



AGENDA
CITY OF FERNANDINA BEACH
SPECIAL MAGISTRATE HEARING
JANUARY 22, 2026
3:00 PM
CITY HALL COMMISSION CHAMBERS
204 ASH STREET
FERNANDINA BEACH, FL 32034

1. CALL TO ORDER

2. CASES TO BE HEARD

- 2.1 *(Quasi-Judicial)* **KELLY TROUPE** - Appeal of Citation 2025-00028306 Issued on November 21, 2025 for a violation of City of Fernandina Beach Code of Ordinances Section 78-84(a)(3)(d). *Requesting Special Magistrate determination.*

3. ADJOURNMENT

Quasi-Judicial – Denotes that the item must be conducted as a Quasi -Judicial hearing in accordance with City Commission established procedure and Florida Statutes.

If any person decides to appeal any decision made by the Special Magistrate with respect to any matter considered at such meeting he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be made.

Persons with disabilities requiring accommodations in order to participate in this program or activity should contact (904) 310-3115, TDD/TTY 711, at least 24 hours in advance to request such accommodations.

For information regarding this matter, please contact the Legal Department (904) 310-3275.

PARKING VIOLATION

CITY OF FERNANDINA BEACH

Ticket #: **A004HTPT**

Case #: **2025-00028306**

The undersigned certifies that:

On: **11/21/2025 04:02 AM**

DATE/TIME

ZHR694

TAG #

GA

STATE

JEEP

MAKE

GRAY

COLOR

Was unlawfully, parked/stopped/standing at:

BEACH ACCESS 39

LOCATION OF VIOLATION

Located in the City of Fernandina Beach Nassau County,
Florida

IN VIOLATION OF SECTION: **78-84(A)(3)D**

☒ CITY ORDINANCE

☐ STATE STATUTE

FINE: \$ **50.00**

BY VIRTUE OF:

☐ OVERTIME PARKING

☐ YELLOW CURB

☐ FIRE LANE

☐ ON CROSSWALK

☒ SIGNS PROHIBIT

☐ ON SIDEWALK

☐ HANDICAPPED PARKING

☐ DOUBLE PARKED

☐ OBSTRUCTING TRAFFIC

☐ EXPIRED/INVALID TAG
(ON PUBLIC PROPERTY)

☐ OTHER: **PARK AT ANY PLACE WHERE**

OFFICIAL SIGNS PROHIBIT PARKING

The undersigned further certifies that he/she has just and
reasonable grounds to believe that the offense was
committed contrary to law.

SGT. MICHAEL MULKEARNS

OFFICER'S SIGNATURE

883

ID #

NOTES: _____

IMPORTANT --- READ CAREFULLY

You must pay a fine of \$ **50.00** within **10 days** in
person or by mail at the Police Department, 1525 Lime Street
Fernandina Beach, FL 32034.

If you wish to appeal the charges in the citation, you must
request an appeal to the Special Magistrate, in writing, within
10 days of the date of this citation.

The written appeal must be accompanied by a \$ **75.00**
appeal fee and filed at City Hall, 204 Ash Street, Fernandina
Beach, FL 32034.

If you fail to pay the fine or request an appeal withi **10 days**,
a \$20.00 late fee is added to the fine.

If the citation is ignored, your vehicle may be immobilized or
towed if found on any public highway or street. Florida law
permits the state to suspend issuance of license plates to
persons with outstanding parking tickets. **BE ADVISED**, by
reciprocal agreement, the State of Florida may also notify
other states of outstanding indebtedness for parking citations.

Signature: _____

Print Name: _____

Driver's License #: _____

State: _____ DOB: _____

Address: _____

Telephone# () _____ Date: _____

Amount Enclosed: _____ (NO CASH)

Send Payment with this ticket.

1)By mail: **CITY OF FERNANDINA BEACH**

1525 LIME STREET

FERNANDINA BEACH, FL 32034

2) In person at the Police Department between 8:00am and
5:00pm, Monday through Friday (excluding holidays)
1525 Lime Street, Fernandina Beach, Florida 32034

Appeal to Special Magistrate - Legal Contest of Parking Citation & Motion to Waive Appeal Fee

TO:

Special Magistrate
City of Fernandina Beach
204 Ash Street
Fernandina Beach, FL 32034

FROM:

Kelly Troupe
211 Carroll Church Rd
Lavonia, GA 30553
admin@troupepoultry.com
904-624-4048 or 706-463-0639

DATE: December 5, 2025

CITATION #: A004HTPT

DATE OF ALLEGED VIOLATION: November 21, 2025

VEHICLE TAG #: ZHR694 (Georgia)

LOCATION: Beach Access 39

RE: Formal Appeal of Parking Citation A004HTPT & Motion to Waive Appeal Fee

To the Honorable Special Magistrate:

I respectfully submit this letter to formally contest Parking Citation A004HTPT, issued by Sgt. Michael Mulkearns of the Fernandina Beach Police Department on November 21, 2025, and to move for a waiver of the \$75 administrative appeal fee.

This citation and the surrounding circumstances raise serious concerns of **legal invalidity, constitutional violations, unlawful police conduct, and procedural unfairness**, especially for out-of-state visitors.

1. Citation References a Nonexistent Ordinance (78-84(A)(3)d)

The citation alleges a violation of City Code **78-84(A)(3)d**, which does **not exist** in the official Fernandina Beach Code of Ordinances. Section 78-84(A)(3) ends at subsection (c), making the citation **void on its face**.

“A traffic or parking citation that references a nonexistent code subsection is inherently invalid and unenforceable due to lack of legal specificity.”

— *Florida Municipal Practice Guide*

No legitimate enforcement can proceed under a code that does not exist.

2. Improper Conduct by Officer – Unlawful Search & Retaliation

Prior to issuing the citation, **Sgt. Mulkearns** used a **flashlight or another device to peer into my parked vehicle while I was asleep**, without probable cause or a warrant. He claimed to smell alcohol and assumed a bottle of **flavored syrup** in the back floor of my vehicle was an open container of alcohol. After I passed a sobriety test and no arrestable offense was found, I was issued the citation, seemingly as a **retaliatory action**. The officer then opened my door without consent to examine it.

