

**SNEADS TOWN COUNCIL  
REGULAR MEETING  
APRIL 16, 2024**

The Town Council of the Town of Sneads, Florida, met in a regular session at the Sneads Town Hall on Tuesday, April 16, 2024, at 5:00 p.m.

Mike Weeks called the meeting to order with the following present:

Mike Weeks, Tony Money, George Alexander,  
and Angela Locke, Council Members  
Daniel Cox, Attorney  
Bill Rentz, Town Manager  
Tyler Weeks, Police Chief  
Sherri Griffin, City Clerk  
Danielle Guy, Deputy Clerk

And the following were absent:

Donovan Weeks, Councilman

All stood for the Pledge of Allegiance.

George Alexander made a motion to approve the Consent Agenda as presented. Tony Money seconded. All voted aye.

1. Minutes for **March** 2024
2. Financial Statements and Budget Review Summary
3. Pay Approved Bills

Agenda #4, Interlocal Agreement with JC for Five Cent Local Option Gas Tax. (See attached) Tony Money made a motion to approve the agreement as presented. George Alexander seconded. All voted aye.

Agenda #5, ACI Warren Maddox- Property Annex. Warren Maddox and Chief Weeks came before the Council to discuss the possibility of annexing ACI into the city limits. They both stated that this would be a benefit to all. After discussion, all Council agreed to move forward with annexing ACI into the city limits.

Chief Weeks presented his monthly Police Department Report. (See attached)

Agenda #6, Accept Poll Finding. The poll findings of the Canvassing Board were presented for the election held on April 9, 2024. (See attached) Group II, Donovan Weeks received 79 votes, Kay Neel received 160 votes. George Alexander made a motion to accept the poll results as presented, declaring Kay Neel the winner. Tony Money seconded. All voted aye.

For Group I, George Alexander, chose not to run this year. Tim Perry ran unopposed for Group I. Both Mrs Neel and Mr. Pery will be sworn in at the May meeting.

Agenda #7, Fair Housing Proclamation. (See attached) Tony Money made a motion to declare the month of April as National Fair Housing Month. Angie Locke seconded. All voted aye. The Town acknowledges that fair housing is integral to the ethical commitment to all citizens and in the provision of services to the community.

## Regular Meeting

April 16, 2024

Page 2

Agenda # 8 & 9, Melvin Engineering Updates and Approve Change Order for HR Grant. (See attached) Change Order for the HR Grant at Gloster Ave was presented to the Council for an increase of \$3,200. Angie Locke made a motion to approve the change order as presented. Tony Money seconded. All voted aye.

Hunter Potts presented updates to grant projects. (See attached) The Stormwater Improvement was up for discussion and the property purchased at 8177 Old Spanish Trail house still on it. Mr. Potts stated we could go to bids for demolition or removal. After discussion, Tony Money made a motion to seek RFP for demo/ removal of the house on the property. George Alexander seconded. All voted aye.

Agenda #10, Surplus Property. Bids were opened for Surplus property. Tony Money made a motion to accept the highest bids. George Alexander seconded. All voted aye.

Mike Weeks stated that since we didn't have any bidders for the pump truck, he got a call from Craig Grice, stating he didn't make it in time to bid and would buy it for the minimum bid. All agreed.

Chief Weeks stated that on the vehicles that didn't receive bids he had someone as well that would buy them. Council all agreed to sell or junk them to get them off the insurance.

Agenda #11, **Ordinance #2024-02, entitled:**

**AN ORDINANCE OF THE TOWN OF SNEADS, FLORIDA RELATED TO POWERS OF LOCAL AUTHORITIES; SPEED DETECTION SYSTEM PLACEMENT AND INSTALLATION; SCHOOL CROSSING GUARD RECRUITMENT AND RETENTION PROGRAM; SPEED DETECTION SYSTEMS IN SCHOOL ZONES; SPEED DETECTION SYSTEMS; PENALTIES; DRIVER LICENSE POINTS; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SNEADS, FLORIDA, AS FOLLOWS**

was presented and read, Tony Money approved Ordinance #2024-02, pending publication. George Alexander seconded. All voted aye.

Agenda #12, Sneads Recreation Board. No report.

Agenda #13, Town Manager Report.

- Mr. Rentz stated that he was happy to be on staff and looked forward to working with everyone. He has already talked with our consultants, engineers and others and has meetings planned. He is learning a lot.
- JC Commissioner Donnie Branch called and has some funds to spend and wishes to donate them towards a helipad at our ballpark. He said JCBCC would pay for the concrete if the town would do the lights and fencing. Mr. Rentz said he is looking into the cost of those.
- Little Miss Sneads is planning a Blood Drive, June 14<sup>th</sup>, here at City Hall, and the bus will be using the side of city hall for parking.

**Regular Meeting**  
**April 16, 2024**  
**Page 3**

Agenda #14, Attorney Cox. Presented Council with the Town Manager Employee Agreement for Bill Rentz for approval. He stated it is the same as in the past with no changes. George Alexander made a motion to approve the Agreement as presented. Tony Money seconded. All voted aye.

Agenda #15, Police and Fire. Chief Weeks informed Council and everyone that they had been getting complaints about the handicap parking at the ballpark. They have issued some warnings. They are now going to start giving out tickets. Council asked if there was any way that the Police Department could take on Code Enforcement. Chief stated that he didn't think so, since it would be a civil matter. It is being looked into.

Agenda #16, Council Members.

Angie Locke stated that the new playground equipment just purchased has already been torn up and asked that parents not let older children on it.

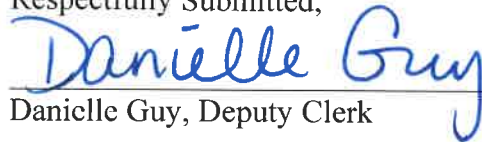
Mike Weeks asked if we could look into the holding pond on the property just purchased by the and maybe becoming a stock fishing pond.

