



COMMISSION MEETING CITY OF ST. PETE BEACH

155 Corey Avenue

Tuesday, January 24, 2012

6:00 PM

Call to Order
Pledge of Allegiance
Invocation
Roll Call

REGULAR MEETING

1. **Changes to the Agenda** - Any agenda items to be added, moved, or deleted will be addressed at this time. Added items will be assigned agenda item numbers and moved items should remain with the same item numbers. Notation will be made that those items will be taken out of order. Consent items may be removed for discussion, changes, and/or anticipation of a non-unanimous vote and considered separately on the request of anyone on the Commission or by a majority vote of the City Commission upon request of an audience member.
2. **Presentations** - Presentations shall be limited to 5 minutes for non-city government related items. –**None for this agenda**
3. **Audience Comments** - Comments shall be limited to 3 minutes per person to issues not on the agenda.
4. **Consent**
 - a. **Approval of minutes for the City Commission Regular Meeting of January 10, 2012.**
 - b. **Authorize the City Manager to hang banners over 75th Avenue at Boca Ciega Drive and over the Pinellas Bayway at Granada Avenue for Corey Area Business Association 2012 Events.**

- c. Approve the request from Corey Area Business Association to close the 400 block of Corey Ave on the second and fourth Fridays of the month for their Sunset Celebration events in 2012.**
- d. Authorization for the City Manager to enter into an agreement with the Property Appraiser of Pinellas County, Florida for a non-ad valorem assessment.**
- e. Authorize the City Manager to accept a proposal from AEI Construction in the amount of \$12,796.00 for roof structure replacement at Egan Park.**

5. Action Items – None for this agenda

6. Ordinances

- a. Ordinance 2011-42, Final Reading and Public Hearing, providing for amendments to Division 26 of the Land Development Code as it relates to signage; providing for amendments to the definitions; providing for sign regulations for the TC-2, DCR, UPV, BHC, BR, AC, CC-1, and CC-2 zoning districts; providing for severability; providing for the repeal of ordinances or parts of ordinances in conflict herewith to the extent of such conflict; and providing for an effective date.**
- b. Ordinance 2012-01, Final Reading and Public Hearing, an ordinance of the City of St. Pete Beach providing a supplemental appropriation to the general, wastewater, stormwater and capital project funds for fiscal year ending September 30, 2012; providing for funding and providing for an effective date.**
- c. Ordinance 2012-02, Final Reading and Public Hearing, providing for amendments to the code of ordinances as they relate to the special magistrate; Amending Chapter 22, Article IX of the code providing for special magistrate supplemental code enforcement rules and procedures; providing the repeal of ordinances or parts of ordinances in conflict herewith to the extent of such conflict; Providing for severability; and providing for an effective date.**
- d. Ordinance 2012-03, First Reading and Public Hearing, providing for amendments to Appendix A of the Code of Ordinances as it relates to fees; Pertaining to fees for applications for development, wastewater, and fire applications and services, as well as for cost recovery for providing public records; providing for the repeal**

of ordinances or parts of ordinances in conflict herewith to the extent of such conflict, providing for severability and providing for an effective date.

7. Resolutions – None for this agenda

8. Items for Discussion – None for this agenda

**9. City Manager, City Attorney and City Commission Reports
a. Department Quarterly Reports – online version only**

10. Adjournment

APPEAL

If a person decides to appeal any decision made at this meeting, they will need a record of the proceeding and, for such purpose, may need to ensure that a verbatim record of the meeting is made, which record includes the testimony and evidence upon which the appeal is to be based. (F.S. 286.0105) The City does not furnish verbatim transcripts; interested parties should make the necessary arrangements for verbatim transcripts.

AMERICAN DISABILITIES ACT

In Accordance with the American's with Disabilities Act and F.S. 286.26, persons with disabilities needing special accommodations to participate in this meeting should contact City Hall at (727) 367-2735 no later than (4) days prior to the meeting for assistance.

The public is cordially invited to attend. All agenda material is available for review at City Hall.

CITY COMMISSION MEETING

MINUTES

January 10, 2012

6:00 p.m.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

PRESENT:

Steve McFarlin, Mayor
Beverly Garnett, Vice Mayor
Al Halpern, Commissioner
Jim Parent, Commissioner
Marvin Shavlan, Commissioner

ALSO PRESENT:

Mike Bonfield, City Manager
Susan Churuti, City Attorney
Rebecca C. Haynes, City Clerk
Steve Hallock, Director of Public Services
Catherine Hartley, Senior Planner
Elaine Edmunds, Finance Director

1. Changes to the Agenda

Mayor McFarlin asked that discussion of signs for the Sunday Market at the Community Center be added as Item 8(a) on the agenda.

2. Presentations

There were no presentations.

3. Audience Comments

Richard Miranda, 3999 Moody Street, asked about the use of pension funds by the City.

4. Consent

- a. Approval of minutes for the City Commission Attorney-Client Session of November 2, 2011; the City Commission Special Meeting of December 13, 2011; and the City Commission Regular Meeting of December 13, 2011
- b. Authorize the City Manager to purchase three 2012 Ford Police Utility Vehicles in the amount of \$95,073.00 from Duval Ford
- c. Authorization for the City Manager to approve the payment of \$10,150.00 for the yearly maintenance costs to Environmental Systems Research Institute, Inc. (ESRI) for the Arc GIS products
- d. Authorization for the City Manager to enter into an agreement with Meter Products Inc., for the purchase of 150 refurbished coin-operated parking meters and related mounting hardware in the amount of \$24,425.00
- e. Authorization for the Mayor to enter into an agreement with the Florida Department of Law Enforcement accepting an Edward Byrne Memorial, non-matching, U.S. Department of Justice Assistance Grant in the amount of \$4,441.00
- f. Authorize the City Manager to enter into a purchase agreement with L.S. Curb Service in the amount of \$17,879.25 for drainage improvement at 93rd Ave
- g. Authorize the City Manager to expend \$13,500.00 to Oracle Elevator to replace the cylinder on the Police Department Building elevator
- h. Approve a request from Pass-a-Grille Community Association to close 8th Avenue at noon and to serve alcohol within the public right-of-way from 4 p.m. to 12 a.m. on January 21, 2012

Vice Mayor Garnett requested Item 4(h) be amended to read "...from 12:00 a.m., midnight, on January 20, 2012 to 12:00 a.m., midnight, on January 21, 2012."

Commissioner Shavlan moved to approve the Consent Agenda, as amended. The motion was seconded by Commissioner Parent and unanimously approved by roll call vote.

5. Action Items

- a. Authorize the City Manager to enter into an agreement with Progress Energy for the installation of two (2) car charging stations near Horan Park

Steve Hallock, Director of Public Services, presented the staff report and project details. The Federal Government has granted funds and Progress Energy will provide two car charging stations for the City. Corey Avenue and City Hall were considered for charging stations, but technical specifications posed problems with both locations.

Horan Park was then considered and currently has one panel installed. There is no charge for the stations and the electricity charge will be offset by the recent installation of solar power units. Federal grant funding will not allow the City to charge for the electricity for the first two years; after two years, the City will have ownership and may consider charging consumers.

Vice Mayor Garnett stated the stations are a great idea.

Mayor McFarlin asked if anyone will incur costs and the answer was not for the first two years; subsequent to that, a user fee may be added to recoup electricity charges.

Commissioner Parent noted Walgreens has a car charging station. He asked about installing a station along the side of City Hall where the A/C units are located, and Mr. Hallock responded that the engineers and electricians from Progress Energy noted the City Hall site was not suitable.

Commissioner Halpern noted Tampa Bay Regional Planning Council just installed a station three weeks ago.

Commissioner Shavlan wanted staff to review locations and look at City Hall again. Commissioner Parent agreed.

In the future, if a problem arises, the City could pass an ordinance to limit parking spaces to electric cars.

Commissioner Parent moved to authorize the City Manager to enter into an agreement with Progress Energy for the installation of two (2) car charging stations near Horan Park. The motion was seconded by Commissioner Shavlan and approved by a unanimous roll call vote.

b. Authorize the City Manager to enter into a purchase agreement with Gator Grading and Paving for \$412,736.00 for Street CIP projects. Public Services Director Hallock presented the details, noting that funds have been set aside based upon outside inspection and rating criteria. Three bids were received and they were lower than projected.

Commissioner Shavlan moved to authorize the City Manager to enter into a purchase agreement with Gator Grading & Paving for \$412,736.00 for Street CIP projects. The motion was seconded by Vice Mayor Garnett and approved by a unanimous roll call vote.

6. Ordinances

a. Ordinance 2011-42, First Reading and Public Hearing, amending Division 26 of the Land Development Code as it relates to signage; providing for amendment to the Definitions; providing for sign regulations for the TC-2, DCR, UPV, BHC, BR, AC, CC-1, and CC-2 Zoning Districts

City Manager Bonfield listed the order of adopting the various Land Development Code amendments.

Senior Planner Catherine Hartley gave the staff report.

Mayor McFarlin asked if the changes become effective immediately after adoption or if there is a waiting period. Ms. Hartley responded that the changes are effectively immediately.

Commissioner Parent asked about changing the definition of shopping center.

Vice Mayor Garnett asked if “temporary holiday decorations” and “inflatable” could be combined some way.

City Manager Bonfield has asked staff to review all sign related issues and will return to the Commission in approximately one month.

b. Ordinance 2012-01, First Reading and Public Hearing, an Ordinance of the City of St. Pete Beach, Florida providing a supplemental appropriation to the general, wastewater, stormwater and capital project funds for fiscal year ending September 30, 2012; providing for funding and providing for an effective date

City Manager Bonfield explained that this routine procedure transfers funds allocated but not encumbered in the previous budget year into the current year budget.

Commissioner Halpern moved to approve Ordinance 2012-01, an Ordinance of the City of St. Pete Beach, Florida, providing a supplemental appropriation to the general, wastewater, stormwater and capital project funds for fiscal year ending September 30, 2012; providing for funding and providing for an effective date. The motion was seconded by Commissioner Shavlan.

Mayor McFarlin asked for audience comments. Hearing none, he asked for a roll call vote.

The motion was approved by a unanimous roll call vote.

c. Ordinance 2012-02, First Reading and Public Hearing, providing for amendments to the Code of Ordinances as they relate to the Special Magistrate; amending Chapter 22, Article IX of the Code providing for Special Magistrate Supplemental Code Enforcement Rules and Procedures

City Manager Bonfield explained that this ordinance will align our procedures with the practices used in Pinellas County.

Commissioner Parent asked for clarification of the last sentence of paragraph (g) on page 134.

Vice Mayor Garnett raised a question regarding a specific property on 28th Avenue which is currently in litigation.

Commissioner Halpern moved to approve Ordinance 2012-02, an Ordinance of the City of St. Pete Beach, Florida, providing for amendments to the code of ordinances as they relate to the special magistrate; amending Chapter 22, Article IX of the Code Enforcement Rules and Procedures; providing for the repeal of ordinances or parts of ordinances in conflict herewith to the extent of such conflict; providing for severability; and providing for an effective date. The motion was seconded by Vice Mayor Garnett.

Mayor McFarlin asked for audience comments.

Deborah Schechner, 710 Boca Ciega Isle Drive, asked if this ordinance was going to address crime in the Corey Avenue area.

Richard Miranda, 3999 Moody Street, asked how a permit can be issued when there are outstanding fines against the property.

Hearing no further comments from the audience, the Mayor asked for a roll call vote.

The motion was approved by a unanimous roll call vote.

7. Resolutions

There were no resolutions.

8. Items for Discussion

a. Sunday Market

Mayor McFarlin spoke about signs along 75th Avenue advertising the Sunday Market. He believes it is a weekend code enforcement issue and should be addressed. He discussed merchants who sub-lease tables at the Sunday Market.

Vice Mayor Garnett stated that she believes it best to let the organizations work out any issues between them.

City Manager Bonfield addressed the sign regulations previously allowed by the City and stated that the market is a City event.

9. City Manager, City Attorney and City Commission Reports

City Manager Bonfield reminded everyone of the "Candidate's Forum" on Thursday, January 12th, at 7:00 p.m. sponsored by the League of Women Voters, and that early voting will be held January 21 through January 28, 2012 at all Supervisor of Elections offices.

Mr. Bonfield then outlined the upcoming events at the St. Pete Beach Classic.

City Attorney Susan Churuti reported on the status of the Anderson case which is scheduled for hearing on March 22, 2012. Ms. Churuti noted that the City was served with a Board of Adjustment appeal, Ruttencutter v. City of St. Pete Beach.

Vice Mayor Garnett thanked everybody who helped take down the holiday lights. She noted that she will not hold a February 7th meeting with residents. Lastly, Ms. Garnett reported that the Pass-a-Grille Community Association will sponsor the "Lights On 8th" celebration on January 21 beginning at 4:00 p.m.

Commissioner Shavlan reported that there is a Lido Homeowners' Association Meeting on January 19th at 6:00 p.m. He also reminded residents that traffic will be restricted on Saturday and Sunday due to the St. Pete Beach Classic.

Commissioner Jim Parent reported that the Recreation Department is offering pool passes at half price through the month of January, and is hosting a free "Quit Smoking Now" seminar which begins January 23rd and runs for six weeks. He noted that the Community Yard Sale is scheduled for January 21st at the Community Center. Mr. Parent reported that the Library is holding an educational session on Saturday at 10:30 a.m. to help patrons with their "E" readers. Commissioner Parent noted he will not hold his "roundtable" this month, the Pinellas County Economic Development Program has a free business assistance program through the St. Petersburg Chamber of Commerce and that Pinellas County government has a downloadable program that allows the user to report infrastructure problems and code violations which are distributed to appropriate jurisdictions.

Commissioner Halpern reminded everyone to renew their parking passes.

Mayor McFarlin reminded everyone that the City will host many guests during the upcoming weekend and we should give them the "red carpet" treatment.

10. Adjournment

There being no further business to come before the Commission, the meeting was adjourned at 7:30 p.m.

Attest:

Rebecca C. Haynes, City Clerk

Steve McFarlin, Mayor

Minutes approved on: _____

St. Pete Beach City Commission
Agenda Report

Issue Considered: Authorize the City Manager to hang banners over 75th Avenue at Boca Ciega Drive and over the Pinellas Bayway at Granada Avenue for Corey Area Business Association 2012 Events.

Date: January 24, 2012

Prepared By: Connie Kest, Administrative Service Assistant

Thru: Steven J. Hallock, Public Services Director

Summary of Issue: The Corey Area Merchants Association request permission to have banners erected over 75th Avenue and the Pinellas Bayway announcing their 2012 Events. The City Commission must approve the request prior to receiving permission from FDOT to erect the banners. If approved, the banners will be installed / removed as follows:

- Sidewalk Sale (Installation 03/02/12, Removal 03/12/12)
- Arts & Crafts Show (Installation 03/23/2012, Removal 04/02/2012)
- Arts & Crafts Show (Installation 05/25/2012, Removal 06/05/2012)
- Xmas In July (Installation 07/07/2012, Removal 07/16/2012)
- Sidewalk Sale (Installation 11/02/2012, Removal 11/12/2012)
- Arts & Crafts Show (Installation 11/26/2012, Removal 12/03/2012)

The Public Services Department charges \$184.00 for each banner installed at each location.

Requested Motion: "I move to authorize the City Manager to hang banners over 75th Avenue at Boca Ciega Drive and over the Pinellas Bayway at Granada Avenue for Corey Area Business Association 2012 Events."

Attachments: Applications

Reviewed by
City Manager: _____

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
APPLICATION TO PLACE BANNERS ON NON LIMITED ACCESS
RIGHT OF WAY

APPLICANT INFORMATION

Name of Applicant/Organization: Cory Ave Business Assn
Address: 342 Cory Ave St. Pete Crk 33706
Telephone #: 727 367-7409 Fax #: 727 360 4132 E-Mail: JOSTERNEIC@aol.com
Contact person (This person will serve as the contact person for all questions concerning the banner application and placement): John R. Osterneier
Address (if different from above):
Telephone #: 727 367 7409 Fax #: 727 360 4132 E-Mail: JOSTERNEIC@aol.com
Date of Request: 12/13/11

LOCATION AND DISPLAY PERIOD

This is a request to place ☒ pole banners ☐ street banners ☐ on the right of way of:

Highway name & number: 25th Ave. & 1st Ave. Clearwater (SR 693)

From (south or west limits): 0.096 To (north or east limits):

Highway name & number: Pinehills Bayway & Grovada (SR 693)

From (south or west limits): 0.071 To (north or east limits):

Highway name & number:

From (south or west limits): To (north or east limits):

Highway name & number:

From (south or west limits): To (north or east limits):

Projected installation date: 2/24/2012 3/2/2012

Banners will be removed on or before (if applicable): 3/2/2012

Signature of Applicant or Contact Person: [Signature] Date: 12/13/11

LOCAL GOVERNMENTAL ENTITY APPROVAL

Name of Local Governmental Entity:

Name of signing official (please print):

Telephone #: Fax #: E-Mail:

Signature of local official: Date:

CONDITIONS AND STIPULATIONS AGREED TO BY THE APPLICANT

1. Pole banners must be at least 14 1/2 feet above the pavement elevation. Street banners must be a minimum of eighteen (18) feet above the pavement elevation.
2. Pole banners will clear the face of the curb (if present) by at least two (2) feet.
3. The applicant (or applicant's designee) will maintain the banners as permitted.
4. The installation of the banners will not require the installation of poles or other support devices on the right of way.
5. The applicant and sponsoring organization will hold the Florida Department of Transportation harmless to the extent allowed by the laws of Florida in all matters concerning the banners and bear all expenses for defense of claims against the Florida Department of Transportation.
6. The applicant is responsible for any damages to public property resulting from the materials or the work of this permit.
7. A sketch of the proposed banners is attached.
8. View of traffic control devices is not impeded to those served by the erection of these permitted banners.

Signature of District Permits Engineer (or designee): Date:

Corey Ave Silenark Sale ~~3/17~~ -3/10

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
**APPLICATION TO PLACE BANNERS ON NON LIMITED ACCESS
 RIGHT OF WAY**

FOR FDOT USE ONLY

Permit No.:

APPLICANT INFORMATION

Name of Applicant/Organization: Cory Area Bus. Assn
 Address: 342 Cory Ave SPB 33706
 Telephone #: 727 367-7409 Fax #: 727 360 4132 E-Mail: JOSTERNIC@aol.com
 Contact person (This person will serve as the contact person for all questions concerning the banner application and placement): John R. Ostermeier
 Address (if different from above):
 Telephone #: 727 367 7409 Fax #: 727 360 4132 E-Mail: JOSTERNIC@aol.com
 Date of Request: 12/17/11

LOCATION AND DISPLAY PERIOD

This is a request to place ☒ pole banners ☐ street banners ☐ on the right of way of:

Highway name & number: 25th Ave. & Boca Ciega Dr. (SR 693)
 From (south or west limits): 0.096 To (north or east limits):

Highway name & number: Pineles Bayway & Grenada (SR 685)
 From (south or west limits): 0.375 To (north or east limits):

Highway name & number:
 From (south or west limits): To (north or east limits):

Highway name & number:
 From (south or west limits): To (north or east limits):

Projected installation date: Mar 25 - 2012 ✓

Banners will be removed on or before (if applicable): Apr 2nd 2012 ✓

Signature of Applicant or Contact Person: [Signature] Date: 12/13/11

LOCAL GOVERNMENTAL ENTITY APPROVAL

Name of Local Governmental Entity:

Name of signing official (please print):

Telephone #: Fax #: E-Mail:

Signature of local official: Date:

CONDITIONS AND STIPULATIONS AGREED TO BY THE APPLICANT

1. Pole banners must be at least 14 ½ feet above the pavement elevation. Street banners must be a minimum of eighteen (18) feet above the pavement elevation.
2. Pole banners will clear the face of the curb (if present) by at least two (2) feet.
3. The applicant (or applicant's designee) will maintain the banners as permitted.
4. The installation of the banners will not require the installation of poles or other support devices on the right of way.
5. The applicant and sponsoring organization will hold the Florida Department of Transportation harmless to the extent allowed by the laws of Florida in all matters concerning the banners and bear all expenses for defense of claims against the Florida Department of Transportation.
6. The applicant is responsible for any damages to public property resulting from the materials or the work of this permit.
7. A sketch of the proposed banners is attached.
8. View of traffic control devices is not impeded to those served by the erection of these permitted banners.

Signature of District Permits Engineer (or designee): Date:

Corey Ave Ant + Craft Show 3/31 - 4/1

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
**APPLICATION TO PLACE BANNERS ON NON LIMITED ACCESS
 RIGHT OF WAY**

Form 10-1
 DATE: 11/19/2008 12:11:19 PM
 Page 1 of 2

FOR FDOT USE ONLY
 Permit No.:

APPLICANT INFORMATION

Name of Applicant/Organization: Cory Arca BARR ASSN.
 Address: 342 Cory Ave SFB 33706
 Telephone #: 787 367-7409 Fax #: 787 360 4072 E-Mail: JOSTERNIEC@AOL.COM
 Contact person (This person will serve as the contact person for all questions concerning the banner application and placement): John R. Ostermeier
 Address (if different from above):
 Telephone #: 787 367-7409 Fax #: 787 360 4072 E-Mail: JOSTERNIEC@AOL.COM
 Date of Request: 12/31/11

LOCATION AND DISPLAY PERIOD

This is a request to place ☒ pole banners ☐ street banners ☐ on the right of way of:

Highway name & number: 75th Avenue and Boca Ciega Dr (SR 633)

From (south or west limits): 0.096

To (north or east limits):

Highway name & number: Pinellas Bayway & Granada (SR 682)

From (south or west limits): 0.975

To (north or east limits):

Highway name & number:

From (south or west limits):

To (north or east limits):

Highway name & number:

From (south or west limits):

To (north or east limits):

Projected installation date: May 25 - 2012 ✓

Banners will be removed on or before (if applicable): June 5 2012 ✓

LOCAL GOVERNMENT APPROVAL

Name of Local Government:

Name of signing official (please print):

Telephone #:

Fax #:

E-Mail:

Signature of local official:

Date:

CONDITIONS AND STIPULATIONS AGREED TO BY THE APPLICANT

1. The banners will be at least nine (9) feet above the ground or curb; ten (10) feet above the sidewalk; and, in the case of street banners, eighteen (18) feet over the highway.
2. Pole banners will clear the face of the curb (if present) by at least two (2) feet.
3. The applicant (or applicant's designee) will maintain the banners as permitted.
4. The installation of the banners will not require the installation of poles or other support devices on the right of way.
5. The applicant and sponsoring organization will hold the Florida Department of Transportation harmless to the extent allowed by the laws of Florida in all matters concerning the banners.
6. The applicant is responsible for any damages to public property resulting from the materials or the work of this permit.
7. A sketch of the proposed banners is attached.
8. View of traffic control devices is not impeded to those served by the erection of these permitted banners.

Signature of District Permits
 Engineer (or designee):

Date:

Dancer Sketch

Cory Port & Craft Show June 2-3 -

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
**APPLICATION TO PLACE BANNERS (ON NON LIMITED ACCESS
 RIGHT OF WAY)**

FD-302 (Rev. 1-1-96)
 Page 1 of 2

FOR POST USE ONLY
 Permit No. _____

APPLICANT INFORMATION

Name of Applicant/Organization: Cory Area Buss. Assn
 Address: 342 Cory Ave SPB 33706
 Telephone #: 727 367-7409 Fax #: 727 3604132 E-Mail: JOSTERNEIC@AOL.COM
 Contact person (this person will serve as the contact person for all questions concerning the banner application and placement): John R Osterneier
 Address (if different from above): _____
 Telephone #: 727 367-7409 Fax #: 727 3604132 E-Mail: JOSTERNEIC@AOL.COM
 Date of Request: 12/10/11

LOCATION AND DISPLAY PERIOD

This is a request to place ☐ pole banners ☐ street banners ☐ in the right of way of:
 Highway name & number: 75th Avenue and Boca Ciega Dr (SR 913)
 From (south or west limits): 0.090 To (north or east limits): _____
 Highway name & number: Pineles Bayway & Granada (SR 882)
 From (south or west limits): 0.875 To (north or east limits): _____
 Highway name & number: _____
 From (south or west limits): _____ To (north or east limits): _____
 Highway name & number: _____
 From (south or west limits): _____ To (north or east limits): _____
 Projected installation date: July 7, 2012 ✓
 Banners will be removed on or before (if applicable): 7/16/2012 ✓

LOCAL GOVERNMENT APPROVAL

Name of Local Government: _____
 Name of signing official (please print): _____
 Telephone #: _____ Fax #: _____ E-Mail: _____
 Signature of local official: _____ Date: _____

CONDITIONS AND STIPULATIONS AGREED TO BY THE APPLICANT

1. The banners will be at least nine (9) feet above the ground or curb; ten (10) feet above the sidewalk; and, in the case of street banners, eighteen (18) feet over the highway.
2. Pole banners will clear the face of the curb (if present) by at least two (2) feet.
3. The applicant (or applicant's designee) will maintain the banners as permitted.
4. The installation of the banners will not require the installation of poles or other support devices on the right of way.
5. The applicant and sponsoring organization will hold the Florida Department of Transportation harmless to the extent allowed by the laws of Florida in all matters concerning the banners.
6. The applicant is responsible for any damages to public property resulting from the materials or the work of this permit.
7. A sketch of the proposed banners is attached.
8. View of traffic control devices is not impeded to those served by the erection of these permitted banners.

Signature of District Permit Engineer (or designee): _____ Date: _____

Danner Sketch

Xmas in July - 7/12 - 14

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
APPLICATION TO PLACE BANNERS ON NON LIMITED ACCESS
RIGHT OF WAY

FLORIDA
STATE DEPARTMENT OF TRANSPORTATION
Page 1 of 2

FOR POST USE ONLY
Form No. 1

APPLICANT INFORMATION

Name of Applicant/Organization: Corey Arts Buss. Assoc.

Address: 342 Corey Ave / SPB

Telephone #: 727-367-7409 Fax #: 727-360-4172 E-Mail: JUSTERANCE@AOL.COM

Contact person (This person will serve as the contact person for all questions concerning the banner application and placement): John R. Ostermann

Address (if different from above):

Telephone #: 727-367-7409 Fax #: 727-360-4172 E-Mail: JUSTERANCE@AOL.COM

Date of Request: 12/13/12

LOCATION AND DISPLAY PERIOD

This is a request to place ☐ pole banners ☐ street banners ☐ on the right of way of:

Highway name & number: 75th Avenue and Boca Ciega Dr (SR 603)

From (south or west limits): 0.096

To (north or east limits):

Highway name & number: Pineles Bayway & Granada (SR 602)

From (south or west limits): 0.975

To (north or east limits):

Highway name & number:

From (south or west limits):

To (north or east limits):

Highway name & number:

From (south or west limits):

To (north or east limits):

Projected installation date: NOV 1 - 2012 ✓

Banners will be removed on or before (if applicable): NOV 1 - 2012 ✓

LOCAL GOVERNMENT APPROVAL

Name of Local Government:

Name of signing official (please print):

Telephone #:

Fax #:

E-Mail:

Signature of local official:

Date:

CONDITIONS AND STIPULATIONS AGREED TO BY THE APPLICANT

1. The banners will be at least nine (9) feet above the ground or curb; ten (10) feet above the sidewalk; and, in the case of street banners, eighteen (18) feet over the highway.
2. Pole banners will clear the face of the curb (if present) by at least two (2) feet.
3. The applicant (or applicant's designee) will maintain the banners as permitted.
4. The installation of the banners will not require the installation of poles or other support devices on the right of way.
5. The applicant and sponsoring organization will hold the Florida Department of Transportation harmless to the extent allowed by the laws of Florida in all matters concerning the banners.
6. The applicant is responsible for any damages to public property resulting from the materials or the work of this permit.
7. A sketch of the proposed banners is attached.
8. View of traffic control devices is not impeded to those served by the erection of these permitted banners.

Signature of District Permits
Engineer (or designee):

Date:

Banner Sketch

Covey Ave Sidewalk Sale Nov 7-10

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
**APPLICATION TO PLACE BANNERS ON NON LIMITED ACCESS
 RIGHT OF WAY**

FD-167 (Rev. 12-1-00)
 Page 1 of 2

FOR POST USE ONLY
 Permit No.

APPLICANT INFORMATION

Name of Applicant/Organization: Carey Area March Assn (Arts & Crafts Show)
 Address: 342 Carey Ave SEB
 Telephone #: 727-367-7409 Fax #: 727-367-4132 E-Mail: Joster.nrc@aol.com
 Contact person (This person will serve as the contact person for all questions concerning the banner application and placement): John R. Ostermiller
 Address (if different from above):
 Telephone #: 727-367-7409 Fax #: 727-367-4132 E-Mail: Joster.nrc@aol.com
 Date of Request: 12/13/11

LOCATION AND DISPLAY PERIOD

This is a request to place ☐ pole banners ☐ street banners ☐ on the right of way of:

Highway name & number: 75th Avenue and Boca Ciega Dr (SR 913)

From (south or west limits): 0.099

To (north or east limits):

Highway name & number: Pinellas Bayway & Granada (SR 882)

From (south or west limits): 0.875

To (north or east limits):

Highway name & number:

From (south or west limits):

To (north or east limits):

Highway name & number:

From (south or west limits):

To (north or east limits):

Projected installation date: Nov 25 - 2012

Banners will be removed on or before (if applicable): Dec 3 - 2012

LOCAL GOVERNMENT APPROVAL

Name of Local Government:

Name of signing official (please print):

Telephone #:

Fax #:

E-Mail:

Signature of local official:

Date:

CONDITIONS AND STIPULATIONS AGREED TO BY THE APPLICANT

1. The banners will be at least nine (9) feet above the ground or curb; ten (10) feet above the sidewalk; and, in the case of street banners, eighteen (18) feet over the highway.
2. Pole banners will clear the face of the curb (if present) by at least two (2) feet.
3. The applicant (or applicant's designee) will maintain the banners as permitted.
4. The installation of the banners will not require the installation of poles or other support devices on the right of way.
5. The applicant and sponsoring organization will hold the Florida Department of Transportation harmless to the extent allowed by the laws of Florida in all matters concerning the banners.
6. The applicant is responsible for any damages to public property resulting from the materials or the work of this permit.
7. A sketch of the proposed banners is attached.
8. View of traffic control devices is not impeded to those served by the erection of these permitted banners.

