordance with F.S. § 316.1896, a speed detection
376 system in a school zone may not be used for remote surveillance.
378 The collection of evidence by a speed detection system to enforce
380 school zone speed infractions, or user-controlled pan or tilt
382 adjustments of speed detection components, do not constitute
384 remote surveillance. Recorded video or photographs collected as
386 part of a speed detection system in a school zone may only be used
388 to document school zone speed infractions and for purposes of
390 determining criminal or civil liability for incidents captured by the
392 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.

394 **Sec. 35-124. Annual reporting requirements.**

396 The County, with the assistance of the Orange County
398 Sheriff's Office and/or the vendor, will annually report on the
400 County's school zone speed enforcement program to the public and
402 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 remitted in accordance with F.S. §§ 316.1896 and 318.18, and any other relevant state law.

410

Secs. 35-126 – 35-140. Reserved.

412

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
By: Board of Orange County Commissioners

424

BY: _____
Jerry L. Demings
Orange County Mayor

426

428

430

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

432

By: _____
Deputy Clerk

434

436

EXHIBIT A

438

COPY OF COUNTY SCHOOL SPEED ZONE SPEED ASSESSMENT