This raises serious **Fourth Amendment concerns** regarding **unlawful search and seizure**, and reflects potential **fabrication of probable cause**.

3. Procedural Due Process Violations

I was instructed to submit an affidavit of defense by **December 1, 2025**, which I did on **December 2**. It was rejected the next day by **Chief of Police Jeffrey Tambasco**, not by an impartial hearing officer.

- No hearing was offered.
- No email or online submission was accepted.
- My second affidavit, submitted on **December 4**, was also rejected the same day.

This process denies me a **neutral and fair hearing**, in violation of **Florida administrative law** and the **Due Process Clause of the 14th Amendment**.

4. Unfair Appeal Window – Holiday Office Closures

The citation demands appeal **within 10 calendar days**, but:

- **Thanksgiving Day and the Friday after** fell within that window
- City offices were closed
- No digital options were provided

This unreasonably shortened my time to respond, especially as an **out-of-state resident**, relying on mail. This impairs fair access and creates an unconstitutional burden.

5. Motion to Waive \$75 Appeal Fee

I respectfully request a full **waiver of the \$75 fee** on constitutional and equitable grounds:

- The citation is **legally invalid** and should not require payment to contest.
- There is **no neutral review** process in place before this fee is demanded.
- As a Georgia resident, the mail-only payment method creates a **discriminatory burden**.

“Access to justice must be free from financial coercion when due process is at stake.”

— *Boddie v. Connecticut*, 401 U.S. 371 (1971)

6. Supporting Documentation Provided:

- Copy of citation (A004HTPT)
- Photos of Beach Access 39
- Screenshots of code showing 78-84(A)(3)d does not exist
- Timeline of affidavit submission and rejections
- Witness statement regarding flavored syrup bottle and conduct

Final Request

I respectfully ask the Court to:

1. **Dismiss Parking Citation A004HTPT in its entirety**
2. **Waive the \$75 administrative appeal fee**
3. Provide written confirmation that no further enforcement action will be taken against me

I submit this appeal in good faith and request a fair, neutral, and lawful review as guaranteed by the Florida Constitution and the United States Constitution.

Sincerely,

Kelly Troupe

Date: December 5, 2025

**AFFIDAVIT OF DEFENSE
FOR NOTICE OF PARKING VIOLATION
CITY OF FERNANDINA BEACH**

CITIZEN INFORMATION

Name: Mr/Mrs/Ms Kelly Troupe Telephone Number 904-624-4048
Address 211 Carroll Church Rd
City Lavonia State GA Zip Code 30553
Email Address ktroupe@hotmail.com / sanity.gone.84@gmail.com

PARKING CITATION INFORMATION

Citation # 004HTPT Date Issued 11/21/2025 Tag # ZHR694
Registered Owner KELLY TROUPE Violation §78-84(a)(3)d – Beach Access 39 – 4:02 a.m.

WRITTEN DEFENSE

City of Fernandina Beach Code of Ordinances Number 97, Section 78-92 (2) b provides for waiving the fee for the following reasons: (1) Valid and verifiable emergencies (2) Government employees on official business, verified by a supervisor (3) City volunteers actually detained because of their volunteer duties, as verified by volunteer coordinator (4) The chief of police determines the parking citation is unreasonable given the totality of circumstances, issued in error or improperly issued.

In the space below, please explain your defense. Use continuation form if needed. Attach the citation, copies of any applicable permits or documentation. You will be notified within 90 days whether the affidavit is granted or denied

I submit this affidavit under City Code §78-92(2)(b)(4) and respectfully request that Notice of Parking Violation A004HTPT be waived because it was issued in error and is unreasonable under the totality of the circumstances.

On November 21, 2025 at approximately 4:02 a.m., my gray Jeep (GA tag ZHR694) was parked in a marked parking space at Beach Access 39 while I was visiting from out of state. The vehicle was safely parked, not blocking traffic, driveways, crosswalks, or emergency access.

CONTINUED ON 2ND PAGE


Signature of Affiant

The foregoing instrument was acknowledged before me this 2 day of December 2025
by Kelly Troupe who is personally known to me or has produced 25
License as identification


Signature of Notary



DO NOT WRITE BELOW THIS LINE.

Reviewed by the Legal Advisor on _____

Action: Grant ☐ Deny ☐ Hold ☐

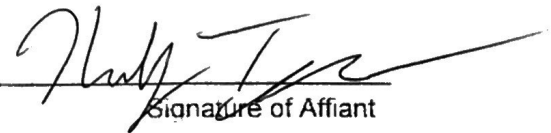
Comments

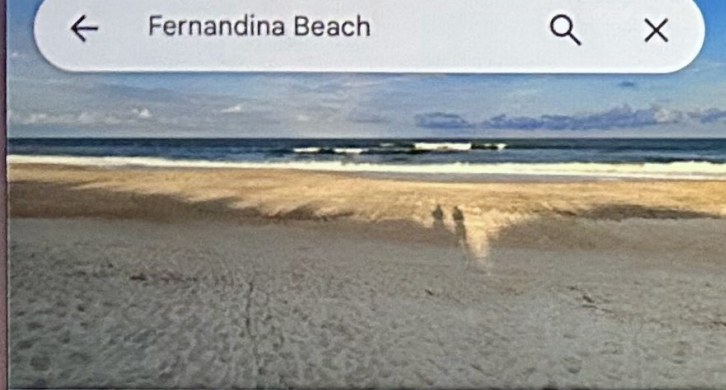
WRITTEN DEFENSE CONTINUED

The citation lists City Ordinance §78-84(a)(3)d, which applies to parking "where official signs prohibit parking." However, on the pre-printed ticket form, none of the violation boxes (overtime, signs prohibit, etc.) are checked and no description of the alleged conduct is written in. As issued, the notice does not clearly state what specific violation is being charged (sign-based parking prohibition vs. "overnight parking" or some other category), making it difficult to know what I supposedly did wrong or how to respond.

