



**BEACH STEWARDSHIP COMMITTEE SPECIAL MEETING
CITY OF ST. PETE BEACH
COMMISSION CHAMBERS**

155 Corey Avenue
St. Pete Beach, FL 33706

Thursday, October 23, 2025
9:00 AM

Call to Order
Pledge of Allegiance
Roll Call

SPECIAL MEETING

1. Audience Comments -

If you wish to speak, please complete and submit a speaker's card to the City Clerk. When called, approach the podium and state your name and address for the record. Comments are limited to 3 minutes.

2. Items for Discussion -

a. Ordinance 2025-16: Amending Land Development Code Division 44 - Marine turtle protection

Discussing the proposed content of Ordinance 2025-16, the second of three proposed ordinances intended to address the City's beach regulations, pertaining generally to standards for new and replacement lighting that is visible from the beach, and associated enforcement and penalties.

3. Adjournment -

APPEAL: In accordance with 286.0105, Florida Statute (Notices of meetings and hearings must advise that a record is required to appeal), if a person decides to appeal any decision made by this committee, board, agency, or commission with respect to any matter considered at this meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. **AMERICANS WITH DISABILITIES ACT (ADA):** In accordance with the Americans with Disabilities Act and Florida Statutes, if any person with a disability defined by the ADA needs special accommodation to participate in this proceeding, then not later than two business days prior to the proceeding, he or she should contact City Hall at (727) 367-2735.

**The public is cordially invited to attend this meeting.
All agenda material is available for review at City Hall or www.stpetebeach.org.**

**BEACH STEWARDSHIP COMMITTEE MEETING
CITY OF ST. PETE BEACH
COMMISSION CHAMBERS**

Agenda Report

Agenda Title Name: Ordinance 2025-16: Amending Land Development Code Division 44 - Marine turtle protection

Action Request: None - for discussion purposes.

Strategic Objective:

Date: October 23, 2025

Prepared By: Brandon Berry, Senior Planner

Through: Frances Robustelli, City Manager
Camden Mills, Public Services Director

Summary of Issue: This meeting is intended to solicit Beach Stewardship Committee feedback on the content of Ordinance 2025-16. As agreed by the Beach Stewardship Committee at the August meeting, this discussion will focus broadly on the content, with feedback being intended to guide staff to amend or draft regulations to return to the Committee at their November meeting. Unless requested by members at this meeting, Staff does not expect that exact language will be proposed during this discussion, or that legal review will actively occur. This discussion is intended to identify if there are large gaps in content that are appropriate for inclusion in this ordinance, and identify content that may not adequately address the desires of the Beach Stewardship Committee

Funding: N/A

Attachments:

1. Ordinance 2025-16: Markup
2. Ordinance 2025-16: Clean

Ordinance 2025-16

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA FOR THE PURPOSE OF AMENDING LAND DEVELOPMENT CODE DIVISION 44 – MARINE TURTLE PROTECTION SECTIONS 44.1 THROUGH 44.9., AND ADOPTING SECTIONS 44.10 THROUGH 44.13., TO UPDATE TECHNICAL STANDARDS, CLARIFY REQUIREMENTS FOR NEW AND EXISTING DEVELOPMENT AND SPECIAL EVENTS, MODIFY PENALTIES, COMPLIANCE AND ENFORCEMENT MEASURES, SPECIFY RESPONSIBLE PARTIES, AND UPDATE DEFINITIONS, TO BETTER SERVE THE PURPOSE AND INTENT OF THE DIVISION AND ALIGN WITH FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AND FISH AND WILDLIFE COMMISSION BEST PRACTICES; PROVIDING FOR CODIFICATION; CONFLICTS; SEVERABILITY; CORRECTION OF SCRIVENER’S ERROR; CONSTRUCTION; PUBLICATION; AND AN EFFECTIVE DATE.

WHEREAS, the sand beaches of St. Pete Beach are frequently used as nesting activity for marine turtles, particularly loggerhead and green sea turtles, along with other wildlife susceptible to effects from artificial lighting; and

WHEREAS, the City’s wildlife partners have tracked numerous hatchling disorientations over the past years, including in 2025, which are often linked to the use of short wavelength bulbs, and/or lights that are not properly shielded and cut off; and

WHEREAS, the City’s existing marine turtle protection ordinance was evaluated as “somewhat ideal” by the Sea Turtle Conservancy in 2022; and

WHEREAS, the City’s ordinance provides a strong framework, but lacks some of the modern technical justification generated since its adoption in 2007, and can also benefit from clearer requirements for new and existing development, along with compliance and enforcement guidelines; and

WHEREAS, the City’s Comprehensive Plan requires the City to conserve and improve its wildlife population and habitat; and

WHEREAS, these amendments are not intended to create greater burdens on existing or new development, but to clarify requirements for development in the context of the City’s existing definition for “construction” in Division 2 of the Land Development Code, and “tinted glass” in

Division 44, to align standards with the research of King et. al (2025)¹, Long et. al (2025)², the Florida state model lighting ordinance, and local knowledge, among other sources; and

WHEREAS, these amendments are found to be consistent with the Land Development Code and Comprehensive Plan.

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH FLORIDA, HEREBY ORDAINS:

SECTION 1. Recitals. The above recitals (“Whereas” clauses) are hereby adopted as legislative findings, purpose and intent of the City Commission.

SECTION 2. The City Code and Land Development Code is amended as shown in EXHIBIT A to this Ordinance.

SECTION 3. Codification. This Ordinance shall be codified in the Code of Ordinances of the City of St. Pete Beach.

SECTION 4. Conflicts. All ordinances or parts of ordinances, in conflict herewith are hereby repealed to the extent of any conflict with the Ordinance.

SECTION 5. Severability. The provisions of this Ordinance are declared to be severable, and if any section, sentence, word, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, words, clauses, and phrases of this Ordinance as they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 6. Scrivener’s Error. The City Attorney may correct scrivener’s errors found in this Ordinance by filing a corrected copy of this Ordinance with the City Clerk.

SECTION 7. Construction. This Ordinance is to be liberally construed to accomplish its objectives.

SECTION 8. Publication. This Ordinance shall be published in accordance with the requirements of law.

SECTION 9. Effective Date. This ordinance shall take effect immediately upon adoption.

¹ King, E.J., Hofeister, K.M., Bosshard, S.C., Limpus, C.J., & Scales, K.L. (2015, July 16). To see in the dark: Assessing effects of LED streetlights on sea-finding in marine turtle hatchlings. *Wildlife Research*, 52(7). <https://doi.org/10.1071/WR24151>.

