

1 Introduced by Council Member Clark-Murray:
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4 **ORDINANCE 2024-730**

5 AN ORDINANCE REGARDING SPEED LIMIT REDUCTIONS
6 AND TRAFFIC CALMING MEASURES ON LOCAL ROADS;
7 REPEALING SECTION 804.406 (SPEED LIMIT REDUCTION
8 ON LOCAL ROADS BY PETITION), PART 4 (SPEED
9 REGULATIONS), CHAPTER 804 (JACKSONVILLE TRAFFIC
10 CODE), *ORDINANCE CODE*, IN ITS ENTIRETY; CREATING
11 A NEW SECTION 804.406 (SPEED LIMIT REDUCTION BY
12 APPLICATION), PART 4 (SPEED REGULATIONS),
13 CHAPTER 804 (JACKSONVILLE TRAFFIC CODE),
14 *ORDINANCE CODE*, TO CREATE AN APPLICATION AND
15 NOTICE PROCESS FOR SPEED LIMIT REDUCTIONS ON
16 LOCAL ROADS; CREATING A NEW SECTION 804.407
17 (TRAFFIC CALMING MEASURES BY APPLICATION), PART
18 4 (SPEED REGULATIONS), CHAPTER 804 (JACKSONVILLE
19 TRAFFIC CODE), *ORDINANCE CODE*, TO CREATE AN
20 APPLICATION AND NOTICE PROCESS FOR INSTALLATION
21 OF TRAFFIC CALMING MEASURES ON LOCAL ROADS;
22 PROVIDING FOR SEVERABILITY; PROVIDING FOR
23 CODIFICATION INSTRUCTIONS; PROVIDING AN
24 EFFECTIVE DATE.
25

26 **BE IT ORDAINED** by the Council of the City of Jacksonville:

27 **Section 1. Repealing Section 804.406 (Speed limit reduction**
28 **on local roads by petition), Part 4 (Speed Regulations), Chapter 804**
29 **(Jacksonville Traffic Code), Ordinance Code, in its entirety.** Section
30 804.406 (Speed limit reduction on local roads by petition), Part 4
31 (Speed Regulations), Chapter 804 (Jacksonville Traffic Code),

1 *Ordinance Code*, a copy of which is attached hereto as **Exhibit 1**, is
2 hereby repealed in its entirety.

3 **Section 2. Creating a new Section 804.406 (Speed limit**
4 **reduction by application), *Ordinance Code*.** Section 804.406 (Speed
5 limit reduction by application), Part 4 (Speed Regulations), Chapter
6 804 (Jacksonville Traffic Code), *Ordinance Code*, is hereby created
7 to read as follows:

8 **CHAPTER 804 - JACKSONVILLE TRAFFIC CODE**

9 * * *

10 **PART 4. - SPEED REGULATIONS**

11 * * *

12 **Sec. 804.406. - Speed limit reduction by application.**

13 (a) As used in this Section, the following terms shall mean:

- 14 i. *Affected property owners* means those owners of real
15 property located adjacent to the local road segment(s)
16 which would be impacted by the speed limit reduction.
17 ii. *Department* means the Department of Public Works.
18 iii. *Residence district* has the same meaning as it is defined
19 in Section 316.003, Florida Statutes.

20 (b) In addition to the method prescribed in Section 804.402
21 above, applicants may request to have the speed limit
22 reduced on a local road within a residence district from
23 30 miles per hour to a maximum speed limit of 20 or 25
24 miles per hour. Such a request requires agreement from at
25 least 75 percent of affected property owners.

26 (c) Requests to reduce the speed limit on a local road may be
27 made by an affected party including an individual citizen,
28 group of citizens, homeowners' association or similar
29 property owners' association, or a City Council Member
30 (hereinafter collectively referred to as the "Applicant")
31 and shall be initiated by an application completed and

1 submitted to the Department, to the attention of the Chief
2 of Traffic Engineering. The form of the application shall
3 be generated by the Department.

4 (d) Within 30 calendar days of receiving an application for
5 speed limit reduction, the Department shall review the
6 application for sufficiency and, if found sufficient, the
7 Chief of Traffic Engineering or their designee shall
8 conduct (or have conducted by a third party) an engineering
9 and traffic investigation that determines whether the speed
10 limit reduction is reasonable and in conformity to criteria
11 promulgated by the Florida Department of Transportation
12 (FDOT) in the *Manual for Speed Zoning for Highways, Roads,
13 and Streets in Florida*. The Chief of Traffic Engineering,
14 or their designee, after consultation with the Sheriff or
15 their designee, shall make the final determination of the
16 appropriateness of the requested speed limit reduction and
17 the location and placement of speed limit signage.

