



Mayor Alan Fiers
Vice Mayor -Tracy Larcher

Commissioner Vacant
Commissioner Roby DeReuil
Commissioner Steven Smith

Town Treasurer Darlene Hopper
Town Attorney Keith Davis
Town Clerk Jude M. Goudreau

PLEASE NOTE: THIS MEETING IS ALSO CONDUCTED USING COMMUNICATION MEDIA TECHNOLOGY
Meeting link:

<https://townofpalmbeachshores.my.webex.com/townofpalmbeachshores.my/j.php?MTID=mc9d3d34b47237c8d59b7364affd08ca3>

Meeting number: 2630 022 1263 Password: 0226

Join by phone +1-408-418-9388 United States Toll Access code: 263 002 21263

AGENDA

1) CALL TO ORDER

- Pledge of Allegiance
- Roll Call

2) APPROVAL OF MEETING AGENDA

(Additions, substitutions, deletions)

3) APPROVAL OF CONSENT AGENDA

- Commission Meeting Minutes January 22, 2024
- Special Event Permit 2024-03- -Steven and Kirstin Brown-Wedding-80 People-**January 25, 2025**
- Special Event Permit 2024-04- State Attorney's Victim's Walk -100 People- **April 27, 2024**
- Special Event Permit 2024-05-Game On/Riviera Beach Marathon-500 people **March 30, 2024**
- Special Event Permit 2024-06-Game On/Riviera Beach Triathlon -150 people, **March 17, 2024**
- Special Event Permit 2024-07 -Joan Mills- Celebration of Life- 60-80 People- **May 11, 2024**

4) ORDINANCES:

ORDINANCE NO. O-6-23- Second Reading

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, AMENDING CHAPTER 14. BUILDINGS AND BUILDING REGULATIONS. AT ARTICLE III. BUILDING STANDARDS. TO ADD ENTIRELY NEW SEC. 14-109. – TIME SCHEDULE FOR COMPLETION OF CONSTRUCTION PROJECTS. TO ESTABLISH MAXIMUM TIMELINES FOR THE COMPLETION OF CONSTRUCTION PROJECTS IN TOWN; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

ORDINANCE NO. O-8-23- First Reading

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, AMENDING CHAPTER 62. STREETS, SIDEWALKS AND OTHER PUBLIC PLACES., ARTICLE I. IN GENERAL. BY ADDING AN ENTIRELY NEW SECTION 62-4. TO BE TITLED "REQUIREMENTS FOR DISTURBING, CUTTING INTO, DIGGING UP, DRILLING, BORING UNDER, OR EXCAVATING ANY PUBLIC STREET." PROHIBITING THE CUTTING INTO OF NEWLY PAVED/REPAVED ROADS WITHIN THE TOWN FOR A PERIOD OF THREE YEARS

AFTER COMPLETION OF THE PAVING/REPAVING, PROVIDING EXCEPTIONS, PROVIDING A PERMIT PROCESS FOR WORK SPECIFICALLY IMPACTING TOWN ROADWAYS, AND SETTING FORTH REQUIRED ENGINEERING SPECIFICATIONS FOR ALL PAVING AND REPAIR OF IMPACTED ROADWAYS; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 62 SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

ORDINANCE O-1-24 First Reading

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, AMENDING THE CODE OF ORDINANCES AT APPENDIX A. ZONING ORDINANCE. TO REVISE THE DEFINITION OF THE TERM "FAMILY" AND AT CHAPTER 18. BUSINESSES, OCCUPATIONS AND PROFESSIONS. TO ADD AN ENTIRELY NEW ARTICLE IV. "VACATION RENTALS." CREATING NEW SECTIONS 18-52 THROUGH 18 58 TO PROVIDE VACATION RENTAL USE REGULATIONS FOR VACATION RENTALS OPERATING WITHIN THE TOWN; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF APPENDIX A AND CHAPTER 18 SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

5) RESOLUTIONS:

Resolution R-5-24

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, EXPRESSING SUPPORT FOR THE EXTENSION AND CONTINUATION OF THE PALM BEACH COUNTY ONE-CENT SALES SURTAX TO FUND LOCAL INFRASTRUCTURE PROJECTS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

6) DEPARTMENT AND BOARD REPORTS:

Financial Reports:

- January 2024 Fiscal Report- Darlene Hopper

Staff Reports:

- Sheriff's Department.
- Fire Department.
- Public Works.
- Town Clerk.
- Planning and Zoning Chairman.
- Town Attorney.

7) COMMISSION REPORTS:

Mayor Fiers

- AT&T
- Seaspray

8) DISCUSSION ITEMS:

- Sewer Maintenance Fee Schedule – Increase

9) PROCLAMATION:

- A Proclamation declaring March 28, 2024, Arbor Day.

10) PUBLIC COMMENTS:

You must state your name for the record. Limit, 3 minutes per speaker, one time per topic.

11) ADJOURNMENT

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision made by the Town Commission with respect to any matter considered at this meeting or hearing, such interested person will need a record of the proceedings, and for such purpose may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. The meeting/hearing will be continued from day to day, time to time, place to place, as may be found necessary during the aforesaid meeting. IN ACCORDANCE WITH THE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT (ADA), THIS DOCUMENT CAN BE MADE AVAILABLE IN AN ALTERNATE FORMAT (LARGE PRINT) UPON REQUEST AND SPECIAL ACCOMODATIONS CAN BE PROVIDED UPON REQUEST WITH THREE (3) DAYS ADVANCE NOTICE. FOR HEARING ASSISTANCE: If any person wishes to use a hearing device, please contact the Town Clerk.

Monday, January 22, 2024
7 pm.



Town Hall Commission Chambers
247 Edwards Lane
Palm Beach Shores, FL 33404

Mayor Alan Fiers
Vice Mayor - Tracy Larcher

Commissioner TBA
Commissioner Steven Smith
Commissioner Roby DeReuil

Town Attorney Keith Davis
Town Treasurer Darlene Hopper
Town Clerk Jude M. Goudreau

Regular Commission Meeting
Minutes

CALL TO ORDER

Mayor Fiers called the meeting to order at 7:00 pm. Those present were Mayor Alan Fiers, Vice Mayor Tracy Larcher, Commissioner Steven Smith (Webex), Commissioner Roby DeReuil, Town Treasurer Darlene Hopper, Town Attorney Keith Davis, PBSO Sgt. Steve Langevin, Public Works Director Alan Welch, and Fire Chief Trevor Steedman.

APPROVAL OF CONSENT AGENDA

Commission Meeting Minutes November 27, 2023

Special Commission Workshop Minutes December 4, 2023

Special Commission Workshop Minutes December 5, 2023

Commission Meeting Minutes December 11, 2023

Special Commission Meeting Minutes January 8, 2024

The fees are paid for Special Event Permit 2024-01, Amelia Ostrosky, 60 people, Community Center, March 2, 2024.

Special Event Permit 2024-02, Steven Smith, 53 people, Community Center, February 23, 2024.
Deposit paid.

Resolution R-2-24 - A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, APPOINTING A TOWN RESIDENT TO SERVE AS A COMMISSIONER IN ORDER TO FILL A CURRENT VACANCY ON THE TOWN COMMISSION CAUSED BY THE RESIGNATION OF COMMISSIONER MARK WARD; SAID APPOINTMENT TO CONTINUE FOR THE REMAINDER OF THE CURRENT VACANT UNEXPIRED TERM AND UNTIL A SUCCESSOR SHALL BE ELECTED AND QUALIFIED; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Motion: Vice Mayor Larcher made a motion to approve the Agenda and Consent Agenda.

Second: Commissioner Smith seconded the Motion.

Vote: Motion passed 4-0

AGREEMENTS:

Statewide Mutual Aid Agreement for SERP Deployments.

RESOLUTION NO. R-04-24

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, AUTHORIZING THE MAYOR OF PALM BEACH SHORES TO SIGN AN AGREEMENT WITH THE STATE OF FLORIDA DIVISION OF EMERGENCY MANAGEMENT FOR MUTUAL AID IN THE EVENT OF A DISASTER OR EMERGENCY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Discussion: Chief Trevor Steedman gave a brief overview of the agreement. This agreement is a 5-year update, which expired at the end of 2023. Attorney Keith Davis read the Resolution by Title only. Chief Steedman answered the Commissioner's questions.

Motion: Commissioner Smith made a motion to approve

Second: Commissioner DeReuil seconded the Motion.

Vote: Motion passed 4-0

ORDINANCES:

ORDINANCE NO. O-6-23- First reading

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, AMENDING CHAPTER 14. BUILDINGS AND BUILDING REGULATIONS. AT ARTICLE III. BUILDING STANDARDS. TO ADD ENTIRELY NEW SEC. 14-109. – TIME SCHEDULE FOR COMPLETION OF CONSTRUCTION PROJECTS. TO ESTABLISH MAXIMUM TIMELINES FOR THE COMPLETION OF CONSTRUCTION PROJECTS IN TOWN; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Discussion: This Ordinance was recommended by the P&Z Board. Vice Mayor Larcher feels that more time is needed. By consensus, the Commissioners feel that six months should be added to each timeline. Attorney Davis is directed to modify the Ordinance's language before second reading. The purpose of the Ordinance is to stop projects from dragging out for an extended period.

Motion: Vice Mayor Larcher made a motion to approve the Ordinance with the modified language, adding six months to each identified timeline in Table One.

Second: Commissioner DeReuil seconded the Motion.

Vote: Motion passed 4-0

ORDINANCE NO. O-7-23- First reading

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, AMENDING APPENDIX A – ZONING ORDINANCE., SECTION IX – WALLS, FENCES AND HEDGES. AT PF. 9.2. – LIMITATIONS. TO ESTABLISH A MAXIMUM RETAINING WALL AND FENCE HEIGHT NECESSARY TO SCREEN NEIGHBORING PROPERTIES WHERE UNEVEN GRADES EXIST AT THE COMMON PROPERTY LINE; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Discussion: This Ordinance was recommended by the P&Z Board. Mayor Fiers gave an overview of the Ordinance and how the Town arrived at this ordinance change. After a lengthy discussion, it was by consensus that this Ordinance needs to go back to P&Z for additional changes. Commissioner DeReuil will attend the P&Z meeting to relay the Commission's thoughts and ideas. This will be placed on a future agenda for first reading again.

ORDINANCE NO. O-8-23- Second Reading

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, AMENDING CHAPTER 62. STREETS, SIDEWALKS AND OTHER PUBLIC PLACES., ARTICLE I. IN GENERAL. BY ADDING AN ENTIRELY NEW SECTION 62-4. TO BE TITLED "REQUIREMENTS FOR DISTURBING, CUTTING INTO, DIGGING UP, DRILLING, BORING UNDER, OR EXCAVATING ANY PUBLIC STREET." PROHIBITING THE CUTTING INTO OF NEWLY PAVED/REPAVED ROADS WITHIN THE TOWN FOR A PERIOD OF THREE YEARS AFTER COMPLETION OF THE PAVING/REPAVING, PROVIDING EXCEPTIONS, PROVIDING A PERMIT PROCESS FOR WORK SPECIFICALLY IMPACTING TOWN ROADWAYS, AND SETTING FORTH REQUIRED ENGINEERING SPECIFICATIONS FOR ALL PAVING AND REPAIR OF IMPACTED ROADWAYS; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 62 SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED;

PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Discussion: By consensus, this Ordinance will come back for a first reading at next month's meeting due to the language changes, which means that all roads, not just new roads, are included.

Public Comment: Mark Ward expressed concern about the language, which says it three years, he feels all roads should be protected and any age of the road. Kathleen McGahran also commented that the language should say all roads.

RESOLUTIONS:

RESOLUTION NO. R-1-24

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, EXPRESSING OPPOSITION TO RECENT CHANGES TO STATE LAW REQUIRING ELECTED MAYORS AND GOVERNING BODY MEMBERS OF MUNICIPALITIES TO COMPLETE AND FILE THE FORM 6 "FULL DISCLOSURE OF FINANCIAL INTERESTS" AS OF JANUARY 1, 2024; AUTHORIZING THE TOWN TO JOIN ANY FUTURE COORDINATED POLITICAL OR LEGAL EFFORTS WITH OTHER GOVERNMENTAL ENTITIES TO RESCIND, REVISE OR OTHERWISE CHALLENGE THIS REQUIREMENT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Discussion: Attorney Davis read by Title only R-1-24. This Resolution was created to oppose the Form 6 Law that took effect on January 1, 2024. This Resolution will support and join any other towns in their pursuit of opposing the law, but the Town will not spend any funds.

Motion: Commissioner Roby DeReuil

Second: Commissioner Steven Smith

Vote: Motion passed 4-0

RESOLUTION NO R-3-24

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, APPOINTING AN ALTERNATE MEMBER OF THE PLANNING AND ZONING BOARD TO SERVE AS A REGULAR MEMBER IN ORDER TO FILL A CURRENT VACANCY ON THE REGULAR BOARD CAUSED BY A BOARD MEMBER RESIGNATION; FURTHER APPOINTING A NEW ALTERNATE MEMBER IN ORDER TO FILL THE VACANCY CREATED BY THE ABOVE REFERENCED APPOINTMENT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Motion: Vice Mayor Tracy Larcher

Second: Commissioner Steven Smith

Vote: Motion passed 4-0

OATH OF OFFICE

Attorney Keith Davis gave the Oath of Office to Anastasia Karloutsos and Janet Kortenhaus and swore them in as new alternate Planning and Zoning Board members.

DEPARTMENT AND BOARD REPORTS

Financial Reports:

Darlene Hopper, Town Treasurer, presented the financial report for December 2023 and answered the Commissioner's questions. Vice Mayor Larcher questioned the EMS invoice from Riviera Beach and asked if they had revised it. Mayor Fiers commented that the road project will be complete, and there is \$26,000.00 in restricted funds that will be used to pay for the valley gutters and roads project, and the \$26,000.00 from the general fund will then pay for the community center project. With the reallocation of the funds, the Community Center's project will be closer to budget.

Motion: Commissioner Roby DeReuil

Second: Commissioner Steven Smith

Vote: Motion passed 4-0

Staff Reports:

Sheriff's Department: PBSO Sgt. Langevin gave an overview of his written monthly report and statistics and provided details about the arrests made in Town. He also provided details from the end-of-the-year statistics. Sgt. Langevin answered the Commission's questions.

Fire Department: Chief Steedman reviewed statistics and training hours and updated the Commission on FROC and where we stand. The Chief also updated us on the progress of the fire engine that is out for repairs. All the items are under warranty, and they are waiting for the weather to cooperate to paint it before we can pick it up and return it to service. Chief Steedman answered the Commissioner's questions. Mark Ward asked the Chief about the Riviera Beach Contract numbers versus calls of service so far.

Public Works: Director Welch updated the Commissioners on the Community Center renovations. The project is complete, and the Certificate of completion is issued; the cleaners are in place for next week to do a deep cleaning before its first event. He also provided updates on the road project, the AT&T project, the cleanup on the inlet, and the replacement of light poles. Director Welch answered the Commissioner's and the Public's questions.

COMMISSION REPORTS:

Mayor Fiers updated the Sea Spray demolition; the demolition is projected to be completed by February 5, 2024, and then will start to fill the lot in. They have architects working on the overall design and will have to present them to P&Z again unless it is determined that they fall under the Governor's Decree of Emergency and can apply for the extension. Vice Mayor Larcher questioned if they had to return to P&Z if they change their aesthetic look.