² Long, T.M., Anderson, R., Ceriani, S.A., Frederick, C., Koperski, M., Shea, C.P., Wideroff, M., & Trindell, R.N. (2025, March). Can darker window tints reduce interior light impacts to hatchling sea turtles on developed coastlines? An experimental assessment. *Journal for Nature Conservation*, 84. <https://doi.org/10.1016/j.jnc.2025.126843>.

FIRST READING: _____
SECOND READING: _____
PUBLIC HEARING: _____

CITY COMMISSION, CITY OF ST. PETE
BEACH, FLORIDA.

Adrian Petrilu, Mayor

I, Renee Rose, City Clerk of the City of St. Pete Beach, Florida, do hereby certify that the foregoing Ordinance was duly adopted in accordance with the provisions of applicable law this _____ day of _____, 2025.

Renee Rose, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

City Attorney

Exhibit A

Land Development Code Division 44 Marine Turtle Protection is amended as follows:

DIVISION 44 MARINE TURTLE PROTECTION

Sec. 44.1. Purpose and intent.

The purpose of this rule is to protect hatchling marine turtles from the adverse effects of artificial lighting, provide overall improvement in nesting habitat degraded by light pollution, and increase successful nesting activity and production of hatchlings.

Sec. 44.2. Definitions.

[The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:]

Artificial light or *artificial lighting* means the light emanating from any human-made device.

Bollards means lighting consisting of short posts that incorporate a lighting element.

~~*Bug light* or *bug type bulb* means any yellow colored light bulb that is marketed as being specifically treated in such a way so as to reduce the attraction of bugs to the light.~~

Certified Wildlife Lighting means lighting fixtures and bulbs reviewed and approved with conditions of use through the Florida Fish and Wildlife Conservation Commission's Wildlife Lighting Certification Process and published at <https://myfwc.com/conservation/you- conserve/lighting/criteria/certified/>.

City manager shall mean the City's Chief Executive Officer or their designee.

Coastal construction activities means any work or activity that is likely to have a material physical effect on existing coastal conditions or natural shore and inlet processes.

Construction shall have the same meaning as in Division 2 of the Land Development Code.

~~*Cumulatively illuminated* means illuminated by numerous artificial light sources that as a group illuminate any portion of~~ can be seen by an observer standing anywhere on the beach.

Directional fixture means an assembly that holds the lamp along with any globe, shade, or other covering surrounding the lamp that may be adjusted to concentrate or throw light in a specific direction.

~~*Directly illuminated*~~ *visible* means illuminated as a result of when glowing element(s), lamp(s), globe(s), or reflector(s) of an artificial light source which is visible to can be seen by an observer standing anywhere on the beach.

Existing beachfront lighting means an artificial light source associated with a building, structure, roadway, parking lot, dune crossover, pier, beach walkway or beach access for which a permit was issued prior to the adoption of this ordinance and such lighting is directly or indirectly visible from the beach. This term shall include those improvements and repairs further defined in Section 44.5 of this Division.

Floodlight means a reflector-type light fixture that may be attached directly to a building, other structure, or freestanding, and is unshielded.

Frontal dune means the first natural or man-made mound or bluff of sand which is located landward of the beach and which has sufficient vegetation, height, continuity, and configuration to offer protective value to the beach environment.

Full cutoff means a lighting fixture constructed in such a manner that no light emitted by the fixture, either directly from the lamp or a diffusing element or indirectly by reflection or refraction from any part of the fixture, is projected at or above 90° as determined by photometric test or certified by the fixture manufacturer.

Ground-level barrier means any vegetation, natural feature or artificial structure rising from the ground which prevents beachfront lighting from shining directly onto the beach-dune system, including, but not limited to, hedges, native dune vegetation, privacy fences, walls, etc.

Hatchling means any species of marine turtle, within or outside of a nest that has recently hatched from an egg.

Illuminated means exposed to light from an artificial light source in a way that produces brightness detectable to an observer standing anywhere on the beach. A beach is illuminated if an observer standing anywhere on the beach can see light that has emanated from an artificial light source.

Indirectly illuminated/visible means illuminated as a result of light reflected from the glowing element(s), lamp(s), globe(s), or reflector(s) of an artificial light source which is not visible to an observer standing anywhere on the beach, without the light source being directly visible.

Long wavelength means an amber, orange, or red lamp or bulb that has a light source emitting a light wavelength of 560 nanometers or greater and is absent wavelengths below 560 nanometers.

Low-pressure sodium luminaire (LPS) means an electric discharge lamp, containing sodium, neon, and argon, that when illuminated appears amber-yellow.

Low-profile luminaire means a light fixture set on a base which raises the source of light no higher than 48 inches above the ground, and is designed in such a way that light is directed downward from a hooded light source.

~~*Low-wattage bug light* means a bug light with no greater than 25-watt incandescence and no greater than nine-watt fluorescence.~~

Marine turtle means any marine-dwelling reptile of the families Cheloniidae or Dermochelyidae found in Florida waters or using the beach as nesting habitat, including the species: *Caretta caretta* (loggerhead), *Chelonia mydas* (green), *Dermochelys coriacea* (leatherback), *Eretmochelys imbricata* (hawksbill), and *Lepidochelys kempi* (Kemp's ridley). For purposes of this rule, marine turtle is synonymous with sea turtle.

Motorized vehicle means, but is not limited to, any self-propelled, wheeled, tracked, or belted conveyance.

Nest means an area where marine turtle eggs have been naturally deposited or subsequently relocated.

Nesting season means the period from May 1 through October 31 of each year.

New coastal construction means new construction and remodeling of existing structures when such remodeling includes alteration of exterior lighting where such lighting does or will at completion of work be directly and/or indirectly visible from the beach. This term shall include those improvements further defined in Section 44.5 of this Division.

Nighttime means the locally effective time period between sunset and sunrise.

Person means individuals, firms, associations, joint ventures, partnerships, estates, trusts, syndicates, fiduciaries, corporations, and all other groups or combinations.

Point source of light means the actual light source such as the bulb, fluorescent tube, lamp, etc., from which light emanates.

Pole lighting means a light fixture set on a base or pole which raises the source of the light higher than 48 inches off the ground.

Primary dune means the most seaward dune with sufficient alongshore continuity which has sufficient height and configuration or vegetation to offer protective value to the beach environment.

Publicly owned lighting means lighting installed by a public or private entity which is owned by, or rented or leased to, a governmental agency, or lighting installed on public property.

Red or amber light-emitting diodes (LED) means miniature lamps that emit pure red or amber light that does not vary in color over the life of the lamp. These lamps may be used in multiples to form strips of small lamps within a light fixture.

