

**IN THE CIRCUIT COURT, SIXTH JUDICIAL CIRCUIT
IN AND FOR PASCO AND PINELLAS COUNTIES, FLORIDA**

ADMINISTRATIVE ORDER NO. 2018-068 PI-CTY

**RE: LOCAL ORDINANCE VIOLATIONS AND
FISH AND WILDLIFE CONSERVATION COMMISSION VIOLATIONS
UNIFORM FINE SCHEDULE**

In order to provide for the orderly and uniform prosecution of county and municipal ordinance violations in Pinellas County, Florida; to consolidate various administrative orders regarding ordinance violations; and in accordance with the provisions of sections 34.01, 125.69, 379.226, and 379.3311, Florida Statutes, Florida Rules of Criminal Procedure 3.125(j), and Florida Rules of Judicial Administration 2.215 and 2.265; it is

ORDERED:

1. Pinellas County and municipalities located within Pinellas County shall utilize the Pinellas County Ordinance Citation/Notice to Appear form that has been approved by the Chief Judge or his or her designee. The approved Citation/Notice to Appear shall be the official complaint instrument for prosecution of all county and municipal ordinance violations within the jurisdiction of Pinellas County, except for
 - a. An Indictment or Information
 - b. Parking Tickets
2. The Citation/Notice to Appear shall be coded and distributed to the Clerk of the Circuit Court, State Attorney, the issuing Agency, the County or Municipal Attorney and Defendant.
3. The Fish and Wildlife Conservation Commission shall issue citations on the required state forms issued to the agency.
4. With the exception of legislatively dictated fine amounts set by the legislative body of a municipality, the County, or the State, the Pinellas County Court Uniform Fine Schedule, including court costs, in Attachment A shall be the sole and exclusive schedule of penalties, including penalties for the uncontested disposition of local ordinance violations, and violations cited by the Fish and Wildlife Conservation Commission without the necessity of court appearance. The Court may authorize a greater or lesser penalty in any individual case.
5. Any person or entity cited for violation of the Fish and Wildlife Conservation Commission may:
 - a. Elect not to contest the citation. The defendant who elects not to contest the citation may pay the civil penalty, either by mail or phone, through the Clerk of Court website, or in person at the Clerk within thirty (30) calendar days of the date of receiving the citation; or if he or she has posted a bond, forfeit bond by not appearing at the designated time or location.

- b. Elect to contest the citation. The defendant electing to contest the citation shall either (1) enter a written plea of not guilty in writing in person or by mail or fax within thirty (30) calendar days of the date of receiving the citation;; or (2) appear in Court for the purpose of entering a plea of not guilty and scheduling a trial on the merits of the alleged violation.
6. Any person or entity cited for violation of a local code or ordinance may:
 - a. Elect not to contest the citation. The defendant who elects not to contest the citation may plead guilty or no contest by signing the plea waiver form on the citation, and paying the applicable fine in full to the Clerk of Court by mail or phone or in person within thirty (30) calendar days after issuance of the citation, unless the violation requires a mandatory court appearance; or
 - b. Elect to contest the citation. The defendant electing to contest the citation shall either (1) enter a written plea of not guilty in person, by mail or fax, or through the Clerk of Court website within thirty (30) calendar days after issuance of the citation; or (2) appear in Court for the purpose of entering a plea of not guilty and scheduling a trial on the merits of the alleged violation.
7. If the defendant fails to follow the procedure outlined in paragraphs 5 and 6(a) for electing not to contest the citation, fails to enter a written plea of not guilty, and/or fails to appear for the court appearance date, the presiding judge shall, at the time of the court hearing, take any action that the court deems appropriate. The Court will address any notice issues. The Clerk may assess a fee for the issuance of a summons in accordance with section 28.24, Florida Statutes. The fee for issuance by the Clerk and the cost of service assessed by the Sheriff shall be added to the costs assessed to the defendant.
8. Pinellas County and each municipality therein:
 - a. May elect to establish by appropriate ordinance, resolution, or rule its own internal policies and procedures governing the issuance and processing of violation citations insofar as the same do not conflict with the provisions of this order; and
 - b. Shall authorize and designate an official prosecutor who shall be a member of The Florida Bar in good standing and file the name and signature of such person or persons with the Clerk of the Circuit Court for Pinellas County, who shall maintain a register for such purpose. The right to prosecute ordinance violations on behalf of Pinellas County or such various municipalities shall be limited to such official designated and registered prosecutor when the same is required. When the State Attorney's Office has contracted to provide prosecutorial services, any Assistant State Attorney designated by that office may prosecute local ordinance violations.
 - c. Pursuant to the provisions of Article V, sections 17 and 20 of the Florida Constitution and section 34.13, Florida Statutes, the registered prosecutor shall be responsible for the prosecution of local ordinance violations of the governmental entity that he or she represents from on and after the date upon which he or she has been notified that the case has been placed on the Court's calendar for disposition. The prosecutor shall respond to requests for discovery, summon necessary witnesses for trial, present the case

before the Court and perform any other duties necessary for prosecution of the case.

9. The Clerk shall be responsible for calendaring all local ordinance violations. The Clerk shall:
 - a. Cause county ordinance violations, unless the violation is filed by the Pinellas County Sheriff's Office, to be placed on the Court's calendar for arraignment and trial on Wednesdays.
 - b. Cause municipal ordinance violations and county ordinance violations filed by the Pinellas County Sheriff's Office to be placed on the Court's calendar for arraignment and trial on Thursdays.
 - c. Provide notification of the trial date to the designated prosecutor.
10. All summons and notices of trial shall be issued not less than twenty-one (21) days prior to such trial date.
11. Pinellas County and the participating municipalities shall:
 - a. Reproduce and distribute in booklet form the Instructions for prosecuting Local Ordinance Violations and Uniform Fine Schedule for Pinellas County; and
 - b. Print the Citation.
12. The court costs and fines schedule in this Administrative Order are effective as of the date this Administrative Order. Attachments to this Administrative Order may be modified without further changes to this Administrative Order.

