

1 **WHEREAS**, section 316.0083, Florida Statutes authorizes cities to use traffic infraction
2 detectors for the detection of red light violations by capturing photographs or videos of vehicles to
3 detect red light violations; and

4 **WHEREAS**, section 316.0083, Florida Statutes authorize cities to place or install, or
5 contract with a vendor to place or install, traffic infraction detectors to detect red light violations;
6 and

7 **WHEREAS**, the Laws of Florida provide that such traffic infraction detectors must be
8 installed in accordance with placement and installation specifications established by the Florida
9 Department of Transportation; and

10 **WHEREAS**, a city that operates traffic infraction must annually report the results of all
11 systems within the city's jurisdiction by placing the required report on an agenda of a regular or
12 special meeting of the city's governing body; and

13 **WHEREAS**, the Laws of Florida provide that a city may authorize a traffic infraction
14 enforcement officer under section 316.640, Florida Statutes, to issue uniform traffic citations for
15 violations of sections 316.074(1) and 316.075(1)(c)1 as authorized by section 316.0083(1), and
16 further regulates how such notices of violation shall be sent and what information such notices
17 must include; and

18 **WHEREAS**, the Laws of Florida further provide for penalties to be assessed and remitted
19 to various entities, as well as for a process whereby individuals who receive notices of violation
20 may request a hearing to challenge the alleged violation; and

21 **WHEREAS**, the Laws of Florida prescribe that a city electing to authorize traffic
22 infraction enforcement officers to issue uniform traffic citations "shall designate by resolution
23 existing staff to serve as the clerk to the local hearing officer"; and

1 **WHEREAS**, the Laws of Florida provide that a city desiring to implement traffic
2 infraction detectors must "authorize the placement or installation of, or to authorize contracting
3 with a vendor for the placement or installation of, one or more traffic infraction detectors to enforce
4 s. 316.074(1) or s. 316.075(1)(c)1" and that, "as part of the public hearing on such proposed
5 ordinance, the county or municipality must consider traffic data or other evidence supporting the
6 installation and operation of each traffic infraction detector, and the county or municipality must
7 determine that the intersection at which a traffic infraction detector is to be placed or installed
8 constitutes a heightened safety risk that warrants additional enforcement measures"; and

9 **WHEREAS**, this City Commission finds that red light violations present a real hazard to
10 the general public's health and safety; and

11 **WHEREAS**, red light violations in the city are rampant. In 2023 the Gainesville Police
12 Department issued 388 citations for red light violations and violation of traffic control signals, and
13 there were 67 crashes involving red light and traffic control signal violations. In 2024 the
14 Gainesville Police Department wrote 450 citations for red light and traffic control signal violations,
15 and there were 70 traffic crashes involving red light and traffic control signal violations
16 investigated by multiple agencies; and

17 **WHEREAS**, enforcement of red light violations with law enforcement officers alone can
18 be difficult, because while a law enforcement officer has stopped and cited a violator, other
19 motorists can commit violations and remain undetected; and

20 **WHEREAS**, section 316.0083, Florida Statutes authorizes hearings conducted pursuant to
21 that section can be held by a local hearing officer; and

22 **WHEREAS**, the City has a special magistrate who is authorized by the Laws of Florida
23 and sections 2-377 and 2-391 of the Code of Ordinances, City of Gainesville, Florida to conduct

1 contested hearings for violations of city codes; and is authorized to hear traffic infraction detector
2 cases pursuant to section 316.0083, Florida Statutes; and

3 **WHEREAS**, in accordance with and pursuant to the Laws of Florida, the City has
4 considered traffic data or other evidence supporting the installation and operation of each proposed
5 traffic infraction detector, and has determined that each intersection where a traffic infraction
6 detector is to be placed or installed constitutes a heightened safety risk that warrants additional
7 enforcement measures; and this City Commission wishes to implement the use of traffic infraction
8 detectors to enforce red light violations; and to appoint the City's special magistrate to hear
9 contested alleged violations; and

10 **WHEREAS**, at least ten days' notice has been given once by publication in a newspaper
11 of general circulation notifying the public of this proposed ordinance and of public hearings to be
12 held by the City Commission; and

13 **WHEREAS**, the public hearings were held pursuant to the published notice described at
14 which hearings the parties in interest and all others had an opportunity to be and were, in fact,
15 heard.

16 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY**
17 **OF GAINESVILLE, FLORIDA:**

18 **SECTION 1.** Section 26-32 of the Code of Ordinances of Gainesville, Florida, is hereby
19 amended to read as follows. Except as amended herein, the remainder of Chapter 26 remains in
20 full force and effect.

