



**SPECIAL MAGISTRATE - CODE ENFORCEMENT MEETING  
CITY OF ST. PETE BEACH  
COMMISSION CHAMBERS**

155 Corey Avenue  
St. Pete Beach, FL 33706

Monday, June 9, 2025  
10:00 AM

Call to Order  
Pledge of Allegiance

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**CASE DOCKET**

1. Administration of Oath
2. Changes to Agenda -
3. Cases Continued -
  - A. **Case# 20240529**  
**City of St. Pete Beach v. Long, Richard Allen Revocable Trust Long, Richard Allen Tre**  
**Address: 6700 Gulf Blvd St. Pete Beach, FL 33706**  
Status hearing to determine compliance and to assess any authorized fines and costs.
  - B. **Case# 20250014**  
**City of St. Pete Beach v. Parks, Stephen G**  
**Address: 420 80th Ave. Pete Beach FL, 33706**  
Status hearing to determine if the property is in compliance and to assess fines.
  - C. **Case# 20240539**  
**City of St. Pete Beach v. Thomas Simmons**  
**Address: 100 3rd Ave. St. Pete Beach FL 33706**  
Status Hearing on the permit status for unpermitted repairs.
  - D. **Case# 20250084**  
**City of St. Pete Beach v. Dicks, Linda a Tre Dicks Family Trust**  
**Address: 106 2nd Ave St. Pete Beach, FL 33706**  
Status hearing to determine compliance and to assess any authorized fines and costs.
  - E. **Case# 20250212**  
**City of St. Pete Beach v. Heck, Horacio Montalvan Burke, Sheila**  
**Address: 3207 E De Bazan Ave St. Pete Beach, FL 33706**  
Status hearing to determine compliance and to assess any authorized fines and costs.

**F. Case# 20250035**  
**City of St. Pete Beach v. Castle, Lydia S**  
**Address: 3111 S De Bazan Ave St. Pete Beach, FL 33706**

**Sec. 46-33 - Enumeration.**

The maintaining, using, placing, depositing, leaving or permitting to be or remain on any public or private property of any of the following items, conditions or actions is declared to be and constitutes a nuisance, provided this enumeration shall not be construed as a designation of all nuisances:

(2) Accumulation of trash, litter, debris, garbage, bottles, paper, cans, rags, dead or decayed fish, fowl, meat or other animal matter; fruit, vegetables, offal, bricks, concrete, scrap lumber or other building debris or other refuse of any nature.

(3) Any condition which provides harborage for rats, mice, snakes and other vermin.

(4) Buildings and structures as follows:

a. Any building, dock or other structure which is in such a dilapidated condition that it is unfit for human habitation or use or which is kept in such an insanitary condition that it is a menace to the health of people residing in the vicinity thereof or presents a more than ordinarily dangerous life safety code violation or fire hazard in the vicinity where it is located.

(9) Any accumulation of stagnant water permitted or maintained on any lot, piece of ground or swimming pool.

**Sec. 98-64. - General Maintenance**

(a) Nuisances and hazards. Real property shall be maintained free of nuisances and any hazards to the safety of the occupants, customers or persons utilizing the premises or to pedestrians passing by.

**Sec. 98-65 - Unsightly Conditions.**

The following conditions are hereby deemed to be unsightly conditions and are prohibited. The following conditions are prohibited on any real property in the City:

(4) Property exteriors with trash, litter, debris, packing boxes, lumber, construction material, solid waste, horticulture debris, salvage materials, appliances, machinery, equipment and any furniture, excluding furniture specifically designed for outdoor use. Failure to maintain the premises in a clean, safe and sanitary condition is a violation. The owner and operator shall keep that part of the exterior property subject to its control or occupancy in a clean and sanitary condition.

**Sec. 98-66 - Residential and Commercial Property Maintenance**

(a) All premises shall be maintained in compliance with the standards in this section.

(b) Standards for improved property.

(18) Swimming pools. All swimming pools, spas and architectural pools, ponds or bodies of water shall be properly maintained so as not to create a safety hazard or harbor insect infestation. Water shall not be allowed to stagnate or to become polluted. All pools shall be free from unsightly appearance.