18 (e) After submitting the application, the Applicant shall be
19 responsible for contacting their District Council Member,
20 who shall schedule and notice a public meeting for the
21 purpose of discussing the proposed application and the
22 implementation process with members of the public. The
23 District Council Member shall coordinate with the Traffic
24 Engineering Division, the Fire and Rescue Department and
25 the Sheriff's Office regarding the date and location for
26 the public meeting to ensure that a representative from
27 each will be in attendance. During the meeting, the Traffic
28 Engineering Division shall explain the process, identify
29 all costs related to the request and provide a cost
30 estimate to the Applicant and any other interested property
31 owners or associations attending the meeting.

1 (f) After the meeting, the Department shall invoice the
2 Applicant for all costs related to the requested speed
3 limit reduction. Upon receipt of the invoice, the Applicant
4 shall remit payment within 60 calendar days. If the
5 Applicant fails to timely remit payment, the Application
6 shall be considered withdrawn.

7 (g) Upon receipt of a completed application and payment of the
8 costs (as calculated and invoiced by the Department), the
9 Department shall send two written notifications to affected
10 property owners, which shall request the affected property
11 owners to indicate their written agreement or objection to
12 the proposed speed limit reduction. Should any affected
13 property owners fail to respond within 60 days of the
14 City's first written notification, then such non-response
15 shall be deemed as agreement to the proposed speed limit
16 reduction. The City's written notification shall include
17 language to this effect.

18 (h) If, at any time, the Chief of Traffic Engineering
19 determines that the speed limit reduction requested by the
20 Applicant, as stated in the application, is not reasonable
21 and/or is not in conformity to FDOT criteria in the *Manual*
22 *for Speed Zoning for Highways, Roads, and Streets in*
23 *Florida*, or if less than 75 percent of affected property
24 owners agree to the speed limit reduction, the Department
25 shall return the funds received from the Applicant, less
26 any costs already expended by the Department.

27 (i) If the Chief of Traffic Engineering or their designee, in
28 consultation with the Sheriff or their designee, determines
29 that the speed limit reduction is reasonable and
30 appropriate, and the Department determines that the public
31 meeting has been held, the Applicant has remitted payment

1 and at least 75 percent of affected property owners agree,
2 then the Chief of Traffic Engineering may reduce the speed
3 limit on the segment of the local road(s) as provided in
4 the application, with notification to the Sheriff. The
5 Department shall be responsible for posting the new speed
6 limit with clearly legible signs, and such new speed limit
7 shall not take effect until the posting of said signs.

8 **Section 3. Creating a new Section 804.407 (Traffic calming**
9 **measures by application), Ordinance Code.** Section 804.407 (Traffic
10 calming measures by application), Part 4 (Speed Regulations), Chapter
11 804 (Jacksonville Traffic Code), *Ordinance Code*, is hereby created
12 to read as follows:

13 **CHAPTER 804 - JACKSONVILLE TRAFFIC CODE**

14 * * *

15 **PART 4. - SPEED REGULATIONS**

16 * * *

17 **Sec. 804.407. - Traffic calming measures by application.**

18 The primary purpose of traffic calming is to support the
19 livability and vitality of residential and commercial areas through
20 improvements in non-motorist safety, mobility and comfort. Traffic
21 calming reduces automobile speeds and/or volumes, mainly through the
22 use of physical measures, to improve the quality of life and increase
23 the safety and comfort of walking and bicycling.

24 (a) As used in this Section, the following terms shall mean:

- 25 i. *Affected property owners* means those owners of real
26 property located adjacent to the local road segment(s)
27 which would be impacted by the traffic calming
28 measure(s).
- 29 ii. *Department* means the Department of Public Works.
- 30 iii. *Residence district* has the same meaning as it is defined
31 in Section 316.003, Florida Statutes.

1 iv. *Traffic calming measures* means the physical measures
2 intended to reduce illegal high speeds of motor
3 vehicles, alter driver behavior and improve conditions
4 for non-motorized street users, including but not
5 limited to: speed humps, speed tables, raised
6 intersections, realigned intersections, corner
7 extensions, traffic circles and roundabouts.

8 (b) Applicants may request installation of traffic calming
9 measures on a local road within a residence district. Such
10 a request requires agreement from at least 75 percent of
11 affected property owners.

