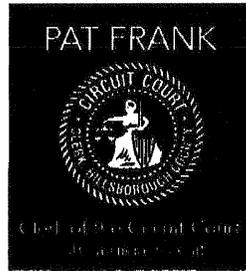


ORDINANCE

08-3



March 12, 2008

Norma J. Wise, Director
Hillsborough County Law Library
501 E. Kennedy Boulevard Ste. 100
Tampa, Florida 33602-5027

Re: Ordinance #08-3
Hillsborough County Red Light Camera Enforcement Ordinance

Dear Ms. Wise:

Attached please find a copy of Hillsborough County Ordinance #08-3 which was adopted by the Board of County Commissioners on March 6, 2008. We are also forwarding acknowledgment received from the Secretary of State. This ordinance has an effective date of March 12, 2008.

If I can provide additional information or be of further assistance, please do not hesitate to contact me.

Sincerely,

Gail M. Letzring,
Manager, BOCC Records

bam

Attachments

cc: Evelyn Jefferson, Municipal Code Corporation
Ellen Leonard, Legal Advisor, Sheriff's Office
Librarian, State Attorney's Office
Charlotte Diggs, Assistant County Attorney
Jack Brooks, Director, CCC Accounting
Daniel Klein, Chief Deputy Clerk BOCC
Dale Bohner, Legal Counsel, Clerk of the Circuit Court
Mary Wilson, Budget Manager, BOCC Finance
Sandra Davidson, County Attorney's Office

**BOCC MEETING AGENDA
SUPPLEMENT**



MEETING DATE: March 6, 2008

RE: Hold a public hearing to consider adoption of the Hillsborough County Red Light Camera Enforcement Ordinance.

AGENDA ITEM N^o: D-2 *(2:00 PM Time Certain)*

Ord # 08-3

This information will be uploaded and available on COIN.



Agenda Item Cover Sheet

Agenda Item N^o D-2

Meeting Date March 06, 2008

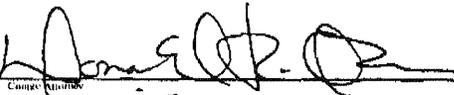
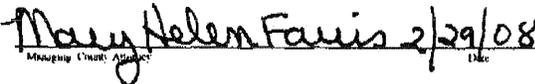
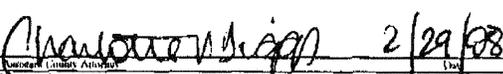
- Consent Section
 Regular Section
 Public Hearing

Subject:
Public Hearing on the Proposed Hillsborough County Red Light Camera Enforcement Ordinance

Department Name: County Attorney's Office

Contact Person: Charlotte V. Diggs Contact Phone: 272-5670

Sign-Off Approvals:

	2/29/08		2/29/08
<small>County Clerk</small>	<small>Date</small>	<small>County Clerk</small>	<small>Date</small>
	3/3/08		2/29/08
<small>Management and Budget - Approval/Over Financial Impact Assistant</small>	<small>Date</small>	<small>County Clerk</small>	<small>Date</small>

Staff's Recommended Board Motion:

Hold a public hearing to consider adoption of the Hillsborough County Red Light Camera Enforcement Ordinance. Approval of this item may have an impact on the FY 08 Adopted Budget. This item is anticipated to generate additional county revenue - subject to the contract with the vendor, the number of locations in which the cameras are placed, and the public response. Depending on the volume of appeals before the Code Enforcement Board/Special Magistrate, the Clerk's Office may require additional resources for keeping the minutes of these hearings. Additionally, if a reduction in the number of uniform traffic citations issued by law enforcement personnel occurs as a result of the issuance of red light camera notices of violation, the State revenues that support the Clerk's court operations will decline proportionally, possibly resulting in a negative impact of services provided to the Thirteenth Judicial Circuit Courts.

Financial Impact Statement:

Approval of this item may have an impact on the FY 08 Adopted Budget. This item is anticipated to generate additional county revenue - subject to the contract with the vendor, the number of locations in which the cameras are placed, and the public response. Also, depending on the volume of appeals before the Code Enforcement Board/Special Magistrate, the Clerk's Office may require additional resources for keeping the minutes of these hearings. Additionally, if a reduction in the number of uniform traffic citations issued by law enforcement personnel occurs as a result of the issuance of red light camera notices of violation, the State revenues that support the Clerk's court operations will decline

proportionally, possibly resulting in a negative impact of services provided to the Thirteenth Judicial Circuit Courts.

Background:

Per direction of the Board of County Commissioners at its regular meeting of January 16, 2008, the County Attorney's Office has completed research regarding whether Hillsborough County can lawfully enact an ordinance to enforce and assess penalties for red light infractions captured by camera. Results from the research confirm that the County can lawfully monitor those violations. Attached is the proposed ordinance which prescribes the enforcement mechanism and provides for a sixty (60) day "courtesy warning" period to begin upon installation and operability of the first set of cameras. Due to the existence of proposed state legislation regarding local government enforcement of red light camera issues, a provision has been written into the ordinance allowing for a merger of the ordinance with any state legislation passed to the extent that the provisions are consistent. This public hearing has been properly noticed and advertised pursuant to law.

List Attachments:

Hillsborough County Red Light Camera Enforcement Ordinance

ORDINANCE No. 08- 3

AN ORDINANCE OF HILLSBOROUGH COUNTY, FLORIDA TO BE CALLED "THE HILLSBOROUGH COUNTY RED LIGHT CAMERA ENFORCEMENT ORDINANCE"; PROVIDING FOR INTENT AND DEFINITIONS; ESTABLISHING A RED LIGHT ENFORCEMENT CAMERA PROGRAM WITHIN THE COUNTY; AUTHORIZING HILLSBOROUGH COUNTY TO PERMIT AND IMPLEMENT THE USE OF TRAFFIC INFRACTION DETECTORS FOR RED LIGHT INFRACTIONS; PROVIDING ENFORCEMENT PROCEDURES, INCLUDING NOTICE TO VIOLATORS, APPEAL HEARINGS, PENALTIES, IMPOSITION, COLLECTION, AND DISPOSITION OF ADMINISTRATIVE FINES AND COSTS; PROVIDING FOR A FINE STRUCTURE BEGINNING AT \$125 TO A MAXIMUM PENALTY OF \$500; PROVIDING FOR A SIXTY DAY COURTESY WARNING PERIOD; PROVIDING FOR DEFENSES; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR MERGER WITH STATE LEGISLATION.