DISCUSSION:

Discussion regarding hiring an additional secondary Special Magistrate, Tanya Early. Attorney Keith Davis provided a reference for Ms. Early, and a bio was provided to the Commissioners.

Motion: Commissioner Roby DeReuil made a motion to approve the additional Special Magistrate.

Second: Vice Mayor Tracy Larcher seconded the Motion.

Vote: Motion passed 4-0.

Discuss Required Update to Comp Plan. A redline copy was provided to the Commissioners, and any language that was not required was removed. This is the first draft; the amended version will go to LPA and then back to the Commission for the first reading. After that, it is transmitted to the reviewing state agencies, and any objections will have to be amended before the Commission's second reading.

ADJOURNMENT:

Motion: Commissioner Smith made a motion to adjourn the meeting.

Second: Commissioner DeReuil seconded the Motion. Motion passed 4-0.

The meeting was adjourned at 9:24 pm.

Approved this **26th day**, Day February 2024.

ATTEST:

Alan Fiers, Mayor

Jude M. Goudreau, Town Clerk

(Seal)



Town of Palm Beach Shores Community Center Rental Check List Permit 24-03

Date of event: January 25, 2025

Anticipated attendees: 80

Type of Event: Wedding

Time of event start to finish noon - 10 p.m.

Name of Resident and Sponsor Steven Morman/Kirstin Brown

Required Forms

Resident Reservation Form

Received

Special Event Permit (Commission Approval)

Received

Community Center Rental Agreement

Received

Community Center Rental Policies &

Received

Procedures Event Insurance

Received

Pre-approved floor plan layout

Amplified Music Request

Required Fees

First Floor:

Security Deposit	\$50.00 (Refundable)
Rental Fee (10 Hrs) Additional	\$53.50 (Tax Included)
Hours	\$53.50/hour (Tax Included)
Grill	\$26.75 (Tax Included)
Kitchen	\$26.75 (Tax Included)
Cleaning Fee	\$175.00
Special Permit (50+ Guests)	\$50.00

Second Floor:

Security Deposit	\$500 (Refundable)	Paid
Rental Fee (10 Hours)	\$428.00 (Tax included)	
Additional Hours	\$107.00/hr (Tax included)	
Cleaning Fee	\$255.00	
Special Permit (50+ Guests)	\$50.00	Paid

Staff signature: _____

Date Received: _____

2/2/2024



Town of Palm Beach Shores Community Center Rental Check List

Permit 24-04

Date of event: 4.27.2024

Anticipated attendees: 100

Type of Event: WALK FOR VICTIMS RIGHT

Time of event start to finish 7:30 AM. - 10:30 A.M

Name of Resident and Sponsor STATE ATTORNEY OFFICE

Required Forms

Resident Reservation Form

Special Event Permit (Commission Approval)

RECEIVED

Community Center Rental Agreement

RECEIVED

Community Center Rental Policies & Procedures

RECEIVED

Event Insurance

Pre-approved floor plan layout

Amplified Music Request

Required Fees

First Floor: HELD ANNUALLY ON THE 1ST FLOOR OF THE COMMUNITY CENTER

Security Deposit	\$50.00 (Refundable)	WAIVED
Rental Fee (10 Hours)	\$53.50 (Tax Included)	
Additional Hours	\$3.50/hour (Tax Included)	
Grill	\$26.75 (Tax Included)	
Kitchen	\$26.75 (Tax Included)	
Cleaning Fee	\$175.00	
Special Permit (50+ Guests)	\$50.00	RECEIVED

Second Floor:

Security Deposit	\$500.00 (Refundable)
Rental Fee (10 Hours)	\$428.00 (Tax Included)
Additional Hours	\$107.00/hr (Tax Included)
Cleaning Fee	\$255.00
Special Permit (50+ Guests)	\$50.00

Staff signature: _____

Date Received: 1/31/2024



DATE SUBMITTED 1.30.2024

PERMIT NO. 24-05

Town of Palm Beach Shores
APPLICATION FOR
SPECIAL EVENTS PERMIT
(Section 18-27 of Town Code)

Please check a box
below if you are a:

Police Officer ☐
Fire Fighter ☐
Teacher ☐

Type of event: Run Singer Island Half Marathon Location: Ocean Walk

Sponsor: Game On Race Events / City of Riviera Beach Telephone: (561) 768-7889

Property owner's consent and acknowledgement of responsibility:

Signature: B. Huth

Date and Time: 3/30/24 6:00am Time it ends: 10:00am

Number of participants: 500

Proof of insurance attached? Yes ☒ No ☐

Copy of all required state and county permits if event will be held on or utilize state and/or county-controlled property.

Please indicate any traffic, fire-rescue, utilities impact, and/or mitigation plan:

Although no roads will be closed, per Sgt. Langevin's request in the past, two (2) Palm Beach County Sheriff's Office deputies will be hired to work the intersection of Lake Drive and Blue Heron Blvd.

Permit fee \$50 ☒ (Untimely application \$150 ☐) Receipt #

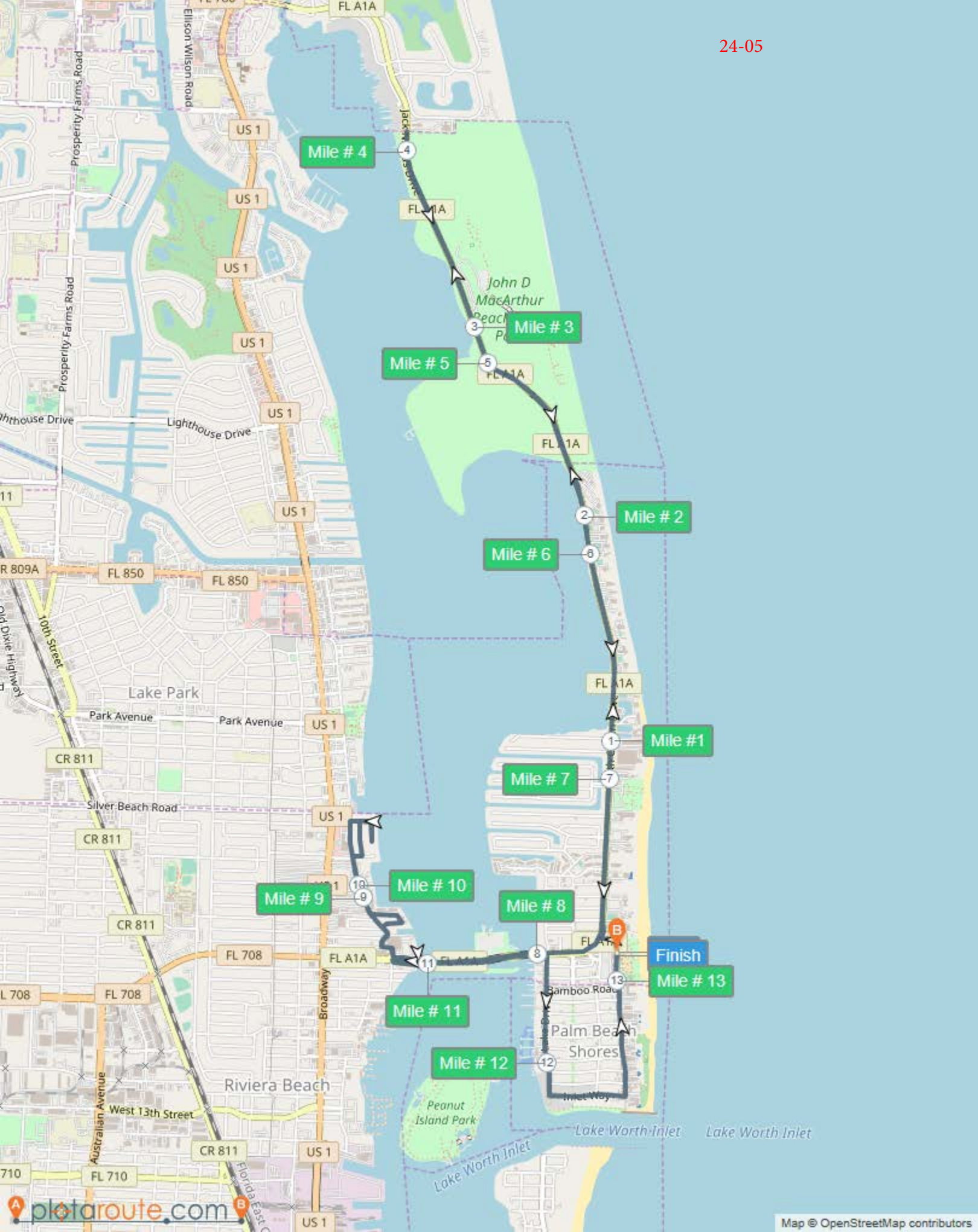
APPROVED:

Fire Department: [Signature]

Sheriff's Office: [Signature]

Number of off-duty officers required:

Date of Commission Review: Approved:





DATE SUBMITTED 1.30.2024

PERMIT NO. 24-06

Town of Palm Beach Shores
APPLICATION FOR
SPECIAL EVENTS PERMIT
(Section 18-27 of Town Code)

Please check a box
below if you are a:

Police Officer ☐
Fire Fighter ☐
Teacher ☐

Type of event: Palm Beaches Triathlon Location: Ocean Walk

Sponsor: Game On Race Events / City of Riviera Beach Telephone: (561) 768-7889

Property owner's consent and acknowledgement of responsibility:

Signature: [Signature]

Date and Time: 3/17/24 7:00am Time it ends: 9:30am

Number of participants: 150

Proof of insurance attached? Yes ☒ No ☐

Copy of all required state and county permits if event will be held on or
utilize state and/or county-controlled property.

Please indicate any traffic, fire-rescue, utilities impact, and/or mitigation
plan:

Although no roads will be closed per Sgt. Langerin's
request in the past, two (2) Palm Beach County Sheriff's Office
deputies will be hired to work the intersection of
Lake Drive and Blue Heron Blvd.

Permit fee \$50 _____ (Untimely application \$150 _____) Receipt # _____

APPROVED:

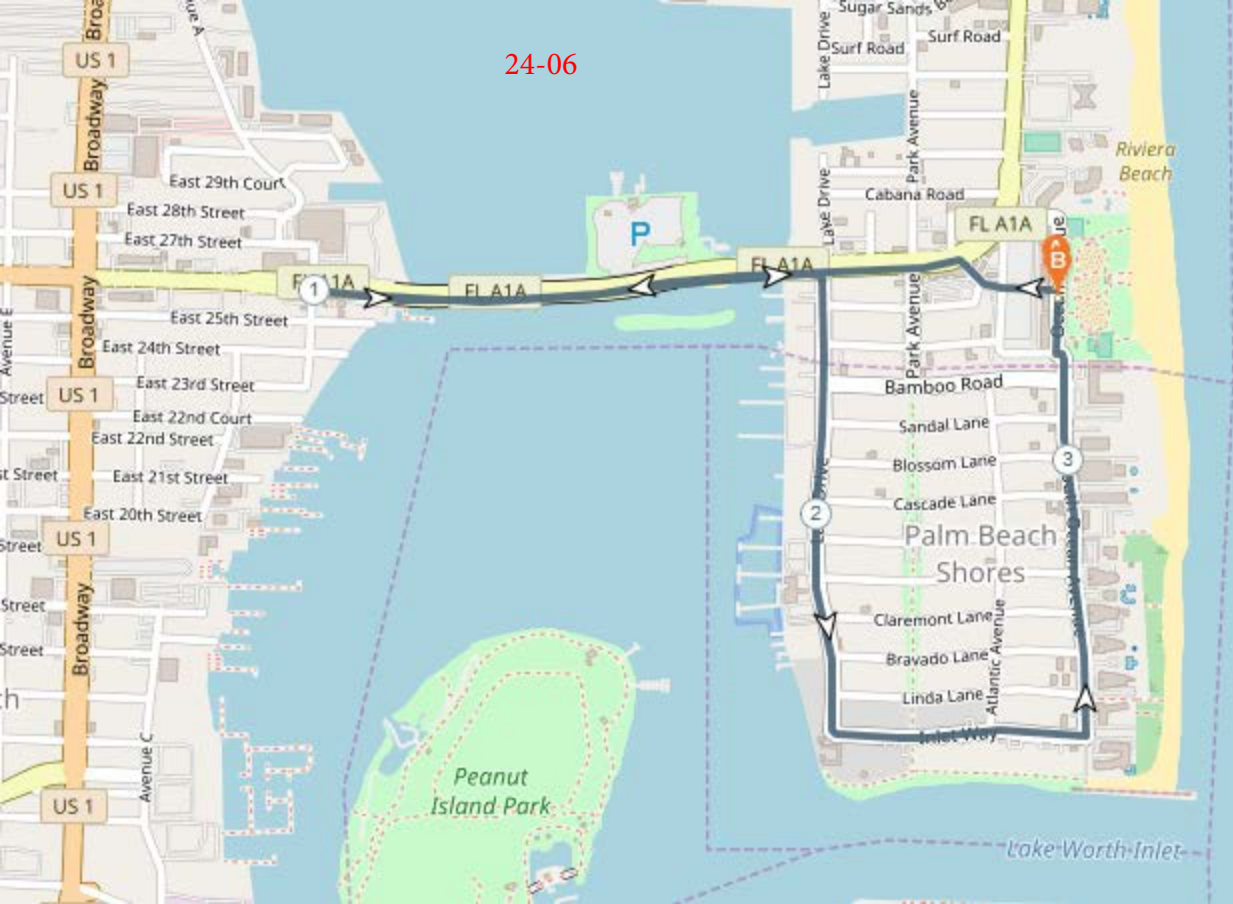
Fire Department: [Signature]

Sheriff's Office: [Signature]

Number of off-duty officers required: _____

Date of Commission Review: _____ Approved: _____

24-06





Town of Palm Beach Shores Community Center Rental Check List

Permit 2024-07

Date of event: May 11, 2024 Anticipated attendees: 60-80
Type of Event: Celebration of Life Time of event start to finish 1 p.m - 10 p.m.
Name of Resident and Sponsor Joan Mills

Required Forms

Resident Reservation Form	Received
Special Event Permit (Commission Approval)	Received
Community Center Rental Agreement	Received
Community Center Rental Policies &	Received
Procedures Event Insurance	Received
Pre-approved floor plan layout	
Amplified Music Request	

Required Fees

First Floor:

Security Deposit	\$50.00 (Refundable)
Rental Fee (10 Hrs) Additional	\$53.50 (Tax Included)
Hours	\$53.50/hour (Tax Included)
Grill	\$26.75 (Tax Included)
Kitchen	\$26.75 (Tax Included)
Cleaning Fee	\$175.00
Special Permit (50+ Guests)	\$50.00

Second Floor:

Security Deposit	\$500 (Refundable)	Paid
Rental Fee (10 Hours)	\$428.00 (Tax included)	
Additional Hours	\$107.00/hr (Tax included)	
Cleaning Fee	\$255.00	
Special Permit (50+ Guests)	\$50.00	Paid

Staff signature: _____

Date Received: _____

2.12.2024

ORDINANCE NO. O-6-23

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, AMENDING CHAPTER 14. BUILDINGS AND BUILDING REGULATIONS. AT ARTICLE III. BUILDING STANDARDS. TO ADD ENTIRELY NEW SEC. 14-109. – TIME SCHEDULE FOR COMPLETION OF CONSTRUCTION PROJECTS. TO ESTABLISH MAXIMUM TIMELINES FOR THE COMPLETION OF CONSTRUCTION PROJECTS IN TOWN; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Town Code does not currently provide regulations relative to the allowable timeframe to complete construction projects within the Town; and

WHEREAS, lingering construction projects have a negative impact on the health, safety and welfare of Town residents; and

WHEREAS, the Town Commission has determined that it is in the public interest to enact a time schedule for the completion of construction projects based on the square footage of the project; and

WHEREAS, the Town Commission of the Town of Palm Beach Shores believes these amendments to the Town's Code are in the best interest of the health, safety and welfare of the Town, its citizens, and all those doing business with the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, THAT:

Section 1: Chapter 14. Buildings and Building Regulations. of the Code of Ordinances of the Town of Palm Beach Shores is hereby amended at Article III. Building Standards., to add entirely new Sec. 14-109. – Time schedule for completion of construction projects. to establish maximum timelines for the completion of constructions projects in Town; providing that Sec. 14-109. shall hereafter read as follows:

Sec. 14-109. Time schedule for completion of construction projects.

