



**BOARD OF COMMISSIONERS
TOWN OF REDINGTON SHORES
SPECIAL MEETING
WEDNESDAY, JUNE 25, 2025 - 6:00 P.M.
AGENDA**

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

D. APPEARANCES AND PRESENTATIONS

E. OLD BUSINESS

1. ORD 2025-02 Amending the Curfew Ordinance – 2nd Reading

F. NEW BUSINESS

G. MISCELLANEOUS

H. ADJOURNMENT

Pursuant to Florida Statutes § 286.0105, if any person or entity decides to appeal any decision made on any matter considered at any meeting or hearing of any Redington Shores Board or Commission, he, she or it will need a record of the proceedings and, for such purpose, he, she or it may need to ensure that a verbatim record of the proceedings is made, which record includes the legal arguments, testimony, and evidence upon which the appeal is to be based.



Town of
Redington Shores
Nature's Beach

Date: June 25, 2025

To: Board of Commissioners

From: Margaret Carey, Interim Town Administrator/Town Clerk

Re: ORD 2025-02 – Amending Code for Curfew Definitions – 2nd Reading

At the June 11, 2025 Regular Meeting, Commissioners voted in favor of ORD2025-02 amending the code for juvenile curfew definitions.

Background

As beach communities prepare for the July 4th holiday, important considerations regarding protection of property, community safety, and anticipation of potential threats are discussed.

The juvenile curfew in Indian Shores is 10pm and Redington Shores is 11pm. This makes it difficult for law enforcement as minors travel from one town to the next. To address that concern, Attorney Eschenfelder amended the code to specify the July 4th Holiday curfew as 10pm to match Indian Shores.

The proposed amendment is presented for your consideration.

ORDINANCE 25-02

AN ORDINANCE OF THE TOWN OF REDINGTON SHORES, FLORIDA, AMENDING § 71-1 (CURFEW DEFINITIONS); MAKING RELATED FINDINGS; AND PROVIDING FOR CODIFICATION, SEVERABILITY, AND FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 71 of the Redington Shores Town Code, addressing a juvenile curfew, dates to Ordinance 77-2, adopted on March 1st 1977; and

WHEREAS, in 2023, the Town adopted Ordinance 23-04 to substantially update Chapter 71 for the first time since 1977; and

WHEREAS, while the 2023 ordinance providing significant updates to the Town's curfew rules to account for changes in statutory and case law, changes in the makeup of the Town's residential, business and tourist mix, and recommendations from law enforcement based on modern experiences and trends such as social media event posts, the Redington Shores Town Commission (the Commission) finds that a need exists to further protect youth from harm and victimization, to protect the safety and well-being of the youth, and to reduce crime and violence committed by unsupervised youth; and

WHEREAS, in particular, the Town's police department has informed the Town that since it provides enforcement services to both the Town and the neighboring Town of Indian Shores, it has witnessed a repeated trend on Independence Day where crowds of youth shift from Indian Shores (which has a 10 p.m. curfew) to Redington Shores (which has an 11 p.m. curfew), and that this differentiation has caused difficulty in uniform enforcement, and has caused unruly crowds of youth to simply shift south on Independence Day holidays once the earlier curfew comes into effect; and

WHEREAS, youth are peculiarly vulnerable to being victims of crime such as homicide, robbery, assault and battery, and sexual offenses. Youth are generally smaller than adults, less likely to be in possession of a weapon, and less able to defend themselves; and

WHEREAS, youth are perceived to be easier targets by those persons inclined to commit violent crimes, a vulnerability is generally increased during late night hours because persons who are inclined to commit crimes of violence can do so with a lower risk of apprehension, because there is often little or no parental or adult supervision under such circumstances; and

WHEREAS, youth are also less likely to perceive the imminent risk of becoming the victim of a violent crime, and are under an additional threat of sex crimes because of perception that youth are less likely to be believed if they report having been the victim of a sex crime; and

WHEREAS, most parents make every reasonable effort to protect their children from the dangers of crime and make informed choices as to what to allow their children to do; and

WHEREAS, notwithstanding those efforts, parents cannot always maintain control of their children, and children at times fail to obey parentally-imposed curfews and can fail to be truthful to their parents about what they are doing during evening hours out of the home;

WHEREAS, parental oversight of youth can also be impaired by the fact that some single parents must work during evening or night hours, leaving their children in an unsupervised or under-supervised setting during these hours; and

WHEREAS, residents of the Town, including parents of minor children, as well as business owners and managers in the Town have asked the Town to develop a lawful balanced means of assisting them in both reducing the risks to children who are out and unsupervised during nighttime hours, and in reducing the negative effects of unsupervised children being out at night, including vandalism, theft, public urination, underaged consumption of alcohol or unlawful narcotics, and disturbance of the peace; and