WHEREAS, Hillsborough County is located in a high density traffic area and regularly experiences traffic incidents related to the failure of motorists to obey duly erected traffic control devices, which exposes its citizens to the dangers of personal injury and property damage; and

WHEREAS, the Board of County Commissioners of Hillsborough County, Florida (hereinafter referred to as "Board") is concerned with the inability to sufficiently enforce the state statute prohibiting running of red lights, due mainly to the requirement that enforcement of the state statute requires the personal observation of law enforcement officers, affecting the ability to effectively reduce the significant dangers presented to motorists and pedestrians by the failure to stop for a red light; and,

WHEREAS, the use of unmanned cameras to enforce toll violations on the state's toll roads has been determined to be fair, reasonable and sufficient by the State of Florida in order to effectively enforce laws regulating the payment of tolls without the need to commit the extreme amount of personnel that would be necessary without the use of unmanned cameras; and,

WHEREAS, local governments in various parts of the state of Florida and the United States have demonstrated the enhancement of vehicular and pedestrian traffic safety attributable to the integration of automated image capture technologies with traditional traffic law enforcement methodology and have implemented various red light enforcement camera programs to monitor and regulate traffic violations in their territories; and

WHEREAS, the use of unmanned cameras or other devices classified as traffic infraction detectors will be effective in enforcing laws requiring vehicles to stop for red lights; thereby freeing law enforcement personnel in Hillsborough County to respond to other, and sometimes more significant, incidents as well as serious crimes; and,

WHEREAS, § 316.008, Florida Statutes, grants local authorities, with respect to streets and highways under their jurisdiction and within the reasonable exercise of police power, the authority to regulate and monitor traffic by means of police officers and security devices; and

WHEREAS, Hillsborough County, as a charter county pursuant to the adopted Hillsborough County Charter (1983), has home rule authority

pursuant to Article VIII, Section 1 of the Florida Constitution and Chapter 125, Florida Statutes, to enact an ordinance to monitor violations of red light traffic signals, to use traffic infraction detectors to monitor these infractions, and to use the recorded images of traffic infraction detectors to advise registered vehicle owners of their recorded violations at intersections; and

WHEREAS, in the interest of safety on its intersections and highways, the Board desires to place traffic infraction detectors on various intersections owned by the County and in other locations within the jurisdiction of the County with appropriate authorization; and

WHEREAS, initially, the Board will implement a 60-day courtesy warning period and issue warning notices to red light violators, based on the recorded images presented by the traffic infraction detectors, to allow County staff, law enforcement, and the selected traffic infraction detector vendor time to initiate a public awareness campaign and to develop and coordinate the process and criteria for the County's Red Light Enforcement Camera Program; and

WHEREAS, the Board desires to have this courtesy warning period commence upon the installation of the first traffic infraction detector and only after it has been determined operable by the appropriate persons; and

WHEREAS, after the courtesy warning period has elapsed, the Board desires to issue Notices of Violations to registered owners of vehicles, will not utilize the uniform traffic citation prescribed by Chapter 316, and will not

prosecute offenses of this County Ordinance through county court, but through quasi-judicial civil proceedings already established by County Ordinance; and

WHEREAS, specifically, the Board desires to provide enforcement of such violations of the County's Code of Ordinances in the manner prescribed herein and through the use of the County's Code Enforcement Board and Special Magistrate Process, procedures adopted pursuant to Chapter 162, Florida Statutes and set forth in Hillsborough County Ordinance 05-5; and

WHEREAS, upon the passage of any state legislation that addresses local government enforcement of red light cameras, this Ordinance shall merge with that legislation to the extent that it is not in conflict with those provisions and applications of state law; and

WHEREAS, the Board finds that implementation of the Red Light Camera Enforcement Program as set forth herein will promote, protect and improve the health, safety and welfare of its citizens, consistent with the authority of and limitations on the County pursuant to the Florida Constitution and Florida Statutes;

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA:

Section 1. The foregoing "**WHEREAS**" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

Section 2. Ordinance 08- 3___, entitled Hillsborough County Red Light Camera Enforcement Ordinance, shall be created to read as follows:

Hillsborough County Red Light Camera Enforcement Ordinance.

2.1 Intent.

The purpose of this Ordinance is to protect the health, safety, and welfare of the citizens of Hillsborough County, consistent with Chapter 125, Florida Statutes, by authorizing the use of an unmanned camera/traffic infraction detector to promote compliance with red light signal directives as prescribed by this Ordinance, and to adopt a quasi-judicial civil enforcement system for red light signal violations. This Ordinance will also supplement law enforcement personnel in the enforcement of red light signal violations and shall not prohibit law enforcement officers from issuing a uniform traffic citation for a red light signal violation in accordance with Florida Statutes Chapter 316.

2.2 Use of Image Capture Technologies.

The County shall utilize image capture technologies as a supplemental means of monitoring compliance with laws related to traffic control signals, while assisting law enforcement personnel in the enforcement of such laws, which are designed to protect and improve public health, safety and welfare. The County shall utilize image capture technologies as an ancillary deterrent to traffic control signal violations and to thereby reduce accidents and injuries associated with such violations. Notices of Violation issued pursuant to this Ordinance shall be addressed using the County's quasi-judicial Code Enforcement system and not through the issuance of uniform traffic citations processed through county courts.