Signature of District Permits

Engineer (or designee):

Date:

Danner Sketch

Corey Ave Art & Craft Show

Dec 1-2

St. Pete Beach City Commission
Agenda Report

Issue Considered: Approve the request from Corey Area Business Association to close the 400 block of Corey Ave on the second and fourth Fridays of the month for their Sunset Celebration events in 2012.

Date: January 24, 2012

Prepared By: Steven J. Hallock, Public Services Director

Summary of Issue: Corey Area Business Association has requested to close the 400 block of Corey Ave on the second and fourth Fridays of the month for their Sunset Celebration events in 2012. Last year's request was approved and there were no problems encountered. The events seemed to go well and bring people to the downtown area.

Requested Motion: "I move to approve the request from Corey Area Business Association to close the 400 block of Corey Ave on the second and fourth Fridays of the month for their Sunset Celebration events in 2012."

Attachments: Special Event Permit Application

Reviewed by
City Manager: _____

Special Event Permit Information Package

Revised January 2009

Complete and return to:
Catherine Hartley, Senior Planner
Community Development Department
155 Corey Avenue
St. Pete Beach, FL 33706



Staff Use Only:
Date Received: 1/13/12
Permit Number: 2010-

SPECIAL EVENT PERMIT APPLICATION

*Corey Area
Business Assoc.
CABA*

2012
Name of Event: Sunset Celebration
Date of Event: 2nd + 4th (Last Fri) Time: 4pm (Sat) - 9pm
Event Location: 400 Block Corey Ave
Applicant Name: Kath. Hansen Telephone #: 727-498-8778
Email Address: coreycorners@ Mailing Address: 350 Corey Ave
Organization: CABA YAHOO.COM Estimated Attendance: 2-300

Description of event: Street closure for local vendors (craft, food, food trucks, live music)

DO YOU REQUEST ANY OF THESE ACTIVITIES? Please checkmark ☒ all that apply.

☒ Signage	☒ Food Sales
☒ Retail Vending	☐ Banner
☐ Fireworks	☐ Alcohol Sale/Consumption (Additional State Liquor Permit Required)
☐ Bonfire	☒ Cookout
☒ Vehicles On The Beach	☒ Temporary Structure (i.e.: Tent, Stage, Etc.)
☒ Street Closure	☐ On-Site Medical Team/EMS
☐ Electricity	☐ Traffic/Crowd Control

Other _____

A map must be provided denoting all above referenced areas of activity. The appropriate attached forms must also be completed.

FEE SCHEDULE:

Special Event Permit Fee \$20.00 Type 1 Events, \$50.00 Type 2 Events, \$500.00 Type 3 Events
Non-Profit Activities No Fee Upon Proof Of Non-Profit Status

The City Administration reserves the right to require a two (2) weeks notice for all special events request. If City Commission approval is required four (4) weeks notice is required for agenda placement. This application along with any other required information must be submitted to the Community Development Department for review. Applications must be approved by all affected departments prior to final approval. Any stipulations required by the City Manager, City Staff and/or City Commission shall be met.

I hereby certify that I/we will be responsible for the preservation, sanitation and cleanup of the areas used for the special event. Additionally, I/we certify that there are no misrepresentations in the foregoing statements and answers.

Kath. Hansen
Applicant Signature

1-13-12
Date



REQUEST FOR CITY CO-SPONSORSHIP (Resolution 92-16)

If you are requesting a street closure, you are requesting co-sponsorship. Please turn in your application materials 45 days prior to the event so that the request can be placed on the City Commission agenda.

Co-Sponsorship: An agreement entered into by the City of St. Pete Beach with an entity to provide money, services, or supplies to help promote and implement a program or event.

Your request will be placed on the City Commission agenda for consideration of co-sponsorship. The sponsoring entity shall be notified of the decision of the City Commission by the City Clerk. Once approved for co-sponsorship for moneys, supplies or services, you will be required to submit a financial statement, (a final statement of expenditures and revenues), for the event to the City Manager within thirty (30) days of the conclusion of the program or event.

Name of Applicant: Core Area Business Assoc
Description of Event: Summer Celebration

Are you requesting:

1. Money? Yes ☐ No ☒ Amount requested _____
2. In-kind services? Yes ☒ No ☐ _____
3. City supplies? Yes ☒ No ☐ _____
4. Describe services/supplies requested: Is this event sponsored by a charitable or non-profit organization?
street closure non-profit

If yes, what is the name of the charity or non-profit organization?

CABA
(A letter of authorization is required from the charitable/non-profit organization).

Is this fund-raiser for the non-profit organization? If yes, proof of a permit from the Department of Consumer Protection is required.

Not fund raiser

What percent of the gross proceeds will go to the non-profit organization?

Are you receiving funding from other sources? If yes, who?

no

Do you presently have any outstanding balances due to the City of St. Pete Beach? If yes, describe no

Will this be an annual event? Yes ☒ No ☐

Will this event be recurring later this year? Yes ☒ No ☐

If yes, when? Seasonal - possible summer months

Will this event will be open to the public? Yes ☒ No ☐

If yes, how will it be advertised? media, posters, pd ads, press

How will this event benefit the residents of St. Pete Beach?

entertainment -



TEMPORARY STRUCTURE PERMIT APPLICATION

COMPLETE AND RETURN TO:

St. Pete Beach Fire Department
7301 Gulf Blvd.
St. Pete Beach, FL 33706
(727) 363-9296 FAX: (727) 360-8744

Name of Event: Sunset Celebration
Date of Event: 2nd & 4th Fridays Hours: 4 (AM/PM) to 9 (AM/PM)
Event Location: 400 Block Corey Ave (Authorization is required from the property owner)
Event Coordinator/Applicant: Kath Hansen Phone: 727-498-8778
Organization: Corey Area Business Assoc
Summary of Event Activities: local vendors, music, entertainment
Estimated Attendance: 2-300
Type of Temporary Structure to be used (check one): Tent ☒ Stage ☐ Bleachers ☐ Other ☒ (description) Food Truck
What will the structure be used for? Vendors
Will cooking be conducted in the structure? Yes ☒ No ☐ (If yes, a separate outdoor cooking permit is required)
Who is supplying the structure? vendor
What is the structure constructed of? on Fire (If the structure is a tent, attach current Flame Spread Certificate)
Does the tent have open sides? Yes ☒ No ☐

GUIDELINES FOR TEMPORARY STRUCTURES

- Tents and all supported structures shall comply with requirements of FPC CH.19
- All structures must be accessible by Fire equipment. Structurally stable, and flame resistant
- There must be separate tents for cooking and dining. Over 100 people, provide emergency lighting
- Fire Extinguishers (approved, minimum 2A-10BC in each tent, 40BC for the front)
- Hot producing appliances shall not sit on combustible surface (tables, saw horses, etc.)
- Working vendor separation - minimum of 8 feet between vendors
- Electric connections shall be only approved means of connecting power; complete with circuit breakers and a limited number of receptacles (both 110 and 220 volt) available from the City Public Works Dept.
- Extension cords (temporary wiring) shall comply with NEC Article 308
- Each extension cord shall be plugged directly into an approved receptacle and shall, except for approved multiplying extension cords, serve only one appliance or fixture.
- Extension cords shall be in good condition without splices, deterioration, or damage.
- Extension cords shall be of grounded type when servicing grounded appliances or fixtures.
- Ground fault protection shall be provided to supply temporary power to equipment being used by personnel.
- Plans and necessary applications shall be submitted to the building department for electrical or gas installations. Permits shall be issued only to licensed contractor and limited to one of each per event.
- One EMTS unit and one Fire Inspector may be required on site when 1,000 or more are expected to attend. Cost for these services will be billed to the sponsoring organization or promoter.

APPROVALS:

Building Department: _____ Date: _____

Zoning Department: _____ Date: _____

(A map must be provided denoting all above referenced areas of activity. All temporary structures, and electrical supplies must be in accordance with the City of St. Pete Beach guidelines accompanying this application.)

DO YOU HAVE PROOF OF LIABILITY INSURANCE FOR THIS EVENT? Yes ☐ No ☐ If this event is to be held on Public Property, the City may require that a liability bond be posted to insure that no damage is done; the amount of which is to be determined by the City's Risk Management Officer according to the intensity of the event.

I HEREBY CERTIFY THAT I WILL BE RESPONSIBLE FOR THE PRESERVATION, SANITATION, AND CLEANUP OF THE AREAS USED FOR THE EVENT. ADDITIONALLY, I WE CERTIFY THAT THERE ARE NO MISREPRESENTATION IN THE FOREGOING STATEMENTS AND ANSWERS.

(Applicant) Kath Hansen (Address) 350 Corey Ave (Phone) 727-498-8778

(Signature of Fire Marshal, Fire Chief, or Fire Inspector)

(Date)



SPECIAL EVENT OUTDOOR COOKING PERMIT APPLICATION

COMPLETE AND RETURN TO: St. Pete Beach Fire Department
 7301 Gulf Blvd.
 St. Pete Beach, FL 33706
 (727) 363-9206 FAX: (727) 368-6744

Name of Event: Corey Sunset Celebration
 Date of Event: 2nd + 4th Fridays Hours: 4 (AM/PM) to 9 (AM/PM)
 Event Location: 400 Block Corey Ave
 (Authorization is required from the property owner)
 Event Coordinator/Applicant: Kathi Hansen Phone: _____
 Organization: CABA
 Summary of Event Activities: Local vendors, foods/Trucks, crafts, music
 Estimated Attendance: 2-300
 What cooking source will be used? Propane X Charcoal _____ Electrical X

GUIDELINES:

Charcoal:

1. If pit is used for cooking, a minimum of four (4) feet diameter is required.
2. Approved metal containers shall be provided for the disposal of coals and ashes.

Propane:

3. Listed outdoor cooking appliances shall be installed in accordance with their listing and the manufacturer's instructions.
4. Unlisted units shall be installed outdoors with clearances to combustible material of not less than 36 inches at the sides and back, and not less than 48 inches at the front.
5. Installation, testing, and replacement of gas piping, gas utilization equipment, or accessories shall be performed by only a qualified agency. Total propane for the event shall be provided with an approved centrally located tank. (No portable tanks.)
6. Propane containers must be inspected prior to approval.
7. Dry powder extinguisher (2A10BC) must be readily available at all times.

Electrical:

8. Approved main disconnect panels and all circuit breakers must comply with the National Electrical Code.

Plans and necessary permit applications shall be submitted to the building department for electrical or gas installation. Permits shall be issued only to licensed contractors and limited to one of each per event. **NOTE:** Some companies offer these services at no cost to non-profit activity events.

One EMS unit and one Fire Inspector may be required on site when 1,000 or more are expected to attend. (Costs for these services will be billed to the sponsoring organization or promoter.)

APPROVALS:

Building Department: _____ Date: _____

Zoning Department: _____ Date: _____

DO YOU HAVE PROOF OF LIABILITY INSURANCE FOR THIS EVENT? Yes _____ No _____ If this event is to be held on Public Property, the City may require that a liability bond be posted to insure that no damage is done; the amount of which is to be determined by the City's Risk Management Office according to the intensity of the event.

I HEREBY CERTIFY THAT I/WE WILL BE RESPONSIBLE FOR THE PRESERVATION, SANITATION, AND CLEANUP OF THE AREAS USED FOR THE EVENT. ADDITIONALLY, I/WE CERTIFY THAT THERE ARE NO MISREPRESENTATION IN THE FOREGOING STATEMENTS AND ANSWERS.

(Applicant) Kathi Hansen (Address) 350 Corey Ave (Phone) 727-498-8778

(Signature of Fire Marshal, Fire Chief, or his/her designee)

(Date)

St. Pete Beach City Commission
Agenda Report

Issue Considered: Authorization for the City Manager to enter into an agreement with the Property Appraiser of Pinellas County, Florida for a non-ad valorem assessment.

Date: January 24, 2012

Prepared By: Steven J. Hallock, Public Services Director

Summary of Issue: City Commission approved Resolution No. 2011-22 on November 8, 2011 which authorizes the collection of the variable tier of the stormwater special assessment on the tax bills issued in November 2012. In order to do this the Non-Ad Valorem Assessment Agreement (Variable Costs) must be executed.

Requested Motion: "I move to authorization for the City Manager to enter into an agreement with the Property Appraiser of Pinellas County, Florida for a non-ad valorem assessment."

Attachments: Non-Ad Valorem Assessment Agreement – Variable Costs

Reviewed by
City Manager: _____

NON-AD VALOREM ASSESSMENT AGREEMENT

THIS AGREEMENT is made and entered into on this date, 1/24/2012, by and between PAM DUBOV, the PINELLAS COUNTY PROPERTY APPRAISER, hereinafter referred to as the "PAO" and the LOCAL GOVERNING BOARD OF THE CITY OF ST. PETE BEACH, hereinafter referred to as the "BOARD". The PAO and the BOARD desire to implement the provisions of s. 197.3632, Florida Statutes, governing the uniform method for the levy, collection, and enforcement of non-ad valorem assessments for the purpose of providing capital improvements and/or essential services (variable costs).

The BOARD and the PAO agree as follows:

SECTION 1 Authority.

This Agreement is entered into pursuant to Section 197.3632(2) Florida Statutes, relating to the uniform method for the levy, collection, and enforcement of non-ad valorem assessments.

SECTION 2 Term and Termination.

- A. The term of this Agreement shall be the date hereof through September 30, 2013 and shall continue and extend uninterrupted from year-to-year, automatically renewed effective October 1 for successive periods not to exceed one (1) year each.
- B. The BOARD shall inform the PAO by the 10th day of January of each calendar year, if the BOARD intends to discontinue using the uniform methodology for such Assessments pursuant to Section 197.3632(6), Florida Statutes and Rule 12D-18.006(3), Florida Administrative Code and thus, desires to terminate this Agreement. Notice of intent to discontinue shall be provided on Form DR-412 promulgated by the Florida Department of Revenue, as it may be amended from time to time. Upon receipt of the Notice of Intent this Agreement will be deemed terminated as of the date on the Notice. In the event this termination provision is exercised by either party, the BOARD shall remain liable to the PAO for charges incurred up to such termination.
- C. If a change in the law or change in PAO technology requires a change in the file format for Non-Ad Valorem Assessment Data Transfers set forth in appendices C and D, and the BOARD cannot comply with the new file format, either party may terminate the Agreement by notifying the other party in writing.
- D. The parties agree that if either party shall fail to fulfill in a timely and proper manner its obligations under this Agreement, or if either party shall violate any of the covenants, agreements, or stipulations of this Agreement, the other party shall thereupon have the right to terminate this Agreement. The Agreement can be terminated, by either party by giving the other party written notice not less than thirty (30) days prior to such termination.

- E. In the event sufficient budgeted funds are not available for a new fiscal period, the BOARD shall notify the PAO of such occurrence and the Agreement shall terminate on the last day of the then current fiscal year without penalty or additional expense to the BOARD.
- F. In the event this Agreement is terminated by either party for any of the reasons set forth herein, the BOARD shall remain liable to the PAO for charges incurred up to such termination.

SECTION 3 Scope of Services.

- A. The BOARD and the PAO agree to perform the baseline tasks specified in Appendix A by the annual deadlines contained therein.
- B. The PAO and BOARD also agree to perform optional tasks specified in Appendix B in accordance with the specifications and deadlines contained therein.

SECTION 4 Charges.

- A. Project charges will be calculated on a time and materials basis, in accordance with the Property Appraiser's rate schedule in effect when work is completed. The Property Appraiser's Rate Schedule, set forth in Appendix E, may be revised annually based upon changes in labor and material costs. New rate schedules will constitute an amendment to this Agreement.
- B. The PAO shall submit an invoice, annually in October of each year, according to the amounts set forth in Appendix E unless other payment arrangements have been included in the attachments and agreed to by both parties.
- C. The BOARD agrees to make payment to the PAO for the amount invoiced by December 15th of the invoice year.

SECTION 5 Responsibility for Non-Ad Valorem Roll Products and Use of Such Products.

- A. The BOARD shall maintain any public record generated as a result of this Agreement and shall be responsible for answering all inquiries regarding non-ad valorem assessments.
- B. The BOARD shall be responsible for the accuracy and completeness of its non-ad valorem assessment roll and shall, by certifying the roll to the Tax Collector, signify its verification of the roll.
- C. If the non-ad valorem assessment is to appear on the Notice of Proposed Property Taxes in the second and subsequent years of the assessment, the BOARD will provide appropriate contact information for inclusion on such notice.

- D. PAO shall verify the accuracy of non-ad valorem assessment information that appears on the Notice of Proposed Property Taxes to ensure that it conforms to the roll prepared by the BOARD.
- E. The PAO reserves the right to use information created during production of the non-ad valorem assessment roll and to respond to requests for public records concerning such products without consulting the BOARD.

SECTION 6 Accounting and Records.

- A. The PAO shall establish for the project, in conformance with currently accepted accounting practices, a separate account to be maintained within its existing system. Such account shall be available for inspection, upon request, by the BOARD at any time during the period of this agreement and for a minimum of three (3) years after payment is made.
- B. All time and material charges for optional tasks shall be supported by the properly executed payroll records, time records, invoices, contracts or vouchers evidencing in detail the nature and propriety of the charges.

SECTION 7 Persons with Authority to Act on Behalf of the Parties.

Appendix F identifies personnel authorized to act as point of contact on behalf of the parties throughout the administration and implementation of this Agreement.

SECTION 8 Notice.

Notice by either party to the other pursuant to this Agreement shall be given in writing and hand delivered or mailed to the parties listed as "Persons with Authority to Act on Behalf of the Parties" in Appendix F.

SECTION 9 Construction.

This Agreement shall be construed as an expression of inter-agency cooperation enabling each party to make the most efficient use of its powers in furtherance of their respective and common objectives. However, this Agreement shall not be construed as delegating or authorizing the delegation of the constitutional or statutory duties of either party to the other.

SECTION 10 Effective Date.

This Agreement shall take effect upon execution by the parties.

SECTION 11 Entire Agreement/ Modification.

This Agreement shall consist of this document comprised of sections 1 through 11 and the attached signature page and the following appendices which are attached hereto and incorporated herein by reference. In the event of a conflict between this document and the referenced appendices, this document comprised of sections 1 through 11 and the attached signature page shall supersede over the appendices.

The PAO reserves the right to revise and modify the File Format for Non-Ad Valorem Assessment Data Transfers set forth in appendices C and D, based upon changes in the Florida Department of Revenue assessment roll submission standards or file layouts, changes in the law, changes in the PAO's roll production technology, or other office needs as determined by the PAO. A new File Format will constitute an amendment to this agreement, and such amendment will be deemed effective upon written submission by the PAO to the Board of a new Appendix C and/or D. However, the PAO will not change the file format for reasons other than a change in the law or changes by the Department of Revenue to roll submission standards or file layouts after January 10th for a given calendar year.

Any modification to this Agreement, other than those relating to the file format or rate schedule discussed herein, shall be in writing and signed by both parties.

Appendix A Specification and Deadlines for Work to be Performed

Appendix B Optional Task Specifications and Deadlines

Appendix C File Format for Non-Ad Valorem Assessment Data Transfer from the PAO to the BOARD

Appendix D File Format for Non-Ad Valorem Assessment District Data Transfer from the BOARD to the PAO

Appendix E Property Appraiser's Rate Schedule for Optional Tasks

Appendix F Persons with Authority to Act on Behalf of the Parties

Appendix G Sample Certification of Non-Ad Valorem Assessment Roll
(The current form Certificate to be submitted should be obtained from the Department of Revenue website <http://dor.myflorida.com/dor/>)

IN WITNESS WHEREOF, the parties hereto have set their hands and seals as of the date set forth above.

PROPERTY APPRAISER'S OFFICE

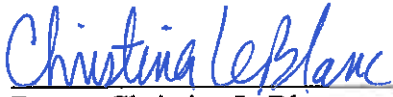


By: Pam Dubov, CFA, CAE
Property Appraiser

NON-AD VALOREM ASSESSMENT
DISTRICT

By: _____
Chairman

Approved as to Form:
Office of the County Attorney



By: Christina LeBlanc
Senior Assistant County Attorney

Approved as to Form:
Office of the BOARD Attorney

By: _____
Attorney

06/11

Appendix A

Specifications and Deadlines for Work to be Performed

Deadline	Responsible Party	Task Description
January 1	BOARD	Adopt a resolution which clearly states its intent to use the uniform method of collecting the assessment. (s. 197.3632(3)(a)).
January 10	BOARD	Provide a copy of the adopted resolution to the Property Appraiser (s. 197.3632(3)(a)). The resolution must also include the geographic boundary or legal description of the area to be assessed sufficient to allow the Property Appraiser to identify the parcels of real property that fall within such boundary.
January 10	BOARD	Notify the Property Appraiser if the BOARD intends to discontinue using the uniform method of collecting the non-ad valorem assessment. (s. 197.3632(6)).
June 1	PAO	Provide the BOARD an electronic medium containing the parcel numbers, legal description, owners' names and addresses of all parcels of land included in the non-ad valorem assessment district (s. 197.3632(3)(b)). The definition of the format that will be used for this data transfer is contained in Appendix C.
July 1	BOARD	All assessments and any corrections, additions or deletions to the roll provided by the PAO must be returned to the PAO on electronic medium so that maps and the non-ad valorem assessment data file can be corrected and assessments can be added before production of Notices of Proposed Property Taxes. The definition of the format that must be used for this data transfer is contained in Appendix D.
August 1	PAO	Provide a final assessment roll to the BOARD, including assessment amounts.
Sept 15	BOARD	Certify the non-ad valorem assessment roll to the Tax Collector by submission of the roll on compatible electronic medium and by supplying the Tax Collector with the Certificate to Non-Ad Valorem Assessment Roll (DR-408A, found at Appendix G).

Appendix B

Optional Task Specifications and Deadlines

The PAO agrees to perform optional tasks associated with the production of the non-ad valorem assessment roll if the BOARD so requests. Costs will be estimated using the PAO's Rate Schedule (Appendix E) in effect on the date the work is performed. Available services include the following:

Option 1: Mapping services.

A request for mapping services will be submitted by BOARD to the PAO's representative listed in Appendix F for time and cost estimates.

- A. Identification and maintenance of parcels within the district and to reflect updates and amendments to the non-ad valorem assessment district boundaries and legal descriptions, and parcel boundaries and legal descriptions.
- B. Digitizing of information submitted to the PAO from the BOARD, using PAO personnel, software and hardware for inclusion in the BOARD's GIS system. The PAO will produce and furnish digital map products in a DXF file format for translation into the BOARD's GIS system and agrees to assist the BOARD in the translation process.
- C. Printing of maps using PAO's cadastral map data base and the information submitted to the PAO by the BOARD.
- D. The printing of maps using PAO's cadastral map data base and parcel attribute information in the PAO's mass appraisal database.
- E. The creation of data reports, mailing lists, etc. from spatial queries using the PAO's mass appraisal database and mapping information.

The PAO will produce, on a regular schedule, a back-up of all data files created for the BOARD. The PAO will be the custodian of this back-up.

Option 2: Other Customized Services Requested by the BOARD and approved by the PAO.

Appendix C

File Format for the Non-Ad Valorem Assessment Data Transfer from the PAO to the BOARD

A CSV (Comma Separated Values) format file, suitable for opening with Microsoft Excel and other applications. The first record in the file should contain the column names, in the order that they appear in the file.

Field

Name Field Description

STRAP	property appraiser's internal identifier of the parcel	These six fields comprise the 18 digit parcel number
RG	range	
TW	township	
SC	section	
SB	subdivision	
BK	block	
LOT	lot	
NAM1	owner's name line 1	
NAM2	owner's name line 2	
ADR1	owner's address line 1	
ADR2	owner's address line 2	
CITY	city	
ST	state	
ZIP	zip code	
2ZIP	plus 4	
COUNTRY	country	
ADRA	physical address number (improved property only)	
ADRB	physical street name (improved property only)	
NX	prior year taxable value	
DORCD	DOR property/land use code	
DST	ad valorem tax district	
XXY	centroid x coordinate	
YXY	centroid y coordinate	
LEG1	legal description line 1	
LEG2	legal description line 2	
LEG3	legal description line 3	
LEG4	legal description line 4	
DUNIT	dwelling units	
STATUS	status of parcel: 1 – unchanged from previous roll 2 – new to this roll (split) 3 – deleted from the district (combination) 4 – annexed from the district	
NADST	NEW Non-ad valorem assessment district code	
NASMT	NEW Assessment amount	
NRATE	NEW rate	
NUNIT	NEW Unit	
NLEVYING	NEW agency levying assessment	
NPNAME	NEW district name	

NCONTACT NEW phone number*
 ONADST previous non-ad valorem assessment district code
 ONASMT previous assessment amount
 ONRATE previous rate
 OLEVYING previous agency levying assessment
 ONPNAME previous district name
 OCONTACT previous phone number
 OUNIT previous assessing units

A sample of a file in this format is shown below:

```

PIN,RG,TW,SC,SB,BK,LOT,NAM1,NAM2,ADR1,ADR2,CITY,ST,ZIP,2ZIP,COUNTRY,ADRA,ADRB,NX,DORCD,STATUS,DST
,XXY,YXY,LEG1,LEG2,LEG3,LEG4,DUNIT,ONADST,ONASMT,ONRATE,OLE
VYING,ONPNAME,OCONTACT,OUNIT,NADST,NASMT,NRATE,LEVYING,NPNA
ME,CONTACT,NUNIT
"353015137020000220","15","30","35","13702","000","0220","LAWRANCE, WILLIAM J","CROCKETT,
MARGARET F","9605 62ND AVE N",,"ST
PETERSBURG","FL","33708","3529",,9605," 62ND AVE
N",122551,"0110","1","STF",250407,1270929,"CARRIAGE BAY
UNIT TWO","LOT 22"," ",,1,"L232",41.72,41.7169,,,1,"L
"," ",,," ",,," ",,," "
"232715056880000010","15","27","23","05688","000","0010","FLANAGAN, TERENCE","FLANAGAN, MARY
C","121 GULFWINDS DR E",,"PALM
HARBOR","FL","34683","1308",,604," WESTWINDS DR
",71973,"0110","1","PHMT",253566,1376986,"BAYWOOD MANOR
SUB","LOT 1",," ",,1,"L002",20.98,20.977,"BD OF COUNTY
COMMISSIONERS","STREET LIGHTING - #L002","(727)453-
3405",1,"L002",," ",,," ",,," ",,," "
"232715056880000020","15","27","23","05688","000","0020","MC LAUGHLIN, VICTORIA L",,"401 MANOR
BLVD",,"PALM HARBOR","FL","34683","1324",,401," MANOR BLVD
",34944,"0110","1","PHMT",253482,1377035,"BAYWOOD MANOR
SUB","LOT 2",," ",,1,"L002",20.98,20.977,"BD OF COUNTY
COMMISSIONERS","STREET LIGHTING - #L002","(727)453-
3405",1,"L002",," ",,," ",,," ",,," "
"232715056880000030","15","27","23","05688","000","0030","LIPKA, ERIN M",,"403 MANOR BLVD",,"PALM
HARBOR","FL","34683","1324",,403," MANOR BLVD
",27142,"0110","1","PHMT",253482,1376927,"BAYWOOD MANOR
SUB","LOT 3",," ",,1,"L002",20.98,20.977,"BD OF COUNTY
COMMISSIONERS","STREET LIGHTING - #L002","(727)453-
3405",1,"L002",," ",,," ",,," ",,," "

```

Appendix D

File Format for Non-ad Valorem Assessment District Data Transfer from the BOARD to the PAO

The file format for the data transfer from the BOARD to the PAO is the same as contained in Appendix C. Any number of fields can be in the file; however, only the fields specified below are required and will be loaded into the PAO database. This allows for the PAO transfer file to be “edited” by filling in the fields below for each parcel and returning the file to the PAO.

<u>Field Name</u>	<u>Description</u>	<u>RESTRICTIONS</u>
STRAP	PAO internal parcel id identifier	
NADST	NEW Non-ad valorem assessment district code	
NASMT	NEW Assessment amount	two decimal places of precision
NRATE	NEW rate	four decimal places of precision
NUNIT	NEW units	two decimal places of precision
NLEVYING	NEW Agency levying assessment	
NPNAME	NEW District name	
NCONTACT	NEW phone number	

Property Appraiser's Rate Schedule for Optional Tasks

Appendix F

Persons with Authority to Act on Behalf of the Parties

At various times throughout the term of this agreement, administrative changes may be made to procedures to facilitate the completion of the data transfer and mapping of non-ad valorem assessment districts. These changes as well as the approval of final product and invoices will be approved by the following persons with respect to their areas of responsibility. The Property Appraiser and the Board reserve the right to change the above designations of authority in the event circumstances so require.

Authority to receive notice in accordance with Section 8 above and to serve as liaison on all matters relating to this Agreement:

Person(s) authorized to act for the Property Appraiser:

Amanda Coffey
Executive Assistant
Pinellas County Property Appraiser
315 Court Street – 2nd Floor
Clearwater, FL 33756
727-464-4295
acoffey@pcpao.org

Person(s) authorized to act for the BOARD:

Name: MIKE BONFIELD

Title: CITY MANAGER

Organization: CITY OF ST. PETE BEACH

Address: 155 COREY AVE
ST. PETE BEACH, FL 33706

Phone: 727-363-9231

Email: CITYMANAGER@ST.PETEBEACH.ORG

Appendix G



DR-408A
N. 02/91

Certificate to Non-Ad Valorem Assessment Roll

I, the undersigned, hereby certify that I am the Chairman of the Board, or authorized agent of _____ located in _____ County, Florida; as such, I have satisfied myself that all property included or includable on the Non-Ad Valorem Assessment Roll for the aforesaid county is properly assessed so far as I have been able to ascertain; and that all required extensions on the above described roll to show the non-ad valorem assessments attributable to the property listed therein have been made pursuant to law.

I further certify that, upon completion of this certificate and the attachment of same to the herein described Non-Ad Valorem Assessment Roll as a part thereof, said Non-Ad Valorem Assessment Roll will be delivered to the Tax Collector of this county.

In witness whereof, I have subscribed this certificate and caused the same to be attached to and made a part of the above described Non-Ad Valorem Assessment Roll this the _____ day of _____, year _____.

Chairman of the Board of Authorized Agent

of _____

Name of Local Government

County, Florida

THIS CERTIFICATION MUST ACCOMPANY THE ASSESSMENT ROLL SUBMITTED BY SEPTBMER 15TH

This is a sample only and should not be used! The BOARD shall ensure that it submits the most recent Form DR-408A - *Certificate to Non-Ad Valorem Assessment Roll* promulgated by the Florida Department of Revenue and available on its website: <http://dor.myflorida.com/dor/>.