Ethics Training is scheduled for Saturday, May 18<sup>th</sup> @ 8am.

Agenda #17, Public Comments: None.

George Alexander made a motion to adjourn at 6:15 pm.

Respectfully Submitted,

  
Danielle Guy, Deputy Clerk

**APPROVED:**

---

**MIKE WEEKS, COUNCIL PRESIDENT**

**Regular Meeting  
APRIL 16, 2024**

**Budget Summary**

**GENERAL FUND**

**MARCH-** Revenues are 7.78% **below** budgeted amount. Expenditures are 1.62% **above** budgeted amount.

**GAS TAX**

**MARCH-** Gas Tax County is 17.02% **above** budgeted amount. Local Option Gas Tax is 4.22% **above** budgeted amount. Expenditures are 11.88% **below** budgeted amount.

**SOLID WASTE**

**MARCH –** Garbage revenues are slightly **above** budgeted amount. Expenditures are 17.28% **below** budgeted amount.

**WATER AND SEWER**

**MARCH –** ACI sewer is 2.68% **below** budgeted amount. Water sales are 2.88% **below** budgeted amount. Sewer sales are 12.48% **below** budgeted amount. Expenditures 1.82% **above** budgeted amount.

**RECREATION FUND**

**MARCH-** Will update in May.

**INTERLOCAL AGREEMENT**  
**DIVISION OF ADDITIONAL FIVE-CENT LOCAL OPTION GAS TAX**

WHEREFORE, the Board of County Commissioners of Jackson County, Florida (the County herein) is authorized under Florida Statutes Section 336.025(1)(b) to impose an additional Local Option Gas Tax of up to five cents per gallon; and

WHEREAS, the County and the Town of Sneads (the Municipality herein) have previously entered into an agreement regarding the distribution of the Local Option Gas Tax, pursuant to Florida Statutes section 336.025(1)(a), the Local Option Six Cents tax, and desire to provide for the same distribution formula for the Additional Five-Cent Local Option Gas Tax under Section 336.025(1)(b), if imposed, on which agreement the County will rely in imposing the additional five-cent Local Option Gas Tax under Section 336.025(1)(b);

NOW, THEREFORE, be it agreed as follows:

1. The provisions of the prior Interlocal Agreements between the County and the Municipality regarding the distribution of the previously-enacted six cent Local Option Gas Tax are hereby adopted and incorporated in full, to provide for the distribution of any additional five-cent Local Option Gas Tax which is levied under Section 336.025(1)(b). The method of distribution shall be subject to periodic review by the County and the Municipality.

2. The provisions of this agreement are contingent upon and shall be effective only upon the implementation by ordinance of the additional the additional five-cent Local Option Gas Tax under Section 336.025(1)(b) and the adoption of the same distribution formula by municipalities constituting at least 50% of the incorporated population in Jackson County, Florida.

EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_ 2024.

TOWN OF SNEADS, FLORIDA

BOARD OF COUNTY COMMISSIONERS  
JACKSON COUNTY, FLORIDA

BY:

BY:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Hon. Paul Donofro, Jr., Chairman

ATTEST:

ATTEST:

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Clerk/Deputy Clerk

\*\*\*Official\*\*\*

COPY

CERTIFICATE OF CANVASSING BAORD

SNEADS, FL

We, the undersigned, **CAROL A. DUNAWAY**, Supervisor of Elections, **DANIELLE GUY**, Sneads Resident and Deputy Clerk for the Town of Sneads and **TIMOTHY PERRY**, Sneads Resident, constituting the Canvassing Board for the Sneads Town Election held on April 9, 2024, do certify that we met and proceeded to publicly canvass the votes for the Town Council, Group II, race held on the aforementioned date. We do hereby certify from said returns as follows:

**Donovan Weeks**      **received 79 votes**

**Kay Neel**      **received 160 votes**

Carol A. Dunaway  
Carol A. Dunaway

4/11/2024  
04/11/2024

Danielle Guy  
Danielle Guy

4/11/2024  
04/11/2024

Timothy Perry  
Timothy Perry

4/11/2024  
04/11/2024

## **FAIR HOUSING MONTH PROCLAMATION**

**WHEREAS**, April marks the anniversary of the Fair Housing Act of 1968 established to eliminate housing discrimination based on race, color, religion, sex disability, familial status and national origin to provide fair housing opportunities for all Americans; and

**WHEREAS**, the Town of Sneads is committed to providing fair housing opportunities to improve economic stability, community health and human relations; and

**WHEREAS**, the Town of Sneads recognizes furthering efforts to enforce local, state, and federal laws consistently and enhance commitments to fair housing can be accomplished through ongoing partnerships with other government agencies, for profit and non-profit organizations, realtors, lenders, landlords and others in the housing industry ; and

**WHEREAS**, the Town of Sneads acknowledges that fair housing is integral to the ethical commitment of all citizens and in the provision of services to the community; and

**WHEREAS**, the Town of Sneads encourages activities provided by private and public entities to educate and advocate for fair housing opportunities for all citizens and prospective residents; and

