

Citizen Charter Review Committee

November 20, 2025

11:30 a.m.-1:30 p.m.

Leon County Main Library

Programming Room

AGENDA

1. Call to Order and Opening

Mary Ann Lindley,
Chair

Consent

2. Approval of November 6, 2025 Meeting Minutes
3. Receipt & File of Written Public Comments

Public Comment

General Business

4. Board Issue for Committee Consideration

County Staff

*Agenda Item A: Additional Analysis on Leon County
Ordinances in Relation to Municipal Ordinances*

5. Committee Discussion on Proposed Charter Amendments

*The next meeting of the Citizen Charter Review Committee will take place on
Thursday, December 4, 2025.*

LEON COUNTY CITIZEN CHARTER REVIEW COMMITTEE

APPROVAL OF NOVEMBER 6, 2025 MEETING MINUTES

**Citizen Charter Review Committee
November 6, 2025
11:30 a.m. – 1:30 p.m.
Leon County Main Library
Programming Room A**

The Leon County 2025-2026 Citizen Charter Review Committee (CCRC) met on November 6, 2025, at 11:30 a.m. in the Leon County Main Library with Committee members Mary Ann Lindley, Chauncy Haynes, Darryl Jones, Linda Bond Edwards, Henry Lewis, III, Bruce Strouble, Jr., Howard Kessler, Ryan Ray, Liz Ellis, Joey Davis, Anita Favors, Barry Wilcox, Katrina Tuggerson, Slaton Murray, Temple Robinson, Max Herrle, Shamarial Roberson, Heidi Otway and Jarrett Terry in attendance. Also present were County Administrator Vince Long, Assistant County Administrator Ken Morris, County Attorney Chasity O'Steen, Assistant to the County Administrator for Legislative and Strategic Initiatives Nicki Hatch, Management Analyst Cameron Williams, and Clerks to the Board, Beryl Wood and Daniel J. Antonaccio.

Absent Members: William Smith and Sean Pittman.

Call to Order and Opening Mary Ann Lindley, Chair

Chair Lindley called the meeting to order at 11:30 a.m. She welcomed Committee Member, Heidi Otway. She gave comments on how they would proceed by turning their name card upright to be acknowledged to speak and make sure microphones are turned on.

Consent

Vice Chairman Chauncy Haynes moved, seconded by Linda Bond Edwards, to approve the consent Agenda as presented.

The motion passed 18 – 0 with Committee Members Ryan Ray, Sean Pittman and William Smith not present.

2. Approval of October 23, 2025 Meeting Minutes

3. Approval of Committee Bylaws

4. Receipt & File of Written Public Comments

Presentations

Overview of Leon County Government Vincent S. Long, County Administrator

County Administrator Long gave a brief overview of Leon County Government, including the County's organizational structure, budget, Leon LEADs model, Strategic Plan and Annual Report.

- *Ryan Ray arrived at this juncture of the meeting.*

Overview of Leon County Charter by Article & Recap of Charter Amendment Process

Nicki Hatch provided a brief recap of the Leon County Charter by article as follows:

- Article I – Creation and Relationship with Other Governments
- Article II – County Government Structure
- Article III – Constitutional Officers

- Article IV – Citizen Initiative and Ordinance Process
- Article V – Charter Amendment and Implementation

She continued with a recap of the charter amendment process for the Committee, as detailed in the process summary included in the resource binder provided to Committee members.

Public Comment:

- Ernie Paine, 2006 East Indianhead Drive, appeared before the CCRC to advocate for the establishment of an independent Office of Inspector General to promote accountability in areas such as ethics, fraud, waste, abuse, and misconduct, and serve as the statutory agent for whistleblower complaints under state law.
- Stanley Sims, 1420 Avondale Way, appeared before the CCRC to remind members to honor and uphold the interests of Leon County citizens.

General Business

Board Issue for Committee Consideration - Chasity O'Steen & Ken Morris

Agenda Item A: Leon County Ordinances in Relation to Municipal Ordinances

County Attorney O'Steen and Assistant County Administrator Ken Morris introduced and provided a brief overview of the item.

Mr. Jones requested clarification regarding the County's authority related to street renaming compared to street maintenance.

