



BOARD OF COUNTY COMMISSIONERS

DATE: December 6, 2011
AGENDA ITEM NO. 29

Consent Agenda

Regular Agenda

Public Hearing

County Administrator's Signature: 


Subject:

Authority to Advertise a Public Hearing to Establish an Ordinance Creating Section 54-98 of the Pinellas County Code, to Provide for the Promulgation by Resolution of Processes for Handling Calls Received by the 9-1-1 Center.

Department:

Public Safety Services

Staff Member Responsible:

Richard Williams, Director 

Recommended Action:

I RECOMMEND THE BOARD OF COUNTY COMMISSIONERS (BOARD) APPROVE ADVERTISING A PUBLIC HEARING TO BE HELD ON DECEMBER 20, 2011, TO ESTABLISH AN ORDINANCE CREATING SECTION 54-98 OF THE PINELLAS COUNTY CODE, TO PROVIDE FOR THE PROMULGATION BY RESOLUTION OF PROCESSES FOR HANDLING CALLS RECEIVED BY THE 9-1-1 CENTER.

Summary Explanation/Background:

The Pinellas County Charter provides that for certain countywide governmental activities the County shall have special powers which authorize the County to provide certain services, take regulatory actions and enact ordinances. The Charter provides the special powers of the County to include the development and operation of the 9-1-1 Emergency Communications System.

This ordinance will create Section 54-98 of the Pinellas County Code, which will allow the processes for handling calls received by the 9-1-1 Center to be established by Resolution.

The Board may by resolution make provision for the handling of calls and may consider (1) the nature of the call for assistance; (2) whether or not the request involves an agency with countywide jurisdiction; (3) requests by the various jurisdictions having authority; (4); the impact that such responses will have upon multiple agencies; and (5) such other considerations which are appropriate and set forth in the resolution at the time of adoption.

Fiscal Impact/Cost/Revenue Summary:

None.



Exhibits/Attachments Attached:

Ordinance Review Form

Proposed Ordinance

Advertisement

CATS # 38512



ORDINANCE REVIEW FORM

Type of Resolution or Ordinance: Proposed Ordinance to create Section 54-98 of the Pinellas County Code to provide for the promulgation by resolution of a process for handling calls received by the 911 Center.

Estimated Revenue or Expenditure: N/A

Available Budget: N/A

The attached documentation is submitted for your review and comment. Upon finalization of your review, please complete this Review Form below and forward to the next Review Authority on the list.

<u>REVIEW AUTHORITY</u>	<u>REVIEW DATE</u>	<u>SIGNATURE</u>	<u>COMMENTS</u>	<u>COMMENTS ADDRESSED ORIGINATOR'S INITIALS & DATE</u>
Originating Department Public Safety Services Dick Williams Craig Hare	<u>11/28/11</u> <u>11/28/11</u>	 <u>C. HARE</u>	_____	_____
County Attorney Bob Swain	<u>11/28/11</u>		_____	_____
Asst. County Administrator Maureen Freaney	<u>11/28/11</u>	<u>MF</u>	_____	_____

Please return to Craig Hare by 11/29/11. All inquiries should be made to Craig Hare, at ext. 2-2041 or 421-6819. Thank you.

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS, MAKING LEGISLATIVE FINDINGS, CREATING SECTION 54-98 OF THE PINELLAS COUNTY CODE PROVIDING FOR THE PROMULGATION BY RESOLUTION OF A PROCESS FOR HANDLING CALLS RECEIVED BY THE 911 CENTER, PROVIDING FOR AREAS EMBRACED, PROVIDING FOR AN EFFECTIVE DATE AND PROVIDING FOR OTHER MODIFICATIONS THAT MAY ARISE FROM REVIEW OF THE ORDINANCE AT PUBLIC HEARING AND WITH RESPONSIBLE AUTHORITIES.

WHEREAS, the Pinellas County Charter provides that for certain countywide governmental activities the County shall have special powers which authorize it to provide certain services, take regulatory actions and enact ordinances which shall prevail over municipal ordinances impacting such functions; and

WHEREAS, the 911 communications system for Pinellas County operates a single Public Safety Answering Point for the County which transfers calls for law enforcement and dispatches Fire and Medical calls; and

WHEREAS, the Board of County Commissioners has determined to put in place a process by which an appropriate and efficient dispatch of emergency services be adopted.