Administrative Orders 2007-024 and 2010-063 PI-CTY are hereby rescinded.

DONE AND ORDERED in Chambers at St. Petersburg, Pinellas County, Florida this _____ day of December, 2018.

ORIGINAL SIGNED ON DECEMBER 12, 2018
BY ANTHONY RONDOLINO, CHIEF JUDGE

cc: All Pinellas Judges
The Honorable Bernie McCabe, State Attorney
The Honorable Bob Dillinger, Public Defender
The Honorable Ken Burke, Clerk of the Circuit Court, Pinellas County
The Honorable Bob Gualtieri, Sheriff, Pinellas County
Gay Inskeep, Trial Courts Administrator
Ita M. Neymotin, Regional Counsel, Second District
Ngozi Acholonu, Assistant Regional Counsel
Jewel White, County Attorney, Pinellas County
Mark Woodward, County Administrator, Pinellas County
Harold Vielhauer, Florida Fish and Wildlife Conservation Commission, General Counsel
Major Joseph Franza, Florida Highway Patrol, Troop Commander
Captain Maurice Hensley, Florida Highway Patrol, Pinellas Park District Commander
Tonya Rainwater, Justice CCMS Project Sponsor
Martin Rose, BTS Executive Director
Tim Staney, CJIS Coordinator
Local Law Enforcement Agencies
Local Code Enforcement Officers
Bar Associations, Pasco and Pinellas Counties
Law Libraries, Pasco and Pinellas Counties

**ATTACHMENT A
UNIFORM FINE SCHEDULE**

Please note that the Roman numerals after each entry indicate the class (I-V) in which the violation falls for purposes of assessing the appropriate fine.

ADVERTISING & SIGNS:

■ *HANDBILLS:*

- Unlawful distribution on private property (IV)
- Unlawful distribution in a public place (IV)
- Unlawful placing in or upon vehicles (IV)

■ *SIGNS:*

- Erecting or maintaining a prohibited sign (III)
- Erecting or maintaining unsafe signs (IV)
- Erecting or maintaining misleading, false or fraudulent signs (IV)
- Failure to procure required permit (IV)

AIRPORTS & AIRCRAFT:

- Accidents on airport property; failure to report (IV)
- Engines; operation during loading or unloading prohibited (II)
- Engines; starting engines at prohibited times or places (III)
- Flammable liquids; improper storage or protection (III)
- Motor vehicles; parking and operation violations (IV)
- Obstruction of gates or entrances prohibited (III)
- Taxing operations; required and prohibited procedures (II)

ALCOHOLIC BEVERAGES:

- Beer and wine; unlawful sale of (I)
- Closing hours; doing business in violation (I)
- Unlawful consumption on premises (I)
- Minors; employment of, sale to, presence on premises prohibited (I)
- Packaged liquor; unlawful sale of (I)
- Sales near churches or schools prohibited (I)
- Sales to habitual drunkards or intoxicated persons prohibited (I)
- Nudity in commercial establishment serving alcoholic beverages (I)
- Open container violation (IV)

AMBULANCES:

- Operation without certificate of need (I)
- Emergency and non-emergency failure to comply with rules and regulations (I)

AMUSEMENTS:

- Circuses, carnivals, etc.; failure to obtain permits and post bonds (IV)
- Failure to obtain required permits (IV)

Hours of operation; conducting business in excess of (IV)

ANIMAL CONTROL & FOWL:

- Cruelty to animals and fowl prohibited (I)
- Dangerous dog attacking an animal or person (I)
- Failure to comply with dangerous dog requirements (II)
- Dead animals; improper disposal of (IV)
- Public nuisance (III)
- Improper confinement of animal in estrus (III)
- Interference with animal control officers prohibited (II)
- Prohibited animals; unlawful keeping of (IV)
- Rabies; improper handling of suspect animals (IV)
- Rabies and quarantine violations prohibited (I)
- Animal at large (IV)
- Licensing violation (III)
- Pet dealer violation (III)
- Abandonment (II)
- Animal left in unattended vehicle (II)
- Unlawful tethering of an animal (III)
- Neglect (III)
- Guard Dog Violation (III)
- Bite Incidents (\$300.00 minimum fine as per Ord. No. 17-07 Sec. 14-39)

BICYCLES:

- Brakes; failure to have minimum required brakes (V)
- Carrying articles prohibited (V)
- License plates; failure to display (V)
- License plates; removing, changing or mutilating prohibited (IV)
- Lights; failure to have required lights (V)
- Parents' and guardians' responsibility; failure to exercise (IV)
- Registration; failure to register bicycle (V)
- Registration; unlawful change of (IV)
- Sales of bicycles; failure to report (IV)
- Serial numbers or identification numbers; offenses involving (IV)
- Sidewalks; violation of riding restrictions (V)

BOATS, DOCKS, BEACHES & WATERWAYS:

■ *BEACHES:*

- Anchoring so as to obstruct beaches and channels prohibited (IV)
- Docking watercraft with living facilities; restrictions on (IV)
- Glass prohibited on beaches (IV) Littering prohibited (V)
- Watercraft; use of within bathing area prohibited (IV)

■ *MARINAS & YACHT BASINS:*

- Equipment; improper keeping of (IV)

Nets; unlawful use of (IV)
Permit required for sale and soliciting sale of bait (IV)
Reckless operation of watercraft prohibited (II)
Signs on docks, ships and grounds; improper posting of (IV)
Spears or harpoons; unlawful use of (IV)
Trespass on docks or slips prohibited (IV)
Trespass on watercraft prohibited (IV)

