



# Pinellas County

## Staff Report

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File #: 23-0916A, Version: 1

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### **Subject:**

Ordinance updates to Chapter 90 of the Pinellas County Code relating to the operation and management of parks and environmental lands.

### **Recommended Action:**

Conduct a public hearing and adopt ordinance updates on the augmentation and clarification of Pinellas County Code relating to the operation and management of parks and environmental lands.

- Update Section 90-1 relating to the length of terms for Parks and Conservation Resources Advisory Board members, extending terms of appointment from one year to two years.
- Approve definition updates and new definitions in Chapter 90.
- Approve ordinance updates on the augmentation and clarification of code Section 90-7 to include prohibition of smoking and vaping within the sandy or rocky area along the shoreline located waterward or seaward of and including the vegetation line and/or the dune environment that is owned by the County; and prohibit smoking and vaping within environmental lands (preserves and management areas), Florida Botanical Gardens, and Heritage Village.
- This item is not expected to have a fiscal impact on Pinellas County.
- These ordinance updates were reviewed with the Board of County Commissioners on February 23, 2023.

### **Strategic Plan:**

Practice Superior Environmental Stewardship

3.2 Preserve and manage environmental lands, beaches, parks and historical assets

3.3 Protect and improve the quality of our water, air, and other natural resources

Deliver First Class Services to the Public and Our Customers

5.2 Be responsible stewards of the public's resources

5.3 Ensure effective and efficient delivery of county services and support

### **Summary:**

The proposed updates to Chapter 90 are intended to revise term of appointments to the Parks and Conservations Resources Advisory Board, clarify or amend definitions as it pertains to activities in parks and environmental lands, institute smoking and vaping bans within certain areas of County owned and managed lands, and ensure references are current as it relates to other statutes. Chapter 90 was last updated in July 2016.

Terms of advisory board members are being extended from one year to two years.

Definitions being added: Bicycle and Motorized

Areas of the code being augmented or amended address: protection of property, facilities, flora and

fauna; activities within county-owned or managed lands, which includes a smoking and vaping ban on county-owned or managed beaches, environmental lands, Florida Botanical Gardens and Heritage Village; and boating, docks and launching ramps.

Proposed changes to Chapter 90 of the Pinellas County Code were previously presented to the Board in a work session on February 23, 2023.

If approved, the ordinance will be in effect for all County owned or managed environmental lands, beaches, parks and historical assets.

**Background Information:**

Florida House Bill 105 (HB105), signed into law in June 2022, gave cities and counties the ability to restrict smoking at beaches and parks that they own. Cigarette butts are a primary contributor to litter on County beaches and adversely affect water bodies through the contribution of microplastics as the cigarette and cigar filters break down. Staff was asked to investigate a ban on smoking and are including a proposed ban on smoking and vaping on County owned and managed beaches as part of the update to Section 90-7 of the Pinellas County Code. HB105 does not allow for local restrictions on the smoking of unfiltered cigars. The smoking ban in the ordinance update is also extended to environmental lands (preserves and management areas), Florida Botanical Gardens, and Heritage Village, for purposes of fire safety and litter reduction.

The ordinance updates meet the County's strategic plan and are reasonable and enforceable.

**Fiscal Impact:**

Outside of fines and civil penalties for violations (Sec. 90-13), there are no fiscal impacts referenced in this ordinance or the supporting documentation. Direct costs associated with revisions to Chapter 90 of the Pinellas County Code for park signage relating to proposed smoking bans are estimated at under \$1,000 and will be addressed through the Parks and Conservation Resources Department operating budget via dedicated funding for new and replacement park signage (Parks Groups 1-7, excluding Group 4, totaling \$13,000 for FY23 and \$16,500 for FY24). As a result, no negative budgetary impacts anticipated.

**Staff Member Responsible:**

Paul Cozzie, Director, Parks and Conservation Resources

**Partners:**

None

**Attachments:**

Ordinance - Chapter 90 Amendments Final Redline  
Ordinance - Chapter 90 Amendments Final Clean  
Notice of Public Hearing