Shield means a nonreflective covering, canopy or other such device fitted over and extended below a light source preventing light from illuminating the beach. *Spotlight* means a light fixture having a narrow beam.

Shielded means a lighting fixture constructed in such a manner that the glowing elements, lamps, globes, or reflectors of the fixture are completely covered by a permanent opaque material to prevent them from being directly visible from the beach.

Temporary structure means any human-made structure or object with a location or arrangement that is temporary or transient in nature.

Tinted glass means any glass ~~treated~~ modified by tinting, film or other material that has ~~to achieve an industry approved~~, inside-to-outside light transmittance value of 4530 percent or less. Such transmittance is limited to the visible spectrum (400 to 700 nanometers) and is measured as the percentage of light that is transmitted through the glass.

Transient lighting means ~~artificial~~ any non-permanent light sources that ~~are not affixed to a building or other structure~~ may be hand-held or portable including but not limited to tiki torches, lanterns, flashlights (including cell phone flashlights), candles, flash photography, etc. When used in the context of special event permitting, this term also means any non-permanent source associated with the special event to which it is associated, such as the temporary installation of a light fixture. Transient lighting includes, but is not limited to, flashlights, fishing lanterns, flash photography, recreational fireworks, and vehicle headlights.

True neon means a tubular lamp containing neon gas that emits pure red light. Not to be confused with tubular fluorescent lamps, which may appear as various colors.

Uplight means a lighting source which is strategically located to light up features such as building facades, signs, and trees.

Visible from the beach, which not preceded by the modifier “directly” or “indirectly”, shall be inclusive of both.

Sec. 44.3. Responsible department.

St. Pete Beach Code Enforcement shall be the responsible department for the enforcement of this division.

Sec. 44.4. Certification of compliance.

- (a) The following shall be submitted and completed for any new coastal construction as classified in Section 44.6.:
- (1) All permit applications for new coastal construction shall include:
 - a. A statement that the construction will be compliant with the requirements of section 44.6;
 - b. Product specifications and/or plan references to certification numbers verifying that bulbs, fixtures, and other lighting elements required to meet the new coastal construction requirements of section 44.6. have Certified Wildlife Lighting certification. In absence of this certification, information deemed adequate to the city manager or designee that the lighting elements will be long wavelength, shielded, full cutoff, downward-directed, and/or mounted as low as possible, when required, shall suffice.
 - (2) Prior to certificate of occupancy or final inspection for a permit for new coastal construction, as relevant to the permit type, St. Pete Beach Code Enforcement reserves the right to schedule an inspection to certify compliance of the construction with Section 44.6., which may include a nighttime inspection. This inspection shall be a requirement for any new coastal construction utilizing bulbs or fixtures not certified by the Certified Wildlife Lighting program, unless waived in writing by the city manager or designee.
- (b) When existing beachfront lighting has been modified to comply with section 44.7., the property owner shall submit product specifications, Certified Wildlife Lighting certifications, or other detail deemed sufficient to the city manager or designee to demonstrate compliance.

Section 44.5. Classification of new coastal construction and existing lighting.

- (a) The following shall constitute new coastal construction for the purpose of this division:
- (1) Any construction of any new building, structure, or accessory structure where any exterior or interior light source is visible from the beach.
 - (2) Any redevelopment or partial reconstruction of any existing building, structure, or accessory structure where any exterior or interior light source is visible from the beach.
 - (3) Any remodel or repair of, or addition to, any building which:
 - a. Introduces a new or replaces an existing exterior light source;
 - b. Creates a new opening which exposes an interior light source to be visible from the beach;
 - c. Widens an existing opening from which a new or existing interior light source is visible from the beach;
 - d. Constitutes a substantial improvement to the building or structure; or,
 - e. Exchanges a window or door within an existing opening for the other, from which an interior light source is visible from the beach.
- (b) The following shall constitute existing lighting for the purpose of this division:
- (1) Existing lights visible on the beach from the interior of a building or structure that are visible through a window or door, including when the window or door has undergone like-for-like replacement without modification of the opening and further provided the replacement does

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- not increase the visible light transmittance percentage compared with the existing window(s) and/or door(s);
- (2) Any exterior or interior light noncompliant with the new coastal construction requirements of Section 44.6 that is visible from the beach and was installed prior to August 14, 2007; and,
 - (3) Repair of exterior light fixtures that were installed prior to August 14, 2007, that does not constitute a full replacement of the fixture, further expose the point source of the fixture's light, or cause greater direct or indirect illumination of the beach.

Sec. 44.3. Prohibition of activities disruptive to marine turtles.³

The following activities are prohibited on the beach at nighttime during the nesting season for the protection of nesting females, nests, and hatchling marine turtles:

- ~~(a) The operation of all motorized vehicles, except emergency and law enforcement vehicles or operated by those persons who have authorization or a permit to engage in marine turtle conservation or research issued by the United States Fish and Wildlife Service, or the Florida Fish and Wildlife Conservation Commission, and Florida Department of Environmental Protection approved for mechanical beach cleaning or beach renourishment activities.~~
- ~~(b) The building of campfires or bonfires.~~
- ~~(c) Any transient lighting which purposely and flagrantly illuminates nesting sea turtles or hatchlings. This prohibition does not apply to those persons who have authorization or a permit to engage in marine turtle conservation or research.~~
- ~~(d) If any turtle nests or nesting activities have been reported within a portion of a beach, any temporary structures, including but not limited to beach chairs, umbrellas and cabanas which have the potential for entrapment of marine turtles and which may interfere with the use of the natural beach environment for nesting habitat shall be:
 - ~~(1) Removed from the beach nightly; or~~
 - ~~(2) Stored in areas designated by the City of St. Pete Beach staff which are situated to avoid interference with marine turtles; or~~
 - ~~(3) Placed in a manner so as to not obstruct the transit of turtle hatchlings to the water.~~~~

~~(Ord. No. 2007-21, § 1, 8-14-07)~~

Sec. 44.46. Standards for new beachfront lighting.

In order to provide the highest level of protection for nesting marine turtles and their hatchlings, the following standards for artificial light sources on all new coastal construction shall be applied:

- (a) Exterior artificial light fixtures shall be designed and positioned so that:
 - (1) The point source of light or any reflective surface of the light fixture is not directly visible from the beach;
 - (2) Areas seaward of the frontal dune, or the beach in areas where the frontal dune no longer exists, are not directly, indirectly, or cumulatively illuminated.

³ Note: This section is being relocated to Chapter 95 under proposed Ordinance 2025-02. It is not being struck from the City's codes.

