

ORDINANCE NO. 20 — 30

AN ORDINANCE OF THE COUNTY OF PINELLAS, PROVIDING THAT THE PINELLAS COUNTY CODE BE AMENDED BY STRIKING SECTION 98-2 RELATING TO THE RENAMING OF COUNTY ROADS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCORPORATION INTO THE COUNTY CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, F.S. § 336.05(1) authorizes the Board of County Commissioners (the “Board”) to rename County roads;

WHEREAS, Section 98-2 of the Pinellas County Code (the “Code”) provides that the Board may rename a County road at its discretion after publishing notice in a newspaper of general circulation for two consecutive weeks prior to taking such action;

WHEREAS, Section 154-103(a) of the Code also provides four avenues for renaming a County road: (1) by affidavit to correct a platting error; (2) by request from the United States Postal Service or an emergency management agency; (3) by unilateral Board action; and—most notably—(4) by petition of 60% of affected property owners;

WHEREAS, Section 98-2 of the Code contains antiquated language from a 1949 Special Act;

WHEREAS, although Section 98-2 may be read in conjunction with Section 154-103, Section 98-2 is unnecessary to effectuate the intent of Section 154-103;

WHEREAS, the Board finds that publishing notice of its intent to rename a County road in the newspaper is unnecessary given that there are more effective and efficient ways to ensure that affected property owners receive notice, such as posting, mailing or hand-delivering notice;

WHEREAS, publishing notice in the newspaper entails unnecessary administrative burden and expense;

WHEREAS, F.S. § 336.05(1) does not require that notice be published in the newspaper; and

WHEREAS, the Board accordingly wishes to repeal Section 98-2 of the Code.

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

Section 1. Section 98-2 (Changing County Roads; Notice; Hearing) of the Code is hereby repealed.

Section 2. Sections 98-3 (Public Correction of Dangerous Conditions on Private Roads, Etc.), 98-4 (Industry Standards for Official Traffic Regulations), and 98-5 (Construction and Maintenance of and Liability for Paver Driveways) of the Code are hereby renumbered Sections 98-2 (Public Correction of Dangerous Conditions on Private Roads, Etc.), 98-3 (Industry Standards for Official Traffic Regulations), and 98-4 (Construction and Maintenance of and Liability for Paver Driveways) of the Code.

Section 3. This Ordinance shall become part of the Code; sections of this Ordinance may be renumbered or relettered in order to be effectively codified.

Section 4. Pursuant to Section 125.66, Florida Statutes, 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