

Clerk of the Circuit Court and Comptroller
Regular Public Meeting
May 5, 2015

8. Miscellaneous item received for filing:
- a. City of Clearwater Notice of City Council Public Hearing held April 16, 2015 regarding the vacation of a portion of a drainage easement in Lots 85 and 86, Wynwoods Landing.
 - b. City of Clearwater Ordinances Nos. 8656-15, 8659-15, 8662-15, 8665-15, 8668-15, and 8671-15 adopted March 5, 2015 annexing certain properties; and Notices of Public Hearings to be held May 7, 2015 regarding proposed Ordinances Nos. 8693-15 through 8701-15 annexing certain properties and amending the Land Use Plan and the Zoning Atlas.
 - c. Town of Indian Shores Code Supplement No. 40 dated March 2015 incorporating Ordinances Nos. 2015-01 and 2015-02.
 - d. Eastlake Oaks Community Development District minutes of the meeting held December 11, 2014.

If a copy of a report or CD is desired, please check the web page of the organization/municipality or contact Board Records at 464-3465.

Bachteler, James J

From: Tabler, Rod
Sent: Thursday, April 02, 2015 12:23 PM
To: Young, Bernie C
Cc: Loy, Norman; Bachteler, James J; Revie, Derelynn; Maslar, Judy
Subject: RE: INDIAN SHORES CODE SUPPLEMENT #40 - MARCH 2015

Excellent. Thank you for the quick response.

Happy Easter,

Rod

From: Young, Bernie C
Sent: Thursday, April 02, 2015 12:22 PM
To: Tabler, Rod
Cc: Loy, Norman; Bachteler, James J
Subject: FW: INDIAN SHORES CODE SUPPLEMENT #40 - MARCH 2015

Mr. Tabler:

Thank you for forwarding this to us.

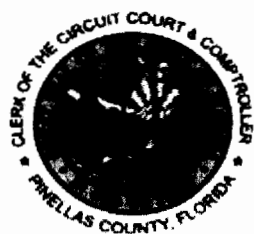
I believe this would be something that will be tagged as a "receipt and file" item for an upcoming BCC Meeting.

Have a nice afternoon.

Bernie

Bernie C. Young, AS
Records Specialist Supervisor
Board Records
Office of Ken Burke, Clerk of the Circuit Court and Comptroller
Pinellas County Florida
315 Court St, 5th Floor, Clearwater, FL 33756
(727) 464-3465
bcyoung@pinellascounty.org | www.mypinellasclerk.org

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PINELLAS COUNTY FLORIDA
2015 APR -2 PM 12:32



PLEASE NOTE: All mail sent to and from Pinellas County Government is subject to the Public Records Law of Florida

From: Tabler, Rod
Sent: Thursday, April 02, 2015 12:15 PM
To: Young, Bernie C
Subject: FW: INDIAN SHORES CODE SUPPLEMENT #40 - MARCH 2015

Hello Bernie,

Forwarding to you for a response as Norm is out of the office.

Thank you,

Rod

Rod Tabler, Senior Manager
Civil Court Records
Ken Burke, Clerk of the Circuit Court and Comptroller
Pinellas County, Florida
315 Court Street, RM. 170
Clearwater, FL. 33756
727-464-7000.
rtabler@pinellascounty.org | www.mypinellasclerk.org

From: Tabler, Rod
Sent: Thursday, April 02, 2015 12:08 PM
To: Loy, Norman
Cc: Revie, Derelynn; Maslar, Judy
Subject: FW: INDIAN SHORES CODE SUPPLEMENT #40 - MARCH 2015

Good Afternoon Norm,

Is this something your department would maintain?

Thank you,

Rod

From: Circuitcivil
Sent: Thursday, April 02, 2015 11:57 AM
To: Tabler, Rod
Cc: Revie, Derelynn
Subject: FW: INDIAN SHORES CODE SUPPLEMENT #40 - MARCH 2015

Why do we need this? It came through Circuitcivil.

