

This instrument prepared by:  
 Donald E. Holmes, Esq.  
 City Attorney  
 222 North 3rd Street  
 Palatka, FL 32177

**ORDINANCE NO. 12-10**

**AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA ELECTING TO INSTITUTE PROCEDURES AUTHORIZED BY CHAPTER 316.0083 FL. STAT. (2011); REPEALING ORDINANCE 09-08, KNOWN AS THE CITY OF PALATKA TRAFFIC LIGHT SAFETY ACT (CODIFIED IN MUNICIPAL CODE AS CH. 82, ARTICLE IV) AND ANY OTHER ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR THE RENUMBERING OF CHAPTER 82 OF THE MUNICIPAL CODE; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the Florida Legislature, through the passage of Ch. 316.0083 Fl.Stat., has authorized the use of traffic control monitors, also known as “red light cameras” , as traffic infraction detectors to enforce certain provisions of Chapter 316 of the Florida Statutes relating to what is popularly known as “red light violations”; and

**WHEREAS**, the City Commission of the City of Palatka, Florida is concerned about the significant danger to its citizens caused by the failure of drivers to obey traffic signal devices, including “red lights” within its jurisdiction; and

**WHEREAS**, local governments throughout the State of Florida and the United States of America have successfully used traffic infraction detectors to improve public safety; and

**WHEREAS**, the Palatka City Commission finds that the use of traffic infraction detectors to apprehend red light violators is likely to improve public safety and operate for the benefit of the citizens of the City of Palatka; and

**WHEREAS**, the Palatka City Commission further finds that the use of traffic infraction detectors will permit the more efficient use of limited law enforcement personnel throughout this jurisdiction by allowing the allocation of more law enforcement time to duties other than the enforcement of traffic signal control laws; and

**WHEREAS**, the Palatka City Commission wishes to operate under the authority of the State Statute cited above and to repeal any ordinances previously adopted that may conflict with the State law or which might provide an alternate authority for the implementation of a red light camera detection system;

**NOW THEREFORE BE IT ENACTED BY THE CITIZENS OF THE CITY OF PALATKA, FLORIDA:**

**Section 1. Recitals.** The above-listed “WHEREAS” clauses are hereby ratified and confirmed as being true and correct and are hereby rendered a specific part of this Ordinance upon adoption and shall serve as its legislative history.

**Section 2. Use of Traffic Infraction Detectors.** This City hereby declares its intent to operate under the authority of Florida Statute Section 316.0083 (2011) in using traffic infraction detectors (red light cameras) within its jurisdiction to enforce Sections 316.074(1) and 316.075(1)(c)1 of the Florida Statutes.

**Section 3. Implementation of General Law.** The City Manager is authorized to take all actions necessary to implement a system of traffic enforcement utilizing traffic infraction detectors within the City of Palatka, subject to and in accord with the provisions and requirements of Chapter 316.0083 Fl. Stat. (2011)

**Section 4. Repeal of Conflicting Ordinances.**

- a. Ordinance No. 09-08, adopted by the City of Palatka City Commission on March 12, 2009 creating the City of Palatka Traffic Light Safety Act, is hereby rescinded, repealed and revoked in its entirety; and
- b. Section 82, Article IV, The City of Palatka Traffic Light Safety Act, is hereby deleted in its entirety, and Section 82 is renumbered accordingly, to the extent necessary;
- c. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

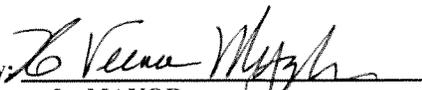
**Section 5. Severability.** If any section or portion of a section or subsection of this ordinance is determined to be invalid, unlawful, or unconstitutional, said determination shall not be held to invalidate or impair the validity, force, or effect of any other section or portion of a section, subsection, or part of this ordinance.

**Section 6. Codification.** A copy of this Ordinance shall be furnished to the Municipal Code Corporation for insertion in the Code of Ordinances for the City of Palatka, Florida.

**Section 7. Effective Date.** This ordinance shall take effect immediately upon its passage and approval, consistent with all requirements of general law.

**PASSED AND ADOPTED** by the City Commission of the City of Palatka, Florida, on second reading this 26<sup>th</sup> day of January, 2012.

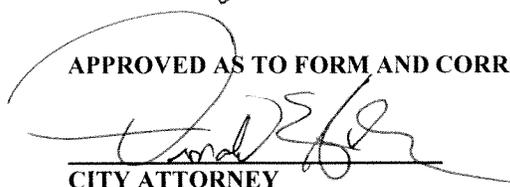
**CITY OF PALATKA**

By:   
Its MAYOR

ATTEST:

  
CITY CLERK

**APPROVED AS TO FORM AND CORRECTNESS:**

  
CITY ATTORNEY