**NOW, THEREFORE**, the Town Council of Sneads, Florida hereby proclaims:

**The Month of April 2024, as: NATIONAL FAIR HOUSING MONTH**

**DONE AND PROCLAIMED** this \_\_\_\_\_ day of April 2024, Sneads, Florida.

**Attest:**

**TOWN OF SNEADS, FL**

---

**Town Clerk**

---

**Town Council President**

# Project Updates

March 16, 2024

PROJECT NAME	STATUS UPDATE	BUDGET
<b>Citywide Wastewater Improvements</b> <i>DHM Project No. SNE22WW</i> <i>Funding Source CDBG-DR Round-II</i>	Design approximately 40% complete. Engineer is finalizing railroad boring plans, anticipate submitting for permit next week. Will then work on completing plans and getting construction plans for the new 10" Force Main from LS #2 to WWTP. Also, will coordinate with Town on getting new bypass pump for LS #2.	Grant Budget: \$3,629,750.00 <u>Funds Expended: \$124,223.13</u> Remaining Balance: \$3,505,526.87
<b>Citywide Road &amp; Drainage Improvements</b> <i>DHM Project No. SNE22RD</i> <i>CDBG-DR Round-II</i>	Design underway, approximately 80% complete.	Grant Budget: \$1,907,925.00 <u>Funds Expended: \$115,309.44</u> Remaining Balance: \$1,792,615.56
<b>Connectivity Study</b> <i>DHM Project No. SNE22CS</i> <i>Funding Source Rural Infrastructure Fund</i>	Final Report complete, final invoices being routed to Florida Commerce for payment and grant closeout.	Grant Budget: \$162,150.00 <u>Funds Expended: \$162,150.00</u> Remaining Balance: \$0.00
<b>Hometown Revitalization (SNE22HR)</b> <i>DHM Project No. SNE22HR</i> <i>Funding Source: CDBG-DR Hometown Revitalization</i>	<u>Demolition Project:</u> Construction ongoing, contractor to lay sod. <ul style="list-style-type: none"><li>Need comments from Town on Design. (*potential name for park?)</li></ul> <u>Renovation Project:</u> Bids opened on January 10, 2024, rec'd approval to award to Chuck Neel Construction.	Grant Budget: \$951,762.00 <u>Funds Expended: \$141,412.63</u> Remaining Balance: \$810,349.37



**Stormwater Improvements***DHM Project No. SNE22SW**CDBG-DR Round-I*

Grant Budget: \$4,945,145.64  
Funds Expended: \$244,218.03  
Remaining Balance: \$4,700,924.61

Design in progress approximately 30% completed. Closing for property at 8177 Old Spanish Trail completed. Survey is underway, had delays with getting the survey but anticipate we should receive it in next 2-3 weeks. (Town can consider demolition options for 8177 OST)

**Dodson Park***DHM Project No. SNE23DP**Funding Source: FDEP - FRDAP*

Grant Budget: \$200,000.00

Funds Expended: \$0.00

Remaining Balance: \$200,000.00

FDEP has approved Town to commence with project construction. Working now to clear project site of former Dodson Building, sod needs to be placed.

**Adam Tucker Wilson Park - Lighting****Improvement Project***Funding Source: FDACS Energy Grant*

Grant Budget: \$200,000.00

Funds Expended: \$0.00

Remaining Balance: \$200,000.00

SOW is to replace lights at ballfield closest to HWY 90 and parking light. Materials have been ordered, waiting for delivery prior to scheduling pre-construction meeting.

**Lift Station No. 4 Project***Funding Source: HMGP*

The Contract books should be finalized and signed by the end of this week. A pre-construction conference will be scheduled for next week.

For any questions contact:

**Hunter Potts**

hunterpotts@melvineng.com

Phone (850) 482-3045

Mobile(850) 317-5357

4428 Lafayette Street

Marianna, FL 32446

**C-941****CHANGE ORDER NO.: 1**

Owner: **Town of Sneads** Owner's Project No.:  
 Engineer: **DHM, Inc.** Engineer's Project No.: **SNE22HR**  
 Contractor: **Great Southern Demo. Inc.** Contractor's Project No.:  
 Project: **Building Demolition**  
 Contract Name: **1989 & 1995 Gloster Avenue (FC # M0055)**  
 Date Issued: **April 10, 2024** Effective Date of Change Order: **April 10, 2024**

The Contract is modified as follows upon execution of this Change Order:

## Description:

During Demolition, it was discovered that a significant portion of the sidewalk along the right of way is either damaged beyond repair and/or presents an abnormal grade to try and tie into the existing slope of the land. The approximate area of sidewalk is 146 ft. X 8.5 ft. =1241 Sq/ft. =138 Sq/yd.

## Attachments:

**Additional Site Work Images, Quote from Contractor, and additional Work Detail.**

Change in Contract Price		Change in Contract Times	
Original Contract Price:		Original Contract Times:	
\$ <b>97,792.31</b>		Substantial Completion:	<b>May 14, 2024</b>
		Ready for final payment:	<b>June 13, 2024</b>
[Increase] [Decrease] from previously approved Change Orders No. 1 to No. ____:		[Increase] [Decrease] from previously approved Change Orders No.1 to No. ____:	
\$ <b>n/a</b>		Substantial Completion:	<b>n/a</b>
		Ready for final payment:	<b>n/a</b>
Contract Price prior to this Change Order:		Contract Times prior to this Change Order:	
\$ <b>97,792.31</b>		Substantial Completion:	<b>May 14, 2024</b>
		Ready for final payment:	<b>June 13, 2024</b>
[Increase] [Decrease] this Change Order:		[Increase] [Decrease] this Change Order:	
\$ <b>3,200.00</b>		Substantial Completion:	<b>n/a</b>
		Ready for final payment:	<b>n/a</b>
Contract Price incorporating this Change Order:		Contract Times with all approved Change Orders:	
\$ <b>100,992.31</b>		Substantial Completion:	<b>May 14, 2024</b>
		Ready for final payment:	<b>June 13, 2024</b>

*Signatures on Following Page*

	Recommended by Engineer (if required)	Acceptance by Contractor
Sign:		
By:	Hunter Potts	Emile D. Barnes, III
Title:	Project Manager	President
Date:	04/11/2024	
	Authorized by Owner	Approved by Funding Agency (if applicable)
Sign:		
By:	Sherri Griffin	
Title:	Town Clerk	
Date:		

