

PART I CHARTER¹

PREAMBLE

Whereas, the board of county commissioners of Pinellas County, Florida, presently derives its legal authority from a combination of general laws, general laws of local application which apply only to Pinellas County, and special laws, all of which emanate from the Legislature of the State of Florida, and

Whereas, under this legal framework the powers, duties and responsibilities of the board of county commissioners are difficult, if not impossible to define, and

Whereas, the only legal method available to the board of county commissioners to define its powers, duties, and responsibilities under the Constitution of the State of Florida is the adoption of a Home Rule Charter, and

Whereas, the board of county commissioners believes that such a charter should be conceived in the interest of cooperation with the municipalities and other governmental units of this county, with the integrity of the rights of the municipalities guaranteed.

ARTICLE I. CREATION OF GOVERNMENT

Sec. 1.01. Body corporate.

Pinellas County shall be a body corporate and politic, and shall have all rights and powers of local self-government which are now or may hereafter be provided by the constitution and laws of Florida and this Charter and as such may contract and be contracted with, and may sue and be sued and be impleaded in all the courts of this state and in all matters whatsoever.

Sec. 1.02. Name and county seat.

The corporate name shall be Pinellas County, hereinafter referred to as the county. Said name shall be so designated in all legal actions or proceedings involving the county. The county seat shall be that presently designated by law.

ARTICLE II. POWERS AND DUTIES OF THE COUNTY

¹Editor's note(s)—Printed herein is the county's charter, being Laws of Fla. ch. 80-590, § 1. The charter was effective upon approval at referendum. The charter was approved at an election held on Oct. 7, 1980. Amendments are indicated by parenthetical history notes following amended provisions. The absence of a history note indicates that the provision remains unchanged from the original charter. Obvious misspellings have been corrected without notation. For stylistic purposes, a uniform system of headings, catchlines and citations to state statutes has been used. Additions made for clarity are indicated by brackets.

Sec. 2.01. Powers and duties.

The county shall have all powers of local self-government not inconsistent with general law, with special law approved by vote of the electors, or with this Charter.

In the event of a conflict between a county ordinance and a municipal ordinance, the county ordinance shall prevail over the municipal ordinance when general law provides that a county ordinance shall prevail over a municipal ordinance, or when it concerns a power of local county government lawfully and constitutionally enacted by special law at the time of the adoption of this Charter, except that the county shall not hereafter amend such special law or laws to increase or expand the county's power, jurisdiction, or services over the municipalities or their powers or services. The county ordinance shall prevail over the municipal ordinance when a special law enacted subsequent to the adoption of this Charter and approved by a vote of the electorate provides that a county ordinance shall prevail over a municipal ordinance or when the county is delegated special powers within an area of governmental service enumerated in this Charter. In all other cases where a county ordinance conflicts with a municipal ordinance, the municipal ordinance shall prevail.

Sec. 2.02. Security of rights of citizens.

In order to secure protection to the citizens of the county against abuses and encroachments, the county shall use its powers, whenever appropriate, to provide by ordinance or to seek remedy by civil or criminal action for the following:

- (a) *Prohibition of conflict of interest.* The board of county commissioners shall enact a conflict of interest ordinance pertaining to all elected officials, appointed officials, and all employees of said officials of Pinellas County government, within ninety (90) days after the effective date of the Charter. By said ordinance the board shall be empowered to institute procedures by which any such official may be removed from office, except for those officers for which removal is provided under the state constitution.
- (b) *Just and equitable taxation while recognizing other local governments' jurisdictions to set their own millage.* The grant of the powers contained herein shall not be construed in any way to allow the county to claim any portion of any city's ten-mill taxing power.
- (c) *[Public property.]* Proper use of public property belonging to Pinellas County government.
- (d) *[Public records.]* Full access to public records and proceedings of Pinellas County government.
- (e) *Protection of human rights.* The county shall establish provisions, pursuant to state and federal law, for protection of human rights from discrimination based upon religion, political affiliation, race, color, age, sex, or national origin by providing and ensuring equal rights and opportunities for all people of Pinellas County.
- (f) *Protection of consumer rights.* The county shall establish provisions for the protection of consumers.

Sec. 2.03. Exercise of powers.

All powers of the county shall be exercised in accordance with this Charter; or, if the Charter contains no provision for execution, then by ordinance, resolution or action of the board of county commissioners.

Sec. 2.04. Special powers of the county.

The county shall have all special and necessary power to furnish within the various municipalities the services and regulatory authority listed below. When directly concerned with the furnishing of the services and regulatory

authority described in this section, county ordinances shall prevail over municipal ordinances, when in conflict. Governmental powers not listed or described in this Charter or granted to the county by general statute or special act shall remain with the municipalities.