County Attorney O'Steen confirmed that street naming and street maintenance are related, but they're separate jurisdictional issues. The authority to name or rename a road is distinct from the authority to maintain or repair it. She noted they may fall under different statutory and operational frameworks.

Committee discussion followed.

Barry Wilcox moved, seconded by Anita Favors, for Option #2 and to bring back examples and possible solutions to conflict points brought up in this meeting.

Mrs. Favors asked if it could be refined slightly so we're not asking staff to review everything under the sun, but to focus on specific areas of known or likely conflict. Maybe prioritize some examples that have come up today, or ones staff is already aware of, and bring those back with possible solutions.

Mr. Wilcox agreed to amend the motion accordingly, to direct staff to identify existing or recurring points of conflict between County and City ordinances, and provide examples and possible solutions for discussion at a later meeting.

Barry Wilcox moved, seconded by Anita Favors for Option #2 and to bring back examples and possible solutions to conflict points brought up in this meeting. During the next meeting, the committee may discuss other topics.

The motion carried 19 – 0 with Committee Members William Smith and Sean Pittman not present.

Committee Discussion on Proposed Charter Amendments

Chair Lindley welcomed members to begin discussion and offer ideas for a proposed charter amendment for consideration by the committee.

The following topics were offered for CCRC consideration:

1. Offered by Howard Kessler:

Howard Kessler moved, seconded by Bruce Strouble, to bring back information on establishing an Office of Inspector General in the County Charter.

The motion carried 19 – 0 with Committee Members William Smith and Sean Pittman not present.

2. Offered by Max Herrle:

Max Herrle moved, seconded by Joey Davis, to bring back information on the matters included in the material distributed by Max Herrle during the meeting, as follows:

- Voting Threshold to Select or Terminate the County Administrator
- County Commission Compensation
- Funding Mechanism for Affordable Housing
- Funding Mechanism for Fire Services
- Leon County Bill of Rights

The motion carried 19 – 0 with Committee Members William Smith and Sean Pittman not present.

Adjournment:

Chair Lindley adjourned the meeting at 1:35 p.m.

ATTEST:

Mary Ann Lindley, Chair
Leon County Citizen Charter Review Committee

Beryl Wood, Clerk to the Board for
Gwen Marshall Knight, Clerk of Court

**LEON COUNTY CITIZEN CHARTER
REVIEW COMMITTEE**

**RECEIPT & FILE OF WRITTEN PUBLIC
COMMENTS**

*(To be electronically distributed Wednesday before
meeting)*

LEON COUNTY CITIZEN CHARTER REVIEW COMMITTEE

NOTES FOR AGENDA ITEM A

Citizen Charter Review Committee

Agenda Item A

November 20, 2025

To: 2025 – 2026 Leon County Citizen Charter Review Committee

From: Vincent S. Long, County Administrator 
Chasity H. O'Steen, County Attorney 

Title: Leon County Ordinances in Relation to Municipal Ordinances

Review and Approval:	Vincent S. Long, County Administrator Chasity H. O'Steen, County Attorney
Department / Division Review:	Ken Morris, Assistant County Administrator
Lead Staff / Project Team:	Nicki Hatch, Assistant to the County Administrator for Legislative and Strategic Initiatives Cameron Williams, Management Analyst

Summary:

As requested at its November 6, 2025 meeting, this item provides the Citizen Charter Review Committee with additional information and analysis on the issue of whether county ordinances should supersede municipal ordinances in the event of a conflict.

Staff Recommendation:

Option #4: Committee direction.

Report and Discussion

Background:

At its November 6, 2025 meeting, the Citizen Charter Review Committee (Committee) received analysis for consideration in evaluating whether a charter amendment should be placed on the ballot providing county ordinances to supersede municipal ordinances in the event of a conflict (Attachment #1). The Board of County Commissioners (Board), after consideration and deliberation of numerous policy issues, selected to advance this one issue for the Committee to consider as a proposed charter amendment.