A maximum time, calculated from the date the building department issues a building permit, is established for the completion of construction projects as set forth in the construction schedule shown in Table 1 herein. Said maximum time is a condition of all applicable building permits and applicant and owner accept such condition upon acceptance of a building permit. Failure of the permit holder to complete construction under the building permit in accordance with the maximum

time schedule shall be prima facie evidence that the building project has not commenced or has been suspended or abandoned. Such prima facie evidence shall be in addition to any other evidence that construction under the permit has not commenced or has been suspended or abandoned under the permit.

TABLE 1. CONSTRUCTION SCHEDULE

<u>Square Footage Under Roof</u>	<u>New Construction* Maximum Time Permitted</u>	<u>Remodel/Accessory Construction Maximum Time Permitted</u>
<u>Projects 4,999 sq. ft. or less</u>	<u>18 months</u>	<u>12 months</u>
<u>Projects 5,000 sq. ft. to 39,999 sq. ft.</u>	<u>24 months</u>	<u>15 months</u>
<u>Projects 40,000 sq. ft. or more</u>	<u>30 months</u>	<u>18 months</u>

* Principal structure

(a) One (1) six-month extension to the timeframes set forth in Table 1 above may be granted by the town commission on written request and upon a showing of good cause as determined in the sole discretion of the town commission. The request for extension shall include reasons for the necessity of granting an extension, a revised construction schedule, and proposed nuisance mitigation measures. In the event the town commission determines that good cause is not shown for granting the extension, the commission may deny the extension. In the event the town commission grants an extension, it may impose conditions on the extension which may include the implementation of mitigation measures deemed appropriate by the town commission and the imposition of a fee as established by resolution by the town commission for each day of the extension beyond the term set forth in Table 1. Approval of extended requests shall require the applicant to comply with all new amendments to federal, state or town regulations.

(b) In the event no request is made for extension of time from the above-referenced schedule, at the expiration of the maximum time permitted in Table 1, the building permit shall be immediately revoked and all work shall cease and desist on the project. In order to resume work, the contractor and the owner must apply to the town commission for an extension of time in

accordance with subpart (a) above. If an extension of time is granted pursuant to subpart (a) above, a new permit application is required and a permit reactivation fee shall be paid.

(c) Failure of the permit holder and/or the property owner to complete the construction within the timeframes set forth in Table 1 or within the time extension granted by the town commission constitutes prima facie evidence that the building project has not commenced or has been suspended or abandoned. All permits will be terminated, and all work at the site will stop immediately until the applicant and owner apply for and receive a reinstatement of the permit by the town commission. If conditions are attached to the re-issuance, the permit may be reissued by the building official only upon continued conformance to the conditions established by the town commission. Any conditions attached to re-issuance are conditions of all applicable permits and applicant and owner accept such conditions upon acceptance of a permit. The issuance of the certificate of occupancy or completion will be withheld until any fees incurred under this section are paid. If the town commission does not approve the extension of time, applicant and owner may be required by the town commission to remove all evidence of construction, and ensure that the project conforms to all applicable provisions of the code. Failure to cease construction or conform to all codes constitutes a violation and may be enforced by citation to the town's code enforcement board, or special magistrate, or by any other lawful means available to the town, at the sole discretion of the town.

(d) The provisions of this section shall be enforced by the town's special magistrate pursuant to the authority granted by F.S. ch. 162, as may be amended and chapter 2, article III, division 2 of the town Code, as may be amended. In addition, the town may enforce the requirements of this division by any other means available by law or equity.

Section 2: Each and every other section and subsection of Chapter 14. Building and Building Regulations. and Chapter 78. Vegetation. shall remain in full force and effect as previously adopted.

Section 3: All ordinances or parts of ordinances in conflict be and the same are hereby repealed.

Section 4: Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Ordinance.

Section 5: Specific authority is hereby granted to codify this Ordinance.

Section 6: This Ordinance shall take effect immediately upon passage.

FIRST READING this 22nd day of January 2024.

SECOND AND FINAL READING this 26th day of February 2024.

TOWN OF PALM BEACH SHORES

Alan Fiers, Mayor

ATTEST:

Jude Goudreau, Town Clerk

(Seal)

Approved as to form and legal sufficiency.

Keith Davis, Town Attorney

ORDINANCE NO. O-8-23

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, AMENDING CHAPTER 62. STREETS, SIDEWALKS AND OTHER PUBLIC PLACES., ARTICLE I. IN GENERAL. BY ADDING AN ENTIRELY NEW SECTION 62-4. TO BE TITLED "REQUIREMENTS FOR DISTURBING, CUTTING INTO, DIGGING UP, DRILLING, BORING UNDER, OR EXCAVATING ANY PUBLIC STREET." PROHIBITING THE CUTTING INTO OF NEWLY PAVED/REPAVED ROADS WITHIN THE TOWN FOR A PERIOD OF THREE YEARS AFTER COMPLETION OF THE PAVING/REPAVING, PROVIDING EXCEPTIONS, PROVIDING A PERMIT PROCESS FOR WORK SPECIFICALLY IMPACTING TOWN ROADWAYS, AND SETTING FORTH REQUIRED ENGINEERING SPECIFICATIONS FOR ALL PAVING AND REPAIR OF IMPACTED ROADWAYS; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 62 SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Town Code is silent regarding specifications for the paving or reaving of roadways within the Town after disturbances and/or cuts to Town-owned and maintained roadways have been made; and

WHEREAS, with the current road paving project being conducted throughout the Town, the addition of a codified permit process and technical requirements for the backfill, compaction and construction of road repairs is necessary to ensure the longevity of the newly paved roadways and to eliminate the potential for uneven or substandard repairs; and

WHEREAS, the Town Commission of the Town of Palm Beach Shores has determined that these amendments to the Town's Code are in the best interest of the health, safety and welfare of the Town, its citizens, and all those doing business with the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, THAT:

Section 1: Chapter 62 – Streets, Sidewalks and Other Places., Article I. – In General. of Ordinances of the Town of Palm Beach Shores is hereby amended to add an entirely new Section 64-4. – Requirements for disturbing, cutting into, digging up, drilling, boring under, or excavating any public street. prohibiting the cutting into of newly paved/repaved roads within the town for a period of three years after completion of the paving/repaving, providing exceptions, providing a permit process for work specifically impacting Town roadways, and setting forth required engineering specifications for all paving and repair of impacted roadways; providing that Sec. 64-4. shall hereafter read as follows:

Sec. 64-4. - Requirements for disturbing, cutting into, digging up, drilling, boring under, or excavating any public street.

(a) No Disturbance for Three Years. No person shall disturb, cut into, dig up, drill into, bore under, or excavate any newly paved/repaved roadway in Town for a period of three (3) years after completion of such paving/repaving except as follows: 1. Emergency repair work, as determined by the director of the public works department or designee to be necessary to prevent or mitigate an immediate threat to the public health, safety, and welfare. All such emergency repair work shall be completed in conformance with the specifications set forth in subsection (g) below.

2. Non-emergency repair work, as determined by the Town Commission to be necessary or advisable under the circumstances on a case by case basis. All such non-emergency repair work shall be completed in conformance with the specifications set forth in subsection (g) below.

(b) Applicability to Existing Roadways. All disturbing, cutting into, digging up, drilling, boring under or excavating existing roadways shall have a base compaction and shall be restored in conformance with the specifications set forth in subsection (g) below.

(c) Permit required. Except as prohibited in subsection (a) above, when a person desires to disturb, cut into, dig up, drill into, bore under, or excavate any public street, whether existing or new, application shall be made to the town. No person shall apply for a permit to perform such work without disclosing in the permit application the person on whose behalf such work is being performed. Failure to fully disclose his/her/their interest/participation/representation in the permit application or to fulfill all town requirements for issuance of the permit shall result in the Town: 1) immediately revoking any permit previously granted causing such permit to become null and void without any further action, hearing or proceeding, or 2) issuing a written notice that the permit will not be granted due to violation of this provision by the person applying for the permit. The town shall have the right to take all legal measures and seek all available remedies to enforce this provision. The permit shall set forth minimal reasonable conditions, as permitted by law, necessary for the protection of property and personal safety, restoration of the roadway to the specifications set forth below which are satisfactory to the town, and any on-going maintenance or reparations for un-repaired conditions or damages that may be required under the circumstances and extent of the work to be performed under the permit. Any violation of the conditions set forth or any violations under applicable law shall render the permit automatically null and void, without the necessity of any further action

or proceeding. The permit shall cover the length of time necessary and reasonable according to the type of activity involved.

(d) *Underground utilities; underground facility.* All persons shall fully comply with F.S. ch. 556, entitled "The Underground Facility Damage Prevention and Safety Act" ("Chapter 556"), as amended. No town permit will be required from operators of underground facilities in order to identify underground facilities. In other instances, permits required by this section shall be required. F.S. ch. 556 is incorporated by reference herein as though set forth in full. Excavators and member operators shall comply with low-impact marking practices, including, without limitation, a subsequent notice, as required by F.S. § 556.114, as amended. Markings required by F.S. ch. 556 shall be made with flags or stakes, or temporary, non-permanent paint or other industry-accepted low-impact marking practices.

(e) *Bonded improvements; issuance of permit; time for completion.*

(1) Whenever an individual, company, or agency applies for a permit to disturb, cut into, dig up, drill, bore under, or excavate a street per subsection (c) above, the individual, company, or agency shall deliver to the town building department a bond or surety in the amount of one and one-half of the cost of the restoration as calculated by the town. The bond or surety shall be:

a. A site restoration bond written by an approved domestic surety. Except for bonds for a wireless service provider as defined in F.S. § 337.401(7)(b)(13), as amended, all bonds shall carry the name and address of a local representative, be for an initial period of one year, and shall be automatically extended in increments of one year until the permittee and the surety company are notified in writing of the acceptance of the street restoration and closure of the permit; or

b. An irrevocable letter of credit drawn on a local bank, valid for an initial period of one year, with automatic renewal in increments of one year until the permittee and the issuing bank are notified in writing of the acceptance of the street restoration and the closure of the permit.

(2) Upon receipt of the above-referenced surety, payment of the applicable permit fees and completion of the application, the town may issue a permit for the work, and the director of the public works department shall determine when the work is to be completed, including restoration of the street, right-of-way or easement in accordance with the standards and specifications as set forth in subsection (g) below. The individual, company, or agency shall thereafter be authorized to proceed and shall

complete the work within the time prescribed by the permit and applicable permit conditions.

(f) Patching of roadway openings. All public streets opened because of construction in a right-of-way in accordance with a permit shall be patched by the permittee as quickly as possible after the completion of construction. The patch shall be a straight-edge type extending a minimum of two (2) feet from the edge of the cut or caved in area. The minimum width of any patch shall be ten (10) feet. All patches shall meet the standards and specifications as set forth in subsection (g) below. The paving surface of a patch shall be of material as similar to the original as possible. The permittee shall be responsible for all settling and patch failure for a one-year period following the final patch. If any correction is required during the one-year period following the final patch, the one-year period will be extended to one year from the date of the correction. Any correction work incidental to the issuance of a permit may be executed by the town at the permittee's expense or by the permittee upon demand for correction by the town.

(g) Paving and repaving specifications. All street paving, including whole roadways, sections, or repairs (emergency and non-emergency) within the town shall fully comply with the specifications below:

BACKFILL AND COMPACTION

PART 1 GENERAL

1.01 SECTION INCLUDES

A. Backfill and compaction for underground pipes and structures.

REFERENCES

A. ASTM D1557-02 – Laboratory Compaction Characteristics of Soil Using Modified Effort.

B. ASTM D2487-00 – Classification of Soils for Engineering Purposes.

C. ASTM D2922-05 – Test Methods for Density of Soil and Soil-Aggregate in Place by Nuclear Methods.

PART 2 PRODUCTS

2.01 SOIL MATERIALS

A. General: Provide borrow soil materials when sufficient satisfactory soil materials are not available from excavations.

B. Satisfactory Soils: ASTM D2487 soil classification groups GW, GP, GM, SW, SP, and SM, or a combination of these groups, free of rock or gravel larger than

3 inches in any dimension, debris, waste, vegetation, and other deleterious matter.

C. Unsatisfactory Soils: ASTM D2487 soil classification groups GC, SC, ML, MH, CL, CH, OL, OH and PT, or a combination of these groups.

1. Unsatisfactory soils also include satisfactory soils not maintained within 2 percent of optimum moisture content at time of compaction.

D. Backfill and Fill: Satisfactory soil materials.

PART 3 EXECUTION

3.01 PLACEMENT

A. Material placed under and around structures shall be deposited within the lines and to the grades shown on the Drawings, making due allowance for settlement of the material. Material shall be placed on properly prepared surfaces which have been reviewed by the Engineer. If sufficient common fill material is not available from excavation on site, the Contractor shall provide borrow as may be required.

B. If the compacted surface of any layer of material is determined to be too smooth to bond properly with the succeeding layer, it shall be loosened by harrowing or by another approved method before the succeeding layer is placed.

C. All backfill materials shall be placed and compacted "in-the-dry". Contractor shall dewater excavated areas as required to perform the Work.

3.02 COMPACTION

A. Backfill shall be placed in layers not to exceed twelve inches in depth as measured before compaction. Each layer shall be compacted to at least the minimum percentage of a modified proctor (ASTM D1557 / AASHTO T-180) specified in the Compaction Scheduled in paragraph 3.03.

B. Areas adjacent to structures and other confined areas inaccessible to a vibratory roller shall be compacted with a manually operated vibratory compactor.

C. It is the intention that the fill materials with respect to moisture be used in the condition they are excavated insofar as this is practicable. Material which is too wet shall be spread on the fill area and permitted to dry, assisted by harrowing if necessary, until the moisture content is reduced to allowable limits.

D. If added moisture is required, water shall be applied by sprinkler tanks or other sprinkler systems which will ensure uniform distribution of the water over the area to be treated and give complete and accurate control of the amount of water

to be used. If too much water is added the area shall be permitted to dry before compaction is continued.

- E. Supply all hose, piping, valves, sprinklers, pumps, sprinkler tanks, hauling equipment, and all other materials and equipment necessary to place the water on the fill.