■ *SEAWALLS:*

Failure to maintain and repair seawall and bulkheads (III)
Failure to comply with minimum standard requirements for the construction of seawalls and bulkheads (III)

■ *WATERWAYS:*

Abandoned vessels or watercraft prohibited (IV)
Bathing in boat channels prohibited (IV)
Blocking channels prohibited (II)
Bow riding prohibited (IV)
Careless operation of vessels prohibited (V)
Diving or jumping from bridges or piers prohibited (II)
Dredging operations, prohibited during certain hours (IV)
Fishing; unlawful use of prohibited tackle (V)
Gasoline; improper transportation of (IV)
Hazardous vessels or watercraft prohibited (II)
Piers; unlawful operation of watercraft around (III)
Pumping; unlawful pumping of bilges or disposal of petroleum products (III)
Safety equipment; failure to have proper equipment (V)
Searchlights, horns and whistles; improper use of (V)
Speeds; excessive speed by watercraft prohibited (V)
Swimming and throwing trash; unlawful (V)
Water-ski regulations; violations of (V)
Wharves; improper use of public wharves (IV)
Water and Navigator Control Authority Ordinance (I)

BUILDINGS:

Glass doors; decals or other marking required (IV)
Mailboxes required (IV)

■ *MOVING BUILDINGS:*

Designation of moving routes required (III)
Failure to obtain required permit (III)
Failure to satisfy safety requirements (III)
Hours of moving; violation (III)
License; occupational license required all movers (III)
Size of building which may be moved; exceeding maximum (III)
Time within which move is to be made; exceeding allowed time (III)

Numbering doors of non-residential structures required (IV)
Numbering houses required (IV)

■ *POOLS:*

Enclosure of swimming pools and fish ponds required (I)
Maintenance of pool equipment and water quality (II)
Prohibited use of property (III)
Salvaged materials; utilization of prohibited (IV)
Water preservation in connection with new developments required (IV)

BUILDING AND CONSTRUCTION SAFETY:

Failure to comply with the requirements for:

Standard Building Code (II)
Standard Plumbing Code (II)
Standard Mechanical Code (II)
Standard Gas Code (II)
National Electric Code (II)
Life Safety 101 (II)
Other local Codes pertaining to repair, construction, improvement, removal, maintenance, or
demolition of buildings and property (II)
Failure to comply with any of the above when noncompliance is hazardous to the public (I)

BUSINESS REGULATIONS:

■ *GENERAL:*

Failure to obtain all necessary certificates, licenses and permits (II)
Fortune-telling for compensation and similar practices prohibited (III)
Grading and labeling of perishable meats required (III)
Impersonating the consumer division director or an inspector prohibited (III)
Labeling of packages; violations of regulations (III)
Landlords required to disclose profits made from furnishing utilities (III)
Misleading packaging prohibited (III)
Oil; furnace and stove oil to be sold by liquid measure only (III)
Scales for check weighing prepackaged commodities required (III)
Selling, offering for sale or keeping any commodity that has been ordered off sale, marked or
tagged prohibited (III)
Operating without a retail tobacco products dealer permit (III)

■ *ADVERTISING STANDARDS:*

Advertising where additional purchases are required; violation of regulations (III)
Complete purchase price required to be represented (III)
Misrepresentation of merchandise, services and facilities prohibited (III)
Misrepresentation as to nature of commodity or service prohibited (III)
Misrepresentation of price prohibited (III)
Wholesale; unlawful use of the term (III)

- ***AUCTIONS AND AUCTIONEERS:***
 - Descriptive tags required to be affixed to articles (III)
 - False bidders and cappers prohibited (II)
 - False representations as to origin of goods prohibited (III)
 - Misrepresentation of used articles prohibited (II)

- ***SALES:***
 - Improper conducting of (III)
 - Prohibited at certain hours and on specified days (III)
 - Prohibited in public ways (III)
 - Substitution of articles prohibited (II)

- ***BARBER SHOPS & BEAUTY PARLORS:***
 - Failure to post inspections forms (III)
 - Reuse or common use of soap, cosmetics and related substances prohibited (III)
 - Violation of regulations pertaining to cleanliness (III)

- ***CLOSING OUT SALES:***
 - Goods sold required to have been on inventory; replenishment of stock prohibited (III)
 - Inventory required to be filed (III)
 - Record of articles sold; failure to file (III)

- ***EMPLOYMENT AGENTS OR AGENCIES:***
 - Accepting fees for specified positions already filled prohibited (II)
 - Applicants; sending out without bona fide order prohibited (III)
 - Fees; failure to file and post schedule of fees (III)
 - Registration fees; violation of restrictions (III)
 - Fraudulent advertisements prohibited (III)
 - Records; failure to properly maintain (III)
 - Refund of expenditures to applicants required (III)
 - Soliciting termination of employment relationships prohibited (III)
 - Splitting or sharing fees prohibited (III)

- ***PAWNBROKERS, JUNK & SECONDHAND DEALERS:***
 - Arrangement of stock to facilitate inspection required (III)
 - Dealing with minors prohibited (III)
 - Junkyards required to be enclosed (III)
 - Register of transactions; failure to furnish copies to police (II)

- ***PROMOTERS:***
 - Co-mingling of funds prohibited (I)
 - Employment of unqualified solicitors prohibited (III)

- ***SOLICITORS:***
 - Character; solicitor required to be of good moral character (III)
 - Notice of change of address or employment required (III)

Registration required (III)

■ *MISCELLANEOUS OFFENSES NOT ENUMERATED UNDER BUSINESS REGULATION ABOVE: CLASS IV*

CONSUMER PROTECTION:

