

STATE OF FLORIDA

COUNTY OF PINELLAS

I, KEN BURKE, Clerk of the Circuit Court and Ex-officio Clerk to the Board of County Commissioners, in and for the State and County aforesaid, DO HEREBY CERTIFY that the foregoing is a true and correct copy of an Ordinance adopted by the Board of County Commissioners of Pinellas County, Florida, on January 28, 2025 relative to:

ORDINANCE NO. 25 – 5

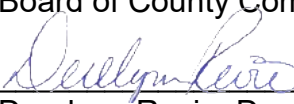
AN ORDINANCE OF THE COUNTY OF PINELLAS RELATING TO THE COUNTY WATER AND NAVIGATION REGULATIONS (COUNTY CODE CHAPTER 58, ARTICLE XV); PROVIDING FOR A SPECIAL MAGISTRATE TO HEAR APPEALS AND VARIANCES; PROVIDING FOR THE PUBLIC WORKS DEPARTMENT INSTEAD OF THE CLERK OF COURT TO ACCEPT PERMIT APPLICATIONS AND ACCEPT FEES FOR SAME; ALLOWING COUNTY DREDGE AND FILL (INCLUDING SEAWALLS) PERMITTING REQUIREMENTS TO BE EXPEDITED AND FEES WAIVED ON A CASE-BY-CASE BASIS IN LIGHT OF A NATURAL DISASTER; EXTENDING CONTRACTOR LICENSING REQUIREMENTS ALREADY IN PLACE FOR DOCK CONTRACTORS TO DREDGE AND FILL AND SEAWALL CONTRACTORS; PROVIDING FOR COUNTYWIDE APPLICABILITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

IN WITNESS WHEREOF, I hereunto set my hand and official seal this
January 29, 2025



KEN BURKE
Clerk of the Circuit Court
and Ex-officio Clerk to the
Board of County Commissioners

By:


Derelynn Revie, Deputy Clerk

Hooey, Docia A

From: County Ordinances <CountyOrdinances@dos.myflorida.com>
Sent: Thursday, January 30, 2025 8:46 AM
To: Clerk Board Records; County Ordinances
Cc: Revie, Derelynn H; Hooey, Docia A
Subject: RE: Pinellas County Ordinance - PIN20250129_Ordinance2025_25-5
Attachments: Pinellas20250129_Ordinance25_5_Ack.pdf

Categories: Docia

This Message Is From an External Sender

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Report Suspicious

Good afternoon,
Attached is the acknowledgement letter for Pinellas County Ordinance 25-5.
Thank you,
David Parrish
Government Operations Consultant II
Office of the General Council
Department of State
Room 701 – The Capital – Tallahassee, FL
P: (850) 245-6270

From: Clerk Board Records
Sent: Wednesday, January 29, 2025 12:39 PM
To: County Ordinances
Cc: Clerk Board Records ; Revie, Derelynn H ; Hooey, Docia A
Subject: Pinellas County Ordinance - PIN20250129_Ordinance2025_25-5

EMAIL RECEIVED FROM EXTERNAL SOURCE

The attachments/links in this message have been scanned by Proofpoint.

Sender Full Name:	Ken Burke, Clerk of the Circuit Court and Comptroller Derelynn Revie , Deputy Clerk, Board Records Department
Sender Phone number:	(727) 464-3458
County Name:	Pinellas
Ordinance Number:	PIN20250129_Ordinance2025_25-5

Thank you,
Christian Eres
Senior Board
Records
Specialist,
Deputy Clerk
Board Records
Department

Office of Ken Burke, Clerk of the Circuit Court and Comptroller
Pinellas County, Florida
315 Court Street, 5th Floor, Clearwater, FL 33756
Office (727)464-4749 | Fax (727)464-4716
ceres@mypinellasclerk.gov | www.mypinellasclerk.gov
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ORDINANCE NO. 25 – 5