2.3 Definitions.

The following definitions shall apply to this Ordinance:

- (a) *Intersection* shall mean the area embraced within the prolongation or connection of the lateral curb line; or, if none, then the lateral boundary lines, of the roadways of two roads which join or intersect one another at, or approximately at, right angles; or the area within which vehicles traveling upon different roads joining at any other angle may come in conflict. Where a

highway includes two roadways 30 feet or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. In the event such intersecting highway also includes two roadways 30 feet or more apart, then every crossing of two roadways of such highways shall be regarded as a separate intersection.

- (b) *Issuing Officer* shall mean either the County's Code Enforcement Official, Traffic Enforcement Officer employed by the Sheriff's Office, or an agent of the vendor with the responsibilities described herein.
- (c) *Motor vehicle* shall mean any self-propelled vehicle not operated upon rails or guide way, but not including any bicycle, motorized scooter, electric personal assisted mobility device, or moped.
- (d) *Notice of Violation* shall mean a citation issued for a red light infraction.
- (e) *Owner/Vehicle Owner* shall mean the person or entity identified by the Florida Department of Motor Vehicles, or other state vehicle registration office, as the registered owner of a vehicle. Such term shall also mean a lessee of a motor vehicle pursuant to a lease of six months or more.
- (f) *Red Light Infraction* shall mean a traffic offense whereby a traffic infraction detector established that a vehicle entered an intersection controlled by a duly erected traffic control device at a time when the traffic control signal for such vehicle's direction of travel was emitting a steady red signal.
- (g) *Special Magistrate* shall mean the County's Code Enforcement Special Magistrate.
- (h) *Traffic Control Signal* shall mean a device exhibiting different colored lights or colored lighted arrows, successively one at a time or in combination, using only the colors green, yellow, and red which indicate and apply to drivers of motor vehicles as provided in Florida Statutes § 316.075.

- (i) *Traffic Infraction Detector* shall mean a device that uses a vehicle sensor installed to work in conjunction with a traffic control signal and a camera synchronized to automatically record two or more sequenced photographic or electronic images or streaming video of only the rear of a motor vehicle at the time the vehicle fails to stop behind the stop bar or clearly marked stop line when facing a traffic control signal steady red light. Any notice of violation issued by the use of a traffic infraction detector must include a photograph or other recorded image showing both the license tag of the offending vehicle and the traffic control device being violated.
- (j) *Recorded Images* shall mean images recorded by a traffic infraction detector
 - 1. On:
 - Two or more photographs;
 - Two or more electronic images;
 - Two or more digital images;
 - Video; or
 - Any other medium; and
 - 2. Showing the rear of a motor vehicle and, on at least one image, clearly identifying the registration plate number of the vehicle.

2.4 Adherence to Red Light Traffic Control Signals.

Motor vehicle traffic facing a traffic control signal's steady red light indication shall stop before entering the crosswalk on the near side of an intersection or, if none, then before entering the intersection and shall remain standing until a green indication is shown on the traffic control signal; however, the driver of a vehicle which is stopped at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection or, if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection in obedience of a steady red traffic control signal, may make a right turn (unless such turn is otherwise prohibited by posted sign or other traffic control device) but shall yield the right-of-way to pedestrians and other traffic proceeding as directed by the traffic control signal at the intersection.

2.5 Violation.

A violation of this Ordinance, known as a red light infraction, shall occur when a vehicle does not comply with the requirements of Section 2.4. Violations of this Ordinance shall be enforced pursuant to Section 2.7 herein.

2.6 Sixty-day courtesy warning period.

For the first sixty (60) days after the first traffic infraction detector has been installed and determined to be operable, unless the driver of a vehicle received a uniform traffic citation from a law enforcement officer at the time of a red light infraction in accordance with Florida Statutes §316.075(1)(c), the vehicle owner shall receive a courtesy warning of the violation. Upon termination of the 60-day courtesy warning period, the vehicle owner is subject to the enforcement provision as provided herein.

2.7 Review of Recorded Images.

- (a) The registered owner of the vehicle, observed to have driven through a red light signal by recorded images of the traffic infraction detector, shall be issued a Notice of Violation. The recorded image shall be sufficient grounds to issue a County Notice of Violation.
- (b) The issuing officer shall review recorded images prior to the issuance of a Notice of Violation to ensure the accuracy and integrity of the recorded images. The issuing officer shall also verify that the Traffic Infraction Detector which captured the recorded images was functioning properly at the time the recorded images were captured. Once the issuing officer has verified the accuracy of the recorded images and functionality of the Traffic Infraction Detector, the issuing officer shall complete a report, prepare the Notice of Violation and send it via certified mail with a return receipt, to the Vehicle Owner at the address on record with the Florida Department of Highway Safety and Motor Vehicles.

2.8 Notice of Violation.

The County Notice of Violation shall be sent by certified mail with a return receipt, addressed to the registered owner of the motor vehicle, and postmarked no later than fourteen (14) days after the date of the alleged

violation. The vendor shall be authorized on behalf of the County to send out the Notice of Violation. The Notice of Violation shall include:

- (a) The name and address of the vehicle owner;
- (b) The license plate number and registration number of the vehicle;
- (c) The make, model, year and color of the vehicle;
- (d) Notice that the violation charged is pursuant to this Ordinance;
- (e) The location of the intersection where the violation occurred;
- (f) The date and time of the red light infraction;
- (g) Notice that the recorded images relating to the vehicle and a statement from the issuing officer that the recorded images are evidence of a red light infraction;
- (h) The civil penalty (amount of fine) imposed;
- (i) The procedures for payment of the civil penalty, including the date the fine must be paid and the procedure for contesting the notice of violation;
- (j) A signed statement by the issuing officer that, based on an inspection of recorded images, the vehicle was involved in a red light infraction;
- (k) Information advising the alleged violator under this Section, the manner and time in which liability as alleged in the Notice of Violation may be appealed and a warning that failure to pay the civil penalty or to contest liability in a timely manner is deemed an admission of liability.

