

Pinellas County Charter Review Commission

Proposed Charter Amendment #5

(revised 6-15-06)

Annexation – Miscellaneous Controls

Section 2.07 of the Pinellas County Charter, as created by Chapter 80-590 of the Laws of Florida, as amended, is hereby amended to add three subsections to read as follows:

Sec. 2.07. Annexation.

- 1) Notwithstanding any other provision of law, no municipality in Pinellas County may subject any property to an annexation pursuant to Section 171.0413(5) or (6) without obtaining the consent required thereunder or as otherwise required by law pursuant to the following procedure:
 - a. Consent must be express and written and is revocable up until the closing of the public hearing at the final adoption hearing before the local government.
 - b. Such consent shall be obtained by the local government proposing the annexation and shall be secured no earlier than 150 days and no later than 120 days prior to any referendum required pursuant to Section 171.0413(5) Florida Statutes or, in the case of annexations pursuant to Section 171.0413(6) Florida Statutes, no earlier than 180 days and no later than 60 days prior to the first public hearing on the required ordinance. The acreage of consenting special districts, municipalities, the county or the state shall not count toward satisfaction of the percentage of property owner approval requirements contained in Section 171.0413(5) or (6) Florida Statutes or any other applicable law.
- 2) Notwithstanding any other provision of law, without the current property owner's written permission, no municipality in Pinellas County, may subject any property to an annexation referendum pursuant to Section 171.0413 Florida Statutes, for a period of seven (7) years from the last date that such property was last subject to a referendum annexation.
- 3) In addition to any notice otherwise required by law, no municipality in Pinellas County may annex any unincorporated territory pursuant to Section 171.0413 Florida Statutes unless

individual notice has been provided by certified mail to all registered electors in the event of a referendum and all property owners within the potential annexation area at least 60 days prior to the first public hearing except for actions pursuant to 171.0413(6) Florida Statutes in which case the notice shall be provided 30 days prior to the first public hearing. The notice shall refer the recipient to a phone number or website on the internet where, at a minimum, comprehensive information concerning the financial impact of the proposed annexation on an individual property can be obtained and advising them that there will be additional newspaper notice of the exact area proposed for annexation.

This amendment shall take effect upon the approval by a majority vote of the electors of Pinellas County voting in a referendum election on November 7, 2006.

BALLOT TITLE: AMENDS CHARTER AND APPROVES LEGISLATIVE ACT TO STRENGTHEN ANNEXATION PROCEDURES RELATING TO NOTICE AND CONSENT

BALLOT QUESTION: Shall Section 2.07 of the Charter be amended to restrict annexation without the owner's consent, by requiring an informative mail notice prior to all non-voluntary annexations, establishing a 7 year moratorium on repeat annexation attempts without consent, regulate aspects of obtaining consent and shall special acts of the legislature be approved to implement said restrictions?

[] YES FOR APPROVAL

[] NO FOR REJECTION

G:\Wpdocs\CHARTER\2005\Pinellas\Public Hearings\Amendemnts\AnnexMiscControls 4-29-06.doc