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- (b) Exterior artificial light fixtures cumulatively, directly or indirectly illuminating the beach are considered appropriately designed if:
- (1) Exterior lights are completely shielded downlight only fixtures or recessed fixtures ~~having low wattage Bug Type Bulbs, low pressure sodium vapor (LPS) bulbs, Red or Amber Light-Emitting Diodes (LED), or True Neon light sources~~ producing long wavelength light as certified by and installed according to requirements of the Certified Wildlife Lighting program or as demonstrated through spectrometric inspection by the city manager, their designee, or a local wildlife protection program partner. Other fixtures that have appropriate light-blocking shields, louvers, or cut-off features may also be used if they are in compliance with subsection (a)(1); ~~and (2), and (3)~~ above; and
 - (2) All fixtures are mounted as low in elevation as possible through use of low-mounted wall fixtures, low bollards, and ground-level fixtures
 - (3) Fixtures are full cutoff.
- (c) Floodlights, uplights or spotlights that ~~are directly, visible from the beach, or which~~ indirectly or cumulatively illuminate the beach, shall not be used.
- (d) Exterior lights used expressly for safety or security purposes shall be limited to the minimum number and configuration required to achieve their functional role(s). The use of motion detector switches that keep lights off except when approached and that switch hooded or shielded lights on for the minimum duration possible are preferred.
- (e) ~~Only low intensity~~ long wavelength recessed or louvered lighting, or other appropriate ~~low intensity~~ long wavelength lighting, shall be used on dune crossovers where permissible. All light fixtures on dune crosswalks must utilize ~~low wattage Bug Type Bulbs, low pressure sodium vapor (LPS) bulbs, Red or Amber Light-Emitting Diodes (LED) or True Neon~~ long wavelength light sources. Dune crosswalk lighting seaward of the primary dune, or on the beach in areas where the primary dune no longer exists, shall not be used.
- (f) To the extent this regulation is not adverse to applicable state and federal public safety laws, pools, spas, and their accessory decks shall utilize long-wavelength and fully shielded bulbs and fixtures. Underwater lighting shall be mounted horizontally and not be directly or indirectly visible from the beach.
- (f) ~~Only low intensity~~ long wavelength lighting shall be used in parking areas within line-of-sight of the beach. Such lighting shall be:
- (1) Set on a low-profile luminaire; and
 - (2) Positioned or shielded so that the light is cast downward and the source of light or any reflective surface of the light fixture is not visible from the beach and does not directly or indirectly illuminate the beach.
- (g) All newly constructed parking areas and roadways, including any paved or unpaved areas upon which motorized vehicles will park or operate, shall be designed and located to prevent lights (including vehicular headlights) from directly or indirectly illuminating the beach.
- (h) Vehicular lighting, parking area lighting, and roadway lighting shall be modified or shielded from the beach through the use of ground-level barriers or external shields. Ground-level barriers must not interfere with marine turtle nesting or hatchling emergence, or cause short- or long-term damage to the beach/dune system.

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- (i) Tinted glass shall be installed on all windows and glass doors of single or multi-story structures within line-of-sight of the beach.
 - (j) Use of appropriately shielded ~~low-pressure sodium vapor~~ long wavelength lamps and fixtures shall be preferred for high-intensity lighting applications such as lighting parking areas and roadways, providing security, and similar applications.
 - (k) All of the above standards shall be met prior to the issuance of a certificate of occupancy.
 - (l) Temporary lighting of construction sites during the marine turtle nesting season shall be restricted to the minimal amount necessary and shall incorporate all of the standards of this section. Said lighting shall not be mounted more than eight feet above the ground.

(Ord. No. 2007-21, § 1, 8-14-07)

Sec. 44.57. Standards for existing beachfront lighting.

By July 1, 2008; all light sources or reflective surfaces illuminated by such sources that are visible from the beach shall be brought into compliance with the following standards:

- (a) Existing artificial light fixtures shall be repositioned, modified, or removed so that:
 - (1) The point source of light or any reflective surface of the light fixture is not directly visible from the beach;
 - (2) Areas seaward of the frontal dune, or the beach in areas where the frontal dune no longer exists, are not directly, indirectly, or cumulatively illuminated.
- (b) The following measures shall be taken to reduce or eliminate the negative effects of existing exterior artificial lighting:
 - (1) Reposition fixtures so that the point source of light or any reflective surface of the light fixture is no longer visible from the beach;
 - (2) Replace fixtures having an exposed light source with fixtures containing recessed light sources or external shields;
 - (3) Replace traditional light bulbs (e.g. incandescent, fluorescent, and high intensity lighting) with ~~yellow Bug Type Bulbs,~~ the lowest-wattage long wavelength low-pressure sodium vapor (LPS) bulbs, or Red or Amber Light-Emitting Diodes (LED) or True Neon light sources available for the specific application. Unless preempted by law, replacement lighting shall be long wavelength;
 - (4) Replace non-directional fixtures with directional fixtures that point down and away from the beach;
 - (5) Replace fixtures having transparent or translucent coverings with fixtures having opaque shields covering an arc of at least 180 degrees and extending an appropriate distance below the bottom edge of the fixture on the seaward side so that the light source or any reflective surface of the light fixture is not visible from the beach;
 - (6) Replace pole lamps with low-profile, low-level luminaries so that the light source or any reflective surface of the light fixture is not visible from the beach;
 - (7) Replace incandescent, fluorescent, and high intensity lighting with the lowest wattage ~~low-pressure sodium vapor lighting, yellow Bug Type Bulbs,~~ Red or Amber Light-

Emitting Diodes (LED) or ~~True Neon~~ light sources possible for the specific application. Unless preempted by law, replacement lighting shall be long wavelength;

- (8) Plant or improve vegetation buffers between the light source and the beach to screen light from the beach;
 - (9) Construct a ground level barrier to shield light sources from the beach. Ground-level barriers must not interfere with marine turtle nesting or hatchling emergence, or cause short- or long-term damage to the beach/dune system;
 - (10) Permanently remove, disable or lock in off position any fixture which cannot be brought into compliance with the provisions of these standards.
- (c) One or more of the following measures shall be taken to reduce or eliminate the negative effects of interior light emanating from doors and windows within line-of-sight of the beach:
- (1) Apply window tint or film ~~that meets the standards for tinted glass;~~
 - (2) Rearrange lamps and other moveable fixtures away from windows;
 - (3) Use window treatments (e.g., blinds, curtains) to shield interior lights from the beach; or
 - (4) Turn off unnecessary lights.

(Ord. No. 2007-21, § 1, 8-14-07)

Sec. 44.68. Standards for publicly owned lighting.