2.9 Vehicle Owner Responsibilities.

A Vehicle Owner receiving a Notice of Violation may, within twenty-one (21) days of the date of receipt of the Notice of Violation:

- (a) Pay the assessed civil penalty pursuant to instructions on the notice of violation; or

- (b) Request an appeal pursuant with procedures as outlined in this Ordinance.

The failure to comply with the provisions of this Section within twenty-one (21) days from the date of the Notice of Violation shall constitute a waiver of the right to contest the Notice of Violation and shall be considered an admission of liability.

2.10 Appeal to Code Enforcement Board /Special Magistrates.

The County's Code Enforcement Board and/or Special Magistrates are authorized to consider appeals that are filed within the prescribed twenty-one (21) day time period. The Vehicle Owner may file an appeal with the County pursuant to the directions in the Notice of Violation. A hearing on the appeal shall be scheduled for all appeals that are timely filed. All appeals shall be filed directly to the Hillsborough County Citizen Boards Support Office, 601 E. Kennedy Blvd, 16th floor, Tampa, Florida 33602.

- (a) Upon receipt of the appeal, the County shall schedule a hearing before the Code Enforcement Board or Special Magistrate to occur not later than sixty (60) days after the County's receipt of the appeal. A Notice of Hearing shall be provided to the Vehicle Owner no less than ten (10) days prior to the hearing, and shall be provided by certified mail with a return receipt to the same address to which the Notice of Violation was sent.
- (b) The following shall be permissible grounds for an appeal:
 - (i) At the time of the infraction, the vehicle was not under the care, custody, or control of the Vehicle Owner. In support of this defense, the vehicle owner shall provide the name, address, and 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 infraction. In the case that the vehicle was stolen, the vehicle owner shall provide a copy of the police report indicating the vehicle was stolen at the time of the alleged infraction.
 - (ii) The motor vehicle driver was issued a uniform traffic citation by a law enforcement officer, which was separate and distinct from the Notice of Violation issued under this Section, for the alleged violation of §316.075(1)(c);

- (iii) The motor vehicle driver passed through the intersection at the direction of a law enforcement officer;
 - (iv) The motor vehicle driver passed through the intersection in order to yield right-of-way to an emergency vehicle or as part of a funeral procession;
 - (v) The motor vehicle driver was required to violate the steady red traffic control signal in order to comply with other governing laws;
 - (vi) The motor vehicle driver was required to violate the steady red traffic control signal in order to reasonably protect the property or person of another;
 - (vii) The steady red traffic control signal was inoperable or malfunctioning; or
 - (viii) Any other reason the Code Enforcement Board or Special Magistrate deems appropriate upon the submission of testimony and/or evidence.
- (c) At the hearing, the burden of proof shall be upon the County to show by a preponderance of the evidence that a violation does exist. The issuing officer shall testify at the appeal. Then, the Vehicle Owner may present testimony and evidence.
- (d) Recorded images indicating a red light infraction, verified by the issuing officer, are admissible in any proceeding before the County's Code Enforcement Board and/or Special Magistrate to enforce the provisions of this Section, and shall constitute prima facie evidence of the violation.
- (e) It will be presumed that the person registered as the vehicle owner with the Florida Department of Motor Vehicles or any other state vehicle registration office was operating the vehicle at the time of a red light infraction. This presumption may be rebutted upon the submission of testimony and/or evidence to the contrary.

2.11 Penalties.

A violation of this Ordinance shall be deemed a non-criminal, non-moving violation for which a civil penalty in the amount of \$125.00 shall be assessed for the first violation. Upon a second violation, a civil penalty shall again be assessed in the amount of \$125.00. If subsequent violations occur within two years of the occurrence of the second violation, an additional penalty of \$75.00 shall be assessed per violation. In no case shall the maximum penalty assessed be greater than \$500.00. An additional surcharge may be added to this civil penalty as authorized by the Board of County Commissioners. As the violation relates to this Ordinance and not the State Statutes, no points as provided in Florida Statutes § 322.27 shall be recorded on the driving record of the registered vehicle owner or responsible party.

2.12 Nonpayment of Civil Penalty

In the event that a violator fails to pay the civil penalty within the allotted time period, the vendor shall be authorized on behalf of the County to employ collection strategies to collect the outstanding civil penalties due. Once the vendor has exercised all collections attempts and they are proven to be unsuccessful, the vendor shall forward those cases to the Hillsborough County Citizen Boards Support Office for adjudication of non-payment and further collection activity consistent with Florida Statutes Chapter 162.

2.13 Administrative Charges.

In addition to the civil penalty and added surcharge pursuant to Section 2.11 above, costs may be assessed in the event of an appeal or the necessity to institute collection procedures.

2.14 Distribution of Cost Recovery.

All collected fines, surcharges, and/or administrative charges assessed will be deposited into the County's Unincorporated Area General Fund which may be used to support the Sheriff's Office operations and other associated County costs.

2.15 Administrative Procedures and Collection of Fines.

The Hillsborough County Code Enforcement Department, the Hillsborough County Sheriff's Office, and/or the Hillsborough County Code

Enforcement Board/Special Magistrate system shall have jurisdiction and shall conduct the quasi-judicial enforcement procedures of this ordinance in the same or similar manner as with other ordinance violations with the additional stipulations noted within this ordinance. The provisions and procedures contained in Hillsborough County Ordinance 05-5, as previously amended and as may be amended from time to time relating to County Code Enforcement, are hereby adopted and incorporated as part of this ordinance. The County may establish procedures for the collection of a penalty imposed herein, and may enforce such penalty by civil action in the nature of debt.