- (a) Development and operation of 911 emergency communication system.
- (b) Development and operation of solid waste disposal facilities, exclusive of municipal collection systems.
- (c) Development and operation of regional sewage treatment facilities in accordance with federal law, state law, and existing or future interlocal agreements, exclusive of municipal sewage systems.
- (d) Acquisition, development and control of county-owned parks, buildings, and other county-owned property.
- (e) Development and operation of public health or welfare services or facilities in Pinellas County.
- (f) Operation, development and control of the St. Petersburg-Clearwater International Airport.
- (g) Design, construction and maintenance of major drainage systems in both the incorporated and unincorporated area.
- (h) Design, construction and maintenance of county roads in accordance with law.
- (i) Implementation of regulations and programs for protection of consumers.
- (j) Implementation of animal control regulations and programs.
- (k) Development and implementation of emergency management programs.
- (l) Coordination and implementation of fire protection for the unincorporated areas of the county.
- (m) Operation of motor vehicle inspection facilities, including inspection of auto emissions systems.
- (n) Production and distribution of water, exclusive of municipal water systems and in accordance with existing and future interlocal agreements.
- (o) Implementation of programs for regulation of charitable solicitations.
- (p) All powers necessary to provide municipal services in the unincorporated areas of the county and in accordance with any existing and future interlocal agreement.
- (q) All powers necessary to transfer the functions and powers of any other governmental agency upon approval by the governing body of that agency and the board of county commissioners.
- (r) All power necessary, upon approval of a vote of the electors, to levy a one-mill increase in ad valorem taxes in order to make funds available to be used solely to acquire beachfront and other property to be dedicated as public parks for recreational use. This subsection shall in no manner limit a municipality from levying any such tax under any authorization it might have at this time or may receive in the future.
- (s) Countywide planning authority as provided by special law. In the event of a conflict between a county ordinance adopted pursuant to the county's countywide planning authority as provided by special law and a municipal ordinance, the county ordinance shall prevail over the municipal ordinance; however, a municipal ordinance shall prevail over a county ordinance in the event a municipal ordinance provides for a less intense land use or a lesser density land use within the corporate boundaries of the municipality than that provided by county ordinance.
- (t) Development and operation of countywide mosquito control programs.
- (u) Development and operation of water and navigation control programs, including: (1) regulating and exercising control over the dredging and filling of all submerged bottom lands in the waters of Pinellas

County, together with all islands, sandbars, swamps and overflow lands including sovereignty lands, and regulating and exercising control over the construction of docks, piers, wharves, mooring piles and buoys therein; and (2) performing all things necessary to undertake projects for the construction, maintenance and improvement of portions of the Intracoastal Waterway and other channels within the navigable water of Pinellas County; and (3) undertaking programs for the dredging and maintenance of waterway channels within the incorporated and unincorporated areas of Pinellas County which have become or have been nonnavigable.

(Laws of Fla. ch. 88-458, § 1; Res. No. 88-496, 12-6-88; Ord. No. 00-66, § 2, 8-22-00; Res. 06-114, 7-11-06; Res. No. 16-48, § 1, 7-19-16)

Editor's note(s)—Laws of Fla. ch. 88-458, and Res. No. 88-496, adding subsection (s), were approved by referendum Nov. 8, 1988. Ord. No. 00-66, adding subsection (t), was approved by referendum Nov. 7, 2000. Res. 06-114, adding subsections (t) and (u), was approved by referendum Nov. 7, 2006. At the direction of the county, said subsections were redesignated as subsections (u) and (v), respectively.

At the direction of the county, subsection (t), pertaining to annexation, was deleted as being unconstitutional and no longer valid or in effect pursuant to the case of *Pinellas County v. Largo et al.*, 964 So. 2d 847 (Fla. 2d DCA 2007).

Res. No. 16-48, amending subsection (k), deleting (t) and relettering (u), (v) as (t), (u), was approved by referendum Nov. 8, 2016.

Sec. 2.05. Contractual services and transfer of contractual services.

Additional services may be furnished within the municipalities when the county is requested to do so by a majority vote of the governing body of the municipality and is so authorized by a majority vote of the board of county commissioners.

Sec. 2.06. Limitation of powers.