WHEREAS, the Town of Redington Shores, being a beautiful beachfront community with properties offering short term rental opportunities, has for years seen increases in the number of non-resident youth in the Town during holidays, school/college/university breaks, and during vacation season, resulting in numerous unsupervised youth congregating on the Town's beach, sidewalks, and business locations open during evening hours, during which times vandalism, theft, public urination, underaged consumption of alcohol or unlawful narcotics, public intoxication, fighting, disturbance of sea turtle nesting areas, and general disturbances of the peace are too often occurring; and

WHEREAS, congregation of youth in front of or within businesses during evening hours impedes the ability to customers to freely access and patronize such businesses; and

WHEREAS, congregation of youth on sidewalks within the Town during evening hours impedes the free flow of persons using those sidewalks for their intended purpose; and

WHEREAS, the Town is situated within Pinellas County, the most densely populated county in Florida, and within easy driving distance for youth traveling from Pasco, Manatee and Hillsborough Counties; and

WHEREAS, these geographic regions include several major colleges and universities, as well as school districts with some of the highest levels of student populations, all of which release their students for extended seasonal breaks during the same weeks each year; and

WHEREAS, the Town's Chief of Police (the Chief) has reported that in prior years, his department has made many attempts to work with the short-term rental properties in the Town with the goal of having those property owners/managers play a more active role in overseeing the activities of minors staying at their properties; and

WHEREAS, the Chief has reported that despite such efforts, a trend has continued whereby the owners/managers will approve short-term renting to an apparent adult online, only to have the rental occupied solely by minors, and where these minors then use social media posts and group messaging tools to move in large groups to avoid curfew enforcement efforts; and

WHEREAS, the Chief has reported that given the historical consistency of such activities, and the growing prevalence of vacation rental properties in the Town, the foregoing activities is projected to occur again in 2025 and in subsequent years; and

WHEREAS, the Town of Redington Shores is a small municipality with limited resources available to combat the unruly behavior of unaccompanied juveniles which impairs the health, safety and welfare of the public, including the minors involved, thus, coordinated enforcement efforts are important to accomplish where possible; and

WHEREAS, Article VIII, § 2(b) of the State Constitution provides that municipalities shall have the governmental powers to enable them to conduct municipal government, perform municipal functions and render municipal services, and may exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, Florida Statutes § 877.25 authorizes counties and municipalities to enact curfew ordinances regulating the presence of youths in public places and establishments which provide restrictions more stringent or less stringent than the curfew established by the Legislature in Florida Statutes § 877.22 (the model curfew statute); and

WHEREAS, in *State v. J.P.*, 907 So.2d 1101, 1115-16 (Fla. 2004), the Florida Supreme Court (finding the juvenile curfew ordinances of the cities of Pinellas Park and Tampa were unconstitutional), ruled that strict scrutiny applies to such ordinances, that juveniles had fundamental rights to privacy and freedom of movement, and that the ordinances burdened those rights because the ordinances did not contain sufficient exceptions to ensure minors would be allowed to exercise their rights to engage in core First Amendment activities, to engage in interstate travel, and to go to and from valid places of employment; and

WHEREAS, it is the intent of the Town Commission to adopt this Ordinance for the protection of the general public, including minors, by establishing a limited curfew in the Town during certain hours of the day or night under certain circumstances, in a manner which will protect the fundamental constitutional rights of youth and parents by setting out a body of regulations and standards which are narrowly tailored so as to advance public interests deemed by the Town Commission as compelling, which shall conform with requirements set out by the Florida Supreme Court in *State v. JP*, and guidelines of other State and Federal Courts, as well as meeting all requirements of the Constitutions of the United States and the State of Florida; and

WHEREAS, the Town Commission has conducted a public hearing on this Ordinance at which it heard from the Police Department, property owners and residents, and all other interested parties whether those parties were in support of or opposed to the regulations set forth in the Ordinance; and

WHEREAS, the Town Commission finds that it is in the best interests of the Town, and the health, safety and welfare of its residents, visitors and businesses, to adopt this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Redington Shores, Florida, that:

Section 1. Redington Shores Town Code § 71-1 is hereby amended as follows:

Sec. 71-1. Definitions.

For the purposes of this chapter, the following words shall be defined as follows:

Direct route means the shortest reasonable path to travel to reach a final destination without any detour or stop along the way.

Emergency means an unforeseen combination of circumstances which results in a situation that requires immediate attention to care for or prevent serious bodily injury, loss of life, or significant property loss. The term "emergency" includes, but is not limited to, a fire, a natural disaster, or an automobile accident.

Establishment means a privately-owned place of business to which the public is invited, including, but not limited to, a place of entertainment.

Guardian means:

- (1) a person who, under court order, is the guardian of the person of a youth,
- (2) a court appointed person or agency acting in the role of a parent, or
- (3) a person who is not a parent and who has legal custody of the youth by court order.

