

## Sec. 6-8. Sea turtle protection.

(a) Title and citation. This section shall be known and may be cited as the "City of Jacksonville Beach Sea Turtle Protection Regulations."

(b) Purpose. The purpose of this section is to protect the threatened and endangered sea turtles that may nest along the beaches of Jacksonville Beach, Florida, by safeguarding sea turtle hatchlings from sources of artificial light and adult and hatchling sea turtles from injury or harassment.

(c) New development. For new development, construction and building and electrical plans for construction of single-family or multifamily dwellings, commercial or other structures including electrical plans associated with parking lots, dune walkovers and other outdoor lighting for real property if there is lighting associated with such construction or development on real property having any portion located seaward of the coastal construction control line (CCCL) established by the Florida Department of Environmental Protection (DEP), or if there are any light sources or any reflective surfaces of the light fixture illuminated by such sources that will be visible from the beach, such lighting shall be in compliance with the following:

(1) Outdoor lighting shall be held to the minimum necessary for security and safety. Floodlights and landscape or accent lights that will be visible from the beach are prohibited.

(2) All lighting, including wall-mounted fixtures, pole lighting, lights on balconies, and any other type of lighting not specifically referenced by this section; shall be of low intensity and shall be fitted with hoods or positioned so that the light sources or the reflective surfaces of any light fixtures illuminated by such sources are not visible from the beach.

(3) Low profile luminaries shall be used in parking lots and such lighting shall be fitted with hoods or positioned so that the light sources or any reflective surfaces of any light fixtures illuminated by such sources are not visible from the beach.

(4) Dune crosswalks shall utilize low profile shielded luminaries directed and positioned so that the light sources or any reflective surfaces of any light fixtures illuminated by such sources are not visible from the beach. Dune crossover lighting shall be limited to the area landward of the primary dune.

(5) If high intensity lighting is necessary, low pressure sodium vapor luminaries shall be used and fitted with a hood or positioned so that the light sources or any reflective surfaces of any light fixtures illuminated by such sources are not visible from the beach.

(6) Plates of tinted glass are required for windows that are visible from the beach. The tinted glass shall be any window or glazing that has an industry-approved light transmittance value of forty-five (45) percent or less. Such transmittance shall be limited to the visible spectrum (four hundred (400) to seven hundred (700) nanometers) and shall be measured as the percentage of light that is transmitted through the glass, inside to outside.

(7) Temporary security lights at construction sites shall not be mounted more than fifteen (15) feet above the ground. Light sources or any reflective surfaces of any light fixtures illuminated by such sources are not visible from the beach.

(d) Existing development. The following requirements shall apply if any portion of a developed property is located within a three-hundred-foot radius measured directly from the actual site of a sea turtle nest as verified by a person holding a Florida Marine Turtle permit:

(1) All lights shall be turned off after 9:00 p.m. between May 1 and October 1 of each year, or fitted with a hood or positioned so that the light sources or any reflective surfaces of any light fixtures illuminated by such sources are not visible from the beach. The following measures may be considered to reduce or eliminate the negative effects of existing exterior artificial lighting.

- a. Reposition fixtures so that the point source of light or any reflective surface of the light fixture is no longer visible from the beach.
- b. Replace fixtures having an exposed light source with fixtures containing recessed light sources or shields.
- c. Replace traditional light bulbs with yellow "bug" type bulbs not exceeding fifty (50) watts.
- d. Replace nondirectional fixtures with directional fixtures that point down and away from the beach.
- e. Replace fixtures having transparent or translucent coverings with fixtures having opaque shields covering an arc of at least one hundred eighty (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.
- f. 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.
- g. Replace incandescent, fluorescent and high intensity lighting with the lowest wattage low pressure sodium vapor light possible for the specific application.
- h. Plant or improve vegetation buffers between the light source and the beach to screen light from the beach.
- i. Construct a ground level barrier to shield light sources from the beach when possible. 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.
- j. Permanently remove or permanently disable any fixture which cannot be brought into compliance with the provisions of these standards.

(2) Lights illuminating dune crosswalks shall be turned off after 9:00 p.m. between May 1 and October 1 of each year, or must be modified to conform to the requirements for new development in accordance with paragraph (c) of this section.

(3) Security and emergency exit lighting shall follow the same requirements stated in paragraph (d)(1) above. If high intensity lighting is necessary, low pressure sodium vapor luminaries shall be used and fitted with a hood or positioned so that the light sources or any reflective surfaces of any light fixtures illuminated by such sources are not visible from the beach. Nothing in this paragraph is intended to or shall limit or discourage the use of floodlights or spot lights of any color activated by the motion of person or vehicle on the property. Any such light shall provide illumination for a period not to exceed five (5) minutes each time motion is detected by it.

(4) At least one (1) of the following measures shall be taken, where applicable, to reduce or eliminate the negative effects of interior light emanating from doors or windows within line of sight of the beach, where lights currently illuminate the beach:

- a. In windows facing the Atlantic Ocean, tinted window treatments are required for windows that are

visible from the beach so that indoor lights do not illuminate the beach. The tinted glass shall be any window or glazing that has an industry-approved light transmittance value of forty-five (45) percent or less. Such transmittance shall be limited to the visible spectrum (four hundred (400) to seven hundred (700) nanometers) and shall be measured as the percentage of light that is transmitted through the glass, inside to outside.

b. Rearrange lamps and other movable fixtures away from windows.

c. Use window treatments, including but not limited to blinds and curtains, to shield interior lights from the beach and, during May 1 through October 1 nesting season, draw the operable window coverings; and/or

d. Turn off unnecessary lights.

(e) Publicly-owned lighting. The following requirements shall apply to street lights and lighting fixtures in public parking lots, the SeaWalk Pavilion, and public boardwalk areas adjacent to the beach which are located within a three hundred (300) foot radius measured directly from the actual site of a sea turtle nest as verified by a person holding a Florida Marine Turtle permit:

(1) Street lights and lights on the public boardwalk are not subject to the terms of this section; however, it is the intent of the city that streetlights shall be located so that they do not illuminate any portion of the beach that is located within three hundred (300) feet of the actual site of a sea turtle nest.

(2) Publicly-owned lights in public parking lots and the SeaWalk Pavilion shall be shielded, shaded, or shall not be utilized from 11:00 p.m. until 7:00 a.m. each morning if they are located within three hundred (300) feet of the actual site of a sea turtle nest.

(f) Unlawful to kill, molest, or injure sea turtles. It shall be unlawful for any person to kill, molest, or cause direct or indirect injury to any species of sea turtles in Jacksonville Beach or within its jurisdictional waters. It shall be unlawful to collect or possess any part of a sea turtle.

(g) Penalties for violation; resort to other remedies. Violation of the provisions of this section or failure to comply with any of its requirements shall constitute a misdemeanor. Any person or firm who violates this division or fails to comply with any of its requirements shall upon conviction thereof be fined or imprisoned, or both, as provided by law. Each day such violation continues shall constitute a separate offense. Each sea turtle killed, injured, or molested shall constitute a separate violation. Any person who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided. The city, in addition to the criminal sanctions contained herein, may take any other appropriate legal action, including but not limited to injunctive action, to enforce the provisions of this section.

(Ord. No. 2000-7789, § 1, 5-15-00)

Secs. 6-9--6-18. Reserved.