**Surplus Property 2024- April 10, 2024**

<b>Bidder Name</b>	Hector Libs	James Rhynes	Lena Clark	Mike Week			
Dump Truck Bed				111.36			
Scag Lawn Mower	152.00		201.00	22.13			
Byson Sprayer							
Guardian Sprayer (\$400min)							
1990 Ford Pump Truck-1396 (\$1000min)							
2001 Ford Crown Vic-3133 (\$700min)							
2004 Ford Crown Vic-9762 (\$700min)							
2007 Ford Expedition-1186 (\$700min)		1,250~					
2010 Chevy Impala-3177 (\$700)		1,251.00					
<b>Total for Bidder</b>	152.00						
<b>Winner</b>							

**PROPOSED ORDINANCE NO. 2024-02**

**AN ORDINANCE OF THE TOWN OF SNEADS, FLORIDA  
RELATED TO POWERS OF LOCAL AUTHORITIES; SPEED  
DETECTION SYSTEM PLACEMENT AND INSTALLATION;  
SCHOOL CROSSING GUARD RECRUITMENT AND  
RETENTION PROGRAM; SPEED DETECTION SYSTEMS IN  
SCHOOL ZONES; SPEED DETECTION SYSTEMS;  
PENALTIES; DRIVER LICENSE POINTS; PROVIDING FOR  
THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH;  
PROVIDING FOR SEVERABILITY; PROVIDING AN  
EFFECTIVE DATE. BE IT ORDAINED BY THE TOWN  
COUNCIL OF THE TOWN OF SNEADS, FLORIDA, AS  
FOLLOWS:**

**WHEREAS**, Florida Statutes section 316.008(9)(A) permits a city or municipality to enforce the applicable speed limit on a roadway properly maintained as a school zone pursuant to Florida Statutes section 316.1895 during specified times 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; and

**WHEREAS**, Florida Statutes section 316.008(9)(B) permits a county or municipality to install, or contract with a vendor to place or install, a speed detection system within a roadway maintained as a school zone as provided in Florida Statutes section 316.1895 to enforce unlawful speed violations, as specified in Florida Statutes sections 316.1895(10) or 316.183 on that roadway.

**WHEREAS**, Florida Statutes section 316.008(9)(C) requires a county or municipality to enact an ordinance to authorize the placement or installation of a speed enforcement system on a roadway maintained as a school zone after a public hearing on such proposed ordinance in which the county or municipality considers traffic data or other evidence supporting the installation and operation of each proposed school zone speed detection system, and the county or municipality determines 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;

**WHEREAS**, the Council has held a public hearing in which it considered traffic data and other evidence and has found that school zones within the municipality constitute heightened safety risks that warrant additional enforcement measures;

**WHEREAS**, the Council believes that the regulations proposed in this Ordinance promote and enhance the health, safety, and welfare of its citizens.

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL AS FOLLOWS:**

**SECTION 1. DEFINITIONS.** The following words and phrases, when used in this Ordinance, shall have the meanings inscribed to them in Florida Statutes sections 316.003, 316.1906, and 316.1895:

**(1) Local Hearing Officer** means the person designated by a department, county, or municipality that elects to authorize traffic infraction enforcement officers to issue traffic

citations under Florida Statutes sections 316.0083(1)(A) and 316.1896(1) who is authorized to conduct hearings related to a notice of violation issued pursuant to Florida Statutes sections 316.0083 or 316.1896. The charter county, non-charter county, or municipality may use its currently appointed code enforcement board or a special magistrate to serve as the local hearing officer. The department may enter into an interlocal agreement to use the local hearing officer of a county or municipality.

- (2) School Speed Zone** means a school speed zone established pursuant to and in conformance with Florida Statutes section 316.1895.
- (3) Speed Detection System** means a portable or fixed automated system used to detect a motor vehicle's speed using radar or lidar and to capture a photograph or video of the rear of a motor vehicle that exceeds the speed limit in force at the time of the violation.
- (4) Traffic Infraction Enforcement Officer** means a person who is employed or appointed, with or without compensation, and satisfies the requirements of Florida Statutes section 316.640(5), and is vested with authority to enforce violations of Florida Statutes sections 316.1895 and 316.183 pursuant to Florida Statutes section 316.1896.

## **SECTION 2. POWERS OF LOCAL AUTHORITIES.**

**(A)** Pursuant to Florida Statutes section 316.008(9), Town is authorized to enforce the applicable speed limit on a roadway properly maintained as a school zone, through the use of a speed detection system for the detection of speed and capturing of photographs or videos for speeding violations in excess of ten (10) miles per hour over the speed limit in force at the time of the violation during the following times:

- (1)** Within thirty (30) minutes before through thirty (30) minutes after the start of a regularly scheduled breakfast program;
- (2)** Within thirty (30) minutes before through thirty (30) minutes after the start of a regularly scheduled school session.
- (3)** During the entirety of a regularly scheduled school session; and
- (4)** Within thirty (30) minutes before through thirty (30) minutes after the end of a regularly scheduled school session.

**(B)** A school zone's compliance with Florida Statutes section 316.1895, relating to the establishment of school speed zones, creates a rebuttable presumption that the school zone is properly maintained.

## **SECTION 3. SPEED DETECTION SYSTEM PLACEMENT AND INSTALLATION; NOTICE; ANNUAL REPORT.**

**(A)** The Town is authorized to install a speed detection system authorized by Florida Statutes section 316.008(9) in a school zone on a state road when permitted by the State Department of Transportation and in accordance with placement and installation specifications developed by the Department of Transportation. The Town may place or install a speed detection system in a school zone on a street or highway under the jurisdiction of a county

or a municipality in accordance with placement and installation specifications established by the Department of Transportation.