Judith Maslar
Civil Court Records Supervisor

Office of Ken Burke,
Clerk of the Circuit Court and Comptroller
Pinellas County, Florida
727-464-4099

From: Elaine Jackson [<mailto:ejackson@myindianshores.com>]

Sent: Thursday, April 02, 2015 10:47 AM

To: Fran Meegan; Michelle Tidwell; Malcolm Green; Circuitcivil; Howard, Michelle; 'cshoemaker@co.pinellas.fl.us'; Robert Metz - Trask, Metz & Daigneault LLP (RMetz@tmdlawfirm.com)

Subject: INDIAN SHORES CODE SUPPLEMENT #40 - MARCH 2015

Attached please find the newest Code Supplement for the Town of Indian Shores, incorporating Ordinances 2015-01 and 2015-02, for your records.
Elaine Jackson, Town Clerk

SUPPLEMENT NO. 40
March 2015

CODE OF ORDINANCES
Town of
INDIAN SHORES, FLORIDA
Looseleaf Supplement

This Supplement contains all ordinances deemed advisable to be included at this time through:

Ordinance No. 2015-02, enacted March 10, 2015.

See the Code Comparative Table—Ordinances for further information.

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Insert and maintain this instruction sheet in front of this publication. File removed pages for reference.



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2015 APR -2 PM 12:32

CURRENT OFFICIALS
of the
TOWN OF
INDIAN SHORES, FLORIDA

James J. Lawrence
Mayor

Patrick C. Soranno
Vice-Mayor

Michael Petruccelli
Diantha Schear
William F. Smith
Town Council

Robert Metz
Town Attorney

Elaine Jackson
Town Clerk

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From our experience in publishing Looseleaf Supplements on a page-for-page substitution basis, it has become evident that through usage and supplementation many pages can be inserted and removed in error.

The following listing is included in this Code as a ready guide for the user to determine whether the Code volume properly reflects the latest printing of each page.

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SUPPLEMENT HISTORY TABLE

The table below allows users of this Code to quickly and accurately determine what ordinances have been considered for codification in each supplement. Ordinances that are of a general and permanent nature are codified in the Code Book and are considered "Includes." Ordinances that are not of a general and permanent nature are not codified in the Code Book and are considered "Omits."

In addition, by adding to this table with each supplement, users of this Code of Ordinances will be able to gain a more complete picture of the Code's historical evolution.

Ord. No.	Date Adopted	Include/Omit	Supp. No.
94-14	9-12-94	Include	35
94-16	9-27-94	Include	35
2001-3	5- 8-01	Include	35
2004-21	12-14-04	Include	35
2006-5	3-15-06	Include	35
2010-4	6- 8-10	Include	35
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2010-7	10-12-10	Include	35
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Chapter 2

ADMINISTRATION*

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Secs. 2-1—2-35. Reserved.

Article II. Officers and Employees

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Sec. 2-36. Compensation of councilmembers and citizens serving on certain committees.
Sec. 2-37. Criminal history record checks.
Secs. 2-38—2-55. Reserved.

Division 2. Old-Age and Survivors Insurance Benefits

Sec. 2-56. Extension of benefits.
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Article III. Boards, Committees, Commissions

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Sec. 2-87. Alternate committee members.
Sec. 2-88. Procedures to resolve impasse between mayor and council in appointment of committees.
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Sec. 2-90. Quasi-judicial proceedings involving land use issues.
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Sec. 2-106. Established.
Sec. 2-107. Organization.

***Charter reference**—Powers, § 1.02.

Cross references—Administration of the regulations regarding building, § 18-36 et seq.; concurrency management system, ch. 82; administration of the zoning provisions, § 110-36 et seq.

State law reference—Home rule powers, F.S. § 166.021.

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- Sec. 2-108. Duties and responsibilities.
- Sec. 2-109. Rules of procedure; meetings; minutes of proceedings.
- Sec. 2-110. Procedures for actions on applications for permits and certificates of occupancy.
- Sec. 2-111. Quasi-judicial proceedings.
- Sec. 2-112. Review of decisions.
- Secs. 2-113--2-135. Reserved.

Article IV. Finance

- Sec. 2-136. Expenditure of town funds without council approval.
- Sec. 2-137. Collection of transportation impact fees, radon trust fund surcharge fees, certain permit fees and other fees.
- Sec. 2-138. Employee screening for public safety.
- Secs. 2-139--2-160. Reserved.