NOW THEREFORE BE IT ORDAINED by the Board of County Commissioners of Pinellas County:

SECTION 1. Legislative Findings

1.1 The Florida Constitution, Article VIII, Section 1(g) provides that the charter of charter counties “shall provide which shall prevail in the event of conflict between county and municipal ordinances”; and

1.2 Section 2.04 of the Pinellas County Charter, s. 1, as adopted by the Florida Legislature and approved by a vote of the Pinellas County electorate on October 7, 1980, as amended (“Charter”), provides for all special and necessary powers of the County to provide certain enumerated services and regulatory authority; and

1.3 Section 2.04 of the Charter provides, “when directly concerned with the furnishing of the services and regulatory authority [in certain specifically enumerated areas], county ordinances shall prevail over municipal ordinances when in conflict”; and

1.4 Specifically, section 2.04 of the Charter provides that the following shall be special powers of the County:

- (a) Development and operation of 911 emergency communication system.

- (h) Development and implementation of civil preparedness programs.

- 1.5 Section 2.03 of the Charter provides that where the Charter provides no method for execution the exercise of powers of the County shall be by ordinance, resolution or action of the Board of County Commissioners

SECTION 2 Section 54-98 of the Pinellas County Code is created to read as follows:

- (a) The Board of County Commissioners may by resolution make provision for the handling of calls received by the 911 center.
- (b) In providing for the handling of such calls for assistance the Board may consider the following:
1. The nature of the call for assistance,
 2. Whether or not the request involves an agency with county-wide jurisdiction,
 3. Requests by the various jurisdictions having authority,
 4. The impact that such responses will have upon multiple agencies,
 5. Such other considerations which are appropriate and set forth in the resolution at the time of adoption.


SECTION 3. Areas Embraced Pursuant to Sections 2.01 and 2.04 of the Pinellas County Charter, this ordinance shall be effective within the boundaries of Pinellas County.

SECTION 4 Severability If any Section, Subsection, sentence, clause, phrase, or provision of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such holding shall not be construed to render the remaining provisions of this Ordinance invalid or unconstitutional.

SECTION 5 Filing of Ordinance; Effective Date

Pursuant to Section 125.66, Fla. Stat., a certified copy of this Ordinance shall be filed with the Department of State by the Clerk of the Board of County Commissioners within ten (10) days after enactment by the Board of County Commissioners. This Ordinance shall become effective upon filing of the ordinance with the Department of State

APPROVED AS TO FORM
OFFICE OF COUNTY ATTORNEY

By 

Attorney

**NOTICE OF AN ORDINANCE CREATING SECTION 54-98
OF THE PINELLAS COUNTY CODE**

The Pinellas County Board of County Commissioners proposes an Ordinance to create Section 54-98 of the Pinellas County Code.

A public hearing on the Ordinance will be held on Tuesday, December 20, 2011, at 6:30 PM in the County Commission Assembly Room, Fifth Floor, Pinellas County Courthouse, 315 Court Street, Clearwater, Florida 33756.

Interested parties may appear at the hearing and be heard regarding the proposed amendment.

1. PROPOSED ORDINANCE, PINELLAS COUNTY CODE:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA, MAKING LEGISLATIVE FINDINGS, CREATING SECTION 54-98 OF THE PINELLAS COUNTY CODE PROVIDING FOR THE PROMULGATION BY RESOLUTION OF A PROCESS FOR HANDLING CALLS RECEIVED BY THE 911 CENTER, PROVIDING FOR THE AREAS EMBRACED, PROVIDING FOR AN EFFECTIVE DATE AND PROVIDING FOR OTHER MODIFICATIONS THAT MAY ARISE FROM REVIEW OF THE ORDINANCE AT A PUBLIC HEARING AND WITH RESPONSIBLE AUTHORITIES.

The proposed ordinance can be inspected by the public at the Pinellas County Public Safety Services Department - EMS Division, 12490 Ulmerton Road, Largo FL 33774. Comments may be sent to this same address, or call the Department at (727) 582-2041.

If a person decides to appeal any decision at this meeting/hearing, they will need a record of the proceedings, and, for such purpose, they may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based.

IF YOU ARE A PERSON WITH A DISABILITY WHO NEEDS ACCOMMODATIONS IN ORDER TO PARTICIPATE IN THIS PROCEEDING, YOU ARE ENTITLED, AT NO COST TO YOU, TO THE PROVISION OF CERTAIN ASSISTANCE. WITHIN TWO (2) WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE, PLEASE CONTACT THE OFFICE OF HUMAN RIGHTS, 400 SOUTH FORT HARRISON AVENUE, SUITE 500, CLEARWATER, FLORIDA, 33756, (727) 464-4062 (V/TDD).

KEN BURKE, CLERK TO
THE BOARD OF COUNTY COMMISSIONERS
By: Cynthia N. Haumann, Deputy Clerk