3.03 COMPACTION SCHEDULE

<u>Location</u>	<u>Minimum Compaction</u>
<u>Under paved areas</u>	<u>98%</u>
<u>Structures</u>	<u>98%</u>
<u>Under landscaped areas</u>	<u>95%</u>

3.04 DISPOSAL OF UNSUITABLE AND SURPLUS MATERIAL

- A. Unsuitable and surplus excavated materials become the property of the Contractor and are to be removed and disposed of off site.
- B. Suitable excavated material may be used for fill or backfill if it meets these specifications.

3.05 TESTING

- A. Allow testing laboratory to inspect and test subgrades and each fill or backfill layer. Proceed with subsequent earthwork only after test results from previously completed Work complies with requirements.
- B. Testing agency will test compaction of soils in place according to ASTM D2922.
- C. When testing agency reports that subgrades, fills or backfills have not achieved degree of compaction specified, scarify and moisten or aerate, or remove and replace soil to depth required; recompact and retest until specified compaction is obtained.

3.06 PROTECTION

- A. Protect newly graded areas from traffic and erosion. Keep free of trash and debris.
- B. Repair and re-establish grades to specified tolerances where completed or partially completed surfaces become eroded, rutted, settled, or where they lose compaction due to subsequent construction operations or weather conditions.

(h) Indemnity, hold harmless, and insurance. It shall be a condition precedent to the issuance of any permit that the applicant agree to indemnify, defend, and hold harmless the town, its officials, employees, agents, and, if applicable, its instrumentalities and each of them from and against all loss, cost, penalties, fines

damages, claims of any nature, including expenses and attorneys' fees, and any and all liabilities by reason of injury to or death of any person, damage to, destruction, or loss to any property including the town, its instrumentalities, officials, employees, and agents arising out of or in connection with the performance or non-performance of the services contemplated by the permit which is directly or indirectly caused, in whole or in part, by any act, omission, default, liability, or negligence, whether active or passive, of the applicant, its employees, agents, servants, or contractors, unless such act or omission is solely caused by the town, its instrumentalities, officials, employees, and agents. The applicant must also agree to indemnify, defend, and hold harmless the town, its instrumentalities, officials, employees, and agents against all liabilities which may be asserted by an employee or former employee of the applicant, or any of its contractors as provided above, for which the applicant's liability to such employee or former employee would otherwise be limited to payments under workers' compensation or similar laws. In addition, the applicant understands and agrees that except where caused by the negligence or misconduct of the town, its instrumentalities, officials, employees, or agents, the town shall not be liable for any loss, injury, or damage to any personal property or equipment of the applicant, its employees, agents, contractors, business licensees, or invitees placed on town property, and its instrumentalities, and shall be at the risk of the applicant thereof. The applicant shall be solely responsible for all activities and the installation and maintenance of traffic-control devices. The applicant shall ensure that adequate safety precautions are made at all times during the term of the permit. It shall be a further condition precedent to the issuance of any permit for work to be performed in the public right-of-way that the permit holder(s) is/are jointly and severally responsible, at each permit holder's sole expense, for any damages regarding restoring the public right-of-way to its original condition before installation of facilities. The indemnification shall survive termination of the permit.

- (i) *Supervision by the director of the public works department.* All disturbances, digging up or excavation of streets in the town shall be made under the supervision and direction of the director of the public works department, or designee.
- (j) *Enforcement.* Failure to comply with these provisions or the provisions detailed in F.S. ch. 556 shall subject all persons to the procedures, violations, penalties prescribed in F.S. ch. 556, or code enforcement proceedings pursuant to chapter 2, article III, division 2 of this Code, or both.

Section 2: Each and every other Section of Chapter 62 – Streets, Sidewalks and Other Public Places. shall remain in full force and effect as previously adopted.

Section 3: All ordinances or parts of ordinances in conflict be and the same are hereby repealed.

Section 4: Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Ordinance.

Section 5: Specific authority is hereby granted to codify this Ordinance.

Section 6: This Ordinance shall take effect immediately upon passage.

FIRST READING this **26th** day of February 2024

SECOND AND FINAL READING this ____ day of March, 2024.

TOWN OF PALM BEACH SHORES

Alan Fiers, Mayor

ATTEST:

Jude Goudreau, Town Clerk

(Seal)

Approved as to form and legal sufficiency.

Keith Davis, Town Attorney

ORDINANCE NO. O-1-24

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, AMENDING THE CODE OF ORDINANCES AT APPENDIX A. ZONING ORDINANCE. TO REVISE THE DEFINITION OF THE TERM "FAMILY" AND AT CHAPTER 18. BUSINESSES, OCCUPATIONS AND PROFESSIONS. TO ADD AN ENTIRELY NEW ARTICLE IV. "VACATION RENTALS." CREATING NEW SECTIONS 18-52 THROUGH 18-58 TO PROVIDE VACATION RENTAL USE REGULATIONS FOR VACATION RENTALS OPERATING WITHIN THE TOWN; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF APPENDIX A AND CHAPTER 18 SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, prior to 2011, municipalities in Florida were free to regulate local land use issues under the Home Rule authority granted by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, in 2011, the Florida Legislature enacted Chapter 2011-119, Laws of Florida, preempting the local regulation of a specific land use known as vacation rentals, preventing municipalities from enacting new regulations necessary to address any consequential or negative impacts caused by vacation rentals; and

WHEREAS, in 2014, the Florida Legislature enacted Chapter 2014-71, Laws of Florida, rescinding the complete preemption of the regulation of vacation rentals, and specifically mandating that local laws, ordinances or regulations could not prohibit vacation rentals or regulate the duration or frequency of vacation rentals; and

WHEREAS, Chapter 2014-71, Laws of Florida, returned some local control back to municipalities to mitigate the effects of vacation rentals in an attempt to make them safer and more compatible with existing neighborhood regulations and to hold operators of such properties accountable for their proper operation; and

WHEREAS, the occupants of vacation rentals, due to the transient nature of such occupancy, are unfamiliar with local hurricane evacuation plans, the location of fire extinguishers, exit routes, pool and home safety features, and other similar safety measures that would ordinarily be provided to guests in traditional lodging establishments (i.e., hotels and motels); and

WHEREAS, when unregulated, there is the potential that occupants of vacation rentals located within established neighborhoods may disturb the quiet enjoyment of the neighborhood and create numerous secondary impacts, including noise, traffic, parking and a greater demand on public services; and

WHEREAS, traditional lodging establishments are typically restricted to commercial and other non-residentially zoned areas where intensity of use is separated from less busy and quieter residential uses; and

WHEREAS, like many other municipalities throughout the State of Florida, the Town of Palm Beach Shores desires to adopt standards both to provide for the safety and welfare of occupants of vacation rentals and to minimize any negative impacts caused by vacation rentals in residential areas, especially established single-family neighborhoods with the Town; and

WHEREAS, the Town of Palm Beach Shores desires vacation rentals that are safe, that conform to the character of the community, that provide positive impacts for tourism, and that do not detract from property values and achieve greater neighborhood compatibility; and

WHEREAS, the Town's enactment of regulations applicable to vacation rentals is necessary to preserve the integrity of residential areas and neighborhoods and corresponding property values, while also protecting the health, safety and welfare of residents, property owners, investors and transient occupants of the Town; and

WHEREAS, the Town's regulations are intended to supplement, not replace, any existing federal or state law or regulation or any existing controls within established residential units served by homeowner or condominium associations; and

WHEREAS, the Town's regulations neither prohibit vacation rentals nor restrict the duration or frequency of vacation rentals; rather they are intended to address life safety and compatibility concerns and the secondary effects of vacation rentals located within residential areas and neighborhoods in conformance with current state law; and

WHEREAS, the Town of Palm Beach Shores has held all required public hearings and has provided public notice in accordance with applicable State statutes and Town ordinances; and

WHEREAS, the Town Commission believes these amendments to the Code of Ordinances are in the best interests of the citizens of the Town of Palm Beach Shores.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, THAT:

Section 1: Appendix A. Zoning Ordinance. of the Code of Ordinances of the Town of Palm Beach Shores is hereby amended at Section II. Definitions., Pf. 2.22 to revise the definition of the term "family" relative to transient use and provide internal cross reference to the supplemental regulations for vacation rentals; providing that Pf. 2.22. shall hereafter read as follows:

Pf. 2.22. - Family.

A family is one (1) or more persons who are either related or unrelated by blood, marriage or adoption; and who also occupy a single dwelling unit and have chosen to reside as a member of an independent residence. Each "family" as defined herein is subject in all instances to the occupancy restrictions of Article IX of the Town's Building Code set forth at Chapter 14. The term "family" does not include the occupants of a "hotel," "motel," or any other living arrangements within a building or facility which is being utilized for the transient occupancy of its inhabitants in accordance with Sections 18-52 through 18-58 of the Town Code.

Section 2: Chapter 18 – Businesses, Occupations and Professions. of the Code of Ordinances of the Town of Palm Beach Shores is hereby amended to add entirely new Article IV. Vacation Rentals. containing entirely new Sections 18-52 through 18-58 to require permits and establish supplemental regulations for vacation rentals operating within the Town; providing that Article IV. shall hereafter read as follows:

ARTICLE IV. – VACATION RENTALS

Sec. 18-52. - Vacation rental defined; permit required.

A vacation rental is any unit or group of units in a condominium or cooperative or any individually or collectively owned single-family, two-family, three-family, or four-family house or dwelling unit that is also a transient public lodging establishment but that is not a timeshare project. A transient public lodging establishment is any such unit which is rented out to guests more than three (3) times in a calendar year for periods of less than thirty (30) days or one (1) calendar month, whichever is less, or which is advertised or held out the public as a place regularly rented to guests for periods less than thirty (30) days or one (1) calendar month, whichever is less.

It shall be unlawful for any person or entity to operate a vacation rental within the town, or offer such property for rent as a vacation rental within the town, unless the person or entity has registered such property with the town by obtaining a vacation rental permit in accordance with the requirements of this article. Separate permits are required for each individual vacation rental unit. All vacation rental permits shall be renewed annually and shall be considered delinquent if not renewed by September 30 of each year. Vacation rental permits are separate and distinct requirements in addition to business tax receipts and certificates of use.

Sec. 18-53. - Vacation rental permit application.

Every vacation rental owner or operator shall register with the town by submitting to the building department a completed vacation rental permit application in a form promulgated by the town, together with registration and inspection fees in amounts established by resolution of the town commission, which amounts may be amended from time to time. A separate permit application form with separate registration and inspection fees shall be required for each vacation rental unit.

(1) *Permit application.* A complete vacation rental permit application form shall include the following:

- a. Property card printout from the county property appraiser database;
- b. Current transient public lodging establishment license issued by the Florida department of business and professional regulation;
- c. Current certificate of registration with the Florida department of revenue for remittance of applicable state taxes, or proof that payment is arranged through a third party such as an on-line platform;
- d. Current palm beach county business tax receipt;
- e. Evidence of the vacation rental's current and active account with the county tax collector for the purpose of collecting and remitting tourist development taxes and any other taxes required by law to be remitted to the county tax collector;
- f. Total number of sleeping rooms at the vacation rental unit; maximum number of guests that can stay overnight at the vacation rental unit at any one time (maximum occupancy is eight in four or more sleeping rooms);
- g. Maximum number of individuals that may gather at or occupy vacation rental unit property at any one time (maximum number of individuals permissible is one and

one-half times the maximum occupants authorized to stay overnight at the vacation rental unit, and in no case more than 12 individuals);

- h. Homeowners or property owners association approval to operate the vacation rental unit, if applicable;
- i. Floorplan of the vacation rental unit which includes stairways, hallways, bedrooms, exists, and which identifies all fire extinguisher locations;
- j. Site survey which includes the residential unit, any swimming pools, hot tubs, spas, and fencing;
- k. A copy of a sample lease agreement;
- l. A completed vacation rental responsible party designation, in the format prescribed by the town, which includes the information required by section 18-54 of this Code;
- m. Proof that the vacation rental has satisfied the inspection requirements contained in section 18-56 of this Code; and
- n. A commercial certificate of insurance evidencing coverage to cover bodily injury and property damage liability for injury or harm to occupants and other invitees, with respect to the use of the property as a vacation rental with minimum limits of liability as follows:
 - i) Each Occurrence: \$1,000,000.00; and
 - ii) Policy Aggregate: \$2,000,000.00.

Modification of permit. An application for modification of a vacation rental permit shall be required in the event that any of the following changes to the vacation rental are proposed:

- a. An increase in the gross square footage;
- b. An increase in the number of bedrooms;
- c. An increase in the maximum occupancy;
- d. An increase in the number of parking spaces, or a change in the location of parking spaces;
- e. An increase in the number of bathrooms;
- f. Any other material modifications that would increase the intensity of use on the vacation rental property; or
- g. A change in responsible party.

(2) Duration of permit. A vacation rental permit issued under this article shall expire each September 30 and may be annually renewed thereafter if the property is in compliance with this article.

- (3) *Renewal of permit.* A vacation rental permit renewal shall be completed by September 30 of each year, through the execution of a renewal affidavit, in the format prescribed by the town, and the payment of the renewal fee as established by the town. A property owner may apply for renewal of a vacation rental permit beginning July 1 prior to the expiration of the annual license.
- (4) *Incomplete permit application/renewal.* If the permit application or renewal form submitted pursuant to this article is incomplete, the applicant shall be informed of such deficiency and shall have ten (10) calendar days to correct the deficiency. If any deficiency is not so corrected, the permit application shall be deemed withdrawn.
- (5) *Outstanding code violations.* The town shall not process any vacation rental registration or renewal if the property has unresolved code violations or code enforcement liens.
- (6) *Non-transferability and non-assignability of permit.* Vacation rental permits issued under this article are non-transferrable and non-assignable. If the ownership of any vacation rental property is sold or otherwise transferred, the new owner is required to apply for new permits.
- (7) *Permit application or renewal fees.* The town charges reasonable administrative fees to process a vacation rental permit application or renewal, the amount of which shall be established by resolution of the town commission. Fees are non-refundable.
- (8) *False or misleading information.* It shall be unlawful for any person to give false or misleading information in connection with any application for, modification, or renewal of a vacation rental permit as required by this article. Vacation rental permit applications shall be sworn to under penalty of perjury. Any false statements made in an application shall be a basis for the revocation of any permit issued pursuant to such application.

Sec. 18-54. - Vacation rental responsible party.

Every permitted vacation rental under this article must designate a responsible party to respond to routine inspections as well as non-routine complaints and any other problems related to the operation of the vacation rental. The property owner may serve in this capacity or shall otherwise designate another person 18 years or older to perform the following duties:

- (1) *Be available by telephone at the listed phone number 24 hours per day, seven days per week and be capable of handling any issues relating to the operation of the vacation rental;*

- (2) If required, be willing and able to return to the vacation rental within 60 minutes following notification from a vacation rental occupant, law enforcement officer, emergency personnel, or the town to address any issues relating to the operation of the vacation rental;
- (3) Maintain for three (3) years a record of all lease/rental agreements for the vacation rental, as well as a record of all guests of the vacation rental. Both of these records shall be available for inspection upon request;
- (4) Receive service of any legal notice on behalf of vacation rental owners or operators for violation of the requirements set forth in this article; and
- (5) Conduct an on-site inspection of the vacation rental at the end of each rental period to ensure continued compliance with the requirements of this article.