The county shall not have the power, under any circumstances, to abolish any municipality or in any manner to change the status, duties, or responsibilities of the county officers specified in section 1(d), art. VIII of the state constitution. The county shall exercise its powers to ensure that property situate within municipalities shall not be subject to taxation for services rendered by the county exclusively for the benefit of the property or residents in unincorporated areas, nor shall property situate in unincorporated areas be subject to taxation for services provided by the county exclusively for the property or residents within municipalities, all in accordance with the laws of the State of Florida and the Constitution of the State of Florida as they now provide or as they may be amended from time to time.

Sec. 2.07. Environmental lands.

- (a) The preservation of environmental lands as defined herein within Pinellas County supports the sustainability of natural resources, watersheds, and natural habitat; provides resource-based recreational opportunities; and promotes a healthy environment and community.
- (b) Environmental lands subject to the provisions of this Charter are those county-owned lands designated as environmental lands pursuant to section 90-112, Pinellas County Code, and include county-owned lands within the Allen's Creek Management Area, Alligator Lake Management Area, Anclote Islands Management Area, Brooker Creek Preserve, Cabbage Key Management Area, Cow Branch Management Area, East Lake Management Area, Joe's Creek Management Area, King Islands Management Area, Lake Seminole Management Area, Lake Tarpon Management Area, Lake Tarpon West Management Area, Long Branch

Management Area, Mariner's Point Management Area, Mobbly Bayou Preserve, Ozona Management Area, Shell Key Preserve, Travatine Island Management Area and Weedon Island Preserve.

- (c) Additional county-owned lands may be designated as environmental lands subject to the provisions of this Charter by adoption of an ordinance by the board of county commissioners.
- (d) The environmental lands designation may be removed from county-owned lands by adoption of an ordinance by the board of county commissioners and approval by a majority vote of the electors of Pinellas County in a referendum held at a general or special election called by the board of county commissioners, if the lands affected constitute more than one acre within a designated facility, or by adoption of an ordinance by the board of county commissioners if the lands affected constitute one acre or less within a designated facility.
- (e) The county shall not sell, convey, or transfer any fee simple interest in county-owned lands designated as environmental lands subject to the provisions of this Charter, and the county shall not lease or license for a period longer than ten years any interest in county-owned lands designated as environmental lands subject to the provisions of this Charter, unless authorized by a majority vote of the electors of Pinellas County in a referendum held at a general or special election called by the board of county commissioners.

(Ord. No. 08-45, § 1, 8-26-08; Res. No. 16-48, § 1, 7-19-16)

Editor's note(s)—Ord. No. 08-45 was approved by referendum Nov. 4, 2008.

Res. No. 16-48, repealing the former § 2.07 and renumbering former § 2.08, pertaining to environmental lands, as herein set out, was approved by referendum Nov. 8, 2016. Former § 2.07, pertaining to annexation, derived from Ord. No. 00-66, § 3, adopted Aug. 22, 2000, and approved by referendum Nov. 7, 2000.

ARTICLE III. LEGISLATIVE BRANCH

Sec. 3.01. Board of county commissioners.

The legislative body of county government shall be the Board of County Commissioners. The Board of County Commissioners shall consist of seven commissioners, with four of the seven commissioners residing one in each of four county commission districts, the districts together covering the entire county and as nearly equal in population as practicable, and each commissioner being nominated and elected only by the qualified electors who reside in the same county commission district as the commissioner, and with three of the seven commissioners being nominated and elected at large. Each of the three at-large commissioners shall reside one in each of three districts, the three districts together covering the entire county and as nearly equal in population as practicable. The election, term of office, and compensation of members shall all be in accordance with general law.

(Laws of Fla. ch. 99-472, § 1; Res. No. 16-48, § 1, 7-19-16)

Editor's note(s)—The changes authorized by Laws of Fla. ch. 99-472 were approved by referendum Nov. 2, 1999.

Res. No. 16-48, amending § 3.01, was approved by referendum Nov. 8, 2016.

Sec. 3.02. Enactment of ordinances and resolutions.

All ordinances and resolutions shall be passed by an affirmative vote of a majority of the members of the board of county commissioners voting, in accordance with the procedures established by general law.

Sec. 3.03. Non-interference.

- (a) It is the intent of the county to separate the legislative and administrative branches of government. Except for the purpose of inquiry and information or as otherwise permitted by law, the board of county commissioners and its members shall deal with county employees who are subject to the direction or supervision of the administrator solely through the administrator, and neither the board nor its members shall give any commands, directives or instructions to, or make any other demands or requests of, any such employee, either publicly or privately.
- (b) Nothing in this section shall be construed to prohibit individual members of the board from interaction, communication and observation of all aspects of county government operations so as to obtain independent information to assist the board in the formulation of policies to be considered by the board. It is the express intent of this section, however, that any such action not interfere with the administrative operations of the county and that recommendations for change or improvement in county administrative operations be made to, and through, the administrator.