AN ORDINANCE OF THE COUNTY OF PINELLAS RELATING TO THE COUNTY WATER AND NAVIGATION REGULATIONS (COUNTY CODE CHAPTER 58, ARTICLE XV); PROVIDING FOR A SPECIAL MAGISTRATE TO HEAR APPEALS AND VARIANCES; PROVIDING FOR THE PUBLIC WORKS DEPARTMENT INSTEAD OF THE CLERK OF COURT TO ACCEPT PERMIT APPLICATIONS AND ACCEPT FEES FOR SAME; ALLOWING COUNTY DREDGE AND FILL (INCLUDING SEAWALLS) PERMITTING REQUIREMENTS TO BE EXPEDITED AND FEES WAIVED ON A CASE-BY-CASE BASIS IN LIGHT OF A NATURAL DISASTER; EXTENDING CONTRACTOR LICENSING REQUIREMENTS ALREADY IN PLACE FOR DOCK CONTRACTORS TO DREDGE AND FILL AND SEAWALL CONTRACTORS; PROVIDING FOR COUNTYWIDE APPLICABILITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Pinellas County (the “County”) regulates docks, dredging, and filling (including seawalls) as a Charter power on a countywide basis through the County Water and Navigation Regulations (Chapter 58, Article XV);

WHEREAS, currently, the Board of County Commissioners (the “Board”) hears appeals of Staff determinations, as well as certain variance requests, under the Water and Navigation Regulations;

WHEREAS, for numerous reasons, including but not limited to (i) technical and legal expertise and (ii) improved flexibility and convenience for the public, the Board feels that a Special Magistrate is better suited to hear these matters;

WHEREAS, the Board accordingly wishes to divert appeals of Staff determinations and certain variance requests under the Water and Navigation Regulations to a Special Magistrate;

WHEREAS, to improve administrative efficiency, the County Public Works Department (which enforces the Water and Navigation Regulations) recently took over intake duties for permit applications (for activities governed under the Water and Navigation Regulations) from the Clerk of Court;

WHEREAS, the Board accordingly wishes to codify this transition of permit application intake duties;

WHEREAS, the County Public Works Department currently is authorized to waive dock permitting requirements in light of natural disasters; and

WHEREAS, the Board wishes to vest similar authority in the County Public Works Department to expedite and waive fees for dredge and fill including seawall permits in light of natural disasters.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA THAT:

SECTION 1. RECITALS

The recitals above are incorporated herein.

SECTION 2. Chapter 58 (Environment), Article XV (Water and Navigation Regulations) is hereby revised as follows:

Sec. 58-501. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Aesthetics or natural beauty refers primarily to the natural beauty of the waters of the county and shall be interpreted as seen from within or upon the waters of the county.

Beach means that area of unconsolidated material that extends landward from the mean low water line to the place where there is a marked change in material or physiographic form, or to the line of permanent upland vegetation (usually the effective limit of storm waves).

Board means the Pinellas County Board of County Commissioners, or its designated representative.

Boat lift means a device for lifting boats out of the water for storage over the water. Boat lifts shall be inclusive of all post and floating lift systems but exclusive of davits where the davit base is not within the waters of the county.

Building means any structure which has enclosing walls and was built for the support, shelter, or enclosure of persons, animals, chattels, or property of any kind.

Commercial dock, class A means any dock, pier, wharf, or mooring field used in connection with a hotel, motel or restaurant and where the slips are not rented, leased or sold, but utilized as an enhancement to the principal function of the basic facility.

Commercial dock, class B means any dock, pier, wharf, or mooring field used in connection with a social or fraternal club or organization, and where use of the facility is restricted to the membership thereof.

Commercial dock, class C means any dock, pier, wharf, or mooring field constructed and maintained by a local municipality, the county or any state or federal agency.

Commercial dock, class D means any dock, pier, wharf, or mooring field where the primary function is the collection of revenue for profit. This classification shall include all commercial marinas, boatyards and commercial boat docking facilities.

Construction means new work, repairs, replacements, and extensions to structures.

County means Pinellas County, Florida, or any employee or agent thereof.

County administrator means the county administrator for the county or his or her designated representative.

Department means the county public works department.

Dock means any structure, including a pier, wharf, loading platform, tie pole, mooring buoy, dolphin, accessory structure, or boat lift which is constructed on piling, over open water, or which is supported by flotation on the waters of the county.

Dredging means excavation, by any means, in the waters of the county.

Environmental seawall enhancement means the addition of living shoreline components to an existing seawall to reduce wave energy and erosion and create native shoreline habitat.

Filling means the deposition, by any means, of materials in the waters of the county.

Floating dock means any dock supported by flotation devices.

Florida Building Code means that Code as adopted by the State of Florida, as that Code may be amended over time.

Listed species means those flora and fauna listed by the state or the federal government as endangered, threatened, or as species of special concern.