Sec. 18-55. - Vacation rental standards.

No person or entity shall own or operate a vacation rental within the town unless such vacation rental complies with the following standards:

(1) *Minimum life/safety requirements.*

- a. *Swimming pool, spa and hot tub safety.* A swimming pool, spa or hot tub shall comply with the current standards of the Residential Swimming Pool Safety Act, as set forth in F.S. ch. 515.
- b. *Smoke and carbon monoxide (CO) detection and notification system.* Each vacation rental unit must be outfitted with an operational smoke and carbon monoxide (CO) detection notification system. Every smoke and carbon monoxide (CO) detection notification system must be hard-wired, or have a sealed ten-year battery. A smoke alarm shall be installed in each sleeping room. A carbon monoxide alarm shall be installed outside each sleeping room and adjacent to the garage door. All smoke and carbon monoxide alarms shall be interconnected.
- c. *Fire extinguisher.* A portable, multi-purpose dry chemical 2A:10B:C fire extinguisher shall be installed, inspected and maintained in accordance with NFPA 10 on each floor/level of the dwelling unit. The extinguisher(s) shall be installed on the wall in an open common area or in an enclosed space with appropriate markings visibly showing the location.
- d. *Local telephone service.* At least one (1) landline telephone with the ability to call 911 shall be available in the main level common area in the vacation rental.

e. *Secondary means of escape.* Every sleeping room and living area shall have a secondary means of escape. It shall be a minimum of one (1) doorway or one (1) window directly to the exterior. The window shall have a clear opening compliance with the following:

1. Clear width shall be no less than 20 inches;
2. Clear height shall be no less than 24 inches;
3. Opening shall be no less than 5.7 square feet; and
4. Opening shall be no more than 44 inches above the floor.

(2) *Maximum occupancy.*

a. Each vacation rental dwelling unit shall comply with Sec. 14-266 " Occupancy Limitations" of the Town's Code of Ordinances, provided however that:

1. The maximum number of transient occupants authorized to stay overnight at any vacation rental unit shall be limited to two (2) persons per sleeping room, and a maximum total occupancy of eight (8) individuals in four or more sleeping rooms. The number of sleeping rooms shall be confirmed by on-site inspection by a representative of the town, and
2. The maximum number of persons allowed to gather at or occupy a vacation rental shall not exceed one and one-half times the maximum occupants authorized to stay overnight at that site, as shown on the vacation permit application, and in no event shall a gathering exceed twelve (12) individuals.

(3) *Solid waste handling and containment.* Solid waste and recycling collection services shall be provided pursuant to Chapter 38, of the Town Code of Ordinances. For purposes of this section, a solid waste or recycling container shall not be placed at curbside before the day prior to solid waste pickup, and each solid waste or recycling container shall be removed from curbside before midnight of the day of pickup.

(4) *Designation of responsible party.* Each vacation rental owner or operator shall designate a responsible party capable of meeting the duties provided in section 18-54.

(5) *Rental or lease agreement requirements.*

a. There shall be a written or online lease, rental, tenant or other recorded agreement memorializing each vacation rental tenancy between the owner/operator or its responsible party and the occupant(s). The agreement shall, at a minimum, contain the following information:

1. The maximum number of occupants for the unit as specified in subsection (2) above;

2. The number of parking spaces associated with the vacation rental property or dwelling unit, if applicable, and a sketch or photograph showing the location of such spaces;
 3. The names and ages of all persons who will be occupying the property or unit;
 4. The dates of such occupancy; and
 5. A statement that all occupants must evacuate from the vacation rental following any evacuation order issued by local, state or federal authorities.
- b. The town reserves the right to request and receive a copy of any vacation rental lease or rental agreement from the owner/operator or responsible party at any time.
- (6) Vacation rental unit posting requirements.
- a. The vacation rental unit shall be posted with the following information next to the main entrance door:
1. The name, address and telephone number of the vacation rental responsible party;
 2. The maximum occupancy permitted;
 3. The days and times of solid waste and recycling pick up and a notification that all garbage or trash must be placed in a garbage or trash can or other approved solid waste receptacle and that all recyclables must be placed in approved recyclable containers;
 4. The location of the nearest hospital; and
 5. The location of designated parking spaces/areas, if applicable.
- b. There shall also be posted, next to the interior door of each bedroom, a building evacuation map (at least 8 ½ inches by 11 inches).
- (7) Other regulations. Vacation rentals must comply with all other regulations, standards and requirements set forth in the Town Code of Ordinances, including, but not limited to, the requirements of Chapter 6 (alcoholic beverages), Chapter 10 (animals), Chapter 14 (buildings and building regulations), Chapter 42 (nuisances, including noise regulations), Chapter 70 (traffic and vehicles), Chapter 74 (utilities), Chapter 78 (vegetation), Chapter 82 (waterways), and Appendix A zoning ordinance.

Sec. 18-56. - Initial and subsequent compliance inspections of vacation rentals.

- (a) Initial inspection. An initial inspection of the vacation rental by a town code inspector and/or building department personnel, for compliance with this article is required prior to the

issuance of a vacation rental permit. If violations are found, all violations must be corrected, and the property or dwelling unit must be re-inspected prior to issuance of the vacation rental permit as provided herein.

- (b) *Subsequent inspections.* Once a vacation rental permit is issued, a vacation rental must be properly maintained in accordance with the vacation rental standards herein and will be re-inspected annually. For an inspection, all violations must be corrected and re-inspected within thirty (30) calendar days. Failure to correct such inspection deficiencies in the timeframes provided shall result in the suspension of the vacation rental permit until such time as the violations are corrected and re-inspected.
- (c) *Inspection appointments.* The inspections shall be made by appointment with the vacation rental responsible party. If the inspector has made an appointment with the responsible party to complete an inspection, and the responsible party fails to admit the officer at the scheduled time, the owner shall be charged a "no show" fee in an amount established by resolution of the town commission to cover the inspection expense incurred by the town.
- (d) *Notice of failure of inspections.* If the inspector(s) is denied admittance by the vacation rental responsible party or if the inspector fails in at least three (3) attempts to complete an initial or subsequent inspection of the rental unit, the inspector(s) shall provide notice of failure of inspection to the owner to the address shown on the existing vacation rental application or permit.

 - (1) For an initial inspection, the notice of failure of inspection results in the vacation rental permit not being issued; the vacation rental is not permitted to operate without a valid permit.
 - (2) For a subsequent inspection, the notice of failure of inspection is considered a violation and is subject to enforcement remedies as provided herein.

Sec. 18-57. - Prohibitions; evidence of unlawful vacation rental operation.

- (a) It shall be unlawful for any person or entity to rent, lease, advertise or hold out for rent any property or dwelling unit for vacation rental use without a vacation rental permit, or pending application under section 18-53.
- (b) Prima facie evidence of vacation rental uses of a property or dwelling unit shall include:

 - (1) Registration or licensing for short-term rental or transient rental use by the state under F.S. chapters 212 (Florida Tax and Revenue Act) and 509 (Public Lodging and Food Service Establishments);

- (2) Advertising, listing, posting, or otherwise holding out a property or dwelling unit for vacation rental use on the internet or other mass communication medium;
- (3) Reservations, booking arrangements or more than one signed lease, sublease, assignment, or any other occupancy or agreement for compensation, trade, or other legal consideration addressing or overlapping any period of 30 days or less; or
- (4) The use of an agent or other third person to make reservations or booking arrangements.
- (c) Nothing set forth herein precludes the town from presenting other forms of evidence of unlawful vacation rental use or operation.

Sec. 18-58. - Administration of vacation rental permits; criteria for denial, suspension, cancellation, or revocation of permits; appeals; enforcement.

- (a) Issuance or denial by the town upon application. The town may either approve a vacation rental permit application/renewal or deny such application/renewal in conjunction with the issuance of a notice of denial upon a finding that one or more of the criteria at subsections (b)(1)—(5) of this section are not met. In addition, the town may, upon approval of a vacation rental permit application/renewal, impose reasonable conditions of operation as may be necessary to protect the public health, safety and welfare.
- (b) Specific criteria which may result in the denial, suspension, or revocation of a vacation rental permit by the town or special magistrate. A vacation rental permit may be denied, suspended, or revoked by the town, or suspended or revoked by the special magistrate, as further provided herein, when it is determined that:
 - (1) A property owner or vacation rental permit applicant (owner/applicant) has misrepresented or failed to disclose material facts or information which is required to be included in the vacation rental permit application and any other application required by the town, the county or the state;
 - (2) The same or substantially similar vacation rental activity on the subject property during the preceding 12-month period, has been conducted in such a manner as to have violated the town's Code of Ordinances which regulates the use or operation of the vacation rental premises and/or one of the following determinations is made:
 - a. The activity has become a public nuisance as set forth in town code;
 - b. The activity constitutes a public nuisance at common law;
 - c. The activity violates the town's regulations as set forth in Chapter 6, alcoholic beverages;

- d. The activity is manifestly injurious to the public morals; or
- e. The vacation rental has been operated in such a manner as to injure the health, safety, or welfare or to disturb the quiet enjoyment of the citizens in the nearby vicinity.

This criterion shall not apply if the vacation rental permit application/renewal is in conjunction with new ownership of the subject property. "New ownership" for this purpose requires an actual change in the individuals who have ownership interests in the subject property. The mere re-structuring of corporate holding companies or other transfers deemed to be illusory in nature shall not be considered "new ownership."

- (3) The issuance or renewal of the vacation rental permit was contingent upon the owner's/applicant's compliance with specific provisions of the town's, the county's or the state's laws and the owner/applicant has not satisfied or has violated such conditions, to include but not limited to, specific conditions of approval imposed through development orders issued by the town;
- (4) An owner/applicant has violated any provision of this article and has failed or refused to cease or correct the violation at the subject property after having been notified to do so by the town or by an order of the special magistrate; or
- (5) The premises have been condemned by the local health authority or by the town building official and/or fire marshal for failure to meet state and local standards.

(c) Appeals.

- (1) Any owner/applicant aggrieved by a town decision regarding denial of a vacation rental permit application/renewal may file an appeal by requesting a hearing before the code enforcement special magistrate. The hearing request must be in writing and filed with the town attorney within ten (10) calendar days of receipt of the decision complained of. The hearing request must also specify the decision and the principal grievance of the owner/applicant. The town shall then provide such applicant/owner notice of a hearing before the special magistrate pursuant to Section 2-75 of the Town Code of Ordinances.
- (2) Hearing procedures shall be as prescribed in Chapter 2, Article III, Division 2 of the Town Code of Ordinances. The special magistrate's findings and order shall constitute the final administrative action of the town for purposes of judicial review under state law.
- (3) If the owner/applicant fails to seek timely appellate review of an order of the special magistrate under this subsection and continues to operate the vacation rental premises in violation of the order and/or this article, the town may pursue any and all enforcement procedures necessary, including abatement of the violation. Any costs for enforcement

or abatement action shall be placed as a lien against the owner/applicant's real and personal property.

(d) *Enforcement procedures, generally.*

- (1) *First-time violations.* Upon determination by the town that a vacation rental is being operated in a manner consistent with a first-time violation of this article, the town shall notify the property owner and/or vacation rental permit-holder of the nature of such violation pursuant to Section 2-75 of the Town Code of Ordinances. Likewise, notice of a hearing before the special magistrate, if needed, shall be provided to the property owner and/or permit-holder pursuant to Section 2-75 of the Town Code of Ordinances. The conduct for such hearing shall be as prescribed in Chapter 2, Article III, Division 2 of the Town Code of Ordinances. In addition to any other enforcement authority provided by law, the special magistrate may authorize suspension or revocation of a vacation rental permit upon a finding of one or more of the criteria set forth in subsections (b)(1)—(5) above. The special magistrate's findings and order shall constitute the final administrative action of the town for purposes of judicial review under state law.
- (2) *Subsequent violations.* Upon determination by the town that a vacation rental property owner and/or permit-holder has committed a second or subsequent violation of the provisions of this article, the town may immediately suspend or revoke the vacation rental permit at issue. The town's immediate suspension or revocation of a vacation rental permit as provided herein shall be based upon a finding of one or more of the criteria set forth in subsections (b)(1)—(5) above.
- (3) *Enforcement; abatement.* If vacation rental property owner and/or permit-holder fails to seek timely appellate review of an order of the special magistrate under this subsection and fails to comply timely with such order, the town may pursue any and all enforcement procedures necessary, including abatement of the violation. Any costs for enforcement or abatement action shall be placed as a lien against the owner/applicant's real and personal property.
- (4) *Fees or taxes.* No fees or taxes shall be refunded if a vacation rental permit is suspended, revoked, or cancelled pursuant to this section.
- (5) *Additional remedies.* Nothing contained herein shall prevent the town from seeking all other available remedies which may include, but not be limited to, injunctive relief, liens and other civil and criminal penalties as provided by law, as well as referral to other enforcing agencies.

Section 3: Each and every other Section of Appendix. A. Zoning Ordinance. and Chapter 18. Businesses, Occupations and Professions. shall remain in full force and effect as previously adopted.

Section 4: All ordinances or parts of ordinances in conflict be and the same are hereby repealed.

Section 5: Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Ordinance.

Section 6: Specific authority is hereby granted to codify this Ordinance.

Section 7: This Ordinance shall take effect immediately upon passage.

FIRST READING this ____ day of February, 2024.

SECOND AND FINAL READING this ____ day of March, 2024.

TOWN OF PALM BEACH SHORES

Alan Fiers, Mayor

ATTEST:

Jude Goudreau, Town Clerk

(Seal)

Approved as to form and legal sufficiency.

Keith Davis, Town Attorney

RESOLUTION NO. R-05-24

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, EXPRESSING SUPPORT FOR THE EXTENSION AND CONTINUATION OF THE PALM BEACH COUNTY ONE-CENT SALES SURTAX TO FUND LOCAL INFRASTRUCTURE PROJECTS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, in November 2016, the voters of Palm Beach County approved an increase to the local sales tax from 6 cents per dollar to 7 cents per dollar; and

WHEREAS, the one-cent sales surtax increase became effective on January 1, 2017, and will automatically sunset upon the earlier occurrence of either December 31, 2026, or the generation of \$2.7 billion in total revenue; and

WHEREAS, the generated one-cent sales surtax revenue is divided between the School District of Palm Beach County (50%), Palm Beach County (30%), and the 39 Palm Beach County municipalities (20% shared amongst them); and

WHEREAS, the generated one-cent sales surtax revenue may only be utilized for infrastructure projects such as roads, sidewalks, bridges, schools, parks, and government buildings and facilities; and

WHEREAS, infrastructure projects provide access to clean water, electricity, transportation, and other essential services, which directly impact the health and well-being of individuals, families, and the wider community; and

WHEREAS, the Town of Palm Beach Shores has received one-cent sales surtax revenue in the amount of \$654,122.82 since January 1, 2017, which has allowed the Town to improve its infrastructure facilities and simultaneously maintain a lower property tax millage rate; and

WHEREAS, the Town of Palm Beach Shores recognizes the direct and beneficial impact the one-cent sales surtax revenue for infrastructure projects has provided to Town residents, as well as the schools of Palm Beach County, and the surrounding communities; and

WHEREAS, the Town of Palm Beach Shores supports a collaboration with the School District of Palm Beach County, Palm Beach County, and the other municipalities of Palm Beach County to extend and continue the one-cent sales surtax revenue for infrastructure projects beyond its current automatic sunset deadlines; and

WHEREAS, the Town of Palm Beach Shores specifically supports seeking voter approval to continue the one-cent sales surtax revenue for infrastructure projects until December 31, 2036.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, THAT:

Section 1: The above recitals are true and correct and are hereby incorporated into this section of this resolution as if fully set forth herein.