The November 6th analysis presented to the Committee detailed Leon County's authority as a charter county as derived from Article VIII, Section 1(g) of the Florida Constitution (Constitution). This section of the Constitution requires county charters to specify whether county or municipal ordinances prevail in the event of a conflict. Currently, Section 1.6 of Leon County's Charter, "Relation to Municipal Ordinances", provides that municipal ordinances prevail over county ordinances in the event of any conflict within municipal boundaries, with the exception for countywide minimum environmental regulations as set forth under Section 1.6.(2) of the Charter.

Following discussion, the Committee requested additional information and analysis including examples of existing or potential regulatory conflicts from differing County and City ordinances. The following Analysis section provides detailed examples of current regulatory conflicts for the Committee to consider in evaluating an amendment to the County Charter for county ordinances to prevail over municipal ordinances for all matters. Alternatively, the Committee may wish to consider whether county ordinances should prevail on specific subject matter(s) in the event of conflict, or to preserve the existing charter provision which specifies that municipal ordinances prevail over county ordinances in the event of a conflict within municipal boundaries.

Analysis:

At its November 6, 2025 meeting, the Committee requested examples of existing or potential regulatory conflicts from differing County and City ordinances to support its consideration of whether the County charter should provide for county ordinances to supersede municipal ordinances in the event of conflict. Currently, the County and City have overlapping authority on a broad range of local matters, from certain business and land use regulations to standards promoting public safety, which can result in numerous instances where County and City ordinances conflict or diverge based on jurisdiction.

This item provides a summary of the potential benefits of countywide regulatory authority as presented in the November 6th analysis, followed by detailed examples of current regulatory conflicts between the County and City to further support the Committee's evaluation. As discussed at the November 6th meeting, staff did not conduct an exhaustive review of every circumstance in which County and City ordinances might conflict due to the comprehensive nature of such an exercise and because there are many instances where differences exist but have not raised regulatory or administrative conflicts.

Summary of Comparative Review of Charter Counties:

Article VIII, Section 1(g) of the Constitution requires county charters to specify whether county or municipal ordinances prevail in the event of a conflict. As detailed in the November 6th analysis, among the 18 comparable charter counties in Florida:

- Eleven (11) county charters provide for county ordinances to prevail in specific circumstances.
- Seven (7) charter counties provide for municipal ordinances to prevail without exception.
- None provide for county ordinances to prevail without exception.

All county charters may establish any of these approaches through a charter amendment approved by the local electorate. In evaluating whether county ordinances should prevail over all municipal ordinances in the event of conflict, the Committee was provided with potential benefits of such a proposed amendment for consideration, as summarized below:

- Avoiding Potential Interlocal Conflicts and Disputes
- Providing Regulatory Uniformity on Countywide Issues
- Providing Unified Standards Based on Geography, not Political Jurisdiction
- Providing for More User-Friendly Government
- Establishing Minimum Community Standards Countywide

The following provides a more detailed analysis of a sample of existing regulatory conflicts for the Committee's consideration.

#1: Differing Standards for Street Renaming

Many critical systems, such as transportation, stormwater, and floodplain management, cross jurisdictional boundaries and may benefit from uniformity to increase safety. The potential problems of such inconsistencies are most evident in the separate street renaming procedures recently adopted by the City in May 2024, as emergency responders depend on a unified countywide street naming and addressing system to locate incidents quickly. The following provides an overview of the County's regulatory structure for street naming and renaming in comparison to the recent regulations adopted by the City for street renaming within its jurisdiction, and the current implications of these conflicting standards.

In 1995, the County's Uniform Street Naming and Property Numbering System Ordinance was adopted, authorizing the Board to name and rename streets within both the incorporated and unincorporated areas (with the exception of state roads). The Ordinance established uniform criteria and guidelines for street naming, street renaming, and property address assignments countywide. The intent of these countywide standards was primarily to address public safety and emergency services-related issues that had historically resulted from the uncoordinated and non-sequenced assignment of street addresses and from duplicate or phonetically similar street names.