(22) Trees. Trees shall be maintained or removed as follows:

a. Hazardous trees. Dead, dying, damaged or diseased trees are prohibited. A finding by a registered forester or certified arborist employed by the city that a tree is in danger of falling upon an adjacent lot or street due to death, disease or damage, including damage caused by weather conditions, is prima facie evidence of a violation of this section.

(24) Fences and walls. Fences and walls shall be maintained in a safe and structurally sound condition, in good repair with the surface coated or painted. Fences shall be free from loose or rotting materials. Metal fencing shall be free from rust or deterioration.

4. Repeat Violations -

**A. Case# 20250264**

**City of St. Pete Beach v Simon, Babette W**

**Address: 305 Gulf Way St. Pete Beach, FL 33706**

Sec. 44.5. - Standards for existing beachfront lighting.

By July 1, 2008; all light sources or reflective surfaces illuminated by such sources that are visible from the beach shall be brought into compliance with the following standards:

(a) Existing artificial light fixtures shall be repositioned, modified, or removed so that:

(1) The point source of light or any reflective surface of the light fixture is not directly visible from the beach;

(2) Areas seaward of the frontal dune, or the beach in areas where the frontal dune no longer exists, are not directly, indirectly, or cumulatively illuminated.

(b) The following measures shall be taken to reduce or eliminate the negative effects of existing exterior artificial lighting:

(1) Reposition fixtures so that the point source of light or any reflective surface of the light fixture is no longer visible from the beach;

(2) Replace fixtures having an exposed light source with fixtures containing recessed light sources or external shields;

(3) Replace traditional light bulbs (e.g. incandescent, fluorescent, and high intensity lighting) with yellow Bug Type Bulbs, low-pressure sodium vapor (LPS) bulbs, Red or Amber Light-Emitting Diodes (LED) or True Neon light sources;

(4) Replace non-directional fixtures with directional fixtures that point down and away from the beach;

(5) Replace fixtures having transparent or translucent coverings with fixtures having opaque shields covering an arc of at least 180 degrees and extending an appropriate distance below the bottom edge of the fixture on the seaward side so that the light source or any reflective surface of the light fixture is not visible from the beach;

(6) Replace pole lamps with low-profile, low-level luminaries so that the light source or any reflective surface of the light fixture is not visible from the beach;

(7) Replace incandescent, fluorescent, and high intensity lighting with the lowest wattage low-pressure sodium vapor lighting, yellow Bug Type Bulbs, Red or Amber Light-Emitting Diodes (LED) or True Neon light sources possible for the specific application;

(8) Plant or improve vegetation buffers between the light source and the beach to screen light from the beach;

(9) Construct a ground level barrier to shield light sources from the beach. Ground-level barriers must not interfere with marine turtle nesting or hatchling emergence, or cause short- or long-term damage to the beach/dune system;

(10) Permanently remove, disable or lock in off position any fixture which cannot be brought into compliance with the provisions of these standards.

(c) One or more of the following measures shall be taken to reduce or eliminate the negative effects of interior light emanating from doors and windows within line-of-sight of the beach:

(1) Apply window tint or film that meets the standards for tinted glass;

(2) Rearrange lamps and other moveable fixtures away from windows;

(3) Use window treatments (e.g., blinds, curtains) to shield interior lights from the beach;

or

(4) Turn off unnecessary lights.

## 5. New Cases

### **A. Case# 20250056**

**City of St. Pete Beach, v. 5411 Pali Way land Trust Macmillan, Christopher Tre  
Address 5411 Pali Way St. Pete Beach, FL 33706**

#### **Sec. 46-33. - Enumeration.**

The maintaining, using, placing, depositing, leaving or permitting to be or remain on any public or private property of any of the following items, conditions or actions is declared to be and constitutes a nuisance, provided this enumeration shall not be construed as a designation of all nuisances:

(2) Accumulation of trash, litter, debris, garbage, bottles, paper, cans, rags, dead or decayed fish, fowl, meat or other animal matter; fruit, vegetables, offal, bricks, concrete, scrap lumber or other building debris or other refuse of any nature.

(4) Buildings and structures as follows:

a. Any building, dock or other structure which is in such a dilapidated condition that it is unfit for human habitation or use or which is kept in such an insanitary condition that it is a menace to the health of people residing in the vicinity thereof or presents a more than ordinarily dangerous life safety code violation or fire hazard in the vicinity where it is located.