Living shoreline means a shoreline management practice that provides erosion control benefits; protects, restores, or enhances natural shoreline habitat; and maintains coastal processes through the strategic placement of native plants, stone, sand, oyster shell, and other structural organic materials.

Lumber sizes means nominal sizes.

Mitigation means the creation of habitat in compensation for the adverse impacts associated with a permitted activity.

Multiuse private dock means any dock to be owned in common or used by the residents of an apartment house (more than two units), condominium, cooperative apartment, mobile home park or zero lot line attached structures. Docks serving both commercial and residential uses shall fall under the appropriate commercial dock category.

Navigable waters means and includes all tidal waters, such fresh waters as are in fact navigable, and swamp and overflow lands.

Navigation means the maneuvering of watercraft within the waters of the county, including ingress to and egress from an upland property.

New development means and includes new construction and remodeling of existing structures.

Person means any natural person, firm, corporation, county, municipality, township, or any other public agency, but shall not include the State of Florida or Pinellas County when used in this article.

Private dock means any dock which will be used by an individual owner, his family and friends, and at which the property is zoned residential, single-family; or shall mean any single structure dock facility which provides dockage for a duplex type residential unit. This definition is not intended to include docks servicing zero lot line attached units.

Project means any development, redevelopment, construction, repair, or other activity which occurs in whole or in part within the jurisdiction of the county.

Property line means those lines described in the legal description of the applicant's deed.

Protective barrier means a physical structure limiting access to a designated area and composed of wooden and/or other suitable materials which gives reasonable assurance of compliance with the intent of this article.

Public hearing means an advertised hearing before the board or board of adjustment and appeals, open to the public, for the purpose of presenting the facts of an application and for the purpose of providing a forum through which affected parties may make their concerns known to the board or board of adjustment and appeals.

Restoration means the designed creation of desirable habitat.

Riprap means the hardening of shorelines by a means other than the installation or repair of seawalls.

Seawall means any hardening of the shore by the installation of a vertical wall where such structure is toed in within the waters of the county. This definition specifically excludes upland retaining walls located outside of the waters of the county.

Setback means a buffer area of a size to be determined on an individual basis within which no change to existing conditions may be made without a specific permit.

Special Magistrate means an individual charged with hearing appeals and variance requests under this article. The special magistrate must be an attorney in good standing with the Florida Bar with at least seven years of experience practicing law in the State of Florida. Additionally, the special magistrate must not have been an employee or agent of the county at any time over the past seven years preceding the applicable hearing date.

Survey means a one inch equal to 200 feet scale aerial and 1:10 to 1:60 scale drawing signed and sealed by a state registered land surveyor (P.L.S.) which accurately locates either designated stands of mangroves or designated individual trees in addition to other site characteristics (such as topography, mean high water, property lines, and upland trees) required for the review of the application.

Tie piles means and includes dolphin, batter, sister, or mooring piles which are placed to provide anchorage, mooring, structural support, or space for a ship or boat.

Utility means those public and private services such as telephone, power, sanitary sewer, potable water, etc.

Waters of the county means and includes:

- (1) All those waters having a measurable salinity at some point during the tidal cycle and lying within the legal boundaries of the county;

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- (2) The following lakes: Tarpon, Seminole, St. George, Chautauqua (Township 28 South, Range 16 East), Salt, Leisure, Taylor, and Walsingham; or
 - (3) All those areas associated with (1) or (2) above, which are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation specifically adapted to life in saturated conditions, as listed in the Florida Administrative Code. These waters include, but are not limited to, rivers, estuaries, bays, swamps, marshes, sloughs, bayous, and open waters, whether such waters are on private or public lands and whether such waters are manmade or natural. Where vegetation would not normally be expected due to other environmental factors, such as in the high energy zone of marine beaches, the limits of the waters of the county shall be determined by the coastal erosion control line. Where a coastal erosion control line has not been established, the limits of the waters of the county shall be set by a reasonable alternative.

All other words, terms, and phrases used in this article shall be defined according to their commonly accepted meanings.

Sec. 58-507. Exemptions.