(Res. No. 04-123, 7-27-04)

Editor's note(s)—Res. No. 04-123 was approved by referendum Nov. 2, 2004.

Sec. 3.04. Redistricting.

- (a) After each decennial census, no later than thirty (30) days after the U.S. Census provides redistricting data to the State of Florida pursuant to Public Law 94-171 or its successor, there shall be established a county redistricting board composed of eleven (11) members. The members of such board shall be appointed by the board of county commissioners of Pinellas County from the following groups:
 - (1) Seven (7) members from the public, each of whom shall be nominated by a commissioner from among the residents of that commissioner's district, and none of whom shall be an elected official;
 - (2) Four (4) additional members from the public at large, none of whom shall be an elected official.

Vacancies shall be filled within thirty (30) days in the same manner as the original appointments.

- (b) No later than thirty (30) days after initial appointment, the county redistricting board shall meet for the purposes of organization. The county redistricting board shall elect a chairman and vice-chairman from among its membership. Further meetings of the board shall be held upon the call of chairman or any three (3) members of the board. All meetings shall be open to the public. A majority of the members of the county redistricting board shall constitute a quorum. The board may adopt other rules for its operations and proceedings as it deems desirable. The members of the board shall receive no compensation but shall be reimbursed for necessary expenses pursuant to law.
- (c) Expenses of the county redistricting board shall be verified by a majority vote of the board and forwarded to the board of county commissioners for payment from the general fund of the county. The board of county commissioners shall provide space, secretarial and staff assistance. The board of county commissioners may accept funds, grants, gifts, and services for the county redistricting board from the state, the government of the United States, or other sources, public or private. Technical assistance may be provided by the Supervisor of Elections as necessary.
- (d) The county redistricting board shall develop one or more proposals for redistricting the four county commission districts and three at-large county commission districts referenced in Section 3.01. In developing the county redistricting board's proposals, no district shall be drawn with the intent to favor or disfavor a political party or an incumbent, districts shall not be drawn with the intent or result of denying or abridging the equal opportunity of racial or language minorities to participate in the political process or to diminish

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their ability to elect representatives of their choice, and districts shall be contiguous and as nearly equal in population as practicable. Further, in developing its proposals, the county redistricting board shall consider, where feasible, utilizing municipal boundaries and keeping together unincorporated areas of the county.

- (e) No later than one hundred fifty (150) days after its first meeting, the county redistricting board shall submit a final report containing its redistricting proposals to the board of county commissioners. The proposals of the county redistricting board shall be advisory only, and shall not bind the board of county commissioners. No later than 60 days after submission of the county redistricting board's final report to the board of county commissioners, the board of county commissioners shall adopt a plan for redistricting the four county commission districts and three at-large county commission districts referenced in Section 3.01.

(Res. No. 16-48, § 1, 7-19-16)

Editor's note(s)—Res. No. 16-48, adding § 3.04, was approved by referendum Nov. 8, 2016.

ARTICLE IV. ADMINISTRATION OF COUNTY GOVERNMENT

Sec. 4.01. County administrator.

- (a) There shall be a county administrator selected and appointed by the affirmative vote of five (5) members of the board of county commissioners, who shall serve until such time as the county administrator shall be removed either by a vote for removal of four (4) members of the board of county commissioners voting for removal in two (2) consecutive, regularly scheduled meetings of the board, or by a vote of removal of five (5) members of the board of county commissioners at any one meeting of the board.
- (b) The county administrator shall be a full-time position. He shall serve at the pleasure of the board of county commissioners and shall be appointed solely on the basis of his executive and administrative qualifications.
- (c) The county administrator shall have the following duties:
- (1) To administer and carry out the directives and policies issued to him by the board of county commissioners, acting as an official body, except that he shall not be directed or given authority to make appointments of members to any county boards, commissions or agencies.
 - (2) Subject to the provisions of county merit or civil service plans, to select and employ personnel to fill all vacancies, positions or employment after the board of county commissioners has authorized that such vacancies, positions or employment be filled. Employment of persons in unclassified positions shall be subject to confirmation by the board of county commissioners.
 - (3) To supervise all departments, department heads and employees of the board of county commissioners and, in his discretion, to terminate for cause the employment of any employees of the board of county commissioners. Termination of persons in unclassified positions shall be subject to confirmation by the board of county commissioners.
 - (4) After policy has been established by the board of county commissioners, to supervise all aspects of carrying into effect such policy to its completion. He shall thereupon report or order a full report to the board of county commissioners of the action taken upon such policy and directives of the board of county commissioners.
 - (5) To act as the county budget officer and carry out the duties of such budget officer as required by law or as directed by the board of county commissioners.
 - (6) To perform such other duties as may be required of him by the board of county commissioners, acting as an official body, or by this Charter.