St. Pete Beach City Commission
Agenda Report

Issue Considered: Authorize the City Manager to accept a proposal from AEI Construction in the amount of \$12,796.00 for roof structure replacement at Egan Park.

Date: 1/24/12

Prepared By: Mike Maxemow, Operations Manager

Through: Steven J. Hallock, Public Services Director

Summary of Issue: In FY 2011 \$12,600 was budgeted to replace the Egan Park dugout roofs. However, with a large roofing project looming in FY 2012 (\$163,633), staff recommended using this project funding to hire a certified roof inspector to evaluate all City facilities. The goal was to hone in on cost estimates, lock in project scopes and determine exactly when all roofs must be replaced. The inspections have now been completed and as predicted the Egan Park dugout roofs are the priority in need of major repairs.

A minimum of three (3) written quotes were obtained as per the City's *Purchasing Manual*:

- AEI \$12,796.00
- Daly \$13,852.00
- Affordable \$18,932.00

Per the City's *Purchasing Manual* all purchases exceeding \$10,000 but less than \$25,000 must be approved by the Commission and placed on the consent agenda.

Requested Motion: "I move to authorize the City Manager to accept a proposal from AEI Construction in the amount of \$12,796.00 for roof structure replacement at Egan Park."

Attachments: Egan Park Roof Inspection
AEI Written Quote

Reviewed by
City Manager: _____

DUGOUTS (4 BUILDINGS)

Building Name: Egan Park Dugouts

Address: 9101 Blind Pass Road

Roof Type: #90 mineral-surfaced felt

Slope: 1:12

Underlay: none

Deck: plywood

Roof Structure: welded iron frame

Age: >15

Remaining Life Expectancy: 0

Replacement Cost Per Square Foot: see below

Roof Area (sq. ft.): 800 (200 per dugout)

Replacement Cost: unknown – an aluminum specialty contractor should be consulted

General System Description: The roofing consists of #90 mineral-surfaced felt laid over plywood. Seams and edges of the felt are covered with copper materials that appear to be remnants of an old copper roof system. As this is a make-shift system of poor design, there is no typical life expectancy or performance criteria.

Condition: The roofing is so severely deteriorated and leaking so extensively that the plywood decking is now the primary weather-resistant component. Most of the plywood is now decayed or warped to the extent that it is no longer structurally sound.

In addition to the complete failure of the roofing system, the iron frame that supports the roofing is rusted to the extent that it is no longer structurally sound.

Complete roof and structure replacement is needed at this time. While exact costs could not be determined, it is clear that the cost of repairs would greatly exceed the cost of removal and replacement with an aluminum structure, it is recommended that all of the dugout roofs be replaced. Replacement with methods and materials of a type similar to those used at the adjacent seating area would be prudent.

Currently Recommended/Required Repairs: None. Complete roof and structure replacement is needed at this time.



AEI CONSTRUCTION

PROPOSAL

ALUMINUM EXTERIORS INC.
10751 62ND AVENUE NORTH
SEMINOLE, FLORIDA 33772
Phone 727-392-6510 Fax 727-392-1975
LICENSE #CGC1515422

DATE: 1/4/12

ESTIMATE SUBMITTED TO:
 City Of St. Pete Beach
 Mike Maximo

For:
 Egan Park dugout covers

DESCRIPTION	AMOUNT
Replace existing dugout covers (4) with new 28x8 covers constructed from 3' .024 white on white composite panels to code. Posts to be mounted on existing slab and block work. Price includes installation, engineering, drawings, and permit.	\$11696.00
Demo existing dugout covers. Steel supports for existing roof will be cut back to concrete block. Concrete repair to damaged block is not included in price and will be quoted out if needed separately.	\$1100.00
TOTAL	\$12796.00

All material is guaranteed to be as specified, and the above work to be performed in accordance with the drawings and specifications submitted for above work and completed in a substantial workman's like manner with payments to be made as follows: Payment in full upon completion.

Any alteration or deviation from the above specifications and conditions involving extra costs, will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements are contingent on strikes, accidents, and delays beyond our control. Owner to carry fire, tornado, and other necessary insurance upon above work. Workman's compensation and public liability insurance on above work taken out by ALUMINUM EXTERIORS INC.

Respectively submitted: *Ned J Tobias*

The above prices, specifications, and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payments will be made as outlined above.

Accepted:

Signature:

Date:

**St. Pete Beach City Commission
Agenda Report**

Issue Considered: Final Reading and Public Hearing for Ordinance 2011-42, providing for amendment of Division 26 the Land Development Code of the City of St. Pete Beach (Signs) to establish sign regulations for the recently adopted CRD zoning districts.

Date: January 24, 2011

Prepared By: Catherine M. Hartley, AICP, Senior Planner

Summary of Issue: The proposed text amendments to the LCD amend the definitions and establish sign standards for the AC, BHC, BR, TC-2, CC-1, CC-2, BR, and UBV zoning districts. These amendments were recommended for approval by the Planning Board with a vote of 3-0 at their December 20, 2011 meeting.

Requested Motion: “I move to approve Ordinance 2011-42 (read title)”

Attachments: Copy of Ordinance 2011-42

Reviewed by City Manager: _____

CITY OF ST. PETE BEACH, FLORIDA

ORDINANCE NO. 2011-42

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, PINELLAS COUNTY, FLORIDA PROVIDING FOR AMENDMENTS TO DIVISION 26 OF THE LAND DEVELOPMENT CODE AS IT RELATES TO SIGNAGE; PROVIDING FOR AMENDMENTS TO THE DEFINITIONS; PROVIDING FOR SIGN REGULATIONS FOR THE TC-2, DCR, UPV, BHC, BR, AC, CC-1, AND CC-2 ZONING DISTRICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith, TO THE EXTENT OF SUCH CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City wishes to ensure an aesthetic environment that is conducive to quality of life and successful business enterprises; and

WHEREAS, The Land Development Code regulates signage by a property's zoning designation;

WHEREAS, The City changed the zoning designations within the Community Redevelopment District on November 22, 2011; and

WHEREAS, Section 26 of the Land Development Code must be amended to include sign regulations for each new zoning district created; and

WHEREAS, the City's Planning Board, acting as the City's local planning agency, has reviewed this ordinance amending Division 26 and found it to be consistent with the City's adopted comprehensive plan and has recommended approval thereof; and

WHEREAS, the City Commission has found this ordinance to be consistent with the City's adopted comprehensive plan; and

WHEREAS, the City Commission has found this ordinance to be in the best interest of the health, safety and welfare of the citizens of the city; and

WHEREAS, notice of this ordinance has been provided in accordance with applicable law;

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA HEREBY ORDAINS:

Section 1. Division 26 of the City of St. Pete Beach, Florida Land Development Code is hereby amended as illustrated in "Exhibit A".

Section 2. All ordinances or parts of ordinances, in conflict herewith are hereby repealed to the extent of any conflict with this Ordinance.

Section 3. If any portion or part of this Ordinance is declared invalid by a court of competent jurisdiction, the valid remainder hereof shall remain in full force and effect.

Section 4. This Ordinance shall become effective immediately upon adoption.

STEVE MCFARLIN, MAYOR

LPA NOTICE PUBLISHED: 12/7/2011

LPA PUBLIC HEARING: 12/20/2011

FIRST READING: 1/10/2012

PUBLISHED: 1/4/2012

SECOND READING/ADOPTION HEARING: 1/24/2012

PUBLISHED:

I, Rebecca Haynes, City Clerk of the City of St. Pete Beach, Florida, do hereby certify that the foregoing Ordinance was duly adopted in accordance with the provisions of applicable law this 24th day of January, 2012

Rebecca Haynes, City Clerk

“Exhibit A”

DIVISION 26 SIGN ORDINANCE

[Sec. 26.1. Purpose, intent and scope.](#)

[Sec. 26.2. Definitions.](#)

[Sec. 26.3. Illustrations of type of signs and methods of measurement.](#)

[Sec. 26.4. Prohibited signs.](#)

[Sec. 26.5. Nonconforming signs.](#)

[Sec. 26.6. Exemptions.](#)

[Sec. 26.7. Building permits.](#)

[Sec. 26.8. Shielding of illumination.](#)

[Sec. 26.9. Substitution of noncommercial speech for commercial speech.](#)

[Sec. 26.10. Content neutrality as to sign message \(viewpoint\).](#)

[Sec. 26.11. Sign permit required.](#)

[Sec. 26.12. Application.](#)

[Sec. 26.13. Fees.](#)

[Sec. 26.14. Conditions.](#)

[Sec. 26.15. Appeals.](#)

[Sec. 26.16. Enforcing official.](#)

[Sec. 26.17. Failure to comply.](#)

[Sec. 26.18. Violations and penalties.](#)

[Sec. 26.19. Adoption of zoning regulations.](#)

[Sec. 26.20. Freestanding signs.](#)

[Sec. 26.21. Setback measurement.](#)

[Sec. 26.22. Double-faced signs.](#)

[Sec. 26.23. Illumination.](#)

[Sec. 26.24. Time and temperature signs.](#)

[Sec. 26.25. All districts.](#)

[Sec. 26.26. RU-1, RU-2, RLM-1 and RLM-2 Residential Districts.](#)

[Sec. 26.27. RM and DCR Residential Districts.](#)

[Sec. 26.28. ROR Residential/Office/Retail District.](#)

[Sec. 26.29. RFM Resort Facilities Medium District.](#)

[Sec. 26.30. CG-1 Commercial District.](#)

[Sec. 26.31. CG-2 Commercial District.](#)

[Sec. 26.32. INS Institutional District.](#)

[Sec. 26.33. TC-1 and TC-2 District.](#)

[Sec. 26.34. Large Resort and BHC Districts.](#)

[Sec. 26.35. CC-1 CC-2 Districts.](#)

[Sec. 26.36. UBV District](#)

[26.37 AC District](#)

[26.38 BR District](#)

Deleted: [Residential District.](#)

Deleted: ¶

Deleted: [Town Center Core District](#)

Deleted:

Formatted: Space After: 10 pt

Deleted: [Traditional Hotel District.](#)

Deleted: ¶

Deleted: [Severability.](#)

Formatted: Line spacing: single

Sec. 26.39. Traditional Hotel District.

Sec. 26.40. Severability.

Sec. 26.1. Purpose, intent and scope.

It is the purpose of this division to promote the public health, safety and general welfare through reasonable, consistent and non-discriminatory sign standards. The sign regulations in this division are not intended to censor speech or to regulate viewpoints, but instead are intended to regulate the secondary effects of speech and especially insofar as those secondary effects may adversely affect aesthetics and traffic and pedestrian safety. In order to preserve and enhance the city as a desirable community in which to live, vacation and do business, a pleasing, visually attractive environment is of foremost importance. The regulation of signs within the city is a highly contributive means by which to achieve this desired end. These sign regulations have been prepared with the intent of enhancing the visual environment of the city and promoting its continued well-being, and are intended to:

- (a) Encourage the effective use of signs as a means of communications in the city;
- (b) Maintain and enhance the aesthetic environment and the city's ability to attract sources of economic development and growth;
- (c) Improve pedestrian and traffic safety;
- (d) Minimize the possible adverse affect of signs on nearby public and private property;
- (e) Foster the integration of signage with architectural and landscape designs;
- (f) Lessen the visual clutter that may otherwise be caused by the proliferation, improper placement, illumination, animation, excessive height, and excessive size (area) of signs which compete for the attention of pedestrian and vehicular traffic;
- (g) Allow signs that are compatible with their surroundings and aid orientation, while precluding the placement of signs that contribute to sign clutter or that conceal or obstruct adjacent land uses or signs;
- (h) Encourage and allow signs that are appropriate to the zoning district in which they are located and consistent with the category of use and function to which they pertain;
- (i) Curtail the size and number of signs and sign messages to the minimum reasonably necessary to identify a residential or business location and the nature of any such business;
- (j) Establish sign size in relationship to the scale of the lot and building on which the sign is to be placed or to which it pertains;
- (k) Categorize signs based upon the function that they serve and tailor the regulation of signs based upon their function;
- (l) Preclude signs from conflicting with the principal permitted use of the site and adjoining sites;
- (m) Regulate signs in a manner so as to not interfere with, obstruct the vision of or distract motorists, bicyclists or pedestrians;
- (n) Except to the extent expressly preempted by state or federal law, ensure that signs are constructed, installed and maintained in a safe and satisfactory manner, and protect the public from unsafe signs;
- (o) Preserve, conserve, protect, and enhance the aesthetic quality and scenic beauty of all districts of the city;
- (p) Allow for traffic control devices consistent with national standards and whose purpose is to promote highway safety and efficiency by providing for the orderly movement of road users on

streets and highways, and that notify road users of regulations and provide warning and guidance needed for the safe, uniform and efficient operation of all elements of the traffic stream;

(q) Protect property values by precluding to the maximum extent possible sign-types that create a nuisance to the occupancy or use of other properties as a result of their size, height, illumination, brightness, or movement;

(r) Protect property values by ensuring that sign-types, as well as the number of signs, are in harmony with buildings, neighborhoods, and conforming signs in the area;

(s) Regulate the appearance and design of signs in a manner that promotes and enhances the beautification of the city and that complements the natural surroundings in recognition of this city's reliance on its natural surroundings and beautification efforts in retaining economic advantage for its resort community, as well as for its commercial properties; and

(t) Enable the fair and consistent enforcement of these sign regulations.

(Ord. No. 03-10, § 1, 6-3-03)

Sec. 26.2. Definitions.

All words used in this division shall carry their customary dictionary meanings, except that the following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abandoned or discontinued sign or sign structure means a sign or sign structure is considered abandoned or discontinued when its owner fails to operate or maintain a sign for a period of six months or longer. The following conditions shall be considered as the failure to operate or maintain a sign: (i) a sign displaying advertising for a product or service which is no longer available or displaying advertising for a business which is no longer licensed, or (ii) a sign which is blank.

Advertising means sign copy intended to aid, directly or indirectly, in the sale, use or promotion of a product, commodity, service, activity, entertainment, or real or personal property.

Animated sign means a sign which includes action, motion, or color changes, or the optical illusion of action, motion, or color changes, including signs set in motion by movement of the atmosphere, or made up of a series of sections that turn.

Area of ground supports means the total area of a freestanding sign's structural elements.

Artwork means a two- or three-dimensional representation of a creative idea that is expressed in a form and manner as to provide aesthetic enjoyment for the viewer rather than to specifically convey the name of the business or a commercial message about the products or services offered on the property upon which the artwork is displayed.

Attached sign means a wall sign, an integral roof sign, marquee sign or a canopy sign.

Banner means any sign or string of one or more signs, usually made of cloth or other lightweight material, which is used to attract attention, whether or not imprinted with words or characters, including but not limited to balloons and pennants. Flags shall not be considered banners.

Beacon means a stationary or revolving light which flashes or projects illumination, single color or multicolored, in any manner which has the effect of attracting or diverting attention, except, however, this term does not include any kind of lighting device which is required or necessary under the safety regulations of the Federal Aviation Administration or other similar agency. This definition does not apply to any similar type of lighting device contained entirely within a structure and which does not project light to the exterior of the structure.

Billboard means a sign structure and/or sign utilized for advertising an establishment, an activity, a product, service or entertainment, which is sold, produced, manufactured, available or furnished at a place other than on the property on which said sign structure and/or sign is located.

Building frontage See *frontage, building* *Bus stop informational sign* means a freestanding or attached noncommercial sign located at a bus stop and providing information as to the route, hours or times of service.

Canopy sign means any sign that is a part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area. A marquee is not a canopy.

Commercial message means any sign wording, logo, or other representation or image that directly or indirectly names, advertises, or calls attention to a product, service, sale or sales event or other commercial activity.

Construction sign means a temporary on-premise sign identifying the ongoing construction activity during the time that a building permit is active and prior to completion of the work for which the permit was issued, containing sign copy is limited to the ongoing construction activity and identifying the contractor and/or any subcontractor engaged to perform construction activity on the site.

Copy means the linguistic or graphic content of a sign.

Designer sign means a sign that is custom made wall or monument type signs, reviewed by the city manager or his designee and found to be of a higher creative, artistic and three-dimensional, or sculptural nature than the standard types of signs typically used within the sign industry.

Double-faced sign means a single sign with items of information relating to the same business on both sides of the sign and mounted as a single structure.

Drive-through menu sign means a sign placed so as to be viewed from a drive-through lane and which contains only a listing of the products, with prices, offered for sale by the business on which the sign is located and which may provide a mechanism for ordering the products while viewing the sign.

Eave mean the lowest horizontal line of a sloping roof.

Election sign means a temporary sign erected or displayed for the purpose of expressing support for or opposition to a candidate or stating a position regarding an issue upon which the voters of the city shall vote.

Erect means to build, construct, attach, hang, place, suspend or affix and includes the painting of wall signs.

Facade means the entire building front.

Flag means any fabric, or bunting containing distinct colors, patterns or symbols, used as an ornamental flag or as a symbol of government, political subdivision, corporation or business or other entity. (See also Ornamental flag.)

Flagpole means a pole on which to raise a flag.

Flashing sign means a sign which permits light to be turned on or off intermittently more frequently than once per minute.

Foot-candle means a unit of measure of luminosity of a surface that is everywhere one foot from a uniform point source of light of one candle and equal to one lumen per square foot.

Footlambert means the centimeter gram second unit of brightness equal to the brightness of a perfectly diffused surface that radiates or reflects one lumen per square centimeter.

Deleted: means the length of the single face of a building or that portion of a building occupied by a single office, business or enterprise, commonly referred to as "store-front," which is abutting a street, parking area, or other means of customer access such as an arcade, a mall or a walkway. ¶

Free expression sign means a sign, not in excess of three square feet in size (area) and the top of the sign is not more than six feet off the ground, communicating information or views on matters of public policy concern or containing any other noncommercial message, that is otherwise lawful.

Freestanding sign, monument or pole means a sign supported by structures or supports that are placed on or anchored in the ground or at ground level and which are independent of any building or other structure.

Frontage means the length of the property line of a parcel of land which runs parallel with and along a road right-of-way or street, exclusive of alleyways.

Frontage, Building means the length of the single face of a building or that portion of a building occupied by a single office, business or enterprise, commonly referred to as "store-front," which is abutting a street, parking area, or other means of customer access such as an arcade, a mall or a walkway.

Garage or yard sale or garage-yard sign means any onsite temporary sign pertaining to the sale of personal property in, at or upon any residentially-zoned property located in the city. Garage or yard sales shall include but not be limited to all such sales, and shall include the advertising of the holding of any such sale, or the offering to make any sale, whether made under any name such as garage sale, lawn sale, yard sale, front yard sale, back yard sale, home sale, attic sale, rummage sale, patio sale, flea market sale, or any similar designation.

Ground level means the finished grade of a parcel of land exclusive of any filling, berming or mounding. Ground level on marina docks or floating structures shall be the finished grade of the landward portion of the adjoining parcel.

Grand opening sign means an on-premise temporary sign announcing the opening of a newly licensed business, that does not exceed 16 square feet in sign area and that is not displayed for longer than 30 days after the issuance date of the occupational license for the new business.

Height means vertical distance measured from ground level nearest the base of the sign to the highest point on the sign.

Holiday and seasonal decorations mean decorations that pertain to legal or other recognized holidays or to a season of the year.

Illuminated sign means any sign or portion thereof which is illuminated by artificial light, either from an interior or exterior source, including outline, reflective or phosphorescent light, whether or not the source of light is directly affixed as part of the sign.

Integral roof sign means any sign erected or constructed as an integral part of a normal roof structure of any design, such that no part of the sign extends vertically above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof by a space of more than six inches. No integral portion of the roof shall extend more than five feet above the structural roof.

Lot. See definition of Parcel.

Maintenance means the replacing, repairing or repainting of a portion of sign structure, periodically changing changeable copy or renewing copy which has been made unusable by ordinary wear.

Marquee means any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.

Marquee sign means any sign attached to a marquee.

Deleted: *Freestanding monument sign* means a freestanding sign whose ratio of width of sign to width of support is less than 3 to 1. ¶
Freestanding pole sign means a freestanding sign whose ratio of width of sign to width of support is equal to or greater than 3 to 1. ¶

Menu display sign means a fully enclosed or otherwise protected from the elements sign structure, including but not limited to a box, shadow box or cabinet, attached to a wall or freestanding, which is used solely for the purpose of displaying restaurant menus. A menu display may be used for a restaurant without drive-through service and for transient lodging facilities which have restaurant facilities open to the general public in addition to the registered guests. Menu display sign structures shall be limited to one per establishment, having a maximum surface area of not more than 12 square feet, and the zoning districts in which they are permitted.

Multi-tenant development means a development where more than one business may be located, including businesses located above the first floor or otherwise without frontage on a public right-of-way.

Nameplate sign or occupant identification sign means a sign indicating the name and/or profession or address of a person or persons residing on the premises or legally occupying the premises.

Non-commercial message means any message, which is not a commercial message.

Noncommercial on-site directional sign means an on-site sign providing direction or information to pedestrian or vehicular traffic that is related or reasonably necessary to the movement of pedestrian or vehicular traffic on the premises, and not displaying a commercial message, e.g., "entrance," "exit," "caution," "no parking," "one way only," "no trespassing," and the like.

Non-conforming sign means a sign which does not conform with the regulations provided in this division.

Off-premise sign or off-site sign means any sign relating in its subject matter to commodities, accommodations, services or activities on a premises other than the premises on which the sign is located. See also Billboard.

On-premise sign or on-site sign means any sign relating in its subject matter to the commodities, accommodations, service or activities on the premises on which it is located.

Ornamental flag means any fabric or similar material containing patterns, drawings or symbols used for decorative purposes and designed to be flown as a flag.

Parcel means land which has been or which is proposed to be used, developed, or built upon as a unit under single ownership.

Parapet means a false front or wall extension above the roof of a building.

Pennant means any series of small flag-like or streamer-like pieces of cloth, plastic, paper or similar material attached in a row to any staff, cord, building, or at only one or two edges, the remainder hanging loosely.

Permanent sign means any sign which, when installed, is intended for permanent use. For the purposes of this division any sign with an intended use in excess of 12 months from the date of installation shall be deemed a permanent sign.

Portable sign means any sign or poster that is not permanently attached to the ground or structure. For purposes of this division, a cold air inflatable sign shall be considered to be a portable sign.

Premises means any property owned, leased or controlled by the person actively engaged in business at that location.

Projecting sign means any sign affixed perpendicularly to a building or wall in such a manner that its leading edge extends more than six inches beyond the surface of such building or wall.

Real estate sign means a sign advertising the sale, rental or lease of the premises or part of the premises on which the sign is displayed temporarily.

Revolving sign or rotating sign means any sign that revolves or rotates.

Roof sign means any sign erected and constructed wholly on or over the roof of a building, which is supported by the roof structure, or any sign that extends in whole or in part above the roofline of a building.

Roofline means the highest continuous horizontal line of a roof. On a sloping roof, the roofline is the principal ridgeline or the highest line common to one or more principal slopes of roof. On a flat roof, the roofline is the highest continuous line of a roof or parapet, whichever is higher.

Safety sign. See Warning sign.

Sandwich board sign means a portable double-faced, freestanding sign not exceeding 12 square feet in area that is designed such that it can be displayed during business hours and easily removed at the close of business.

Shopping center means a group of five or more independent commercial establishments owned and operated as a planned unit, with off-street parking provided on the property. A shopping center may include a building or structure owned in fee simple, condominium, cooperative, leasehold or other ownership.

Deleted: three

Sight visibility triangle means a triangular shaped portion of land established at street intersections or street and driveway intersections in which nothing is erected, or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection. For street intersections, this triangle is measured 20 feet in length from the intersection along the abutting curb lines to form a triangle; and for driveway intersections, this triangle is measured ten feet from the intersection along the curb line and along the driveway line to form a triangle. (See illustration in section 6.21.)

Sign means any device, fixture, placard or structure which uses color, form, graphics, illumination, architectural style or design with text, or writing to advertise, attract attention, announce the purpose of, or identify the purpose of any person or entity or to communicate information of any kind to the public. The term "sign" includes sign structure.

Sign area means the total square foot area of sign surface, including all parts thereof devoted to the background, computed by bounding the exterior of the sign structure or surface with a series of straight or curved lines tangent thereto (see illustrative examples in section 26.3). The area of a sign painted directly on a wall or awning and signs with letters attached directly to walls or awnings shall be calculated by constructing an imaginary series of straight lines or lines formed, bounded or characterized by curves around the outside of all elements of the sign. For a freestanding sign, the sign area shall include the area of ground support.

Sign face means the part of the sign that is or can be used to identify, display, advertise, communicate information, or for the visual representation which attracts or intends to attract the attention of the public for any purpose.

Sign structure means any structure which is designed specifically for the purpose of supporting a sign, which has supports or which is capable of supporting a sign. The definition shall include any decorative covers, braces, wires, supports, or other components attached to or placed around the sign structure.

Snipe sign means any sign tacked, nailed, posted, pasted, glued or otherwise attached to telephone poles, utility poles, or fences, with the message appearing thereon not applicable to the present use of the premises upon which the sign is located.

Statutory sign means a sign required by any statute of the State of Florida or the United States.

Street address sign means any sign denoting the street address of the premises on which it is attached or located.

Subdivision monument identification sign means a monument sign which contains only the name of a platted subdivision or other residential development.

Temporary sign means a sign intended for a use not permanent in nature. For the purposes of this division, a sign with an intended use of one year or less shall be deemed a temporary sign.

Time and temperature sign means a sign which displays the current time and temperature at intervals no more frequently than once per minute and which contains no other messages. Time and temperature signs are regulated within the zoning districts in which they are allowed.

Traffic control device sign means any sign located within the right-of-way that is used as a traffic control device and that is described and identified in the Manual on Uniform Traffic Control Devices (MUTCD) and approved by the Federal Highway Administrator as the National Standard. A traffic control device sign includes those signs that are classified and defined by their function as regulatory signs (that give notice of traffic laws or regulations), warning signs (that give notice of a situation that might not readily be apparent), and guide signs (that show route designations, directions, distances, services, points of interest, and other geographical, recreational, or cultural information).

Vehicle sign means any sign or signs where the total sign area covers more than ten square feet of the vehicle.

Visibility triangle. See Sight visibility triangle.

Wall sign means a sign which is painted on, fastened to, or erected against the wall of a building with its face in a parallel plane with the plane of the building facade or wall, which is used for advertising.

Warning sign or safety sign means a sign which provides warning of a dangerous condition or situation that might not be readily apparent or that poses a threat of serious injury (e.g., gas line, high voltage, condemned building, etc.) or that provides warning of a violation of law (e.g., no trespassing, no hunting allowed, etc.).

Waterside identification sign means a sign identifying a residential complex, single business property or shopping center and which can be only be viewed from the waters of the Gulf of Mexico, Boca Ciega Bay, the intracoastal waterway or any other navigable waterway.

Window sign means any sign painted on or mounted in any fashion on the interior or exterior of the surface of a window.

Wind sign means a sign, which uses objects or material fastened in such a manner as to move upon being subjected to pressure by wind, and shall include, pennants, ribbons, spinners, streamers or captive balloons to express a commercial message; however, the term wind sign shall not include flags.

(Ord. No. 03-10, § 1, 6-3-03; Ord. No. 10-02, § 1(Att. A), 2-23-10; Ord. No. 2010-32, § 1, 1-11-11)

Cross references: Definitions, § 2.1.

Sec. 26.3. Illustrations of type of signs and methods of measurement.

The following diagrams illustrate the types of signs and methods of measurement:

Sec. 26.4. Prohibited signs.

The following signs and sign-types are prohibited within the city limits and shall not be erected. Any lawfully existing permanent sign or sign-type which is among the prohibited signs and sign-

types listed below shall be deemed a nonconforming sign subject to the provisions of section 26.5.

- (a) Billboards; off-site signs.
 - (b) Revolving signs; rotating signs.
 - (c) Flashing or animated signs.
 - (d) Banners, except those used to advertise special events, approved with a special event permit. The banner may not be placed on the property in which the event is to take place more than 21 days prior to the special event.
 - (e) Wind signs.
 - (f) Portable signs, other than sandwich board signs as allowed within certain zoning districts pursuant to this division.
 - (g) Roof signs, other than integral roof signs in non-residential zoning districts.
 - (h) Abandoned and discontinued signs.
 - (i) Snipe signs.
 - (j) Bus bench advertising signs; bus shelter advertising signs.
 - (k) Signs that emit sound, vapor, smoke, odor, particles or gaseous matter.
 - (l) Signs that have unshielded illuminating devices.
 - (m) Signs that obstruct, conceal, hide or otherwise obscure from view any official traffic or governmental sign, signal or device.
 - (n) Any attached sign that exceeds 100 square feet in area.
 - (o) Any freestanding sign that is higher than 35 feet.
 - (p) Any freestanding sign that exceeds 135 square feet in sign area.
 - (q) Any sign within a sight visibility triangle that obstructs a clear view of pedestrian or vehicular traffic.
 - (r) Any sign in the public right-of-way, other than traffic control device signs, bus stop informational signs, warning signs or safety signs.
 - (s) Any sign attached to a seawall or pier, other than a warning sign or safety sign.
 - (t) Any sign other than a traffic control device sign that uses the word "stop" or "danger," or presents or implies the need or requirement of stopping or the existence of danger, or which is a copy or limitation of official traffic control device signs, and which is adjacent to the right-of-way of any road, street, or highway.
 - (u) Any sign nailed, fastened or affixed to any tree.
 - (v) Any sign prohibited by state or federal law.
 - (w) Vehicle sign or signs which have a total sign area on any vehicle in excess of ten square feet, when the vehicle is not "regularly used in the conduct of the business" advertised on the vehicle, and (a) is visible from a street right-of-way within 100 feet of the vehicle, and (b) is parked for more than two consecutive hours within 100 feet of any street right-of-way. A vehicle shall not be considered "regularly used in the conduct of the business" if the vehicle is used primarily (i) for advertising, or (ii) for the purpose of advertising, or (iii) for the purpose of providing transportation for owners or employees of the business advertised on the vehicle.
 - (y) Any sign located on real property without the permission of the property owner.
 - (z) Beacons, except as required by federal or state law.
- (Ord. No. 03-10, § 1, 6-3-03; Ord. No. 10-02, § 1(Att. A), 2-23-10; Ord. No. 2010-32, § 1, 1-11-11)

Sec. 26.5. Nonconforming signs.

