**Minutes of Snipe Sign Workshop**

**March 2, 2015**

**5 p.m.**

**Time and date:** 10 a.m. Wednesday February 25, 2015

**Location:** Don Davis Room, City Hall – St. James Building 117 West Duval Street

**In attendance**: Council Member E. Denise Lee, Council Member Bill Gulliford, Council Member Greg Anderson, Council Member Lori Boyer, Kimberly Scott, Regulatory Compliance; Bill Brinton, Rogers & Towers Law Firm; Peggy Sidman, OGC; Cherry Shaw, OGC; Dan Macdonald, District 8 ECA; and other attendees (see attached).

**Meeting convened:** 10:12 a.m.

Council Member E. Denise Lee, chair of the Ad Hoc Blight Committee, called the meeting to order and explained the purpose of the meeting was to come to a consensus on bill 2014-553’s fine structure. The Transportation, Energy and Utilities committee has held up the bill in committee because members had questions about the cost of a first offense (increasing from $50 to $150 per sign) and what constituted a first offense.

Peggy Sidman went through the fee structure. Kimberly Scott passed out a chart that compared Jacksonville’s fine for a first offence with those imposed in Ft. Lauderdale, Clearwater, South Miami, Tampa and Orlando. Rates ranged from $225 (Ft. Lauderdale) to $50 (Jacksonville). The chart also compared the municipalities’ land area, population and median income. She also noted fines collected in Jacksonville are split between the Jacksonville Transportation Authority (70 percent of the fine) and Regulatory Compliance (30 percent of the fine). JTA is to use this money to maintain and clean bus stops.

Ms. Scott objected to Rules Committee Amendment 4, which would remove a provision that a snipe sign attached 5-feet or higher on public utility pole would have a fine costing $350 per citation. This fine is needed, she said, because such signs are harder for crews to remove.

Council Member Lori Boyer pointed out there is a difference in a fee and a fine. This ordinance imposes fines and would negate the reasoning that land size and population could come into play when deciding a fine structure.

Council Member Greg Anderson asked that the 70-30 fine split be explained and how the JTA uses its portion. Last year money from this fund was used to purchase and install garbage cans at bus stops. Bill Brinton said that because food and drink are not allowed on buses, riders litter bus stops due to a lack of proper trash containers. He added that while the fund was created in 2010 it wasn’t until 2012 that money was spent for this purpose.

Brinton said that raising the fee to $150 might be seen as Draconian by magistrates who hear citation challenges. While he is not opposed to raising the fine, he suggested that $75 would be more palatable.

The discussion moved on to what constituted a first offense. Cherry Shaw said someone who is cited has 10 days to pay the fine or challenge the citation. A challenge can take more than a month to be heard. Council Member Boyer said that any citation issued 10 days after the first citation should constitute a second offence.

Ms. Scott said there is confusion in the zoning code in section 656.1311 about the definition of snipe signs.

The group discussed the differences between a violation of this section and how it relates to first, second or subsequent offences. In the ordinance, it reads: “Each piece of litter or separate snipe sign that a person illegally places on or affixes to public property *in violation* of this Section *shall be deemed a separate violation*.” Ms. Scott explained that each sign is a violation. If the violator admitted and paid the fine or was adjudicated by a court of law then the next offence the fine will be increased. A second offense occurs after the fine is paid and another offense happens within a 12-month period.

Council Member Boyer wanted to explore the possibility of creating a tiered structure for the first offense. The first three signs in violation within a 12-month period would incur a $75 fine each with subsequent violations being fined at a $150 per sign rate. Council Member Lee asked Council Member Love to meet with representatives of the Office of General Counsel and Regulatory Compliance to define “first offence.”

Discussion moved back to the fines for a first offense. While Council Member Lee wanted it to remain at the proposed $150 per sign, however, she would accept a compromise of $75. The group agreed with the $75 figure.

Peggy Sidman was to draft an amended bill to present to the TEU committee that:

1. Provide for a tiered fine structure for the first offence.
2. Brought definitions in zoning code 656.1311 into agreement with 2014-553
3. Added the Rules Committee’s amendment for an educational component
4. Leaving in the current prohibition of posting snipe signs 5-feet or higher on public utility poles.

She was to leave a place holder in the draft legislation concerning what constituted a first offense.

Hosea Small, citizen, addressed the group asking what JTA did to earn 70 percent of the snipe sign fines. He wanted the agency that did the most work in citing violations to receive the 70 percent. Ms. Scott said the 70-30 arrangement needs to be revisited.

Minutes prepared by Dan Macdonald, ECA District 8. The written minutes for this meeting are only an overview of what was discussed. For verbatim comments for this meeting, please listen to the audio CD.

Minutes package includes: Amended meeting notice, minutes, audio recording, Snipe Sign Fine Comparison Chart, Ordinance 2014-553, and Rules Amendments and attendee sign-in sheet.