21 **CHAPTER 26 – TRAFFIC AND MOTOR VEHICLES**

22 **DIVISION 2 – THE GAINESVILLE TRAFFIC SAFETY ENHANCEMENT ACT**

23 **ARTICLE II – OPERATION OF VEHICLES**

1 **Section 26-32. Use of traffic infraction detectors.**

2 The city is authorized to contract for and to utilize traffic infraction detectors within its
3 jurisdiction pursuant to F.S. § 316.0083 at the following intersections which constitute a
4 heightened safety risk that warrant additional enforcement measures:

- 5 1. NE 39th Avenue & NE Waldo Road
- 6 2. NW 23rd Avenue & NW 6th Street
- 7 3. Windmeadows Boulevard & SW 34th Street
- 8 4. SW 34th Street & Archer Road
- 9 5. W Newberry Road & NW 62nd Street
- 10 6. SW 16th Avenue & SW 13th Street
- 11 7. SW Archer Road & SW 23rd Drive
- 12 8. University Avenue & Main Street
- 13 9. Hull Road & SW 34th Street
- 14 10. NW 13th Street & NW 16th Avenue
- 15 11. SE 4th Avenue & SE Williston Road
- 16 12. SW Archer Road & SW 40th Boulevard
- 17 13. W University Avenue & W 13th Street
- 18 14. W University Avenue & W 34th Street
- 19 15. SW 20th Avenue & SW 62nd Boulevard
- 20 16. NE 39th Avenue & NE 15th Street

21
22 **Section 26-34. Revenues from Traffic Infraction Detectors**

23
24 Money retained by the City of Gainesville shall be used to administer the traffic
25 infraction detectors authorized by the "Gainesville Traffic Safety Enhancement Act" and for
26 traffic safety capital projects that improve the safety of multi-modal transportation across
27 Gainesville.

28
29 **SECTION 2.** Section 2-377 of the Code of Ordinances is hereby amended to read as follows.

30 Except as amended herein, the remainder of Section 2-377 remains in full force and effect.

1 **Sec. 2-377. Applicability; jurisdiction.**

- 2 (a) The Gainesville Code Enforcement Board shall have jurisdiction to hear and decide
3 cases in which violations are alleged of any provisions of the following provisions of
4 this Code of Ordinances as they may exist or may hereafter be amended by ordinance:

5 ...

6 (22) Chapter 26, Article II, Division 2, "The Gainesville Traffic Safety Enhancement
7 Act."

8
9 **SECTION 3.** It is the intent of the City Commission that the provisions of Sections 1 and 2 of
10 this ordinance become and be made a part of the Code of Ordinances of the City of Gainesville,
11 Florida, and that the sections and paragraphs of the Code of Ordinances may be renumbered or
12 relettered in order to accomplish such intent.

13 **SECTION 4.** If any word, phrase, clause, paragraph, section, or provision of this ordinance or the
14 application hereof to any person or circumstance is held invalid or unconstitutional, such finding
15 will not affect the other provisions or applications of this ordinance that can be given effect without
16 the invalid or unconstitutional provision or application, and to this end the provisions of this
17 ordinance are declared severable.

18 **SECTION 5.** All ordinances or parts of ordinances in conflict herewith are to the extent of such
19 conflict hereby repealed.

20 **SECTION 6.** This ordinance will become effective immediately upon adoption.

1 **PASSED AND ADOPTED** this 15th day of May, 2025.

2
3
4 HARVEY L. WARD, JR.
5 MAYOR
6

7 Attest:

Approved as to form and legality:

8
9 KRISTEN J. BRYANT
10 CITY CLERK

Daniel M. Nee
DANIEL M. NEE
CITY ATTORNEY

11 This ordinance passed on first reading this 1st day of May, 2025.

12 This ordinance passed on second reading this 15th day of May, 2025.

City of Gainesville



Kristen J. Bryant
City Clerk

Office of the City Clerk

PO Box 490, Station 18
Gainesville, Florida 32627

BryantK1@gainesvillefl.gov

Office 352 334 5016 | Direct 352 393 8441

**STATE OF FLORIDA
COUNTY OF ALACHUA**

I hereby certify that a true record of this Ordinance No. 2025-170 was made by me and filed in Ordinance Book No. 100 on this 15th day of May, 2025 and that the title of this ordinance was published in the Gainesville Sun.

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Gainesville, Florida this 15th day of May A.D., 2025



Kristen J. Bryant
City Clerk