

Key West, Florida, Code of Ordinances >> SUBPART A - GENERAL ORDINANCES >> Chapter 10 - ANIMALS >>
ARTICLE VI. - SEA TURTLES >>

ARTICLE VI. - SEA TURTLES [\[30\]](#)

[Sec. 10-246. - Definitions.](#)

[Sec. 10-247. - Prohibiting storage or placement of material in nesting area.](#)

[Sec. 10-248. - Standards for exterior artificial lighting.](#)

[Sec. 10-249. - Standards for interior artificial lighting.](#)

[Sec. 10-250. - Standards for mechanical beach cleaning.](#)

[Sec. 10-251. - Protection from predation.](#)

[Sec. 10-252. - Education program.](#)

[Sec. 10-253. - Cooperation from electric system.](#)

Sec. 10-246. - Definitions.

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

Adjacent waters means the waters abutting a nesting area and extending 300 feet to either side of it and out to the limits of the city's property line.

Artificial light or *artificial lighting* means the light emanating from any manmade or man-controlled device.

Beach means the zone of unconsolidated material that extends landward from the mean low water line to the place where there is a marked change in the material or physiographic form, or to the line of permanent vegetation, usually the effective limit of storm waves.

Bug-type bulb means any yellow-colored incandescent lightbulb that is marketed as being specifically treated in such a way so as to reduce the attraction of bugs to the light.

Cumulatively illuminated means illuminated by numerous artificial light sources that as a group illuminate any portion of the beach.

Daylight hours means the locally effective time period between sunrise and sunset.

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

Indirectly illuminated means illuminated as the result of the glowing element, lamp, globe or reflector of an artificial light source, which source is not directly visible to an observer on the beach.

Jurisdictional boundaries means the area on contiguous land within 300 feet of an identified or potential nesting area.

Mechanical beach cleaning means any mechanical means by which debris, including but not restricted to trash, litter, seaweed or seagrass wrack, is removed from the beach.

Nest means the area in and around a place in which sea turtle eggs are naturally deposited or relocated beneath the sediments of the beach.

Nesting area means both identified nesting areas and potential nesting areas.

Nesting area, identified, means any area where sea turtles have been or are currently nesting and the adjacent beach or other intertidal areas used for access by the turtles.

Nesting area, potential, means any area where sea turtle crawls have been observed that has suitable substrate for digging a nest which is accessible to the sea turtle.

Nesting season means the period from April 15 through October 31 of each year.

Permitted agent of the state means any qualified individual, group or organization possessing a permit from the state department of environmental protection to conduct activities related to sea turtle protection and conservation.

Sea turtle means any specimen belonging to the species *Caretta caretta* (loggerhead turtle), *Chelonia mydas* (green turtle), *Dermochelys coriacea* (leatherback turtle), *Eretmochelys imbricata* (hawksbill turtle) or any other marine turtle using city beaches as a nesting habitat.

Suitable substrate means any unconsolidated sediments of at least one foot in depth.

Tinted glass means any glass treated to achieve an industry approved, inside-to-outside light transmittance value of 45 percent or less. Such transmittance is measured as the percentage of visible light that is transmitted through the glass.

(Code 1986, § 53.26(a))

Cross reference— Definitions generally, § 1-2.

Sec. 10-247. - Prohibiting storage or placement of material in nesting area.

The storage or placement of any material, including but not limited to construction material, riprap, trash and debris, mulch or landscaping material, fill, vehicles, or boats, that has potential to impede movement of sea turtle hatchlings or adults between ocean and nesting areas or that may cover existing nests sites is strictly prohibited.

(Code 1986, § 53.26(b))

Sec. 10-248. - Standards for exterior artificial lighting.