(Ord. No. 00-69, § 2, 9-12-00; Res. No. 04-123, 7-27-04)

Editor's note(s)—Ord. No. 00-69, amending subsection (a), was approved by referendum Nov. 7, 2000. Res. No. 04-123, amending subsection (a), renumbering subsection (5) as subsection (6), and adding a new subsection (5) was approved by referendum Nov. 2, 2004.

Sec. 4.02. County attorney.

- (a) There shall be a county attorney selected by a county attorney oversight committee, consisting of the county commissioners and the sheriff, tax collector, property appraiser, supervisor of elections, and clerk of the circuit court and comptroller, who shall serve at the pleasure of the county attorney oversight committee. The office of county attorney shall not be under the direction and control of the county administrator but shall instead be responsible directly to the board of county commissioners, and shall be subject to annual review by the county attorney oversight committee. The county attorney as of the effective date of this amendment shall not be subject to the selection provision of this subsection, but shall be subject to all other provisions thereof.
- (b) The county attorney shall be an attorney licensed to practice law in the State of Florida for at least three (3) years. Upon appointment, he shall be employed full time by said county. The county attorney shall employ such assistant county attorneys and special assistant county attorneys, on either a full-time or part-time basis, as may be necessary, upon approval of the board of county commissioners.
- (c) The office of county attorney shall be responsible for the representation of county government, the board of county commissioners, the county administrator, constitutional officers and all other departments, divisions, regulatory boards and advisory boards of county government in all legal matters relating to their official responsibilities. The office of county attorney shall prosecute and defend all civil actions for and on behalf of county government and shall review all ordinances, resolutions, contracts, bonds and other written instruments.

(Res. No. 16-48, § 1, 7-19-16)

Editor's note(s)—Res. No. 16-48, amending subsection (a), was approved by referendum Nov. 8, 2016.

Sec. 4.03. County officers.

This document [Charter] shall in no manner change the status, duties, or responsibilities of the [following] county officers of Pinellas County:

The clerk of the circuit court, property appraiser, tax collector, sheriff, and supervisor of elections.

ARTICLE V. GENERAL PROVISIONS

Sec. 5.01. Effect on local county laws.

All existing laws, ordinances, resolutions, rules, regulations, and policies of the county shall remain operative except where inconsistent or in direct conflict with this Charter, until amended or repealed by the board of county commissioners.

Sec. 5.02. Special laws.

- (a) Special laws of the State of Florida relating to or affecting Pinellas County and general laws of local application which apply only to Pinellas County, except those laws relating exclusively to a municipality, the school board or one of the boards, authorities, districts or councils listed in subsection (b) and except those laws dealing with saltwater fishing, wetlands, aquatic preserves, or bird sanctuaries, shall become county ordinances of Pinellas County and shall remain in full force and effect to the extent they are not in conflict with this Charter, subject to amendment or repeal by the board of county commissioners.
- (b) This document shall in no manner change the status, duties or responsibilities of the following boards, authorities, districts and councils: Pinellas Suncoast Transit Authority, Emergency Medical Services Authority, Fresh Water Conservation Board, Indian Rocks Special Fire Control District, Juvenile Welfare Board, License Board for Children's Centers and Family Day Care Homes, Palm Harbor Special Fire Control District, Pinellas County Construction Licensing Board, Pinellas County Industry Council, Pinellas County Planning Council, Pinellas County Personnel Board, Pinellas Park Water Management District, and Pinellas Police Standards Council.
- (c) In order to provide government which is responsive to the people, the powers granted by this Charter shall be construed liberally in favor of the county government, except in those areas where jurisdiction is granted to, or reserved to, the municipalities. This Charter shall not be construed to authorize or grant power to county government to perform services within the various municipalities beyond those specifically enumerated in this Charter. The specified powers in this Charter shall not be construed as limiting, in any way, the general or specific powers of the government.

(Res. 06-114, 7-11-06; Res. No. 16-48, § 1, 7-19-16)

Editor's note(s)—Res. 06-114 was approved by referendum Nov. 11, 2006.

Res. No. 16-48, amending § 3.01, was approved by referendum Nov. 8, 2016.

ARTICLE VI. CHARTER AMENDMENTS

Sec. 6.01. Proposed by county.