- (B) In all locations where The Town places or installs a speed detection system, as authorized by Florida Statutes section 316.008(9), The Town shall notify the public that a speed detection system may be in use by posting signage indicating photographic or video enforcement of the school zone speed limits. Such signage shall clearly designate the time period during which the school zone speed limits are enforced using a speed detection system and must meet the placement and installation specifications established by the Department of Transportation. For a speed detection system enforcing violations of Florida Statutes sections 316.1895 or 316.183 on a roadway maintained as a school zone, this paragraph governs the signage notifying the public of the use of a speed detection system.\
- (C) So long as The Town operates one or more school zone speed detection systems, The Town shall annually report the results of all systems within its jurisdiction to the Florida Department of Highway Safety and Motor Vehicles by placing the report required under Florida Statutes section 316.1896(16)(a) as a single reporting item on the agenda of a regular or special meeting of the Council.
- (1) Before The Town contracts or renews a contract to place or install a speed detection system in a school zone pursuant to Florida Statutes section 316.008(9), The Town shall approve the contract or contract renewal at a regular or special meeting of the Council. Interested members of the public shall be allowed to comment regarding the report, contract, or contract renewal under the Council's public comment policies or formats. The report, contract, or contract renewal may not be considered as part of a consent agenda.
  - (2) The report required under this paragraph shall include a written summary, which shall be read aloud at the regular or special meeting, and the summary shall contain, for the same time period pertaining to the annual report to the department under Florida Statutes section 316.1896(16)(a), the number of notices of violation issued, the number that were contested, the number that were upheld, the number that were dismissed, the number that were issued as uniform traffic citations, and the number that were paid and how collected funds were distributed and in what amounts. The Town must report to the Florida Department of Highway Safety and Motor Vehicles that the Town's annual report was considered in accordance with this paragraph, including the date of the regular or special meeting at which the annual report was considered.
  - (3) The compliance or sufficiency of compliance with this paragraph may not be raised in a proceeding challenging a violation of Florida Statutes sections 316.1895 or 316.183, enforced by a speed detection system in a school zone.

**SECTION 4. SCHOOL CROSSING GUARD RECRUITMENT AND RETENTION PROGRAM.** The law enforcement agency having jurisdiction over The Town must use funds generated from the school zone speed detection system program pursuant to Florida Statutes section 316.1896(5)(e) to administer the School Crossing Guard Recruitment and Retention

Program. Such a program may provide recruitment and retention stipends to crossing guards at k-12 public schools, including charter schools, or stipends to third parties for the recruitment of new crossing guards. The school crossing guard recruitment and retention program must be designed and managed at the discretion of the law enforcement agency.

**SECTION 5. ROADWAYS MAINTAINED AS SCHOOL ZONES; SPEED  
DETECTION SYSTEM ENFORCEMENT; PENALTIES; APPEAL; PROCEDURE;  
PRIVACY; REPORTS.**

(A) For purposes of administering this Section, a The Town may authorize a traffic infraction enforcement officer under Florida Statutes section 316.640 to issue uniform traffic citations for violations of Florida Statutes sections 316.1895 and 316.183, as authorized by Florida Statutes sections 316.008(9), as follows:

- (1) For a violation of Florida Statutes section 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.
- (2) For a violation of Florida Statutes section 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.
- (3) For a violation of Florida Statutes section 316.183 in excess of ten (10) miles per hour over the posted speed limit during the entirety of a regularly scheduled school session.
- (4) For a violation of Florida Statutes section 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.

(B) Violations must be evidenced by a speed detection system described in Florida Statutes sections 316.008(9) and 316.0776(3). This subsection does not prohibit a review of information from a speed detection system by an authorized employee or agent of a The Town before issuance of the uniform traffic citation by the traffic infraction enforcement officer. This subsection does not prohibit the Town from issuing notices as provided in subsection (C) below to the registered owner of the motor vehicle for a violation of Florida Statutes sections 316.1895 or 316.183.

(C) Within thirty (30) days after a violation, notice must be sent to the registered owner of the motor vehicle involved in the violation specifying the remedies available under Florida Statutes section 318.14 and that the violator must pay the penalty under Florida Statutes section 318.18(3)(d) to the Town, or furnish an affidavit in accordance with subsection (I) below, within thirty (30) days after the date of the notice of violation in order to avoid court fees, costs, and the issuance of a uniform traffic citation. The notice of violation must:

- (1) Be sent by first-class mail;