In addition, §78-84(a)(3)d only applies if there are official signs that clearly prohibit parking. At Beach Access 39, any sign about the access being closed from midnight to 5:00 a.m. was not clearly visible or illuminated from the space where I parked at 4:00 a.m. I did not see any sign that clearly stated "NO PARKING Midnight-5 a.m." or similar language. As a visitor using the marked parking stalls, there was no obvious notice that parking itself was prohibited at that time.

Because the citation form is incomplete, the section cited is confusing in relation to an alleged overnight-parking rule, and the signage at Beach Access 39 did not provide clear, conspicuous notice, I believe this citation was issued in error and is unreasonable under the circumstances. I respectfully request that the Chief of Police void this parking citation and waive the associated fee pursuant to §78-92(2)(b)(4).


Signature of Affiant



Beach Access 39

4.6 ★★★★★ (112)
Public beach

Overview

Reviews

About



Directions



Save



Nearby



Send to
phone



Share

✓ Dogs allowed >

📍 S Fletcher Ave, Fernandina Beach, FL 32034

📍 JH75+56 Fernandina Beach, Florida

🕒 Your Maps activity

🏷️ Add a label

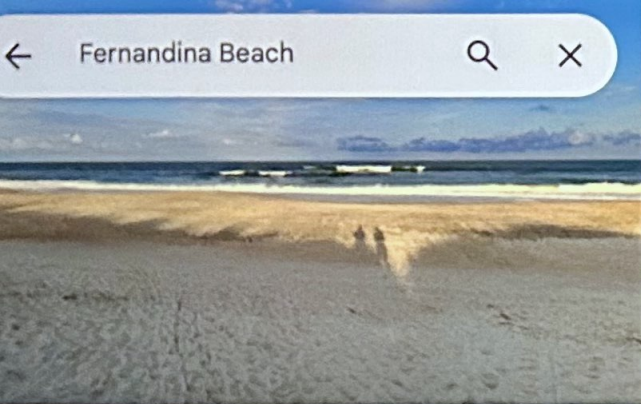
Suggest an edit

Add missing information ?

📞 Add place's phone number

🕒 Add hours





Beach Access 39

4.6 ★★★★★ (112)

Public beach

Overview Reviews About

Directions Save Nearby Send to phone Share

- ✓ Dogs allowed >
- S Fletcher Ave, Fernandina Beach, FL 32034
 - JH75+56 Fernandina Beach, Florida
 - Your Maps activity
 - Add a label
- Suggest an edit

- Add missing information ?
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 - Add hours



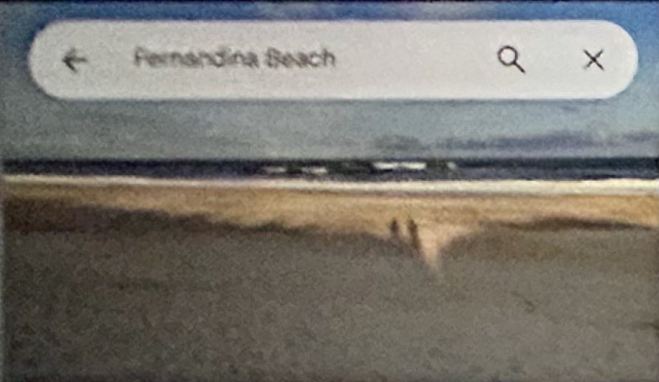
Fernandina Beach, Florida

Google Street View

Apr 2024

Share X

Google Maps



Beach Access 39

4.8 ★★★★★ (112)

Public beach

Overview

Reviews

About



Directions



Save



Nearby



Send to
phone



Share

✓ Dogs allowed

📍 S Fletcher Ave, Fernandina Beach, FL 32034

📍 JH75+56 Fernandina Beach, Florida

🕒 Your Maps activity

🏷️ Add a label

 Suggest an edit

Add missing information

📞 Add place's phone number

🕒 Add hours

Fernandina Beach, Florida

 Google Street View

Apr 2024



 Share

 X



PARKING VIOLATION

CITY OF FERNANDINA BEACH

Ticket #: A004HTPT

Case #: 2025-00028306

The undersigned certifies that:

On: 11/21/2025 04:02 AM

DATE/TIME

ZHR694

TAG #

GA

STATE

JEEP

MAKE

GRAY

COLOR

Was unlawfully, parked/stopped/standing at:

BEACH ACCESS 39

LOCATION OF VIOLATION

Located in the City of Fernandina Beach Nassau County,
Florida

IN VIOLATION OF SECTION: 78-84(A)(3)D

☒ CITY ORDINANCE

☐ STATE STATUTE

FINE: \$ 50.00

BY VIRTUE OF:

☐ OVERTIME PARKING

☐ YELLOW CURB

☐ FIRE LANE

☐ ON CROSSWALK

☒ SIGNS PROHIBIT

☐ ON SIDEWALK

☐ HANDICAPPED PARKING

☐ DOUBLE PARKED

☐ OBSTRUCTING TRAFFIC

☐ EXPIRED/INVALID TAG
(ON PUBLIC PROPERTY)

☐ OTHER: _____

The undersigned further certifies that he/she has just and
reasonable grounds to believe that the offense was
committed contrary to law.

SGT. MICHAEL MULKEARNS

OFFICER'S SIGNATURE

883

ID #

NOTES: _____

IMPORTANT --- READ CAREFULLY

You must pay a fine of \$ 50.00 within **10 days** in
person or by mail at the Police Department, 1525 Lime Street
Fernandina Beach, FL 32034.

If you wish to appeal the charges in the citation, you must
request an appeal to the Special Magistrate, in writing, within
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The written appeal must be accompanied by a \$ 75.00
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If you fail to pay the fine or request an appeal withi **10 days**,
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towed if found on any public highway or street. Florida law
permits the state to suspend issuance of license plates to
persons with outstanding parking tickets. **BE ADVISED**, by
reciprocal agreement, the State of Florida may also notify
other states of outstanding indebtedness for parking citations.