All publicly owned lighting with light sources that are visible from the beach or that illuminate reflective surfaces that are visible from the beach, including but not limited to streetlights, parking lot lights, and beach access lighting, shall be:

- (a) Fitted with a shield or positioned so that the light source or any reflective surfaces illuminated by such sources are not visible from the beach and do not directly or indirectly illuminate the beach; or
- (b) Extinguished between sunset and sunrise from May 1 to October 31 of each year.

(Ord. No. 2007-21, § 1, 8-14-07)

Sec 44.9. Special events utilizing light during turtle season.

Lighting associated with a special event that may directly, indirectly, or cumulatively be visible from any portion of the beach shall not be authorized at nighttime during sea turtle nesting season. This prohibition shall be inclusive of any transient lighting associated with the special event, whether installed in a temporary manner or otherwise utilized as a feature of the special event such as through handheld use.

Sec. 44.710. Construction during nesting season.

- (a) During the nesting/hatching season, it shall be unlawful to construct any structure, excavate or place any fill, mechanically clean any beach, or grade any dirt within 100 feet of the nesting zone of a beach where marine turtles nest or may nest, without:

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- (1) Obtaining written approval from the Florida Department of Environmental Protection (FDEP) (F.A.C. 62B-33, F.S. ch. 161, and F.S. § 370.12); and
 - (2) Coordinating each activity by means of a written agreement with FWC-permitted sea turtle nest monitoring personnel holding a current and valid permit from the FWC for the specific area.
- (b) Construction activities, including use of temporary light sources, shall not interfere with marine turtle nesting, nests or hatching activities, shall preserve or replace any native vegetation on the site, and shall maintain the natural existing beach profile and minimize interference with the natural beach dynamics and function.
- (Ord. No. 2007-21, § 1, 8-14-07)

Sec. 44.811. Enforcement.

Periodic nighttime lighting inspections shall be performed from the beach to determine the extent of compliance with section 44.57. Inspections shall include both public and private properties within jurisdictional boundaries. Inspections shall be conducted by the city code enforcement department or other qualified person appointed or contracted by the city. ~~At least one compliance inspection of the beach shall be conducted at night prior to the commencement of the marine turtle nesting season and additional compliance inspections shall be conducted during the marine turtle nesting season until existing beachfront lighting has been brought into compliance.~~

(Ord. No. 2007-21, § 1, 8-14-07)

Section 44.12. Penalties.

- (a) Violations of this division originating from any lighting associated with a permanent building, structure, or accessory structure, any constructed or installed outdoor lighting fixture, or any transient lighting associated with a temporary structure or special event associated with a property or properties, shall be cited to the property owner(s) and follow the procedure in section 22-276 of this Code. When a property has multiple light sources in violation of this division, each may be cited as a violation.
- (b) Violations of this division that originate from a transient lighting source unassociated with a special event, temporary structure, and/or that originate from individuals on the public beach shall be cited in accordance with the procedures in section 22-286 of this Code.
- (c) During marine turtle nesting season, any light source installed or placed upon any public property that is visible from the beach without prior authorization of the City may be removed without notice at the discretion of the city manager.

Sec. 44.913. Monitoring and reporting guidance.

The following information should be compiled by the city or qualified wildlife protection program partner on an annual basis and submitted to the Florida Fish and Wildlife Conservation Commission Marine Turtle Protection Program:

- (a) Number of lighting applications reviewed;
- (b) Number of potential violations reported;
- (c) Number of potential violations investigated;
- (d) Disposition of all potential violations including results of enforcement actions and amounts of penalties assessed;
- (e) Results of compliance checks conducted prior to and during the marine turtle nesting season;
and
- (f) Status of local lighting ordinances and any amendments to those ordinances.

Ordinance 2025-16

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA FOR THE PURPOSE OF AMENDING LAND DEVELOPMENT CODE DIVISION 44 – MARINE TURTLE PROTECTION SECTIONS 44.1 THROUGH 44.9., AND ADOPTING SECTIONS 44.10 THROUGH 44.13., TO UPDATE TECHNICAL STANDARDS, CLARIFY REQUIREMENTS FOR NEW AND EXISTING DEVELOPMENT AND SPECIAL EVENTS, MODIFY PENALTIES, COMPLIANCE AND ENFORCEMENT MEASURES, SPECIFY RESPONSIBLE PARTIES, AND UPDATE DEFINITIONS, TO BETTER SERVE THE PURPOSE AND INTENT OF THE DIVISION AND ALIGN WITH FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AND FISH AND WILDLIFE COMMISSION BEST PRACTICES; PROVIDING FOR CODIFICATION; CONFLICTS; SEVERABILITY; CORRECTION OF SCRIVENER’S ERROR; CONSTRUCTION; PUBLICATION; AND AN EFFECTIVE DATE.

WHEREAS, the sand beaches of St. Pete Beach are frequently used as nesting activity for marine turtles, particularly loggerhead and green sea turtles, along with other wildlife susceptible to effects from artificial lighting; and

WHEREAS, the City’s wildlife partners have tracked numerous hatchling disorientations over the past years, including in 2025, which are often linked to the use of short wavelength bulbs, and/or lights that are not properly shielded and cut off; and

WHEREAS, the City’s existing marine turtle protection ordinance was evaluated as “somewhat ideal” by the Sea Turtle Conservancy in 2022; and

WHEREAS, the City’s ordinance provides a strong framework, but lacks some of the modern technical justification generated since its adoption in 2007, and can also benefit from clearer requirements for new and existing development, along with compliance and enforcement guidelines; and

WHEREAS, the City’s Comprehensive Plan requires the City to conserve and improve its wildlife population and habitat; and

WHEREAS, these amendments are not intended to create greater burdens on existing or new development, but to clarify requirements for development in the context of the City’s existing definition for “construction” in Division 2 of the Land Development Code, and “tinted glass” in

Division 44, to align standards with the research of King et. al (2025)¹, Long et. al (2025)², the Florida state model lighting ordinance, and local knowledge, among other sources; and

WHEREAS, these amendments are found to be consistent with the Land Development Code and Comprehensive Plan.

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH FLORIDA, HEREBY ORDAINS:

SECTION 1. Recitals. The above recitals (“Whereas” clauses) are hereby adopted as legislative findings, purpose and intent of the City Commission.

SECTION 2. The City Code and Land Development Code is amended as shown in EXHIBIT A to this Ordinance.

SECTION 3. Codification. This Ordinance shall be codified in the Code of Ordinances of the City of St. Pete Beach.

SECTION 4. Conflicts. All ordinances or parts of ordinances, in conflict herewith are hereby repealed to the extent of any conflict with the Ordinance.

