

ORDINANCE 2016-20

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, PINELLAS COUNTY, FLORIDA, PROVIDING FOR THE REPEAL OF ORDINANCE 88-36 AND SECTION 118-28 OF THE CITY'S CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of St. Pete Beach believes that it is in the best interest of the City to update its code regarding the content of public participation in comprehensive planning process; and

WHEREAS, the City adopted Ordinance 88-36 and Section 118-28 of the Code of Ordinances prior to adopting its first Comprehensive Plan pursuant to the newly enacted "Local Government Comprehensive Planning and Land Development Act (Chapter 163, Part II, Florida Statutes), also formerly known as the "Growth Management Act"; and

WHEREAS, the contents of Ordinance 88-36 and Section 118-28 of the Code of Ordinances are no longer applicable, relevant, and enforceable because of numerous changes in Chapter 163 and 166, Florida Statutes; Rule 9J-5 of the Florida Administrative Code, the state land planning agency responsible for reviewing comprehensive plan adoption and amendments; and

WHEREAS, the City has adopted comprehensive plan and subsequent plan amendments in accord with state and local laws related to notice and public participation; and

WHEREAS, the City deems Ordinance 88-36 and Section 118-28 of the Code of Ordinances a holdover from early efforts to administer the now defunct Growth Management Act and desires to pass this ordinance to eliminate confusion with the legally binding processes found in Chapters 163 and 166, Florida Statutes.

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

SECTION 1. Recitals. The above recitals ("Whereas" clauses) are hereby adopted as legislative findings, purpose and intent of the City Commission.

SECTION 2. Chapter 118, Article II, Section 118-28 of the City of St. Pete Beach Code of Ordinances is hereby amended as follows:

Sec. 118-28. – Public participation in comprehensive planning process.

The City shall comply with all local ordinances and state statutes pertaining to public participation in the comprehensive planning process.

SECTION 3. All ordinances or parts of ordinances, in conflict herewith are hereby repealed to the extent of any conflict with the ordinance.

SECTION 4. Severability. The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 5. Publication. This Ordinance shall be published in accordance with the requirements of law.

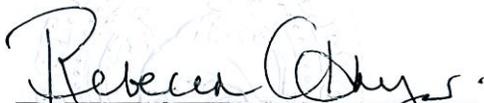
SECTION 6. Effective Date. This Ordinance shall become effective immediately upon final passage and adoption.

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Deborah Schechner, Mayor

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