



Pinellas County

Legislation Details (With Text)

File #: 21-1122A **Version:** 1

Type: Ordinance **Status:** Passed

File created: 5/28/2021 **In control:** Board of County Commissioners

On agenda: 7/13/2021 **Final action:** 7/13/2021

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

Sponsors:

Indexes:

Code sections:

Attachments: 1. State-filed ORD 21-16, 2. Adopted ORD 21-16, 3. Chapter 126-1 Repeal Ordinance, 4. Electronic Affidavit of Publication, 5. Chapter126-1 Repeal Staff Reportrevfinal20210630.pdf, 6. Affidavit of Publication

Date	Ver.	Action By	Action	Result
7/13/2021	1	Board of County Commissioners	approved	Pass

Subject:

Ordinance providing for the repeal of Section 126-1 of the Pinellas County Code, relating 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.

- This code is based on a 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- This code is no longer applicable and does not align with County best practices associated with right-of-way permits and easements.
- Repeal of this ordinance will enable the County to address ownership of infrastructure and assets though easements and right-of-way permits.

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 Information:

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

Staff Member Responsible:

Megan Ross, Director, Utilities
Miles Belknap, Assistant County Attorney

Partners:

Kelli Levy, Director, Public Works

Attachments:

Chapter 126-1 Repeal Ordinance