

**CITY OF ST. PETE BEACH, FLORIDA
ORDINANCE NO. 2010-41**

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA PROPOSING PURSUANT TO SECTION 8.01 OF THE CITY CHARTER AN AMENDMENT TO THE CITY CHARTER REPEALING SECTION 3.16 OF THE CITY CHARTER WHICH PROVIDES THAT A COMMUNITY REDEVELOPMENT PLAN, AS DEFINED IN FLORIDA STATUTES, SHALL NOT BE ADOPTED BY THE CITY COMMISSION UNTIL SUCH PROPOSED COMMUNITY REDEVELOPMENT PLAN IS SUBMITTED TO A VOTE OF THE ELECTORS BY REFERENDUM; PROVIDING FOR REPEAL OF SAID SECTION 3.16 OF THE CITY CHARTER; PROVIDING FOR A BALLOT QUESTION TO BE SUBMITTED TO THE ELECTORS OF THE CITY AT A REFERENDUM ELECTION TO BE HELD ON MARCH 8, 2011; 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, notice of this ordinance has been provided in accordance with applicable law; and

WHEREAS, the current City Charter requires submittal to the voters of community redevelopment plans prior to adoption by the City Commission; and

WHEREAS, the City wishes to simplify the process of adoption of community redevelopment plans; and

WHEREAS, the voters of the State have, by a resounding margin, rejected a proposed constitutional amendment which would have required a vote of the electors to approve comprehensive land use plans or amendments; and

WHEREAS, that proposed amendment was also defeated in the City of St Pete Beach by a wide margin; and

WHEREAS, the St Pete Beach's local version of "hometown democracy" found in Sections 3.15, 3.16 and 3.18 of the City Charter have caused the city to expend a great deal of money in litigation and have hindered quality development of the City; and

WHEREAS, Section 8.01 of the City Charter provides that the City Commission may by ordinance propose an amendment to the City Charter and upon passage of the initiating ordinance shall place the proposed amendment to a vote of the electors at the next general election held within the city or at a special election called for such purpose.

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

SECTION 1: The City Commission hereby proposes an amendment to the City Charter repealing Section 3.16 of the City Charter.

SECTION 2: Section 3.16 of the City Charter is repealed.

SECTION 3: The following measure shall be placed on the ballot for the March 8, 2011, general election ballot to be voted upon by the qualified electors of the City of St. Pete Beach, Florida:

BALLOT TITLE:

**NO. 2
CHARTER AMENDMENT**

BALLOT SUBTITLE:

**Repeal of Charter Requirement to
Submit Community Redevelopment Plans to Voters**

BALLOT SUMMARY:

Charter Section 3.16 provides that a community redevelopment plan, as defined in Florida Statutes Section 163, shall not be adopted by the City Commission until such proposed plan is submitted to a vote of the electors by referendum as provided by Florida Statute Section 166.031 or the City Charter. Repeal of Section 3.16 will terminate this right of electors to vote on community redevelopment plans. Shall Charter Section 3.16 be repealed?

_____ Yes

_____ No

SECTION 4. If any portion, part or section of this Ordinance is declared invalid, the valid remainder hereof shall remain in full force and effect.

SECTION 5. All ordinances or parts of ordinances, in conflict herewith, are hereby repealed, to the extent of such conflict.

SECTION 6. Section 2 of this Ordinance shall become effective immediately upon adoption as required by law and certification of approval of the measure described in Section 3 by a majority of the electors of the City voting in the referendum election provided herein.

SECTION 7. The remaining provisions of this Ordinance shall become effective immediately upon adoption as provided for herein.

Michael Finnerty, MAYOR

Michael Finnerty, Mayor

FIRST READING : 12-13-10
PUBLISHED : 12-26-10
SECOND READING : 1-6-11
PUBLIC HEARING : 1-6-11

I, Pamala Prell, Acting 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 6th day of January, 2011.

Pamala A. Prell
Pamala Prell, Acting City Clerk