Signature: _____

Print Name: _____

Driver's License #: _____

State: _____ DOB: _____

Address: _____

Telephone# () _____ Date: _____

Amount Enclosed: _____ (NO CASH)

Send Payment with this ticket.

1) By mail: CITY OF FERNANDINA BEACH

1525 LIME STREET

FERNANDINA BEACH, FL 32034

2) In person at the Police Department between 8:00am and
5:00pm, Monday through Friday (excluding holidays)
1525 Lime Street, Fernandina Beach, Florida 32034

**AFFIDAVIT OF DEFENSE
FOR NOTICE OF PARKING VIOLATION
CITY OF FERNANDINA BEACH**

CITIZEN INFORMATION

Name: Mr/Mrs/Ms Kelly Troupe Telephone Number 904-624-4048
Address 211 Carroll Church Rd
City Lavonia State GA Zip Code 30553
Email Address ktroupe@hotmail.com / sanity.gone.84@gmail.com

PARKING CITATION INFORMATION

Citation # 004HTPT Date Issued 11/21/2025 Tag # ZHR694
Registered Owner KELLY TROUPE Violation \$78-84(a)(3)d – Beach Access 39 – 4:02 a.m.

WRITTEN DEFENSE

City of Fernandina Beach Code of Ordinances Number 97, Section 78-92 (2) b provides for waiving the fee for the following reasons: (1) Valid and verifiable emergencies (2) Government employees on official business, verified by a supervisor (3) City volunteers actually detained because of their volunteer duties, as verified by volunteer coordinator (4) The chief of police determines the parking citation is unreasonable given the totality of circumstances, issued in error or improperly issued.

In the space below, please explain your defense. Use continuation form if needed. Attach the citation, copies of any applicable permits or documentation. You will be notified within 90 days whether the affidavit is granted or denied

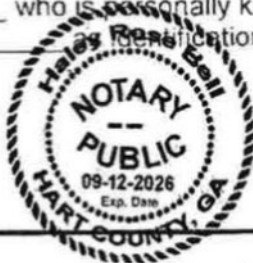
I, Kelly Troupe, submit this affidavit to formally contest the above-referenced parking citation issued by the City of Fernandina Beach on November 21, 2025, on the following legal grounds:

1. The Citation References a Nonexistent Code Subsection

Continued Page 2


Signature of Affiant

The foregoing instrument was acknowledged before me this 4 day of December, 2025,
by Kelly Troupe who is personally known to me or has produced
Driver License




Signature of Notary Public

DO NOT WRITE BELOW THIS LINE.

Reviewed by the Legal Advisor on _____ Action: Grant ☐ Deny ☐ Hold ☐

Comments:

WRITTEN DEFENSE CONTINUED

The citation alleges a violation of **City Code Section 78-84(A)(3)d**. A review of the **official Code of Ordinances of the City of Fernandina Beach** shows that **Section 78-84(A)(3)** contains only the following subsections:

- (a) Parking within 50 feet of a railroad crossing
- (b) Parking alongside a yellow curb
- (c) Parking across pavement markings for angled or parallel parking

There is **no subsection (d)** under 78-84(A)(3). Thus, the citation references a **nonexistent and legally invalid provision** of city code.

2. Citation is Void Due to Legal Defect

Because the citation fails to identify an actual, enforceable section of the municipal code, it is **void on its face**. The citation lacks the specificity required to establish a valid legal basis for enforcement.

As recognized in Florida municipal legal practice: **"A traffic or parking citation that references a nonexistent code subsection is inherently invalid and unenforceable due to lack of legal specificity."** — *Florida Municipal Practice Guide*

This defect renders the citation unenforceable, regardless of the conduct alleged.

3. Request for Dismissal

Due to the clear legal deficiency in the citation — namely, the reference to a subsection that does not exist within the controlling ordinance — I respectfully request that this citation be **dismissed in its entirety**.

Complaint Against Chief of Police Jeffrey Tambasco

TO:

City Manager, Fernandina Beach
204 Ash Street
Fernandina Beach, FL 32034

FROM:

Kelly Troupe
211 Carroll Church Rd
Lavonia, GA 30553
admin@troupepoultry.com
904-624-4048 or 706-463-0639

Citation #: A004HTPT

Date of Affidavit Rejection: December 3 & 4, 2025

RE: Complaint Against Chief Jeffrey Tambasco – Denial of Due Process

Dear City Manager,

I am filing a complaint against **Chief Jeffrey Tambasco** of the Fernandina Beach Police Department for improperly denying my affidavits contesting a legally invalid citation. My affidavits were rejected without review by an independent judicial officer — a violation of my **constitutional right to due process**.

Issues:

- The citation references a **nonexistent ordinance**
- I was told to submit an affidavit by **12/1**, which I did on **12/2**
- My affidavits were rejected on **12/3 and 12/4** by **Chief Tambasco**, not an independent magistrate
- I was not offered a hearing or appeal review before being told I must pay \$75 or face vehicle penalties

- This process is **biased, arbitrary, and unconstitutional**
-

Requested Action:

- Investigation into Chief Tambasco's handling of appeals
- Confirmation that impartial hearing officers review parking disputes
- A written statement from the city acknowledging this failure of process

Sincerely,

Kelly Troupe

Date: 12-8-2025

Complaint Against Officer Sgt. Michael Mulkearns (#883)

TO:

Florida Department of Law Enforcement (FDLE)
Executive Investigations
P.O. Box 1489
Tallahassee, FL 32302
executiveinvestigations@fdle.state.fl.us

FROM:

Kelly Troupe
211 Carroll Church Rd
Lavonia, GA 30553
admin@troupepoultry.com
904-624-4048 or 706-463-0639

Incident Date: November 21, 2025

Officer Involved: Sgt. Michael Mulkearns (#883)

Citation #: A004HTPT

RE: Complaint of Misconduct and Illegal Search – Fernandina Beach Police

Dear FDLE Investigations Team,

I am filing a formal complaint against **Sgt. Michael Mulkearns**, a member of the Fernandina Beach Police Department, for **unlawful search, fabricated probable cause, and retaliatory citation issuance**.