- (2) Include a photograph or other recorded image showing the license plate of the motor vehicle; the date, time, and location of the violation; the maximum speed at which the motor vehicle was traveling within the school zone; and the speed limit within the school zone at the time of the violation;
  - (3) Include a notice that the owner has the right to review, in person or remotely, the photograph or video captured by the speed detection system and the evidence of the speed of the motor vehicle detected by the speed detection system which constitute a rebuttable presumption that the motor vehicle was used in violation of Florida Statutes sections 316.1895 or 316.183; and
  - (4) State the time when, and the place or website at which, the photograph or video captured, and evidence of speed detected may be examined and observed.
- (D) Notwithstanding any other law, a person who receives a notice of violation under this Section may request a hearing within thirty (30) days after the notice of violation or may pay the penalty pursuant to the notice of violation, but a payment or fee may not be required before the hearing requested by the person. The notice of violation must be accompanied by, or direct the person to a website that provides, information on the person's right to request a hearing and on all costs related thereto and a form used for requesting a hearing. As used in this subsection, the term "person" includes a natural person, the registered owner or co-owner of a motor vehicle, or the person identified in an affidavit as having actual care, custody, or control of the motor vehicle at the time of the violation.
- (E) If the registered owner or co-owner of the motor vehicle; the person identified as having care, custody, or control of the motor vehicle at the time of the violation; or an authorized representative of the owner, co-owner, or identified person initiates a proceeding to challenge the violation, such person waives any challenge or dispute as to the delivery of the notice of violation.
- (F) Penalties assessed and collected by the Town, less the amount retained by The Town pursuant to subsections (2) and (5) below, and the amount remitted to the county school district pursuant to subsection (4), shall be paid to the State Department of Revenue weekly. Such payment shall be made by means of electronic funds transfer. In addition to the payment, a detailed summary of the penalties remitted shall be reported to the Department of Revenue. Penalties to be assessed and collected by the county or municipality as established in Florida Statutes section 318.18(3)(d) shall be remitted as follows:
- (1) Twenty dollars (\$20.00) shall be remitted to the Department of Revenue for deposit into the General Revenue Fund;
  - (2) Sixty dollars (\$60.00) shall be retained by The Town and shall be used to administer speed detection systems in school zones and other public safety initiatives;
  - (3) Three dollars (\$3.00) shall be remitted to the Department of Revenue for deposit into the Department of Law Enforcement Criminal Justice Standards and Training Trust Fund;

- (4) Twelve dollars (\$12.00) shall be remitted to the county school district in which the violation occurred and must be used for school security initiatives, for student transportation, or to improve the safety of student walking conditions. These funds shall be shared with charter schools in the district based on each charter school's proportionate share of the district's total unweighted full-time equivalent student enrollment and must be used for school security initiatives or to improve the safety of student walking conditions; and
  - (5) Five dollars (\$5.00) shall be retained by The Town for the school crossing guard recruitment and retention program pursuant to Florida Statutes section 316.1894.
- (G) A uniform traffic citation shall be issued by mailing the uniform traffic citation by certified mail to the address of the registered owner of the motor vehicle involved in the violation if payment has not been made within thirty (30) days after notification pursuant to subsection (C) above, if the registered owner has not requested a hearing as authorized under subsection (D), and if the registered owner has not submitted an affidavit in accordance with subsection (I).
  - (1) Delivery of the uniform traffic citation constitutes notification of a violation under this subsection. If the registered owner or co-owner of the motor vehicle; the person identified as having care, custody, or control of the motor vehicle at the time of the violation; or a duly authorized representative of the owner, co-owner, or identified person initiates a proceeding to challenge the citation pursuant to this section, such person waives any challenge or dispute as to the delivery of the uniform traffic citation.
  - (2) In the case of joint ownership of a motor vehicle, the uniform traffic citation shall be mailed to the first name appearing on the motor vehicle registration, unless the first name appearing on the registration is a business organization, in which case the second name appearing on the registration may be used.
  - (3) The uniform traffic citation mailed to the registered owner of the motor vehicle involved in the infraction shall be accompanied by the information described in subsections (C)(2), (C)(3), and (C)(4).
- (H) The registered owner of the motor vehicle involved in the violation is responsible and liable for paying the uniform traffic citation issued for a violation of Florida Statutes sections 316.1895 or 316.183 unless the owner can establish that:
  - (1) The motor vehicle was, at the time of the violation, in the care, custody, or control of another person;
  - (2) A uniform traffic citation was issued by law enforcement to the driver of the motor vehicle for the alleged violation of Florida Statutes sections 316.1895 or 316.183; or
  - (3) The motor vehicle's owner was deceased on or before the date of the alleged violation, as established by an affidavit submitted by the representative of the motor vehicle owner's estate or other identified person or family member.

- (I) To establish such facts under subsection (F), the registered owner of the motor vehicle must, within thirty (30) days after the date of issuance of the notice of violation or the uniform traffic citation, furnish to the appropriate governmental entity an affidavit setting forth the following information supporting an exception under subsection (F):
- (1) An affidavit supporting the exception under subsection (F)(1) must include the name, address, date of birth, and, if known, the driver license number of the person who leased, rented, or otherwise had care, custody, or control of the motor vehicle at the time of the alleged violation. If the motor vehicle was stolen at the time of the alleged violation, the affidavit must include the police report indicating that the motor vehicle was stolen.
  - (2) If a uniform traffic citation for a violation of Florida Statutes sections 316.1895 or 316.183 was issued at the location of the violation by a law enforcement officer, the affidavit must include the serial number of the uniform traffic citation.
  - (3) If the motor vehicle's owner to whom a notice of violation or a uniform traffic citation has been issued is deceased, the affidavit must include a certified copy of the owner's death certificate showing that the date of death occurred on or before the date of the alleged violation and one of the following:
    - (a) A bill of sale or other document showing that the deceased owner's motor vehicle was sold or transferred after his or her death but on or before the date of the alleged violation;
    - (b) Documented proof that the registered license plate belonging to the deceased owner's motor vehicle was returned to the department or any branch office or authorized agent of the department after his or her death but on or before the date of the alleged violation; or
    - (c) A copy of the police report showing that the deceased owner's registered license plate or motor vehicle was stolen after his or her death but on or before the date of the alleged violation.
  - (4) Upon receipt of the required affidavit and documentation specified above related to the issuance of a uniform traffic citation or a deceased owner, or thirty (30) days after the date of issuance of a notice of violation sent to a person identified as having care, custody, or control of the motor vehicle at the time of the violation pursuant to subsection (I)(1) above, The Town shall dismiss the notice or citation and provide proof of such dismissal to the person who submitted the affidavit. If, within thirty (30) days after the date a notice of violation was sent to a person, The Town receives an affidavit from the person sent a notice of violation affirming that the person did not have care, custody, or control of the motor vehicle at the time of the violation, The Town shall notify the registered owner that the notice or citation will not be dismissed due to failure to establish that another person had care, custody, or control of the motor vehicle at the time of the violation.