■ *ADULT USE*

- Unlicensed activity (II)
- Unauthorized name change (II)
- Failure to maintain required employee records (II)
- Failure to provide records upon request (II)
- Failure to display license (II)
- Failure to update application within 15 days (II)
- Operational requirements for establishments (II)
- Adult theater requirements (II)
- Special cabaret, adult photographic or modeling studios, and adult theaters requirements (II)
- Prohibited operations (II)
- Allowing employee to engage in prohibited acts (II)
- Prohibited advertising (II)
- Minors prohibited (II)
- Working at unlicensed establishment (II)
- Engaging in prohibited activity (II)
- Touching of employee by patron (II)
- Exceeding occupancy limit of adult booth (II)
- Hours of operation (II)
- Alteration of license (II)
- False statement or false information in applying for license (II)

■ *BINGO:*

- Unlicensed activity (II)
- Failure to display license (II)
- Failure to maintain required records (charitable organization) (II)
- Failure to establish a separate bank account for bingo proceeds (charitable organization) (II)
- Failure to establish a separate bank account for bingo proceeds (lessor) (II)
- Failure to provide records upon request (II)
- Failure to amend application within 30 days of change (II)
- Conduct of bingo (II)
- Failure to deposit proceeds within 24 hours (II)
- Lease, sublease, assign or rent premises to conduct bingo without a license (II)
- Interest by lessor in bingo prohibited (II)
- Use of premises (II)
- Admission of or participation by minors unlawful (II)
- Tampering with notices, etc. (II)
- False statements prohibited (II)
- Unlawful reproduction or alteration of documents (II)

■ ***CHARITABLE SOLICITATIONS:***

- Failure to obtain the required permit (II)
- False statement in connection with a solicitation (II)
- Implying county endorsement (II)
- Commingling of contributions (II)
- Soliciting during pending suspension or revocation (II)
- Transfer or assignment of permit (II)
- Solicitation to a private residence between 9:00 p.m. and 8:00 a.m. (II)
- Failure to possess and exhibit permit and authorization (II)
- Concealing identity of organization (II)
- Misrepresenting donations as tax deductible (II)
- Failure to maintain required records (II)
- Failure to surrender permit when required (II)
- Failure to provide required records upon request (II)
- Unauthorized representation of a charity (II)
- Soliciting for individual without depository account (II)
- Failure to honor timely request for refund (II)
- Improper use of contributions (II)
- Use of misleading name (II)
- False representation by solicitor (II)
- Withholding proceeds from sponsor (II)
- Failure to display required information on contribution receptacle (II)

■ ***HUMAN TRAFFICKING PUBLIC AWARENESS SIGN:***

- Fail to post human trafficking public awareness sign (II)

■ ***LIBRARY MATERIALS:***

- Overdue library materials (V)
- Unreturned library materials (III)

■ ***MOVING ORDINANCE:***

- Failure to provide information required in estimate (II)
- Failure to provide estimate (I)
- Failure to provide information required in service contract (II)
- Failure to provide service contract (I)
- Charges in excess of written estimate (I)
- Refusal to relinquish household goods (I)
- Failure to provide written inventory (II)
- Failure to disclose liability coverage (I)

■ ***PRESCRIPTION MANAGEMENT:***

- Operation of unlicensed high prescribing health clinic (I)
- Unlawful operation of high prescribing health clinic (I)
- Failure to update application within 10 days of any change (I)

■ **TOWING:**

- Failure to meet prerequisites to towing (II)
- Failure to charge correct fee when return of owner prior to tow (drop fee) (II)
- Failure to allow consumer access to personal items (II)
- Failure to charge proper fees / accept multiple forms of payment (II)

CONTRACTORS:

- Advertising; unlawful advertising prohibited (II)
- Certificates of competency required (II)
- Insurance; contractors required to maintain liability insurance (II)
- License; occupational license required (III)
- License; display of occupational license required (III)
- Signs of vehicles; standards and requirements (III)
- Unlawful acts or omissions by contractors (II)
- If hazardous to the public (I)

DRUGS & TOXIC SUBSTANCES:

- Adulterated or misbranded drugs; sale of prohibited (I)
- Advertising drugs; regulations and requirements (I)
- Cannabis; possession of preparations containing cannabis prohibited (I)
- Handling drugs under unsanitary conditions prohibited (I)
- Prescriptions; failure to keep proper files and allow inspection (I)
- Sales; unlawful sales of certain drugs and chemicals (I)
- Sales; unlawful sales without prescriptions (I)
- Use or sale of certain hazardous chemicals prohibited (I)
- Withholding from sale articles believed to be in violation required (I)

ENVIRONMENTAL MANAGEMENT:

- Burning; open burning prohibited (IV)
- Smoke; emission of dense smoke prohibited (III)
- Unlawful application of fertilizer (I)
- Unlawful distribution (sale or display) of fertilizer (I)
- Pollution or damage to air, water, soil, natural resources, or animal plant life (I)
- Illicit discharge to the separate storm sewer system, right of way network, or receiving waters (I)
- Illicit connection to the separate storm sewer system (I)
- Failure to obtain necessary Best Management Practices training certificate, limited certification for urban landscape fertilizer application, or Pinellas County vehicle (II)

EXPLOSIVES AND INFLAMMABLES:

- Location; gasoline delivery devices not to be on sidewalks (II)
- Storage: installation requirements for aboveground storage tanks (II)
- Permit required for bulk storage (II)
- Permit required for the storage of explosives (II)
- Type, construction and design of storage tanks (II)

FIRE PREVENTION:

- Alarms; false alarm reports prohibited (II)
- Certificate of occupancy required (II)
- Code; violations of Fire Prevention Code prohibited (II)
- Heaters; portable oil heaters prohibited (II)
- Interference with members of the fire department prohibited (II)
- Orders; refusing to obey orders of fire officers (II)
- Smoking or carrying of lighted objects in specified places prohibited (II)

