



BOARD OF COUNTY COMMISSIONERS

DATE: July 27, 2004
AGENDA ITEM NO.

Consent Agenda

Regular Agenda

Public Hearing

56

County Administrator's Signature:

Subject:

Public Hearing on a Proposed Ordinance Relating to Inoperative Vehicles on Residential and Public Properties

Department:

Department of Environmental Management

Staff Member Responsible:

Will Davis, Director

Recommended Action:

I RECOMMEND THE BOARD OF COUNTY COMMISSIONERS ADOPT THE ATTACHED, PROPOSED ORDINANCE AFTER TAKING COMMENTS AT PUBLIC HEARING..

Summary Explanation/Background:

The attached ordinance effectuating the Code Enforcement Task Force's recommendations, as presented to the Board of County Commissioners on February 24, 2004, represents a minor change to the inoperative vehicle ordinance. After a fairly lengthy discussion, the Code Enforcement Task Force recommended no real, substantive changes. However, upon the advice of the County Attorney's Office, the Code Enforcement Task Force did approve one change to the ordinance. That change relates to an exemption that is already in practice, which allows for the storage of an inoperative vehicle on residential property, so long as it is stored within a fully enclosed structure (for instance, a garage).

Fiscal Impact/Cost/Revenue Summary:

There will be no fiscal impact to the County as a result of this ordinance's adoption..

Exhibits/Attachments Attached:

Proposed ordinance.

AN ORDINANCE OF THE COUNTY OF PINELLAS
AMENDING PINELLAS COUNTY CODE SECTION 58-
272 RELATING TO INOPERATIVE VEHICLE
PROHIBITIONS AND EXEMPTIONS THEREFROM;
PROVIDING FOR SEVERABILITY; PROVIDING FOR
AN EFFECTIVE DATE; PROVIDING FOR INCLUSION
IN THE CODE; PROVIDING FOR AMENDMENTS
THAT MAY ARISE AT PUBLIC HEARING.

WHEREAS, the Board of County Commissioners felt the citizens of Pinellas County should have direct input into the regulation of their communities and therefore, appointed a task force to discuss community standards and make suggestions for changes to the code based upon current issues facing their communities; and

WHEREAS, each Commissioner appointed two individuals, residing within their district and from various backgrounds, to the task force, for a total membership of 14 citizens; and

WHEREAS, the task force met a total of eleven times over a period of seven months and discussed various code enforcement issues; and

WHEREAS, the citizen task force, by a majority vote, recommended the changes set forth in this ordinance.

NOW, THEREFORE, Be It Ordained by the Board of County Commissioners of Pinellas County, Florida:

SECTION 1: Section 58-272 of the Pinellas County Code is hereby amended to read as follows:

Sec. 58-272. Exemption.

One off-road vehicle, per dwelling unit, may be placed or stored on residential property provided that the off-road vehicle is located on a trailer that has a current registration tag, also known as a license plate, of a kind required under state law as a condition of operation upon the

public streets, affixed thereto. Any inoperative vehicle that is stored within a fully enclosed structure as described in this section is exempt from the prohibitions set forth in Section 58-270.

SECTION 2: Severability

If any section, sentence, clause, phrase, or word of this Ordinance is, for any reason, held or declared to be unconstitutional, inoperative or void, such holding or invalidity shall not affect the remaining portions of this Ordinance, and it shall be construed to be the legislative intent to pass this Ordinance without such unconstitutional, invalid or inoperative part therein.

SECTION 3: Effective Date

Pursuant to Section 125.66, Florida Statutes, a certified copy of this Ordinance shall be filed with the Department of State by the Clerk of the Board of County Commissioners. This Ordinance shall become effective when the acknowledgment is received from the Secretary of State that the Ordinance has been duly filed.

SECTION 4: Inclusion Clause

The provisions of this Ordinance shall be included and incorporated in the Pinellas County Code, as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Pinellas County Code.