(9) Any accumulation of stagnant water permitted or maintained on any lot, piece of ground or swimming pool.

#### **Sec. 98-64. - General Maintenance**

(a) Nuisances and hazards. Real property shall be maintained free of nuisances and any

hazards to the safety of the occupants, customers or persons utilizing the premises or to pedestrians passing by.

**Sec. 98-65. - Unsightly conditions.**

The following conditions are hereby deemed to be unsightly conditions and are prohibited. The following conditions are prohibited on any real property in the City:

(1) Structures that are:

- a. Partially destroyed; or
- b. Left in a state of disrepair

(3) Building exteriors in a condition of deterioration or disrepair such that the condition causes measurable diminution of surrounding property values.

(4) Property exteriors with trash, litter, debris, packing boxes, lumber, construction material, solid waste, horticulture debris, salvage materials, appliances, machinery, equipment and any furniture, excluding furniture specifically designed for outdoor use. Failure to maintain the premises in a clean, safe and sanitary condition is a violation. The owner and operator shall keep that part of the exterior property subject to its control or occupancy in a clean and sanitary condition.

**Sec. 98-66. - Residential and commercial property maintenance.**

(a) All premises shall be maintained in compliance with the standards in this section.

(b) Standards for improved property.

(3) Windows. a. Every window shall be maintained in sound working condition and good repair to be substantially weather-tight and rodent-proof.

(11) Roofs. Roofs shall be maintained in a structurally sound and safe manner. Roofs shall be repaired using like materials to existing materials.

(14) Overhang extensions. All overhang extensions including, but not limited to, canopies, marquees, signs, metal awnings, fire escapes, standpipes, and exhaust ducts shall be maintained in good repair and properly anchored to remain in sound condition. All exposed surfaces of metal or wood shall be protected from the elements, decay or rust.

(18) Swimming pools. All swimming pools, spas and architectural pools, ponds or bodies of water shall be properly maintained so as not to create a safety hazard or harbor insect infestation. Water shall not be allowed to stagnate or to become polluted. All pools shall be free from unsightly appearance.

(24) Fences and walls. Fences and walls shall be maintained in a safe and structurally sound condition, in good repair with the surface coated or painted. Fences shall be free from loose or rotting materials. Metal fencing shall be free from rust or deterioration.

(c) Litter

(2) Depositing litter. It shall be unlawful to throw, discard, place, drop, or deposit litter in any manner or amount in or upon any real property, highway, street, right-of-way or body of water within the limits of the city, except in such containers specifically provided and designated for the disposal of litter, is a violation. Litter strewn by a pedestrian except at approved and permitted disposal sites is a violation. Litter ejected or discarded from a motor vehicle except at approved and permitted disposal sites is a violation.

(3) Accumulation of litter. Any accumulation of litter in or upon any property, vacant or improved, is deemed a nuisance and is prohibited. Failure to remove the accumulation by the property owner, tenant, occupant, agent, manager or other person who owns, maintains, or controls any premises or portion thereof, whether improved or unimproved, is a violation.

**B. Case# 20250223**

**City of St. Pete Beach v. Johnson, Kathleen M**

**Address: 620 64th Ave. St. Pete Beach, FL 33706**

**Sec. 46-33. - Enumeration.**

The maintaining, using, placing, depositing, leaving or permitting to be or remain on any public or private property of any of the following items, conditions or actions is declared to be and constitutes a nuisance, provided this enumeration shall not be construed as a designation of all nuisances:

(2) Accumulation of trash, litter, debris, garbage, bottles, paper, cans, rags, dead or decayed fish, fowl, meat or other animal matter; fruit, vegetables, offal, bricks, concrete, scrap lumber or other building debris or other refuse of any nature.

(12) Any wornout, scrapped, partially dismantled, nonoperative, unusable or discarded materials or objects, such as automobiles or parts thereof, building materials, machinery, metal, wastepaper, rags, glassware, tinware, vehicles, boats or parts thereof, or other items

of junk.