A nonconforming sign that was lawfully erected may continue to be maintained: (a) until the nonconforming sign is substantially damaged or destroyed, or (b) until the real property on which the sign is located is redeveloped, whichever of the foregoing occurs first. At such time the sign is substantially damaged or destroyed or at such time the real property is redeveloped, the nonconforming sign must either (a) be removed or (b) be brought into conformity with this division and with any other applicable law or regulation. For the purpose of this section, the term "redevelopment" shall mean a substantial improvement of the principal structure on the real property.

(Ord. No. 03-10, § 1, 6-3-03; Ord. No. 10-02, § 1(Att. A), 2-23-10)

Sec. 26.6. Exemptions.

This division does not pertain to the following:

- (a) A sign, other than a window sign, located entirely inside the premises of a building or enclosed space.
- (b) A sign on a vehicle, other than a prohibited vehicle sign or signs.
- (c) A statutory sign.
- (d) Historic markers for locally designated historic resources.

(Ord. No. 03-10, § 1, 6-3-03; Ord. No. 10-02, § 1(Att. A), 2-23-10)

Sec. 26.7. Building permits.

It shall be unlawful for any person or business or the person in charge of the business to erect, construct, alter or maintain an outdoor advertising display sign, as defined in the Florida Building Code, without first obtaining a building permit from the city in accordance with the provisions of the Florida Building Code and applicable law. Permit fees shall be paid in accordance with the applicable city fee schedules. The requirement of a building permit under the Florida Building Code is separate and independent of the requirement for a sign permit under this division.

(Ord. No. 03-10, § 1, 6-3-03; Ord. No. 10-02, § 1(Att. A), 2-23-10)

Sec. 26.8. Shielding of illumination.

Illuminated signs, in addition to conforming to all other requirements of this division, shall be shielded in such a manner so that no direct source of light is cast into residential properties or into a public street or right-of-way. Illuminated signs shall not interfere with pedestrian or motorist vision. The illumination shall not be reflective or phosphorescent and shall perform in a steady non-fluctuating or non-undulating manner and shall be placed in a manner that will not create a nuisance to other premises or interfere with vehicular movements.

(Ord. No. 03-10, § 1, 6-3-03; Ord. No. 10-02, § 1(Att. A), 2-23-10)

Sec. 26.9. Substitution of noncommercial speech for commercial speech.

Notwithstanding anything contained in this division or Code to the contrary, any sign erected pursuant to the provisions of this division or Code may, at the option of the owner, contain a non-commercial message unrelated to the business located on the premises where the sign is erected. The non-commercial message may occupy the entire sign face or any portion thereof. The sign face may be changed from commercial to non-commercial messages, or from one non-commercial message to another, as frequently as desired by the owner of the sign, provided that

the size, height, setback and other dimensional criteria contained in this division and Code have been satisfied.

(Ord. No. 03-10, § 1, 6-3-03; Ord. No. 10-02, § 1(Att. A), 2-23-10)

Sec. 26.10. Content neutrality as to sign message (viewpoint).

Notwithstanding anything in this division or Code to the contrary, no sign or sign structure shall be subject to any limitation based upon the content (viewpoint) of the message contained on such sign or displayed on such sign structure.

(Ord. No. 03-10, § 1, 6-3-03; Ord. No. 10-02, § 1(Att. A), 2-23-10)

Sec. 26.11. Sign permit required.

(a) Allowed temporary and allowed permanent signs of the type described in section 26.25 shall be exempt from sign permitting hereunder.

(b) No sign permit shall be issued for the erection of a prohibited sign.

(c) Unless exempt from permitting, no permanent sign shall be erected, altered, relocated, maintained or displayed until a sign permit is obtained from and appropriate fee paid to the city.

(d) A sign lawfully erected under permit may be repainted or have ordinary and customary repairs performed, including replacement of plastic or glass panels, without a new sign permit; however, if such sign is to be structurally altered in any manner, a new sign permit shall be required and the altered sign must meet all requirements of this division and this Code.

(Ord. No. 03-10, § 1, 6-3-03; Ord. No. 10-02, § 1(Att. A), 2-23-10; Ord. No. 2010-32, § 1, 1-11-11)

Sec. 26.12. Application.

(a) A sign permit application for a permanent sign shall be made upon a form provided by the city. The sign permit application is in addition to any building permit application required by the Florida Building Code. The sign permit application shall be accompanied by plans and specifications drawn to scale, together with any site plan required by Division 5 of the Land Development Code. The applicant shall furnish the following information on or with the sign permit application form:

(1) The legal description of the real property where the sign is proposed to be located.

(2) The zoning district for the real property on which the sign will be located.

(3) The name, mailing address and telephone number (where available) of the owner(s) of the real property where the sign is proposed to be located.

(4) A notarized statement of authorization signed by the owner(s) consenting to the placement of the proposed sign on the real property.

(5) The name, mailing address and telephone number of the sign contractor.

(6) Type of proposed sign (e.g. attached wall sign, freestanding monument sign).

(7) The square footage of the surface area of the proposed sign.

(8) The setbacks for the proposed sign.

(9) The cost of the proposed sign.

(10) If the proposed sign is a freestanding sign:

a. The lot frontage on all adjacent street rights-of-way.

b. The dimensions of the supporting structure.

c. The height of the proposed sign.

(11) If the proposed sign is an attached sign, the building frontage for the building to which the attached sign shall be affixed.

(12) The number, type, location, and surface area for all existing signs on the same lot and/or building on which the sign will be located.

(13) If the proposed sign is to be an illuminated sign, the type, placement, intensity and hours of operation.

(b) An applicant shall deliver a sign permit application for a permanent sign to the city's chief building official, or such other person as may be designated by the city. The sign permit application shall be reviewed for a determination of whether the proposed sign meets the applicable requirements of this division and any applicable zoning law.

(Ord. No. 03-10, § 1, 6-3-03; Ord. No. 10-02, § 1(Att. A), 2-23-10)

Sec. 26.13. Fees.

(a) *Initial application fees.* Every person making an initial application for a sign permit shall pay fees to the city at the time of approval of the application. The fees shall be established by resolution of the city commission and shall be as stated in appendix A to this Code.

(Ord. No. 03-10, § 1, 6-3-03; Ord. No. 10-02, § 1(Att. A), 2-23-10; Ord. No. 2010-32, § 1, 1-11-11)

Sec. 26.14. ~~Maintenance of Signs.~~

~~(a) Maintenance of signs.~~

(1) All visible portions of a sign and its supporting structure shall be maintained in a safe condition, and neat appearance according to the following:

a. If the sign is lighted, all lights shall be maintained in working order and functioning in a safe manner.

b. If the sign is painted, the painted surface shall be kept in good condition.

c. Every sign shall be kept in such manner as to constitute a complete or whole sign.

(2) Lawfully erected nonconforming signs may suffer only ordinary and customary repairs and maintenance. As provided in section 26.11, a lawfully-erected non-conforming sign shall not be structurally altered except in full conformance with this division.

(Ord. No. 03-10, § 1, 6-3-03; Ord. No. 10-02, § 1(Att. A), 2-23-10)

Sec. 26.15. Appeals.

(a) Whenever it is alleged that there has been an error in any order, action, decision, determination, or requirement by an administrative official in the enforcement and application of any provision contained within this division or any other provision of this Code pertaining to sign permits (including any allegation that an administrative official has failed to act within applicable time frames), the aggrieved party shall file a written appeal in accordance with Section 3.14 of the Land Development Code.

(Ord. No. 03-10, § 1, 6-3-03; Ord. No. 10-02, § 1(Att. A), 2-23-10)

Sec. 26.16. Enforcing official.

The city manager shall be the enforcing official of this division. The enforcing official is charged with the duty of administering this division and securing compliance therewith. Further, the enforcing official shall make such inspection as may be necessary to ensure compliance with this division and shall initiate appropriate action, if any, to enforce the provisions of this division.

Deleted: Duration of Sign Permit

Deleted: Conditions

Deleted: and

Deleted: .

Deleted: (a) *Duration of permit.* Each sign permit shall be valid for a period of one city fiscal year (October 1 through September 30). If the work authorized under a sign permit has not been completed within six months after the date of issuance, the permit shall become null and void and a new application for a sign permit shall be required. However, for just cause, one renewal period of 90 days may be granted. ¶

Deleted: b

(Ord. No. 03-10, § 1, 6-3-03; Ord. No. 10-02, § 1(Att. A), 2-23-10)

Sec. 26.17. Failure to comply.

If the city manager finds that any sign has been erected, altered or maintained in violation of this division, the city shall notify the owner of record of the property upon which such sign is located by either certified mail or by hand delivery that such violation exists. The owner shall cause the violation to be remedied or shall file an appeal of the violation within three working days after receipt of the notice. Where it is determined that such illegal sign poses an imminent threat to the health, safety or welfare of the public, the city may cause the immediate removal of the sign by its own action. Cost of such removal shall be paid by the property owner. In addition to removal, the city shall be entitled to proceed with alternative legal or equitable remedies, including injunctive relief.

(Ord. No. 03-10, § 1, 6-3-03; Ord. No. 10-02, § 1(Att. A), 2-23-10)

Sec. 26.18. Violations and penalties.

(a) The acts enumerated in this section shall be a violation of this division and shall be subject to the enforcement remedies and penalties provided by this division, by other city codes, and by state law. Such remedies may be pursued simultaneously.

(b) It shall be a violation to:

(1) Install, create, erect or maintain any sign in a way that is inconsistent with any approved plan or permit governing such sign or the site on which the sign is located.

(2) Install, create, erect or maintain any sign requiring a permit without having first obtained such permit.

(3) Fail to remove any sign that is installed, created, erected or maintained in violation of this division or for which the sign permit has lapsed.

(4) Install, erect, place, or maintain any sign contrary to the provisions of this division, including any sign or sign structure not allowed within the applicable zoning district.

(5) Continue any such violation.

(c) Each sign installed, created, erected or maintained in violation of this division shall be considered a separate violation, and each day of a continued violation shall be considered a separate violation.

(d) Any violation of this division or any condition or requirement adopted pursuant to this division may be restrained, corrected, or abated, as the case may be, by injunction or other appropriate proceedings pursuant to law. The remedies of the city shall include but not be limited to the following:

(1) Issuing a stop work order for any and all work on any signs on the same site.

(2) Seeking an injunction or other order of restraint or abatement that requires the removal of the sign or the correction of the violation.

(3) For a sign which poses an immediate danger to the public health or safety, taking such measures as are available to the city under the applicable provisions of this division for such circumstances.

(e) A person in violation of this division shall be subject to prosecution and, upon conviction, shall be punished as set forth in section 1-14 of Chapter 1, St. Pete Beach Code of Ordinances.

(Ord. No. 03-10, § 1, 6-3-03; Ord. No. 10-02, § 1(Att. A), 2-23-10)

Sec. 26.19. Adoption of zoning regulations.

The boundaries of the various districts shown upon the official zoning map and the regulations of the comprehensive zoning ordinance contained in Land Development Code, governing the use of land and buildings and other matters set forth therein are made part of this division. Except as provided in this division, no sign shall be erected, enlarged, reconstructed or structurally altered which does not comply with all the district regulations established by this division for the zoning district in which it is located.

(Ord. No. 03-10, § 1, 6-3-03; Ord. No. 10-02, § 1(Att. A), 2-23-10)

Sec. 26.20. Freestanding signs.

~~(a) Freestanding signs shall not be permitted within any required side yard adjacent to property in an RU-1, RU-2, RLM-1 or RLM-2 district or within a required front yard established for protection of a right-of-way corridor.~~

~~(b) Freestanding signs shall not be located within any visibility triangle established for the intersections of public streets or the intersections of driveways providing ingress and egress from a property to a public street.~~

(Ord. No. 03-10, § 1, 6-3-03; Ord. No. 10-02, § 1(Att. A), 2-23-10)

Deleted: (a) Freestanding signs shall be set back at least two feet from any property line.¶
(b) Freestanding signs shall have a minimum sight clearance from three feet above grade to seven feet above grade when located within ten feet of a public right-of-way.¶

Deleted: c

Deleted: d

Sec. 26.21. Setback measurement.

Required setbacks for signs in all zoning districts shall be measured from the property line to the nearest part of the sign.

(Ord. No. 03-10, § 1, 6-3-03; Ord. No. 10-02, § 1(Att. A), 2-23-10)

Sec. 26.22. Double-faced signs.

Double-faced signs shall be permitted in all zoning districts, provided the signs are designed and constructed such that the two sign faces are back to back and directionally oriented 180 degrees from each other. The maximum sign area allowed shall be permitted for each sign face.

(Ord. No. 03-10, § 1, 6-3-03; Ord. No. 10-02, § 1(Att. A), 2-23-10)

Editor's note: See note at section 26.16.

Sec. 26.23. Illumination.

The following conditions and restrictions shall apply to illuminated signs:

Except as hereinafter provided in this section, illuminated signs, or illumination in show windows, display windows, in or upon any building shall have the source of light concealed from view from the exterior of the building or structure, except that where channel letters or figures are used for any sign the illumination thereof may be visible if recessed within the depth of the channel.

Illuminated signs are subject to the following maximum illumination intensity levels:

Maximum Illumination Intensity Level

TABLE INSET:

Type of Illumination	Located Within 500 Feet and Visible from a Residential District	Not Visible From a Residential District or Located Beyond 500 Feet of a Residential District
Direct, internal or	90 footlamberts	150 footlamberts

back lighted		
Indirect or reflected sign	10 foot-candles	25 foot-candles

Illuminated signs located within 500 feet of a residential zone, and which are visible from such residential zone shall be turned off not later than 11:00 p.m. each night.

No intermittent or flashing illumination will be permitted.

(Ord. No. 03-10, § 1, 6-3-03; Ord. No. 10-02, § 1(Att. A), 2-23-10)

Sec. 26.24. Time and temperature signs.

Time and temperature signs may be utilized as part of an otherwise allowed freestanding or attached sign in RFM and CG-1 zoning districts; otherwise they are prohibited.

(Ord. No. 03-10, § 1, 6-3-03; Ord. No. 10-02, § 1(Att. A), 2-23-10)

Sec. 26.25. All districts.

The regulations in this division apply in every zoning district in the city, except where otherwise specified or indicated. Sign permits are not required for signs and sign-types described and identified in this section, below.

(a) *Street address signs.* For each parcel within the city, one street address sign may be displayed for each public street or waterfront. For parcels in residential use, the street address sign shall not exceed two square feet in sign area. For each parcel in non-residential use, the street address sign shall not exceed six square feet in sign area.

(b) *Nameplate signs or occupant identification signs.* For each residence, business or other occupancy within the city, one nameplate sign may be displayed. For residences the nameplate or occupant identification signs shall not exceed two square feet in sign area. For any non-residential use, the nameplate or occupant identification sign shall not exceed six square feet in sign area.

(c) *Noncommercial onsite directional signs.* Noncommercial onsite directional signs, not exceeding four square feet in sign area, shall be allowed on each parcel within the city.

(d) *Noncommercial onsite parking space signs.* Noncommercial onsite parking space number signs, not exceeding one square foot of sign face per sign, shall be allowed on each parcel in noncommercial use having multiple parking spaces onsite. One such sign shall be allowed for each parking space.

(e) *Noncommercial onsite marina slip number signs.* Noncommercial onsite marina slip number signs, not exceeding one square foot of sign face per sign, shall be allowed for each marina having marina slips. One such sign shall be allowed for each marina slip.

(f) *Free expression signs.* For each parcel within the city and for each residential unit within a multifamily residence, one free expression sign not exceeding three square feet in sign area may be displayed. The free expression sign may be displayed as an attached sign or as a freestanding sign; if displayed as a freestanding sign, the free standing sign shall not exceed three feet in height. A free expression sign is in addition to any other sign permitted under this Code and is permitted in any zoning district. Only one such sign shall be permitted on each such parcel or each residential unit. The sign must be located within six feet of a building located on the lot or parcel; or if there is no building on the lot or parcel, the sign must be located at least 15 feet from any street.

- (g) *Election signs.* For each parcel within the city, one election sign for each candidate and each issue may be displayed. An election sign may be displayed as an attached sign or as a freestanding sign. On parcels that are in residential use, the election sign shall not exceed three square feet in sign area; and, if the election sign is displayed as a freestanding sign on the parcel, the election sign shall not exceed three feet in height. On parcels that are in non-residential use, the election sign shall not exceed 12 square feet in sign area; and, if the election sign is displayed as a freestanding sign on the parcel, the election sign shall not exceed six feet in height. Freestanding election signs shall be set back at least three feet behind the sidewalk or, if there is no sidewalk, 10 feet from the edge of pavement. An election sign shall be removed within seven calendar days following the election to which it pertains.
- (h) *Artwork.* Artwork is allowed in all districts.
- (i) *Flagpoles.* One flagpole is allowed for each parcel in the city. Flagpoles in residential districts shall not exceed 20 feet in height, and flagpoles in nonresidential districts shall not exceed 30 feet in height.
- (j) *Flags.* For each detached dwelling unit in a residential district, one flag not greater than 15 square feet in sign area may be displayed. For each parcel in a multi-family residential district and in a non-residential district, three flags not greater than twenty-four square feet in sign area (each) may be displayed.
- (k) *Warning signs and safety signs.* Warning signs and safety signs, not exceeding four square feet in sign area, shall be allowed in all districts.
- (l) *Machinery and equipment signs.* Machinery and equipment signs shall be allowed in all districts.
- (m) *Construction signs.* One construction sign shall be allowed on each parcel within the city. Construction signs shall not exceed three square feet in sign area for residential properties, and 16 square feet in sign area for nonresidential properties.
- (n) *Real estate signs.* For each parcel within the city, one real estate sign may be displayed on each parcel of land or part thereof that is for sale, lease, or rent; however, when more than one dwelling unit or non-residential space on a parcel of land is for sale, lease, or rent, there may be one real estate sign for each such unit or space. In addition, waterfront lots may display one additional real estate sign within the required waterfront yard. Real estate signs shall not exceed three square feet in sign area for residential properties, and sixteen square feet in sign area for nonresidential properties. The real estate sign shall be removed immediately upon the sale, lease or rent of the real estate that was offered for sale, lease, or rent.
- (o) *Temporary garage-yard sale signs.* For each parcel with a lawful residential use, one temporary garage-yard sale sign may be displayed. A temporary garage-yard sale sign shall not exceed four square feet in sign area. A temporary garage-yard sale sign may not be displayed for a period longer than two days during any calendar month and shall be removed upon the conclusion of the sale.
- (p) *Temporary grand opening signs.* For each new business or business name change, one temporary grand opening sign shall be permitted for 30 days after the issuance of an occupational license for the new business or the business name change. A temporary grand opening sign shall not exceed 12 square feet in sign area. A temporary grand opening sign may be a temporary covering, such as a toaster cover, sign boot, or sign sock, which covers an existing permitted attached or freestanding sign.
- (q) *Temporary seasonal signage.* During the period November 15 until January 7 each year, each business holding a valid Business Tax Receipt shall be allowed to display one additional

sign of the types allowed for the applicable zoning district, excluding freestanding pole or monument signs. Such sign shall not require a permit, but must conform to the dimensional requirements of the code.

Deleted: n

(r) *Window signs.* For each parcel within the city, one or more window signs may be displayed. On parcels that are in residential use, the window sign(s) shall not exceed an aggregate of three square feet in sign area. On parcels that are in non-residential use, the window sign(s) shall not be restricted from the date of adoption of this ordinance until December 31, 2012; following which such signage shall not exceed an aggregate of more than fifty (50) percent of any window surface.

(s) *Temporary holiday and seasonal decorations.* Temporary holiday and seasonal decorations shall be allowed in all districts.

(t) *Temporary valet parking station signs.* One temporary valet parking station sign no more than four square feet in sign area shall be allowed on each parcel. The temporary valet parking station sign shall only be visible during hours that the valet is operating.

(u) *Bus stop information signs.* Bus stop informational signs up to three square feet in area shall be allowed in all districts.

(Ord. No. 03-10, § 1, 6-3-03; Ord. No. 10-02, § 1(Att. A), 2-23-10; Ord. No. 2010-32, § 1, 1-11-11)

Sec. 26.26. RU-1, RU-2, RLM-1 and RLM-2 Residential Districts.

In addition to the permanent and temporary signs and sign-types that are allowed pursuant to section 26.25, the following permanent signs are also allowed within RU-1, RU-2, RLM-1 and RLM-2 Residential Districts. The permanent signs described below require a sign permit.

(a) *Subdivision monument identification signs.* For each platted subdivision or neighborhood entrance within any RU-1, RU-2, RLM-1 and RLM-2 Residential Districts, one subdivision monument identification sign not exceeding six feet in height and 24 square feet in sign area shall be allowed.

(b) *Freestanding monument signs.* For each parcel with a lawful non-residential use within the RU-1, RU-2, RLM-1 and RLM-2 Residential Districts, one freestanding monument sign shall be allowed. The freestanding monument sign shall be subject to the following limitations:

(1) *Maximum height.* The monument sign shall not exceed six feet in height.

(2) *Maximum size.* The monument sign shall not exceed 18 square feet in sign area.

However, in the event that the parcel is greater than one acre in size and has two street frontages, two freestanding monument signs shall be allowed, but each freestanding monument sign shall be subject to the maximum height and maximum size criteria described above.

(c) *Attached signs.* For each parcel with a lawful non-residential use within the RU-1, RU-2, RLM-1 and RLM-2 Residential Districts, one attached sign shall be allowed. The attached sign shall be subject to the following limitations:

(1) *Maximum size.* An attached sign shall not exceed six square feet in sign area.

(2) *Height restrictions.* An attached sign may not appear above the first floor of a building.

(Ord. No. 03-10, § 1, 6-3-03; Ord. No. 10-02, § 1(Att. A), 2-23-10)

Editor's note: See note at section 26.16.

Sec. 26.27. RM and DCR Residential Districts.

In addition to the permanent and temporary signs and sign-types that are allowed pursuant to section 26.25, the following permanent signs are also allowed within RM Residential District. The permanent signs described below require a sign permit.

(a) *Subdivision monument identification signs.* For each platted subdivision or neighborhood entrance within any RM or DCR Residential District, one subdivision monument identification sign not exceeding six feet in height and 24 square feet in sign area shall be allowed.

(b) *Freestanding monument signs.* For each parcel with a lawful non-residential use within the RM or DCR Residential District, one freestanding monument sign shall be allowed. The freestanding monument sign shall be subject to the following limitations:

(1) *Maximum height.* The monument sign shall not exceed eight feet in height.

(2) *Maximum size.* The monument sign shall not exceed 24 square feet in sign area.

However, in the event that the parcel is greater than one acre in size and has two street frontages, two freestanding monument signs shall be allowed, but each freestanding monument sign shall be subject to the maximum height and maximum size criteria described above.

(c) *Attached signs.* For each parcel with a lawful non-residential use within the RM districts, one attached sign shall be allowed. The attached sign shall be subject to the following limitations:

(1) *Maximum size.* An attached sign shall not have a sign area that exceeds (a) eight square feet or (b) one square foot for each linear foot of building frontage, whichever is less.

(2) *Height restrictions.* An attached sign may not appear above the first floor of a building.

(Ord. No. 03-10, § 1, 6-3-03; Ord. No. 10-02, § 1(Att. A), 2-23-10)

Editor's note: See note at section 26.16.

Sec. 26.28. ROR Residential/Office/Retail District.

In addition to the permanent and temporary signs and sign-types that are allowed pursuant to section 26.25, each business within the ROR District may have up to three of the following signs in [subsections] (a)–(e) below, subject to permit approval and compliance with the conditions for each type of sign:

(a) *Subdivision monument identification signs.* For each platted subdivision or neighborhood entrance within any ROR Residential/Office/Retail District, one subdivision monument identification sign not exceeding six feet in height and 24 square feet in sign area shall be allowed.

(b) *Freestanding monument signs.* For each parcel with a lawful non-residential use within the ROR Residential/Office/Retail District, one freestanding monument sign shall be allowed. The freestanding monument sign shall be subject to the following limitations:

(1) *Maximum height.* The monument sign shall not exceed ten feet in height.

(2) *Maximum size.* The monument sign shall not exceed 40 square feet in sign area. However, in the event that the parcel is greater than one acre in size and has two street frontages, two freestanding monument signs shall be allowed, but each freestanding monument sign shall be subject to the maximum height and maximum size criteria described above.

(c) *Attached signs.* For each parcel with a lawful non-residential use within the ROR Residential/Office/Retail District, attached signs shall be allowed. Attached signs shall be subject to the following limitations:

(1) *Maximum size.* An attached sign shall not have a sign area that exceeds one square foot for each linear foot of building frontage.

(2) *Height restrictions.* An attached sign may not appear above the second floor of a building.

- (d) One sandwich board sign or one designer sign, subject to the following:
- (1) *Sandwich board*-- Shall be located in front of the storefront for which it advertises and shall not be placed in the right of way, shall not be placed within the visibility triangle required for intersections at streets and driveways, as required by this LDC, be no larger than five (5) feet in height and twelve (12) square feet in area per face, shall have no illumination of any kind, and may be displayed only during the time when the business is open to the public.
 - (2) *Designer sign*-- Shall not be located on public right of way or within the visibility triangle required by this LDC and shall be no larger than 5 feet tall by three feet wide by three feet deep.
 - (e) A projecting sign, provided that the sign is no larger than 12 square feet in area, does not project within 2 feet of any curb, and has a minimum ground clearance of 7 feet.
- (Ord. No. 03-10, § 1, 6-3-03; Ord. No. 10-02, § 1(Att. A), 2-23-10; Ord. No. 2010-32, § 1, 1-11-11)

Sec. 26.29. RFM Resort Facilities Medium District.

In addition to the permanent and temporary signs and sign-types that are allowed pursuant to section 26.25, the following permanent signs and temporary signs are also allowed within RFM Resort Facilities Medium District. The permanent signs described below require a sign permit.

(a) *Freestanding monument signs*. For each parcel with a lawful non-residential use within any RFM Resort Facilities Medium District, one freestanding monument sign shall be allowed. The freestanding monument sign shall be subject to the following limitations:

- (1) *Maximum height*. The monument sign shall not exceed 20 feet in height.
 - (2) *Maximum size*. The monument sign shall not exceed 135 square feet in sign area.
- However, in the event that the parcel is greater than one acre in size and has two street frontages or more than 400 feet along one street frontage, two freestanding monument signs shall be allowed, but each freestanding monument sign shall be subject to the maximum height and maximum size criteria described above.

(b) *Attached signs*. For each parcel with a lawful non-residential use within the RFM Resort Facilities Medium District, attached signs shall be allowed. Attached signs shall be subject to the following limitations:

- (1) *Maximum number*. Up to three attached signs shall be allowed with a combined sign area not exceeding the maximum permitted in paragraph (c)(2); however, in the event the parcel contains a multi-tenant development, each individual business use may have one attached sign.
- (2) *Maximum size*. An attached sign shall not have a sign area that exceeds one square foot for each linear foot of building frontage.
- (3) *Height restrictions*. An attached sign may not appear above the second floor of a building.

(c) *Drive-thru menu signs*. For each parcel with a lawful non-residential use that utilizes a drive-through lane within RFM Resort Facilities Medium District, one drive-through menu sign shall be allowed for each drive-thru lane. An allowed drive-thru menu sign may be either a freestanding sign or an attached sign, and shall not exceed 40 square feet in sign area and ten feet in height. Drive-thru menu signs shall be in addition to the freestanding and attached signage otherwise allowed pursuant to the other provisions of this division.

(d) *Attached menu display signs*. For each parcel within RFM Resort Facilities Medium District with (a) a restaurant without drive-through service or (b) with a transient lodging facility that has restaurant facilities open to the general public, one attached menu display sign shall be allowed. An attached menu display sign shall be a wall sign not exceeding 12 square feet in sign

Deleted: (b) *Freestanding pole signs*. In lieu of one freestanding monument sign, each parcel with a lawful non-residential use within the RFM Resort Facilities Medium District is allowed one freestanding pole sign. The freestanding pole sign shall be subject to the following limitations: ¶
 (1) *Maximum height*. The pole sign shall not exceed 35 feet in height. ¶
 (2) *Maximum size*. The pole sign shall not exceed one square foot in sign area for each linear foot of street frontage, subject to a maximum sign area of no more than 135 square feet. ¶
 (3) *Setback*. The pole sign shall be set back at least ten feet from the property line. ¶

Deleted: c

Deleted: d

Deleted: e

area An attached menu display sign shall be in addition to the freestanding and attached signage otherwise allowed pursuant to the other provisions of this division.

(e) *Theater signs.* For each parcel with a theater within RFM Resort Facilities Medium District, one attached theater sign shall be allowed. An attached theater sign shall be a wall sign not exceeding 15 square feet in sign area for each auditorium within the theater, subject to a maximum limit of 64 square feet in sign area. An attached theater sign shall be in addition to the freestanding and attached signage otherwise allowed pursuant to the other provisions of this division.

Deleted: f

(f) *Waterside identification signs.* For each parcel within RFM Resort Facilities Medium District with a residential complex, business property or shopping center theater that can only be viewed from a navigable waterway, one waterside identification sign shall be allowed. A waterside identification sign may be either a free-standing sign or an attached sign. A waterside identification sign shall not exceed eight feet in height and shall not exceed 20 square feet in sign area. A waterside identification sign shall be in addition to the freestanding and attached signage otherwise allowed pursuant to the other provisions of this division.

Deleted: g

(g) *Boat or beach concession signs.* Each licensed boat or beach concession rental business operating along the Gulf of Mexico and on the site of a business having Gulf frontage may be permitted signs as follows:

Deleted: h

(1) *Permission required.* The applicant shall provide the city with a letter, granting approval for placement of the signs, from the owner of the real property upon which signs are to be located prior to the issuance of a permit.

(2) *Advertising permitted.* Signs at boat or beach concession rental business licensed sites shall only provide descriptions of the specific activities and services offered at the site where the sign is located. Such signs shall not be permitted to advertise or imply the availability of any activities or services that are not specifically available at the site.

(3) *Lighted signs.* Lighted signs shall be prohibited.

(4) *Sandwich board signs.* Operators may display sandwich board sign on the sandy beach during the hours of business operation in accordance with subparagraphs (i) through (iv) below. Such signs shall be removed from the beach when the business is closed.