Incident Summary:

I was in my parked vehicle at **Beach Access 39** after driving to Yulee to have dinner and pick up items from Walmart. I had lodging at the **nearby Omni Resort**, but parked at Beach Access 39 at approximately 11:15 p.m. to look for sharks' teeth at low tide and unintentionally fell asleep in my vehicle. This was a beach access I frequently visited during my stay on the island.

At **around 4:00 a.m.**, Sgt. Mulkearns knocked on my window and claimed that I smelled of alcohol. By that time, I had been asleep for at least four hours and had consumed only one alcoholic beverage at lunch the previous day, more than 12 hours before the officer knocked on my window.

The officer **looked into my vehicle before knocking** and, based on his own assumptions and later fabrications, claimed he could smell a strong odor of alcohol coming from both me and the interior of the car, accusing me of drinking. He incorrectly assumed that **a bottle of flavored syrup** located on the floor behind the passenger seat, with the lid off, was an open container of alcohol.

After the field sobriety test was completed, I was told I was not allowed to drive with an open container of alcohol in the vehicle. The officer then opened my car door to pour out what he believed was alcohol and picked up the bottle before **realizing his mistake**. He then put the flavored syrup back down and closed the door.

Although I passed a sobriety test and was not charged with any alcohol-related offense, I was issued a parking citation referencing a **nonexistent code section**, clearly a retaliatory action.

Allegations:

- **Unlawful search** (flashlight inspection + opening the car door without cause or consent)
 - **Fabricated evidence** (false claim of alcohol smell)
 - **Retaliation** (ticket issued after no cause found)
 - **Violation of the Fourth Amendment and Florida law**
-

Requested Action:

- Investigation into Sgt. Mulkearns' conduct
- Confirmation of any prior complaints
- Audit of similar incidents involving retaliation via citation

Sincerely,

Kelly Troupe

Date: 12-8-2025

Sec. 78-84. Stopping, standing, or parking prohibited in specified places.

Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic control device, no person may:

- (1) Stop, stand or park a vehicle:
 - a. On the roadway side of any vehicle stopped or parked at the edge or curb of a street.
 - b. On a sidewalk.
 - c. Within an intersection.
 - d. On a crosswalk.
 - e. Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless the department of transportation or department of public works indicates a different length by signs or markings.
 - f. Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic.
 - g. Upon any bridge or other elevated structure upon a highway.
 - h. On any railroad tracks.
 - i. On a bicycle path.
 - j. At any place where official traffic control devices prohibit stopping.
- (2) Stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers:
 - a. In front of a public or private driveway.
 - b. Within 15 feet of a fire hydrant.
 - c. Within 20 feet of a crosswalk at an intersection.
 - d. Within 30 feet upon the approach to any flashing signal, stop sign, or traffic control signal located at the side of a roadway.
 - e. Within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of such entrance (when property sign posted).
 - f. On an exclusive bicycle lane.
 - g. At any place where official traffic control devices prohibit standing.
- (3) Park a vehicle, whether occupied or not, except temporarily for the purpose of, and while engaged in, loading or unloading merchandise or passengers:
 - a. Within 50 feet of the nearest rail of a railroad crossing unless the department of transportation or city manager establishes a different distance due to unusual circumstances.
 - b. Alongside or adjacent to any curb painted yellow.
 - c. Across pavement lines painted on the roadway designated for parallel or angular parking.
 - d. At any place where official signs prohibit parking.
- (4) Park overnight any recreational vehicle, travel trailer, travel camper, mobile home or similar vehicle, or park any boat trailer, utility trailer or similar vehicle whether occupied or not, overnight on public

property, including public streets and public parking lots, with the exception of special events that have obtained a special events permit, and then only in designated city-owned parks and parking lots.

- (5) All vehicles, including but not limited to recreational vehicles, boat trailers and utility trailers, parked for any time on public property, must be currently and validly registered with the appropriate state title as evidenced by a valid tag displayed on the vehicle.

(Ord. No. 2022-23, § 24, 9-6-22)

**AFFIDAVIT OF DEFENSE
FOR NOTICE OF PARKING VIOLATION
CITY OF FERNANDINA BEACH**

CITIZEN INFORMATION

Name Mr/Mrs/Ms Kelly Troupe Telephone Number 904-624-4048
Address 211 Carroll Church Rd
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Email Address ktroupe@hotmail.com / sanity.gone.84@gmail.com

PARKING CITATION INFORMATION

Citation # 004HTPT Date Issued 11/21/2025 Tag # ZHR694
Registered Owner KELLY TROUPE Violation §78-84(a)(3)d – Beach Access 39 – 4:02 a.m.

WRITTEN DEFENSE

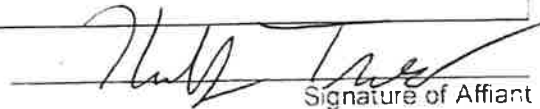
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In the space below, please explain your defense. Use continuation form if needed. Attach the citation, copies of any applicable permits or documentation. You will be notified within 90 days whether the affidavit is granted or denied.

I submit this affidavit under City Code §78-92(2)(b)(4) and respectfully request that Notice of Parking Violation A004HTPT be waived because it was issued in error and is unreasonable under the totality of the circumstances.

On November 21, 2025 at approximately 4:02 a.m., my gray Jeep (GA tag ZHR694) was parked in a marked parking space at Beach Access 39 while I was visiting from out of state. The vehicle was safely parked, not blocking traffic, driveways, crosswalks, or emergency access.