(13) The storage of any vehicle, whether motorized or nonmotorized, including but not limited to automobiles, trucks, trailers, campers, recreational vehicles, motor homes, boats, boat trailers, or parts thereof, without a valid license plate or valid vehicle or trailer or boat-trailer or other registration certificate, showing the vehicle or part thereof to be titled in the name of the owner or occupier of the property upon which the vehicle or part thereof is located. Failure to have such license or other registration certificate specifically attached to the vehicle or part thereof shall be prima facie evidence that the property is worn out, scrapped, nonoperative, unusable or discarded, as provided in subsection (12) of this section.

**Sec. 98-65. - Unsightly conditions.**

The following conditions are hereby deemed to be unsightly conditions and are prohibited. The following conditions are prohibited on any real property in the City:

(2) Abandoned or broken equipment; broken or discarded furniture and household appliances in visible yard areas.

(4) Property exteriors with trash, litter, debris, packing boxes, lumber, construction material, solid waste, horticulture debris, salvage materials, appliances, machinery, equipment and any furniture, excluding furniture specifically designed for outdoor use. Failure to maintain the premises in a clean, safe and sanitary condition is a violation. The owner and operator shall keep that part of the exterior property subject to its control or occupancy in a clean and sanitary condition.

**Sec. 98-66. - Residential and commercial property maintenance.**

(c) Litter.

(2) Depositing litter. It shall be unlawful to throw, discard, place, drop, or deposit litter in any manner or amount in or upon any real property, highway, street, right-of-way or body of water within the limits of the city, except in such containers specifically provided and designated for the disposal of litter, is a violation. Litter strewn by a pedestrian except at approved and permitted disposal sites is a violation. Litter ejected or discarded from a motor vehicle except at approved and permitted disposal sites is a violation.

(3) Accumulation of litter. Any accumulation of litter in or upon any property, vacant or improved, is deemed a nuisance and is prohibited. Failure to remove the accumulation by the property owner, tenant, occupant, agent, manager or other person who owns, maintains, or controls any premises or portion thereof, whether improved or unimproved, is a violation.

**Sec. 98-67. - Junk vehicle, junk vessels and abandoned property.**

(e) Absence of a current license plate or current registration as prima facie evidence of abandonment. For the purpose of the enforcement of this article, the absence of a current license plate or current registration on a vehicle or boat shall be prima facie evidence that such vehicle or boat is abandoned, junked or discarded. The presence of a current license plate or registration solely shall not, in and of itself, exempt any vehicle or boat from the provisions of this article.

**C. Case# 20250064**

**City of St. Pete Beach v. Donovan, Kenneth Frederick Donovan, Wilma Ann  
Address 820 59th Ave. St. Pete Beach, FL 33706**

**Sec. 23.11. - Parking construction and design requirements.**

(a) General construction requirements.

(1) All driveway and off-street parking areas shall be constructed of asphaltic concrete, concrete, pavers or equal on a properly constructed and compacted base unless an alternative is approved by the city.

**Sec. 23.2. - Residential parking restricted.**

Residential parking restrictions shall apply within the RU-1, RU-2, RLM-1, RLM-2 and RM zoning districts. For the purpose of this section, the term "stored" shall be construed to include parking for a period exceeding 48 hours.

(a) Recreational vehicles. No recreational vehicle, as defined in Division 2, shall be used for living, sleeping or housekeeping purposes. Such vehicles may be stored in accordance with the following:

(2) No more than one recreational vehicle may be stored in a front yard, provided that such vehicle is located as follows:

a. On an improved surface

**Sec. 46-33. - Enumeration.**

The maintaining, using, placing, depositing, leaving or permitting to be or remain on any public or private property of any of the following items, conditions or actions is declared to be and constitutes a nuisance, provided this enumeration shall not be construed as a designation of all nuisances:

(2) Accumulation of trash, litter, debris, garbage, bottles, paper, cans, rags, dead or decayed fish, fowl, meat or other animal matter; fruit, vegetables, offal, bricks, concrete, scrap lumber or other building debris or other refuse of any nature.

(12) Any wornout, scrapped, partially dismantled, nonoperative, unusable or discarded materials or objects, such as automobiles or parts thereof, building materials, machinery, metal, wastepaper, rags, glassware, tinware, vehicles, boats or parts thereof, or other items of junk.