(i) *Maximum area:* 12 square feet per face.

(ii) *Number permitted:* One.

(iii) *Maximum height:* Five feet.

(iv) *Setbacks:* 40 feet from the water's edge.

(5) *Tiki hut or ticket office signs.* Operators may display signs on the tiki huts or ticket offices as follows:

(i) *Maximum area:* Eight square feet per face.

(ii) *Number permitted:* Three per tiki hut; not more than two on one side.

(iii) *Location:* Signs may be attached to or painted on the sides of the tiki hut at a point no higher than four feet above the ground, provided however, that one of the signs may be raised and attached at a point on the side of the tiki hut just below the eave of the roof.

(6) *Operators without a tiki hut or ticket office.* Licensed board or beach concession rental businesses that do not use a tiki hut or other structure for their businesses shall be permitted to keep one sandwich board sign on the beach overnight, provided such sign is no larger than eight square feet in area per face and is located or protected so as to not be a hazard to people walking on the beach after dark.

(Ord. No. 03-10, § 1, 6-3-03; Ord. No. 10-02, § 1(Att. A), 2-23-10; Ord. No. 2010-32, § 1, 1-11-11)

Sec. 26.30. CG-1 Commercial District.

In addition to the permanent and temporary signs and sign-types that are allowed pursuant to section 26.25, each business within the CG-1 District may have up to three of the following signs in [subsections] (a)--(f) below, subject to permit approval and compliance with the conditions for each type of sign (businesses with more than 300 feet of frontage may choose up to 4 signs from [subsections] (a)--(f)):

(a) *Freestanding monument signs.* Up to two freestanding monument signs are permitted, provided that the sign face does not exceed 50 square feet in area, is not taller than 8 feet in height, and is not located within the visibility triangle as required by this LDC. The sign may be located within the front yard setback but shall be located at least ten feet from the front lot line, and shall not be located within any easement dedicated for pedestrian or utility improvements. If the business owner chooses to have one monument sign instead of two, the sign may be up to 100 square feet in area, but shall not exceed 8 feet in height. However, this sign shall be counted as two of the three or four permitted.

(b) *Attached signs,* subject to the following:

(1) *Maximum size.* An attached sign shall not exceed a sign face area equal to one square foot for each linear foot of building frontage.

(2) *Height restrictions.* An attached sign may not appear above the second floor of a building.

(c) *Drive-thru menu signs.* For each parcel with a lawful non-residential use that utilizes a drive-through lane within the CG-1 Commercial District, one drive-through menu sign shall be allowed for each drive-thru lane. An allowed drive-thru menu sign may be either a free-standing sign or an attached sign, and shall not exceed 40 square feet in sign area and ten feet in height. Drive-thru menu signs shall be in addition to the freestanding and attached signage otherwise allowed pursuant to the other provisions of this division.

(d) *Attached menu display signs.* For each parcel within the CG-1 Commercial District with a restaurant without drive-through service or with a transient lodging facility that has restaurant facilities open to the general public, one attached menu display sign shall be allowed. An attached menu display sign shall be a wall sign not exceeding 12 square feet in sign area. An attached menu display sign shall be in addition to the freestanding and attached signage otherwise allowed pursuant to the other provisions of this division.

(e) *Theater signs.* For each parcel with a theater within the CG-1 Commercial District, one attached theater sign shall be allowed. An attached theater sign shall be a wall sign not exceeding 15 square feet in sign area for each auditorium within the theater. An attached theater sign shall be in addition to the freestanding and attached signage otherwise allowed pursuant to the other provisions of this division.

(f) *Waterside identification signs.* For each parcel within the CG-1 Commercial District with a residential complex, business property or shopping center theater that can only be viewed from a navigable waterway, one waterside identification sign shall be allowed. A waterside identification sign may be either a free-standing sign or an attached sign. A waterside identification sign shall not exceed eight feet in height and shall not exceed 20 square feet in sign area. A waterside identification sign shall be in addition to the freestanding and attached signage otherwise allowed pursuant to the other provisions of this division.

(Ord. No. 03-10, § 1, 6-3-03; Ord. No. 10-02, § 1(Att. A), 2-23-10; Ord. No. 2010-32, § 1, 1-11-11)

Editor's note: See note at section 26.16.

Sec. 26.31. CG-2 Commercial District.

In addition to the permanent and temporary signs and sign-types that are allowed pursuant to section 26.25, each business within the CG-2 District may have up to three of the following signs in [subsections] (a)--(f) below, subject to permit approval and compliance with the conditions for each type of sign (businesses with more than 300 feet of frontage may choose up to 4 signs from [subsections] (a)--(f)):

(a) *Freestanding monument.* Up to two freestanding monument signs are permitted, provided that the sign face does not exceed 50 square feet in area, is not taller than 8 feet in height, and is not located within the visibility triangle as required by this LDC. The sign may be located within the front yard setback but shall be located at least ten feet from the front lot line, and shall not be located within any easement dedicated for pedestrian or utility improvements. If the business owner chooses to have one monument sign instead of two, the sign may be up to 100 square feet in area, but shall not exceed 8 feet in height. However, this sign shall be counted as two of the three or four permitted.

(1) *Maximum height.* The monument sign shall not exceed 8 feet in height.

(2) *Maximum size.* The monument sign shall not exceed 50 square feet in sign area.

(3) *Setback.* The sign shall be set back at least ten feet from the property line.

(b) *Attached signs.* Attached signs shall be subject to the following limitations:

(1) *Maximum size.* An attached sign shall not exceed a sign face area equal to one square foot for each linear foot of building frontage.

(2) *Height restrictions.* An attached sign may not appear above the second floor of a building.

(c) *Attached menu display signs.* An attached menu display sign shall not exceed 12 square feet in sign area.

(d) *Theater signs.* For each parcel with a theater within the CG-2 Commercial District, one attached theater sign shall be allowed. An attached theater sign shall be a wall sign not exceeding 15 square feet in sign area for each auditorium within the theater. An attached theater sign shall be in addition to the freestanding and attached signage otherwise allowed pursuant to the other provisions of this division.

(e) *Waterside identification signs.* For each parcel within the CG-2 Commercial District with a residential complex, business property or shopping center theater that can only be viewed from a navigable waterway, one waterside identification sign shall be allowed. A waterside identification sign may be either a free-standing sign or an attached sign. A waterside identification sign shall not exceed eight feet in height and shall not exceed 20 square feet in sign area. A waterside identification sign shall be in addition to the freestanding and attached signage otherwise allowed pursuant to the other provisions of this division.

(f) One sandwich board sign or one designer sign, subject to the following (1) *Sandwich board--* Shall be located in front of the storefront for which it advertises and shall not be placed in the right of way, shall not be placed within the visibility triangle required for intersections at streets and driveways, as required by this LDC, be no larger than five feet in height and twelve (12) square feet in area per face, shall have no illumination of any kind, and may be displayed only during the time when the business is open to the public.

Deleted: ¶

(2) *Designer sign*-- Shall not be located on public right of way or within the visibility triangle required by this LDC and shall be no larger than 5 feet tall by three feet wide by three feet deep. (Ord. No. 03-10, § 1, 6-3-03; Ord. No. 10-02, § 1(Att. A), 2-23-10; Ord. No. 2010-32, § 1, 1-11-11)

Sec. 26.32. INS Institutional District.

In addition to the permanent and temporary signs and sign-types that are allowed pursuant to section 26.25, each institution may choose up to three signs from [subsections] (a)--(c) below, subject to the limitations for each sign.

(a) *Freestanding monument signs*. For each parcel with a lawful non-residential use within any INS Institutional District, one freestanding monument sign shall be allowed. The freestanding monument sign shall be subject to the following limitations:

(1) *Maximum height*. The monument sign shall not exceed 8 feet in height.

(2) *Maximum size*. The monument sign shall not exceed 50 square feet in sign area. However, in the event that the parcel is greater than one acre in size and has two street frontages, two freestanding monument signs shall be allowed, but each freestanding monument sign shall be subject to the maximum height and maximum size criteria described above.

(b) *Attached signs*. For each parcel with a lawful non-residential use within the INS Institutional District, attached signs shall be allowed. Attached signs shall be subject to the following limitations:

(1) *Maximum number*. Only one attached sign shall be allowed.

(2) *Maximum size*. An attached sign shall not exceed a sign face area equal to (a) 24 square feet or (b) one square foot for each linear foot of building frontage, whichever is less.

(3) *Height restrictions*. An attached sign may not appear above the first floor of a building.

(c) One sandwich board sign or one designer sign, subject to the following.

(1) *Sandwich board*-- Shall be located in front of the storefront for which it advertises and shall not be placed in the right of way, shall not be placed within the visibility triangle required for intersections at streets and driveways as required by this LDC, be no larger than five feet in height and twelve (12) square feet in area per face, shall have no illumination of any kind, and may be displayed only during the time when the business is open to the public.

(2) *Designer sign*-- Shall not be located on public right of way or within the visibility triangle required by this LDC and shall be no larger than 5 feet tall by three feet wide by three feet deep. (Ord. No. 03-10, § 1, 6-3-03; Ord. No. 10-02, § 1(Att. A), 2-23-10; Ord. No. 2010-32, § 1, 1-11-11)

Deleted: :

Sec. 26.33. TC-1 and TC-2 District.

In addition to the permanent and temporary signs and sign-types that are allowed pursuant to section 26.25, each business within the TC-1 or TC-2 District may have up to three of the following signs in [subsections] (a)--(g) below, subject to permit approval and compliance with the conditions for each type of sign:

(a) One sandwich board sign or one designer sign, subject to the following. (1) *Sandwich board*-- Shall be located in front of the storefront for which it advertises and will not be placed in the right of way, not be placed within the visibility triangle required for intersections at streets and driveways, as required by this LDC, be no larger than five (5) feet in height and twelve (12) square feet in area per face, shall have no illumination of any kind, and may be displayed only during the time when the business is open to the public.

Deleted:

Deleted: Town Center Core District

Deleted: f

Deleted: .f

(2) *Designer sign*-- Shall not be located on public right of way or within the visibility triangle required by this LDC and shall be no larger than (5) feet tall by three (3) feet wide by three (3) feet deep.

(b) A marquee or canopy sign;

(c) A menu display sign;

(d) A projecting sign, provided that the sign is no larger than 12 square feet in area, does not project within 2 feet of any curb, and has a minimum ground clearance of 7 feet;

(e) A wall sign, provided the sign is not internally illuminated, unless such sign is on a parcel which abuts Gulf Boulevard south of 76th Avenue, in which case internal illumination shall be allowed. The area of the sign may be one square foot for every linear foot of building frontage, per business, not to exceed a total of 50 square feet.

(f) A Freestanding monument sign, provided that the sign face does not exceed 40 square feet in area, is not taller than 8 feet in height, does not block any pedestrian walkway, and is not located within the visibility triangle as required by this LDC. The sign may be located within the front yard setback.

(g) *Waterside identification signs*. For facades of a building that can only be viewed from a navigable waterway, one waterside identification sign shall be allowed. A waterside identification sign may be either a free-standing sign or an attached sign. A waterside identification sign shall not exceed 40 square feet in sign area.

(Ord. No. 10-02, § 1(Att. A), 2-23-10; Ord. No. 2010-32, § 1, 1-11-11)

Sec. 26.34. LR and BHC Districts.

In addition to the permanent and temporary signs and sign-types that are allowed pursuant to section 26.25, each business within the LR or BHC District that has an exclusive entrance to the interior of the building from the exterior of the building may have up to three of the following signs in [subsections] (a)--(e) below, subject to permit approval and compliance with the conditions for each type of sign (businesses with more than 300 feet of frontage may choose up to four from [subsections] (a)--(e) below):

(a) A marquee or canopy sign;

(b) A menu display sign;

(c) A wall sign. The area of the sign may be one square foot for every linear foot of building frontage, per business, not to exceed a total of 70 square feet.

(d) Up to two Freestanding monument signs, provided that the sign face does not exceed 50 square feet in area, is not taller than 8 feet in height, and is not located within the visibility triangle as required by this LDC. The sign may be located within the front yard setback but shall be located at least ten feet from the front lot line, and shall not be located within any easement dedicated for pedestrian or utility improvements. If the business owner chooses to have one monument sign instead of two, the sign may be up to 100 square feet in area, but shall not exceed 8 feet in height. However, this sign shall be counted as two of the four permitted.

(e) One sandwich board sign or one designer sign, subject to the following:

(1) *Sandwich board*-- Shall be located in front of the storefront for which it advertises and will not be located in the right of way, shall not be placed within the visibility triangle required for intersections at streets and driveways as required by this LDC, be no larger than five feet in height and twelve (12) square feet in area per face, shall have no illumination of any kind, and may be displayed only during the time when the business is open to the public.

Deleted: Large Resort

Deleted: Large Resort

(2) *Designer sign*-- Shall not be located on public right of way or within the visibility triangle required by this LDC and shall be no larger than 5 feet tall by three feet wide by three feet deep. (Ord. No. 10-02, § 1(Att. A), 2-23-10; Ord. No. 2010-32, § 1, 1-11-11)

Sec 26.35 CC-1 CC-2 Districts: In addition to the permanent and temporary signs and sign-types that are allowed pursuant to section 26.25, each business may have up to three of the following signs in [subsections] (a)--(f) below, subject to permit approval and compliance with the conditions for each type of sign (businesses with more than 300 feet of frontage may choose up to 4 signs from [subsections] (a)--(f)):

(a) Freestanding monument signs. Up to two freestanding monument signs are permitted, provided that the sign face does not exceed 50 square feet in area, is not taller than 8 feet in height, and is not located within the visibility triangle as required by this LDC. The sign may be located within the front yard setback but shall be located at least ten feet from the front lot line, and shall not be located within any easement dedicated for pedestrian or utility improvements. If the business owner chooses to have one monument sign instead of two, the sign may be up to 100 square feet in area, but shall not exceed 8 feet in height. However, this sign shall be counted as two of the three or four permitted.

(b) A marquee or canopy sign;

(c) A menu display sign not to exceed 12 square feet;

(d) A projecting sign, provided that the sign is no larger than 12 square feet in area, does not project within 2 feet of any curb, and has a minimum ground clearance of 7 feet;

(e) Wall signs, subject to the following:

(1) Maximum size. A wall sign shall not exceed a sign face area equal to one square foot for each linear foot of building frontage.

(2) Internally illuminated signs are discouraged but not prohibited. Externally illuminated signs are preferable with lighting from above or below casting light on the sign, but the lighting shall not shine directly onto adjacent properties or onto the right-of-way.

26.36 UBV District- In addition to the permanent and temporary signs and sign-types that are allowed pursuant to section 26.25, each business within the UBV District may have up to three of the following signs in [subsections] (a)--(d) below, subject to permit approval and compliance with the conditions for each type of sign:

(a) A marquee or canopy sign;

(b) A projecting sign, provided that the sign is no larger than 12 square feet in area, does not project within 2 feet of any curb, and has a minimum ground clearance of 7 feet;

(c) A wall sign, provided the sign is not internally illuminated. The sign may be externally illuminated with lighting from above or below casting light on the sign, but the lighting shall not shine directly onto adjacent properties or onto the right-of-way. The area of the sign may be one square foot for every linear foot of building frontage, per business, not to exceed a total of 40 square feet;

(d) A Freestanding monument sign, provided that the sign face does not exceed 40 square feet in area, is not taller than 5 feet in height, does not block any pedestrian walkway and is not located within the visibility triangle as required by this LDC. The sign may be externally

illuminated with lighting from above or below casting light on the sign, but the lighting shall not shine directly onto adjacent properties or onto the right-of-way.

26.37 AC District:

In addition to the permanent and temporary signs and sign-types that are allowed pursuant to section 26.25, each business within the AC District may have up to three of the following signs in [subsections] (a)--(f) below, subject to permit approval and compliance with the conditions for each type of sign (businesses with more than 300 feet of frontage may choose up to 4 signs from [subsections] (a)--(f)):

(a) Freestanding monument signs. Up to two freestanding monument signs are permitted, provided that the sign face does not exceed 50 square feet in area, is not taller than 8 feet in height, and is not located within the visibility triangle as required by this LDC. The sign may be located within the front yard setback but shall be located at least ten feet from the front lot line, and shall not be located within any easement dedicated for pedestrian or utility improvements. If the business owner chooses to have one monument sign instead of two, the sign may be up to 100 square feet in area, but shall not exceed 8 feet in height. However, this sign shall be counted as two of the three or four permitted.

(b) Attached signs, subject to the following:

(1) Maximum size. An attached sign shall not exceed a sign face area equal to one square foot for each linear foot of building frontage.

(2) Height restrictions. An attached sign may not appear above the second floor of a building.

(c) Drive-thru menu signs. For each parcel with a lawful non-residential use that utilizes a drive-through lane within the AC District, one drive-through menu sign shall be allowed for each drive-thru lane. An allowed drive-thru menu sign may be either a free-standing sign or an attached sign, and shall not exceed 40 square feet in sign area and ten feet in height. Drive-thru menu signs shall be in addition to the freestanding and attached signage otherwise allowed pursuant to the other provisions of this division.

(d) Attached menu display signs. For each parcel within the AC Commercial District with a restaurant without drive-through service or with a transient lodging facility that has restaurant facilities open to the general public, one attached menu display sign shall be allowed. An attached menu display sign shall be a wall sign not exceeding 12 square feet in sign area. An attached menu display sign shall be in addition to the freestanding and attached signage otherwise allowed pursuant to the other provisions of this division.

(e) Theater signs. For each parcel with a theater within the AC District, one attached theater sign shall be allowed. An attached theater sign shall be a wall sign not exceeding 15 square feet in sign area for each auditorium within the theater. An attached theater sign shall be in addition to the freestanding and attached signage otherwise allowed pursuant to the other provisions of this division.

(f) Waterside identification signs. For facades of a building that can only be viewed from a navigable waterway, one waterside identification sign shall be allowed. A waterside identification sign may be either a free-standing sign or an attached sign. A waterside identification sign shall not exceed 40 square feet in sign area.

In addition to the number and types of signs listed in a-f above, Multitenant shopping centers in the AC district may have one additional monument sign listing each individual tenant all within the same sign face. The sign shall be no taller than 10 feet and no larger than 100 square feet per

sign face. The sign shall not be located within any setback or within any pedestrian or utility easement.

26.38 BR District: In addition to the permanent and temporary signs and sign-types that are allowed pursuant to section 26.25, each business within the BR District may have up to three of the following signs in [subsections] (a)--(e) below, subject to permit approval and compliance with the conditions for each type of sign:

(a) A marquee or canopy sign;

(b) A projecting sign, provided that the sign is no larger than 12 square feet in area, does not project within 2 feet of any curb, and has a minimum ground clearance of 7 feet;

(c) A wall sign, provided the sign is not internally illuminated. The sign may be externally illuminated with lighting from above or below casting light on the sign, but the lighting shall not shine directly onto adjacent properties or onto the right-of-way. The area of the sign may be one square foot for every linear foot of building frontage, per business, not to exceed a total of 40 square feet;

(d) A Freestanding monument sign, provided that the sign face does not exceed 40 square feet in area, is not taller than 5 feet in height, does not block any pedestrian walkway and is not located within the visibility triangle as required by this LDC. The sign may be externally illuminated with lighting from above or below casting light on the sign, but the lighting shall not shine directly onto adjacent properties or onto the right-of-way.

(e) *Waterside identification signs.* For facades of a building that can only be viewed from a navigable waterway, one waterside identification sign shall be allowed. A waterside identification sign may be either a free-standing sign or an attached sign. A waterside identification sign shall not exceed 40 square feet in sign area.

Sec. 26.39, Traditional Hotel District.

In addition to the permanent and temporary signs and sign-types that are allowed pursuant to section 26.25, each business within the THD District may have up to three of the following signs in [subsections] (a)--(d) below, subject to permit approval and compliance with the conditions for each type of sign:

(a) A marquee or canopy sign;

(b) A projecting sign, provided that the sign is no larger than 12 square feet in area, does not project within 2 feet of any curb, and has a minimum ground clearance of 7 feet;

(c) A wall sign, provided the sign is not internally illuminated. The sign may be externally illuminated with lighting from above or below casting light on the sign, but the lighting shall not shine directly onto adjacent properties or onto the right-of-way. The area of the sign may be one square foot for every linear foot of building frontage, per business, not to exceed a total of 40 square feet;

(d) A Freestanding monument sign, provided that the sign face does not exceed 20 square feet in area, is not taller than 4 feet in height, does not block any pedestrian walkway and is not located within the visibility triangle as required by this LDC. The sign may be externally illuminated with lighting from above or below casting light on the sign, but the lighting shall not

Deleted: 5

shine directly onto adjacent properties or onto the right-of-way. The sign may be located within the front yard setback.

(Ord. No. 11-03, § 1, 5-24-11)

Sec. 26.40. Severability.

Deleted: 36

(a) *Generally.* If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this division is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this division.

(b) *Severability where less speech results.* Without diminishing or limiting in any way the declaration of severability set forth above in section 26.34(a), or elsewhere in this division, this Code, or any adopting ordinance, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this division is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this division, even if such severability would result in a situation where there would be less speech, whether by subjecting previously exempt signs to permitting or otherwise.

(c) *Severability of provisions pertaining to prohibited signs.* Without diminishing or limiting in any way the declaration of severability set forth above in section 26.35(a), or elsewhere in this division, this Code, or any adopting ordinance, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this division or any other law is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this division that pertains to prohibited signs, including specifically those signs and sign-types prohibited and not allowed under section 26.4 of this division. Furthermore, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of section 26.4 is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of section 26.4.

(d) *Severability of prohibition on billboards.* If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this division and/or any other code provisions and/or laws are declared invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect the prohibition on billboards as contained herein.

(Ord. No. 03-10, § 1, 6-3-03; Ord. No. 10-02, § 1(Att. A), 2-23-10; Ord. No. 2011-03, § 1, 5-24-11)

**St. Pete Beach City Commission
Agenda Report**

ISSUE CONSIDERED: Final Reading: Ordinance 2012-01 providing a supplemental appropriation for fiscal year 2012 to the General, Wastewater, Stormwater and Capital Project Funds and providing for funding.

DATE: January 24, 2012

PREPARED BY: Elaine Edmunds, Finance Director

SUMMARY OF ISSUE: Ordinance 2012-01 provides a supplemental appropriation to the General, Wastewater, Stormwater and Capital Improvement Funds. At the end of fiscal year 2011, monies were encumbered in these funds. An encumbrance results when a commitment is made to purchase a good or service through the issuance of a purchase order. When the item is received it is moved from an encumbered status to an accounts payable status. The items in the attached listing were encumbered in fiscal year 2011 and were not received until fiscal year 2012. A reserve for encumbrances is established at fiscal year end to pay for those items ordered but not yet received. Therefore a budget adjustment is necessary to pay for the goods and services.

Ordinance 2012-01 also includes the addition of \$25,000 to the Fire Department – Fire Suppression Division budget. A new vehicle for the fire inspector was budgeted in FY 2011. The vehicle was not purchased in FY 2011 because the public safety package was not available on the 2011 Ford Explorers due to a change in the model of the vehicle. This helped contribute to the fire suppression budget being under expended by a total amount of \$39,000. These monies fell to fund balance in FY 2011. It is necessary to draw \$25,000 of this amount from fund balance to pay for the vehicle in FY 2012.

The City Commission voted to initiate the second tier of the stormwater assessment in FY 2012. The budget adjustment recognizes the additional revenue of \$350,000 estimated to be generated from this assessment along with the corresponding expenditures.

REQUESTED MOTION: “I move to approve Ordinance 2012-01, (read title)...

ATTACHMENTS: Ordinance 2012-01
Encumbrance listing

**REVIEWED BY
CITY MANAGER:**

ORDINANCE 2012-01

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA PROVIDING A SUPPLEMENTAL APPROPRIATION TO THE GENERAL, WASTEWATER, STORMWATER AND CAPITAL PROJECT FUNDS FOR FISCAL YEAR ENDING SEPTEMBER 30, 2012; PROVIDING FOR FUNDING; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, notice of this ordinance has been provided in accordance with applicable law:
and

WHEREAS, estimated revenues and expenditures are provided in Ordinance 2011-24, Budget Ordinance; and

WHEREAS, the authority for appropriation amendments is provided in Article III, Section 3.13 (a) of the City Charter; and

WHEREAS, the City Commission wishes to bring forward monies encumbered in fiscal year 2011; and

WHEREAS, the City Commission wishes bring forward monies budgeted in fiscal year 0211 for the purchase of a replacement vehicle for the Fire Marshall; and

WHEREAS, the City Commission initiated the second tier of the stormwater assessment in fiscal year 2012.

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, PINELLAS COUNTY, FLORIDA, HEREBY ORDAINS:

Section One. For the General Fund, the amount of \$23,238, for the Wastewater Fund, the amount of \$10,030, for the Stormwater Fund, the amount of \$2,200, for the Capital Projects Fund, the amount of \$62,088. These increases are to be funded by a reserve for encumbrances established in the fund balances for each fund at fiscal year ending September 30, 2011.

Section Two. For the General Fund, an increase in expenditures for the Fire Department – Fire Suppression Division, in the amount of \$25,000 to be funded from prior year reserves.

Section Three. For the Stormwater Fund, an increase in revenue of \$350,000 resulting from the implementation of the second tier of the stormwater assessment along with a corresponding increase in expenditures of the same amount.

Section Four. This ordinance shall become effective upon final passage.

Steve McFarlin, MAYOR

FIRST READING : _____
PUBLISHED : _____
SECOND READING : _____
PUBLIC HEARING : _____

I, Rebecca Haynes, City Clerk of the City of St. Pete Beach, Florida, do hereby certify that the foregoing Ordinance was duly adopted in accordance with the provisions of applicable law this _____ day of _____, 2012.

Rebecca Haynes, City Clerk

City of St. Pete Beach
Encumbrance Listing
Fiscal Year Ending September 30, 2011

Purchase

Order #	Payee	Department	Amount
General Fund:			
11-00786	Professional Communications	Information Technology	\$ 6,002.00
11-00787	Best Buy	Information Technology	\$ 2,799.99
11-00772	Bibliotheca	Library	\$ 9,397.05
11-00604	Cale Parking	Parking Enforcement	\$ 5,038.66
Total - General Fund			<u><u>\$ 23,237.70</u></u>
Wastewater Fund:			
11-00781	Public Resource Management		\$ 4,700.10
11-00719	George F. Young		\$ 5,330.00
Total - Wastewater Fund			<u><u>\$ 10,030.10</u></u>
Stormwater Fund:			
11-00737	Ennead LLC		<u><u>\$ 2,200.00</u></u>
Capital Projects Fund:			
10-00556	Woods Consulting		\$ 518.50
11-00627	George F. Young		\$ 5,769.00
11-00680	Smith Fence Company		\$ 2,471.30
11-00732	GGI LLC		\$ 3,060.38
11-00733	GGI LLC		\$ 4,615.36
11-00734	GGI LLC		\$ 1,775.38
11-00735	George F. Young		\$ 1,193.75
11-00760	George F. Young		\$ 3,510.00
11-00764	L. S. Curb Service		\$ 20,154.20
11-00767	Eveland Brothers		\$ 8,379.67
11-00783	GGI LLC		\$ 7,640.00
11-00784	George F. Young		\$ 3,000.00
Total - Capital Projects Fund			<u><u>\$ 62,087.54</u></u>

**St. Pete Beach City Commission
Agenda Report**

Issue Considered: Final Reading for Ordinance 2012-02, providing for amendment of Division 22, Article IX of the City of St. Pete Beach Code of Ordinances to amend the Special Magistrate rules and procedures to be consistent with Chapter 162 *Florida Statutes*.

Date: January 24, 2012

Prepared By: Catherine M. Hartley, AICP, Senior Planner

Summary of Issue: The proposed text amendments to the Code of Ordinances update the rules and procedures Special Magistrate/Code Enforcement cases.

Requested Motion: “I move to approve Ordinance 2012-02 (read title)”

Attachments: Copy of Ordinance 2012-02

Reviewed by City Manager: _____

CITY OF ST. PETE BEACH

ORDINANCE NO. 2012- 02

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA PROVIDING FOR AMENDMENTS TO CODE OF ORDINANCES AS THEY RELATE TO THE SPECIAL MAGISTRATE; AMENDING CHAPTER 22, ARTICLE IX OF THE CODE PROVIDING FOR SPECIAL MAGISTRATE SUPPLEMENTAL CODE ENFORCEMENT RULES AND PROCEDURES; PROVIDING FOR THE REPEAL OF ORDINANCES, OR PARTS OF ORDINANCES, IN CONFLICT HEREWITH, TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Division 22 of the City of St. Pete Beach Code of Ordinances establishes the Special Magistrate as the entity who adjudicates alleged violations of the Code of Ordinances and Land Development Code; and

WHEREAS, the amendments to this Article establish qualifications, powers and duties, rules of procedure, fines and liens, and notice requirements for the Special Magistrate; and

WHEREAS, City Commission of the City of St. Pete Beach conducted public hearings on January 10, 2012 and January 24, 2012, noticed pursuant to Florida law and conducted pursuant to Ordinance 88-36 of the City of St. Pete Beach; and

WHEREAS, the City Commission finds these text amendments to the Code of Ordinances promote, protect and improve the health, safety and welfare of the citizens of the city; and

WHEREAS, the City Commission finds these text amendments to the Code of Ordinances to be in the best interest of the citizens of the City of St. Pete Beach.

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA, HEREBY ORDAINS:

Section 1. The Code of Ordinances is hereby amended as illustrated in “Exhibit A”.

Section 2. All ordinances or parts of ordinances, in conflict herewith are hereby repealed to the extent of any conflict with this Ordinance.

Section 3. If any portion or part of this Ordinance is declared invalid by a court of competent jurisdiction, the valid remainder hereof shall remain in full force and effect.

Section 4. This Ordinance shall become immediately upon adoption.

STEVE MCFARLIN, MAYOR

FIRST READING: 1/10/2012

SECOND READING/ADOPTION HEARING: 1/24/2012

PUBLISHED:

I, Rebecca Haynes, City Clerk of the City of St. Pete Beach, Florida, do hereby certify that the foregoing Ordinance was duly adopted in accordance with the provisions of applicable law this 24th day of January, 2012.

