



# Pinellas County

## Staff Report

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### **Subject:**

Ordinance amending the Pinellas County Code, Chapter 86, related to the County Drug Paraphernalia Ordinance.

### **Recommended Action:**

Conduct a public hearing and adopt the proposed amendments to the County Drug Paraphernalia Ordinance revising County Code Section 86-106, clarifying definitions to align with recent statutory changes to exclude products for fentanyl testing to promote the health, safety, and welfare of residents.

- In 2005, Pinellas County adopted resolution 05-195 to establish a Drug Paraphernalia Abatement Task Force (Task Force) to review community impacts. As a result of Task Force recommendations, the County adopted Ordinance 06-73, to help mitigate possible community impact and limit access by youth.
- Since adopting the ordinance, Pinellas has experienced the impacts of the prescription drug epidemic and the resulting opioid crisis from the illicit drug market, with 597 overdose-related deaths in 2022.
- In recent years, fentanyl has emerged as a major drug of concern driving overdoses nationwide. Often individuals are unaware of the presence of fentanyl resulting in severe risk of fentanyl poisoning, hospitalization, and death.
- In response to this growing threat, the State of Florida passed Senate Bill 164 revising drug paraphernalia definitions to exclude products for fentanyl testing effective July 1, 2023 in order to help reduce possible overdoses and save lives.
- Based on the statutory change, Pinellas County is seeking to quickly incorporate the same exclusion locally to help protect the health and safety of our residents.
- Human Services anticipates a full review of this ordinance in the coming year to receive updated stakeholder input, assess updates and ongoing needs, and define recommended changes.
- This ordinance change has no fiscal impact to Pinellas County. Additionally, this change creates no new business impacts.

### **Strategic Plan:**

Ensure Public Health, Safety, and Welfare

2.1 Provide planning, coordination, prevention, and protective services to ensure a safe and secure community

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

5.4 Strive to exceed customer expectations

**Summary:**

The proposed amendment to the Drug Paraphernalia Ordinance revises Section 86-106 Pinellas County Code to exclude products for fentanyl testing in alignment with recent statutory changes.

In 2005, Pinellas County adopted resolution number 05-195 to establish a Drug Paraphernalia Abatement Task Force (Task Force) to review community impacts from drug paraphernalia. In 2006, the Task Force completed their review and provided recommendations for Pinellas County. As a result of the recommendations, Pinellas County adopted Ordinance Number 06-73, establishing Sections 86-105 through 86-110 Pinellas County Code, to help mitigate possible community impact and limit access by youth.

Since the establishment of the ordinance, Pinellas has experienced the impacts of the prescription drug epidemic and the resulting opioid crisis from the illicit drug market. In 2022, Pinellas County has seen 7,556 suspected overdose transports by EMS and 597 overdose-related deaths documented by the Medical Examiner's Office.

In recent years, fentanyl has emerged as a major drug of concern driving overdoses nationwide. Often individual are unaware of the presence of fentanyl resulting in severe risk of fentanyl poisoning, hospitalization, and death. In response to this growing threat, the State of Florida passed Senate Bill 164 revising drug paraphernalia definitions to exclude products for fentanyl testing effective July 1, 2023 in order to help reduce possible overdoses and save lives.

Based on the statutory change, Pinellas County is seeking to quickly incorporate the same exclusion locally in order to help protect the health and safety of our residents. The proposed change will clarify definitions to align with recent statutory changes to exclude products for fentanyl testing to promote the health and safety of residents.

Human Services anticipates a full review of this ordinance in the coming year to receive updated stakeholder input, assess updates, and define recommended changes. The current change is being recommended to address immediate health and safety concerns within the community while the full review of the ordinance is pending.

The current change reduces regulation by excluding fentanyl testing products. The change creates no new regulatory impacts on businesses.

**Background Information:**

In 2005, Pinellas County established a local Drug Paraphernalia Abatement Task Force to research, fact find, and discuss the impact of drug paraphernalia sales in the County. The task force included fifteen (15) members including elected officials, law enforcement, education and youth representatives, neighborhood leaders, and service providers in the drug treatment and recovery field.

The Task Force researched community impacts and heard from community stakeholders as part of their efforts and reported by to the Board of County Commissioners (Board) in 2006 with recommendations. The Board adopted the drug paraphernalia ordinance on October 10, 2006, to

help mitigate possible community impact and limit access by youth.

The ordinance was reviewed and updated in 2012. Human Services plans to undertake a full review of this ordinance in the coming year to receive updated stakeholder input, assess updates and ongoing needs, and define recommended changes.

**Fiscal Impact:**

Human Services anticipates that this proposed ordinance changes will require no additional staff time or fiscal impact.

**Staff Member Responsible:**

Karen Yatchum, Director, Human Services

**Partners:**

Law Enforcement Agencies  
Pinellas County Opioid Task Force  
Behavioral Health Providers  
Local Consumers

**Attachments:**

Proposed Ordinance Change (Draft in system)  
Proposed Ordinance Change Redline (to be added in final draft)  
Notice of Public Hearing  
Opioid Task Force Meeting Materials  
Business Impact Assessment