2.16 Exceptions.

This Ordinance shall not apply to red light infractions involving vehicle collisions or to any authorized emergency vehicle responding to a bona fide emergency; nor shall it apply to a Notice of Violation issued in any case where the operator of the vehicle was also issued a uniform traffic citation for violating Florida Statute §316.075(1)(c) regarding the failure to stop at a steady red light indication.

Section 3.

Severability. If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

Section 4.

Effective Date. This Ordinance shall take effect upon receipt of official acknowledgment from the Department of State that a copy of said Ordinance has been duly filed with said office. Upon passage of any state legislation that

addresses local government enforcement of red light cameras, this Ordinance shall merge with that legislation to the extent that it is not in conflict with those provisions and applications of state law.

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I, Pat Frank, Clerk of the Circuit Court and Ex-Officio Clerk of the Board of County Commissioners, do hereby certify that the above and foregoing ordinance is a true and correct copy of an ordinance adopted by the Board of County Commissioners of Hillsborough County, Florida, in its regular public meeting of March 6, 2008 the same appears on record in Minute Book 382 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 11th day of March, 2008.

PAT FRANK, CLERK

By: *Meredith K. Duff*
Deputy Clerk

Approved as to form and legality.

By: *Charlotte V. Sigg*
Assistant County Attorney



64882785.doc

**FLORIDA DEPARTMENT OF STATE****CHARLIE CRIST**
Governor

STATE LIBRARY AND ARCHIVES OF FLORIDA

KURT S. BROWNING
Secretary of State

March 12, 2008

Ms. Gail M. Letzring,
Manager, BOCC Records
Clerk of the Circuit Court
Hillsborough County
P.O. Box 1110
Tampa, Florida 33601

Dear Ms. Letzring:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated March 11, 2008, and certified copies of Hillsborough County Ordinance No. 08-3, which was filed in this office on March 12, 2008.

Sincerely,

A handwritten signature in cursive script that reads "Liz Cloud".

Liz Cloud
Program Administrator

LC/

DIRECTOR'S OFFICE

R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32309-0250
850.245.6600 • FAX: 850.245.6735 • TDD: 850.921.4085 • <http://dhs.doc.state.fl.us>

COMMUNITY DEVELOPMENT
850.245.6600 • FAX: 850.245.6649

STATE LIBRARY OF FLORIDA
850.245.6600 • FAX: 850.245.6744

STATE ARCHIVES OF FLORIDA
850.245.6700 • FAX: 850.488.4894

LEGISLATIVE LIBRARY SERVICE
850.488.2812 • FAX: 850.488.9879

RECORDS MANAGEMENT SERVICES
850.245.6730 • FAX: 850.245.6795

ADMINISTRATIVE CODE AND WEEKLY
850.245.6270 • FAX: 850.245.6282

RECEIVED BY

FEB 26 2008

The Tampa Tribune

Published Daily

Tampa, Hillsborough County, Florida

COUNTY ATTORNEYS OFFICE
ACCOUNTANT

State of Florida)
County of Hillsborough)

Before the undersigned authority personally appeared C.Offner, who on oath says that she is the Advertiser Accountig Supervisor of The Tampa Tribune, a daily newspaper published at Tampa in Hillsborough County, Florida; that the attached copy of the

Legal Ads IN THE Tampa Tribune

In the r Legal Notices

was published in said newspaper in the issues of

2/23/2008

Affiant further says that the said The Tampa Tribune is a newspaper published at Tampa in said Hillsborough County, Florida, and that the said newspaper has heretofore been continuously published in said Hillsborough County, Florida, each day and has been entered as second class mail matter at the post office in Tampa, in said Hillsborough County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, this advertisement for publication in the said newspaper

NOTICE OF INTENT TO CONSIDER COUNTY ORDINANCE

NOTICE IS HEREBY GIVEN TO WHOM IT MAY CONCERN:

NOTICE is hereby given that the Board of County Commissioners of Hillsborough County, Florida, intends to consider for the purpose of enactment, the following ordinance at a meeting on March 6, 2008 at 2:00 p.m. in the Board of County Commissioners Board Room, County Center Second Floor, 601 East Kennedy Boulevard, Tampa, Florida:

AN ORDINANCE OF HILLSBOROUGH COUNTY, FLORIDA TO BE CALLED "THE HILLSBOROUGH COUNTY RED LIGHT CAMERA ENFORCEMENT ORDINANCE"; PROVIDING FOR INTENT AND DEFINITIONS; ESTABLISHING A RED LIGHT ENFORCEMENT CAMERA PROGRAM WITHIN THE COUNTY; AUTHORIZING HILLSBOROUGH COUNTY TO PERMIT AND IMPLEMENT THE USE OF TRAFFIC INFRACTIONS DETECTORS FOR RED LIGHT VIOLATIONS; PROVIDING ENFORCEMENT PROCEDURES, INCLUDING NOTICE TO VIOLATORS, APPEAL HEARINGS, PENALTIES, IMPOSITION, COLLECTION, AND DISPOSITION OF ADMINISTRATIVE FINES AND COSTS; PROVIDING FOR A FINE STRUCTURE BEGINNING AT \$125 TO A MAXIMUM PENALTY OF \$500; PROVIDING FOR A SIXTY DAY COURTESY WARNING PERIOD; PROVIDING FOR DEFENSES; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR MERGER WITH STATE LEGISLATION.