As set forth under the County's Ordinance, the Joint Addressing Steering Committee (ASC) was established to promote intergovernmental coordination and review of all street names countywide. The ASC is comprised of interagency representatives, including the Consolidated Dispatch Center, the City Fire Department, County Emergency Medical Services, United States Postal Service, and the Leon County School Board, and various others, to review street naming and renaming requests for recommendation to the Board. The ASC has historically not recommended approval of street naming and renaming requests that would create a duplicate street name, could be confused with an existing street name when spoken or written, or would result in fragmented naming of roadways. In addition, the ASC is authorized to approve street renaming to eliminate duplicate or phonetically similar street names for emergency purposes if a safety issue exists. In such instances when street names must be changed, the ASC determines which street names to change by considering which change would affect the least number of people, the street with the fewest intersections, etc.

On May 8, 2024, the City adopted an ordinance providing the City Commission authority to rename roads within the municipal limits (excluding County-maintained and state roads). Since the County Charter currently provides for municipal ordinances to prevail over county ordinances in the event of a conflict, the County is now precluded from applying its countywide naming criteria to the renaming of city-maintained streets. This has resulted in the renaming of more than half a dozen roadways by the City that bear different names, creating a fragmented street naming approach which can impact public safety. Recognizing that the streets renamed by the City to date have been in recognition of individuals, it should be noted that both the County and City allow for honorary designation of roadways to memorialize an individual without changing the name of the street. Honorary designations do not require abutting property owners to change their address nor present challenges related to public safety and emergency response.

Ultimately, the creation of separate jurisdictional standards undermines the longstanding efforts of the ASC to establish consistent naming across segments of roadways and chronological numbering of addresses countywide. In regard to street renaming, regulatory uniformity is critical to ensuring accurate GPS routing, timely emergency response, and the protection of life and property for citizens no matter where they reside within the County. This issue is one example of countywide regulatory uniformity that the Committee may wish to consider when determining whether county ordinances should prevail when a conflict exists.

#2: Public Notice of New Developments for Neighboring Areas

Another example of an existing regulatory conflict are the County and City's public notice requirements for new developments. Public notice is an important part of the development review processes, ensuring that nearby residents are informed when a proposed development project may affect their neighborhood. Both local governments establish their own respective public notice requirements that vary based on development type (Type A through Type D). Public notice requirements are based upon the type and intensity of development, extent of environmental impacts, and zoning district in which the development site is located. Currently, the County and City have varying requirements for when mailed notices must be sent to notify surrounding property owners within a specified radius of a proposed development.

For example, “Type A” reviews are generally for smaller-scale residential and non-residential developments that are consistent with all local zoning and development standards. As set forth under the County’s Land Development Code, public notice of the application review meeting for Type A developments must be mailed at least seven calendar days in advance to each affected property owner located within 600 feet of the project. Comparatively, the City’s Land Development Code does not require any direct public notice to be provided to nearby property owners for Type A development reviews. “Type B” reviews, on the other hand, are for developments that require a higher level of review due to deviations from local code standards. For Type B reviews, the City requires a notification radius of 1,000 feet, while the County’s notification radius is 800 feet.

This is an example where the Committee could consider a proposed charter amendment in which the County could develop an ordinance to establish minimum standards for public level of review for new developments that the City could exceed.

#3: Restrictions on the Retail Sale of Animals

The retail sale of animals is an example of a regulatory matter that is currently subject to differing jurisdictional standards. In January 2025, as requested by the Humane Society of the United States (HSUS), the Board adopted an ordinance to prohibit the retail sale of dogs, cats, and rabbits in unincorporated Leon County. According to HSUS, prohibiting the retail sale of animals encourages adoptions and decreases the number of animals that end up in animal shelters. While HSUS requested the same action to be taken by the City, the City does not have an ordinance prohibiting the retail sale of dogs, cats, or rabbits within its jurisdictional limits.

The City owns and operates the Animal Shelter which the County funds 45% of the operating budget and splits the cost of capital improvement projects at the facility. Over the past two years, the City’s Animal Shelter has experienced an 18% increase in the number of dogs and a 9% increase in the number of cats admitted to the shelter. The Leon County Humane Society has also experienced a 50% increase in owners seeking to surrender or rehome rabbits. A proposed charter amendment by the Committee could allow for a unified, countywide standard prohibiting the retail sale of animals and address a communitywide problem.