SECTION 5. Severability. The provisions of this Ordinance are declared to be severable, and if any section, sentence, word, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, words, clauses, and phrases of this Ordinance as they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 6. Scrivener’s Error. The City Attorney may correct scrivener’s errors found in this Ordinance by filing a corrected copy of this Ordinance with the City Clerk.

SECTION 7. Construction. This Ordinance is to be liberally construed to accomplish its objectives.

SECTION 8. Publication. This Ordinance shall be published in accordance with the requirements of law.

SECTION 9. Effective Date. This ordinance shall take effect immediately upon adoption.

¹ King, E.J., Hofeister, K.M., Bosshard, S.C., Limpus, C.J., & Scales, K.L. (2015, July 16). To see in the dark: Assessing effects of LED streetlights on sea-finding in marine turtle hatchlings. *Wildlife Research*, 52(7). <https://doi.org/10.1071/WR24151>.

² Long, T.M., Anderson, R., Ceriani, S.A., Frederick, C., Koperski, M., Shea, C.P., Wideroff, M., & Trindell, R.N. (2025, March). Can darker window tints reduce interior light impacts to hatchling sea turtles on developed coastlines? An experimental assessment. *Journal for Nature Conservation*, 84. <https://doi.org/10.1016/j.jnc.2025.126843>.

FIRST READING: _____
SECOND READING: _____
PUBLIC HEARING: _____

CITY COMMISSION, CITY OF ST. PETE
BEACH, FLORIDA.

Adrian Petril, Mayor

I, Renee Rose, City Clerk of the City of St. Pete Beach, Florida, do hereby certify that the foregoing Ordinance was duly adopted in accordance with the provisions of applicable law this _____ day of _____, 2025.

Renee Rose, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

City Attorney

Exhibit A

Land Development Code Division 44 Marine Turtle Protection is amended as follows:

DIVISION 44 MARINE TURTLE PROTECTION

Sec. 44.1. Purpose and intent.

The purpose of this rule is to protect hatchling marine turtles from the adverse effects of artificial lighting, provide overall improvement in nesting habitat degraded by light pollution, and increase successful nesting activity and production of hatchlings.

Sec. 44.2. Definitions.

[The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:]

Artificial light or artificial lighting means the light emanating from any human-made device.

Bollards means lighting consisting of short posts that incorporate a lighting element.

Certified Wildlife Lighting means lighting fixtures and bulbs reviewed and approved with conditions of use through the Florida Fish and Wildlife Conservation Commission's Wildlife Lighting Certification Process and published at <https://myfwc.com/conservation/you- conserve/lighting/criteria/certified/>.

City manager shall mean the City's Chief Executive Officer or their designee.

Coastal construction activities means any work or activity that is likely to have a material physical effect on existing coastal conditions or natural shore and inlet processes.

Construction shall have the same meaning as in Division 2 of the Land Development Code.

Cumulatively illuminated means illuminated by numerous artificial light sources that can be seen by an observer standing anywhere on the beach.

Directional fixture means an assembly that holds the lamp along with any globe, shade, or other covering surrounding the lamp that may be adjusted to concentrate or throw light in a specific direction.

Directly visible means when glowing element(s), lamp(s), globe(s), or reflector(s) of an artificial light source can be seen by an observer standing anywhere on the beach.

Existing beachfront lighting means an artificial light source associated with a building, structure, roadway, parking lot, dune crossover, pier, beach walkway or beach access for which a permit was issued prior to the adoption of this ordinance and such lighting is directly or indirectly visible from the beach. This term shall include those improvements and repairs further defined in Section 44.5 of this Division.

Floodlight means a reflector-type light fixture that may be attached directly to a building, other structure, or freestanding, and is unshielded.

Frontal dune means the first natural or man-made mound or bluff of sand which is located landward of the beach and which has sufficient vegetation, height, continuity, and configuration to offer protective value to the beach environment.

Full cutoff means a lighting fixture constructed in such a manner that no light emitted by the fixture, either directly from the lamp or a diffusing element or indirectly by reflection or refraction from any part of the fixture, is projected at or above 90° as determined by photometric test or certified by the fixture manufacturer.

Ground-level barrier means any vegetation, natural feature or artificial structure rising from the ground which prevents beachfront lighting from shining directly onto the beach-dune system, including, but not limited to, hedges, native dune vegetation, privacy fences, walls, etc.

Hatchling means any species of marine turtle, within or outside of a nest that has recently hatched from an egg.

Indirectly visible means light reflected from the glowing element(s), lamp(s), globe(s), or reflector(s) of an artificial light source that can be seen by an observer standing anywhere on the beach, without the light source being directly visible.

Long wavelength means an amber, orange, or red lamp or bulb that has a light source emitting a light wavelength of 560 nanometers or greater and is absent wavelengths below 560 nanometers.

Low-profile luminaire means a light fixture set on a base which raises the source of light no higher than 48 inches above the ground, and is designed in such a way that light is directed downward from a hooded light source.

Marine turtle means any marine-dwelling reptile of the families Cheloniidae or Dermochelyidae found in Florida waters or using the beach as nesting habitat, including the species: *Caretta caretta* (loggerhead), *Chelonia mydas* (green), *Dermochelys coriacea* (leatherback), *Eretmochelys imbricata* (hawksbill), and *Lepidochelys kempi* (Kemp's ridley). For purposes of this rule, marine turtle is synonymous with sea turtle.

Motorized vehicle means, but is not limited to, any self-propelled, wheeled, tracked, or belted conveyance.

Nest means an area where marine turtle eggs have been naturally deposited or subsequently relocated.

Nesting season means the period from May 1 through October 31 of each year.

New coastal construction means new construction and remodeling of existing structures when such remodeling includes alteration of exterior lighting where such lighting does or will at completion of work be directly and/or indirectly visible from the beach. This term shall include those improvements further defined in Section 44.5 of this Division.

Nighttime means the locally effective time period between sunset and sunrise.

Person means individuals, firms, associations, joint ventures, partnerships, estates, trusts, syndicates, fiduciaries, corporations, and all other groups or combinations.

Point source of light means the actual light source such as the bulb, fluorescent tube, lamp, etc., from which light emanates.

Pole lighting means a light fixture set on a base or pole which raises the source of the light higher than 48 inches off the ground.

Primary dune means the most seaward dune with sufficient alongshore continuity which has sufficient height and configuration or vegetation to offer protective value to the beach environment.

Publicly owned lighting means lighting installed by a public or private entity which is owned by, or rented or leased to, a governmental agency, or lighting installed on public property.