ANY PERSON WHO MIGHT WISH TO APPEAL ANY DECISION MADE BY THE HILLSBOROUGH COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING ANY MATTER CONSIDERED AT THE FORTHCOMING PUBLIC HEARING OR MEETING IS HEREBY ADVISED THAT THEY WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE THEY MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE WHICH WILL INCLUDE THE TESTIMONY AND EVIDENCE UPON WHICH SUCH APPEAL IS TO BE BASED. ALL INTERESTED PARTIES MAY APPEAR AT THE ABOVE REFERENCED HEARING AND BE HEARD WITH RESPECT TO THE PROPOSED ORDINANCE. A COPY OF THE PROPOSED ORDINANCE MAY BE INSPECTED BY THE PUBLIC AT THE CLERK'S OFFICE ON THE 12TH FLOOR OF THE COUNTY CENTER AT 601 E. KENNEDY BLVD., TAMPA, FL. 33602.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA), PERSONS NEEDING SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THESE PROCEEDINGS, AND ALSO THOSE SEEKING AN INTERPRETER, SHOULD CONTACT THE CITIZENS' ACTION CENTER AT TELEPHONE NUMBER (813) 272-5900 NOT LATER THAN 48 HOURS PRIOR TO THE PROCEEDINGS.

CHAIRMAN, BOARD OF COUNTY COMMISSIONERS
Hillsborough County, Florida

7590 2/23/08,

C. Offner

Sworn to and subscribed by me, this 25 day of February, A.D.2008

Personally known or Produced Identification
Type of Identification Produced _____



Ana Maria Hodel
Commission # DD551367
Expires: MAY 11, 2010
WWW.AARONNOTARY.COM

[Signature]

Original Ad & Affidavit
Sent to BOCC Records



March 19, 2008

MS LIZ CLOUD CHIEF
BUREAU OF ADMINISTRATIVE CODE
DEPARTMENT OF STATE
500 SOUTH BRONOUGH ST RA GRAY BLDG RM 101
TALLAHASSEE FL 32399-0250

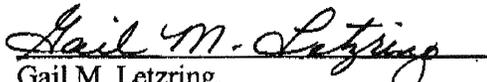
Re: Correcting Scrivener's Error - Ordinance #08-3
Hillsborough County Red Light Camera Enforcement Ordinance

Dear Ms. Cloud:

Hillsborough County Ordinance #08-3, which was adopted by the Board of County Commissioners on March 6, 2008, contained a scrivener's error. Please substitute the corrected original for the ordinance received with our memo dated March 11, 2008.

It is respectfully requested that you provide this office with the required official acknowledgment of your receipt and filing of said ordinance.

Sincerely,


Gail M. Letzring,
Manager, BOCC Records

bam
Attachment
Federal Express AB# 8610 5558 9763

100 **FedEx** [®] **US Airbill** FedEx Tracking Number **86110 5558 9763**

Sender's Copy

1 From Please print and press hard **Sender's FedEx Account Number** **1140-8846-3**

Date **3-19-08** **Sender's FedEx Account Number** **1140-8846-3**

Sender Name **BOCC RECORDS PROCESSING** **City** **TAMPA** **State** **FL** **ZIP** **33602-3503**

Company **CLERK CIRCUIT COURT 12TH FL** **Address** **601 EAST KENNEDY BLVD** **TAMPA FL 33602**

2 Your Internal Billing Reference **180** **ORD#** **08-3**

3 To **Recipient's Name** **LIZ CLOUD CHIEF**

Company **BUREAU OF ADMINISTRATIVE CODE**

Recipient's Address **DEPARTMENT OF STATE**
500 S BRONOUGH ST RA GRAY BLDG
TALLAHASSEE FL 32399-0250

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City **State** **ZIP**

0360518281



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4a Express Package Service

FedEx Priority Overnight Next business morning. *Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected.

FedEx 2Day Next business day. *Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected.

FedEx 2Day AM Next business day. *Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected.

FedEx 2Day Freight Second business day. *Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected.

FedEx 3Day Third business day. *Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected.

FedEx 4Day Fourth business day. *Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected.

FedEx 5Day Fifth business day. *Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected.

FedEx International International service. *Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected.

FedEx Signature Signature required. *Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected.

FedEx Insured Insurance coverage. *Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected.

FedEx Registered Mail Registered mail service. *Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected.

FedEx Registered Mail Signature Registered mail with signature. *Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected.

FedEx Registered Mail Signature Restricted Registered mail with signature, restricted. *Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected.

FedEx Registered Mail Signature Restricted Insurance Registered mail with signature, restricted, insurance. *Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected.

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FedEx Registered Mail Signature Restricted Insurance Signature Restricted Insurance Signature Restricted Insurance Signature Restricted Insurance Signature Registered mail with signature, restricted, insurance, signature, restricted, insurance, signature, restricted, insurance, signature, restricted, insurance, signature. *Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected.

7 Payment Bill to: **Sender** **Recipient** **Third Party** **Credit Card** **Cash/Check**

8 Residential Delivery Signature Options **No Signature Required** **Direct Signature** **Indirect Signature**

Total Packages **Total Weight** **Total Declared Value***

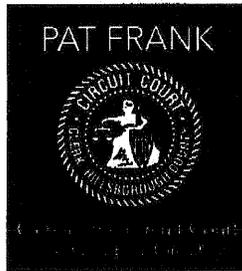
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PULL AND RETAIN THIS COPY BEFORE AFFIXING TO THE PACKAGE. NO POUCH NEEDED.



March 11, 2008

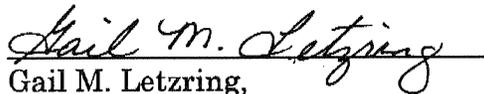
MS LIZ CLOUD CHIEF
BUREAU OF ADMINISTRATIVE CODE
DEPARTMENT OF STATE
500 SOUTH BRONOUGH ST RA GRAY BLDG RM 101
TALLAHASSEE FL 32399-0250

Re: Ordinance #08-3
Hillsborough County Red Light Camera Enforcement Ordinance

Dear Ms. Cloud:

Pursuant to the filing requirements of Florida Statutes 125.66, we are forwarding (by Federal Express) an executed original of Hillsborough County Ordinance #08-3, adopted by the Board of County Commissioners on March 6, 2008. It is respectfully requested that you provide this office with the required official acknowledgment of your receipt and filing of said ordinance.

