

ST. PETERSBURG CITY COUNCIL
Committee Report
February 5, 2009

TO: Members of City Council

FROM: Public Services and Infrastructure Committee:
Jeff Danner, Chair; Leslie Curran, Vice-Chair, Alternate: Council Members Kennedy
Wengay Newton.

Also attending: Councilmember Karl Nurse

RE: Public Services and Infrastructure Committee Meeting – January 29, 2009

- A. Non-permitted Improvements** – Rick Dunn, Dave Metz, Todd Yost
Council Chair Danner raised the issue of homeowners who inherit hardships when discovering that their garages, carports and porches, for example, may have been enclosed or altered by the previous owner and may not have obtained the required permits from the city. In many cases, this problem is costly and time-consuming for both the Building Code Compliance Division and the homeowner, and deals with construction that typically is non-structural in nature when enclosing a porch, carport or garage attached to an otherwise legally constructed property. The city's Building Official Rick Dunn has recommended an exemption for carport, porch and garage enclosures completed before March 1, 2002 (when the state of Florida adopted a uniform building code), providing the property owner submits the necessary site drawings and an affidavit that states that the property was altered prior to the home being purchased and releases the city from any liability. Rick also indicated that in addition to the proposed exemption, the city's lobbyist is pursuing state legislation to amend the building code, as other cities have experienced similar problems in enforcing their regulations.

Action: *The item will come before City Council as a report item.*

- B. Homelessness Update** – Dave Metz, Lynn Gordon, Major Sharon Carron, Rhonda Abbott
Council Vice Chair Curran asked for an update on the current homelessness situation in St. Petersburg. Attorney Lynn Gordon reported recent status of three communities that had passed ordinances regulating public feeding and are facing litigation. The court sided against Orlando when it attempted to require a permit for large group feedings in the downtown area and limited the issuance of such permits to two per park per a 12 month period. The ordinance was ruled to be unconstitutional and Orlando was ordered to pay \$234,000 in attorneys' fees. The ruling is being appealed to the 11th Circuit Federal Court. In its attempt to regulate public feeding in three areas downtown, West Palm Beach reached a settlement with two groups that claimed the ordinance violated their first amendment rights and will pay \$100,000 in attorneys' fees. The city of Dallas worked with homeless activists to devise an ordinance that would require annual food safety training and certificates to those wishing to feed the homeless. The same activists then filed suit against the city of Dallas, and the lawsuit is pending in federal court. Rhonda Abbott reported that the successful model program at Pinellas Hope is currently at full occupancy. While latest numbers are not available from a recent county homeless count, all indicators point to a large increase in street populations during these colder winter months. Committee members expressed frustration with the Pinellas County Health Department for its failure in addressing public feeding, and with communities throughout the state of Florida who send their street homeless populations to St. Petersburg due to its larger concentration of social agencies in the downtown area.

Action: *None*

Next Meeting: February 11, 2009