Section 2: The Town Commission of the Town of Palm Beach Shores hereby expresses its support for seeking voter approval to continue the one-cent sales surtax revenue for infrastructure projects until December 31, 2036.

Section 3: The Town Clerk is directed to forward this Resolution to each of the Palm Beach County Commissioners with a copy to the Palm Beach County Administrator, the Palm Beach County League of Cities, and the School District of Palm Beach County.

Section 4: This resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED this 26th day of February 2024.

TOWN OF PALM BEACH SHORES

Alan Fiers, Mayor

ATTEST:

Jude Goudreau, Town Clerk

(Seal)

TOWN OF PALM BEACH SHORES

MONTHLY FINANCIAL REPORT

*Note: Budget Amount for FY2024 is presented **WITHOUT** the Roads Project (\$1.568M). This allows for a better comparison year to year. A separate report is presented for the Roads Project.*

	CASH & INVESTMENTS		R E V E N U E			
			BUDGET	CURRENT	YEAR TO DATE	% OF BUDGET
9/30/2023	\$ 4,633,467		\$ 6,440,798	\$ 317,965	\$ 6,553,501	102%
10/31/2023	\$ 4,198,106		\$ 6,568,200	\$ 87,670	\$ 87,670	1%
11/30/2023	\$ 5,973,344		\$ 6,878,777	\$ 2,422,432	\$ 2,510,102	36%
12/31/2023	\$ 6,394,594		\$ 6,878,777	\$ 1,626,467	\$ 4,136,569	60%
1/31/2024	\$ 5,635,979		\$ 6,878,777	\$ 236,081	\$ 4,372,650	64%
1/31/2023	\$ 6,322,690		\$ 6,033,030	\$ 290,229	\$ 3,952,849	66%
2/28/2024	\$ -		\$ -	\$ -	\$ -	
3/31/2024	\$ -		\$ -	\$ -	\$ -	
4/30/2024	\$ -		\$ -	\$ -	\$ -	
5/31/2024	\$ -		\$ -	\$ -	\$ -	
6/30/2024	\$ -		\$ -	\$ -	\$ -	
7/31/2024	\$ -		\$ -	\$ -	\$ -	
8/31/2024	\$ -		\$ -	\$ -	\$ -	
9/30/2024	\$ -		\$ -	\$ -	\$ -	

	E X P E N D I T U R E S					
	BUDGET	DISBURSEMENTS	ACCRUALS	CURRENT EXP	YEAR TO DATE	% OF BUDGET
9/30/2023	\$ 6,440,798	\$ 263,932	\$ 162,143	\$ 426,075	\$ 6,117,634	95%
10/31/2023	\$ 6,568,200	\$ 962,804	\$ (276,600)	\$ 686,203	\$ 686,203	10%
11/30/2023	\$ 6,878,777	\$ 453,654	\$ 42,526	\$ 496,180	\$ 1,182,383	17%
12/31/2023	\$ 6,878,777	\$ 1,183,083	\$ (1,216)	\$ 1,181,867	\$ 2,364,250	34%
1/31/2024	\$ 6,878,777	\$ 982,804	\$ 317,468	\$ 1,300,272	\$ 2,349,639	34%
1/31/2023	\$ 6,033,030	\$ 460,814	\$ 19,977	\$ 480,791	\$ 2,181,022	36%
2/28/2024	\$ -	\$ -	\$ -	\$ -	\$ -	
3/31/2024	\$ -	\$ -	\$ -	\$ -	\$ -	
4/30/2024	\$ -	\$ -	\$ -	\$ -	\$ -	
5/31/2024	\$ -	\$ -	\$ -	\$ -	\$ -	
6/30/2024	\$ -	\$ -	\$ -	\$ -	\$ -	
7/31/2024	\$ -	\$ -	\$ -	\$ -	\$ -	
8/31/2024	\$ -	\$ -	\$ -	\$ -	\$ -	
9/30/2024	\$ -	\$ -	\$ -	\$ -	\$ -	

Budget Amendment #1 was approved at the November Commission meeting.

Budget including Amendment #1	\$8,447,289
Capital - Roads	(\$1,568,512)
Budget without Roads	<u>\$6,878,777</u>

Town of Palm Beach Shores
Disbursements - January 2024

Check #	Type	Date	Vendor	Name	Amount
5108	C	1/4/2024	1013	ATT	\$ 148.23
5109	C	1/4/2024	1013	ATT	\$ 181.19
5110	C	1/4/2024	47	Board of County Commissioners	\$ 675.84
5111	C	1/4/2024	1027	Cheney Brothers Inc.	\$ 34,475.94
5112	C	1/4/2024	13	City Maintenance Supply	\$ 1,648.80
5113	C	1/4/2024	52	Comcast	\$ 44.95
5114	C	1/4/2024	107	Davis & Associates, P.A.	\$ 8,515.10
5115	C	1/4/2024	863	Diversified Building Department Management	\$ 7,676.25
5116	C	1/4/2024	746	Essential Net Solutions	\$ 1,667.15
5117	C	1/4/2024	1009	Foliage Concepts of Florida Inc.	\$ 8,621.00
5118	C	1/4/2024	886	Henry Schein, Inc.	\$ 311.44
5119	C	1/4/2024	1058	Mako Hose and Rubber	\$ 104.07
5120	C	1/4/2024	1045	Municipal Equipment- Florida	\$ 3,834.00
5121	C	1/4/2024	1005	NELCO	\$ 119.35
5122	C	1/4/2024	1057	North 2 Board Sports LLC	\$ 80.00
5123	C	1/4/2024	879	Orlando Rodriguez	\$ 760.65
5124	C	1/4/2024	713	PB North Chamber of Commerce, Inc.	\$ 650.00
5125	C	1/4/2024	25	Palm Beach Shores Volunteer Fire Dept. Inc.	\$ 131.72
5126	C	1/4/2024	982	Quadient Finance USA , Inc	\$ 200.00
5127	C	1/4/2024	907	Sandi Lue	\$ 240.00
5128	C	1/4/2024	484	Shred-It, c/o Stericycle, Inc.	\$ 132.20
5129	C	1/4/2024	881	South Central Planning & Development Commission	\$ 260.42
5130	C	1/4/2024	1056	Tiki Huts	\$ 2,500.00
5131	C	1/4/2024	592	Trevor Steedman	\$ 81.46
5133	C	1/4/2024	104	Waste Management	\$ 3,507.97
5134	C	1/12/2024	1010	A.B. Dudley & Associates Inc.	\$ 20,000.00
5135	C	1/12/2024	823	AT&T Mobility	\$ 34.99
5136	C	1/12/2024	47	Board of County Commissioners	\$ 315.61
5138	C	1/12/2024	33	City of Riviera Beach Water	\$ 3,502.71
5139	C	1/12/2024	129	Donald Hilyer	\$ 336.00
5140	C	1/12/2024	997	Engenuity Group	\$ 9,501.50
5141	C	1/12/2024	619	Fisher Scientific	\$ 35.00
5142	C	1/12/2024	80	FL Public Utilities	\$ 286.64
5143	C	1/12/2024	886	Henry Schein, Inc.	\$ 410.93
5144	C	1/12/2024	129	Karen Williams-Nottage	\$ 500.00
5145	C	1/12/2024	1039	Mac Enterprises of NPB, Inc.	\$ 45,064.00
5146	C	1/12/2024	858	Palm Beach County Sheriff's Office	\$ 145,730.33
5147	C	1/12/2024	375	Simmons & White, Inc.	\$ 1,838.75
5148	C	1/12/2024	99	Torcivia, Donlon, Goddeau & Rubin, P.A.	\$ 197.64
5149	C	1/12/2024	100	Toshiba Business Solutions	\$ 255.18
5151	C	1/12/2024	104	Waste Management	\$ 15,900.70
5153	C	1/18/2024	1004	CAP Government Inc	\$ 5,940.00
5154	C	1/18/2024	826	Fire Training Officers Association of PBC	\$ 100.00
5155	C	1/18/2024	679	Keehn Emergency Medical Services, Inc	\$ 1,500.00
5156	C	1/18/2024	978	Truist Bank	\$ 2,160.48
5157	C	1/18/2024	640	Ward-Damon Attorney	\$ 90.00
5158	C	1/18/2024	1052	Wynn & Sons Environmental Construction Co. Inc	\$ 200,128.00
5159	C	1/18/2024	1052	Wynn & Sons Environmental Construction Co. Inc	\$ 294,322.00
5160	C	1/25/2024	324	AC Enforcement, Inc.	\$ 4,350.00
5161	C	1/25/2024	673	Bishop's Water Company	\$ 687.50
5162	C	1/25/2024	1004	CAP Government Inc	\$ 8,550.00
5163	C	1/25/2024	491	Dilo Fire Sprinkler, Inc.	\$ 1,670.00
5164	C	1/25/2024	928	End of the Line, Inc.	\$ 127.25
5165	C	1/25/2024	71	FL Power & Light	\$ 2,625.26
5166	C	1/25/2024	1026	Gunster	\$ 9,777.15
5167	C	1/25/2024	90	Hulett Environmental Services	\$ 297.00
5168	C	1/25/2024	659	Image Janitorial Services, Inc.	\$ 2,618.34
5169	C	1/25/2024	130	Manno's Public Safety Supply	\$ 35.00
5170	C	1/25/2024	30	Poly Systems Company	\$ 2,000.00
5171	C	1/25/2024	831	Randy's Plumbing, LLC	\$ 1,395.00
5172	C	1/25/2024	836	RIPPrint, LLC	\$ 1,227.50
5173	C	1/25/2024	516	Schmidt Nichols	\$ 172.50
5174	C	1/25/2024	115	Shoreline Pest Control	\$ 93.50
5175	C	1/25/2024	494	Signs by Tomorrow	\$ 777.00
5176	C	1/25/2024	375	Simmons & White, Inc.	\$ 3,072.50
5177	C	1/25/2024	1059	Stanley Steemer Carpet Cleaners	\$ 2,866.00
5178	C	1/25/2024	979	IPS Integrated Power Service	\$ 405.00
5179	C	1/25/2024	592	Trevor Steedman	\$ 81.46
5180	C	1/25/2024	110	Xpert elevator Services, Inc.	\$ 460.50
FRS	E	1/31/2024	172	FRS	\$ 23,916.20
Lowes	E	1/23/2024	95	Lowes	\$ 463.14
WEX	C	1/12/2024	131	WEX BANK	\$ 339.02
ADP, LLC	E	1/11/2024	697	ADP, LLC	\$ 260.50
ADP Taxes	E	1/11/2024		ADP Taxes	\$ 8,531.23
ADP Taxes	E	1/25/2024		ADP Taxes	\$ 8,180.68
ADP Wages	E	1/11/2024		ADP Wages	\$ 28,741.78
ADP Wages	E	1/25/2024		ADP Wages	\$ 27,366.21
Blue Cross Blue Shi	E	1/29/2024	127	Blue Cross Blue Shield of Florida, Inc.	\$ 15,426.41
Humana	E	1/29/2024	535	Humana	\$ 119.12
Standard	E	1/29/2024	887	Standard Life	\$ 787.67
Guardian	E	1/29/2024	676	Guardian	\$ 664.96
					\$ 982,803.57
General Fund					\$ 982,803.57
Dredging Project					\$ 20,000.00
Total					\$ 962,803.57

**Town of Palm Beach Shores
Budget Summary Report
January 2024**

		<i>January Benchmark</i> 33.3%	
	BUDGET	YTD	Favorable(Unfav) %
REVENUE			
Revenue (withoutr appr'd F/B)	\$ 6,587,394.00	\$ 4,372,650.00	\$ (2,214,744.00) 66.4%
Appropriated Fund Balance	1,859,895.00	-	(1,859,895.00) 0.0%
TOTAL REVENUE	\$ 8,447,289.00	\$ 4,372,650.00	\$ (4,074,639.00) 51.8%
EXPENDITURES BY DEPARTMENT			
	% of total		% of total
Administration	\$ 659,833.00 8%	\$ 142,657.48 4%	\$ 517,175.52 21.6%
Legal	346,000.00 4%	98,581.25 3%	247,418.75 28.5%
Public Works	384,613.00 5%	123,990.83 3%	260,622.17 32.2%
Police	1,772,719.00 21%	740,584.76 20%	1,032,134.24 41.8%
Fire	806,417.00 10%	236,094.89 6%	570,322.11 29.3%
Building	266,112.00 3%	104,548.42 3%	161,563.58 39.3%
Emergency Disaster	- 0%	13,865.60 0%	(13,865.60) 0.0%
Solid Waste	253,101.00 3%	72,947.84 2%	180,153.16 28.8%
Legislative	20,463.00 0%	4,644.37 0%	15,818.63 22.7%
Streets/Storm Sewers	29,930.00 0%	3,829.79 0%	26,100.21 12.8%
Parks	175,802.00 2%	36,504.74 1%	139,297.26 20.8%
Beach	111,635.00 1%	36,245.58 1%	75,389.42 32.5%
Lift Stations/Sewer Service	42,820.00 1%	5,354.11 0%	37,465.89 12.5%
Contingencies	85,000.00 1%	- 0%	85,000.00 0.0%
Debt Service	495,855.00 6%	247,927.29 7%	247,927.71 50.0%
Emergency Medical Services	750,000.00 9%	187,500.00 5%	562,500.00 25.0%
Community Center	79,600.00 1%	25,609.36 1%	53,990.64 32.2%
Risk Management	170,000.00 2%	92,388.00 3%	77,612.00 54.3%
Capital	428,877.00 5%	176,364.05 5%	252,512.95 41.1%
Capital - Roads Project	1,568,512.00 19%	1,314,384.50 36%	254,127.50 83.8%
TOTAL EXPENDITURES	\$ 8,447,289.00	\$ 3,664,022.86	\$ 4,529,138.64 43.4%
CHANGE IN FUND BALANCE	-	708,627.14	454,499.64

Note:

Budget amendment #1 has been incorporated (FY2023 capital carry fwd)

Explanation of Variances:

Emergency Disaster - Inlet Park storm clean up in Nov - Phillips & Jordan

Police - timing, PBSO is paid in advance.