- (a) Waters of the county shall be limited around freshwater lakes to include only those vegetated areas, per the definition of waters of the county, which immediately fringe the lake. It is specifically intended that the tributaries to such lakes not be included in such definition unless such tributaries are navigable waters.
- (b) Waters of the county shall not be interpreted to include stormwater retention ponds.
- (c) Dock owners (either by themselves or through their licensed general and marine contractors) are allowed to repair, replace, or reconfigure docks that have been damaged by a natural disaster (act of God, heavy winds and/or seas) in accordance with section 58-544 without applying for a permit under this article when this subsection is invoked by the department. The department will make the determination to invoke this subsection based on the amount of damage sustained and requests received and post notice of same on the department's webpage. The department may also extend the timeframe to submit for emergency repair authorizations based on the severity of the event and the volume of requests received and will post the extension in the same manner as the original notice. A dock owner must notify the department of their intent to avail themselves of the exemption at least 48 hours prior to work commencing and within 90 days of the department's invocation of this subsection and complete the work within six months from their submittal. The dock owner must also notify the department within 5 days of completion of work, after which time the dock will be inspected by department staff for compliance with section 58-544. After the department verifies such compliance, if the dock was not repaired or replaced to the previously approved permit configuration, the dock owner may be subject to enforcement in accordance with this article.

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- (d) Property owners (either by themselves or through their licensed general and marine contractors) are allowed to conduct emergency dredging and/or replace seawalls that have been damaged by a natural disaster (act of God, heavy winds and/or seas). The department will make the determination to invoke this subsection based on the amount of damage sustained and requests received and post notice of same on the department's webpage. The department may also extend the timeframe to submit for emergency dredge and fill permits based on the severity of the event and the volume of requests received and will post the extension in the same manner as the original notice. Replacement seawalls beyond the one-foot requirement imposed by subsection 58-573(2), along with emergency dredging, must still obtain a dredge and fill permit under this article. Such permits will be approved by the department on a case-by-case basis, have an expedited review process, and the fee will be waived. An application must be submitted to the department within 90 days of the department's invocation of this subsection to qualify and the work must be completed within six months of the original submittal. The owner must also notify the department within 5 days of completion of work, after which time the dredge area or seawall will be inspected by department staff for compliance with this article (other than the one-foot requirement imposed by subsection 58-573(2)). After the department verifies such compliance, if the work was not performed to the approved permit plans, the owner may be subject to enforcement in accordance with this article.
 - (e) The requirements contained in section 58-510 do not apply where the construction activity is to be conducted by the property owner.
 - (f) Contractors licensed to perform such work by the State of Florida, or the Pinellas County Construction Licensing Board may install or repair tie poles, sister poles, batter poles and dolphin poles without having first obtained a permit, provided that such permit is applied for within 15 days of the activity. Such installation is conducted at the contractor's risk and may be required to be removed or relocated if the permit is not approvable.
 - (g) Application for the repair of multiuse private or commercial docks to be made in the same configuration and to the same material specifications as were originally permitted by the county will not require the signature and seal of a state registered civil engineer.
 - (h) The placement of cables or pipes via directional drilling techniques which does not result in any disturbance of waters of the county is exempt from the requirement to obtain a dredge and fill permit.
 - (i) Federal and state projects are exempt from the requirement to obtain a permit under this article. This exemption does not include those projects where the federal or state government solely provides funds for projects undertaken by other entities.
 - (j) Signs, buoys, and markers posted pursuant to the State of Florida Uniform Waterways Markers program do not require a separate permit under this article.

Sec. 58-508. Administration.

- (a) The administration and enforcement of this article is vested in the county administrator, or his or her designee.

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- (b) The county administrator shall have the authority to issue all permits pursuant to this article without the further consent of the board and without the need for public hearings. Those permits requiring variances shall be subject to the procedures set forth in this article.
 - (c) Department staff shall coordinate all permit intake and review activities under this article.
 - (d) All applications, revised applications, requests for permit extension and associated fees under this article must be submitted through the department.

Sec. 58-510. Contractor's requirements.

- (a) All construction activity under this article, where not performed by the property owner, must be conducted by a contractor licensed to perform such work by the State of Florida or the Pinellas County Construction Licensing Board. All such contractors must maintain any applicable insurance coverage required by state and federal law, including but not limited to the Longshoremen's and Harbor Worker's Compensation Act and the Jones Act. The department may require proof of such coverage at any time.
- (b) It shall be a violation of this section to cancel any required insurance after presenting proof of such coverage to the county and obtaining a permit, unless the contractor actually performs the construction activity covered by such permit with the appropriate insurance coverage in effect.
- (c) It shall be a violation of this section for a property owner to procure any permit under this article with the intent to aid or abet a contractor that does not meet the requirements set forth in subsection (a) above in performing the permitted construction, alteration or repair.