CONTINUED ON 2ND PAGE


Signature of Affiant

The foregoing instrument was acknowledged before me this 2 day of December
by Kelly Troupe who is personally known to me or has produced 25
License as identification


Signature of Notary



DO NOT WRITE BELOW THIS LINE.

Reviewed by the Legal Advisor on 12-3-25 Action: Grant ☐ Deny ☒ Hold ☐

Comments

Sign is visible, see attached.

WRITTEN DEFENSE CONTINUED

The citation lists City Ordinance §78-84(a)(3)d, which applies to parking "where official signs prohibit parking." However, on the pre-printed ticket form, none of the violation boxes (overtime, signs prohibit, etc.) are checked and no description of the alleged conduct is written in. As issued, the notice does not clearly state what specific violation is being charged (sign-based parking prohibition vs. "overnight parking" or some other category), making it difficult to know what I supposedly did wrong or how to respond.

In addition, §78-84(a)(3)d only applies if there are official signs that clearly prohibit parking. At Beach Access 39, any sign about the access being closed from midnight to 5:00 a.m. was not clearly visible or illuminated from the space where I parked at 4:00 a.m. I did not see any sign that clearly stated "NO PARKING Midnight-5 a.m." or similar language. As a visitor using the marked parking stalls, there was no obvious notice that parking itself was prohibited at that time.

Because the citation form is incomplete, the section cited is confusing in relation to an alleged overnight-parking rule, and the signage at Beach Access 39 did not provide clear, conspicuous notice, I believe this citation was issued in error and is unreasonable under the circumstances. I respectfully request that the Chief of Police void this parking citation and waive the associated fee pursuant to §78-92(2)(b)(4).


Signature of Affiant

Fernandina Beach



Beach Access 39
4.6 ★★★★★ (112)
Public beach

Overview Reviews About

Directions Save Nearby Send to phone Share

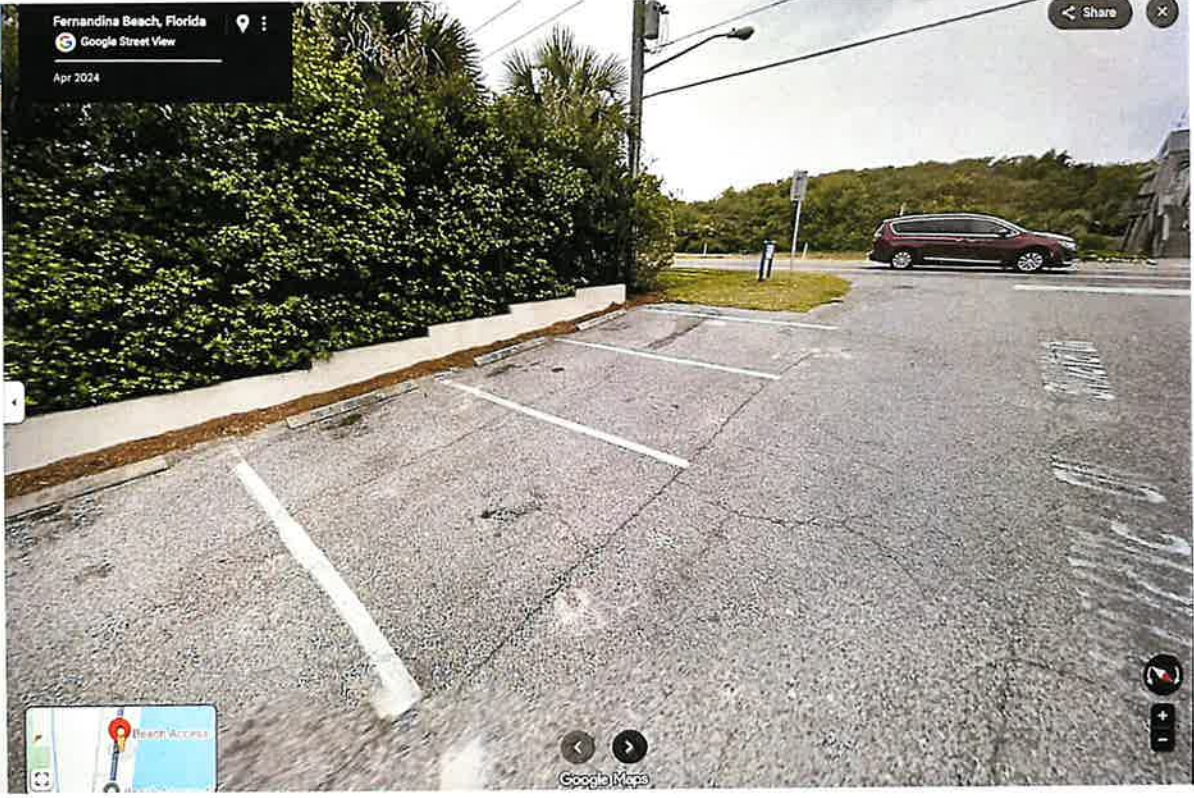
✓ Dogs allowed

📍 S Fletcher Ave, Fernandina Beach, FL 32034
📍 JH75+56 Fernandina Beach, Florida
🕒 Your Maps activity
🏷️ Add a label

[Suggest an edit](#)