The board of county commissioners by ordinance passed by an affirmative vote of not less than majority plus one (1) member shall have the authority to propose amendments to this Charter. Any such amendment shall be subject to referendum at the next scheduled countywide election; provided, however, the board of county commissioners may call a special referendum election for said purpose. Said referendum shall be called by the board of county commissioners and notice of said referendum, together with the exact language of the proposed amendment, shall be published once a week for four (4) consecutive weeks in a newspaper of general circulation in the county, the first such publication being at least forty-five (45) days prior to the referendum. Passage of proposed amendments shall require approval of a majority of electors voting in said election on such amendment.

Sec. 6.02. Charter initiative.

- (a) Amendments to the Charter may be proposed by a petition signed by registered electors equal to at least eight (8) percent of the number of registered electors of the county at the time of the last preceding general election. No more than forty (40) percent of those registered electors signing petitions shall reside in any one (1) at-large county commission district. No more than thirty (30) percent of those registered electors signing petitions shall reside in any one (1) single-member county commission district. Such petition shall be filed with the clerk of the circuit court in his capacity as clerk of the board of county commissioners, together with

an affidavit from the supervisor of elections certifying the number of signatures which has been verified as registered electors of Pinellas County at the time the signature was verified. Each such proposed amendment shall embrace but one (1) subject and matter directly connected therewith. Each charter amendment proposed by petition shall be placed on the ballot by resolution of the board of county commissioners for the general election occurring in excess of ninety (90) days from the certification by the supervisor of elections that the requisite number of signatures has been verified. However, the County Commissioners may call a special referendum election for said purpose. Notice of said referendum, together with the exact language of the proposed amendment as submitted on the petition, shall be published by the board of county commissioners once a week for four (4) consecutive weeks in a newspaper of general circulation in the county, the first such publication being at least forty-five (45) days prior to the referendum. Passage of proposed amendments shall require approval of a majority of electors voting in said election on such amendment.

- (b) The sponsor of a petition amendment shall, prior to obtaining any signatures, submit the text of the proposed amendment to the supervisor of elections, with the form on which the signatures will be affixed, and shall obtain the approval of the supervisor of elections of such form. The style and requirements of such form shall be specified by ordinance. The beginning date of any petition drive shall commence upon the date of approval by the supervisor of elections of the form on which signatures will be affixed, and said drive shall terminate two hundred forty (240) days after that date. In the event sufficient signatures are not acquired during that two hundred forty (240) day period, the petition initiative shall be rendered null and void and none of the signatures may be carried over onto another identical or similar petition. The sponsor shall submit signed and dated forms to the supervisor of elections and upon submission pay all fees as required by general law. The supervisor of elections shall within forty-five (45) days verify the signatures thereon. Notwithstanding the time limits hereinabove signatures on a petition circulated prior to one general election shall not be valid beyond the date of that election.
- (c) If approved by a majority of those electors voting on the amendment at the general election, the amendment shall become effective on the date specified in the amendment, or, if not so specified, on January 1 of the succeeding year.

(Amd. of 11-03-98; Ord. No. 00-68, § 2, 9-12-00; Res. No. 16-48, § 1, 7-19-16)

Editor's note(s)—Ord. No. 00-68, amending subsection 1), was approved by referendum Nov. 7, 2000.

Res. No. 16-48, amending subsections 1) and 2) and redesignating subsections 1)—3) as (a)—(c), was approved by referendum Nov. 8, 2016.

Sec. 6.03. Charter review commission.

- (a) Not later than August 1 of the year 2015 and every eight (8) years thereafter, there shall be established a charter review commission composed of thirteen (13) members. The members of the commission shall be appointed by the board of county commissioners of Pinellas County from the following groups:
 - (1) One (1) member from the Pinellas County Legislative Delegation residing in Pinellas County;
 - (2) One (1) constitutional officer;
 - (3) One (1) member from the elected city officials;
 - (4) One (1) member from the elected board of county commissioners;
 - (5) Seven (7) members from the public, each of whom shall be nominated by a commissioner from among the residents of that commissioner's district, and none of whom shall be an elected official;
 - (6) Two (2) additional members from the public at large, neither of whom shall be an elected official.

Vacancies shall be filled within thirty (30) days in the same manner as the original appointments.

