



The Ordinance Review Committee will meet in the
Water Plant Conference Room located at 1401
County Road 1, Dunedin, FL 34698

MONDAY, DECEMBER 3, 2018

6:00 P.M.

ORDINANCE REVIEW COMMITTEE AGENDA

1. CALL TO ORDER
2. ROLL CALL
3. APPROVE THE NOVEMBER 7, 2018 ORC MINUTES
4. TOPICS
 - A. Chapter 6, Alcoholic Beverages
 - B. Chapter 18, Civil Emergencies
 - C. Chapter 30, Emergency Services
 - D. Chapter 38, Fire Protection and Prevention
 - E. Chapter 42, Human Relations
5. NEXT MEETING: January 7, 2019
6. ADJOURNMENT

***** THIS MEETING IS OPEN TO THE PUBLIC *****

DUNEDIN, FLORIDA
MINUTES OF THE ORDINANCE REVIEW COMMITTEE MEETING
DECEMBER 3, 2018
6:00 P.M.

1. **CALL TO ORDER.** Mike called the meeting to order at 6:05 p.m.

2. **ROLL CALL**

PRESENT: Mike Bowman, Chair
Grant Painter, Vice-Chair
Kathy Carlson
Manny Koutsourais
Patricia Morea
Eric Peterson
Jen Welch

STAFF: Thomas J. Trask, City Attorney
Denise M. Kirkpatrick, City Clerk
Jeff Parks, Fire Chief
Michael Handoga, Fire Marshal

GUEST(S): Jeff Parks, Dunedin Fire Chief
Michael Handoga, Fire Marshal

3. **APPROVE THE NOVEMBER 7, 2018 ORC MINUTES**

Denise advised the November minutes were not finished and they will be with the January packet.

4. **TOPICS**

4.A. **Chapter 6, Alcoholic Beverages**

Grant advised he spoke with Planning and Development Director Greg Rice who wants to redo the chapter; therefore he doesn't want the ORC to waste its time just yet.

This Chapter will be placed on the January 7, 2019 ORC Agenda.

Discussion took place about the number of bars, breweries and restaurants in the downtown area and the ways they are all different.

Manny commented the downtown area was created to be family orientated.

It was suggested to define "brewery", because they are different than taverns.

Pat commented the intent was to eliminate alcoholic beverages around children.

Grant wants to separate the distance requirements from a church, a school and another bar.

4.B. **Chapter 18, Civil Emergencies**

Sec. 18-31. Definitions, revision - - suggested:

#1 Amend the definition of "Volunteer"

Volunteer means contributing a service, equipment, supplies or facilities to the civil preparedness organization without remuneration or without a formal agreement or contract for hire.

Sec. 18-114. Regulations for protection of life and property - - revisions suggested:

#2 Consolidate Items (7), (8), (9) and (10) found after the last sentence of the first paragraph, which reads: The regulations may include, but shall not be limited to, the following:"

- (7) Order the closing of all retail ~~liquor stores~~ establishments selling alcoholic beverages.
- (8) Order the closing of all ~~beer taverns~~ establishments selling alcoholic beverages.
- (9) Order the closing of all private clubs or their portions wherein the consumption of ~~intoxicating liquor or beer is~~ alcoholic beverages are permitted.
- (10) Order the discontinuance of the sale of ~~beer~~ alcoholic beverages.

Sec. 18-117. Appointment of Volunteers.

#3 Establish Sec. 18-118 Price Gouging during state of emergency.

Pat advised she has read Oldsmar's some language and will send it to Tom.

The ORC also discussed price gouging and wanted to create a Section 18-118 to prohibit price gouging during state of emergencies. Pat advised she read Oldsmar's code language on price gouging and will send it to Tom.

4.C. Chapter 30, Emergency Services

Jen advised:

#1 Amend Chapter 30 to take out all references to law enforcement

#2 Section 30-33. False Alarm prohibited; maintenance responsibility.

There was discussion about Pinellas County's SHARP Program.

See if this is consistent with law enforcement.

#3 Section 30-38(a) Frequency of false alarms; duty to repair; service charge.

