

AN ORDINANCE PERTAINING TO SCREENOUT, BLACKOUT AND AIR-RAID REGULATION; DEFINING TERMS; PRESCRIBING REGULATIONS FOR ALL LIGHT IN THE TOWN OF GOLDEN BEACH AND UPON VEHICLES SITUATE THEREIN; PRESCRIBING REGULATIONS FOR OUTDOOR FIRES AND REQUIRING PERMISSION THEREFOR; GIVING THE MAYOR AUTHORITY TO APPOINT SPECIAL POLICEMEN AND ESTABLISH MILITARY AND UNSAFE ZONES; DEFINING THE POWER AND MEANS OF IDENTIFICATION OF SPECIAL POLICEMEN; EXEMPTING THE TOWN AND INDIVIDUALS FROM CERTAIN POSSIBLE LIABILITIES; PERMITTING AUTHORIZED PERSONS TO ENTER PREMISES TO EXTINGUISH PROHIBITED LIGHTS; PRESCRIBING MOVEMENTS AND REGULATIONS FOR VEHICLES AND PEDESTRIAN TRAFFIC AND EXCEPTIONS HERETO; REQUIRING ALL PERSONS TO SEEK SHELTER DURING BLACKOUTS AND AIR-RAID ALARMS; PROHIBITING UNAUTHORIZED USE OF CERTAIN UNIFORMS, INSIGNIA, IDENTIFICATION CARDS, OR MISREPRESENTATION OF AUTHORITY; PRESCRIBING A PENALTY AND PERMISSIVE VOLUNTARY PAYMENTS OF FINES FOR THE VIOLATION OF SAID ORDINANCE; DECLARING THIS TO BE AN EMERGENCY MEASURE AND REPEALING ALL ORDINANCES INCONSISTENT HEREWITH.

WHEREAS, the Dade County Defense Council has adopted uniform measures for the preservation and protection of public health, safety and welfare during the present emergency.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH:

Section 1. DEFINITIONS HOURS OF DARKNESS. Until such time as rescinded or amended, these regulations shall be in full force and effect from one-half after sundown each night until one-half hour before sunrise the following morning between the dates of October 1 and April 30, inclusive, and from one hour after sundown each night until one-half hour before sunrise the following morning between the dates of May 1 and September 30, inclusive.

VISIBLE FROM SEA. Lights are considered "visible from sea" when they are visible from the seaward side of a line beginning at the Broward-Dade County boundary thence along the seaward shores of keys or outlying islands, disregarding all indentations made by coves, inlets, cuts and bays, to the Dade-Monroe County line.

SOURCE OF LIGHT. For the purpose of these regulations the term "source of light" is defined as follows:

Any glass enclosed filament, gas mantle, fluorescent or neon tube, arc light, or other light generating element operating in an electrical circuit, by illuminating gas, open flame or otherwise, together with all enclosing transparent or translucent material.

Section 2. Any light visible from out-of-doors that cannot be extinguished, completely obscured, or reduced in intensity in accordance with Standard War Department Black-Out Specifications within five minutes of the sounding of the signal for a black-out, shall be permanently extinguished.

Section 3. All lights or reflections therefrom (with the exception of vehicular headlights and lamps, as provided for hereafter and official maritime and aerial navigation lights and railroad signal lights) shall be shielded, obscured, or reduced in intensity so that they are not visible from the sea. If they cannot be so shielded or controlled, they shall be extinguished.

Section 4. All exterior lights used for illumination of streets or guidance of traffic, except exterior automobile lamps, shall be reduced in wattage and number to the minimum consistent with their purpose and those retained in use shall be permanently shielded in such a manner that the source of light will not be visible above the horizontal.

All exterior lights used for outdoor manufacturing, in railroad yards, for repair work, shipbuilding, necessary handling or storage of raw or finished materials, or for any type of outdoor construction work shall be reduced as hereinbefore prescribed, and shall be permanently shielded in such a manner that the source of light will not be visible at an angle less than 45 degrees below the horizontal.

All exterior lights used for protective purposes, such as illumination of fence lines, exits, sides of buildings, or open

areas shall be shielded as hereinbefore prescribed, and in no case shall the light as measured on the ground or other illuminated areas, exceed one foot-candle at any point.

Interior lighting for buildings used for residential or commercial purposes or both, industrial establishments engaged in production of war materials (whether federally owned or operated or privately owned or operated) shall be shaded or otherwise controlled, either at the source of light or at the openings of such buildings, in such manner that no bars incandescent lamp bulbs or fluorescent tubes shall be directly visible from any point outside of said buildings.

Lights or windows in buses shall be shielded or otherwise controlled in such manner that no source of light will be visible from the outside at an angle above the horizontal, and the escape of light therefrom shall not exceed two foot-candles at any point three feet from said vehicles.

Bonfires, brush fires, burning fields and other outdoor fires shall be completely extinguished during the hours that these regulations are applicable, except fires necessary to protect health and to protect citrus or other groves in case of dangerously low temperatures, in which event permission to burn such fires must be secured from the Chief of Police, and such fires must also be attended at all times in order to comply with Section 2 above.