- (b) Each charter review commission shall meet prior to the end of the third week in August 2015, and every eight (8) years thereafter for the purposes of organization. The charter review commission shall elect a chairman and vice-chairman from among its membership. Further meetings of the commission shall be held upon the call of chairman or any three (3) members of the commission. All meetings shall be open to the public. A majority of the members of the charter review commission shall constitute a quorum. The commission may adopt other rules for its operations and proceedings as it deems desirable. The members of the commission shall receive no compensation but shall be reimbursed for necessary expenses pursuant to law.
- (c) Expenses of the charter review commission shall be verified by a majority vote of the commission and forwarded to the board of county commissioners for payment from the general fund of the county. The board of county commissioners shall provide space, secretarial and staff assistance. The board of county commissioners may accept funds, grants, gifts, and services for the charter review commission from the state, the government of the United States, or other sources, public or private.
- (d) The charter review commission shall review, on behalf of the citizens of Pinellas County, the operation of county government in order to recommend amendments to this Charter, if any.
- (e) Each charter review commission established pursuant to this section shall complete its review and submit a report to the citizens of Pinellas County by July 31, 2016, and each eight (8) years thereafter in order to coincide with the presidential election cycle. Included within the report shall be any proposed amendments to the Charter, together with the wording of the question or questions which shall be voted on at referendum. Proposed amendments may, at the discretion of the charter review commission, be included in a single question or multiple questions. If proposed amendments are included in the report, the charter review commission may, at its discretion, remain constituted through the general election. The board of county commissioners shall call a referendum election to be held in conjunction with the 2016 general election and each eight (8) years thereafter, for the purpose of voting on the proposal or proposals submitted by the charter review commission. Notice of each such referendum, together with the exact language of the proposed amendment or amendments as submitted in the report of the charter review commission, shall be published by the board of county commissioners once a week for four (4) consecutive weeks in a newspaper of general circulation in the county, the first such publication being at least forty-five (45) days prior to the referendum. If an amendment or revision to the charter is to be recommended, the charter review commission shall conduct at least two (2) public hearings on any amendment or revision, at intervals of not less than ten (10) days but not more than twenty-one (21) days, immediately prior to its transmittal of its recommendations to the board of county commissioners. Passage of proposed amendments shall require approval of a majority of electors voting in said election on such amendment.

(Amd. of 11-3-98; Res. No. 10-105, 8-10-10; Res. No. 16-48, § 1, 7-19-16)

Editor's note(s)—Amendments to § 6.03 were approved at referendum in Nov. 1984. Res. No. 10-105, amending subsections (a), (b), and (e) of § 6.03, was approved by referendum Nov. 2, 2010.

Res. No. 16-48, amending subsection (a)(5) and adding (6), was approved by referendum Nov. 8, 2016.

Sec. 6.04. [Placement on ballot.]

Any other section of the Pinellas County Charter, chapter 80-590, Laws of Florida, notwithstanding, except for any proposed amendments affecting the status, duties, or responsibilities of the county officers referenced in §§ 2.06 and 4.03 of this Charter, charter amendments proposed under § 6.01 (proposed by Pinellas County Commission), § 6.02 (proposed by citizens' initiative), or § 6.03 (proposed by a Charter Review Commission) shall be placed directly on the ballot for approval or rejection by the voters and it shall not be a requirement that any such proposed amendments need to be referred to or approved by the Legislature prior to any such placement on

the ballot. However, any charter amendment affecting any change in function, service, power, or regulatory authority of a county, municipality, or special district may be transferred to or performed by another county, municipality, or special district only after approval by vote of the electors of each transferor and approval by vote of the electors of each transferee. Such amendments proposed by the Board of County Commissioners must be approved by ordinance passed by a majority plus one member. The power to amend, revise, or repeal this Charter by citizens' initiative shall not include amendments relating to the county budget, debt obligations, capital improvement programs, salaries of county officers and employees, the levy or collection of taxes, or the rezoning of less than 5 percent of the total land area of the county.

(Laws of Fla. ch. 99-451, § 1)

Editor's note(s)—The additions authorized by Laws of Fla. ch. 99-451 were approved by referendum Nov. 2, 1999.

Sec. 6.05. Reconstitution of 2004 Charter review commission.