Article V. Code Enforcement

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- Sec. 2-161. Definitions.
- Sec. 2-162. Intent.
- Secs. 2-163--2-180. Reserved.

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- Sec. 2-181. Special master.
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- Sec. 2-183. Powers.
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ARTICLE I. IN GENERAL

Secs. 2-1—2-35. Reserved.

ARTICLE II. OFFICERS AND EMPLOYEES*

DIVISION 1. GENERALLY

Sec. 2-36. Compensation of council members and citizens serving on certain committees.

Compensation shall be paid to council members as follows: Mayor, \$900.00 per month; vice-mayor, \$600.00 per month; council members, \$400.00 per month. The compensation of elected officials, mayor/council members shall be increased annually following the date of the regular election of council member by the percentage of the cost-of-living adjustment granted to administrative employees of the town the preceding October. Citizens serving on major committees shall receive \$30.00 per meeting attended. The citizen compensation shall not extend to the code enforcement board because of provisions of state law.

(Code 1979, § 2-3; Ord. No. 96-7, § 1, 11-12-96; Ord. No. 99-8, § 1, 11-9-99; Ord. No. 2006-11, § 1, 9-11-06; Ord. No. 2009-1, § 1, 3-10-09)

Editor's note—Section 4 of Ord. No. 2006-11 provided that this section shall become effective after the next regular election scheduled for March 13, 2007.

Cross references—Boards, committees, commissions, § 2-86 et seq.; finance, § 2-136 et seq.

Sec. 2-37. Criminal history record checks.

(a) The Town of Indian Shores may require criminal history screenings for:

- (1) Any position of municipal employment or appointment, whether paid, unpaid, or contractual, which the town council finds is critical to security or public safety;
- (2) Any private contractor, employee of a private contractor, vendor, repair person, or delivery person who is subject to licensing or regulation by the Town of Indian Shores; or
- (3) Any private contractor, employee of a private contractor, vendor, repair person, for-hire chauffeur, or delivery person who has direct contact with individual members of the

***Editor's note**—Resolution No. 7-79, adopted Sept. 25, 1979, established a deferred compensation plan for town employees. The text of the plan and of the joinder agreement is on file in the office of the town clerk.

Charter reference—Administrative personnel, art. IV.

Cross references—Emergency management coordinator, § 26-36; traffic circulation and transportation officer, § 70-3.

State law reference—Code of ethics, F.S. § 112.311 et seq.

public or access to any public facility or publicly operated facility in such a manner or to such an extent that the town council finds that preventing unsuitable persons from having such contact or access is critical to security or public safety.

(b) The employment or appointment application, request for proposals, bid requests or other qualifying documents will specify whether the position or contract sought will require a criminal history screening due to the security or public safety concerns associated with the position or contract. Individuals seeking such employment, appointment or contract shall be required to submit fingerprints. The information obtained from the criminal history record checks may be used by the town to determine a person's eligibility for such employment or appointment, or for continued employment or appointment. Nothing contained herein is intended to prevent any other background screening, including, but not limited to, criminal history background checks, that a municipality may lawfully undertake.

(Ord. No. 2015-02, § I, 3-10-15)

Secs. 2-38—2-55. Reserved.

DIVISION 2. OLD-AGE AND SURVIVORS INSURANCE BENEFITS*

Sec. 2-56. Extension of benefits.

It is declared to be the policy and purpose of the town to extend, effective as of October 1, 1961, to the employees and officials of the town, not excluded by law or excepted in this division, the benefits of the system of old-age and survivors insurance as authorized by the federal social security act and amendments thereto and by F.S. ch. 650 and to cover by such plan all services which constitute employment, as defined in F.S. § 650.02, performed in the employ of the town by employees and officials thereof, except service:

- (1) Of an emergency nature.
 - (2) In any class of elective positions.
 - (3) In any class of part-time positions.
 - (4) In any class of positions, the compensation for which is on a fee basis.
- (Code 1979, § 2-27)

Sec. 2-57. Exclusions.

There is excluded from this division any authority to include in any agreement entered into under section 2-58 any service, position, employee or official now covered by or eligible to be covered by an existing retirement system.