Debt Service - one of two payments - Underground Utility

EMS - Oct - Dec 2023 service period

Risk Mgmt - FMIT insurance timing of pymts , 2nd of 4 instalments

Capital - Community Center kitchen equipment & Mac Enterprises deposit \$68k

Town of Palm Beach Shores
Revenue Detail
January 2024

						January Benchmark	33.3%
REVENUE	BUDGET		YTD		Favorable(Unfav)		%
Revenue Per Budget Line	% of total		% of total				
Property Taxes (Ad Valorem)	\$	4,980,800.00	76%	\$	3,857,487.48	88%	(1,123,312.52) 77.4%
Total Local Option Gas Taxes		42,217.00	1%		9,924.30	0%	(32,292.70) 23.5%
Discretionary Sales Tax (PBC)		129,633.00	2%		30,904.82	1%	(98,728.18) 23.8%
Utility Taxes (FPL - Electric, Water, Gas)		365,000.00	6%		119,446.36	3%	(245,553.64) 32.7%
Communications Taxes - State		74,061.00	1%		17,397.58	0%	(56,663.42) 23.5%
Licenses & Permits		237,000.00	4%		59,035.44	1%	(177,964.56) 24.9%
Franchise Fees (FPL, WM)		257,300.00	4%		92,835.22	2%	(164,464.78) 36.1%
Other Permit Fees (Inspec, Reinspec, S. Permits)		15,000.00	0%		5,353.40	0%	(9,646.60) 35.7%
Grants		-	0%		10,237.08	0%	10,237.08 1012.0%
Shared Revenue - State (1/2 Cent Sales Tax)		174,157.00	3%		47,007.10	1%	(127,149.90) 27.0%
Shared Revenue Local (PBC Business Tax)		6,000.00	0%		1,672.76	0%	(4,327.24) 27.9%
Services (Sewer Maint, Beach Permits, Land Dev)		135,526.00	2%		20,661.40	0%	(114,864.60) 15.2%
Fines		1,500.00	0%		4,457.69	0%	2,957.69 297.2%
Interest		164,200.00	2%		80,915.99	2%	(83,284.01) 49.3%
Sale of Surplus Equipment		-	0%		-	0%	- 0.0%
Donations		-	0%		50.00	0%	50.00 0.0%
Miscellaneous		5,000.00	0%		15,263.45	0%	10,263.45 305.3%
TOTAL REVENUE (without appr'd F/B)	\$	6,587,394.00		\$	4,372,650.07		\$ (2,214,743.93) 66.4%

Explanation of Variances:

Grants - FEMA reimbursement re Hurrican Nicole

Misc - insurance reimbursement of 3 damaged light poles \$13,800

Sewer Service - billed annual in April

Fines - 115 Linda Lane, Lewis

Town of Palm Beach Shores
Capital Roads Project
FY2024

Description	Original Budget	Expenditures as at 01/31/24
Streets Assessment Report	\$ 10,000	\$ 37,815.50
Streets Engineering Survey	\$ 50,000	\$ 48,936.00
Submittal Analysis - Engenuity	\$ 10,000	\$ 4,736.50
Construction Supervision - Engenuity	\$ 30,000	\$ 15,414.50
Milling/Repaving/Restriping/Curbs	\$ 1,560,000	\$ 1,298,970.00
Total	\$ 1,660,000	\$ 1,405,872.50

includes FY2023 expenditure of \$91,488

Town of Palm Beach Shores

Utility Tax

10% Effective 4/1/17

	Electric	Water	Gas	Total
	<i>FPL</i>	<i>Riviera Beach</i>	<i>FPU</i>	
Oct-23	26,512.21	10,096.09	2,340.07	38,948.37
Nov-23	20,237.15	8,761.46	2,819.40	31,818.01
Dec-23	22,517.53	9,268.42	16,894.03	48,679.98
Jan-24				-
Feb-24				-
Mar-24				-
Apr-24				-
May-24				-
Jun-24				-
Jul-24				-
Aug-24				-
Sep-24				-
YTD Total	69,266.89	28,125.97	22,053.50	119,446.36

<i>Budget FY2024</i>	<i>230,000.00</i>	<i>105,000.00</i>	<i>30,000.00</i>	<i>365,000.00</i>
% budget	30%	27%	74%	33%

Town of Palm Beach Shores
Discretionary Sales Tax PBC

Accumulated (unspent) Discretionary Sales Tax as of 9/30/17	\$ 49,955.01
Accumulated (unspent) Discretionary Sales Tax as of 9/30/18	\$ 119,434.60
Accumulated (unspent) Discretionary Sales Tax as of 9/30/19	\$ 207,613.87
Accumulated (unspent) Discretionary Sales Tax as of 9/30/20	\$ 291,486.47
Accumulated (unspent) Discretionary Sales Tax as of 9/30/21	\$ 387,432.10
Accumulated (unspent) Discretionary Sales Tax as of 9/30/22	\$ 507,824.92
Accumulated (unspent) Discretionary Sales Tax as of 9/30/23	\$ 623,218.00

Current Year Receipts:

Date of Receipt	Period		
11/28/2023	October 2023	\$	13,064.43
12/23/2023	November 2023	\$	8,627.16
1/27/2024	December 2023	\$	9,213.23
2/3/2024	Quarterly adjustment 12/23	\$	-
2/27/2024	January 2024	\$	-
3/31/2024	February 2024	\$	-
4/30/2024	March 2024	\$	-
5/31/2024	April 2024	\$	-
6/30/2024	May 2024	\$	-
7/31/2024	June 20234	\$	-
8/31/2024	July 2024	\$	-
9/31/2024	August 2024	\$	-
11/6/2024	September 2024	\$	-

Total current year receipts	\$ 30,904.82
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Current Year Expenditures:

\$ -

Accumulated (unspent) Discretionary Sales Tax as of 11/30/23	\$ 654,122.82
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Town of Palm Beach Shores
Building Department

	Building Permits	Building Department	Net Building	Cumulative Net Bldg
10/31/2023	\$ 15,826	\$ 10,445	\$ 5,381	\$ 5,381
11/30/2023	\$ 15,088	\$ 26,169	\$ (11,081)	\$ (5,700)
12/31/2023	\$ 32,591	\$ 28,361	\$ 4,230	\$ (1,470)
1/31/2024	\$ 52,945	\$ 39,249	\$ 13,696	\$ 12,226
2/28/2024			\$ -	\$ 12,226
3/31/2024			\$ -	\$ 12,226
4/30/2024			\$ -	\$ 12,226
5/31/2024			\$ -	\$ 12,226
6/30/2024			\$ -	\$ 12,226
7/31/2024			\$ -	\$ 12,226
8/31/2024			\$ -	\$ 12,226
9/30/2024			\$ -	\$ 12,226
	\$ 116,450	\$ 104,224	\$ 12,226	

Other related revenues:

Bldg Permit State Surcharge	\$ 1,350
Fire Inspection Fees	\$ 450
Reinspection Fees	\$ 166
Code Enf Admin Cost Reimb	\$ 812
Site Plan / Variance Fees	\$ 1,808
Land Development Costs	\$ 8,296
Town Code & Ordinance Fines	\$ 4,000
Other Permit Admin Fee	\$ 1,625
Total other related revenues:	\$ 18,507
Net Building Revenue YTD	\$ 30,732

Town of Palm Beach Shores
Community Center
Kitchen Remodel 2nd Floor - Frick Bequest
at January 31, 2024

	COST ESTIMATES		EXPENDITURES as at 01/31/24		REMAINING COSTS	
Financing Source:						
Frick Bequest	\$	198,000			\$	-
Expenditures:						
Kitchen Equipment	\$	76,229.28	\$	75,297.28	\$	932.00
Kitchen Renovations	\$	96,347.00	\$	96,347.00	\$	-
Kitchen Hood	\$	62,717.50	\$	49,755.08	\$	12,962.42
	\$	-	\$	-	\$	-
	\$	-	\$	-	\$	-
	\$	-	\$	-	\$	-
	\$	-	\$	-	\$	-
	\$	-	\$	-	\$	-
	\$	-	\$	-	\$	-
Total expenditures		\$235,293.78		\$221,399.36		\$13,894.42
Projected Deficit		(\$37,293.78)				

Note:

includes FY2023 expenditure of \$66,013.00

Kitchen Reno contract with MAC Enerprises of NPB, Inc. signed November 2023

Town of Palm Beach Shores
Underground Utilities
as of 01/31/24

Also, the projection for Project Mgmt/Admin includes the approved supplemental wages for the Public Works Director.

	COST	TOTAL	Remaining	PROJECTED	
	ESTIMATE	as of 01/31/24	Costs	Cost	Variance
Other Financing Sources:					
Loan Proceeds	\$ 6,000,000	\$ 6,000,000.00	\$ -	\$ 6,000,000.00	\$ -
Expenditures:					
Survey	\$ 38,000	\$ 65,762.50	\$ -	\$ 65,762.50	\$ (27,762.50)
Legal	\$ 4,000	\$ 3,150.00	\$ -	\$ 3,150.00	\$ 850.00
Project Mgmt/Admin	\$ 80,000	\$ 95,572.09	\$ -	\$ 95,572.09	\$ (15,572.09)
Construction - Viking	\$ 4,336,460	\$ 4,343,654.00	\$ -	\$ 4,343,654.00	\$ (7,194.00)
Construction - Comcast	\$ 250,000	\$ 528,340.73	\$ -	\$ 528,340.73	\$ (278,340.73)
Construction - AT&T	\$ 450,000	\$ 456,410.36	\$ 166,415.95	\$ 622,826.31	\$ (172,826.31)
Construction - FPL	\$ 254,386	\$ 254,386.00	\$ -	\$ 254,386.00	\$ -
Landscape Restoration	\$ 16,300	\$ 11,984.51	\$ 4,315.49	\$ 16,300.00	\$ -
Loan Acquisition	\$ 23,000	\$ 22,508.00	\$ -	\$ 22,508.00	\$ 492.00
Contingency	\$ 547,854	\$ 8,785.76	\$ -	\$ 8,785.76	\$ 539,068.24
Total expenditures	\$ 6,000,000	\$ 5,790,553.95	\$ 170,731.44	\$ 5,961,285.39	\$ 38,714.61
Net Change in Fund Balance	\$ -	\$ 209,446.05	\$ (170,731.44)	\$ 38,714.61	\$ 38,714.61

Town of Palm Beach Shores
Dredging Project
as of 01/31/2024

	FY2022	FY2023	FY2024	PROJECT TOTAL
		<i>as of 9/30/23</i>	<i>as of 01/31/24</i>	<i>as of 01/31/24</i>
<u>Assets:</u>				
Cash	\$ -	\$ -	\$ -	\$ -
Due from General Fund	\$ -	\$ -	\$ 14,955	\$ 14,955
<u>Liabilities</u>				\$ -
Deferred Revenue - sale of dredged sand	\$ -	\$ 35,000	\$ 35,000	\$ 35,000
Due To General Fund	\$ -	\$ 45		
Fund Balance	\$ -	\$ 35,045	\$ 20,045	\$ 20,045
<u>Revenue:</u>				
Donations	\$ 15,000	\$ -	\$ 35,000	
<u>Expenditures:</u>				
Professional Services	\$ 15,000	\$ 35,045	\$ 20,000	
Revenue over expenditures	\$ -	\$ 35,045	\$ 15,000	\$ -

12/07/23 receipt from Forrest Development LLC \$35,000
01/11/24 disbursement A.B. Dudley & Associated \$20,000

Town Of Palm Beach Shores
Litigation Expenditures
as at 02/21/2024

	FYE 9/30/2024	FYE 9/30/2023	TOTAL 2/21/2024
Misc Legal Budget	<u>\$ 220,000.00</u>		
Litigation - Dish	\$ 132,057.00	\$ 101,866.00	\$ 233,923.00
Litigation - Inlet Way	\$ 24,845.00	\$ 27,770.00	\$ 52,615.00
Legal Services - Employment Matters	<u>\$ 3,870.00</u>		\$ 3,870.00
Expenditures to date	<u>\$ 160,772.00</u>		
FY2024 Unspent Budget	<u>\$ 59,228.00</u>		

PALM BEACH COUNTY SHERIFF'S OFFICE

RIC L. BRADSHAW, SHERIFF



February 2024 commission report Stats are from January 2024

The town events have all gone well, we still have the St. Patrick's parade and the Easter egg hunt to go.

The traffic event which closed our town to out and inbound traffic opened when I spoke with the on duty Riviera Beach Police Captain. The Mayor had also reached out that day to The Singer Island council person and the Riviera Beach city manager.

I have contacted the State of Florida department of transportation who oversees permits assigned to Blue Heron Boulevard. Going forward they will send us notice asking if we have any concerns for events that may follow and affect us.

Monthly statistics follow.

Sgt. S. Langevin



January - 2024 - Monthly Strategic Report

CAD Calls	Monthly Totals
Business / Residence Checks (Self-Initiated)	3684
Traffic Stops (Self-Initiated)	94
Calls for Service (Excluding 1050's & 1061's)	157
All CAD Calls - Total	3935

Data Source: CADS/Premier 1

*Omit Miscellaneous Calls

Note: P1 is a dynamic system. Meaning that #'s can change from what was previously reported in the event there is a location or call type re-classification/modification.

Summary: During the month, there were 3935 generated calls within the district. 96% of these calls were self-initiated.

Data below represents Traffic Activity conducted by D20 Deputies

Data Source: TraCS

Total Citations	Total Warnings	Parking Citations
8	52	0

Arrest and NTA Statistics

Arrest Data
Arrests & Notice to Appear (NTA) within District 20
Total Count - 0

Data Source: CrimeView Desktop

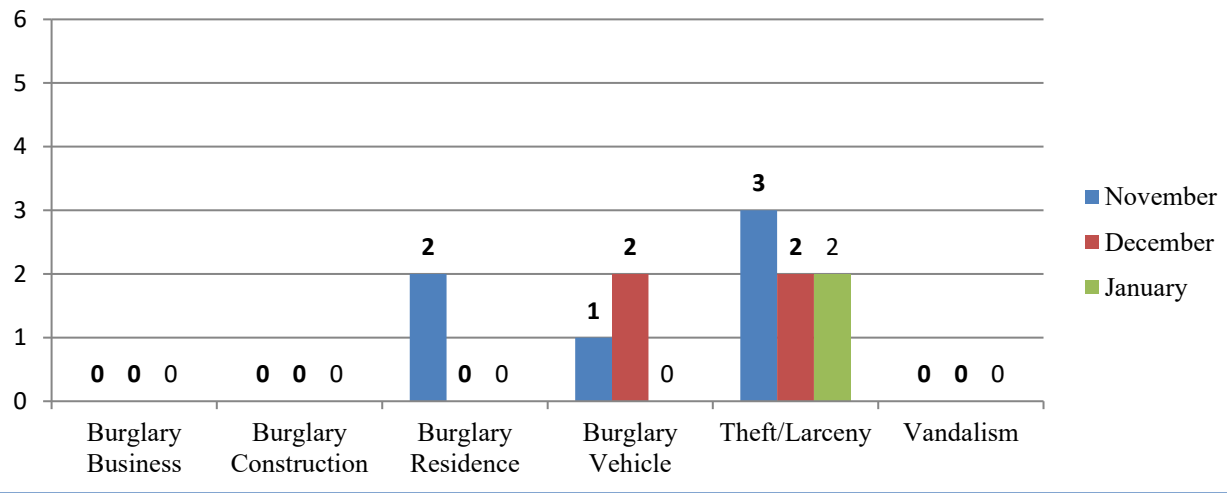
DATA ANALYSIS

The data included in this report is charted and graphed to illustrate and compare changes over a specific time period. These charts and graphs are utilized to assist in determining crime trends and to measure enforcement efforts. This data is utilized in conjunction with other analysis to develop directed patrol and various enforcement activities. The analysis included on these pages is presented as a brief highlight to explain the salient points of this report.