Sincerely,


Gail M. Letzring,
Manager, BOCC Records

md
Attachment
Federal Express AB# 8610 5960 0610

FedEx US Airbill

Express Tracking Number **86110 5960 06110**

1 From *Please print and print hard.* Sender's FedEx Account Number **1140-8846-3**

Date **3/11/08**

Sender's Name **BOCC RECORDS PROCESSING**
 Company **CLERK CIRCUIT COURT 12TH FL**
 Address **601 EAST KENNEDY BLVD**
TAMPA FL 33602

City **TAMPA** State **FL** ZIP **33602-3503**

2 Your Internal Billing Reference **(180) Ord # 08-3**

3 To Recipient's Name **LIZ CLOUD CHIEF**
 Company **BUREAU OF ADMINISTRATIVE CODE**
 Department **DEPARTMENT OF STATE**
 Address **500 S BRONOUGH ST RA GRAY BLDG**
TALLAHASSEE FL 32399-0250

Address **To require a postage label at a specific FedEx location, print FedEx address here.**
 City _____ State _____ ZIP _____

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4a Express Package Service

FedEx Priority Overnight
 Next business morning, Monday through Friday. Delivery guaranteed unless Saturday Delivery is selected.

FedEx 2Day
 Second business day, Monday through Friday. Delivery guaranteed unless Saturday Delivery is selected.

FedEx 1Day FreightSM
 Next business day, Monday through Friday. Delivery guaranteed unless Saturday Delivery is selected.

FedEx Express Saver
 Third business day, Monday through Friday. Delivery guaranteed unless Saturday Delivery is selected.

FedEx Standard Overnight
 Next business morning, Monday through Friday. Delivery guaranteed unless Saturday Delivery is selected.

FedEx 2Day FreightSM
 Second business day, Monday through Friday. Delivery guaranteed unless Saturday Delivery is selected.

FedEx 3Day FreightSM
 Third business day, Monday through Friday. Delivery guaranteed unless Saturday Delivery is selected.

FedEx 4Day FreightSM
 Fourth business day, Monday through Friday. Delivery guaranteed unless Saturday Delivery is selected.

FedEx 5Day FreightSM
 Fifth business day, Monday through Friday. Delivery guaranteed unless Saturday Delivery is selected.

FedEx 7Day FreightSM
 Seventh business day, Monday through Friday. Delivery guaranteed unless Saturday Delivery is selected.

FedEx 9Day FreightSM
 Ninth business day, Monday through Friday. Delivery guaranteed unless Saturday Delivery is selected.

FedEx 12Day FreightSM
 Twelfth business day, Monday through Friday. Delivery guaranteed unless Saturday Delivery is selected.

FedEx 15Day FreightSM
 Fifteenth business day, Monday through Friday. Delivery guaranteed unless Saturday Delivery is selected.

FedEx 18Day FreightSM
 Eighteenth business day, Monday through Friday. Delivery guaranteed unless Saturday Delivery is selected.

FedEx 21Day FreightSM
 Twenty-first business day, Monday through Friday. Delivery guaranteed unless Saturday Delivery is selected.

FedEx 24Day FreightSM
 Twenty-fourth business day, Monday through Friday. Delivery guaranteed unless Saturday Delivery is selected.

FedEx 30Day FreightSM
 Thirtieth business day, Monday through Friday. Delivery guaranteed unless Saturday Delivery is selected.

FedEx 36Day FreightSM
 Thirty-sixth business day, Monday through Friday. Delivery guaranteed unless Saturday Delivery is selected.

Packages up to 150 lbs.

Packages over 150 lbs.

Special Handling

SATURDAY Delivery
 FedEx Standard Overnight, FedEx 2Day, FedEx 1Day Freight, FedEx Express Saver, FedEx Standard Overnight, FedEx 2Day Freight, FedEx 3Day Freight, FedEx 4Day Freight, FedEx 5Day Freight, FedEx 7Day Freight, FedEx 9Day Freight, FedEx 12Day Freight, FedEx 15Day Freight, FedEx 18Day Freight, FedEx 21Day Freight, FedEx 24Day Freight, FedEx 30Day Freight, FedEx 36Day Freight.

HOLD Weekday at FedEx Location
 NOT Available for FedEx First Overnight, FedEx 2Day, FedEx 1Day Freight, FedEx Express Saver, FedEx Standard Overnight, FedEx 2Day Freight, FedEx 3Day Freight, FedEx 4Day Freight, FedEx 5Day Freight, FedEx 7Day Freight, FedEx 9Day Freight, FedEx 12Day Freight, FedEx 15Day Freight, FedEx 18Day Freight, FedEx 21Day Freight, FedEx 24Day Freight, FedEx 30Day Freight, FedEx 36Day Freight.

HOLD Saturday at FedEx Location
 Available ONLY for FedEx Priority Overnight, FedEx 2Day, FedEx 1Day Freight, FedEx Express Saver, FedEx Standard Overnight, FedEx 2Day Freight, FedEx 3Day Freight, FedEx 4Day Freight, FedEx 5Day Freight, FedEx 7Day Freight, FedEx 9Day Freight, FedEx 12Day Freight, FedEx 15Day Freight, FedEx 18Day Freight, FedEx 21Day Freight, FedEx 24Day Freight, FedEx 30Day Freight, FedEx 36Day Freight.

Insure
 Insure your package with FedEx insurance. Insured value up to \$100,000. Additional charges apply.

Signature Required
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Signature Required for Adult
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Signature Required for Restricted Access
 Signature required for delivery. Signature required for delivery unless Signature Required for Restricted Access is selected.

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 Signature required for delivery. Signature required for delivery unless Signature Required for Restricted Access is selected.

PULL AND RETAIN THIS COPY BEFORE AFFIXING TO THE PACKAGE. NO POUCH NEEDED.