Rebecca Haynes, City Clerk

"Exhibit A"

PART II - CODE OF ORDINANCES
Chapter 22 - BOARDS, COMMITTEES, COMMISSIONS, SPECIAL MAGISTRATE
ARTICLE IX. - SPECIAL MAGISTRATE SUPPLEMENTAL CODE ENFORCEMENT

ARTICLE IX. - SPECIAL MAGISTRATE SUPPLEMENTAL CODE ENFORCEMENT

Sec. 22-270. Intent of article.
Sec. 22-271. - Definitions.
Sec. 22-272. - Jurisdiction of Special Magistrates.
Sec. 22-273. - Board Clerk.
Sec. 22-274. - Civil offenses and penalties.
Sec. 22-275. - Code enforcement special magistrates.
Sec. 22-276. - Special magistrate administrative division procedures.
Sec. 22-277 Conduct of hearing by special magistrate
Sec. 22-278. - Special magistrate powers and duties.
Sec. 22-279. - Administrative fines; costs; liens.
Sec 22-280 Other legal remedies.
Sec 22-281 Appeals.
Sec 22-282 Notices.
Sec 22-283 Procedure to request that a fine or lien imposed pursuant to section.
Sec 22-284 Other procedures or implementing provisions

Sec. 22-270. – Intent of Article

It is the intent of this article to promote, protect and improve the health, safety and welfare of the citizens of the city by authorizing the appointment of one or more special magistrates with authority to impose administrative fines and other noncriminal penalties to provide an equitable, expeditious, effective and inexpensive method of enforcing any codes and ordinances in force in St Pete Beach, where a pending or repeated violation continues to exist.

Sec. 22-271. - Definitions.

As used in this article the following terms shall be defined as follows. Where necessary or reasonably implied the singular shall include the plural.

Deleted: BOARD
Deleted: ASTER
Deleted: Sec. 2-618. - Intent of article.¶
Formatted
Deleted: MASTER
Deleted: Sec. 22-270. - Definitions.
Formatted
Formatted
Deleted: ¶
Formatted
Formatted
Deleted: Creation, establishment.
Formatted
Deleted: Board clerk
Formatted
Deleted: s
Formatted
Deleted: m
Formatted
Formatted
Formatted
Deleted: Civil offenses and penalties
Deleted: Board
Formatted
Formatted
Deleted: Special master qualifications and
Formatted
Deleted: ¶
Formatted
Formatted
Deleted: Enforcement procedures
Formatted
Deleted: ¶
Formatted
Deleted: Sec. 22-275.1. - Prehearing.
Formatted
Formatted
Formatted
Formatted
Deleted: Service of notice
Formatted
Deleted: ¶
Formatted
Deleted: ¶
Formatted
Formatted
Deleted: 7... - Contents of notice, schedule
Formatted
Deleted: ¶
Formatted
Deleted: Sec. 22-278. - Recovery of unpaid civi
Formatted
Formatted
Formatted
Formatted
Formatted

Board shall mean the Board of City Commissioners of St Pete Beach.

Code inspector shall mean those employees or other agents of the city duly authorized and appointed by the city manager whose duty it is to assure compliance with city codes.

Codes shall mean St. Pete Beach Code of Ordinances or Land Development Code and all codes and statutes adopted by reference within the Code of Ordinances, as now existing or as may be amended by ordinance from time to time.

Continuing violations are those violations which remain uncorrected beyond the prescribed time period for correction contained in the civil violation notice. For each day of continued violation after the time period for correction has run, an additional penalty in the same amount as for the original violation shall be added.

Enforcing department shall mean any administrative department or division of St. Pete Beach charged by St Pete Beach ordinance or administrative assignment to enforce any particular code or ordinance in force in St Pete Beach.

Person shall mean any real person, trust, corporation, estate, or other legal entity recognized by the laws of the State of Florida.

Repeat violation shall mean a violation of a provision of a code or ordinance by a person who has been previously found, through a code enforcement special magistrate or any other quasi-judicial or judicial process, to have violated or who has admitted violating the same provision within five years prior to the violation, notwithstanding the violations occur at different locations. For the purposes of this definition, a plea of "No Contest" or "Nolo Contendere" shall be deemed an admission of a violation.

Special magistrate administrative division shall mean the department or division designated by the city manager to handle the secretarial, filing, record retention, scheduling, noticing and other coordinating and support functions related to this article.

Violator shall mean the person responsible for the code violation, which, in the appropriate circumstances, shall either be the perpetrator of the violation or the owner of the real property upon which the violation occurred.

(Ord. No. 99-39, § 1, 7-20-99; Ord. No. 00-33, § 1, 8-1-00)

Sec. 22-272. - Jurisdiction of special magistrates.

There is hereby created and established the office of special magistrate for the purpose of providing a supplemental code enforcement process for the city. The special magistrate is hereby vested with all the powers now granted under chapter 162 F.S., and as amended from time to time.

Deleted: Board

Formatted: Font: Times New Roman, 12 pt

Deleted: ¶

Deleted:

Formatted: Font: Times New Roman, 12 pt

Deleted: City Commission

Formatted: Font: Times New Roman, 12 pt

Deleted: ers

Formatted: Font: Times New Roman, 12 pt

Deleted: *Civil penalty* shall mean the costs allowed under sections 22-275.1, 22-277 and 22-278 of the Code. ¶

Formatted: Font: Times New Roman, 12 pt

Deleted: *Repeat violation* shall mean a violation of a provision of the Code of Ordinances by a person who has been previously found to have violated the same provision within five years prior to the violation, notwithstanding the violations occur at different locations. ¶

Formatted: Font: Times New Roman, 12 pt

Deleted: 1

Deleted: Creation, establishment.

Deleted: master

Deleted: master

Deleted: . St. Pete Beach, Florida, Code of Ordinances¶
Page 10 of 12

(Ord. No. 99-39, § 1, 7-20-99)

Sec. 22-273. - Board clerk.

The city manager shall appoint a city employee to be the code enforcement clerk, who shall perform the functions assigned to the clerk as set forth in this article.

(Ord. No. 99-39, § 1, 7-20-99)

Sec. 22-274. - Civil offenses and penalties.

(a) The violation of any provision of any ordinances or codes shall constitute a civil offense punishable by civil penalty as follows:

- (1) Not in excess of \$250.00 per day for a first violation;
- (2) Not in excess of \$500.00 per day for a repeat violation;
- (3) An assessment of the cost of repairs incurred by the city where the violation was in the nature of a violation described in F.S. 162.06(4); and
- (4) In the instance where the special magistrate finds that the violation is irreparable or irreversible in nature, the special magistrate may impose a fine not to exceed \$5,000.00 per violation.

(b) Civil penalties assessed pursuant to this article are due and payable to the city upon the order of the special magistrate.

(Ord. No. 99-39, § 1, 7-20-99)

Sec. 22-275. Code enforcement special magistrates.

(a) Creation and appointment. Code enforcement hearings pursuant to this article shall be conducted by designated special magistrates. Application for special magistrate positions shall be directed to the city manager pursuant to a notice published in a newspaper of general circulation. The city manager shall select a pool of candidates from the applications on the basis of experience and qualifications. The Board shall appoint special magistrates to conduct hearings from the pool of candidates selected by the city manager.

(b) Qualifications. Special magistrates shall have the following minimum qualifications:

- (1) Graduation from a law school accredited by the America Bar Association;
- (2) Demonstrated knowledge of administrative laws, land use law, and local government regulation and procedures;
- (3) Current membership, in good standing, of the Florida Bar Association; and
- (4) Any other such qualification that may be established by resolution of the Board;

Deleted: 2

Deleted: Board

Formatted: Font: Times New Roman, 12 pt

Deleted: 3

Deleted: master

Deleted: master

Deleted:

Deleted: master

Deleted: 4

Deleted: . - Special master qualifications and removal.

Deleted: board

Deleted: (a)

Deleted: The special master shall be a person licensed to practice law in the state. Appointments shall be made by the city manager on the basis of experience or interest in code enforcement. Such appointments shall be submitted to the city commission for ratification.

Deleted: ¶

Deleted: board

Deleted: . Pete Beach, Florida, Code of Ordinances¶
Page 10 of 12

In the event the city manager does not receive a sufficient number of applications from qualified members of the Florida Bar, the Board may select attorneys who are not members of the Florida Bar as candidates for special magistrate. Among those applicants, the Board and city manager shall give preference to those attorneys who have prior experience in a judiciary capacity or as a hearing officer, mediator, or special magistrate. No attorney who has been disciplined by the Florida Bar Association or a bar association of any other jurisdiction shall be appointed as a special magistrate.

Deleted: board

Deleted: Board

(c) Term. Special magistrates shall serve a term of one year from the date of appointment by the Board. Special magistrates may be reappointed at the discretion of the Board. There shall be no limit on the number of terms a person may serve as a special magistrate.

Deleted: (b)

Deleted: .

Deleted: The city manager shall appoint as many special masters as are deemed necessary. Appointments shall be made for a term of one year. Any special master may be reappointed at the discretion of the city manager, subject to ratification by the city commission. There shall be no limit on the number of reappointment that may be given to any individual special master; provided however, that a determination as to removal or reappointment must be made for each special master at the end of each of his/her one-year terms. The city manager shall have authority to remove a special master with or without cause. Appointments to fill any vacancy shall be for the remainder of the unexpired term. ¶

Deleted: board

Deleted: Board

Deleted: (c)

Deleted:)

Deleted: A special master shall not be city employees but shall be compensated at a rate to be determined by administrative order.

Deleted: ¶

Deleted: board

Deleted: board

Deleted: board

Deleted: board

(d) Removal. At any time during a term, the Board shall have the authority to remove a special magistrate, with or without cause.

(e) Vacancy. If any special magistrate resigns or is removed prior to expiration of his or her term or the Board determines that the special magistrate should not be reappointed, the Board shall appoint a special magistrate from the pool of candidates previously selected by the Board to fill the vacancy within 30 days.

(f) Meetings and hearings.

(1) Scheduling. The special magistrate administrative division shall be responsible for scheduling meetings of special magistrates. In the case of an alleged violation as set forth in subsection 22-276 (3) of this Code, a hearing may be called as soon as possible.

(2) Location. The location of the meetings shall be in St. Pete Beach, Florida.

(3) Operating procedures. All cases brought before special magistrates shall be presented by either a designated code enforcement officer, building official or an attorney representing the department responsible for enforcing the particular code for which the violation is alleged.

(4) Meetings open to the public. All meetings and public hearings shall be open to the public.

(g) Compensation. The compensation for special magistrate services may be authorized as specified by resolution adopted by the Board. Travel reimbursement is limited to expenses incurred only for travel outside Pinellas County necessary to fulfill the responsibilities as a special magistrate. Travel reimbursement shall be made only when sufficient funds have been budgeted and are available, and upon prior approval by the Board. No other expenses shall be reimbursable except documented long distance telephone calls to city staff to fulfill the responsibilities as a special magistrate.

Deleted: in the appointing board

Deleted:

Deleted: board.

(h) Conflict of interest provisions. The following conflict of interest provisions shall apply to the special magistrates; failure on the part of a special magistrate to comply with the provisions of this section shall constitute grounds for removal by the Board or the city manager:

Deleted: board

(1) Upon appointment, each special magistrate shall comply with the disclosure requirements imposed by Florida law, including F.S. §§ 112.313 and 112.3145.

(2) Additionally, each special magistrate shall comply with the voting requirements imposed by

Deleted: . St. Pete Beach, Florida, Code of Ordinances¶
Page 10 of 12

Florida law, including F.S. §§ 286.012 and 112.3143.

(3) For a period of one year from the date of termination of office as a special magistrate, such person is hereby expressly prohibited from acting as agent or attorney in any proceedings, petition or other matter before a St. Pete Beach special magistrate.

(4) No person who is or may become a party to a hearing before a special magistrate shall communicate ex parte with any special magistrate concerning that violation. This restriction shall extend to any person appearing or interceding on behalf of a party, whether or not such person may have a direct personal or financial interest in the property subject of the alleged violation.

(5) A special magistrate shall not communicate ex parte on his own volition with any party, representative of a party, or interceding person concerning an alleged violation; however, the special magistrate may consider a request regarding the scheduling or continuance of hearings when such request is made in writing.

(Ord. No. 99-39, § 1, 7-20-99)

Sec. 22-276. - Special magistrate administrative division procedures.

Alleged violations of any of those codes or ordinances of City of St. Pete Beach as described herein may be filed with the special magistrate administrative division by those administrative officials, having the responsibility of enforcing the various codes or ordinances in force in St. Pete Beach.

(1) Except as set forth in subsections (3) and (4) below, if a violation of a code or ordinance is believed to exist, the enforcing department shall specify a reasonable time to correct the violation. Should the violation continue beyond the time specified for correction, the special magistrate administrative division shall give notice to the alleged violator that a code enforcement hearing will be conducted concerning the alleged violation as noticed. The notice shall state the time and place of the hearing, as well as the violation alleged to exist. If the violation is corrected and then repeated, or if the violation is not corrected by the time specified for correction by the code inspector, the case may be brought for hearing even if the violation has been corrected prior to hearing, and the notice of violation shall so state.

(2) Persons or entities who may be held responsible under this article for violation(s) of St Pete Beach Code(s) include:

- a. The owner, agent, lessee, tenant, contractor, or any other person or legal entity using the land, building, or premises where such violation has been committed or shall exist.
- b. Any person or legal entity who knowingly commits, takes part or assists in such violation.
- c. Any person or legal entity who maintains any land, building, or premises in which such violation shall exist.

Deleted: 5

Deleted: Enforcement procedures.

Deleted: (a) . The code inspector has the duty of enforcing the various codes and initiating enforcement proceedings before the special master.¶
(b) . Except as provided in (c) and (d) below, if a violation of the codes is found, the code inspector shall notify the violator of the violation and give the violator a reasonable time, in light of the nature of the violation, to correct the violation. Should the violation continue beyond the time specified for correction, the code officer shall request that the clerk set a hearing and notify the violator of the hearing as provided herein. The clerk shall schedule a hearing, and written notice of such hearing shall be served on the violator. If the violation is corrected and is then repeated or if the violation is not corrected by the time specified for correction by the code inspector, the case may be presented to the special master even if the violation has been corrected prior to the hearing, and the notice shall so state. ¶
(c) . If a repeat violation is found, the code inspector shall notify the violator, but is not required to give the violator a reasonable time to correct the violation. The code inspector, upon notifying the violator of a repeat violation, shall have the clerk set a hearing and notify the violator. The notice shall state that the case may be presented to the special master even if the violation has been corrected prior to the board hearing. ¶
(d) . If the code inspector has reason to believe a violation or the condition causing the violation presents a serious threat to the public health, safety, and welfare or if the violation is irreparable or irreversible in nature, the code inspector shall make a reasonable effort to notify the violator and may request that the special master set an immediate hearing on the violation. ¶
(e) . If the owner of property which is subject to an enforcement proceeding before a, special master contracts to transfer or does transfer ownership of such property between the time the notice was served and the time of the hearing, such owner shall: ¶
(1) . Disclose the existence and the nature of the enforcement proceeding to the buyer;¶
(2) . Deliver to the buyer a copy of the notice of violation and the notice of hearing;¶
(3) . Disclose to the buyer that he/she will be responsible for compliance with the applicable code and with orders issued in the code enforcement proceeding ¶
(4) . Within five days after the date of the transfer of title, file a notice of title transfer with the code enforcement official, with the identity and address of the new owner and copies of the disclosures made to the new owner. ¶
If the property is transferred before the hearing, the proceeding shall not be dismissed, but the new owner shall be provided with a reasonable period of time to correct the violation before a hearing. ¶

Deleted: . St. Pete Beach, Florida, Code of Ordinances¶
Page 10 of 12

3. If a repeat violation is found, the code inspector shall notify the violator but is not required to give the violator reasonable time to correct the violation. The code inspector, upon notifying the violator of a repeat violation, may request a hearing. The special magistrate administrative division shall give notice to the alleged violator as set forth in subsection (1) above. The case may be brought for hearing, and a fine may be imposed by the special magistrate, even if the repeat violation has been corrected prior to hearing, and the notice shall so state.

(4) If the code inspector has reason to believe a violation or the condition causing the violation presents a serious threat to the public health, safety, and welfare or if the violation is irreparable or irreversible in nature, the code inspector shall make reasonable effort to notify the violator and may immediately request a code enforcement hearing.

(5) If the owner of property which is subject to a code enforcement proceeding transfers ownership of such property between the time the notice of violation was served and the time of the hearing, such owner shall:

a. Disclose, in writing, the existence and the nature of the proceeding to the prospective transferee.

b. Deliver to the prospective transferee a copy of the notices and other materials relating to the code enforcement proceeding received by the transferor.

c. Disclose, in writing, to the prospective transferee that the new owner will be responsible for compliance with the applicable code and with orders issued in the code enforcement proceeding.

d. File a notice with the special magistrate administrative division of the transfer of the property, with the identity and address of the new owner and copies of the disclosures made to the new owner, within five days after the date of the transfer.

A failure to make the disclosures described in subsections a., b. and c. before the transfer creates a rebuttable presumption of fraud. If the property is transferred before the hearing, the hearing shall not be dismissed, but the new owner shall be provided a reasonable period of time to correct the violation before the hearing is held.

(Ord. No. 99-39, § 1, 7-20-99)

Sec. 22-27.7 - Conduct of hearing by special magistrate.

(a) Upon request of the code inspector or at such other times as may be necessary, a hearing before the special magistrate may be convened. Minutes shall be kept of all code enforcement hearings, and all hearings shall be open to the public. The special magistrate administrative division shall provide all clerical and administrative support reasonably necessary to conduct these hearings.

(b) Where proper notice of the hearing has been provided to the alleged violator pursuant to section

Deleted: 5.1

Deleted: Prehearing administrative enforcement costs.

Deleted: If a violation cited under subsection 22-275(b) is corrected before a section 22-277 special master hearing, the violator shall pay the enforcement costs incurred by the city. The individual enforcement cost that may be assessed are specified in appendix A, 22-275.1. The code inspector shall prepare an order specifying the enforcement costs incurred by the city in the enforcement of its codes, and he shall serve a copy of the order on the violator in accord with the requirements of section 22-276. ¶

Deleted: . Pete Beach, Florida, Code of Ordinances¶
Page 10 of 12

22-282, a hearing may proceed even in the absence of the alleged violator.

(c) At such hearing, the burden of proof shall be upon the code enforcement division to show by a preponderance of the evidence that a violation exists, or in the case of a repeat violation, existed on the date that the code inspector gave notice to the violator of a repeat violation pursuant to subsection 22-276 (3).

(d) All testimony shall be under oath and shall be recorded. The formal rules of evidence shall not apply but fundamental due process shall be observed and shall govern the proceedings. Upon determination of the special magistrate, irrelevant, immaterial or unduly repetitious evidence may be excluded, but all other evidence of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs shall be admissible, whether or not such evidence would be admissible in a trial in the courts of Florida. Any part of the evidence may be received in written form.

(e) The special magistrate may inquire of or question any witness present at the hearing. The alleged violator (hereinafter also referred to as respondent), respondent's attorney, code enforcement officers, or an attorney representing the division shall be permitted to inquire of or question any witness present at the hearing. The special magistrate may consider testimony presented by code enforcement officers, the respondent or any other witnesses.

(f) At the conclusion of the hearing, the special magistrate shall render his or her decision (order) based on evidence entered into the record. The decision shall then be transmitted to the respondent in the form of a written order including findings of fact, and conclusions of law consistent with the record. The order shall be transmitted by mail to the respondent within ten days after the hearing. The order may include a notice that it must be complied with by a specified date and that a fine and costs may be imposed and, under the circumstances set forth in subsection 22-276 (3), the cost of repairs or other corrective action may be included along with the fine if the order is not complied with by said date. A certified copy of such order may be recorded in the public records of Pinellas County and shall constitute notice to any subsequent purchasers, successors in interest, or assigns if the violation concerns real property, and the findings therein shall be binding upon the violator and, if the violation concerns real property, any subsequent purchasers, successors in interest, or assigns. If an order is recorded in the public records pursuant to this paragraph and the order is complied with by the date specified in the order, the special magistrate shall issue an order acknowledging compliance that shall be recorded in the public records. A hearing is not required to issue such an order acknowledging compliance.

(g) If St Pete Beach prevails in prosecuting a case before the special magistrate, it shall be entitled to recover all costs incurred. Whether and to what extent such costs are imposed shall be within the discretion of the special magistrate but shall not exceed the actual costs incurred.

(Ord. No. 00-33, § 1, 8-1-00)

Sec. 22-278. - Special magistrate powers and duties.

Special magistrates shall have the following powers and duties to:

Deleted: 6

Deleted: Service of notice.

Deleted: All notices required by this article shall be served as required by F.S. 162.12, and as amended from time to time. ¶

Deleted: . Pete Beach, Florida, Code of Ordinances¶
Page 10 of 12

(1) Hold hearings pursuant to section 22-277

(2) Subpoena alleged violators and witnesses to its hearings. Subpoenas may be served by a sheriff or other authorized persons consistent with Rule 1.410(d) Florida Rules of Civil Procedure, upon request, by the special magistrate.

(3) Subpoena records, surveys, plats and other documentary materials.

(4) Take testimony under oath.

(5) Make findings of fact and conclusions of law as are necessary to enforce the provisions of the St. Pete Beach Code of Ordinances and Land Development Code and issue orders having the full force and effect of law to command whatever steps are necessary to bring a violation into compliance.

(6) Assess fines pursuant to section 22-279 of this article, including costs relating to the prosecution of cases before the special magistrate in those cases where the governing body prevails.

(7) Lien property pursuant to section 22-279 of this article.

(8) Assess costs pursuant to section 22-279 of this article.

(9) Assess costs pursuant to subsection 22-279(1) of this article.

(Ord. No. 99-39, § 1, 7-20-99)

Sec. 22-279. - Administrative fines; costs; liens.

(a) The special magistrate, upon notification by a code inspector that a code enforcement order has not been complied with within the set time, may order the violator to pay a fine in an amount specified in this section for each day the violation continues past the date for compliance set forth in the order or upon notification by a code inspector that a repeat violation has occurred in the case of a repeat violation, for each day the repeat violation continues, beginning with the date the repeat violation is found to have occurred by the code inspector. In addition, if the violation is a violation described in subsection 22-276(4), the special magistrate shall notify the city manager, which may make all reasonable repairs or other corrective actions which are required to bring the property into compliance, or otherwise secure the property, and charge the violator with the reasonable costs of the repairs or other corrective actions along with the fine imposed pursuant to this section. Making such repairs does not create a continuing obligation on the part of the local governing body to make further repairs or to maintain the property and does not create any liability against the local governing body for damages to the property if such repairs were completed in good faith. If a finding of a violation or a repeat violation has been made as provided in this part, a hearing shall not be necessary for issuance of the order imposing the fine. An order imposing a fine shall be sent to the property owner with a notice that the owner may request a hearing to challenge the fine amount within 20 days of the order. Orders imposing fines shall not be filed as liens until the latter of the expiration of such 20-day notice period, or the

Deleted: Pinellas County

Deleted: 3

Deleted: 7

Deleted: Contents of notice, schedule and conduct of special master hearing.

Deleted: (a) . The notice of hearing shall include the following:¶

- (1) . Name of the inspector who issued the notice;¶
- (2) . Factual description of alleged violation;¶
- (3) . Date of alleged violation;¶
- (4) . Section of the code allegedly violated;¶
- (5) . Place, date and time of the hearing;¶
- (6) . Right of violator to be represented by an attorney;¶
- (7) . Right of violator to present witnesses and evidence;¶
- (8) . Notice that failure of violator to attend hearing may result in civil penalty being assessed; and¶
- (9) . Notice that requests for continuances will not be considered if not received in writing by the code inspector at least ten calendar days prior to the date set for hearing. ¶

(b) . The special master shall conduct hearings on a regularly scheduled monthly basis or more frequently upon request of the city manager. No hearing shall be set sooner than 20 days from the date the notice of code violation is served. ¶

(c) . All hearings before the special master shall be open to the public. All testimony shall be under oath. Assuming proper notice, a hearing may proceed in the absence of the named violator. ¶

(d) . The proceedings at the hearing shall be recorded electronically or by a stenographer and if recorded by a stenographer may be transcribed at the expense of the party requesting the transcript. ¶

(e) . The city manager, shall provide clerical and/or administrative support personnel for the special master to facilitate the proper performance of clerical and special master duties. ¶

(f) . Each case before a special master shall be presented by the inspector or representative of the department issuing the violation.¶

(g) . The hearing shall not be conducted in accordance with the formal rules of evidence. Any relevant evidence shall be admitted if the special master finds it competent and reliable, regardless of the existence of any common law or statutory rule to the contrary. ¶

(h) . All testimony at the hearing shall be under oath. Each party shall have the right to call and examine witnesses, to introduce exhibits; to cross-examine opposing witnesses on any matter relevant to the issues. ¶

(i) . The special master shall make findings of fact based on the evidence in the record alone and may state conclusions of law. In order to make a finding upholding the code inspectors determination that a violation exists, the special master shall find that a preponderance of the evidence indicates that the violator was legally responsible for the violation (...

Deleted: . Pete Beach, Florida, Code of Ordinances¶
Page 10 of 12

completion of such timely requested challenge. A challenge to an order imposing a fine shall be limited to a consideration of only such new findings necessary to impose an appropriate fine and create a lien.

(b) A fine imposed pursuant to this section shall not exceed \$250.00 per day for a first violation and shall not exceed \$500.00 per day for a repeat violation and, in addition, may include all costs of repairs or other corrective action pursuant to subsection (a) of this section. If, after due notice and hearing, the special magistrate finds a violation to be irreparable or irreversible in nature, the special magistrate may impose a fine not to exceed \$5,000.00 per violation or as otherwise authorized by Florida State Statute. In determining the amount of fine, if any, the special magistrate shall consider the following factors:

- (1) The gravity of the violation;
- (2) Any actions taken by the violator to correct the violation; and
- (3) Any previous violations committed by the violator.

(c) The special magistrate may, in its discretion, adopt a consent order proposed by the enforcing department setting forth agreed terms for payment of any fine in lieu of execution or foreclosure as set forth in subsection (d), below.

(d) A certified copy of an order imposing a fine, or a fine plus repair costs, may be recorded in the public records in the Office of the Clerk of the Circuit Court in and for Pinellas County, Florida. Once recorded the certified copy of an order shall constitute a lien against the land on which the violation(s) exists and upon any other real or personal property owned by the violator; and it shall be enforceable in the same manner as a court judgment by the sheriffs of this state, including execution and levy against the personal property of the violator, but such order shall not be deemed to be a court judgment except for enforcement purposes. A fine imposed pursuant to this section shall continue to accrue until the violator comes into compliance or until judgment is rendered in a suit to foreclose on a lien, filed pursuant to this section, whichever comes first. Once recorded the lien shall be superior to any mortgages, liens, or other instruments recorded subsequent to the filing of the code enforcement lien.

(e) After three months from the filing of any such lien which remains unpaid, the City may foreclose the lien in the same manner as mortgage liens are foreclosed. Such lien shall bear interest at the rate allowable by law from the date of compliance set forth in the recorded order acknowledging compliance. The local governing body shall be entitled to collect all costs incurred in recording and satisfying a valid lien. No lien created pursuant to the provisions of this ordinance may be foreclosed on real property that is a homestead under Article X, Section 4, of the Florida Constitution.

(Ord. No. 99-39, § 1, 7-20-99; Ord. No. 00-33, § 1, 8-1-00)

Sec. 22-280. -

Other legal remedies.

In addition to the administrative penalties and enforcement procedures provided in this article, the Board may institute any lawful civil action or proceeding to prevent, restrain, or abate violations of codes or ordinances or through its agents issue cease and desist orders. An enforcing department shall have the authority to issue cease and desist orders in the form of written official notices given to the

Deleted: 1,000.00

Deleted: ,

Deleted: 0

Deleted: 1

Deleted: county

Deleted: 78

Deleted: Recovery of unpaid civil penalties; unpaid penalty to constitute a lien; foreclosure.

Deleted: (a) - The city may institute proceedings in a court of competent jurisdiction to compel payment of civil penalties imposed under this supplemental code enforcement procedure. ¶

(b) - A certified copy of an order imposing a civil penalty may be recorded in the public records of the county and thereafter shall constitute a lien against the land on which the violation exists or existed; provided that if the violator does not own the land, upon any other real or personal property owned by the violator; and that it may be enforced in the same manner as a court judgment by the sheriffs of this state, including levy against the personal property, but shall not be deemed to be a court judgement except for enforcement purposes. After three months from the filing of any such lien which remains unpaid, the city may foreclose or otherwise execute on the lien. ¶

Deleted: board

Deleted: . Pete Beach, Florida, Code of Ordinances¶
Page 10 of 12

owner of the subject building, property, or premises, or to his agent, lessee, tenant, contractor, or to any person using the land, building or premises where such violation has been committed or shall exist. Any failure to comply with a cease and desist order issued by an enforcing department shall be regarded, during any penalty setting phase, as an exaggerating circumstance by the special magistrate should any process relative to section 22-279 result from the violation that is the subject of the cease and desist order.

(Ord. No. 99-39, § 1, 7-20-99)

Sec. 22-~~281~~. - Appeals.

Any aggrieved party, including the City of St. Pete Beach, may appeal an order of the special magistrate to a court of competent jurisdiction within 30 days of the execution of the order to be appealed. The city may assess a reasonable charge for the preparation of the record to be paid by the petitioner in accordance with F.S. § 119.07.

Section 22-282 Notices.

(a) All notices required by this article shall be provided to the alleged violator by:

(1) Certified mail, return receipt requested, provided if such notice is sent under this paragraph to the owner of the property in question at the address listed in the tax collector's office for tax notices, and at any other address provided to City of St Pete Beach government by such owner and is returned as unclaimed or refused, notice may be provided by posting as described in subsections (b) a.1. and (b)a.2. and by first class mail directed to the addresses furnished to the local government with a properly executed proof of mailing or affidavit confirming the first class mailing;

(2) Hand delivery by the sheriff or other law enforcement officer, code inspector, or other person designated by the Board;

(3) Leaving the notice at the violator's usual place of residence with any person residing therein who is above 15 years of age and informing such person of the contents of the notice; or

(4) In the case of commercial premises, leaving the notice with the manager or other person in charge.

(b) In addition to providing notice as set forth in subsection (a), at the option of the special magistrate administrative division, notice may also be served by publication or posting, as follows:

(1) Such notice shall be published once during each week for four consecutive weeks (four publications being sufficient) in a newspaper of general circulation in Pinellas County. The newspaper shall meet such requirements as are prescribed under F.S. ch. 50, for legal and official advertisements.