#4: Hours of Sale for Alcohol

During its last meeting, the Committee inquired about differences between County and City ordinances related to hours of sale for alcohol. In this case, the regulatory differences regarding alcohol sales between jurisdictions are minor. The City’s Code of Laws prohibits the sale of alcoholic beverages between the hours of 2:00 a.m. and 6:00 a.m. on any day within City limits. Comparatively, the County’s Code of Laws prohibits the sale of alcoholic beverages in unincorporated Leon County between the hours of 2:00 a.m. and 7:00 a.m. on any day and all day Sunday (with certain exceptions set forth under the Code) in the unincorporated area. This is an example of a situation where the ordinance differences do not create significant issues or the need for uniformity countywide and would not be sufficiently necessary to pursue a charter amendment specific to this issue alone. However, a charter amendment would result in minimum standards that the City could exceed.

Summary and Next Steps

In summary, the Board selected to advance the one issue of whether county ordinances should supersede municipal ordinances in the event of a conflict for the Committee's consideration. Building on the analysis presented at the November 6th meeting, this item provides detailed examples of current regulatory conflicts between the County and City for the Committee's consideration. The overlapping authority of both entities on various local matters can contribute to numerous instances where County and City ordinances conflict or diverge based on jurisdiction. As previously stated, this analysis does not serve as an exhaustive review of all regulatory conflicts as there are instances where discrepancies may exist but have not raised regulatory or administrative conflicts. It is important to note that such discrepancies can change over time as County and City regulations can change – as in, current conflicts for certain matters that exist today, may not exist in the future (and vice versa).

Following its review, the Committee could consider a charter amendment for county ordinances to prevail over municipal ordinances for all matters or for specific subject matter(s) in the event of a conflict within municipal boundaries. Alternatively, the Committee may wish to preserve the existing charter provision which specifies that municipal ordinances prevail over county ordinances in the event of a conflict within municipal boundaries. These options are provided to facilitate the Committee's consideration of this issue. A simple majority vote of the Committee is needed to advance any of the proposed options.

Options:

1. Accept this report and table this issue.
2. Direct staff to prepare a proposed charter amendment providing that all county ordinances shall prevail in the event of a conflict with municipal ordinances, to the extent otherwise permitted by law.
3. Direct staff to prepare a proposed charter amendment(s) providing that specific county ordinances or subject area(s), as identified by the Committee, shall prevail in the event of a conflict with municipal ordinances.
4. Committee direction.

Recommendation:

Option #4: Committee direction

Attachment:

1. November 6, 2025 Committee Agenda Item

Citizen Charter Review Committee

Agenda Item A

November 6, 2025

To: 2025-2026 Leon County Citizen Charter Review Committee

From: Vincent S. Long, County Administrator
Chasity H. O'Steen, County Attorney

Title: Leon County Ordinances in Relation to Municipal Ordinances

Review and Approval:	Vincent S. Long, County Administrator Chasity H. O'Steen, County Attorney
Department / Division Review:	Ken Morris, Assistant County Administrator
Lead Staff / Project Team:	Nicki Hatch, Assistant to the County Administrator for Legislative and Strategic Initiatives Cameron Williams, Management Analyst

Summary:

As directed by the Board of County Commissioners, this item provides the Leon County Citizens Charter Review Committee (Committee) with information and analysis for consideration in evaluating whether a charter amendment should be placed on the ballot providing for County ordinances to supersede municipal ordinances in the event of a conflict.

Staff Recommendation:

Option #5: Committee direction.

Report and Discussion

Background:

At its September 23, 2025 meeting, the Board of County Commissioners voted to advance the following charter amendment issue to the 2025-2026 Leon County Citizen Charter Review Committee for review and consideration:

- Should County ordinances supersede municipal ordinances in the event of a conflict?

The Leon County Charter requires a Citizen Charter Review Committee to be appointed by the Board every eight years to review the County's Home Rule Charter (Charter) and propose any amendments or revisions for placement on the general election ballot. As part of this process, the Board may limit or provide direction to the Committee to address specific issues it deems appropriate. For the current charter review process, the Board chose not to limit the Committee's purview. However, after consideration and deliberation of numerous policy issues, the Board selected one issue for the Committee to consider for advancement as a proposed charter amendment.