(Code 1979, § 2-28)

*State law reference—Old-age and survivors insurance, F.S. ch. 650.

Sec. 2-58. Execution of agreements.

The mayor is authorized and directed to execute all necessary agreements and amendments thereto with the state industrial commission, as state agency, for the purpose of extending the benefits provided by the system of old-age and survivors insurance to the employees and officials of this town as provided in sections 2-56 and 2-57, which agreement shall provide for such methods of administration of the plan by the town as are found by the state agency to be necessary and proper, and shall be effective with respect to services in employment covered by such agreement performed on and after October 1, 1961.

(Code 1979, § 2-29)

Sec. 2-59. Withholdings from salaries.

Withholdings from salaries, wages or other compensation of employees and officials for the purpose provided in section 2-56 are authorized to be made and shall be made in the amounts and at such times as may be required by applicable state or federal laws or regulations and shall be paid over to the state agency designated by such laws or regulations to receive such amounts.

(Code 1979, § 2-30)

Sec. 2-60. Contributions by town.

There shall be appropriated from available funds, derived from the general fund of the town, such amounts, at such times, as may be required to pay promptly the contributions and assessments required of the town as employer by applicable state or federal laws or regulations pertaining to old-age and survivors insurance, which shall be paid over to the lawfully designated state agency at the times and in the manner provided by law and regulation.

(Code 1979, § 2-31)

Sec. 54-1. Park management and advisory board.

The public service committee shall also serve as the park management and advisory board to advise the town council on the acquisition, development and maintenance of park land within the town. The duties of this board shall include but not be limited to the direction, maintenance and protection of open space, scenic areas, parks and playgrounds, recreational sites and facilities, recreational programs and activities and the maintenance and preservation of public accesses to parks, beaches, waterways and recreational facilities.

(Code 1979, § 8.7-8(b))

Cross reference—Boards, committees, commissions, § 2-86 et seq.

Sec. 54-2. Planning.

(a) By 1996, the town shall lay out and clearly mark at least one bicycle path, if possible.

(b) Parks and recreation lands shall be planned for multiple uses and, wherever possible, located in areas most suitable to satisfy the needs of the permanent and seasonal population, visitors and tourists.

(c) The designation, acquisition and improvement of recreation and park sites shall be in accordance with long range comprehensive plans for town development and redevelopment.

(d) The town will pursue funding for park and recreation facilities, including county, state and federal assistance funds and donations.

(e) The town shall include in its capital improvements program funds for the acquisition, development and maintenance of town recreation sites.

(f) The town shall establish a recreational trust fund to which individuals can be encouraged to donate moneys, gifts or properties, for the sole purpose of recreational development and maintenance.

(Code 1979, § 8.7-8(c)—(e), (k)—(m))

Cross reference—Planning and development, ch. 90.

Sec. 54-3. Recreation sites and cultural activities.

(a) The town shall ensure that recreation sites, parks, beach accesses and inland waterway accesses are held inviolate against diversion to other uses, except for overriding public interest. The maintenance and enhancement of these facilities shall be included in the annual operating budget of the town, as necessary.

(b) The town shall support all promotional efforts to attract visitors to the area and encourage the utilization of yearround recreational tourist sites and activities.

(c) The town council shall consider the concerns of local arts and cultural organizations when making planning and redevelopment decisions.

(Code 1979, § 8.7-8(f)—(h))

Cross reference—Zoning, ch. 110.

Sec. 54-4. Access to facilities and beaches.

(a) Access to parks and to recreational facilities and services shall be provided for the elderly, handicapped and economically disadvantaged. Parking for the handicapped and bicycle parking areas shall be provided for at these sites.

(b) The provision of adequate beach access shall be considered requisite to any and all shoreline development. Public access to identified recreation sites shall be ensured and shall be designed to protect the integrity of natural features, including, where present, beaches and shores.

(Code 1979, § 8.7-8(i), (j))

Sec. 54-5. [Park rules; promulgation; enforcement and penalties.]

(a) The designation of town parks and governing rules for use thereof shall be promulgated and amended by resolution of town council upon recommendation of the public service committee serving as the park management and advisory board. Such rules shall be prominently posted at each town park.