(2) Proof of publication shall be made as provided in F.S. §§ 50.041 and 50.051.

Deleted: 79

Deleted: (a) . The violator or the city may appeal an order of a special master by filing a notice of appeal with the county circuit court. Such appeal shall be filed within 30 days of the issuance of the order by the special master. ¶
(b) . In the absence of reversal of a special master's ruling by an appellate court of competent jurisdiction, the findings of the special master shall be conclusive as to a determination of responsibility for the ordinance or code violation, and such findings shall be admissible in any proceeding to collect unpaid penalties. ¶
(c) . Nothing contained in this chapter shall prohibit the city from enforcing its ordinances or codes by any other means. The enforcement procedures outlined herein are cumulative to all others and shall not be deemed to be prerequisites to filing suit for enforcement of any section of this Code. ¶

Deleted: a. . . .

Deleted: .

Deleted: . Pete Beach, Florida, Code of Ordinances¶
Page 10 of 12

(c) In lieu of publication as described in subsection a., such notice may be posted at least ten days prior to the hearing, or prior to the expiration of any deadline contained in the notice, in at least two locations, one of which shall be the property upon which the violation is alleged to exist and the other of which shall be at the bulletin Board of the City of St Pete Beach City Hall Building. Proof of posting shall be by affidavit of the person posting the notice, which affidavit shall include a copy of the notice posted and the date and places of its posting.

Deleted: b. . .

Deleted: board

Deleted: ¶
2. .

(d) Notice by publication or posting may run concurrently with, or may follow, an attempt or attempts to provide notice by hand delivery or by mail as required under subsection (a).

Deleted: c

Evidence that an attempt has been made to hand deliver or mail notice as provided in subsection (a), together with proof of publication or posting as provided in subsection (b), shall be sufficient to show that the notice requirements of this part have been met, without regard to whether or not the alleged violator actually received such notice.

Sec. 22-283 - Procedure to request that a fine or lien imposed pursuant to section 22-279 be reduced; conditions and criteria therefor.

(a) The owner of real property against which a fine or lien has been imposed pursuant to section 22-279 may apply to the special magistrate, through the city manager or his designee, for a satisfaction of such fine or lien with less than full payment thereof. No such application shall be considered by the special magistrate until the applicant has first shown that:

(1) All ad valorem property taxes, special assessments, county and city utility charges and other government and city-imposed liens against the subject real property have been paid;

(2) The applicant is not personally indebted to the city for any reason; and

(3) All city code violations have been corrected under necessary permits issued therefor.

(b) In considering an application to reduce a fine or lien imposed pursuant to section 22-279, no satisfaction thereof shall be approved by the special magistrate with less than full payment thereof, unless the special magistrate shall make a specific finding that no violation of any city ordinance exists on the subject real property.

(c) The balance of any fine or lien imposed pursuant to section 22-279 that is reduced by the special magistrate shall be paid on terms as approved by the special magistrate.

(d) If the property for which the application for a fine reduction is being considered is owned by a government or quasi-government entity, the special magistrate may reduce such fine even if the violation has not been corrected.

(Ord. No. 07-05, § 3, 1-9-07)

Sec. 22-284 - Other procedures or implementing provisions.

The Board may adopt any additional necessary, desirable, or advisable procedures or implementing

Deleted: board

Deleted: . Pete Beach, Florida, Code of Ordinances¶
Page 10 of 12

provisions for this article by resolution.

(Ord. No. 99-39, § 1, 7-20-99)

Secs. 22-285—22-289. - Reserved.

Deleted: 0

Deleted: . Pete Beach, Florida, Code of Ordinances*
Page 10 of 12

**St. Pete Beach City Commission
Agenda Report**

Issue Considered: First Reading for Ordinance 2012-03, providing for amendment to Appendix A of the Code of Ordinances, *Fee Schedule*.

Date: January 24, 2012

Prepared By: Catherine M. Hartley, AICP, Senior Planner

Summary of Issue: The proposed text amendments to Appendix A of the Code of Ordinances update the fees for wastewater, fire, copies of public records, and land development application fees to recoup the cost of providing the services.

Requested Motion: “I move to approve Ordinance 2012-03 (read title)”

Attachments: Copy of Ordinance 2012-03 and Appendix A

Reviewed by City Manager: _____

CITY OF ST. PETE BEACH

ORDINANCE NO. 2012-03

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA PROVIDING FOR AMENDMENTS TO APPENDIX A OF THE CODE OF ORDINANCES AS IT RELATES TO FEES; PERTAINING TO FEES FOR APPLICATIONS FOR DEVELOPMENT, WASTEWATER, AND FIRE APPLICATIONS AND SERVICES, AS WELL AS FOR COST RECOVERY FOR PROVIDING PUBLIC RECORDS; PROVIDING FOR THE REPEAL OF ORDINANCES, OR PARTS OF ORDINANCES, IN CONFLICT HERewith, TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City wishes to update the fee schedule to recoup the cost of providing services including development, sewer, and fire department related applications and requests for services; and

WHEREAS, the City wishes to update the fee schedule to recoup the cost of providing public records; and

WHEREAS, City Commission of the City of St. Pete Beach conducted public hearings on January 24, 2012 and _____, 2012, noticed pursuant to Florida law and conducted pursuant to Ordinance 88-36 of the City of St. Pete Beach; and

WHEREAS, the City Commission finds these text amendments to the Code of Ordinances promote, protect and improve the health, safety and welfare of the citizens of the city; and

WHEREAS, the City Commission finds these amendments to Appendix A of the Code of Ordinances to be in the best interest of the citizens of the City of St. Pete Beach.

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA, HEREBY ORDAINS:

Section 1. Appendix A of the Code of Ordinances is hereby amended as illustrated in "Exhibit A".

Section 2. All ordinances or parts of ordinances, in conflict herewith are hereby repealed to the extent of any conflict with this Ordinance.

Section 3. If any portion or part of this Ordinance is declared invalid by a court of competent jurisdiction, the valid remainder hereof shall remain in full force and effect.

Section 4. This Ordinance shall become immediately upon adoption.

STEVE MCFARLIN, MAYOR

FIRST READING: 1/24/2012

SECOND READING/ADOPTION HEARING:

PUBLISHED:

I, Rebecca Haynes, City Clerk of the City of St. Pete Beach, Florida, do hereby certify that the foregoing Ordinance was duly adopted in accordance with the provisions of applicable law this ____ day of _____ 2012.

Rebecca Haynes, City Clerk

City of St. Pete Beach
APPENDIX A – FEE SCHEDULE

WASTEWATER

Description	Amount
§ 106.3(2), Sanitary sewer impact fees:	
Daily sewage discharge for development, per gallon	4.00
Residential:	
Minimum fee	600.00
Single family residence, per bedroom	500.00
Two family residence, per bedroom	500.00
Multiple family, residence per bedroom	500.00
Garage apartment, per bedroom	500.00
Efficiency apartment	600.00
Tourist lodging facilities:	
Sleeping unit	400.00
Efficiency apartment unit	600.00
Bedroom unit, per bedroom	500.00
Ancillary uses — See individual use category	
Commercial:	
Assembly halls, per seat	64.00
Barber and beauty shops, per chair	400.00
Bowling alleys (toilet wastes only), per lane	800.00
Clubs (civic, beach and/or yacht), per occupant	100.00
Dentist office:	
Per wet chair	800.00
Per dentist	1,000.00
Doctors' office, per doctor	1,000.00
Food service operations:	
Ordinary restaurant, per seat	80.00
24 hour restaurant, per seat	300.00
Bar and cocktail lounge, per seat	120.00
Dancehalls, per person	4.00
Drive in, per car space	300.00
Laundries, self-service, per machine	1,600.00
Office buildings, per square footage	0.40
Banks, per square footage	0.40
Small branch, per square footage	0.20
Service stations:	
First bay	4,000.00
Each additional bay	2,000.00
Convenience retail	400.00
Shopping centers, without food or laundry, per square footage of floor space	0.20

Stores, without food service, per square footage of floor space	0.40
<u>ST. PETE BEACH CODE</u>	

Storage, per square foot	0.06
Theatres, indoor, auditoriums, per seat	20.00
Warehouse, per square foot	0.12
<u>Institutional:</u>	
Child care center, per child	40.00
Churches, per seat	20.00
Hospitals, per bed	1,000.00
Recreational facilities, with bathhouse, showers and toilets, per person	40.00
Public institutions other than hospitals, per person	450.00
<u>Schools:</u>	
Day type, per student	60.00
Add for showers	20.00
Add for cafeteria	20.00
Add for day school workers	60.00
Swimming and bathing facilities, public, per person	40.00

Wastewater Connection Fees

RESIDENTIAL:

Single-family, condominium, apartment;.....\$1,035

COMMERCIAL: Fee for commercial structures (other than units) will be based on water meter size.

5/8" or ¾"	\$1,035
1"	\$2,590
1½ "	\$5,175
2"	\$8,280
3"	\$15,525
4"	\$25,875
6"	\$51,750

Wastewater User Fees

Monthly wastewater (sewer) rates shall be charged to all customers using the wastewater (sewer) utility system of the City. The rate is based on a base component, flow component (3,000 gallons), rate for usage (1,000 gallons) over flow component, purchased wastewater (sewer) treatment pass-through, and annual index adjustment. Each wastewater (sewer) customer shall be billed as follows:

Residential base rate – \$25.36 for the first three thousand (3,000) gallons, or fraction thereof, of potable water used per residential unit.

Residential excess rate – \$8.37 for each one thousand (1,000) gallons, or fraction thereof, of potable water used by the customer in excess of the residential base rate.

Commercial base rate – \$25.36 for the first three thousand (3,000) gallons, or fraction thereof, of potable water used by the customer.

Commercial excess rate – \$8.37 for each one thousand (1,000) gallons, or fraction thereof, of potable water used by the customer in excess of the commercial base rate.

Section This Code	Description	Amount
	Chapter 2. Administration	
<u>2-254(a)</u>	Miscellaneous fees	
<u>2-254(a)(1)</u>	Duplicating any audio tape of meetings of the city commission or any city board:	
	When the person making the request provides a blank audio tape for said duplicating	<u>3.00</u>
	If a blank audio tape is not provided	<u>5.00</u>
<u>2-254(a)(2)</u>	Duplicating video tape:	
	When the person making the request provides a blank video tape for said duplicating	<u>3.00</u>
	If a blank video tape is not provided	<u>10.00</u>
<u>2-254(a)(3)</u>	Photocopy charges:	
<u>2-254(a)(3)a</u>	Per side of page	0.15
<u>2-254(a)(3)b</u>	Per two-sided duplicated page	0.20
<u>2-254(a)(4)</u>	Reprinting microfilmed records:	
<u>2-254(a)(4)a</u>	8½-inch by 11-inch or 8½-inch by 14-inch page, per page	0.25
<u>2-254(a)(4)b</u>	Larger pages, including maps, per page	2.00
<u>2-254(a)(7)</u>	Reprint of color photos up to 5" x7"	<u>3.00</u>
<u>2-254(a)(8)</u>	Reprint of color photos larger than 5"x7"	<u>Actual cost of duplication</u>
<u>2-254(a)(9)</u>	DVD or CD of meetings	<u>5.00</u>
<u>2-254(b)</u>	Administrative fees:	
<u>2-254(b)(1)</u>	Notarization of documents, per document	No charge
<u>2-254(b)(2)</u>	Preparation of declaration and notarization of domicile, per preparation	7.00
<u>2-254(b)(3)</u>	Identification cards and fingerprint services:	
<u>2-254(b)(3)a</u>	Identification card or fingerprint card only	5.00
<u>2-254(b)(3)b</u>	Identification card or fingerprint card with state department of law enforcement (FDLE) record check for applicant, when required by city, plus costs charged by FDLE for processing fingerprint cards	5.00
<u>2-254(b)(9)</u>	Fees for off-duty fire department personnel special detail work per person (minimum three (3) hours)	<u>50.00</u>
	Special Event Fire Vehicle charge per hour per vehicle (minimum three (3) hours)	<u>25.00</u>
	Chapter 42. Emergency Services	
	<i>Article II. Alarm Systems</i>	
<u>42-28(b)(2)</u>	Response to the fourth and each succeeding false alarm within a calendar year	150.00

Deleted: No charge

Deleted: Actual cost of the audio tape

Deleted: No charge

Deleted: Actual cost of the video tape

Deleted: 2-254(a)(5)

Deleted: Copy of city Charter and Code of Ordinances in looseleaf binder

Deleted: 125.00

Deleted: 2-254(a)(6)

Deleted: Yearly subscription to looseleaf supplements for Code of Ordinances, per year, paid in advance

Deleted: 50.00

Formatted Table

Deleted: 2-254(b)(5)

Deleted: 35

Formatted Table

Deleted: or

	Chapter 98. Buildings and Building Regulations		
<u>98-161(1)</u>	General Site Development/Site Plan Review-Fire:		
	Plan Review (Developments Less Than 15,000 sq. ft and no higher than three (3) stories in height)	200.00	Deleted: Large Deleted: > Deleted: 100
	Plan Review for buildings greater than 15,000 sq. ft or three (3) stories in height.	300.00	
	Re-submittals	100.00	Deleted: Plan Review (Small Developments < 15,000 sq. ft) Deleted: 50.00 Deleted: 50.00
<u>98-161(2)</u>	Building Construction:		
	Plan Review (Developments Less Than 15,000 sq. ft and no higher than three (3) stories in height)	200.00	
	Plan Review for buildings greater than 15,000 sq. ft or greater than three (3) stories in height.	300.00	
	Building four (4) stories or higher add additional fee per floor.	25.00	
	Re-submittals	100.00	Formatted Table
98-162(2)	Fire Protection/Life Safety Systems:		
	Plan Review, Inspections and Acceptance Test	150.00	Deleted: 100
	Re-submittals	100.00	
	Re-inspections & Red tag	50.00	
<u>98-161(3)</u>	Fire Prevention Inspections:		
	Certificate of Occupancy Inspection	No charge	
	Periodic-inspection	50.00	Deleted: Re
	Business Tax Inspection (For fire inspection of new occupancy)	50.00	Deleted: 45.00 Deleted: 45.00
	Hotels		
	- Small (< 15,000 sq. ft.)	100.00	Deleted: 90
	- Large (> 15,000 sq. ft.)	150.00	Deleted: 135
	Restaurants (each restaurant within a hotel or business will be charged individually in addition to hotel or business inspection fee)	150.00	
	Apartments, Condominiums and Transient Occupancies Buildings	150.00	Formatted Table
	Apartments, Condominiums Hotels and Transient Occupancies Building four (4) stories or higher add additional fee per floor.	25.00	Deleted: 135
	Assisted Living Facilities—Per floor	50.00	Deleted: 45
	Foster Homes	50.00	Deleted: 45
	Daycares	50.00	Deleted: 45
	Other (Specialty Facilities: Mariana, boat Repair, auto repair type facilities and other facilities/business types not covered)	150.00	Deleted: 135
<u>98-161(4)</u>	Special Events—Fire-Permits and Inspections:		
	Temporary Structure Permit	25.00	
	Beach Fire Permit	25.00	

	Outdoor Cooking Permit	25.00
	Fireworks Permit—Application Fee and Site inspection	150.00
	Special Events/Temporary Use	100.00

Deleted: 135

Deleted: 90

Deleted: ¶

	<u>Section 3 of the Land Development Code</u>		Deleted: Chapter 118. Planning and Development
▼	▼		Deleted: 118-56
			Deleted: Appropriate board of authority fees:
▼	<u>Site Plan Review (initial review + 1 revision)</u>		Deleted: 118-56(1)
	<u>Within Community Redevelopment District (includes elevation review, all uses regardless of scale)</u>	<u>\$1200.00</u>	Deleted: Conceptual site plan:
▼	<u>Large scale, non-residential, and/or mixed use over 5,000 square feet</u>	<u>\$1,000.00</u>	Deleted: 118-56(1)a
▼	<u>Small scale non-residential, commercial and/or mixed use (5,000 square feet or less)</u>	<u>\$500.00</u>	Deleted: 25.00
▼	<u>Small scale residential (under five units)</u>	<u>\$165.00</u>	Deleted: Small scale (residential under five units)
▼	<u>Large scale residential (residential five units or more)</u>	<u>\$375.00</u>	Deleted: (residential over five units... non-
▼	<u>Site plan review over two reviews, per additional review</u>	<u>\$250.00</u>	Deleted: 118-56(1)b
▼	▼	▼	Deleted: 50.00
▼	<u>Preliminary Plat</u>	<u>500.00</u>	Deleted: 118-56(2)
▼	<u>Final Plat</u>	<u>\$300.00</u>	Deleted: Preliminary site plan:
▼	Mailings	<u>Cost of 1st class postage stamp plus \$0.20 per letter for materials</u>	Deleted: 118-56(2)a
▼	<u>Certified mailings</u>	<u>Cost of certified mailing plus \$0.20 for materials</u>	Deleted: (...residential (under five units)
▼	<u>Minor modifications to approved site plan</u>	<u>\$120.00</u>	Deleted: over ...ive units or more commercial
▼	<u>Temporary uses</u>	<u>25.00</u>	Deleted: 118-56(2)b
▼	<u>Easement/right-of-way vacations</u>	<u>375.00</u>	Deleted: 118-56(3)
▼	<u>Conditional uses</u>	<u>500.00</u>	Deleted: Final site plan, includes preliminary if
	<u>Administrative appeals</u>	<u>500.00</u>	Deleted: 118-56(3)a
▼	<u>Request to continue to a time certain</u>	<u>No cost</u>	Deleted: Small scale (residential under five units)
▼	<u>Concurrency review</u>	<u>TBD</u>	Deleted: 165.00
▼	<u>Variance to Land Development Code</u>	<u>\$500.00</u>	Deleted: 118-56(3)b
▼	<u>Certificate of Appropriateness with or without FEMA variance (includes one public hearing)</u>	<u>\$50.00</u>	Deleted: Large scale (residential over five units)
			Deleted: 375.00
			Deleted: 118-56(3)c
			Deleted: Variance with site plan review per
			Deleted: 50.00
			Formatted
			Deleted: 118-56(3)d
			Deleted: 50.00
			Deleted: 118-56(4)
			Deleted: Technical review committee included
			Deleted: 118-56(4)a
			Deleted: requiring administrative review only,
			Deleted: 50.00
			Deleted: 118-56(4)b
			Deleted: , other than parking
			Deleted: 118-56(4)c
			Deleted: 118-56(4)e
			Deleted: /special exceptions
			Deleted: 375.00
			Deleted: 118-56(5)
			Deleted: to board
			Deleted: 175.00
			Deleted: 118-56(5)d
			Deleted: Board extensions
			Deleted: 165.00
			Deleted: 118-56(6)
			Deleted: , as a separate request:
			Deleted: 118-56(6)a
			Deleted: Small scale (residential under five units)

▼	<u>Land Development Code text amendment</u> ▼	<u>\$800.00</u>	Deleted: 118-56(6)c
▼	<u>Change to Official Zoning Map without corresponding Future Land Use map change</u> ▼	<u>\$2,000.00</u>	Deleted: Zoning ordinance
			Deleted:
▼	<u>Comprehensive Plan: Future Land Use Map and or text amendment with or without change to official zoning map</u>	<u>\$ 2,200.00</u>	Deleted: 500.00
			Deleted: 118-56(6)d
			Deleted: 500.00
	<u>Comprehensive Plan: Future Land Use Map change within a Community Redevelopment Area/change to Special Area Plan</u>	<u>\$2,500.00</u>	Deleted: Rezoning, additional to land use change if appropriate
			Deleted: 118-56(6)e
			Deleted: 1,000.00
▼	Other miscellaneous items:		Deleted: Land use change
▼	▼	▼	Deleted: 118-56(7)
▼	▼	▼	Deleted: 118-56(7)a
▼	▼	▼	Deleted: Comprehensive plan
▼	▼	▼	Deleted: 80.00
▼	▼	▼	Deleted: 118-56(7)b
▼	Miscellaneous research and letters	<u>\$40.00 per hour</u> ▼	Deleted: Land development regulations
▼	▼	▼	Deleted: 30.00
▼	▼	▼	Deleted: 118-56(7)c
▼	▼	▼	Deleted: Property file review
▼	▼	▼	Deleted: 15.00
▼	▼	▼	Deleted: 118-56(7)d
▼	Zoning maps	<u>Time and materials</u> ▼	Deleted: 15.00
▼	Land use maps	<u>Time and materials</u> ▼	Deleted: 118-56(7)e
▼	Miscellaneous maps	<u>Time and materials</u> ▼	Deleted: LDR portions
			Deleted: 10.00
			Deleted: 118-56(7)f
			Deleted: Comprehensive plan portions (elements)
			Deleted: 10.00
			Deleted: 118-56(7)g
			Deleted: Sign ordinance
			Deleted: 10.00
			Deleted: 118-56(7)h
			Deleted: 5.00
			Deleted: 118-56(7)i
			Deleted: 5.00
			Deleted: 118-56(7)j
			Deleted: 5.00

City of St. Pete Beach
M E M O R A N D U M
Fire Rescue Department

TO: Mike Bonfield, City Manager

RE: FY 2012 Q1 Report

FROM: Daniel H. Graves, Fire Chief

DATE: January 11, 2012

The following is a summary of Fire Department activities for the 1st Quarter of FY2012:

1. Special Detail – Fire Alarm Testing and an Evacuation Drill was conducted at Yacht Club Estates with their Management and residents. This drill was conducted by the Fire Marshal and the on duty crews to enhance the education and safety of the residents in the complex.
2. St. Pete Beach Firefighters traded in their normal uniforms in October and wore Pink T-Shirts (purchased by Local 2266) for a few weeks to show support for Breast Cancer Awareness. Pink Flags were also placed on the fire trucks for the month of October. On Saturday, October 29th, the participants in the Susan G. Komen 3 Day Walk passed through Treasure Island and St. Pete Beach Fire Fighters were there to cheer them on.
3. Employees all successfully completed their Advanced Cardiac Life Support (ACLS) recertification. This is part of the Continuing Medical Education (CME) program required by the Medical Director and provides paramedics and Emergency Medical Technicians (EMT) with the required recertification hours for their state licensure.
4. Crews participated in several special details for a fireworks shoots at various venues throughout the city.
5. Crews attended a county wide High Rise Drill at the county drill grounds. The class was designed to provide practical training for a new county wide High Rise Standard Operating

- Procedures (SOP) which is now used by all Fire Departments in Pinellas County when dealing with fires in high rise buildings.
6. Crews are assigned specific areas of the City in which they are responsible to complete grid surveys and Tactical Survey Reviews (TSR). This is a continual project as crews are required by the Insurance Services Office (ISO) to visit buildings twice annually.
 7. Special Detail – Beach Palooza.
 8. Crews are assigned specific areas of the City in which they are responsible to complete hydrant testing. All fire hydrants were inspected, tested and repairs were initiated as needed.
 9. Crews completed the December CME on the management and treatment of asthma and other critical respiratory ailments.
 10. Lieutenant Nifong and Fire Fighter Sterns attended a recertification program in St. Augustine to renew their certificates to be able to repair and maintain our Self Contained Breathing Apparatus (SCBA).
 11. Fire Administration began the process of purging old/obsolete records from fire administration in accordance with the state records retention rules.
 12. Personnel conducted 138 Business Inspections during the quarter.
 13. During the period the Fire Department responded to 580 requests for service in the following categories:

a. EMS	403
b. Single Engine	33
c. Vehicle Crashes	24
d. Structure Fires	18
e. Fire Alarms	54
f. Other responses	<u>48</u>
g. Total	580



Public Services Department 1st Quarter Report (Oct, Nov and Dec 2011)

"The Public Services Department oversees the efficient and effective operations of the Public Properties, Recreation and Utilities Divisions in order to consistently deliver the highest quality of life and infrastructure to our island community."

ADMINISTRATION

- City Commission – prepared for, attended and followed up on all meetings.
- Concerts in the Park – Series grew this year and went well; I'm very proud of staff and the volunteers when it comes to this special event. They did an outstanding job on improving the venue and planning the event.
- Sunday Markets – Coordinated with both Suntan and the Corey Merchants to start up their Sunday markets for the year. Did everything we could to try and make them both successful.
- Annual Report – Completed the Department's annual report for inclusion in the brochure we send out each year to all property owners.
- Southwest Little League – Reviewed existing MOU and possible modifications; increased efforts on field maintenance and needed repairs (e.g. scoreboard replacement).
- Upham Beach T-groin Project – County and contractor completed punch list and closed out the project. The couple issues we had (remaining loose fabric and a few large chunks of concrete) were addressed.
- Gulf Blvd/Blind Pass Rd Pedestrian Improvements – Reviewed change orders and design modifications; several meetings with FDOT to discuss resident and business concerns; tracked progress and fielded general questions; television interview with Chuck Henson of Bay News 9 to discuss the project.
- Fleet Inventory – Reviewed all vehicle conditions and usage; checked status of vehicles scheduled for surplus; moved some vehicles around within the Department (on paper). All our Department vehicles are shared as needed.
- Stormwater Assessment – A lot of meetings and time spent on this project during the quarter. Both 1st and 2nd tiers are locked in now so we can start addressing the numerous needs around the City.
- Performance Evaluations – The majority of Department performance evaluations were completed this quarter; they all come due this time of year. We spend a great deal of time on these because we like to make sure we give staff well thought out, fair and honest feedback.
- Work Order System – Switched to a new work order software this quarter that is very intuitive and will allow us to more easily track the data we need. The old software was complex, cumbersome and required way too much staff time.
- St Pete Beach Classic Race – Numerous meetings and communications on the race. This special event consumes a lot of staff time but is well worth it.
- 100 Artist Show – Was very impressed with our first one. This is a new special event that we partner with Suntan on and hope to grow in the future.
- Public Art – Our Suntan volunteers started installing the art display on the Don Vista Building. Received numerous positive comments on it. In my humble opinion it looks great and will be an impressive landmark for our community.

- Holiday Celebrations – All Department staff spent a great deal of time preparing for the festivities and Horan Park looked great. Both the Friday and Saturday events went very well. We had the most boats in the parade in a decade and there had to be well over a 1000 people in Horan Park for all the activities. The land parade had the most viewers we have seen in many years as well.
- Downtown Traffic Study – Prepared for and attended workshop meeting to discuss Corey Avenue Area Beautification and Traffic Analysis. Continued working with City Manager, Community Development and consultants to obtain the next level of detail and plan future presentations for City Commission and the public.
- Wastewater True-Up – Received the final annual report this quarter. The City of St. Petersburg paid us the \$43,762.31 they owed us.
- Department Functions – Worked with CIP Construction Manager, Operations Manager and Recreation Administrator on day-to-day operations and all special projects; started having bi-weekly meetings with Recreation Program Coordinator, Aquatics Coordinator and Market & Rental Leader this quarter.

Construction

- Completed Horan Park project.
- Completed resetting Library steps and new handrail installation.
- Received bids on the following: Sidewalk/Curb Unit Prices, Street Rehabilitation, PLC Control Panel, Manhole Rehabilitation, and Landscape Maintenance.
- Received proposals on the following: Stormwater Master Planning.
- Engineering project scopes: GPS Mapping of stormwater outfalls, Pass-A-Grille Way geotechnical and roadway reconstruction estimates, Seawalls, Corey Ave Streetscape, Lift Station #10, proposal for Lift Station #2 and #3 and Force Main #2.
- Completed additional RFPs/RFQs for release: Elevator Maintenance Service and Municipal Marina.
- Worked with Genesis Group on the submittal and approval of landscape variation requests for FDOT.
- Coordinated with FDOT on landscaped medians along the new Bayway Bridge.
- Coordinated with FDOT and BUN Construction on the Gulf Blvd/Blind Pass Rd Pedestrian Improvement Project.
- Held pre-construction meeting for Lift Station #4. Progress Energy installed new three phase service, at the pole, for the project; control/meter building was demolished.
- Received FDOT's bridge inspection reports for Boca Ciega Isle Bridge and Vina del Mar Bridge. The health index on both bridges increased following bridge repairs last year.
- Meetings with stormwater consultant to discuss new NPDES permit requirements.
- Inspected City construction projects for compliance to NPDES Best Management Practices (BMP) requirements.
- Investigated reports of illicit stormwater discharges.
- Seawall Project at 76th Ave began; cap was removed and replaced.
- Reviewed water and reclaimed leak information from Pinellas County for roadways scheduled for mill/overlay.
- Completed Value Engineering for the PLC Control Panel to bring the project closer to the budget.
- Attended the pre-construction conference for the Pinellas Bayway Bridge Replacement. Bridge construction is expected to begin in early February.

- Coordinated with Pinellas County Utilities on the repair/replacement of the reclaimed water valve in Horan Park. Pinellas County's contractor, QRC, will mobilize on Jan. 9th to assess the reclaimed water valve.
- Met with officials from the State Office of Energy and the Inspector General's office to review the completion of the Energy Efficiency Project.

Operations

- Girard Environmental is our new maintenance contractor for parks and public green spaces, medians, and right-of-ways.
- All the Washingtonias in the City have been trimmed.
- Provided assistance and support for special events in Pass-A-Grille.
- A new roof was installed on Hurley Park shelter.
- Ongoing safety inspections of all playgrounds.
- Cleaned up lot on 46 Ave ready to start drop off recycling center
- Removed invasive plants at 23rd Ave beach walk over.
- Had potable water Automatic Flushing Device (AFD) relocated to the north side of 2nd Ave into the stormwater catch basin to eliminate the flooding problem.
- Installed new fence around shuffleboard courts at Pass-A-Grille Park.