This item provides information and analysis for consideration in evaluating whether a charter amendment should be placed on the ballot providing County ordinances to supersede municipal ordinances in the event of a conflict.

Analysis:

As a charter county, Leon County's authority is derived from Article VIII, Section 1(g) of the Florida Constitution (Constitution) titled "CHARTER GOVERNMENT.":

"Counties operating under county charters shall have all powers of local self-government not inconsistent with general or special law, or with special law approved by vote of the electors. The governing body of a county operating under a charter may enact county ordinances not inconsistent with general law. **The charter shall provide which shall prevail in the event of conflict between county and municipal ordinances.**"

In accordance with the Constitution, Section 1.6 of the Charter, "Relation to Municipal Ordinances", provides that municipal ordinances shall prevail over County ordinances in the event of any conflict within the boundaries of the municipality, except as otherwise provided by law or the Charter. Furthermore, to the extent that a county and municipal ordinance cover the same subject without conflict, then both ordinances shall be effective and supplemental to the other. This provision from the original County Charter remained unchanged until 2010.

During the 2009-2010 Citizen Charter Review process, the Committee advanced a charter amendment to establish countywide minimum environmental regulations which was approved by voters during the 2010 General Election. This was an important issue for the community at that time to address rapid development and apply one set of consistent rules for environmental protection, especially for projects that crossed political jurisdiction boundaries or sought to annex into the City of Tallahassee (City) for the purpose of avoiding more stringent environmental

regulations. Accordingly, Section 1.6.(2) of the Charter provides for the establishment of minimum environmental standards by County ordinances to be effective within unincorporated and incorporated areas of the County. While this provision effectively supersedes municipal ordinances that do meet the minimum environmental standards established by County ordinance, Section 1.6.(2) of the Charter allows municipalities to establish more stringent environmental protections within the incorporated area of the County.

While the County has broad powers under Article VIII, Section 1(g) of the Constitution, Section 2(b) of Article VIII of the Constitution also provides broad authority to municipalities, as follows:

“Municipalities shall have governmental, corporate and proprietary powers to enable them to conduct municipal government, perform municipal functions and render municipal services, and may exercise any power for municipal purposes except as otherwise provided by law.”

Municipal authority as set forth under the Constitution, however, is not applicable to any subject expressly preempted to state or county government by the Constitution or by general law. Similarly, municipal authority is limited when a subject or specific policy area is preempted by a county charter. Notwithstanding these limitations, municipalities would advocate the importance of their Home Rule authority and preservation of local self-governance to address specific local issues, needs, and preferences.

Preemption of Regulatory Authority vs Transfer of Power

Article VIII, Section 1(g) of the Constitution provides charter counties with regulatory authority to determine which ordinance should prevail when county or municipal ordinances regulate the same subject, as set forth under the Charter. However, it is important to note this preemption does not include the ability to transfer municipal services to the county because such a “Transfer of powers” is separately governed by the process provided for in Article VIII, Section 4 of the Constitution. For example, a county charter amendment can regulate environmental standards within municipalities but cannot reassign or transfer a municipal department, personnel, or assets to the county government.

Article VIII, Section 4 of the Constitution provides a generalized structure under which powers or functions may be transferred between local governments, including counties and municipalities. Specifically, any function or power of a municipality to be transferred to a county (or vice versa) must first be authorized by law or by resolutions adopted by the affected governing bodies, followed by approval from the electors of both affected governments through a dual referendum. A “dual referendum” requires the residents of the city and the unincorporated area to separately approve the referendum.

Comparative Review of Charter Counties

As noted previously, Article VIII, Section 1(g) of the Constitution requires county charters to specify whether county or municipal ordinances prevail in the event of a conflict. Attachment #1 provides a comparison of Florida’s 20 charter counties relating to conflicts with municipal ordinances. It is important to note when comparing charter governments that two Florida counties

are very unique. Duval County is a consolidated government and does not reference county or municipal ordinance conflicts in its charter. Miami-Dade County's charter predates the 1968 Florida Constitution which provides the foundation for charter county government in Florida for the remaining 66 counties. Miami-Dade County's charter establishes a two-tier hierarchy and a "central metropolitan government" whereby county ordinances prevail on matters of countywide concern in the event of a conflict with any of the 34 incorporated municipalities.