These regulations do not apply to official maritime or aerial navigation lights, or to railroad signal lights.

Section 5. All exterior lights used for illumination of open areas, parking lots, gasoline filling stations, playgrounds, places of amusement or entertainment, sidewalk, cafes, marquees, open air gardens, terraces, for holiday decorations, and all other exterior lights not specifically covered by other regulations herein, shall be permanently shielded in such manner that no source of light will be visible at an angle less than 45 degrees below the horizontal.

All exterior advertising signs, however, illuminated, shall be extinguished, except small identification signs not to exceed 24" x 36" over-all, illuminated by not more than a 25-watt incandescent lamp, so shielded and controlled that no direct light is visible from above the horizontal.

Interior lighting of stores, show windows, restaurants, bars, commercial and industrial establishments (other than war production plants) and all other interior lights, not specifically covered by other regulations herein, shall be extinguished, or IN THE CASE OF SUCH EXTINGUISHMENT, shall be dimmed, shielded or otherwise controlled in such a manner as to prevent the source of light being visible from above the horizontal, and also so as to prevent the escape of light from such building in excess of two foot-candles, as measured at any point three feet from any window, door or other opening of such building or establishment.

Section 6. The Mayor may appoint for a specified time as many special police, without pay, from among residents of the Town of Golden Beach as may be deemed advisable for service in connection with any screenout, blackout or other protection measure or measures. During the term of service of such special police, they shall possess all the powers and privileges and perform all the duties of privates in the standing police force of the Town of Golden Beach. Said special police must wear such identifying emblem as may be prescribed by the Mayor, and it shall be unlawful for any said special policeman to attempt to carry out any orders, rules, or regulations promulgated under the authority conferred by this ordinance when he is not wearing said identifying emblem.

Section 7. This ordinance is an exercise by the Town of its governmental functions for the protection of the public peace, health and safety and neither the Town of Golden Beach nor any individual subject to regulations lawfully included herein or promulgated pursuant to authority herein conferred shall be liable for any damage sustained to person or property during, or as the result of, an authorized screenout, blackout or air-raid or other protection

Section 8. When necessary in order to protect life or property during a screenout, blackout, air raid or other attack, the police, or the special police authorized herein, are authorized and directed to immediately enter upon any premises within the Town of Golden Beach and to extinguish prohibited lights or to take other necessary action to make effective any orders, rules, or regulations promulgated under the authority conferred by this ordinance.

Section 9. From the time the official air raid signal is given, continuously until the all-clear signal is given thereafter, only the following types of traffic shall be permitted to move:

- a. Vehicles of the armed forces of the United States of America.
- b. Ambulances, and municipal, county, State and Federal police agencies and fire vehicles, and vehicles being then officially used by the several branches of the Civilian Defense Organization.
- c. Vehicles actually in emergency service for the repair or control of public utility equipment, whether privately or publicly owned.
- d. Vehicles of the Florida Defense Force under actual control of officers or enlisted men of the State Home Guards and actually in emergency service.
- e. Such other vehicles as may be permitted to move on special order of the Civilian Defense Commander, subject to such restrictions as the military authorities may impose.

Section 10. Vehicles described in paragraphs "a" and "b" of the preceding Section shall be deemed emergency vehicles and as such shall have general right-of-way over all other traffic; provided, ambulances, and municipal, county, State and Federal police agencies and fire vehicles shall have right-of-way over other emergency vehicles, except as may be determined by the military authorities. Operators of all other vehicular traffic shall:

- a. Immediately draw to the side of the road or street and stop in such a manner and in such a place so as not to obstruct the reasonable use of the road or street, or any intersecting road or street, fire hydrant, or police or fire station driveway or other emergency driveway.

(1) During the period of such air raid alarm, parking regulations pertaining to lights, time limits, loading zones, distances from inter-sections and parking in prohibited zones shall be suspended, except insofar as their violation may constitute a violation of this ordinance.

- b. Extinguish all lights.
- c. Set the hand brake of such vehicle.
- d. Proceed to nearest shelter.

Section 11. Operators of vehicles moving during the hours of darkness in the corporate limits of the Town of Golden Beach shall observe the following rules and regulations:

- a. No person shall drive or operate any vehicle, emergency vehicles excepted, at a speed in excess of 25 miles per hour.
- b. No operator of a vehicle shall turn said vehicle around on any street or roadway, except dead-end streets, so as to proceed in the directions from whence he came.
- c. Operators shall obey and conform to all officially placed traffic signs, signals and markings, whether the same be of an emergency or temporary nature or not.
- d. Where special routes have been officially established, operators shall conform to such route designations both as to direction and type of vehicles.
- e. Where speeds of less than 25 miles per hour are designated by ordinance, official signs, or markers, or by direction of a police officer or other authorized officer, operators shall not drive vehicles in excess of such lowered speeds.
- f. No operator of a vehicle shall drive to the left of the center line of the roadway, one-way streets excepted, except in cases where the right hand side of said roadway is impassable and then only in such a manner as not to endanger other traffic then and there lawfully upon said roadway.
- g. No operator of a vehicle shall pass any other vehicle proceeding in the same direction and shall not drive within a distance of 25 feet from the vehicle immediately ahead proceeding in the same direction, except in cases where the pavement is of sufficient width to accommodate more than a single line of travel in the same direction and where the operator of such following vehicle is in another lane than that of the vehicle which he is overtaking.
- h. The use of "high-beam" of the single lamp "high-beam" "low-beam" type, or the use of "bright" lights on "bright and dim" type of vehicle headlights within the entire dim-out area is prohibited. All headlights shall be operated on "low-beam" or "dimmers". All motor vehicles shall be driven during the hours of darkness with headlights completely blacked out, except for that part of the lens below a horizontal line one inch below the center of the filament or the center of the light bulb. Headlights blacked out with paint

or equipped with special devices or attachments approved by the Dade County Defense Council may be used.

Section 12. Pedestrians shall observe the following rules and regulations:

a. During the screenouts no person afoot shall cross or attempt to cross any street at any place other than an established cross walk except in compliance with the directions of an official sign or marking or under the direction of a police officer or other authorized person.

b. At all established crosswalks where traffic is controlled by a police officer or other authorized person or by official signs or signals, pedestrians shall obey the directions of such officer, sign or signal.

c. During blackouts or air raid alarms, unauthorized persons shall evacuate and move from the streets, sidewalks, or open spaces and seek the nearest shelter.

Section 13. Normal rear lights, license plate lights and clearance lights are permitted. Pick-up or marker lights are prohibited.

Section 14. The Mayor shall have the power and authority to designate military zones within the corporate limits of the Town of Golden Beach and to prescribe the maximum speed limit of vehicles operating therein. The Mayor shall have the power and authority to designate zones temporarily unsafe for inhabitants or visitors and prohibit the occupation thereof.

Section 15. No person shall wear any uniform of or wear, carry or display an Auxiliary Police Force, an Auxiliary Fireman, an Air Raid Warden or other Civilian Defense Force identification card or insignia or otherwise deceitfully represent himself to be connected with any of such forces, unless he is in fact a member thereof.

Section 16. During blackouts and from the time the official air raid signal shall be given continuously until the all clear signal shall be given thereafter. No lights whatsoever shall be visible from the outside of any premises.

Section 17. (a) That any person, firm or corporation violating any of the provisions of this ordinance, or any orders, rules or regulations issued pursuant thereto by the Mayor of the

Town of Golden Beach, upon conviction thereof in Municipal Court, shall be punished by a fine not exceeding \$500.00 or by imprisonment not exceeding 60 days or by both such fine and imprisonment, in the discretion of the Municipal Judge.

(b) Any person who violates any provision of this ordinance pertaining to lights fixed or real property may be served with a summons for which the penalty fine shall be in the sum of \$1.00 may be permitted to be paid at the office of the Town Clerk.

(c) Any person who violates any provision of this ordinance pertaining to lights affixed to vehicles may be served with a summons for which the penalty fine of \$1.00 may be permitted to be paid at the office of the Town Clerk.

(d) Any person who violates any provisions of this ordinance pertaining to the speed of vehicles may be served with a summons for which the penalty fine shall be permitted to be paid at the office of the Town Clerk.

1. For exceeding the specific speed limit in any zone by operating a vehicle not more than ten miles per hour in excess of said speed limit - penalty fine \$5.00.

2. For exceeding the specific speed limit in any zone by operating a vehicle between 10 and 21 miles per hour in excess of said speed limit - penalty fine \$10.00.

3. For exceeding the specific speed limit in any zone by operating a vehicle more than 20 miles per hour in excess of said speed limit - penalty fine \$15.00.

(e) The Town of Golden Beach or the defendant in any summons case shall have the right to transfer any summons case to a Municipal Court case wherein the laws pertaining to charges, trials, punishment and other Court procedure shall supersede or render ineffective all of the provisions of sub-sections (b), (c) and all of (d) of this section and it shall be further provided, that the acceptance by the Town of Golden Beach of any summons penalty fine prescribed in this ordinance shall operate as and be deemed to be a complete satisfaction and release from

further liability to penal action by the Town for the offense that shall be charged in any summons case paid.

Section 18. All ordinances or parts of ordinances conflicting herewith shall be, and the same are hereby, repealed insofar as there is conflict.

Section 19. This ordinance is hereby declared to be an emergency measure upon the ground of urgent public need for the preservation of peace, health, safety and property in the Town of Golden Beach and shall become effective immediately upon its passage and approval.

PASSED AND ADOPTED this 23rd day of March 1943.

W. S. G. Linnors
President of Town Council

ATTEST:

Deputy Town Clerk

APPROVED:

MAYOR