PUBLIC PROPERTIES DIVISION

- Installed new sign at Egan Park for the National Conservation Society.
- Continuing maintenance of irrigation, turf, plants, trees, flags, lighting, tennis courts, ball fields, parks and equipment.
- Issued and inspected tree removal permits.
- Continuing maintenance of street signage, beach accesses, ROWs, potholes and alleys.
- Continuing cleanup of parks, streets, and beaches.
- Routine maintenance and repairs of all City buildings and facilities, including plumbing, electrical, lighting, air conditioning, outdoor lighting and flag maintenance.
- Provided assistance and support for special events including art shows, sidewalk sale, Concert in the Park Series, Halloween, Veteran's Day, Tree Lighting, Boat Parade, Land Parade, Boca Ciega Isle Luminaries.
- Installed and fabricated Christmas decorations and lights in Horan Park.
- Irrigation management system continued to move forward with installation of new timers and updated sim cards for communication. Continued training on the computer operations for monitoring flow of water.
- Egan park dugouts started to receive a makeover by pouring concrete slabs in the little league side. This was to help with drainage and also aesthetics.
- Curb and sidewalk replacement continued in several locations including 73rd Avenue and Boca Ciega Drive, and 78th Avenue and Boca Ciega Drive. In both locations ADA sidewalk issues were addressed as well as curbing.
- Cleaning of the City's beaches with the beach cleaner and tractor continued on.
- Preparation of Egan softball fields and routine maintenance twice a week.
- Installation of eight new silver buttonwood trees for the beach access at 23rd Avenue.
- Made all necessary modifications to the new John Deere Gator to start spaying turf and applying fertilizer.
- Our new landscape contractor started this quarter and has been performing their duties admirably with some minor direction from the Operations Manager and Staff.
- Fertilizer, herbicide and insecticide treatments were applied to all city properties with turf. This is a twice to three times a year practice for weed and insect control.

- Public Properties staff set up M.O.T. for the force main break at 55th Avenue and directed traffic through and around the construction zone. Staff was also on hand for relief to the utilities crew who had been there all night.
- Entire Public Properties staff underwent irrigation training on the newest and latest methods for troubleshooting irrigation problems.
- Crew Chief attended signs and markings level II class at PTEC.

UTILITY DIVISION

- 124 wastewater taps located this quarter (Sunshine One-Call).
- Force Main break at Pump Station #2.
- Lift Station checks were performed daily, the run times are logged and entered into our computer.
- Received training on a new work order system.
- All Utilities employees are now responsible for their own payroll sheets.
- Responded to 6 reports of wastewater blockages.
- Responded 45 times to various lift stations for an alarm during or after work hours.
- Cleaned the crossover lines on Gulf Blvd and also all other areas of the City where heavy grease builds up in the lines.
- Several wastewater lines were cleaned and televised throughout the City.
- CCTV camera - we ordered a rebuild kit, new bearings, gears, chains & o-rings were all installed by staff.
- All lift stations were cleaned to remove the grease buildup.
- Pump Station #3 - two 6-inch check valve pipes rusted causing the pipe to leak. This section of the pipe is brass they are currently on order.
- Lift Station # 4 – the old meter shop was demolished. Met Progress Energy onsite while the 3 phase drop was installed.
- Lift Station #10 - met with George F. Young onsite; the rehabilitation for this station is scheduled for the FY 2012 budget year.
- Every even month we have to take the water meter from the jet truck to the Pinellas County Maintenance yard in Largo to be read for billing purposes.
- Attended several site visits with contractors that will be working within the City's ROW to discuss utility conflicts.
- The crew chief and two Utilities employees had their annual employee evaluation.
- The computer connection between the Public Services Building and the Master Pump Station has been up and running with no issues.
- Took delivery of our new F-350 Utility truck. We also installed a power inverter on this truck.
- The wastewater inventory list has been updated.
- Lift Station #17 - a new meter can and disconnect box was installed at the station.
- Exposed three buried manholes in the Belle Vista subdivision.
- 12th & 14th Ave - alleys were graded and new shell was added.
- 46th Ave parking lot - we removed all the debris that been dumped there (telephone poles) and graded the parking lot.
- Staff built a ginger bread house for the Christmas decorations for Horan Park.

Master Pump Station

- o Both wet wells were cleaned and the grease buildup was removed.
- o Master Pump Station - VFD #1 was constantly getting a fault, Square D removed the VFD so they can troubleshoot & bench test it. The VFD drive is now in service.
- o The odor control unit was serviced, all fittings were greased and the belt was changed on the blower motor.

- o We are having a problem with the pumps in the North wet well. The impellers are getting bound up. We either have to spin the pump backwards or we have to get a crane to pull the pumps and clear the blockage.

Reclaimed Water

- o Made several inspections and repairs to reclaim water boxes throughout the City for residents.
- o Responded to numerous reports of reclaimed or potable water leaks and took the appropriate action.
- o Installed several reclaimed water hose bib adapters for residents.
- o Located and exposed several RCW boxes.
- o Installed new curb markers for stormwater catch basins & the reclaimed water boxes.

Stormwater

- o Stormwater grates were cleaned after rain events.
- o Dug out 1st & 2nd Ave stormwater lines several times to ease street flooding.
- o Met with Pinellas County at 2nd Ave & Pass a Grille Way. We rerouted the AFD device from draining in the curb line. It is piped right into the catch basin and discharges into the storm line.
- o Several catch basins and stormwater lines were cleaned throughout the city to ease flooding.
- o French drains were cleaned throughout the City.
- o Televised several stormwater lines where we discovered barnacles built up in the pipes. It's our hope the new stormwater utility will provide the resources needed to start addressing.
- o Sprayed for weed control around the stormwater drain grates.
- o Cleaned the outfall box & retention pond at City Hall.
- o Sunset way & 71st Ave - a new catch basin lid was fabricated and installed.
- o Casablanca and Cabrillo Ave - installed a new stormwater grate.
- o W Vina Del Mar - repaired a catch basin lid.

RECREATION

Community Center/Programming:

- Concerts in the Park held every Friday night in October
 - o Estimated attendance of close to 3,000 over the course of the series
 - o VIP area set up for presenting Sponsor, Sirata, at each concert
- Relay for Life Kick-Off Event held in the Boca Ciega ballroom
- Beach Clean-up at Pass-A-Grille Beach
- Recreation Advisory Board Meeting held
- Leased new 25 passenger bus for use in Senior Excursions
- Active role in St. Pete Beach Classic events:
 - o choosing race shirts, volunteer registration through Kimbia, sponsorship packages, Race Course Captains meeting, etc.
- Holiday Decoration meeting with Mike, Connie and Sharon to finalize all decorating in Horan Park for Tree Lighting Ceremony
- Hosted all holiday events:
 - o Boat Parade Captains Meeting
 - o Lighted Boat Parade
 - o Tree Lighting and Boat Parade Viewing Party
 - o Holiday land Parade
 - o Boat Parade Awards Dinner

- o Breakfast with Santa
- Fire Dept. employee presented about Blood Pressure to Carol Macik's exercise class
- Started sign-ups for January 21st Yard Sale
- Started sign-ups for all Senior Excursions
- Brand-new 45+ Men's Basketball League started
- St. John Vianney school teams practicing weekly in gymnasium

Aquatic Center:

- New Pool Hours began October 1st: Monday-Friday, 7am-11am and 3pm-6pm; closed Saturday and Sunday
- Offered Private Swim Lessons throughout the quarter
- Water Aerobics classes meet on Tuesday/Wednesday/Thursday with a new time change starting October 1st from 1:30pm-2:15pm
- Scuba Classes offered through Jim's Dive Shop
- Monthly meetings and training with Aquatic staff
- Halloween Egg Haunt held on Saturday October 15 from 11am-12pm. After event the pool was open for Free admission. This event kicked off the Winter pool hours and programs
- West Coast Swim Team practicing throughout quarter, Monday-Thursday from 3:30pm-5:00pm with a new Coach starting
- High School Swim Teams: Boca Ciega and Keswick High Schools use the pool for daily practices and Home Swim Meets for the Months of October and November
- Extended Holiday Pool Hours during Thanksgiving and Christmas Break. The Pool was open from 7am-6pm, Monday-Friday
- The Pool Chillers were turned off and the aerator system plugged up. The Pool heaters were turned on and the pool has been cover with blankets
- Blankets have been approved for purchase from the Lincoln Company. Measurements taken and new blankets ordered
- Booked a College Swim Team from the University of Vermont to do Spring Training: March 5th – 9th from 5:00pm-6:30pm
- Promotion planned: Year Pool Memberships will be 50% Off during the month of January
- Meeting with Red Cross Representative to discuss increased fees on programs and negotiate fees for the pool in coming years
- New Master Triathlon Program began on November 2nd and will meet Monday/Wednesday/Friday from 5:30am-7:00am year round
- Offered Lifeguard Class in December
- Attended a Free Seminar on Friday, November 18th: "Creating Revenues in Aquatics"

Marketing/Promotions:

- Full-color paid Concert Series ads out in various publications: BeachLife Magazine, Gabber, Paradise News, St. Pete Times/TBT on various dates throughout the month of October
- Custom color-banners and staked yard signs created and placed throughout City promoting Concert Series
- Secured free advertising for the last two concerts in Creative Loafing Tampa
- Sponsorship packets created to solicit boat parade sponsorships
- Secured hotel stays as prizes for boat parade from Sirata, Tradewinds and the Alden
- List of our healthy, fun activities sent for inclusion in the "Communities Putting Prevention to Work"
- Hosted Bridal Showcase on October 9th – approximately 250 in attendance
- Excellent coverage on Halloween Egg Haunt in the pool:

- o BayNews9 online calendar; Featured in the “Things to Do” section of St. Pete Times/TBT/TampaBay.com online event calendar; whatsdoingtampabay.com; The Beach Beacon and TBN Weekly online; The Gabber and Gabber online; AwesomeClearwater.com; Gulfport and Pinellas Beaches Patch.com; Creative Loafing; southbeachesfl.com; recreation & City websites & E-blasts; several local blogs
- Submitted application and secured media sponsorship from the St. Pete Times & TBT for additional coverage on Tree Lighting & Boat Parade Viewing Party
- Secured coverage of all holiday events on ClearChannel Outdoor’s digital billboards throughout Pinellas County
- Created full-color Holiday events ad for November’s BeachBreeze (A SPTimes/TBT publication)
- Designed and ordered professionally printed Holiday Happenings posters to distribute throughout community
- Ordered custom thank-you Holiday photo postcards for all land and boat parade participants
- Promoted the Community Center (rentals) via booth at the Working Women of Tampa Bay Holiday networking event held in the Boca Ciega Room
- Ran Facebook promotions to attract more fans. Gave away a free Pool Membership to our 300th and 550th fan

Rentals:

- Boca Ciega Room curtain replaced
- Completely redesigned the rentals page of the website to make it more user friendly
- Hosted Bridal Showcase on October 9th to promote venue
- Community Center Rentals: 12
- Warren Webster Rentals: 15
- Park/Ballfield Rentals: 39
- Pool Umbrella Rentals: 1
- Private Pool Rentals: 1
- No charge uses of the facility/parks/ball fields: 34

CITY COMMISSION AGENDA ITEMS

- Authorization for the City Manager to sign a proposal from George F. Young, Inc. in the amount of \$17,700 to provide engineering services for the Corey Avenue Streetscape improvement project.
- Authorization for the Friends of the Gulf Beaches Historical Museum to install signage in the public right-of-way. (Request denied)
- Ratification for the City Manager entering into a 24 month lease for a 25 passenger recreation bus with Midwest Transit Equipment, Inc. in the amount of \$15,624.
- Authorize the City Manager to enter into a purchase agreement with Everglades Farm Equipment Company for \$14,183 for the purchase of a John Deere Gator Utility Vehicle.
- Resolution No. 2011-18 establishing a public hearing to consider imposition of the contemplated second tier of stormwater special assessments to fund variable costs associated with the delivery of stormwater management services.
- Authorize the City Manager to hang banners over 75th Avenue at Boca Ciega Drive and over the Pinellas Bayway at Granada Avenue for the 2012 October Concerts in the Park series.
- Authorize the permanent installation of speed cushions on the northern section of Captiva Circle.

- Authorization for the City Manager to sign a work proposal from George F. Young, Inc. in the amount of \$18,920 to provide engineering services for the rehabilitation of Wastewater Lift Station #10.
- Energy Efficiency Program project close out.
- Horan Park Improvements project close out.
- Public Services Department 4th Quarter Report.
- Authorize the City Manager to sign a FDOT District Seven Highway Beautification Maintenance Memorandum of Agreement for the City of St Pete Beach to maintain new landscaping on the Bayway.
- Authorization for the City Manager to enter into a purchase agreement for \$115,065.60 for Parks and Parkway Landscape Maintenance with Girard Environmental Services.
- Authorize the City Manager to purchase pool covers from Lincoln Equipment, Inc. for \$16,366.75.
- Authorize the City Manager to contract for Washingtonia trimming with Luke Brothers, Inc. for \$25,652.
- Resolution 2011-19, Public hearing on stormwater assessments for variable costs. This public hearing is required by the City's Assessment Ordinance. Published notice and individually mailed notice to all affected property owners was provided on or before October 17, 2011.
- Resolution 2011-22, Public hearing on collection of stormwater special assessments pursuant to the Uniform Assessment Collection Act which allows for collection of the City's stormwater special assessments on the same bill as property taxes in November, 2012. This public hearing is required by the City's Assessment Ordinance and the Uniform Assessment Collection Act.
- Authorization for the City Manager to purchase St. Pete Beach Classic Race t-shirts from LogoHQ Promotional Products in the amount of \$18,174.00.
- Authorize City Manager to hang banners over 75th Avenue at Boca Ciega Drive and over the Pinellas Bayway at Granada Avenue for the Beach Goes Pops Concert.
- Authorization for the City Manager to sign a work proposal from George F. Young, Inc. in the amount of \$25,125 to provide the next level of detail relating to the downtown one-way couplet concept.
- Authorize the City Manager to expend \$16,606 to TLC Diversified for wet well lid replacement at wastewater Lift Station #4.
- Authorize the City Manager to expend \$44,769 to Rocha Controls for Programmable Logic Controller (PLC) panel replacement at the Reclaimed Water Booster Station.
- Authorize the City Manager to expend \$32,270 to Hinterland Group, Inc. for wastewater manhole rehabilitation.
- Authorization for the City Manager to sign a proposal from CardnoTBE in the amount of \$12,000 for geotechnical investigation, analysis, and construction estimates for Pass-A-Grille Way.



ST. PETE BEACH POLICE DEPARTMENT
200 76th AVENUE
ST. PETE BEACH, FL 33706
CHIEF DAVID ROMINE

TO: Mike Bonfield; City Manager
FROM: David Romine; Chief of Police
SUBJECT: 1st Quarter Report 2012
DATE: Friday, January 13, 2012

This first quarter report for 2012 covers select Police Department activities for the months of October, November and December 2011.

Quarterly Report Narrative:

October 2011:

Tuesday October 4th: PD Staff along with staff from other city divisions attended a "Your Turn" meeting with the City Manager.

Wednesday, October 5th: The St. Pete Beach PD Criminal Investigative Division met with the new Pinellas County State Attorney's Office Victim Advocate Sherry Cluster.

Friday, October 7th: A plethora of City Staff, city residents and business people attended the retirement celebration for iconic Police Officer Bob Micklitsch. It was standing room-shoulder to shoulder room only. Bob will be sorely missed.

Friday, October 7th: P.D. Staff assisted with and helped facilitate a community concert in Horan Park, from 6:30 to 9:30pm.

Monday through Thursday, October 10 – 13th Captain Dean Horianopoulos assisted St. Pete P.D. as an assessor in their Lieutenants promotional process.

Friday, October 14th: P.D. Staff assisted with and helped facilitate a community concert in Horan Park, from 6:30 to 9:30pm.

Tuesday, October 18th: Chief Romine and Departmental Crime Prevention Practitioner, Sgt. Chris Centofanti attended and spoke at a meeting of the Pass-A-Grille Garden Club.

Friday, October 21st: P.D. Staff assisted with and helped facilitate a community concert in Horan Park, from 6:30 to 9:30pm

Saturday, October 22nd: P.D. Staff assisted with and helped facilitate the PAG 100th Year Anniversary Celebration in Pass-A-Grille.

Friday, October 28th: P.D. Staff assisted with and helped facilitate a community concert in Horan Park, from 6:30 to 9:30pm.

Monday, October 31st: New Officer's Tim Skeper and Anthony Hellstern were sworn in and began their careers with the S.P.B.P.D.

*Note: Throughout the month of October, Police Officer and Dispatcher interviews and background investigations were conducted.

November 2011:

Saturday, November 5th: PD Staff, including Captain Dean Horianopoulos and other officers, assisted with and helped facilitate at Beach Palooza.

Wednesday, November 9th: Captain Dean Horianopoulos attended a one day F.B.I.N.A training seminar on major crimes investigations.

Friday, November 18th: Chief Romine met with local M.A.D.D. representative Amber Saltzman to plan and coordinate the annual city tree and wreath festival.

December 2011:

Sunday, December 4th: P.D. Staff participated in and facilitated the Annual Jim's Harley Davidson Motorcycle Christmas Toy Run through the city.

Monday, December 5th: P.D. Staff participated in and facilitated the D.A.R.E. class graduation at St. John's School.

Tuesday, December 6th: P.D. Staff attended the "Your Turn" meeting.

Tuesday, December 6th: P.D. and City Staff met with the Gulf Beaches Kiwanis Club members to plan the annual February "Mardis Gras" Festival weekend in the City of St. Pete Beach.

Wednesday, December 7th: P.D. staff attended the Gold Shield Foundation Annual Luncheon.

Wednesday, December 7th through Friday December 9th: P.D. Staff assisted the M.A.D.D. staff and city recreation staff with Christmas tree and wreath preparation and storage, in anticipation of the Annual city Festival.

Thursday, December 8th: P.D. Staff assisted with the facilitation of the Annual Pass-A-Grille Holiday Beach Bonfire.

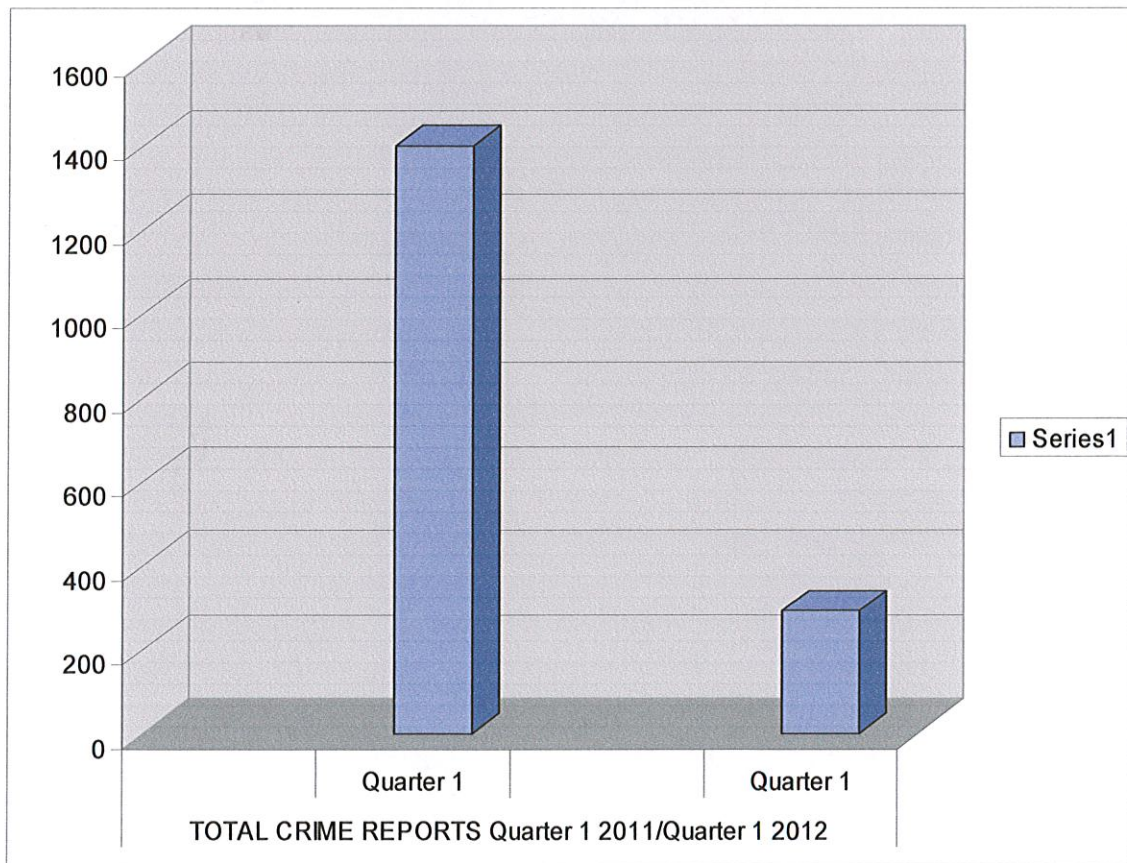
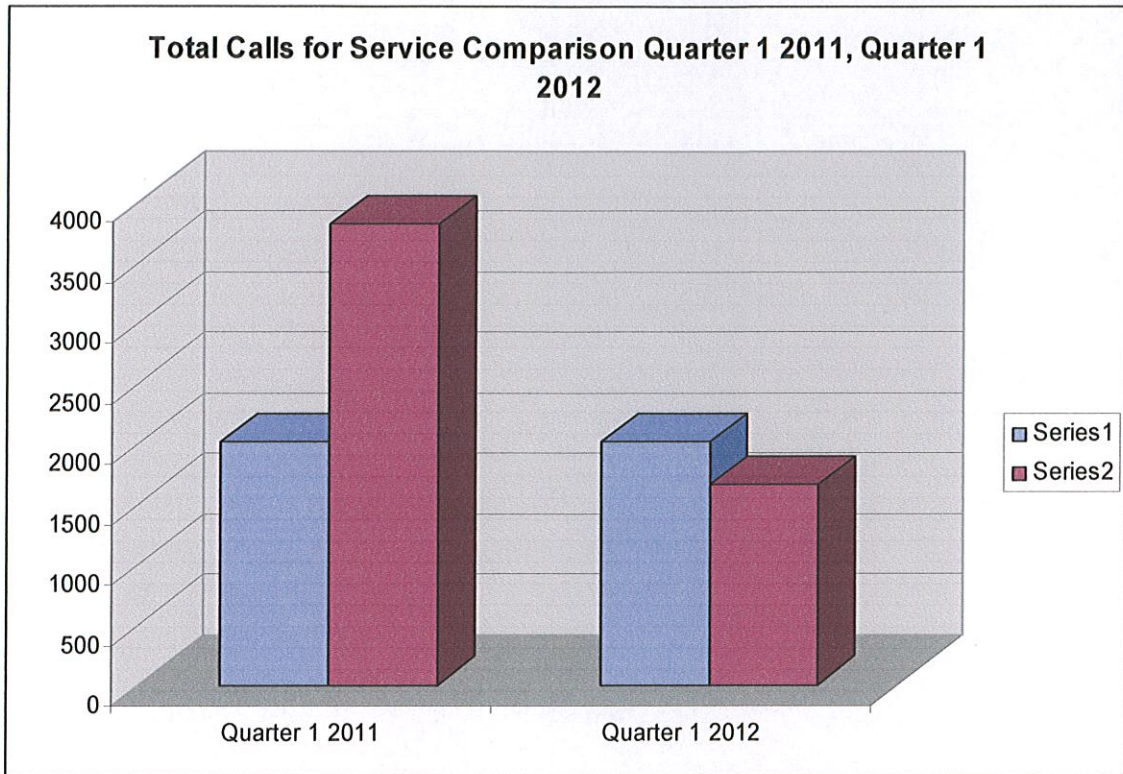
Friday, December 9th: Captain Dean Horianopoulos attended the Kiwanis prayer breakfast and annual boat parade. Additional P.D. Staff lead and facilitated the city Annual Christmas Boat Parade.

Saturday, December 10th: P.D. Staff participated in, and assisted with the facilitation of the City Annual Christmas and Boat Parade.

Tuesday, December 13th: Captain Dean Horianopoulos attended a meeting at the Chamber of Commerce referencing an after action review of the Beach Palooza event that occurred on November 5th.

David Romine
Chief of Police

cc: Captain Horianopoulos
Police Department Sergeants



ST. PETE BEACH POLICE DEPARTMENT



To: Mike Bonfield
From: Chief David Romine
Date: January 1, 2012
Sub: 1st Quarter Report, 2012

CALLS FOR SERVICE

<u>Quarter 1</u>	<u>Quarter 1</u>	<u>Quarter 2</u>	<u>Quarter 2</u>	<u>Quarter 3</u>	<u>Quarter 3</u>	<u>Quarter 4</u>	<u>Quarter 4</u>	<u>YTD</u>	<u>YTD</u>
<i>2011</i>	<i>2012</i>	<i>2011</i>	<i>2012</i>	<i>2011</i>	<i>2012</i>	<i>2011</i>	<i>2012</i>	<i>2011</i>	<i>2012</i>
3,810	1,653	3,313	x	2,805	x	1,862	x	11,790	1,653

CRIME REPORTS WRITTEN

<u>Quarter 1</u>	<u>Quarter 1</u>	<u>Quarter 2</u>	<u>Quarter 2</u>	<u>Quarter 3</u>	<u>Quarter 3</u>	<u>Quarter 4</u>	<u>Quarter 4</u>	<u>YTD</u>	<u>YTD</u>
<i>2011</i>	<i>2012</i>	<i>2011</i>	<i>2012</i>	<i>2011</i>	<i>2012</i>	<i>2011</i>	<i>2012</i>	<i>2011</i>	<i>2012</i>
1,401	292	1,565		1,360		530		4,856	292

TRAFFIC ENFORCEMENT

<u>Quarter 1</u>	<u>Quarter 1</u>	<u>Quarter 2</u>	<u>Quarter 2</u>	<u>Quarter 3</u>	<u>Quarter 3</u>	<u>Quarter 4</u>	<u>Quarter 4</u>	<u>YTD</u>	<u>YTD</u>
<i>2011</i>	<i>2012</i>	<i>2011</i>	<i>2012</i>	<i>2011</i>	<i>2012</i>	<i>2011</i>	<i>2012</i>	<i>2011</i>	<i>2012</i>
60	80	87		78		104		329	80

TRAFFIC CRASHES

<u>Quarter 1</u>	<u>Quarter 1</u>	<u>Quarter 2</u>	<u>Quarter 2</u>	<u>Quarter 3</u>	<u>Quarter 3</u>	<u>Quarter 4</u>	<u>Quarter 4</u>	<u>YTD</u>	<u>YTD</u>
<i>2011</i>	<i>2012</i>	<i>2011</i>	<i>2012</i>	<i>2011</i>	<i>2012</i>	<i>2011</i>	<i>2012</i>	<i>2011</i>	<i>2012</i>
77	57	71		41		29		218	57

SPEEDING CITATIONS

<u>Quarter 1</u>	<u>Quarter 1</u>	<u>Quarter 2</u>	<u>Quarter 2</u>	<u>Quarter 3</u>	<u>Quarter 3</u>	<u>Quarter 4</u>	<u>Quarter 4</u>	<u>YTD</u>	<u>YTD</u>
<i>2011</i>	<i>2012</i>	<i>2011</i>	<i>2012</i>	<i>2011</i>	<i>2012</i>	<i>2011</i>	<i>2012</i>	<i>2011</i>	<i>2012</i>
357	293	442		703		189		1,691	293

TRAFFIC CITATIONS (ALL)

<u>Quarter 1</u>	<u>Quarter 1</u>	<u>Quarter 2</u>	<u>Quarter 2</u>	<u>Quarter 3</u>	<u>Quarter 3</u>	<u>Quarter 4</u>	<u>Quarter 4</u>	<u>YTD</u>	<u>YTD</u>
<i>2011</i>	<i>2012</i>	<i>2011</i>	<i>2012</i>	<i>2011</i>	<i>2012</i>	<i>2011</i>	<i>2012</i>	<i>2011</i>	<i>2012</i>
357	293	442		703		189		1,691	293

****Remember, subtract DUI Arrests from Misdemeanor Arrests**

ST. PETE BEACH POLICE DEPARTMENT



ARRESTS

ARRESTS

<u>Quarter 1</u>	<u>Quarter 1</u>	<u>Quarter 2</u>	<u>Quarter 2</u>	<u>Quarter 3</u>	<u>Quarter 3</u>	<u>Quarter 4</u>	<u>Quarter 4</u>	<u>YTD</u>	<u>YTD</u>
<u>2011</u>	<u>2012</u>	<u>2011</u>	<u>2012</u>	<u>2011</u>	<u>2012</u>	<u>2011</u>	<u>2012</u>	<u>2011</u>	<u>2012</u>
87	76	90		105		58		340	76

WARRANT ARRESTS

<u>Quarter 1</u>	<u>Quarter 1</u>	<u>Quarter 2</u>	<u>Quarter 2</u>	<u>Quarter 3</u>	<u>Quarter 3</u>	<u>Quarter 4</u>	<u>Quarter 4</u>	<u>YTD</u>	<u>YTD</u>
<u>2011</u>	<u>2012</u>	<u>2011</u>	<u>2012</u>	<u>2011</u>	<u>2012</u>	<u>2011</u>	<u>2012</u>	<u>2011</u>	<u>2012</u>
12	5	10		14		11		47	5

D.U.I. ARRESTS

<u>Quarter 1</u>	<u>Quarter 1</u>	<u>Quarter 2</u>	<u>Quarter 2</u>	<u>Quarter 3</u>	<u>Quarter 3</u>	<u>Quarter 4</u>	<u>Quarter 4</u>	<u>YTD</u>	<u>YTD</u>
<u>2011</u>	<u>2012</u>	<u>2011</u>	<u>2012</u>	<u>2011</u>	<u>2012</u>	<u>2011</u>	<u>2012</u>	<u>2011</u>	<u>2012</u>
23	11	21		12		5		61	11

LOCAL ORDINANCE VIOLATIONS

<u>Quarter 1</u>	<u>Quarter 1</u>	<u>Quarter 2</u>	<u>Quarter 2</u>	<u>Quarter 3</u>	<u>Quarter 3</u>	<u>Quarter 4</u>	<u>Quarter 4</u>	<u>YTD</u>	<u>YTD</u>
<u>2011</u>	<u>2012</u>	<u>2011</u>	<u>2012</u>	<u>2011</u>	<u>2012</u>	<u>2011</u>	<u>2012</u>	<u>2011</u>	<u>2012</u>
23	2	13		45		9		79	

TOTAL ARRESTS (Including LOVs)

<u>Quarter 1</u>	<u>Quarter 1</u>	<u>Quarter 2</u>	<u>Quarter 2</u>	<u>Quarter 3</u>	<u>Quarter 3</u>	<u>Quarter 4</u>	<u>Quarter 4</u>	<u>YTD</u>	<u>YTD</u>
<u>2011</u>	<u>2012</u>	<u>2011</u>	<u>2012</u>	<u>2011</u>	<u>2012</u>	<u>2011</u>	<u>2012</u>	<u>2011</u>	<u>2012</u>
134	94	134		178		83		529	94