



BOARD OF COUNTY COMMISSIONERS

POLICY

Number: BCC-72
Cancels: November 17, 2009
Approved: August 30, 2022
Originator: Transit
Review: August 30, 2025

TITLE: Placement of Bus Benches and Bus Shelters in the Rights of Way

I. Objective

To promulgate requirements to regulate the placement of bus benches and shelters in rights-of-way by Contractors in the unincorporated area of Brevard County, Florida (hereinafter referred to as "the County")

II. Definitions and references

- A. Bus Bench – Means a long seat designed for seating two or more persons and any additional amenities including, but not limited to, waste receptacles, bike racks, and light poles, which is placed at a designated bus stop.
- B. Bus Shelter – Means a structure with a roof and any additional amenities including, but not limited to, waste receptacles, bike racks, and light poles which is placed at a designated bus stop.
- C. Designated Bus Stop – Means a location along a Space Coast Area Transit bus route marked by a bus stop sign approved by Space Coast Area Transit.
- D. Section 337.408, Florida Statutes – Regulations of bus stops, transit shelters, street light poles, waste disposal receptacles, modular news rack, and benches within rights of way.
- E. Chapter 14-20.0032, Florida Administrative Code, "Placement of Benches."
- F. Chapter 14-20.003, Florida Administrative Code, "Placement of Shelters."
- G. Section 62-3309, Brevard County Code of Ordinances, "Prohibited Signs."
- H. AO-66, Placement of Bus Benches and Shelters in Rights of Way.

III. Restrictions

- A. No Person, firm, corporation or other entity (hereinafter referred to as the "Contractor") shall place a bus bench or shelter within any County maintained right-

of-way without an agreement with the Board of County Commissioners authorizing said Contractor to place a bus bench or shelter within rights-of-way in the County. Said agreement shall be in accordance with AO-66, "Placement of Bus Benches and Shelters in Rights of Way," or its successor.

- B. Bus shelters and benches shall be permitted at designated bus stops as approved by the Transit director or his/her designee.
- C. No advertisement which competes with the business of the directly adjoining owner(s) shall be placed. No bus benches and/or shelters, or associated advertisements, shall be placed without notifying the abutting property owners by certified mail.
- D. Bus shelters and benches shall not be permitted in locations where, in the determination of the Public Works Department, they will adversely affect the safety of motorists, bicyclists, or pedestrians.
- E. Contractor shall construct all bus bench and shelter pads, any applicable ramps, as needed, to meet all federal, state, and local laws, including accessibility requirements under the Americans with Disabilities Act.
- F. Bus shelters and benches shall only be allowed in State of Florida rights-of-way with the written approval of the Transit Director or his/her designee.
- G. Bus benches or shelters placed under an existing agreement with Brevard County, located on rights-of-way or permitted prior to March 10, 1998 that meets maintenance requirements shall be exempt from the provisions of subsection B. and E. of this section.
- H. No bus bench or shelter shall be placed within a right-of-way until a permit for the placement of such bus bench has been issued by the County.
- I. The proposed bench or shelter location must meet the criteria set forth in Chapter 14-20.003, "Placement of Shelters," and 14-20.0032, "Placement of Benches," Florida Administrative Code.
- J. Contractors shall be responsible for maintaining all Contractor installed bus benches and shelters and trash collection in accordance with procedures authorized by the County.

IV. Repair or Removal

Any bus shelter or bench that does not meet the requirements of this Board Policy or Brevard County Administrative Orders as authorized by the County Manager or designee shall be repaired or removed at owner's expense.

V. Reservation of Authority

The authority to issue or revise this policy is reserved by the Board of County Commissioners.

Rachel Sadoff, Clerk

Kristine Zonka, Chair

Board of County Commissioners

As approved by the Board on _____, 2022