Shielded means a lighting fixture constructed in such a manner that the glowing elements, lamps, globes, or reflectors of the fixture are completely covered by a permanent opaque material to prevent them from being directly visible from the beach.

Temporary structure means any human-made structure or object with a location or arrangement that is temporary or transient in nature.

Tinted glass means any glass modified by tinting, film or other material that has inside-to-outside light transmittance value of 30 percent or less.

Transient lighting means any non-permanent light source that may be hand-held or portable including but not limited to tiki torches, lanterns, flashlights (including cell phone flashlights), candles, flash photography, etc. When used in the context of special event permitting, this term also means any non-permanent source associated with the special event to which it is associated, such as the temporary installation of a light fixture.

Visible from the beach, which not preceded by the modifier “directly” or “indirectly”, shall be inclusive of both.

Sec. 44.3. Responsible department.

St. Pete Beach Code Enforcement shall be the responsible department for the enforcement of this division.

Sec. 44.4. Certification of compliance.

- (a) The following shall be submitted and completed for any new coastal construction as classified in Section 44.6.:
 - (1) All permit applications for new coastal construction shall include:
 - a. A statement that the construction will be compliant with the requirements of section 44.6;
 - b. Product specifications and/or plan references to certification numbers verifying that bulbs, fixtures, and other lighting elements required to meet the new coastal construction requirements of section 44.6. have Certified Wildlife Lighting certification. In absence of this certification, information deemed adequate to the city manager or designee that the lighting elements will be long wavelength, shielded, full cutoff, downward-directed, and/or mounted as low as possible, when required, shall suffice.
 - (2) Prior to certificate of occupancy or final inspection for a permit for new coastal construction, as relevant to the permit type, St. Pete Beach Code Enforcement reserves the right to schedule an inspection to certify compliance of the construction with Section 44.6., which may include a nighttime inspection. This inspection shall be a requirement for any new coastal construction utilizing bulbs or fixtures not certified by the Certified Wildlife Lighting program, unless waived in writing by the city manager or designee.
- (b) When existing beachfront lighting has been modified to comply with section 44.7., the property owner shall submit product specifications, Certified Wildlife Lighting certifications, or other detail deemed sufficient to the city manager or designee to demonstrate compliance.

Section 44.5. Classification of new coastal construction and existing lighting.

- (a) The following shall constitute new coastal construction for the purpose of this division:
 - (1) Any construction of any new building, structure, or accessory structure where any exterior or interior light source is visible from the beach.
 - (2) Any redevelopment or partial reconstruction of any existing building, structure, or accessory structure where any exterior or interior light source is visible from the beach.
 - (3) Any remodel or repair of, or addition to, any building which:
 - a. Introduces a new or replaces an existing exterior light source;
 - b. Creates a new opening which exposes an interior light source to be visible from the beach;
 - c. Widens an existing opening from which a new or existing interior light source is visible from the beach;
 - d. Constitutes a substantial improvement to the building or structure; or,
 - e. Exchanges a window or door within an existing opening for the other, from which an interior light source is visible from the beach.
- (b) The following shall constitute existing lighting for the purpose of this division:
 - (1) Existing lights visible on the beach from the interior of a building or structure that are visible through a window or door, including when the window or door has undergone like-for-like replacement without modification of the opening and further provided the replacement does not increase the visible light transmittance percentage compared with the existing window(s) and/or door(s);
 - (2) Any exterior or interior light noncompliant with the new coastal construction requirements of Section 44.6 that is visible from the beach and was installed prior to August 14, 2007; and,
 - (3) Repair of exterior light fixtures that were installed prior to August 14, 2007, that does not constitute a full replacement of the fixture, further expose the point source of the fixture's light, or cause greater direct or indirect illumination of the beach.

Sec. 44.6. Standards for new beachfront lighting.

In order to provide the highest level of protection for nesting marine turtles and their hatchlings, the following standards for artificial light sources on all new coastal construction shall be applied:

- (a) Exterior artificial light fixtures shall be designed and positioned so that:
 - (1) The point source of light or any reflective surface of the light fixture is not directly visible from the beach;
 - (2) Areas seaward of the frontal dune, or the beach in areas where the frontal dune no longer exists, are not directly, indirectly, or cumulatively illuminated.
- (b) Exterior artificial light fixtures cumulatively, directly or indirectly illuminating the beach are considered appropriately designed if:
 - (1) Exterior lights are completely shielded downlight only fixtures or recessed fixtures producing long wavelength light as certified by and installed according to requirements of the Certified Wildlife Lighting program or as demonstrated through spectrometric inspection by the city manager, their designee, or a local wildlife protection program partner. Other fixtures that have appropriate light-blocking shields, louvers, or cut-off

features may also be used if they are in compliance with subsection (a)(1) and (2) above;
and

- (2) All fixtures are mounted as low in elevation as possible through use of low-mounted wall fixtures, low bollards, and ground-level fixtures
- (3) Fixtures are full cutoff.
- (c) Floodlights, uplights or spotlights that directly, indirectly or cumulatively illuminate the beach, shall not be used.
- (d) Exterior lights used expressly for safety or security purposes shall be limited to the minimum number and configuration required to achieve their functional role(s). The use of motion detector switches that keep lights off except when approached and that switch hooded or shielded lights on for the minimum duration possible are preferred.
- (e) Only long wavelength recessed or louvered lighting, or other appropriate long wavelength lighting, shall be used on dune crossovers where permissible. All light fixtures on dune crosswalks must utilize long wavelength light sources. Dune crosswalk lighting seaward of the primary dune, or on the beach in areas where the primary dune no longer exists, shall not be used.
- (f) To the extent this regulation is not adverse to applicable state and federal public safety laws, pools, spas, and their accessory decks shall utilize long-wavelength and fully shielded bulbs and fixtures. Underwater lighting shall be mounted horizontally and not be directly or indirectly visible from the beach.
- (f) Only long wavelength lighting shall be used in parking areas within line-of-sight of the beach. Such lighting shall be:
 - (1) Set on a low-profile luminaire; and
 - (2) Positioned or shielded so that the light is cast downward and the source of light or any reflective surface of the light fixture is not visible from the beach and does not directly or indirectly illuminate the beach.
- (g) All newly constructed parking areas and roadways, including any paved or unpaved areas upon which motorized vehicles will park or operate, shall be designed and located to prevent lights (including vehicular headlights) from directly or indirectly illuminating the beach.
- (h) Vehicular lighting, parking area lighting, and roadway lighting shall be modified or shielded from the beach through the use of ground-level barriers or external shields. Ground-level barriers must not interfere with marine turtle nesting or hatchling emergence, or cause short- or long-term damage to the beach/dune system.
- (i) Tinted glass shall be installed on all windows and glass doors of single or multi-story structures within line-of-sight of the beach.
- (j) Use of appropriately shielded long wavelength lamps and fixtures shall be preferred for high-intensity lighting applications such as lighting parking areas and roadways, providing security, and similar applications.
- (k) All of the above standards shall be met prior to the issuance of a certificate of occupancy.
- (l) Temporary lighting of construction sites during the marine turtle nesting season shall be restricted to the minimal amount necessary and shall incorporate all of the standards of this section. Said lighting shall not be mounted more than eight feet above the ground.

