

ORDINANCE NO. 2016-08

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA, AMENDING SECTION 2.1 OF THE CITY OF ST. PETE BEACH LAND DEVELOPMENT CODE PROVIDING FOR A DEFINITION OF PORTABLE TOILETS; AMENDING SECTION 6.12 AND SECTION 6.13 PROVIDING FOR REGULATION OF PORTABLE TOILETS AS ACCESSORY STRUCTURES FOR COMMERCIAL AND RESIDENTIAL USES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission recognizes the need to regulate portable toilets in the City; 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;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED THAT:

SECTION 1. Section 2.1 of the Land Development Code is amended as follows:

Sec. 2.1. - Words, terms and phrases defined.

Portable toilet means one or more commercially manufactured or assembled, self-contained toilet facility that is portable and is not designed or intended for connection to a sewer system with a standard connection.

SECTION 2. Section 6.12 of the Land Development Code is amended as follows:

Sec. 6.12. - Commercial accessory and temporary equipment, structures, portable buildings, and trailers, dumpsters and commercial tents.

(g) Portable toilets shall be regulated as follows:

- (1) Nothing in this chapter shall alter the regulations or use of portable toilets in relation to any construction project as set by Florida Statutes or Pinellas County.
- (2) The use of portable toilets shall be strictly prohibited, except during emergency interruption of sewer service or in conjunction with a special event, building, temporary use or conditional use permit, subject to approval.
- (3) The location of portable toilets shall be approved at the time of issuance of the above-stated permits.
- (4) Portable toilets associated with a building permit shall be in accordance with the regulations pertaining to "chemical toilets" and "portable toilets" set forth in Sec. 98-70 of the Code of Ordinances.

- (5) Portable toilets shall be kept clean at all times and shall not emit an odor which is noticeable from adjacent properties.
- (6) Portable toilets shall be removed from the premises immediately following the close of the development permit, special event, or emergency interruption.
- (7) Portable toilets shall be located as far from the public right-of-way as possible or otherwise shielded from view by fencing or landscaping.
- (8) Any portable toilet currently either located on a site or in a manner which is in violation of the provisions of this chapter shall be removed within ten (10) days of the effective date of this Ordinance.
- (9) Violation of this chapter shall be declared to constitute a public nuisance and shall be processed in accordance with Chapter 46 of the Code of Ordinances.

SECTION 3. Section 6.13 of the Land Development Code is amended as follows:

Sec. 6.13. - Residential accessory structures.

- (f) The use of portable toilets shall be strictly prohibited, except in conjunction with an active building permit, and
- (1) Shall be regulated in accordance with Sec. 98-70 of the Code of Ordinances; and
 - (2) Shall be removed from the premises immediately following the close of the building permit.
 - (3) Violation of this chapter shall be declared to constitute a public nuisance and shall be processed in accordance with Chapter 46 of the Code of Ordinances.

SECTION 4. This Ordinance shall be published in accordance with the requirements of law.

SECTION 5. This Ordinance shall become effective immediately upon final passage and adoption.

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Deborah Schechner, Mayor

First Reading: 09/13/2016
Published: 09/30/2016
Final Reading: 10/11/2016
Public Hearing: 10/11/2016

I, Rebecca C. 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 11th day of October, 2016.



Rebecca C. Haynes, City Clerk

APPROVED AS TO LEGAL FORM AND CORRECTNESS:



Andrew Dickman, City Attorney