FOOD & FOOD HANDLERS:

■ *GENERAL:*

- Failure to obtain all necessary certificates, licenses and permits (I)
- Failure to withhold from sale food believed to be in violation of food regulations (I)
- Handling of food under unsanitary conditions prohibited (I)
- Ice; sale or distribution when unfit for human consumption prohibited (I)
- Impersonating an officer of the health department prohibited (I)
- Sale, manufacturing or possessing adulterated or misbranded food prohibited (I)
- Sale of meats to which sulphurous acid has been added prohibited (I)
- Cleanliness; machinery and fixtures required to be kept clean (I)
- Garbage and waste; required to be kept in containers (I)
- Peddling of fruits, vegetables, meats and fish; proper protection of food when conveyed through streets required (I)
- Refrigeration; sufficient working facilities required; regulations (I)
- Re-service of food prohibited (I)
- Ventilation; proper ventilation required for all ranges, stoves and ovens (I)

■ *PREMISES:*

- Construction, maintenance and cleanliness regulation regarding walls, ceilings and floors; violation of regulation (I)
- Grease traps and interceptors required and must be properly maintained (I)
- Toilet and lavatory facilities, regulations and requirements; violation of (I)
- Ventilation, lighting and cleanliness regulations and requirements; violation of (I)
- Vermin; premises required to be protected against vermin (I)
- Water; ample hot and cold running water required (I)
- Failure to submit grease trap and interceptor cleaning or pumping reports (I)

GARBAGE AND REFUSE:

■ *GENERAL:*

- Burning of garbage or rubbish; incinerators; regulations and requirements (IV)
- Permits required for garbage or rubbish burial (IV)
- Unlawful accumulations of garbage, refuse, rubbish, junk, debris, or similar noxious material (I)
- Unlawful disposal of garbage, refuse or rubbish prohibited (III)

■ *COLLECTORS (PRIVATE):*

- Area between property lines and curbs to remain clean (IV)
- Departures from allowed methods of making collections and routes to travel prohibited (IV)
- Insurance; private collectors required to obtain liability insurance (IV)
- Permits; failure to obtain required permits (IV)
- Time of container placement; violation of (IV)

■ *CONTAINERS:*

- Adequate containers required; violations of approved specifications (III)
- Covers; containers required to be kept tightly covered (IV)
- Locations of containers; violation of regulations (IV)
- Underground installations prohibited (IV)
- Garbage and other refuse required to be stored in containers (III)

HEALTH & SANITATION:

- Burials; other than in authorized cemetery prohibited (II)
- Mosquitoes; permitting premises to become a breeding place prohibited (II)

■ *RATS:*

- Affording food or harborage for rats prohibited (II)
- Buildings required to be freed of rat harborage (II)
- Poultry and stock feed required to be kept in rat proof containers or in rat proof buildings (II)
- Removal rat proofing prohibited (II)

HOUSING:

■ *GENERAL:*

- Abatement of substandard or unsafe buildings required (I)
- Placarding dangerous building against habitation required; removal of placards prohibited (I)
- Violations of restrictions on furnishing utilities services to substandard dwellings (I)
- Improper outdoor storage (I)

■ *MINIMUM STANDARDS:*

Failure to meet minimum standard requirements for:

- Air and water heating (II)
- Cleanliness of dwelling units (III)
- Cleanliness of plumbing fixtures (III)
- Cleanliness of public area of multiple dwellings (III)
- Electric service (I)
- Gas service (I)
- Light and ventilation (II)
- Maintenance (III)
- Plumbing systems and equipment (I)
- Space, use and location (III)

HOTELS, MOTELS & ROOMING HOUSES:

Failure to meet minimum standard requirements for:

- Egress (III)
- Light and ventilation (III)
- Space, use and occupancy (III)
- Toilet and bathing facilities (III)

JUVENILES:

- Curfew violations (III)

LAND DEVELOPMENT REGULATIONS:

- Drainage regulations violation (I)
- Flood damage prevention regulations violation (I)
- Floodplain management regulations violation (I)
- Site plan regulation; failure to obtain a permit (I)
- Site plan regulation; failure to comply with a site plan permit (I)
- Stormwater regulations violation (I)
- Subdivision regulations violation (I)
- Wellfield protection regulations violation (I)

MOBILE HOMES:

Failure to meet minimum standard requirements for:

- Air and water heating (II)
- Cleanliness of premises (IV)
- Construction and maintenance (IV)
- Electrical installations (I)
- Garbage disposal facilities (IV)
- Gas service (I)
- Light and ventilation (II)
- Plumbing fixtures (I)
- Toilet and bathing facilities (III)
- Screens required on windows and doors (IV)

MOBILE HOMES & MOBILE HOME PARKS:

- Diagram or plat of mobile home park required (IV)
- Health and sanitation; minimum requirements must be satisfied (II)
- Mobile homes; anchoring and securing of mobile homes required (I)
- Mobile homes; blocking of mobile homes required (II)
- Location; mobile homes used for dwelling purposes to be located only in mobile home parks (IV)
- Parked or stored mobile homes or travel trailers to comply with setback requirements (IV)
- Permit required for anchoring and blocking of mobile homes (II)
- Permit required for mobile home park operation (IV)
- Registration of changes in mobile home park management required (IV)
- Registration of mobile home park occupants and keeping of proper records required (IV)

NOISE:

Noise violations (I)

PARKS, RECREATION AND PRESERVES:

Littering prohibited (V)

Performing prohibited acts in parks and preserves (IV)

Performing acts which require special permission without first obtaining such permission (IV)

RAILROADS:

Obstruction of public ways prohibited (I)

Unlawful speed prohibited (I)

SEWERS & SEWAGE DISPOSAL:

Connection to sanitary sewer and abandonment of private sewage disposal facilities required (I)

■ DISCHARGE:

Harmful, dangerous or nuisance wastes to sewer system prohibited (I)

Untreated sewage or polluted waters to surface or groundwater, or in unsanitary manner prohibited (I)

Unauthorized discharge of waste or septic tank waste to sewer system prohibited (I)

Routing of surface runoff sources or groundwater to sewer system prohibited (I)

■ PERMITS AND INSPECTIONS:

Permits prior to connection or alteration to sewer system required (I)

Industrial user permit, pretreatment, payment of industrial surcharge, and/or industrial sampling points required (I)

Periodic reports from all federal categorical industrial users required (III)

Inspection before construction or alteration of facilities required (III)

Access for Sewer Department/DER/EPA to property authorized (II)

Septic tanks abandoned and declared hazardous to be rendered inoperative (II)

SHERIFF:

Discharge of Firearms within Pinellas County (I)

SOLID WASTE:

Flow control ordinance violation (I)

Removal of recyclable material from collection centers (III)

Solid waste disposal facility ordinance violation (I)

Unacceptable disposal and removal of hypodermic needles and/or syringes (I)

Unlawful disposal (I)

STREETS & SIDEWALKS:

Debris; leaving building construction debris in public ways prohibited (III)
Illumination; objects in streets required to be illuminated (III)
Mailboxes; maintenance of mailboxes in rights-of-way prohibited (III)
Obstruction of public ways or buildings prohibited (III)
Permit required for building, repairing or removing structures in or on street (III)
Permit required for doing business on streets or sidewalks (III)
Permit required for changing surface area of street (III)
Roadway solicitation ordinance violations (III)
Violations of standards, regulations and requirements pertaining to curbs, sidewalks and public benches (IV)

■ **PARADES:**

Parking on parade routes; regulation of required (III)
Permit required for parades (III)
Possession of parade permit required (III)
Public conduct during parades; regulation of (III)

TOURIST DEVELOPMENT:

Tourist development tax ordinance violations (I)

UNLAWFUL VEHICLES:

Inoperative vehicles (III)
Prohibited vehicles (III)

UTILITIES:

Access to premises supplied with water required (IV)
Connections to city water system; violation of regulations (III)
Lines; overhead utility lines within the rights-of-way of interstate highway and other freeways prohibited (IV)
Metering of city gas required (IV)
Meter required prior to connection with city water (IV)
Meter; use of city water without a meter prohibited (III)
Meter; devices preventing the full metering of water prohibited (III)
Sprinkling with city water during daylight hours prohibited under certain circumstances (II)

VEGETATION:

Adhering to upland buffer requirements (I)
Adhering to upland preservation area requirements (I)
Untended growth or excessive accumulation of weeds or other plant material (I)
Failure to remove trees or branches in danger of falling upon a public way or property of another (IV)
Maintaining trees and shrubs in utility easements prohibited (IV)
Maintaining minimum landscape requirements (I)
Minimum height of branches overhanging public ways; failure to comply (IV)

■ *TREES:*

Protection of trees during construction activities required (I)

Protection of trees while filling land required (I)

Removal of trees without a permit prohibited (I)

VEHICLES FOR HIRE:

Appearance of taxicabs; required information, color scheme and signs (III)

Failure to obtain and display all required certificates, badges, emblems, permits and licenses (III)

Meters required on all taxicabs (III)

Rates; posting of rates required (III)

Rates; charges to be in accordance with posted tariffs (II)

**MISCELLANEOUS ORDINANCE, MARINE PATROL, FISH AND WILDLIFE
CONSERVATION COMMISSION, AND NATURAL RESOURCES VIOLATIONS:**

All zoning violations not herein specifically provided shall be deemed to be Class III offenses.

All other violations not herein specifically provided shall be deemed to be Class V offenses except that failure to comply with licensure and permit requirements in section 379.354, Florida Statutes, shall be assessed a \$50 fine pursuant to section 379.401, Florida Statutes.

Fines may be doubled for a second offense and for each subsequent offense thereafter.

**PINELLAS COUNTY UNIFORM FINE SCHEDULE
LOCAL COUNTY/CITY ORDINANCE VIOLATIONS**

CONTESTED

	FINE	COSTS*	TOTAL
CLASS I	\$205.00	\$58.00	\$263.00
CLASS II	\$180.00	\$58.00	\$238.00
CLASS III	\$130.00	\$58.00	\$188.00
CLASS IV	\$105.00	\$58.00	\$163.00
CLASS V	\$ 80.00	\$58.00	\$138.00

UNCONTESTED

	FINE	COSTS*	TOTAL
CLASS I	\$205.00	\$13.00	\$218.00
CLASS II	\$180.00	\$13.00	\$193.00
CLASS III	\$130.00	\$13.00	\$143.00
CLASS IV	\$105.00	\$13.00	\$118.00
CLASS V	\$ 80.00	\$13.00	\$ 93.00

***COSTS INCLUDE:**

- \$3.00 ADDITIONAL COURT COST CLEARING TRUST FUND, § 938.01, Fla. Stat. (Not assessed in uncontested cases.)
- \$2.00 CRIMINAL JUSTICE EDUCATION FOR LOCAL GOVERNMENT, § 938.15, Fla. Stat. (Costs shall not be assessed if no court appearance or for cases where adjudication of guilt is withheld.)
- \$40.00 COST RECOVERY, § 34.045 (1)(b), Fla. Stat. (Assessed against the nonprevailing party when contested.)
- 10.00 FILING FEE RECOVERY, § 34.045 (1)(c), Fla. Stat.
- \$3.00 TEEN COURT, § 938.19, Fla. Stat. (Section 46-34 Pinellas County Code)

