

Preliminary Staff Report

Choose an item.

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Subject:

Ordinance providing for the repeal of Chapter 126, Section 1 of the Pinellas County Code related to vesting of title to potable water lines, sanitary sewer lines, and storm drainage facilities in public easements and right of way.

Recommended Action:

Recommend repeal of Section 126-1 of the Pinellas County Code through a new repeal ordinance, relating to vesting of title to potable water lines, sanitary sewer lines, and storm drainage facilities in public easements and right-of-way (ROW).

- This code is based on special law enacted in 1978 and provides clarification of ownership for buried water, wastewater, and stormwater infrastructure.
- This code is no longer applicable and does not align with County best practices associated with right-of-way permits and easements

Strategic Plan:

Deliver First Class Services to the Public and Our Customers

5.3 Ensure effective and efficient delivery of county services and support

Summary:

Chapter 126, section 1 was intended to provide clarification of ownership of water, wastewater, and stormwater infrastructure located within easements and rights-of-way. However, Due to the increased development and changes in the County, this section no longer aligns with its original intent. The County has and will continue to apply right-of-way permits, easements, and other practices to establish property rights of County-owned and private assets.

Background/Explanation:

Chapter 126, Section 1 of the Pinellas County Code of Ordinances was originally a special law enacted in 1978. The Special Act was codified after adoption of the Pinellas County Charter in 1980. At the time of adoption and (subsequent) codification, Pinellas County had much more land available for development and did not have practices in place to designate ownership of infrastructure within easements and rights-of-way. Chapter 126-1 was enacted to clarify ownership of buried water, wastewater, and stormwater infrastructure. Due to the increased development and changes in the County, this section no longer aligns with its original intent. Once repealed, the County will continue to apply right-of-way permits, easements, and other practices to establish property rights of County-owned and private assets.

Fiscal Impact:

N/A

Project Manager/Subject Matter Expert:

Miles Belknap, Assistant County Attorney

Staff Member Responsible:

Megan Ross, Director, Utilities

Partners:

Kelli Levy, Director, Public Works

Attachments:

Chapter 126-1 Repeal Ordinance

Approved By:

- | | |
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| <input type="checkbox"/> Project Manager | <input type="checkbox"/> Admin Support |
| <input type="checkbox"/> Contracts Manager | <input type="checkbox"/> Deputy Director |
| <input type="checkbox"/> Division Director | <input type="checkbox"/> Utilities Director |
| <input type="checkbox"/> OMB | |