12 (c) Requests to install traffic calming measures on a local
13 road may be made by an affected party including an
14 individual citizen, group of citizens, homeowners'
15 association or similar property owners' association, or a
16 City Council Member (hereinafter collectively referred to
17 as the "Applicant") and shall be initiated by an
18 application completed and submitted to the Department, to
19 the attention of the Chief of Traffic Engineering. The form
20 of the application shall be generated by the Department.

21 (d) Within 30 calendar days of receiving an application for
22 installation of traffic calming measure(s), the Department
23 shall review the application for sufficiency and, if found
24 sufficient, the Chief of Traffic Engineering or their
25 designee shall conduct (or have conducted by a third party)
26 an engineering and traffic investigation that determines
27 such a change is reasonable and in conformity with
28 guidelines promulgated by the National Association of City
29 Transportation Officials (NACTO). Final determination of
30 the appropriateness of the requested traffic calming
31 measure(s) as well as the design and location of such

1 traffic calming measure(s) shall rest with the Chief of
2 Traffic Engineering or their designee.

3 (e) After submitting the application, the Applicant shall be
4 responsible for contacting their District Council Member,
5 who shall schedule and notice a public meeting for the
6 purpose of discussing the proposed application and the
7 implementation process with members of the public. The
8 District Council Member shall coordinate with the Traffic
9 Engineering Division, the Fire and Rescue Department and
10 the Sheriff's Office regarding the date and location for
11 the public meeting to ensure that a representative from
12 each will be in attendance. During the meeting, the Traffic
13 Engineering Division shall explain the process, identify
14 all costs related to the request and provide a cost
15 estimate to the Applicant and any other interested property
16 owners or associations attending the meeting.

17 (f) After the meeting, the Department shall invoice the
18 Applicant for all costs related to the requested traffic
19 calming measure(s). If the Chief of Traffic Engineering,
20 in their sole discretion, determines that significant
21 vehicular traffic utilizes the subject road as a cut-
22 through to avoid traffic congestion on nearby roads, then
23 the City shall be responsible for 50 percent of the costs
24 related to requested traffic calming measure(s) on the
25 subject road and the Applicant's obligation shall be
26 reduced accordingly. Upon receipt of the invoice, the
27 Applicant shall remit payment within 60 calendar days. If
28 the Applicant fails to timely remit payment, the
29 Application shall be considered withdrawn.

30 (g) Upon receipt of a completed application and payment of the
31 costs (as calculated and invoiced by the Department), the

1 Department shall send two written notifications to affected
2 property owners, which shall request the affected property
3 owners to indicate their written agreement or objection to
4 the proposed traffic calming measure(s). Should any
5 affected property owners fail to respond within 60 days of
6 the City's first written notification, then such
7 non-response shall be deemed as agreement to the proposed
8 traffic calming measure(s). The City's written
9 notification shall include language to that effect.

10 (h) If, at any time, the Chief of Traffic Engineering
11 determines that the traffic calming measure(s) requested
12 by the Applicant, as stated in the application, are not
13 reasonable and/or are not in conformity with the NACTO
14 guidelines, or if less than 75 percent of affected property
15 owners agree to the traffic calming measure(s), the
16 Department shall return the funds received from the
17 Applicant, less any costs already expended by the
18 Department.

19 (i) If the Chief of Traffic Engineering, or their designee,
20 determines that the traffic calming measure(s) are
21 appropriate, and the Department determines that a public
22 meeting has been held, the Applicant has remitted payment
23 and at least 75 percent of affected property owners agree,
24 then Department shall be responsible for implementing
25 construction of the traffic calming measure(s).

26 **Section 4. Severability.** The provisions of this Ordinance,
27 including sections and subsections within the Ordinance, are intended
28 to be severable and if any provision is declared invalid or
29 unenforceable by a court of competent jurisdiction, such provision
30 shall be severed and the remainder shall continue in full force and
31 effect, with the Ordinance being deemed amended to the least degree

1 legally permissible.

2 **Section 5. Codification Instructions.** The Codifier and the
3 Office of General Counsel are authorized to make all chapter and
4 division "table of contents" consistent with the changes set forth
5 herein. Such editorial changes and any other necessary to make the
6 *Ordinance Code* consistent with the intent of this legislation are
7 approved and directed herein, and the changes to the *Ordinance Code*
8 shall be made forthwith and when inconsistencies are discovered.

9 **Section 6. Effective Date.** This Ordinance shall become
10 effective upon signature by the Mayor or upon becoming effective
11 without the Mayor's signature.

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13 Form Approved:

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15 /s/ Carla A. Lopera

16 Office of General Counsel

17 Legislation Prepared By: Carla A. Lopera

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