Add missing information

📞 Add place's phone number
🕒 Add hours



Fernandina Beach

Beach Access 39

4.6 (112)

public beach

Overview

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Dogs allowed

S Fletcher Ave, Fernandina Beach, FL 32034

JH75+56 Fernandina Beach, Florida

Your Maps activity

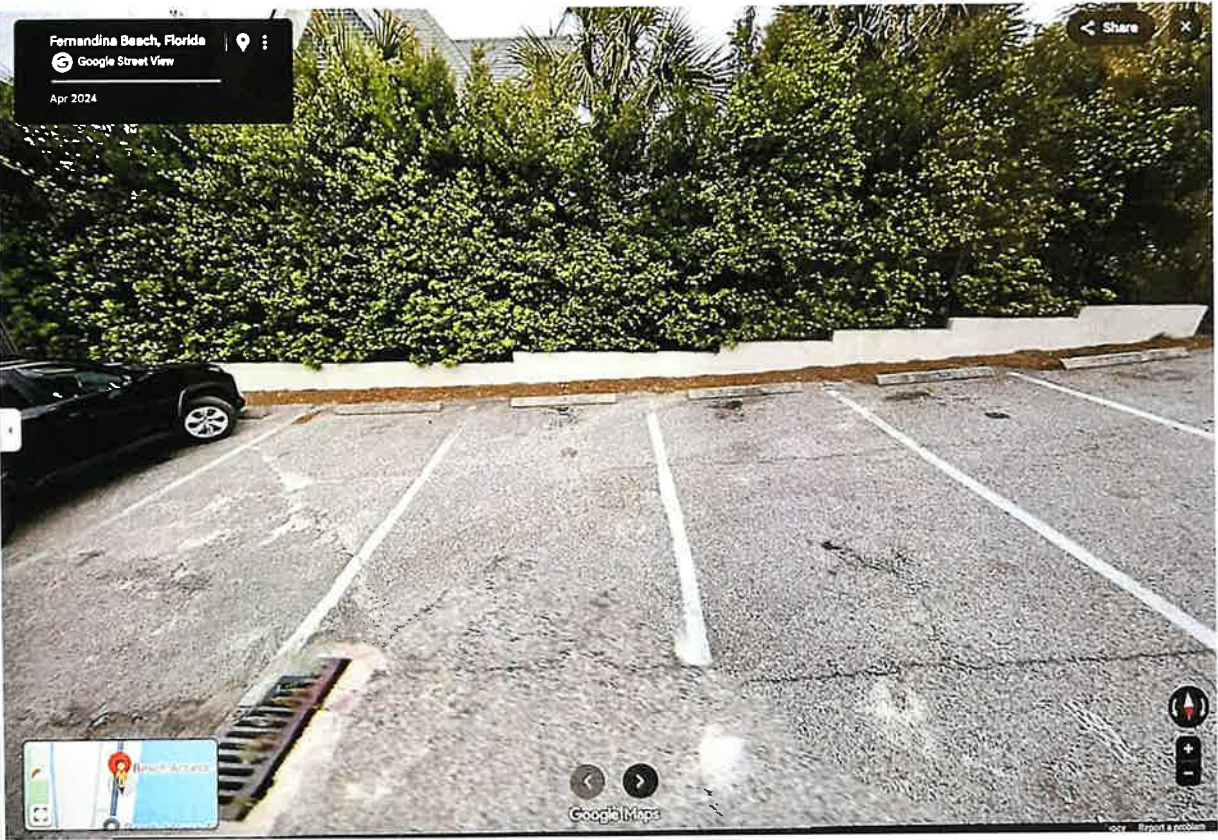
Add a label

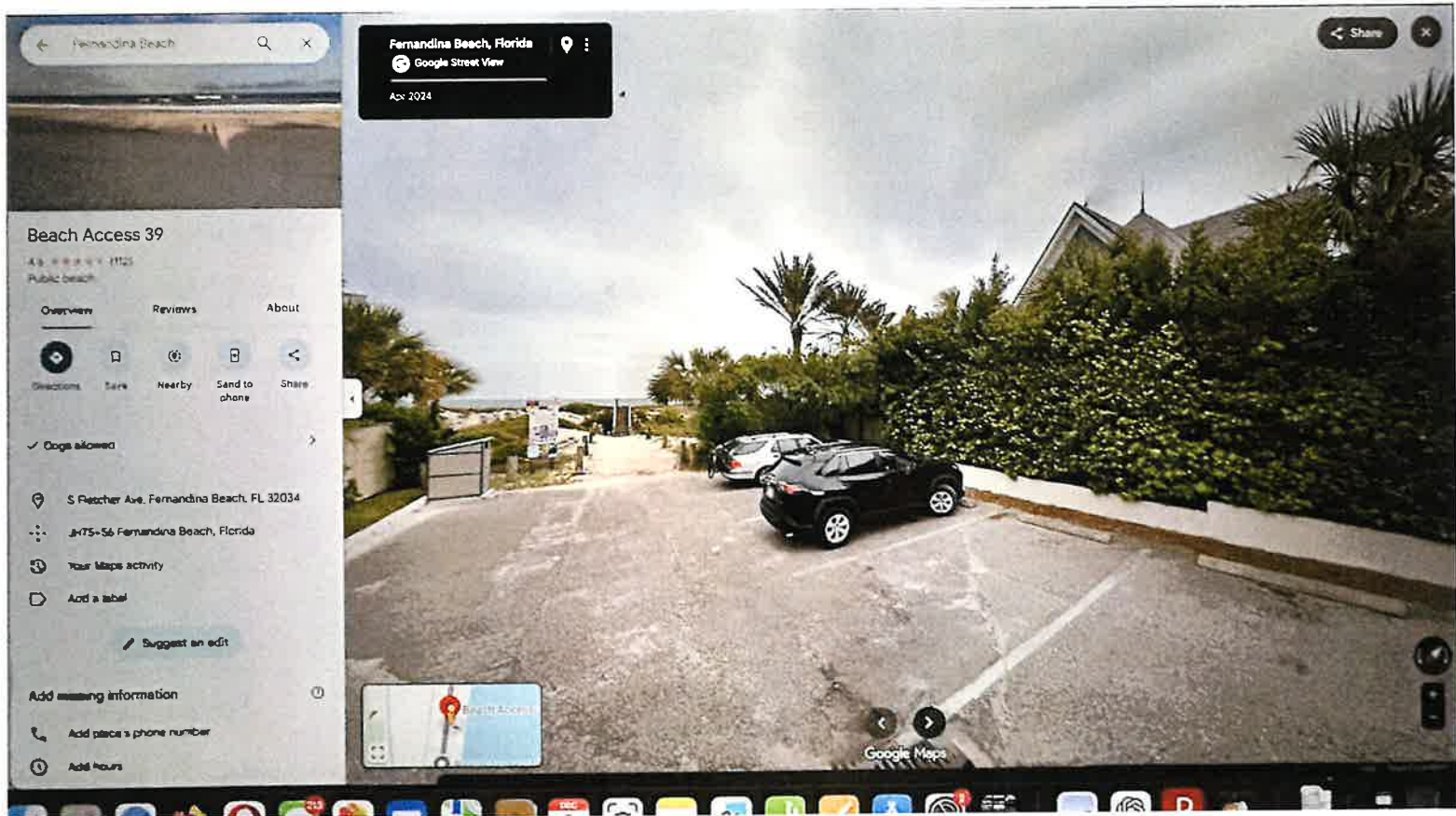
Suggest an edit

Add missing information

Add place's phone number

Add hours





PARKING VIOLATION

CITY OF FERNANDINA BEACH

Ticket #: A004HTPT

Case #: 2025-00028306

The undersigned certifies that:

On: 11/21/2025 04:02 AM

DATE/TIME

ZHR694

TAG #

GA

STATE

JEEP

MAKE

GRAY

COLOR

Was unlawfully, parked/stopped/standing at:

BEACH ACCESS 39

LOCATION OF VIOLATION

Located in the City of Fernandina Beach Nassau County,
Florida

IN VIOLATION OF SECTION: 78-84(A)(3)D

☒ CITY ORDINANCE

☐ STATE STATUTE

FINE: \$ 50.00

BY VIRTUE OF:

☐ OVERTIME PARKING

☐ YELLOW CURB

☐ FIRE LANE

☐ ON CROSSWALK

☒ SIGNS PROHIBIT

☐ ON SIDEWALK

☐ HANDICAPPED PARKING

☐ DOUBLE PARKED

☐ OBSTRUCTING TRAFFIC

☐ EXPIRED/INVALID TAG
(ON PUBLIC PROPERTY)

☐ OTHER: _____

The undersigned further certifies that he/she has just and
reasonable grounds to believe that the offense was
committed contrary to law.

SGT. MICHAEL MULKEARNS

OFFICER'S SIGNATURE

883

ID #

NOTES: _____

IMPORTANT --- READ CAREFULLY

You must pay a fine of \$ 50.00 within 10 days in
person or by mail at the Police Department, 1525 Lime Street
Fernandina Beach, FL 32034.

If you wish to appeal the charges in the citation, you must
request an appeal to the Special Magistrate, in writing, within
10 days of the date of this citation.

The written appeal must be accompanied by a \$ 75.00
appeal fee and filed at City Hall, 204 Ash Street, Fernandina
Beach, FL 32034.

If you fail to pay the fine or request an appeal withi 10 days,
a \$20.00 late fee is added to the fine.

If the citation is ignored, your vehicle may be immobilized or