The following is a summary of the remaining 18 Florida charter counties:

- Eleven (11) county charters provide for county ordinances to prevail in specific circumstances.
- Seven (7) charter counties provide for municipal ordinances to prevail without exception.
- None provide for county ordinances to prevail without exception.

Among the 18 comparable charter counties in Florida, Leon County is among the majority (11) which provide for county ordinances to prevail in specific circumstances or subject areas. Those 11 charter counties are: Alachua, Broward, Charlotte, Columbia, Leon, Orange, Palm Beach, Pinellas, Sarasota, Seminole, and Volusia. For Leon County, the establishment of minimum environmental standards is the only subject area whereby a county ordinance prevails over a municipal ordinance at this time. As described previously, this was an important issue in 2010 due to rapid development taking place in our community. Voter approval of this amendment to the Charter unified environmental regulations countywide based on environmental features such as water basins and drainage, chronic flooding conditions, and the topography of our community rather than political jurisdiction boundaries. It also reduced the complexity of having two different sets of environmental standards and the various interpretations of those standards. Examples from other county charters that provide for county ordinances to prevail over municipal ordinances in specific circumstances include the regulation of adult entertainment, alcohol sales, and elements of the comprehensive plan. Additional information and examples are provided in Attachment #1.

Comparatively, seven (7) charter counties provide for municipal ordinances to prevail in the event of any conflict without exception. Those seven (7) charter counties are: Brevard, Clay, Hillsborough, Lee, Osceola, Polk, and Wakulla.

As previously stated, most charter counties provide for county ordinances to prevail in specific circumstances. None provide for county ordinances to prevail without exception. All, however, have the ability to provide for either through charter amendment as approved by the local electorate. In evaluating the need for a proposed Leon County Charter amendment which provides that county ordinances prevail over all municipal ordinances in the event of conflict and to the extent permitted by law, the Committee may wish to consider the potential benefits of such a proposed amendment including:

- **Avoiding Potential Interlocal Conflicts and Disputes:** Providing for county ordinances to supersede municipal ordinances can reduce interlocal disputes and administrative duplication. For example, section 252.38, Florida Statutes, provides county governments with countywide jurisdiction in implementing emergency management plans to ensure

efficient and orderly coordination of emergency operations. While a municipality has authority to create its own supplemental emergency management plan, such plan must be consistent with, and subject to, the county plan. This is in place to ensure the provision of coordinated standards, response, and public messaging during emergencies to avoid disputes, delays, and confusion from reconciling differing standards. Accordingly, a proposed charter amendment could extend similar countywide consistency to other regulatory areas where overlapping County and City ordinances may currently create uncertainty or fragmented implementation.

- **Providing Regulatory Uniformity on Countywide Issues:** Many critical systems — transportation, stormwater, floodplain management, and other infrastructure — cross jurisdictional boundaries and may benefit from uniformity to increase safety. The dangers of inconsistency are most evident in the separate street renaming procedures recently adopted by the City because emergency responders depend on a unified countywide street naming and addressing system to locate incidents quickly.

On May 8, 2024, the City adopted an ordinance granting itself authority to rename roads within the municipal limits—excluding County-maintained and state roads. Since municipal ordinances prevail over County ordinances in the event of conflict, the County is now precluded from applying its countywide naming criteria to city-maintained streets. Since that time, the City has renamed more than half a dozen roadways with the municipal limits resulting in portions of roadways that bear different names and creating a fragmented approach that increases the potential for misrouted 9-1-1 calls, confusion, delayed response times, and fatal outcomes. Consistent naming across segments of roadways and chronological numbering of addresses are essential to ensure accurate GPS routing, timely emergency response, and the protection of life and property.

- **Providing Unified Standards Based on Geography, not Political Jurisdiction:** As described previously, during the 2010 General Election, an amendment to the Charter was approved by voters to establish countywide minimum environmental regulations. This amendment was originally considered by the 2009-2010 Citizen Charter Review Committee in response to chronic flooding issues that were exacerbated by conflicting City and County stormwater standards during a period of rapid development in our community. Specifically, as stormwater and drainage networks often cross jurisdictional boundaries, differing retention or discharge standards in one area regulated by the City can result in exacerbated flooding and downstream damage in a different area regulated by the County. In other words, countywide standards were needed to address the upstream conditions and downstream impacts of stormwater in a consistent manner to reduce flooding impacts and to protect the quality of all surface water bodies in the community.