**ORDINANCE VIOLATIONS WITH CORRESPONDING FLORIDA STATUTE
WRITTEN BY: MARINE PATROL, FISH AND WILDLIFE CONSERVATION
COMMISSION AND DEPARTMENT OF ENVIRONMENTAL PROTECTION**

	FINE	COSTS**	TOTAL
CLASS I	\$200.00	\$273.00	\$473.00
CLASS II	\$175.00	\$271.75	\$446.75
CLASS III	\$125.00	\$269.25	\$394.25
CLASS IV	\$100.00	\$268.00	\$368.00
CLASS V	\$ 75.00	\$266.75	\$341.75
Licensure and permit violations	\$ 50.00	\$265.50	\$315.50

****COSTS INCLUDE:**

- \$3.00 ADDITIONAL COURT COSTS CLEARING TRUST FUND, § 938.01, Fla. Stat.
- \$2.00 CRIMINAL JUSTICE EDUCATION FOR LOCAL GOVERNMENT, § 938.15, Fla. Stat. (Costs shall not be assessed if no court appearance or for cases where adjudication of guilt is withheld.)
- \$50.00 CRIMES COMPENSATION TRUST FUND, § 938.03(1), Fla. Stat.
- 5% OF FINE SURCHARGE, § 938.04, Fla. Stat.
- \$60 FINE AND FORFEITURE, § 938.05, Fla. Stat.
- \$20 CRIME PREVENTION, § 775.083(2), Fla. Stat. (Costs not assessed for cases when adjudication of guilt is withheld).
- \$20 CRIME STOPPERS, § 938.06, Fla. Stat.
- \$65 COURT AND JUVENILE PROGRAMS, § 939.185, Fla. Stat.
- \$40 COST RECOVERY, § 34.045 (1)(b), Fla. Stat.
- \$10.00 FILING FEE RECOVERY, § 34.045 (1)(c) Fla. Stat.
- \$3.00 TEEN COURT, § 938.19, Fla. Stat. (Section 46-34 Pinellas County Code)

EXCEPTION: VIOLATIONS OF CHAPTERS 327 OR 328 ARE CLASSIFIED AS NON-CRIMINAL, NON-MOVING OR MOVING VIOLATIONS PAYABLE WITH A CIVIL PENALTY PLUS COSTS. VIOLATIONS OF CHAPTER 379 ARE CLASSIFIED AS LEVEL ONE NON-CRIMINAL VIOLATIONS PAYABLE WITH A CIVIL PENALTY PLUS COSTS. LEVEL TWO VIOLATIONS ARE CLASSIFIED AS MISDEMEANORS.

IN CASES WHERE THE ISSUANCE OF A SUMMONS IS REQUIRED, ADDITIONAL COSTS FOR THE SUMMONS AND SERVICE OF THE SUMMONS SHALL ALSO BE ASSESSED.

ATTACHMENT B
INSTRUCTIONS FOR PROSECUTING LOCAL ORDINANCE
VIOLATIONS IN PINELLAS COUNTY

CITATION/NOTICE TO APPEAR

Although the Citation/Notice to Appear serves many purposes, these instructions address only the usage of the form for non-criminal violations. These include ordinance violations and misdemeanors where there is no arrest and the Notice to Appear section is used to cite the civil penalty owed or notify the alleged offender of a required court date and time.

■ **BEFORE BEGINNING PROSECUTION:**

Once a Citation/Notice to Appear is issued, it may not be dismissed simply because the cited party complies with the applicable ordinance or corrects a violation. Therefore, if you would be satisfied with compliance or correction, use all proper means short of issuance of a Citation/Notice to Appear to accomplish your purpose.

■ **COMPLETING THE CITATION/NOTICE TO APPEAR:**

Fill in every blank on the form. If a blank is not applicable to the particular charge, type "N/A" in the blank. The form may be completed by hand or electronically. The form, and any copies required, may be printed on any medium, including but not limited to NCR paper or thermal paper.

An officer issuing a Citation/Notice to Appear shall inform the defendant that he or she may plead guilty or no contest by signing the plea and waiver on the back of his or her copy of the Citation/Notice to Appear and forwarding it to the Clerk of the Circuit Court at the address indicated, with a check or money order in the amount of the fine. Otherwise, he or she must either file a written plea of not guilty in person or by mail or appear in court on the day and time specified. If a defendant is charged with a violation that requires a mandatory court appearance, the officer shall explain that the defendant *must* appear in court on the day and time specified.

In the event the defendant refuses to accept a copy of the Citation/Notice to Appear or to acknowledge it by signing where defendant's signature is specified, the issuing officer shall note such occurrence on the face of the Citation/Notice to Appear and leave the defendant's copy in his/her presence or post it in a conspicuous location on the premises. The issuing officer shall also note on the face that a copy of the Citation/Notice to Appear was left with the defendant.

When the issuing officer returns an unsigned Citation/Notice to Appear to the appropriate agency, the officer shall sign a certification that he or she left a copy with the defendant or conspicuously posted it. Leaving/posting the Citation/Notice to Appear constitutes sufficient notice to a defendant and the defendant is required to comply. Failure to comply will result in the issuance of a summons.

■ **FILING THE CITATION/NOTICE TO APPEAR:**

Within 48 hours after a copy of the Citation/Notice to Appear is given to the defendant, copies of the Notice to Appear for the Clerk and the State Attorney must be sent to the Clerk of the Circuit Court, Criminal Court Records, 14250 49th St. N., Clearwater, FL 33762. In the discretion of the Clerk of the Circuit Court and as technology permits, such copies may be submitted to the Clerk electronically.

