

**CITY OF ST. PETE BEACH, FLORIDA
ORDINANCE NO. 2012-10**

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 4.06 OF THE CITY CHARTER WHICH PROVIDES THAT THE ST. PETE BEACH POLICE DEPARTMENT SHALL BE ESTABLISHED AS A CHARTER DEPARTMENT OF THE CITY OF ST. PETE BEACH AND ALL LAW ENFORCEMENT ACTIVITIES SHALL BE PERFORMED BY EMPLOYEES OF THE DEPARTMENT, AND THAT NO LAW ENFORCEMENT ACTIVITY SHALL BE TRANSFERRED BY CONTRACT OR OTHER PROCESS TO ANY DEPARTMENT OR EMPLOYEE NOT ADMINISTERED BY THE CITY MANAGER OF THE CITY OF ST. PETE BEACH; PROVIDING FOR A BALLOT QUESTION TO BE SUBMITTED TO THE ELECTORS OF THE CITY AT A REFERENDUM ELECTION TO BE HELD ON NOVEMBER 6, 2012; 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;

WHEREAS, the current City Charter requires in Section 4.06 that the St. Pete Beach Police Department shall be established as a Charter Department of the City of St. Pete Beach and all law enforcement activities shall be performed by employees of the department, and that no law enforcement activity shall be transferred by contract or other process to any department or employee not administered by the City Manager of the City of St. Pete Beach; and

WHEREAS, in March, 1998, the City electors approved a ballot issue to add Section 4.06 to the charter; and

WHEREAS, the City wishes to consider contracting with the Pinellas County Sherriff's Office for some or all law enforcement activities; 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 4.06 of the City Charter.

SECTION 2: Section 4.06 of the City Charter is repealed.

SECTION 3: The following measure shall be placed on the ballot for the general election of November 6, 2012 ballot to be voted upon by the qualified electors of the City of St. Pete Beach, Florida:

BALLOT TITLE:

NO. ____

REFERENDUM QUESTION

BALLOT SUBTITLE:

**Repeal of Charter Requirement for Establishment of
Police Department as Charter Department**

BALLOT SUMMARY:

Charter Section 4.06 requires the St. Pete Beach Police Department to be established as a Charter Department and prohibits transfer of law enforcement activity by contract or any other process to any department or employee not administered by the City Manager. Repeal of this Section will allow the City to transfer law enforcement activity to an outside agency by contract or other process. Shall Charter Section 4.06 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 provided for in Section 3 by a majority of the electors of the City voting in the referendum election provided for herein.

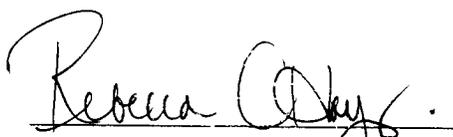
SECTION 7. The remaining provisions of this Ordinance shall become effective immediately upon adoption.



Steve McFarlin, MAYOR

FIRST READING : July 10, 2012
PUBLISHED : July 14, 2012
SECOND READING : July 24, 2012
PUBLIC HEARING : July 24, 2012

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 July, 2012.



Rebecca C. Haynes, City Clerk