- (a) To prevent exterior artificial lighting from illuminating the jurisdictional boundaries or adjacent waters during the sea turtle nesting season, the following measures shall be taken to reduce or eliminate the negative effects of existing exterior artificial light. Existing exterior artificial light fixtures within direct line of sight of the beach shall be designed, positioned 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) The area within the jurisdictional boundaries is not directly or indirectly illuminated; and
 - (3) The area within the jurisdictional boundaries is not cumulatively illuminated.
- (b) Measures including, but not limited to, the following shall be taken to reduce or eliminate the negative effects of existing artificial beachfront lighting through appropriate design:
 - (1) Positioning of fixtures so that the point source of light or any reflective surface of the light fixture is eliminated or is no longer visible from the beach.
 - (2) Replacement of fixtures having an exposed light source with fixtures containing recessed light sources or shields.
 - (3) Replacement of traditional lightbulbs with yellow bug-type bulbs not exceeding 50 watts or low-pressure sodium vapor lamps.
 - (4) Replacement of nondirectional fixtures with completely shielded directional fixtures that point down and away from the beach.
 - (5) Replacement of 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) Replacement of pole lamps with low-profile, low-level luminaries no higher than 48 inches off the ground, such as low-mounted wall fixtures, low bollards and ground level fixtures, so that the light source or any reflective surface of the light fixture is not visible from the beach.
 - (7) Replacement of incandescent, fluorescent and high-intensity lighting with the lowest wattage low-pressure sodium vapor lighting possible for the specific application.
 - (8) Planting or improvement of landscape vegetative buffers in compliance with the city's land development regulations between the light source and the beach to screen light from the beach.
 - (9) Construction of ground level barriers in compliance with the city's land development regulations to shield light sources from the beach.
 - (10) Limitation of exterior lights used expressly for safety or security purposes.
 - (11) Permanent removal of all floodlights, uplights or spotlights used for decorative or accent purposes.
 - (12) Permanent removal or disabling of any fixture which cannot be brought into compliance with this article.
 - (13) Shielding or modification of any existing lighted sign pursuant to the land development regulations such that it is not directly visible from the beach.

(Code 1986, § 53.26(c))

Sec. 10-249. - Standards for interior artificial lighting.

To prevent interior artificial lighting from illuminating the jurisdictional boundaries or adjacent waters during the sea turtle nesting season, measures including but not limited to the following shall be taken to reduce or eliminate the negative effects on interior light emanating from doors and windows within line of sight of the beach:

- (1) Use of window treatments such as blackout draperies, shade screens or blinds to shield interior lights from the beach.
- (2) Application of window tint or film that meets the standards for tinted glass.
- (3) The turning off of all unnecessary interior lights.
- (4) Arrangement of lamps and other moveable light fixtures away from windows.

(Code 1986, § 53.26(d))

Sec. 10-250. - Standards for mechanical beach cleaning.

All mechanical beach cleaning activities designed to remove debris from the beach through the use of motorized vehicles or other mechanical means shall comply with the following standards:

- (1) *Timing.* Beach cleaning shall be confined to daylight hours during the sea turtle nesting season.
- (2) *Mode of operations.* During the sea turtle nesting season:
 - a. Beach cleaning operations shall be limited to the area seaward of the strand line (previous high tide mark).
 - b. Lightweight motorized vehicles having wide, low-profile, low-pressure tires or hand raking shall be used to conduct beach cleaning operations.
 - c. Devices used for removing debris from the beach shall be designed and/or operated such that they do not penetrate the beach substrate by more than two inches.
 - d. Operators shall be educated to identify a sea turtle crawl (turtle tracks), recognize and avoid a sea turtle nest, and report nests and/or crawls to a permitted agent of the state.
- (3) *Coordination of beach cleaning operations with state-sanctioned scientific studies.* All beach cleaning operations shall be coordinated through the state to ensure that these operations do not interfere with state-sanctioned scientific studies or surveys of sea turtle nesting activities.

(Code 1986, § 53.26(e))

Sec. 10-251. - Protection from predation.

No predatory pets or pets likely to have a potential for being disruptive or damaging to nesting sea turtles, hatchlings or nests shall be allowed to roam loose and unsupervised within the jurisdictional boundaries during the nesting season. Such pets include, but are not limited to, dogs, cats, snakes, lizards or iguanas, ferrets and pigs. Feeding of raccoons, opossums and other wild animals within the jurisdictional boundaries shall be prohibited.

(Code 1986, § 53.26(f))

Sec. 10-252. - Education program.

The city manager shall develop a sea turtle protection education program for the benefit of the public. The program shall include an education-based response by the city toward any person who is found to be in violation of this article.

(Code 1986, § 53.26(g))

Sec. 10-253. - Cooperation from electric system.

The city manager is authorized to transmit a copy of this article to the city electric system and to strive to obtain its cooperation in the performance of the terms of this article.

(Code 1986, § 53.26(h))

FOOTNOTE(S):

⁽³⁰⁾ **State Law reference**— *Protection of sea turtles, F.S. § 370.12(1).* [\(Back\)](#)