(b) Park rules shall be enforced by the municipal police department.

(c) Penalties are established by section 1-16, "General penalty; continuing violations", of the Indian Shores Town Code.

(Ord. No. 00-3, §§ 2—4, 7-11-00)

Editor's note—Ord. No. 00-3, §§ 2—4, adopted July 11, 2000, set out provisions pertaining to park rules; promulgation; enforcement and penalties which did not specifically amend this Code. Hence, inclusion as § 54-5 was at the discretion of the editor to read as herein set out. See the Code Comparative Table.

Sec. 54-6. [Municipal parks enumerated; rules.]

(a) *Municipal parks.* The town has five parks within the town limits that are municipally owned and located at:

- (1) Street end—186th Avenue, East, abutting the Intracoastal Waterway.
 - (2) Town Square Nature Refuge Park—19019 Gulf Boulevard.
 - (3) Chief E.D. Williams Park—19305 Gulf Boulevard.
 - (4) Mayor Bob McEwen Veterans Park—197th Avenue, East, abutting the Intracoastal Waterway.
 - (5) Dockway Park—Dockway East, abutting the Intracoastal Waterway.
- (b) The following park rules be promulgated for all town parks municipally owned:
- (1) Park hours: Dawn until 10:00 p.m. unless fishing.
 - (2) Chief E.D. Williams Park hours: Dawn until dusk unless fishing or using the lighted tennis courts, or events approved by the town council.
 - (3) Restrooms closed 10:00 p.m. until dawn.

- (4) Fireworks prohibited.
- (5) No glass containers.
- (6) No bicycles on boardwalks.
- (7) No skateboarding/scooters/roller blades, etc.
- (8) Restrooms are smoke-free facilities.
- (9) No alcoholic beverages unless permitted by town.
- (10) No overnight camping.
- (11) No pets allowed.
- (12) Where on-premises parking is provided, parking shall not exceed 24 hours.
- (13) A person found violating this section is subject to prosecution under article V.—Code enforcement of the Indian Shores Code of Ordinances and may be prosecuted as authorized by law.

(c) A copy of this resolution be prominently posted at each municipally owned town park to serve as notice to those using the park and/or facilities located thereon.

(Res. No. 15-00, 7-11-00; Ord. No. 2011-5, § 3, 12-13-11; Ord. No. 2015-01, § 1, 3-10-15)

Editor's note—Res. No. 15-00, adopted July 11, 2000, set out provisions pertaining to the enumeration of municipal parks and rules which did not specifically amend this Code. Hence, inclusion of said provisions as § 54-6 was at the discretion of the editor to read as herein set out. See the Code Comparative Table.

CODE COMPARATIVE TABLE

Ordinance Number	Date	Section		Section this Code
		5		110-172
		6		110-202
2009-3	5-14-09	1(Exh. A)	Rpld Added	86-1—86-130 86-1—86-128
2009-4	5-12-09	1		18-122(a)
2009-5	9- 9-09	1		2-161
		2		2-207
		3		2-208
2009-6	9- 9-09	1		18-280—18-282
2009-7	9- 9-09	1		110-1
		2		110-202(a)
2010-1	2- 9-10	2	Added	110-290
2010-2	2- 9-10	1		86-86
2010-3	3-23-10	1	Added	14-36
2010-4	6- 8-10	1	Added	106-90
2010-5	9-22-10	1		56-36
2010-6	9-22-10	1		18-254
2010-7	10-12-10	1		86-121, 86-122, 86- 124, 86-126—86-128
		2	Added	86-129—86-135
2010-9	12-14-10	1		90-102
		2	Added	90-103
2011-1	2- 8-11	1	Added	90-150—90-154
2011-2	5-10-11	1		86-71(1)
		2		86-71(2)
		3		86-86(d)
2011-3	9- 7-11	1		70-38
2011-4	9- 7-11			86-1—86-4, 86-36, 86-40—86-48, 86-66—86-71, 86-86—86-89
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		3		54-6
2013-01	3-12-13	1		2-136
2013-2	9-18-13	1		56-36
2013-3	11-12-13	1	Rpld Added	70-7 70-7
2015-01	3-10-15	I		54-6
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