8 Residential Delivery Signature Options
 If you require a signature, check the appropriate box.
 No Signature Required
 Signature Required
 Signature Required for Adult
 Signature Required for Restricted Access

7 Payment Bill to:
 Sender
 Recipient
 Third Party
 Credit Card
 Cash/Check

6 Special Handling
 SATURDAY Delivery
 HOLD Weekday at FedEx Location
 HOLD Saturday at FedEx Location

5 Packaging
 FedEx Envelope*
 FedEx Pak*
 FedEx Box
 FedEx Tube
 Other

4b Express Freight Service
 FedEx 1Day Freight
 FedEx 2Day Freight
 FedEx 3Day Freight
 FedEx 4Day Freight
 FedEx 5Day Freight
 FedEx 7Day Freight
 FedEx 9Day Freight
 FedEx 12Day Freight
 FedEx 15Day Freight
 FedEx 18Day Freight
 FedEx 21Day Freight
 FedEx 24Day Freight
 FedEx 30Day Freight
 FedEx 36Day Freight

3 To Recipient's Name
 Company
 Department
 Address
 City
 State
 ZIP

0358530860

**FLORIDA COUNTY ORDINANCE DATA RETRIEVAL SYSTEM
(CODRS) CODING FORM**

Instructions: Florida's Department of State, Bureau of Administrative Code has developed the County Ordinance Data Retrieval System (CODRS) to facilitate the tracking of County ordinances in Florida's 67 Counties. CODRS' data base is composed of over 25,000 county ordinances enacted since 1974.

We request your cooperation in completing this coding form. It is to be completed whenever your county enacts a new ordinance. Simply complete this form and include it with other pertinent ordinance information that is submitted to the Bureau of Administrative Code.

To code this form properly, please refer to the "keyfields" description sheet that has been given to your County Attorney's Office. If you do not have this sheet please contact the Bureau. We will be happy to fax one to you for referencing purposes. Please fill out this form as completely as is possible.

Thank you for your assistance. Should you need further assistance please contact the Bureau of Administrative Code, Department of State at (850)245-6270 or Suncom 205-6270.

COUNTY: (Hillsborough) COUNTY ORDINANCE # (08 - 3)
(e.g., 00-001)

PRIMARY KEYFIELD

DESCRIPTOR: (Red Light Camera Ordinance in Hillsborough County)

SECONDARY KEYFIELD

DESCRIPTOR: (Enforcement of Red Light Camera Ordinance)

OTHER KEYFIELD

DESCRIPTOR: (Permit and implement the use of traffic infraction detectors for red light infractions)

ORDINANCE DESCRIPTION: (Notice to violators, appeal hearings, penalties, imposition, collection, and disposition of administrative fines and costs)
(25 characters maximum including spaces)

ORDINANCES AMENDED: (List below the ordinances that are amended by this legislation. If more than two, list the most recent two.)

AMENDMENT # 1: () AMENDMENT # 2: ()

ORDINANCES REPEALED: (List below the ordinances that are repealed by this legislation.)

REPEAL # 1: () REPEAL # 3: ()

REPEAL # 2: () REPEAL # 4: ()

(Others repealed: List all that apply): _____

(FOR OFFICE USE ONLY): COUNTY CODE NUMBER: ()

KEYFIELD 1 CODE: () KEYFIELD 2 CODE: ()

KEYFIELD 3 CODE: () Rev. 4/10/01

Office of the County Attorney

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Mark Sharpe
Kevin White



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Donald R. Odom, Deputy County Attorney

Managing Attorneys

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Robert E. Brazel
Hank Ennis
Mary Helen Farris
Susan J. Fernandez
Sheree C. Fish
Adam J. Gormly
Jennie Granahan Tarr

MEMORANDUM

TO: Midge Dixon, BOCC Records
FROM:  Charlotte V. Diggs, Assistant County Attorney
SUBJECT: HILLSBOROUGH COUNTY RED LIGHT CAMERA
ENFORCEMENT ORDINANCE
DATE: March 18, 2008

Attached is a please find a corrected copy of Hillsborough County Ordinance # 08-3 which was adopted by the Board of County Commissioners on March 6, 2008. Please substitute this corrected copy for the one you received with our memo dated March 10, 2008. This Ordinance has an effective date of March 12, 2008.

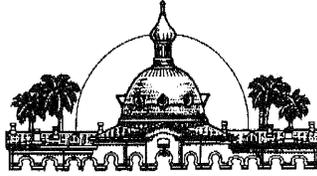
If you have any questions, please call me at 272-5670.

CVD:lm
Attachments

Office of the County Attorney

BOARD OF COUNTY COMMISSIONERS

Brian Blair
Rose V. Ferlita
Ken Hagan
Al Higginbotham
Jim Norman
Mark Sharpe
Kevin White



Hillsborough County
Florida

Renée Francis Lee, County Attorney
Donald R. Odom, Deputy County Attorney

Managing Attorneys

Christine M. Beck
Robert E. Brazel
Hank Ennis
Mary Helen Farris
Susan J. Fernandez
Sheree C. Fish
Adam J. Gormly
Jennie Granahan Tarr

MEMORANDUM

To: Midge Dixon, BOCC Records
From: ^{CVD} Charlotte V. Diggs, Assistant County Attorney
Re: Hillsborough County Red Light Camera Enforcement
Ordinance
CAO No.: 08-000401
Date: March 10, 2008

Enclosed please find the above-cited Ordinance as adopted by the Board of County Commissioners on March 6, 2008, (CODRS) Coding Form and Certified Legal Notice of The Tampa Tribune Newspaper Advertisement of February 23, 2008.

Please provide copies of the Ordinance as appropriate, pursuant to your regular procedures, and provide this office with a copy of the official acknowledgement of receipt.

If you have any questions, please call 272-5670 x 30152.

CVD:saa

Attachments

601 E. Kennedy Boulevard, 27th Floor
Post Office Box 1110 · Tampa, Florida 33601
(813) 272-5670
Fax: (813) 272-5231

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