If the citation has not been issued by a police officer, the County or Municipal Prosecutor may

decline to endorse it. In such a situation, he or she must void the original Citation/Notice to Appear; and if a copy of the Citation/Notice to Appear has been provided to the defendant, the Clerk of the Circuit Court must be advised that the charge has been voided. This can be accomplished by forwarding a copy of the voided Citation/Notice to Appear to the Clerk.

Note, however, that if the citation has been issued by a police officer, then it may not be voided by the County or Municipal Prosecutor but is instead forwarded to the State Attorney for prosecution.

It is recommended that the issuing officer's department and the authorized prosecutor keep an electronic copy of the Citation/Notice to Appear.

■ **PROSECUTING WHERE CITATION/NOTICE TO APPEAR HAS NOT BEEN ISSUED BY A POLICE OFFICER:**

When the Clerk's office receives a Citation/Notice to Appear, the Clerk assigns a case number. If it is not voided by the County or Municipal Prosecutor, the Clerk then calendars the case for appearance on the date listed on the Notice. If the defendant has not paid the fine prior to the hearing date and does not appear in Court or enter a written plea of not guilty, the Court shall enter a default judgment against the defendant. The Court will at that time address any notice issues. The Clerk may assess a fee for the issuance of a summons in accordance with section 28.24, Florida Statutes. The fee for issuance by the Clerk and the cost of service assessed by the Sheriff shall be added to the costs assessed to the defendant.

The County or Municipal Prosecutor is responsible for adequately preparing any case that is set for trial, including issuing witness subpoenas and responding to all demands for discovery.

All pre-trial motions shall be heard on the day of trial unless the defendant and the Prosecutor stipulate to the contrary.

Pursuant to Fla. R. Crim. P. 3.111, this Administrative Order shall serve as a written order of no incarceration for all cases governed by it. However, if the Prosecutor requests incarceration as a possible penalty and the court grants this request, such grant must be stated in the record and the court must appoint counsel for the defendant.

Each city or other governmental unit must advise the Clerk's office in Criminal Court Records of the name of its current authorized prosecutor or prosecutors.

FISH AND WILDLIFE CONSERVATION COMMISSION CASES:

All minor violations Class (V)

The Florida Fish and Wildlife Conservation Commission will issue citations on the required state form issued to the agency. Upon issuance, the form must be completed and defendant's signature must be obtained. In addition, the Instructions to Violator Form (sample below) must be completed and a copy attached to the citation given to the defendant if the information is not available on the reverse side of the defendant's copy. The original is to be forwarded to the Clerk of Court, Criminal Court Records. Insert amount of fine (See approved Uniform Fine Schedule) on the Instructions to Violator Form and on upper right corner of Court copy of citation.

Any person cited for a violation by the Florida Fish and Wildlife Conservation Commission may elect to enter a written plea of guilty or no contest and pay a civil penalty, to satisfy a Class V offense without the necessity of a court appearance.

SAMPLE INSTRUCTIONS TO VIOLATOR FORM—FISH AND WILDLIFE

VIOLATOR'S NAME

DATE

INSTRUCTIONS TO VIOLATOR

**YOU MUST, WITHIN THIRTY (30) CALENDAR DAYS OF TODAY'S DATE,
DO ONE OF THE FOLLOWING:**

1. If you desire to plead guilty or no contest and not appear in Court, you must pay a fine of \$_____ including court costs, either in person or by mail at the address listed below. If you pay the fine you will be deemed to have admitted the civil infraction and you will be adjudicated guilty of the violation. If you desire to pay the fine by mail, you must sign the Plea & Waiver below and enclose it with your citation and payment. Checks or money orders are to be made payable to Clerk of Circuit Court.

Pinellas County Justice Center
Criminal Court Records
14250 49th St. N.
Clearwater, FL 33762

2. If you wish to plead not guilty and appear in court, you must enter a written plea of not guilty either in person or by mail at the Pinellas County Justice Center, Criminal Court Records, 2nd floor, 14250 49th St. N., Clearwater, FL 33762. Forms for Not Guilty Pleas may be obtained there. **FAILURE TO PAY THE FINE IN THE AMOUNT STATED ABOVE WITHIN THIRTY (30) CALENDAR DAYS OR FAILURE TO APPEAR FOR COURT MAY RESULT IN A WARRANT BEING ISSUED FOR YOUR ARREST. ADDITIONAL COSTS MAY ALSO BE ASSESSED.**

3. Violations of law under the jurisdiction of the Fish and Wildlife Conservation Commission may be considered misdemeanors. All convictions will be on record.

I HEREBY CERTIFY that I received a copy of these instructions on the above listed date.

VIOLATOR/DEFENDANT'S SIGNATURE

PLEA & WAIVER

I understand the nature of the charge against me; I understand I am waiving my rights to be represented by an attorney, to request a continuance of my hearing and my right to a trial before a judge or a jury.

I plead _____ Guilty _____ No Contest

Defendant _____

Date _____

Address _____

*****MOST IMPORTANT--DATE FOR COURT APPEARANCE*****

At the time a county ordinance Citation/Notice to Appear is written, count five Wednesdays forward, and in accordance with the calendar, set the court appearance date for Wednesday returnable to the 3rd floor, Courtroom 16, of the Pinellas County Justice Center, 14250 49th St. N., Clearwater, Florida.

At the time a municipal ordinance Citation/Notice to Appear is written, count five Thursdays forward, and in accordance with the calendar, set the court appearance date for Thursday returnable to the 3rd floor, Courtroom 16, of the Pinellas County Justice Center, 14250 49th St. N., Clearwater, Florida.

All Wednesdays are available for county ordinance violations and all Thursdays are available for municipal ordinance violations unless advised to the contrary or the Wednesday or Thursday coincides with a court holiday.

