

ORDINANCE NO. 15-07

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF TREASURE ISLAND, FLORIDA AMENDING THE CODE OF ORDINANCES CHAPTER 10 - CIVIL EMERGENCIES, ARTICLE III. - EMERGENCY HOUSING; SECTION 10-101. - EMERGENCY HOUSING, TO OPT-OUT OF THE PINELLAS COUNTY REGULATIONS PERTAINING TO TEMPORARY EMERGENCY HOUSING DESCRIBED IN PINELLAS COUNTY ORDINANCE 14-46; PROVIDING FOR SEVERABILITY; CONFLICT, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS; the City Commission of the City of Treasure Island adopted Ordinance 07-14 on March 18, 2008 providing for Emergency Housing regulations in the City; and

WHEREAS, on November 18, 2014 the Pinellas County Board of County Commissioners adopted Ordinance No. 14-46 providing regulations pertaining to temporary emergency housing following a disaster; and

WHEREAS, Pinellas County Ordinance No. 14-46 prohibits temporary housing units for multi-family residential parcels and non-residential parcels in Special Flood Hazard Areas and prohibits the establishment of Community Sites in a Special Flood Hazard Area; and

WHEREAS, the City Commission finds Pinellas County No. 14-46 regulations too restrictive for recovery following a disaster; and

WHEREAS, the City Commission wishes to retain the opportunity to approve emergency housing sites for multiple temporary dwelling units, whether established by the City or FEMA; and

WHEREAS, the City Commission desires to adopt an opt-out of the Pinellas County temporary emergency housing regulations adopted in Pinellas County Ordinance 14-46 in order to maintain the authority to approve emergency housing sites for multiple temporary dwelling units.

NOW, THEREFORE THE CITY OF TREASURE ISLAND, FLORIDA DOES ORDAIN:

SECTION 1. Chapter 10 – Civil Emergencies, Article III. – Emergency Housing; shall be adopted to read as follows:

ARTICLE III. - EMERGENCY HOUSING

Sec. 10-100. - Storage.

In the event of a declared emergency resulting in damage to property from a natural disaster, the time limitations imposed by this section for portable storage units shall be waived until such time as the city commission declares an end to the emergency. The use of the portable storage unit shall cease either upon the repair or reconstruction of the individual's residence or no later than 18 months after the date the city commission declares a housing emergency, whichever occurs first. The city manager may grant one or more extensions of 30 days provided sufficient progress, in the sole opinion of the city manager or designee, is being made to repair or rebuild the principal structure.

Sec. 10-101. - Emergency housing.

- (1) In the event a housing emergency is declared to exist by the city commission following a natural disaster, and subject to the conditions contained in this section, temporary structures such as mobile homes, travel trailers and recreational vehicles may be used as temporary housing by individuals who have been displaced from their primary residence located within the city due to damage from the disaster, until such time as the city commission declares an end to the housing emergency.
- (2) The following conditions shall apply to the use and placement of temporary structures such as mobile homes, travel trailers and recreational vehicles placed on properties only after the city commission declares a housing emergency following a natural disaster:
 - (a) A maximum of one travel trailer/mobile home/recreational vehicle for the sole occupancy by the existing residents of the damaged home will be allowed on an existing home site providing the following conditions exist on the site:
 - (b) The home located on the site has been declared "unsafe" by the city's building official or designee.
 - (c) The travel trailer/mobile home/recreational vehicle must be properly connected to the city's sanitary sewer system in accordance with codes in effect at the time.
 - (d) Electrical service must be available on site and shall be properly connected to the travel trailer/mobile home/recreational vehicle.
 - (e) Only licensed contractors will be allowed to apply for a permit and perform any work related to the connection of plumbing, electrical, and mechanical service systems to the travel trailer/mobile home/recreational vehicle.
 - (f) Setback requirements shall be complied with to the maximum extent possible; but in no event shall a temporary structure be placed on the public right-of-way.
 - (g) The use of mobile homes, recreational vehicles, or travel trailers as temporary residences in zoning districts where such use is prohibited prior to the declaration of the housing emergency shall cease either upon the repair or reconstruction of the individual's residence or the city commission declares an end to the housing emergency, whichever occurs first.
 - (h) Housing sites for multiple temporary dwelling units established by the Federal Emergency Management Agency and approved by the city commission may be established in any zoning district.
 - (i) Legal and proper disposal of all sanitary sewer [sewage] is required.
 - (j) Water and/or sewer connection to previously unserved locations will require permits and the payment of applicable connection fees.

- (k) No person shall occupy a temporary dwelling unit prior to inspection of the electrical and plumbing connections to the unit and approval by the city's building official or designee.

(3) The city does hereby opt-out of the provisions of Pinellas County Ordinance 14-46 pertaining to the placement of temporary emergency housing following a disaster.

SECTION 2. SEVERABILITY.

It is declared to be the intent of the City Commission that, if any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 3. CONFLICT.

This action supersedes all codes and ordinances of the City or parts of, in conflict with this ordinance, to the extent of the conflict.

SECTION 4. CODIFICATION.

Section 1 of this ordinance shall be codified in the Code of Ordinance of the City of Treasure Island, Florida. The codifier is authorized to make editorial changes not affecting the substance of this ordinance in the substitution of "article" for "ordinance", "section" for "paragraph", or otherwise take such editorial license.

SECTION 5. EFFECTIVE DATE.

This ordinance shall be published as provided by law and shall take effect immediately upon its Second Reading and Public Hearing.

FIRST READING: May 19, 2015

SECOND READING AND PUBLIC HEARING: June 16, 2015

PUBLISHED: June 5, 2015, Tampa Bay Times

Robert Minning, Mayor

ATTEST:

Dawn Foss, City Clerk