Holding location means a place designated by the police chief to which a youth taken into custody for a violation of this article may be delivered to await pickup by a parent or by juvenile authorities.

Law enforcement officer means any sworn law enforcement officer under the direction of the police chief or sheriff.

Legal guardian means a person to whom lawful custody has been given by a court order.

Legal holidays shall be understood to include those holidays designated in Florida Statutes § 683.01.

Operator means any individual, firm, association, partnership, or corporation operating, managing, or conducting any business or establishment. The term includes the members or partners of any association or partnership and the officers of a corporation.

Parent means a person who has care and control of a youth as a natural, adoptive or stepparent, and includes a person who is:

- (1) a court-appointed guardian of another person; or

- (2) a person at least 18 years of age and with written authority from a parent or court-appointed guardian to have the care and custody of another person.

Private place means any property or place, whether privately or publicly owned, to which the general public does not have access and a right to enter or remain for business, recreation, entertainment or otherwise.

Public place means any property owned or controlled by the town, the county, the state or other governmental entity, to which the general public has access and a right to enter or remain for business, recreation, entertainment, or other lawful purpose.

Remain means to:

- (1) Linger or stay unnecessarily in a particular place; or
- (2) Fail to leave premises when requested to do so by a duly authorized law enforcement officer or the owner, operator, or other person in control of the premises.

Semi-public place means any privately-owned or privately-operated real property (including any structure thereon) to which the general public has access and a right to enter or remain for business, recreation, entertainment, or other lawful purpose, and includes any common area of any condominium or housing complex, any vacant lot or vacant or abandoned building, and includes but is not limited to any store, shop, restaurant, tavern, theatre, parking lot, alley, road, or shopping center.

Supervising adult means a person who is at least 18 years of age and is authorized to have care and control of the youth and who, by virtue of the youth's parents or guardians' authority, is responsible to watch and direct the activities of the youth while the youth is in the care and control of said person.

Swale means the low tract of land in front of or between houses or other properties often used for drainage of stormwater.

Youth means any unemancipated or unmarried person under the age of 18.

Restricted hours or Youth curfew hours mean:

Sunday – 11:00 p.m. until Monday 5:00 a.m.
Monday – 11:00 p.m. until Tuesday 5:00 a.m.
Tuesday – 11:00 p.m. until Wednesday 5:00 a.m.
Wednesday – 11:00 p.m. until Thursday 5:00 a.m.
Thursday – 11:00 p.m. until Friday 5:00 a.m.
Friday – 11:00 p.m. until 6:00 a.m.
Saturday – 11:00 p.m. until 6:00 a.m.
Legal holidays – 11:00 p.m. until 6:00 a.m.
July 3rd through July 5th – 10:00 p.m. until 6 a.m.

Section 2. For purposes of codification of any existing section of the Redington Shores Code herein amended, words **underlined** represent additions to original text, words **stricken** are deletions from the original text, and words neither underlined nor stricken remain unchanged.

Section 3. Pursuant to Florida Statutes § 166.041(4)(a), prior to the date the public notice of the public hearing for this Ordinance was published, the Town prepared and posted on its website a business impact estimate which included: a) a summary of the Ordinance, a statement of the public purpose to be served by the Ordinance, b) an estimate of the direct economic impact of the Ordinance on private, for-profit businesses in the Town, c) an estimate of direct compliance costs that businesses may reasonably incur due to the Ordinance, d) identification of any new charge or fee on businesses created by the Ordinance or for which businesses will be financially responsible, e) an estimate of the Town's regulatory costs and of revenues from any new charges or fees imposed on businesses to cover such costs, and f) a good faith estimate of the number of businesses likely to be impacted by the Ordinance.

Section 4. If any section, subsection, sentence, clause, provision or word of this Ordinance is held unconstitutional or otherwise legally invalid, same shall be severable and the remainder of this Ordinance shall not be affected by such invalidity, such that any remainder of the Ordinance shall withstand any severed provision, as the Board of Commissioners would have adopted the Ordinance and its regulatory scheme even absent the invalid part.

Section 5. The Codifier shall codify the substantive amendments to the Redington Shores Code contained in Section 1 of this Ordinance as provided for therein, and shall not codify the exordial clauses nor any other sections not designated for codification.

Section 6. Pursuant to Florida Statutes § 166.041(4), this Ordinance shall take effect immediately upon adoption.

ADOPTED ON FIRST READING on the 11th day of June, 2025, by the Board of Commissioners of the Town of Redington Shores, Florida.

ADOPTED ON SECOND AND FINAL READING on the 25th day of June, 2025, by the Board of Commissioners of the Town of Redington Shores, Florida.

Attest:

Tom Kapper, Mayor Commissioner

Margaret Carey, Town Clerk