(13) The storage of any vehicle, whether motorized or nonmotorized, including but not limited to automobiles, trucks, trailers, campers, recreational vehicles, motor homes, boats, boat trailers, or parts thereof, without a valid license plate or valid vehicle or trailer or boat-trailer or other registration certificate, showing the vehicle or part thereof to be titled in the name of the owner or occupier of the property upon which the vehicle or part thereof is located. Failure to have such license or other registration certificate specifically attached to the vehicle or part thereof shall be prima facie evidence that the property is worn out, scrapped, nonoperative, unusable or discarded, as provided in subsection (12) of this section.

**Sec. 98-65. - Unsightly conditions.**

The following conditions are hereby deemed to be unsightly conditions and are prohibited. The following conditions are prohibited on any real property in the City:

(1) Structures that are:

- a. Partially destroyed; or
- b. Left in a state of disrepair

(4) Property exteriors with trash, litter, debris, packing boxes, lumber, construction material, solid waste, horticulture debris, salvage materials, appliances, machinery, equipment and any furniture, excluding furniture specifically designed for outdoor use. Failure to maintain the premises in a clean, safe and sanitary condition is a violation. The owner and operator shall keep that part of the exterior property subject to its control or occupancy in a clean and sanitary condition.

**Sec. 98-66. - Residential and commercial property maintenance.**

a) All premises shall be maintained in compliance with the standards in this section.

(b) Standards for improved property.

(24) Fences and walls. Fences and walls shall be maintained in a safe and structurally sound condition, in good repair with the surface coated or painted. Fences shall be free from loose or rotting materials. Metal fencing shall be free from rust or deterioration.

(c) Litter

(2) Depositing litter. It shall be unlawful to throw, discard, place, drop, or deposit litter in any manner or amount in or upon any real property, highway, street, right-of-way or body of water within the limits of the city, except in such containers specifically provided and designated for the disposal of litter, is a violation. Litter strewn by a pedestrian except at approved and permitted disposal sites is a violation. Litter ejected or discarded from a motor vehicle except at approved and permitted disposal sites is a violation.

(3) Accumulation of litter. Any accumulation of litter in or upon any property, vacant or improved, is deemed a nuisance and is prohibited. Failure to remove the accumulation by the property owner, tenant, occupant, agent, manager or other person who owns, maintains, or controls any premises or portion thereof, whether improved or unimproved, is a violation.

(e) Outdoor storage. Outside storage of materials and equipment shall be restricted to the rear yard area and screened by an opaque fence or hedge so that such materials are not visible from any public right-of-way or adjoining lot.

**D. Case# 20250224**

**City of St. Pete Beach v. Develop St Pete LLC**

**Address: 8090 Gulf Blvd St. Pete Beach, FL 33706**

**Sec. 46-33. - Enumeration.**

The maintaining, using, placing, depositing, leaving or permitting to be or remain on any public or private property of any of the following items, conditions or actions is declared to be and constitutes a nuisance, provided this enumeration shall not be construed as a

designation of all nuisances:

(2) Accumulation of trash, litter, debris, garbage, bottles, paper, cans, rags, dead or decayed fish, fowl, meat or other animal matter; fruit, vegetables, offal, bricks, concrete, scrap lumber or other building debris or other refuse of any nature.

**Sec. 98-65. - Unsightly conditions.**

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**Sec. 98-66. - Residential and commercial property maintenance.**

(c) Litter.

(2) Depositing litter. It shall be unlawful to throw, discard, place, drop, or deposit litter in any manner or amount in or upon any real property, highway, street, right-of-way or body of water within the limits of the city, except in such containers specifically provided and designated for the disposal of litter, is a violation. Litter strewn by a pedestrian except at approved and permitted disposal sites is a violation. Litter ejected or discarded from a motor vehicle except at approved and permitted disposal sites is a violation.

(3) Accumulation of litter. Any accumulation of litter in or upon any property, vacant or improved, is deemed a nuisance and is prohibited. Failure to remove the accumulation by the property owner, tenant, occupant, agent, manager or other person who owns, maintains, or controls any premises or portion thereof, whether improved or unimproved, is a violation.

**E. Case # 20250139**

**City of St. Pete Beach, v. Moosapanah Mielad**

**Address: 406 72nd Ave**

**Sec. 46-33 - Enumeration.**

The maintaining, using, placing, depositing, leaving or permitting to be or remain on any public or private property of any of the following items, conditions or actions is declared to be and constitutes a nuisance, provided this enumeration shall not be construed as a designation of all nuisances:

(1) Vegetation as follows:

b. Dead branches or fronds on trees or shrubs.