Sec. 58-533. Criteria for issuance.

- (a) In all cases, the department shall consider consistency with the comprehensive plans of the county and local municipality, if applicable, in the review of permit applications. The department shall also consider adherence to this article, the information received as a part of the application, and the information gathered by staff during field or literature reviews.
- (b) In order to provide protection for those habitats having a high degree of ecological value, proposed projects shall be specifically reviewed for adverse impacts to vegetated wetland areas; vegetative, terrestrial, or aquatic habitats critical to the support of listed species in providing one or more of the requirements to sustain their existence, such as range, nesting or feeding grounds; habitats which display biological or physical attributes which would serve to make them rare within the confines of the county, such as natural marine habitats, grass flats suitable as nursery feeding grounds for marine life, or established marine soil suitable for producing plant growth of a type useful as nursery or feeding grounds for marine life; designated preservation areas such as those identified in the comprehensive land use plan, national wildlife refuges, bird sanctuaries, manatee sanctuaries; natural reefs and any such artificial reef which has developed an associated flora and fauna which have been determined to be approaching a typical natural assemblage structure in both density

and diversity; oyster beds; clam beds; known sea turtle nesting sites; commercial or sport fisheries or shell fisheries areas; habitats desirable as juvenile fish habitat.

Sec. 58-535. Notice of public hearing.

- (a) The department must mail to all property owners, as listed in the property appraiser's files, within a 500-foot radius of the property containing the project at issue, notice of any pending hearing before the special magistrate. The notice must contain the parcel identification number or address of the property containing the project, a brief description of the project and relief sought, and the date, time, and place of the hearing. All notices must be postmarked at least twenty days before the hearing date.

Sec. 58-536. Appeals.

- (a) Any person, including the state, aggrieved by any final determination made by the department under this article (e.g., permit issuance or denial, variance approval or denial), may, within 30 days of such determination, appeal such determination to the special magistrate. The appeal must be filed with the department, who will coordinate with the special magistrate to schedule a hearing within a reasonable time that is noticed pursuant to section 58-539. The appeal need not satisfy any particular length or format requirements; rather, it must only state the grounds upon which the department erred in its determination and how the appellant is aggrieved by such determination. At least one week before the hearing, the department must file a report defending the challenged determination, which will become part of the record.
- (b) In hearing an appeal, the special magistrate is not bound by any specific procedural requirements other than those prescribed in this article. Accordingly, the special magistrate may set his/her own rules of procedure. By way of illustration and not limitation, the special magistrate is not bound by County Code Chapter 2, Article VIII (Code Enforcement by Special Magistrates), County Code Section 134-14 (Quasi-Judicial Proceedings), or Florida Statutes Chapter 162 (County or Municipal Code Enforcement). However, the special magistrate may reference such other laws in setting his/her own rules as desired. Additionally, fundamental due process concepts must be observed, and the formal rules of evidence must not apply.
- (c) Any person, including the state, who is aggrieved by the special magistrate's ruling on an appeal, may file a petition for writ of certiorari with the Circuit Court within 30 days after the Special Magistrate's written order is rendered.

Sec. 58-537. Acceptance of permit.

Failure to file an appeal of a permit which is issued under this article pursuant to section 58-536 shall constitute acceptance of the permit.

Sec. 58-538. Expiration of permits; extension or revision.

- (a) Except as otherwise provided in this article, all permits are not effective until 30 days after issuance and, if an appeal is filed pursuant to section 58-536, until such appeal is fully resolved, and any subsequent appeal windows have lapsed. All permits issued under this article shall expire one year from the date of issuance.
- (b) In the event that the project is not completed within one year of the date of the issuance of a permit under this article, the county shall authorize a one-year extension upon written request to the county. A second one-year extension shall be granted upon written request if the project is not completed by the end of the second year. The county may authorize two additional one-year extensions upon written request to the county and for good reason shown. Extensions shall be requested within 90 days before or after the permit expiration date.
- (c) Applications for revisions to permits issued pursuant to this article shall only be accepted within one year of the original issuance of the permit unless the applicant can demonstrate that the project has been under active review by another government agency and that the revision is a requirement of said agency.

Sec. 58-539. Variances.

