



# Pinellas County

## Legislation Details (With Text)

**File #:** 23-1024A      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 6/22/2023      **In control:** Board of County Commissioners

**On agenda:** 7/18/2023      **Final action:** 7/18/2023

**Title:** Amend Chapter 42- Consumer Protection, Article XIV, Property Assessed Clean Energy Program ordinance.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. State-Filed ORD 23-8, 2. Adopted ORD 23-8, 3. AATF - Ordinance, 4. Article XIV, 5. Ordinance Advertisement, 6. PACE Ordinance 17-37, 7. OMB.REVIEW\_23-1024A\_PCED\_PACEOrdinance\_26-June-2023, 8. PACE Ordinance\_Clean Copy, 9. PACE Ordinance\_Redline, 10. Electronic Affidavit of Publication, 11. Affidavit of Publication, 12. 68 Speaker Cards, 13. 68 Todd Pressman Document

Date	Ver.	Action By	Action	Result
7/18/2023	1	Board of County Commissioners	approved	Pass

**Subject:**

Amend Chapter 42- Consumer Protection, Article XIV, Property Assessed Clean Energy Program ordinance.

**Recommended Action:**

Approve proposed changes to the Property Assessed Clean Energy Program (PACE) ordinance.

- The Pinellas County PACE Program is codified in Chapter 42, Article XIV.
- Section 42-44 Definitions - Redefine PACE Contractor - “PACE contractor shall mean a contractor hired by a property owner or general contractor to construct a qualifying improvement which is funded wholly, or in part, under a PACE financing agreement as well as contractors authorized by the PACE local government or PACE administrator to sell, construct or install qualifying improvements funded through the PACE program.”
- Property means a nonresidential property, including multifamily residential properties having five or more dwelling units, located within the jurisdictional boundaries of Pinellas County excepting any municipality that has opted out of the Pinellas County PACE Program.
- Section 42-441. Finding of fact - Eliminate - (h) “It is within the best interests of the citizens of Pinellas County to have uniform consumer protection regulations that apply to all PACE local governments and PACE administrators who implement and manage PACE programs in Pinellas County excepting any municipality that has opted out of the Pinellas County PACE Program.”
- Section 42-446. PACE program standards. Eliminate - “(7) Notice to property owner. c. The three days right to cancel the PACE financing.
- These proposed changes will have no fiscal impact on Pinellas County.

**Strategic Plan:**

## Practice Superior Environmental Stewardship

### 3.1 Implement green technologies and practices where practical

## Deliver First Class Services to the Public and Our Customers

### 5.1 Maximize partner relationships and public outreach

### 5.2 Be responsible stewards of the public's resources

### 5.3 Ensure effective and efficient delivery of county services and support

#### **Summary:**

Approval of the amended language in Chapter 42, Article XIV would better define PACE Contractors and their scope of work and allow PACE Administrators to operate a non-residential, including multifamily residential properties having five (5) or more dwelling units PACE Program within the County's jurisdiction. With the understanding that the Agency/PACE Administrator is not an agent of the County and cannot create debt obligations against the County.

PACE Programs have been developed to allow a property owner to voluntarily finance Qualifying Improvements through a non-ad valorem assessment implemented and managed by a PACE Local Government and repaid through the collection on the annual property tax bill. Qualifying Improvements under the non-residential PACE Program includes certain improvement to real properties for energy conservation and efficiency, renewable energy improvements, or wind resistance improvements.

#### **Background Information:**

Sections §§163.01 and 163.08, Florida Statutes, allow for the creation of separate legal entities to act as a local government for the purposes of providing PACE Program funding sources to property owners who wish to utilize the program to install, finance, and repay the costs of Qualifying Improvements to their properties.

On December 12, 2017, the Board of County Commissioners approved an ordinance with uniform consumer protections, guidelines, and limitations for a non-residential PACE Program.

#### **Fiscal Impact:**

There is no Fiscal impact to the County

#### **Staff Member Responsible:**

Dr. Cynthia Johnson, Director, Economic Development

#### **Partners:**

N/A

#### **Attachments:**

Ordinance