**Sec. 98-66. - Residential and commercial property maintenance.**

(a) All premises shall be maintained in compliance with the standards in this section.

(b) Standards for improved property.

(22) Trees shall be maintained or removed as follows:

a. Hazardous trees. Dead, dying, damaged or diseased trees are prohibited. A finding by a registered forester or certified arborist employed by the city that a tree is in danger of falling upon an adjacent lot or street due to death, disease or damage, including damage caused by weather conditions, is prima facie evidence of a violation of this section.

b. Prohibited conditions. The following conditions are prohibited:

2. Grass, weeds, shrubs, bushes, trees or vegetation which constitute a fire hazard or a menace to public health, safety or welfare.

**F. Case# 20250173**

**City of St. Pete Beach v. Blind Pass Properties III LLC**

**Address: 420 77th Ave**

**Sec. 98-64. - General Maintenance**

(a) Nuisances and hazards. Real property shall be maintained free of nuisances and any hazards to the safety of the occupants, customers or persons utilizing the premises or to pedestrians passing by.

**Sec. 98-65. - Unsightly conditions.**

(4) Property exteriors with trash, litter, debris, packing boxes, lumber, construction material, solid waste, horticulture debris, salvage materials, appliances, machinery, equipment and any furniture, excluding furniture specifically designed for outdoor use. Failure to maintain the premises in a clean, safe and sanitary condition is a violation. The

owner and operator shall keep that part of the exterior property subject to its control or occupancy in a clean and sanitary condition.

**Sec. 98-66. - Residential and commercial property maintenance.**

(20) Grass, weeds and uncultivated vegetation. All grasses or weeds, and uncultivated vegetation, shall not exceed ten inches in height on improved property, including the area between the edge of the pavement in the street and the lot line.

(22) Trees shall be maintained or removed as follows:

a. Hazardous trees. Dead, dying, damaged or diseased trees are prohibited. A finding by a registered forester or certified arborist employed by the city that a tree is in danger of falling upon an adjacent lot or street due to death, disease or damage, including damage caused by weather conditions, is prima facie evidence of a violation of this section.

b. Prohibited conditions. The following conditions are prohibited:

2. Grass, weeds, shrubs, bushes, trees or vegetation which constitute a fire hazard or a menace to public health, safety or welfare.

6. Cases Complied -
7. Old Cases
8. Lien Reductions
9. Next Meeting:
10. Adjournment -

**APPEAL: Florida Statutes Chapter 286.0105 Notices of meetings and hearings must advise that a record is required to appeal.** Each board, commission, or agency of this state or of any political subdivision thereof shall include in the notice of any meeting or hearing, if notice of the meeting or hearing is required, of such board, commission, or agency, conspicuously on such notice, the advice that, if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may 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 based.

**AMERICANS WITH DISABILITIES ACT: Florida Statutes 286.26. Accessibility of public meetings to the physically handicapped.** In accordance with the Americans with Disabilities Act and Florida Statutes, persons needing special accommodations to participate in a meeting should contact City Hall at (727) 367-2735 no later than forty-eight (48) hours prior to the meeting for assistance.

**CODE OF ORDINANCES, SECTION 1-15: Award of attorney's fees and other costs.** In all instances where a lawsuit is instituted or defended on behalf of the city to enforce any provision of the Code of Ordinances, to collect fees, liens, assessments or fines, or otherwise secure compliance with any provision of the Code of Ordinances, the city shall be entitled to recover all costs incurred, including reasonable attorney's fees and court costs through the trial and appellate levels. This section shall apply to all instances where the city is required to defend an appeal from any order, notice or determination by the city or its officials.

**For meetings that require materials to be submitted, the deadline to submit materials to the City is a minimum of 24 business hours in advance of the meeting. Materials including electronic media are to be submitted to [cityclerk@stpetebeach.org](mailto:cityclerk@stpetebeach.org). The Clerk's Office will then scan the agenda packet with the new documents and repost on the website for transparency purposes.**

**All agenda material is available for review at City Hall.**