

ORDINANCE NO. 17-_____

AN ORDINANCE OF THE COUNTY OF PINELLAS, CREATING SECTION 70-401, ET SEQ., RELATING TO A COUNTY COUNCIL FOR PERSONS WITH DISABILITIES; PROVIDING FOR TITLE; PROVIDING FOR PURPOSE AND INTENT; PROVIDING FOR MEMBERSHIP OF COUNCIL; PROVIDING FOR ADMINISTRATIVE RESPONSIBILITY; PROVIDING FOR POWERS AND RESPONSIBILITIES; PROVIDING FOR MEETINGS; PROVIDING FOR PUBLIC MEETINGS AND NOTICE; PROVIDING FOR THE INCLUSION IN THE PINELLAS COUNTY CODE; PROVIDING FOR AREAS EMBRACED; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR FILING OF ORDINANCE AND EFFECTIVE DATE.

WHEREAS, the purpose of creating the County Council for Persons with Disabilities is to provide policy advice and information to the Pinellas County Board of County Commissioners, through the Pinellas County Office of Human Rights, regarding issues of accessibility and on issues of discrimination; and

WHEREAS, this article is enacted pursuant to Pinellas County charter section 2.02(e) under the home rule powers of Pinellas County, Florida, in the interest of health, peace, safety and general welfare of the people.

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

Section 1. Article V of the Pinellas County Code is created to read as follows:

Article V. County Council for Persons with Disabilities

Section 2. Section 70-401 is created to read as follows:

Sec. 70-401 – Title.

This article shall be known and may be cited as the “County Council for Persons with Disabilities Ordinance”.

Section 3. Section 70-402 is created to read as follows:

Sec. 70-402 - Purpose and Intent.

- (a) It is the intent of the Pinellas County Board of County Commissioners (“Board”) to create the County Council for Persons with Disabilities (“Council”) for the purpose of providing to the Board, through the Pinellas County’s Office of Human Rights (“PCOHR”) policy advice regarding issues of accessibility to Pinellas County (“County”) facilities, programs and services; policy advice on issues of discrimination in housing, employment, and places of

public accommodation throughout the County; and information of interest to persons with disabilities.

- (b) The Council, through the PCOHR, shall bring forward information to the Board or any of its departments, agencies, or bureaus, issues or matters of concern to persons with disabilities for potential action.

Section 4. Section 70-403 is created to read as follows:

Sec. 70-403 - Membership of Council.

- (a) The Council shall consist of a total of thirteen (13) members. Seven (7) members shall be individually appointed by each member of the Board, and one (1) member each shall be appointed by:

- (1) The board of directors of the Disability Achievement Center;
- (2) The board of directors of Providing Advocacy & Recognizing Capabilities (PARC);
- (3) The board of directors of Florida Gulf Coast Paralyzed Veterans of America;
- (4) The board of directors of the Boley Centers;
- (5) The board of directors of the Family Network on Disabilities; and
- (6) The board of directors of the Area Agency on Aging of Pasco-Pinellas, Inc.

- (b) Members of the Council shall be permanent residents of Pinellas County, Florida.
- (c) Except for the initial appointment, Council members shall serve at the pleasure of their appointing authority for a term of two (2) years from the date of appointment. The initial term shall be two (2) years for the seven (7) members appointed by each of the Board members, and three (3) years for the appointments made by the appointing authorities outlined in Sec. 70-403(a)(1-6). Members may hold successive terms upon reappointment. Each member, regardless of the manner in which the member was appointed, may be removed by the Board without cause. Any vacancy in the membership of the Council shall be filled for the unexpired portion of the term, in the same manner as an appointment for a full term.
- (d) Each member's background, education and experience shall be such as to qualify said member to carry out the duties and responsibilities vested in this Council by this division.

- (e) Members shall elect a chair, a vice-chair, a secretary, and such other officers deemed necessary to conduct meetings. Officers will serve for a term of one (1) year, and may hold successive terms upon re-election.
- (f) All members shall serve without compensation.
- (g) The County Administrator, the County Attorney, and the Director of the PCOHR, or their designees, shall each serve as ex-officio members of the Council.

Section 5. Section 70-404 is created to read as follows:

Sec. 70-404 - Administrative Responsibility.

- (a) The PCOHR shall provide administrative support to the Council.
- (b) The PCOHR and the County Attorney's Office shall be responsible for ensuring compliance with the Florida Sunshine Laws, F.S. § 286, et seq., and Public Records Law, F.S. § 119, et seq.

Section 6. Section 70-405 is created to read as follows:

Sec. 70-405 – Powers and Responsibilities.

The Council shall serve in an advisory capacity:

- (a) To bring informational items of matters important to persons with disabilities to the Board, through the PCOHR.
- (b) To serve as consultants on issues of accessibility relating to the construction or improvement of County facilities, parks, and infrastructure.
- (c) To present information to the Board or any of its departments, agencies, or bureaus, through the PCOHR, issues or matters of concern to persons with disabilities for potential action relating to:
 - (1) Issues of accessibility to facilities, programs or services of County government;
 - (2) Discrimination due to disability in employment, housing, or places of public accommodations throughout the County;
 - (3) Assisting the County in identifying and obtaining grant funding that will provide greater accessibility to all facets of civic life to persons with disabilities; and

- (4) Assisting the County, and particularly the PCOHR, in providing training, education and outreach relating to the rights of persons with disabilities.

Section 7. Section 70-406 is created to read as follows:

Sec. 70-406 - Meetings.

- (a) The Council may meet on a quarterly basis, should there be business to be conducted, or matters to be addressed.
- (b) Seven (7) members of the Council shall constitute a quorum.
- (c) Special or emergency meetings of the Council may be called by:
 - (1) The chair of the Council; or
 - (2) Any one (1) of the following officials: the County Administrator, the County Attorney, or the Director of the PCOHR.

Section 8. Section 70-407 is created to read as follows:

Sec. 70-407 – Public Meetings; Notice

- (a) Meetings of the Council shall be open to the public. The chair shall set the time, date, and place of the meetings of the Council. Minutes shall be kept of all meetings and shall be under the supervision of the secretary.

Sec. 9 - Inclusion in the Pinellas County Code.

The provisions of this subdivision shall be included and incorporated in the Pinellas County Code, as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Pinellas County Code.

Sec. 10 – Areas Embraced.

This Ordinance shall be effective in the incorporated as well as unincorporated areas of the County.

Sec. 11 - Severability.

In the event that any court having jurisdiction over any case arising under this section determines that any subsection or other provision of this section is invalid for any reason, the remaining subsections or other provisions shall continue to be in full force and effect.

Sec. 12 - Filing of Ordinance; Effective Date.

Pursuant to Section 125.66, Fla. Stat., a certified copy of this Ordinance shall be filed with the Department of State by the Clerk of the Board of County Commissioners within ten (10) days after enactment by the Board of County Commissioners. This Ordinance shall become effective upon filing of the Ordinance with the Department of State.

APPROVED AS TO FORM

By: 

Office of the County Attorney