- (J) Upon receipt of an affidavit identifying another person as having care, custody, or control of the vehicle, the person identified may be issued a notice of violation for a violation of Florida Statutes sections 316.1895 or 316.183. The affidavit is admissible in a proceeding for the purpose of providing proof that the person identified in the affidavit was in actual care, custody, or control of the motor vehicle. The owner of a leased motor vehicle for which a uniform traffic citation is issued for a violation of Florida Statutes section 316.1895 is not responsible for paying the uniform traffic citation and is not required to submit an affidavit if the motor vehicle involved in the violation is registered in the name of the lessee of such motor vehicle.
- (K) If The Town receives an affidavit identifying another person as having care, custody, or control of the vehicle, the required notice of violation shall be sent to the person identified in the affidavit within thirty (30) days after receipt of the affidavit. The person identified in the affidavit and who received a notice of violation may also affirm that he or she did not have care, custody, or control of the motor vehicle at the time of the violation by furnishing to the appropriate governmental entity within thirty (30) days after the date of the notice of violation an affidavit stating such.
- (L) The submission of a false affidavit is a misdemeanor of the second degree, punishable with up to sixty (60) days in jail or a five-hundred dollar (\$500.00) fine pursuant to Florida Statutes sections 775.082 or 775.083.
- (M) The photograph or video captured by a speed detection system and the evidence of the speed of the motor vehicle detected by a speed detection system which are attached to or referenced in the uniform traffic citation are evidence of a violation of Florida Statutes sections 316.1895 or 316.183, and are admissible in any proceeding to enforce the violation. The photograph or video and the evidence of speed detected raise a rebuttable presumption that the motor vehicle named in the report or shown in the photograph or video was used in violation of Florida Statutes sections 316.1895 or 316.183.
- (N) This bill supplements the enforcement of Florida Statutes sections 316.1895 and 316.183 by a law enforcement officer and does not prohibit a law enforcement officer from issuing a uniform traffic citation for a violation of Florida Statutes sections 316.1895 or 316.183.
- (O) A hearing related to the violation shall be conducted under the procedures established in Florida Statutes section 316.0083(5), as follows:
- (1) The Florida Department of Highway Safety and Motor Vehicles shall publish and make available electronically to The Town a model request for hearing form to assist each county or municipality administering Florida Statutes section 316.1896.
  - (2) The Town shall designate by resolution existing staff to serve as the clerk to the local hearing officer.
  - (3) A person who elects to request a hearing (i.e., the petitioner) shall be scheduled for a hearing by the clerk to the local hearing officer. The clerk shall furnish the petitioner with notice sent by first-class mail. Upon receipt of the notice, the petitioner may reschedule the hearing up to two times by submitting a written request to reschedule to the clerk at least five (5) calendar days before the day

of the scheduled hearing. The petitioner may cancel his or her appearance before the local hearing officer by paying the assessed penalty plus the administrative costs of fifty dollars and twenty-six cents (\$50.26) before the start of the hearing.

- (4) At the conclusion of the hearing, the local hearing officer shall determine whether a violation occurred and shall uphold or dismiss the violation. The local hearing officer shall issue a final administrative order including the determination and, if the notice of violation is upheld, shall require the petitioner to pay the one-hundred dollars (\$100.00) penalty previously assessed, and may also require the petitioner to pay county or municipal costs not to exceed two-hundred and fifty dollars and twenty-seven cents (\$250.27). The final administrative order must be mailed to the petitioner by first-class mail.
- (5) An aggrieved party may appeal a final administrative order consistent with the process provided in Florida Statutes section 162.11 relating to appeals of an order of the code enforcement board.

**(P)**

- (1) 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 violations of Florida Statutes sections 316.1895 and 316.183, or user-controlled pan or tilt adjustments of speed detection system components, do not constitute remote surveillance. Recorded video or photographs collected may only be used to document violations of Florida Statutes sections 316.1895 and 316.183, and for purposes of determining civil or criminal liability for incidents captured by the speed detection system incidental to the permissible use of the speed detection system.
- (2) Any recorded video or photograph obtained through the use of a speed detection system shall be destroyed within ninety (90) days after the final disposition of the recorded event. The vendor of the speed detection system shall provide The Town with written notice by December 31 of each year that such records have been destroyed. Registered motor vehicle owner information obtained as a result of the operation of a speed detection system in a school zone is not the property of the manufacturer or vendor of the speed detection system and may be used only for the purposes specified.

**(Q)**

- (1) The Town shall submit a report by October 1, 2024, and annually thereafter, to the Florida Department of Highway Safety and Motor Vehicles which identifies the public safety objectives used to identify a school zone for enforcement; reports compliance with Florida Statutes section 316.0776(3)(c); and details the results of the speed detection system in the school zone and the procedures for enforcement. The Town shall submit the information described herein in a form and manner determined by the Florida Department of Highway Safety and

Motor Vehicles, which the Florida Department of Highway Safety and Motor Vehicles must make available to The Town by August 1, 2023, and the Florida Department of Highway Safety and Motor Vehicles may require data components to be submitted quarterly. The report must include at least the following:

- (a) Information related to the location of each speed detection system, including the geocoordinates of the school zone; the directional approach of the speed detection system; the school name; the school level; the times the speed detection system was active; the restricted school zone speed limit enforced pursuant to Florida Statutes section 316.1895(5); the posted speed limit enforced at times other than those authorized by Florida Statutes section 316.1895(5); the date the systems were activated to enforce violations of Florida Statutes sections 316.1895 and 316.183; and, if applicable, the date the systems were deactivated.
  - (b) The number of notices of violation issued, the number that were contested, the number that were upheld, the number that were dismissed, the number that were issued as uniform traffic infractions, and the number that were paid.
  - (c) Any other statistical data and information related to the procedures for enforcement which is required by the Florida Department of Highway Safety and Motor Vehicles to complete the report required below.
- (2) The Town shall maintain its respective data for reporting purposes for at least two (2) years after such data is reported to the Florida Department of Highway Safety and Motor Vehicles.
  - (3) On or before December 31, 2024, and annually thereafter, the Florida Department of Highway Safety and Motor Vehicles shall submit a summary report to the Governor, the President of the Senate, and the Speaker of the House of Representatives regarding the use of speed detection systems along with any legislative recommendations from the Florida Department of Highway Safety and Motor Vehicles. The summary report shall include a review of the information submitted to the Florida Department of Highway Safety and Motor Vehicles by The Town and shall describe the enhancement of safety and enforcement programs.

**SECTION 6. SPEED DETECTION SYSTEMS.** Pursuant to Florida Statutes sections 316.1906(3), speed detection systems are exempt from the Florida Department of Highway Safety and Motor Vehicles' requirements for radar and LiDAR units. A speed detection system must have the ability to perform self-tests as to its detection accuracy. The system must perform a self-test at least once every thirty (30) days. The law enforcement agency, or an agent acting on behalf of the law enforcement agency, operating a speed detection system must maintain a log of the results of the system's self-tests. The law enforcement agency, or an agent acting on behalf of the law enforcement agency, operating a speed detection system must also perform an independent calibration test on the speed detection system at least once every twelve (12)

months. The self-test logs, as well as the results of the annual calibration test, are admissible in any court proceeding for a uniform traffic citation issued for a violation of Florida Statutes sections 316.1895 or 316.183, enforced pursuant to Florida Statutes section 316.1896. Evidence of the speed of a motor vehicle detected by a compliant speed detection system and the determination by a traffic enforcement officer that a motor vehicle is operating in excess of the applicable speed limit is admissible in any proceeding with respect to an alleged violation of law regulating the speed of motor vehicles in school zones.

#### **SECTION 7. PENALTIES.**

(A) A person cited for a violation of Florida Statutes sections 316.1895(10) or 316.183 for exceeding the speed limit in force at the time of the violation on a roadway maintained as a school zone, when enforced by a traffic infraction enforcement officer pursuant to Florida Statutes sections 316.1896, must pay a fine of one-hundred dollars (\$100.00). Fines collected under this provision shall be distributed as follows:

- (1) Twenty dollars (\$20.00) shall be remitted to the State Department of Revenue for deposit into the General Revenue Fund;
- (2) Seventy-seven dollars (\$77.00) is distributed to the county for any violations occurring in any unincorporated areas of the county or to the municipality for any violations occurring in the incorporated boundaries of the municipality in which the infraction occurred, to be used as provided in Florida Statutes section 316.1896(5).
- (3) Three dollars (\$3.00) is remitted to the Department of Revenue for deposit into the Department of Law Enforcement Criminal Justice Standards and Training Trust Fund to be used as provided in Florida Statutes section 943.25, relating to the source and use of funds in criminal justice trust funds.

(B) If a person who is mailed a notice of violation or a uniform traffic citation for a violation of Florida Statutes sections 316.1895(10) or 316.183, as enforced by a traffic infraction enforcement officer under Florida Statutes section 316.1896, presents documentation from the appropriate governmental entity that the notice of violation or uniform traffic citation was in error, the clerk of court or clerk of the local hearing officer may dismiss the case. The clerk of court or clerk of the local hearing officer may not charge for this service.

**SECTION 8. DRIVER LICENSE POINTS.** No points shall be imposed on a driver's license for a violation of unlawful speed in a school zone when enforced by a traffic infraction enforcement officer through use of a speed detection system as authorized by this Ordinance. In addition, a violation of unlawful speed in a school zone when enforced by a traffic infraction enforcement officer through use of a speed detection system as described above may not be used for purposes of setting motor vehicle insurance rates.

**SECTION 9. CONFORMING CHANGES.** Pursuant to Florida Statutes section 316.640, traffic enforcement officers may issue traffic citations to enforce school zone speed limits. Pursuant to Florida Statutes section 316.650, the traffic infraction enforcement officer shall provide traffic citation data to the court within five (5) business days after the date of issuance of the citation to the violator. Pursuant to Florida Statutes section 318.14, traffic citations issued

pursuant to this Ordinance are excepted from the requirement that certain traffic violations be signed.

**SECTION 10. REPEALER.** Any other ordinance or provision or an ordinance in conflict with this Ordinance shall be repealed to the extent of, but only to the extent of, the explicit conflict with this Ordinance.

**SECTION 11. SEVERABILITY.** In the event any part of this Ordinance is deemed to be unconstitutional or invalid for any reason, the remainder of the Ordinance shall remain in full force and effect.

**SECTION 12. EFFECTIVE DATE.** This ordinance shall take effect immediately upon its adoption.

**PRESENTED**, read by title, and tabled pending publication and public hearing this \_\_\_\_ day of April 16, 2024.

**PRESENTED**, read by title and after public hearing with due public notice duly adopted by the Town Council of the Town of Sneads, Florida this \_\_\_\_ day of May, 2024

\_\_\_\_\_  
President, Town Council

Attest:

\_\_\_\_\_  
Sherri B Griffin, City Clerk



**March 2024**

**Arrests – 16**

**Traffic stops – 110**

**Suspicious incidents – 13**

**Suspicious Persons – 8**

**Animal complaints – 4**

**Traffic Crash – 6**

**Juvenile – 1**

**Baker Act – 1**

**Assist other Agency – 25**

**Trespass issued - 2**