Sec. 44.7. Standards for existing beachfront lighting.

By July 1, 2008; all light sources or reflective surfaces illuminated by such sources that are visible from the beach shall be brought into compliance with the following standards:

- (a) Existing artificial light fixtures shall be repositioned, modified, or removed so that:
 - (1) The point source of light or any reflective surface of the light fixture is not directly visible from the beach;
 - (2) Areas seaward of the frontal dune, or the beach in areas where the frontal dune no longer exists, are not directly, indirectly, or cumulatively illuminated.
- (b) The following measures shall be taken to reduce or eliminate the negative effects of existing exterior artificial lighting:
 - (1) Reposition fixtures so that the point source of light or any reflective surface of the light fixture is no longer visible from the beach;
 - (2) Replace fixtures having an exposed light source with fixtures containing recessed light sources or external shields;
 - (3) Replace traditional light bulbs (e.g. incandescent, fluorescent, and high intensity lighting) with the lowest-wattage long wavelength low-pressure sodium vapor (LPS) bulbs or Red or Amber Light-Emitting Diodes (LED) light sources available for the specific application. Unless preempted by law, replacement lighting shall be long wavelength.;
 - (4) Replace non-directional fixtures with directional fixtures that point down and away from the beach;
 - (5) Replace fixtures having transparent or translucent coverings with fixtures having opaque shields covering an arc of at least 180 degrees and extending an appropriate distance below the bottom edge of the fixture on the seaward side so that the light source or any reflective surface of the light fixture is not visible from the beach;
 - (6) Replace pole lamps with low-profile, low-level luminaries so that the light source or any reflective surface of the light fixture is not visible from the beach;
 - (7) Replace incandescent, fluorescent, and high intensity lighting with the lowest wattage Red or Amber Light-Emitting Diodes (LED) source possible for the specific application. Unless preempted by law, replacement lighting shall be long wavelength;
 - (8) Plant or improve vegetation buffers between the light source and the beach to screen light from the beach;
 - (9) Construct a ground level barrier to shield light sources from the beach. Ground-level barriers must not interfere with marine turtle nesting or hatchling emergence, or cause short- or long-term damage to the beach/dune system;
 - (10) Permanently remove, disable or lock in off position any fixture which cannot be brought into compliance with the provisions of these standards.
- (c) One or more of the following measures shall be taken to reduce or eliminate the negative effects of interior light emanating from doors and windows within line-of-sight of the beach:
 - (1) Apply window tint or film;

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- (2) Rearrange lamps and other moveable fixtures away from windows;
 - (3) Use window treatments (e.g., blinds, curtains) to shield interior lights from the beach; or
 - (4) Turn off unnecessary lights.

(Ord. No. 2007-21, § 1, 8-14-07)

Sec. 44.8. Standards for publicly owned lighting.

All publicly owned lighting with light sources that are visible from the beach or that illuminate reflective surfaces that are visible from the beach, including but not limited to streetlights, parking lot lights, and beach access lighting, shall be:

- (a) Fitted with a shield or positioned so that the light source or any reflective surfaces illuminated by such sources are not visible from the beach and do not directly or indirectly illuminate the beach; or
- (b) Extinguished between sunset and sunrise from May 1 to October 31 of each year.

Sec 44.9. Special events utilizing light during turtle season.

Lighting associated with a special event that may directly, indirectly, or cumulatively be visible from any portion of the beach shall not be authorized at nighttime during sea turtle nesting season. This prohibition shall be inclusive of any transient lighting associated with the special event, whether installed in a temporary manner or otherwise utilized as a feature of the special event such as through handheld use.

Sec. 44.10. Construction during nesting season.

- (a) During the nesting/hatching season, it shall be unlawful to construct any structure, excavate or place any fill, mechanically clean any beach, or grade any dirt within 100 feet of the nesting zone of a beach where marine turtles nest or may nest, without:
 - (1) Obtaining written approval from the Florida Department of Environmental Protection (FDEP) (F.A.C. 62B-33, F.S. ch. 161, and F.S. § 370.12); and
 - (2) Coordinating each activity by means of a written agreement with FWC-permitted sea turtle nest monitoring personnel holding a current and valid permit from the FWC for the specific area.
- (b) Construction activities, including use of temporary light sources, shall not interfere with marine turtle nesting, nests or hatching activities, shall preserve or replace any native vegetation on the site, and shall maintain the natural existing beach profile and minimize interference with the natural beach dynamics and function.

Sec. 44.11. Enforcement.

Periodic nighttime lighting inspections shall be performed from the beach to determine the extent of compliance with section 44. 7. Inspections shall include both public and private properties within jurisdictional boundaries. Inspections shall be conducted by the city code enforcement department or other qualified person appointed or contracted by the city.

Section 44.12. Penalties.

- (a) Violations of this division originating from any lighting associated with a permanent building, structure, or accessory structure, any constructed or installed outdoor lighting fixture, or any transient lighting associated with a temporary structure or special event associated with a property or properties, shall be cited to the property owner(s) and follow the procedure in section 22-276 of this Code. When a property has multiple light sources in violation of this division, each may be cited as a violation.
- (b) Violations of this division that originate from a transient lighting source unassociated with a special event, temporary structure, and/or that originate from individuals on the public beach shall be cited in accordance with the procedures in section 22-286 of this Code.
- (c) During marine turtle nesting season, any light source installed or placed upon any public property that is visible from the beach without prior authorization of the City may be removed without notice at the discretion of the city manager.

Sec. 44.13. Monitoring and reporting guidance.

The following information should be compiled by the city or qualified wildlife protection program partner on an annual basis and submitted to the Florida Fish and Wildlife Conservation Commission Marine Turtle Protection Program:

- (a) Number of lighting applications reviewed;
- (b) Number of potential violations reported;
- (c) Number of potential violations investigated;
- (d) Disposition of all potential violations including results of enforcement actions and amounts of penalties assessed;
- (e) Results of compliance checks conducted prior to and during the marine turtle nesting season; and
- (f) Status of local lighting ordinances and any amendments to those ordinances.