- (a) The members of the charter review commission appointed to serve in 2003 shall be deemed members of a reconstituted 2004 charter review commission, which shall serve from November 8, 2004 through December 1, 2006. Vacancies shall be filled within thirty (30) days in the same manner as the original appointments.
- (b) On behalf of the citizens of Pinellas County, the reconstituted charter review commission shall continue to examine the Pinellas County Charter, the operations of the Pinellas County government and any limitations imposed upon those operations by the charter or any special acts of the Legislature. This examination will include review of the Pinellas Assembly process, further investigation by consultants as deemed necessary and discussions with municipal officials and members of the Pinellas County Legislative Delegation. After such examination, the reconstituted charter review commission will have the authority to make recommendations for amendments, including substantial revision of the Charter. Prior to submitting such recommendations, the reconstituted charter review commission shall hold three public hearings at intervals of not less than ten (10) nor more than twenty (20) days. At the final hearing, the reconstituted charter review commission shall incorporate any recommendations it deems desirable, vote upon a proposed form of revised charter, and forward said charter to the board of county commissioners.
- (c) The reconstituted charter review commission established pursuant to this section shall complete its review and submit a report to the board of county commissioners no later than June 30, 2006, unless such time is extended by the board of county commissioners. Included within the report shall be any proposed amendments to the Charter, which may include substantial revisions of the Charter, together with the wording of the question or questions, which shall be voted on at referendum. Proposed amendments may, at the discretion of the reconstituted charter review commission, be included in a single question or multiple questions. The board of county commissioners shall call a referendum election to be held in conjunction with the 2006 general election, for the purpose of voting on the proposal or proposals submitted by the charter review commission. Notice of each such referendum, together with the exact language of the proposed amendment or amendments as submitted in the report of the charter revision commission, shall be published by the board of county commissioners once a week for four (4) consecutive weeks in a newspaper of general circulation in the county, the first such publication being at least forty-five (45) days prior to the referendum. Passage of proposed amendments shall require approval of a majority of electors voting in said election on such amendment.
- (d) Except as otherwise provided in this Section 6.05, the provisions of Section 6.03 of the Charter shall apply to the operation of the reconstituted 2004 charter review commission.
- (e) This section 6.05 shall be repealed effective January 1, 2007.

(Res. No. 04-123, 7-27-04)

Editor's note(s)—Res. No. 04-123, adding section 6.05, was approved by referendum Nov. 2, 2004.

Sec. 6.06. Financial impact of proposed County Charter Amendments.

As to each proposed charter amendment placed on the ballot for approval, the clerk of the circuit court, as county auditor, shall prepare, and the board of county commissioners shall place on the ballot, immediately following the ballot summary, a separate financial impact statement, not exceeding seventy-five words, estimating the increase or decrease in revenues or costs to the county resulting from approval of the proposed charter amendment.

(Res. No. 16-48, § 1, 7-19-16)

Editor's note(s)—Res. No. 16-48, adding § 6.06, was approved by referendum Nov. 8, 2016.

ARTICLE VII. SEVERABILITY

[Sec. 7.01. Provisions severable.]

If any article, section, subsection, sentence, clause, or provision of this Charter is held invalid or unconstitutional, such invalidity or unconstitutionality shall not be construed to render invalid or unconstitutional the remaining provisions of this Charter.

ARTICLE VIII. TRANSITION PROVISIONS

Sec. 8.01. Proceedings continued.

All petitions, hearings and other proceedings pending before any office, officer, department or board on the effective date of this Charter shall be continued and completed under Charter government.

Sec. 8.02. Outstanding bonds.

All bonds, revenue certificates, and other financial obligations of the county outstanding on the effective date of this Charter shall continue to be obligations of the county.

CHARTER COMPARATIVE TABLE

This table shows the location of the sections of the basic Charter and any amendments thereto.

Referendum Date	Section this Charter	
10- 7-80	1.01—8.02	
11- 3-98	6.02	
11- 3-98	6.03	
11- 2-99	3.01	
	6.04	

PART I - CHARTER
CHARTER COMPARATIVE TABLE

Laws of Fla. Chapter	Section	Section this Charter
80-590	1	1.01—8.02
88-458	1	2.04
99-472	1	3.01
99-451	1	6.04

Resolution/ Ordinance	Adoption Date	Section this Charter
88-496	12- 7-88(Res.)	2.04
00-66	8-22-00(Ord.)	2.04
		2.07
00-68	9-12-00(Ord.)	6.02
00-69	9-12-00(Ord.)	4.01
04-123	7-27-04(Res.)	3.03
		4.01
		6.05
06-114	7-11-06(Res)	2.04
		5.02
08-45	8-26-08(Ord.)	2.08
10-105	8-10-10(Res.)	6.03(a), (b), (e)

Legislation	Adoption Date	Referendum Date	Section this Charter
Res. No. 16-48	7-19-16	11- 8-16	2.04(k)
		Rpld	2.04(t)
		Rltd	2.04(u), (v)
		as	2.04(t), (u)
		Rpld	2.07
		Rnbd	2.08
		as	2.07
			3.01
		Added	3.04
			4.02(a)
			5.02(b)
			6.02
			6.03(a)(5)
		Added	6.03(a)(6)
		Added	6.06