- (a) A permit applicant may request a variance from the special magistrate from any permitting criterion under this Article not included in subsections (d) or (e) below. The variance request must be filed with the department, who will coordinate with the special magistrate to schedule a hearing within a reasonable time that is noticed pursuant to section 58-539. The special magistrate must grant the variance request if the permit applicant establishes at hearing that all applicable criteria set forth in section 138-231, Pinellas County Land Development Code, are satisfied. At least one week before the hearing, the department must file a report opining as to whether such criteria are satisfied, which shall become part of the record.
- (b) In hearing a variance request, the special magistrate is not bound by any specific procedural requirements other than those prescribed in this Article. Accordingly, the special magistrate may set his/her own rules of procedure. By way of illustration and not limitation, the special magistrate is not bound by County Code Chapter 2, Article VIII (Code Enforcement by Special Magistrates), County Code Section 134-14 (Quasi-Judicial Proceedings), or Florida Statutes Chapter 162 (County or Municipal Code Enforcement). However, the special magistrate may reference such other laws in setting his/her own rules as desired. Additionally, fundamental due process concepts must be observed, and the formal rules of evidence must not apply.
- (c) Any person, including the state, who is aggrieved by the special magistrate's ruling on a variance request, may file a petition for writ of certiorari with the Circuit Court within 30 days after the Special Magistrate's written order is rendered.
- (d) A permit applicant may request a variance from the department from the following permitting criteria under this article: subsections 58-532(a), 58-532(b), 58-543(f), 58-

543(g), 58-543(l), 58-543(m), 58-546(1), 58-546(4), 58-546(5), 58-546(7), 58-555(a)(2), 58-555(a)(3), 58-555(a)(4), and 58-555(a)(7). The department must grant the variance request if the permit applicant establishes that all applicable criteria set forth in section 138-231, Pinellas County Land Development Code, are satisfied.

- (e) A permit applicant may request a variance from the department from any construction materials or minimum construction specifications specified under this article. The department must grant the variance request if the permit applicant establishes that, based on a report signed and sealed by a professional engineer, the proposed materials or specifications are equivalent to, or better than, that which is specified in this article.
- (f) Any person, including the state, who is aggrieved by department's ruling on a variance request, may appeal such determination to the special magistrate pursuant to section 58-536 above.
- (d) In granting any variance, appropriate conditions, time limits, and safeguards may be prescribed. Variances shall not be deemed to set precedence for other applications should they be either standard applications or those requiring variances.
- (g) After-the-fact variance requests are allowed where the special magistrate or department, as applicable, determines that the need for the variance is the result of a good faith mistake.

Sec. 58-540. Fees.

- (a) All fees and deposits required under this article for applications, permit extensions, and public hearings shall be set by the board by resolution on an annual basis. Fees shall be sufficient to cover the cost of the review, public notice, and issuance or extension of the permit.
- (b) After-the-fact dock applications and permits will be subject to increased fees as set by the board annually by resolution.
- (c) Fees will be levied upon the contractor, or owner if the structure is self-built, and shall be paid to the department.
- (d) A waiver of permit application fees for governmental agencies shall be administratively granted.
- (e) A waiver of permit application fees for the placement of riprap against an existing seawall shall be administratively granted.
- (f) A waiver of permit application fees for projects conducted for environmental enhancement or environmental restoration, including but not limited to living shorelines and environmental seawall enhancement, shall be administratively granted.
- (g) A waiver of permit application fees for emergency dredge and fill projects as described under Section 58-507(d), shall be administratively granted.

Sec. 58-542. Revocation of permits.

For any noncompliance with or for violations of its terms, any permit issued under this article may be revoked by the department after notice of the intent to do so has been furnished by the department and opportunity afforded within 30 days for the permit holder to appeal the revocation pursuant to section 58-536.

Sec. 58-549. Application information.

- (a) All applications under this article are to be filed with the department. Processing fees shall be paid at the time of application.
- (b) Prior to the issuance of a permit under this article, the applicant must show that the proposed activity is consistent with the county comprehensive plan or municipal comprehensive plan, as applicable.
- (c) Prior to a final determination on an application under this article, the applicant may be requested to supply any other information necessary to promote sound judgment in the issuance, modification or nonissuance of a permit.
- (d) All applications under this article shall expire after a 90-day period of inactivity.
- (e) All applications under this article must include a statement outlining the intended use of the project facility.

Sec. 58-550. Private dock application information.