towed if found on any public highway or street. Florida law
permits the state to suspend issuance of license plates to
persons with outstanding parking tickets. **BE ADVISED**, by
reciprocal agreement, the State of Florida may also notify
other states of outstanding indebtedness for parking citations.

Signature: _____

Print Name: _____

Driver's License #: _____

State: _____

DOB: _____

Address: _____

Telephone# () _____

Date: _____

Amount Enclosed: _____ (NO CASH)

Send Payment with this ticket.

1) By mail: CITY OF FERNANDINA BEACH

1525 LIME STREET

FERNANDINA BEACH, FL 32034

2) In person at the Police Department between 8:00am and
5:00pm, Monday through Friday (excluding holidays)
1525 Lime Street, Fernandina Beach, Florida 32034



Fernandina Beach, Florida

Sign is visible and posted for oncoming traffic.

 Google Street View

Apr 2024







Beach Access 39

4.6 ★★★★★ (112)
Public beach

Overview Reviews About



Directions



Save



Nearby



Send to
phone



Share

✓ Dogs allowed >



S Fletcher Ave, Fernandina Beach, FL 32034



JH75+56 Fernandina Beach, Florida



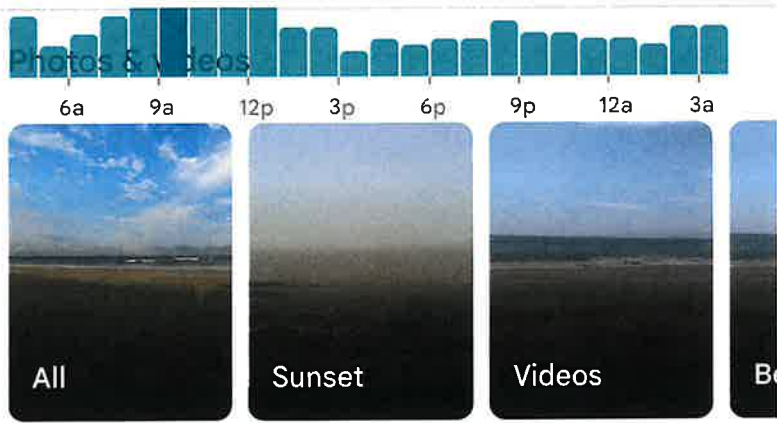
Your Maps activity

 Suggest an edit

Add missing information ?

Popular times Wednesdays ▼





+ Add photos & videos

Review summary



4.6



112 reviews



"Private **location** and a great **place** for a well behaved **dog**."



"Had **family** in **town**, they enjoyed finding some seashells."



"**Trash** can for picnic trash."

Write a review

Reviews



≡ Sort

✓ All

parking 10

sharks 2



Fernandina Beach, Florida

See times listed.

 Google Street View

Apr 2024





Beach Access 39

4.6 ★★★★★ (112)
Public beach

Overview Reviews About



Directions



Save



Nearby



Send to
phone



Share

✓ Dogs allowed >



S Fletcher Ave, Fernandina Beach, FL 32034



JH75+56 Fernandina Beach, Florida



Your Maps activity

 Suggest an edit

Add missing information ⓘ

Popular times Wednesdays ▼