Acknowledging that environmental resources and conditions do not recognize political jurisdictional boundaries, the 2009-2010 Citizen Charter Review Committee identified the need to establish countywide environmental standards to ensure protection and regulation of natural resources that are interconnected throughout our community. As approved by voters, today we have minimum environmental regulations based on environmental features such as water basins and drainage, geography, and the topography of our community – and not political boundary.

- **Providing for More User-Friendly Government:** Residents and businesses can experience multiple and conflicting regulations among county and municipal governments which causes confusion and frustration when interacting with local governments. The County and City receive calls and emails on a daily basis from constituents unsure of which local government regulates certain matters or requesting clarification on differing standards based on jurisdiction. Social media often perpetuates the confusion on community forums where City and County residents mistakenly exchange information on local government services and regulations without regard to their separate jurisdictional standards.

Business owners and developers may be impacted by conflicting regulations such as signage requirements. Meanwhile, residents and neighborhoods may be impacted by conflicting regulations that require notification of new nearby developments. Providing for county ordinances to supersede conflicting municipal ordinances makes clear which authority has jurisdiction on important community issues and delivers one consistent set of regulations that residents and businesses can better understand regardless of which specific neighborhood or municipality within the county they are in.

- **Establishing Minimum Community Standards Countywide:** Minimum regulatory standards, such as the environmental standards established in the Charter in 2010, are intended to serve as a floor which a municipality must meet but can exceed by enacting stricter regulations. Not only do minimum standards reduce complexity, but they also ensure all residents are protected by consistent, minimum standards countywide. In addition to environmental issues, establishing countywide standards would create the opportunity to establish minimum community standards for various local matters from neighborhood protection issues such as noise control and short-term vacation rental regulations, to public safety issues like implementation of school zone cameras. Minimum standards are intended to serve as a baseline to protect the overall health and well-being of all citizens, while preserving the local autonomy of municipalities through the ability to exceed the minimum standards.

Next Steps

As directed by the Board of County Commissioners, this item provides the Committee with information and analysis for consideration in evaluating whether a charter amendment should be placed on the ballot providing County ordinances to supersede municipal ordinances in the event of a conflict. In addition to the analysis provided herein, the Committee will receive a presentation on this agenda item and staff will be available to answer questions.

Several options are provided to facilitate the Committee's consideration of this issue. A simple majority vote of the Committee is needed to take action. Should the Committee not wish to further consider or advance this issue, it may table the issue at this time (Option #1). Alternatively, the Committee may wish to seek additional information and analysis. Option #2 would facilitate such a request, as specified by the Committee, with direction for staff to bring the information back at a future meeting.

Two options are provided to advance this issue to the next phase of the charter review process should the Committee support a charter amendment for County ordinances to prevail over municipal ordinances in the event of conflict, to the extent otherwise permitted by law (Option #3), or a charter amendment for County ordinances on specific subject matter(s) to prevail over municipal ordinances (Option #4). Should the Committee provide direction to prepare a proposed charter amendment, the draft language would be brought back to the Committee at a future “decision meeting” as provided in the bylaws.

This item recommends Option #5 and seeks the Committee’s direction which may include the options presented herein or alternative direction as determined by the Committee.

Options:

1. Accept this report and table this issue.
2. Request additional information and analysis on charter government, regulatory authority, and/or the prevalence of county ordinances in the event of a conflict with municipal ordinances.
3. Direct staff to prepare a proposed charter amendment providing that all county ordinances shall prevail in the event of a conflict with municipal ordinances, to the extent otherwise permitted by law.
4. Direct staff to prepare a proposed charter amendment(s) providing that specific county ordinances or subject area(s), as identified by the Committee, shall prevail in the event of a conflict with municipal ordinances.
5. Committee direction.

Recommendation:

Option #5: Committee direction.

Attachment:

1. Charter County Comparison of Countywide Regulatory Authority