- (a) All applications for private dock permits must be submitted to the department on approved application forms.
- (b) All applications for permits for docks to be located within a municipal limit must have municipal approval prior to submission to the county, except for after-the-fact applications, which may be submitted to the county and municipality simultaneously.
- (c) Where required, signatures of no objection from adjacent property owners must be provided on the permit drawing accompanying the application for a private dock, along with the completed notarized variance forms included in the application.
- (d) Adequate water depth at the slip and to navigable waters must be evidenced on applications for the expansion of existing dock facilities or the creation of new dock facilities.
- (e) The following information is required for applications for private dock permits:
 - (1) The application form adopted by the county, properly filled out and signed.
 - (2) A detailed statement describing the upland land use and activities (i.e., commercial marina, multiuse, condominium, restaurant, private single-family, etc.).
 - (3) Satisfactory evidence of title or extent of interest of the applicant to the riparian upland ownership or submerged ownership with a copy of the trustee's deed in chain of title.

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- (4) A copy of the state department of environmental protection permit application, where applicable.
 - (5) A copy of the U.S. Army Corps of Engineers permit application, where applicable.
 - (6) An affidavit attesting to the dates any existing structures were built, and a copy of any prior authorization or permit for the structures, where applicable.
 - (7) Permit sketches clearly depicting the proposed project. The sketches and application package must include the following:
 - a. Three copies of black and white drawings of the proposed project drawn to an appropriate scale (from 1:10 to 1:60, lettering to be 0.10 inch high or greater).
 - b. The drawings must clearly show the following:
 1. Name of waterway.
 2. North arrow and graphic scale.
 3. Existing shoreline, limits of the waters of the county, and the mean high water line (or ordinary high water) based on NGVD.
 4. Sufficient water depths in the affected areas.
 5. Locations of existing structures.
 6. Linear footage of riparian shoreline.
 7. All drawings and legal descriptions pertaining to proof of ownership submitted as part of an application for a permit from the county must contain the required signature and seal of a Florida registered professional engineer or land surveyor.
 8. Location of the proposed activity, including half section, township, range, affected water body, and a vicinity map, preferably a reproduction of the appropriate portion of the United States Geological Survey quadrangle map.
 - (8) Proper fee as set by the board.
 - (9) A completed copy of the disclosure form provided by the county.

SECTION 3. SEVERABILITY

If any provision of this Ordinance is held invalid by any court of competent jurisdiction, such holding shall not be construed to render the remaining provisions of this Ordinance invalid.

SECTION 4. INCLUSION IN CODE

The provisions of this Ordinance must be made a part of the County Code and may be renumbered or relettered accordingly.

SECTION 5. EFFECTIVE DATE

Pursuant to Florida Statutes Section 125.66(2)(b), within 10 days of adoption of this Ordinance, a certified copy of same shall be filed with the Department of State by the County Clerk of the Circuit Court. This Ordinance will take effect upon filing with the Department of State.

APPROVED AS TO FORM

By: Joseph A Morrissey
Office of the County Attorney

Hooey, Docia A

From: Clerk Board Records
Sent: Wednesday, January 29, 2025 12:39 PM
To: County Ordinances
Cc: Clerk Board Records; Revie, Derelynn H; Hooey, Docia A
Subject: Pinellas County Ordinance - PIN20250129_Ordinance2025_25-5
Attachments: PIN20250129_Ordinance2025_25-5.pdf

Sender Full Name:	Ken Burke, Clerk of the Circuit Court and Comptroller Derelynn Revie, Deputy Clerk, Board Records Department
Sender Phone number:	(727) 464-3458
County Name:	Pinellas
Ordinance Number:	PIN20250129_Ordinance2025_25-5

Thank you,
Christian Eres
Senior Board Records Specialist, Deputy Clerk
Board Records Department
Office of Ken Burke, Clerk of the Circuit Court and Comptroller
Pinellas County, Florida
315 Court Street, 5th Floor, Clearwater, FL 33756
Office (727)464-4749 | Fax (727)464-4716
ceres@mypinellasclerk.gov | www.mypinellasclerk.gov
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FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

January 30, 2025

Ken Burke
Clerk of the Circuit Court
Pinellas County Courthouse
315 Court Street, 5th Floor
Clearwater, Florida 33756

Dear Ken Burke:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Pinellas County Ordinance No. 25-5, which was filed in this office on January 29, 2025.

Sincerely,

Alexandra Leijon
Administrative Code and Register Director

AL/dp