See if this is consistent with law enforcement.

#4 Amend Section 30-34.

Sec. 30-34. - Presumption; appeal.

- (a) It shall be presumed that **if** an alarm system caused a false alarm when the alarm was not the result of an actual emergency. This presumption . . .

#5 With regard to (b) & (c) appeals to the City Manager, Tom wanted to check the county code appeal process.

- (b) The alarm user may appeal the decision of the law enforcement officer or the fire chief or any other city employee or officer that a violation of this article exists to the city manager. The city manager shall cause a notice to be sent to an alarm user that a violation of this article has occurred which will occasion a service charge being charged against the alarm user's property pursuant to section 30-38. Such notice will provide for an appeal to the city manager within 15 days of

the date of such notice. If no such appeal is taken by the alarm user, the said service charge shall be applied and the provisions of section 30-38 shall be followed.

- (c) If the alarm user is dissatisfied with the decision of the city manager, the alarm user shall have 15 days from the date of the decision of the city manager being rendered in writing to the alarm user to appeal such decision to the city code enforcement board pursuant to the provisions of chapter 22 of this Code.

#4 Section 30-35. Tom advised he wanted to check the County Code and the SHARP

#5 Section 30-38(b) Frequency of false alarms; duty to repair; service charge.

The Fire Department would like the fees to be higher than the SHARP fees.

4.D. Chapter 38, Fire Protection and Prevention

#1 Consider amending Sec. 38-31. Fire Prevention codes; adopted.

Sec. 38-31. - Fire prevention codes; adopted.

- (a) There is hereby adopted by the city that the current edition of the Florida Fire Prevention Code, as amended and published by the fire marshal of the State of Florida is hereby adopted and incorporated by reference as fully as if set out at length in this section; and from the effective date on which this section shall take effect, the provisions of such code shall be controlling within the limits of the city.

#2 ~~Delete Section 38-34. - Committee designated to determine new materials, process or occupancies requiring permits.~~

~~The city manager and the fire marshal shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies which shall require permits in addition to those now enumerated in the code. The fire marshal shall post such a list in a conspicuous place in his office, and distribute copies to interested persons.~~

**#3 Sec. 18-35 Fire protection, hydrant and flow requirements for new development.
Amend item (b)(1)g to read:**

~~Painted chrome-yellow. Private hydrants are to be painted red.~~

#4 Sec. 38-42 Open Burning

Fire Marshal Handoga suggested maybe duplicating the Pinellas County Code. Tom advised he will compare them and identify changes.

4.E. Chapter 42, Human Relations

Pat advised she read Chapter 42 and then shared her suggestions:

Add a General Purpose Section: The general purposes of the Human Relations ordinance are to secure for all individuals within the city freedom from discriminatory practice and to comply with the necessary state and federal regulations.

Add in the definitions section: "Discriminatory Practice" means any practice made unlawful by the Florida Civil Rights Act of 1992.

Add a Powers section: Within the limitations provided by law, the City shall have the following powers:

To promote the creation of and to provide continuing assistance to local commissions on human relations and to cooperate with individuals with state, local or other agencies.

To adopt, promulgate, amend, rescind rules to effectuate the purposes of this ordinance.

Pat advised she will email her suggestions to Tom.

Tom and the ORC thanked Pat and concurred with her suggestions.

5. Next Meeting – January 7, 2019

The ORC agreed to review the following Chapters on January 7, 2019:

Chapter 6, Alcoholic Beverages

Chapter 10, Animals

Chapter 34, Environment

Chapter 62, Sales

Chapter 70, Taxation

Chapter 82, Vehicles for Hire

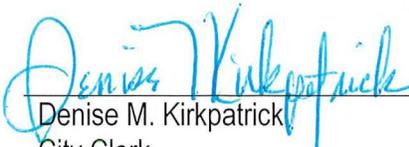
6. Adjournment

NOTE: This meeting was recorded, but it was accidentally erased.



Mike Bowman
ORC Chair

Attest:



Denise M. Kirkpatrick
City Clerk