D20 Monthly Stats
Homicide, Robbery, Sexual Assault, Shooting, Stabbing
 Data Source: CADS/P1

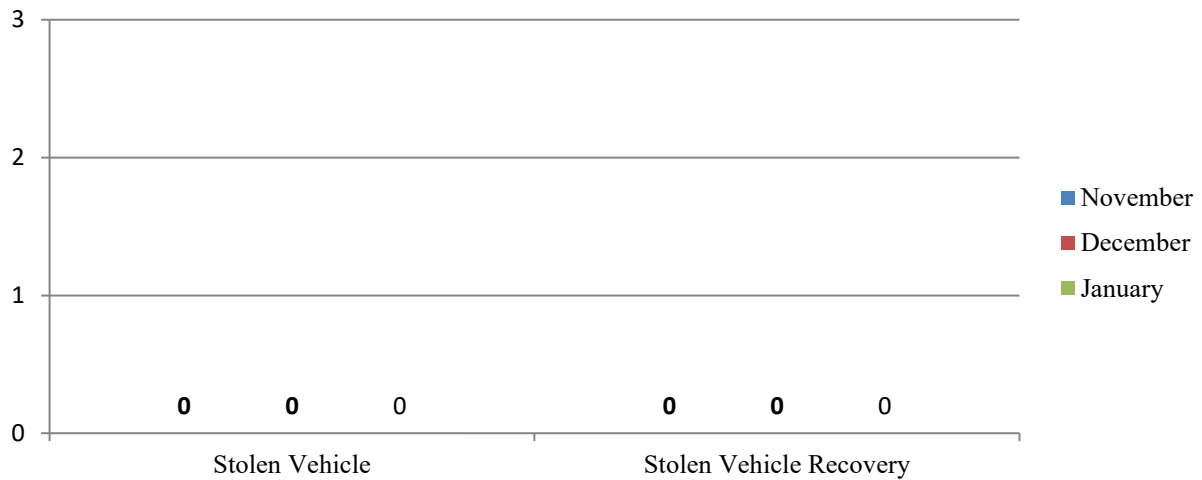


D20 Monthly Stats
Burglaries, Theft & Vandalism
 Data Source: CADS/P1



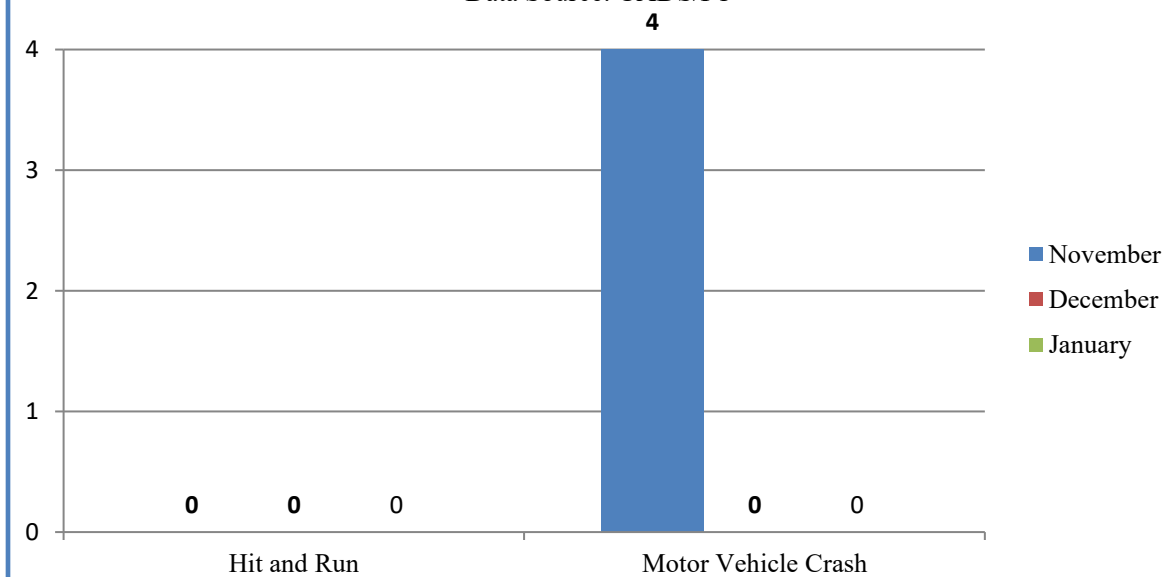
D20 Monthly Stats Stolen Vehicles & Stolen Vehicle Recoveries

Data Source: CADs/P1



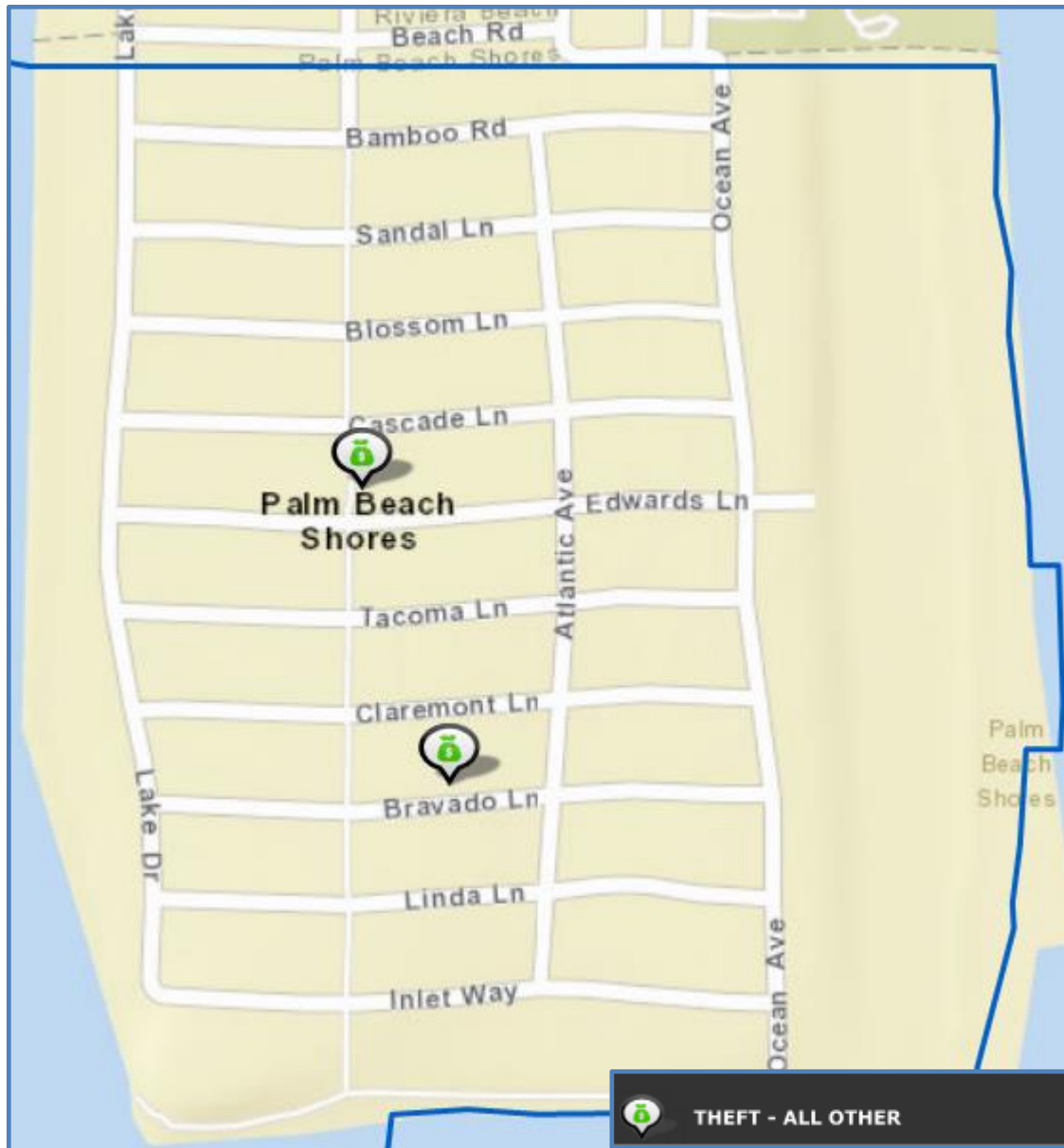
D20 Monthly Stats Hit and Run & Motor Vehicle Crash

Data Source: CADs/P1



District 20 Map of Activity

Data: Source: CrimeView Dashboard



FIR MAP

(19) Records Plotted in CrimeView Dashboard.



(22) Conducted per the FIR Track system.

Note: This # could change due to FIR's being input into the system after search was conducted.



MONTHLY ACTIVITIES REPORT TO THE TOWN COMMISSION
TOWN OF PALM BEACH SHORES
DEPARTMENT OF EMERGENCY SERVICES

TO: Mayor Alan Fiers
Town Commissioners

FROM: Trevor L. Steedman, Fire Chief / Director of Emergency Services

DATE: 20 February 2024

FIRE DEPARTMENT

COMMUNITY RISK REDUCTION (CRR) INITIATIVES

- Fire / Life Safety Inspections and Fire Protection Systems Plans Review
 - Ongoing Plans Reviews and Inspection Services
 - Annual inspections are complete. Re-Inspections are being scheduled as required.
- Hydrant Inspection Program (Monthly) – Performed by PBSFD
 - Per Riviera Beach Water Utilities, hydrant inspection program was requested to be curtailed until all tie-ins and new hydrants are online.
- Certificate of Public Convenience & Necessity (COPCN)
 - County attorneys are authoring modifications to enable our municipal eligibility for primary and secondary COPCN's. Current COPCN revision process is estimated by PBC officials to conclude by second quarter of CY2024. Language is intended to include existing / already established municipal Fire – Rescue departments.
- *Community CPR & AED* – Coordinating with POA to present the opportunity in conjunction with POA meetings.
- *Courtesy Home Fire Safety Surveys* – (Implemented: November 2017)
- *Pulse Point* mobile application site – *Pulse Point* is a pre-arrival solution designed to support public safety agencies working to improve cardiac arrest survival rates through improved bystander performance.



MONTHLY ACTIVITIES REPORT TO THE TOWN COMMISSION

TOWN OF PALM BEACH SHORES

DEPARTMENT OF EMERGENCY SERVICES

- *Pre-Incident Planning* – On-going initiative to familiarize first responders with high-risk occupancies, unique hazards and special properties in Palm Beach Shores and plan accordingly for potential emergencies.
- *File of Life Program* – (Program initiated on 15 March 2017). Program materials funded through budgeted line item: *Community Risk Reduction - Prevention*. Kits are available during business hours at the Town Hall front office.
- *Fire Extinguisher Selection, Use and Maintenance*
 - Hands-on training and education opportunity presented to community members and our partners in the business community by PBSFD Firefighters. Presented at November POA meeting.
- *Code X-Ray Placard Program* – Identifies Unsafe/Unstable/Vacant buildings.
 - 123 Ocean Avenue – Sea Spray – Vacant / Structural - Under Demolition
 - 107 Sandal Lane - Under Renovation – Vacant
 - 115 Inlet Way – Multiple code violations – Recommend to condemn

STAFFING

- Career Staff. – No full-time vacancies. Part-Time list is finalized.
- Volunteer Staff
 - Recruitment and Retention efforts remain a priority. The entry versus attrition rate (predominantly due to full-time employment opportunities with other area departments) remains constant. Entry into local Fire Academies and Paramedic Programs is down. There are 44 volunteer members certified to State Minimum Standards on the “Active” rolls at the time of this report.

WORKFORCE & OFFICER LEADERSHIP DEVELOPMENT

- Training & Continuing Education programs

FLEET DEPLOYMENT & MAINTENANCE

- All apparatus in in service at the time of this report



MONTHLY ACTIVITIES REPORT TO THE TOWN COMMISSION

TOWN OF PALM BEACH SHORES

DEPARTMENT OF EMERGENCY SERVICES

INDUSTRY & PROFESSIONAL STANDARDS COMPLIANCE INITIATIVES

- Adopted *National Fire Service Professional Qualifications Board* standards or equivalent for Line, Staff and Command level Officers, Fire Apparatus Driver Operator (FADO) and Firefighters to include:
 - NFPA 1001 *Standard for Fire Fighter Professional Qualifications*
 - NFPA 1002 – P *Standard for Fire Apparatus Driver/Operator (FADO) Professional Qualifications.*
- PBSFD FADO program (implemented in September 2017).
 - NFPA 1021: *Standard for Fire Officer Professional Qualifications*
 - Validate rank structure for integration into County NIMS/ICS model.
 - NFPA 1720 *Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations and Special Operations to the Public by Volunteer Fire Departments*

OCEAN RESCUE

GEAR & EQUIPMENT

- All apparatus in in service at the time of this report

BEACH & WATER CONDITIONS

- Water quality listed “Good” at the time of this report.

OFFICE OF EMERGENCY MANAGEMENT

Florida Recovery Obligation Calculator (F-ROC)

- F-ROC is a new initiative, sponsored by the Florida Division of Emergency Management (FDEM), that standardizes, streamlines, and simplifies the Public Assistance process. This will result in a quicker recovery and reduced risk for Applicants.
- The Town has opted-in to the program. Initial State training requirements were met. Opt-In guarantees a minimum of 20% disaster expense recovery.



MONTHLY ACTIVITIES REPORT TO THE TOWN COMMISSION

TOWN OF PALM BEACH SHORES

DEPARTMENT OF EMERGENCY SERVICES

- The Disaster Readiness Assessment (DRA) was submitted and under review.
- Abatement period will determine deficits in Town policies / procedures
 - Abatement period estimated to be concluded by end of February 2024

Comprehensive Emergency Operations Plan (CEOP): - Ongoing

- Purpose and Scope: Update/Create CEOP for the Town of Palm Beach Shores
- Four areas of focus: Preparation, Response, Mitigation and Recovery
- Complies and aligns with 27P-6.0023, Florida Administrative Code, County Comprehensive Emergency Management Plans (CEMP) and County Emergency Management Programs
- Facilitate grant opportunities and streamline FEMA reimbursement efforts.
- Community Emergency Supply Program – Operational.

Continuity of Operations Plan (COOP): - Ongoing

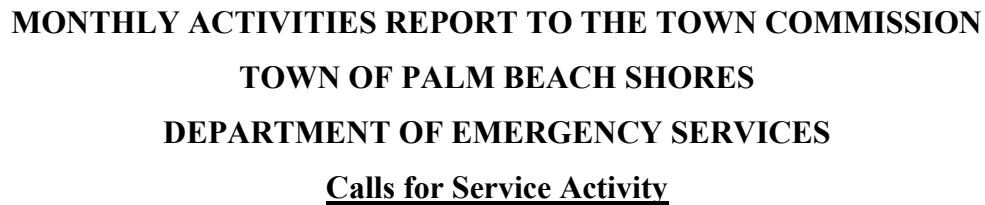
- Purpose and Scope: The COOP enables organizations to continue their Essential Functions (EF's) across a wide spectrum of emergencies. This Plan applies to the functions, operations, and resources necessary to ensure the continuation of the Town's Essential Functions, in the event its normal operations at Town Hall or Town facilities are disrupted or threatened with disruption. This Plan applies to all Town personnel and contractors vital to daily operations. Palm Beach Shores staff must be familiar with Continuity policies and procedures and their respective Continuity roles and responsibilities. This Continuity Plan ensures the Town of Palm Beach Shores is capable of conducting its essential missions and functions under all threats and conditions, with or without warning, including natural and manmade disasters, technological emergencies, and military or terrorist attack-related incidents.
- Based on a vulnerability assessment which identifies capabilities, limitations, and potential threats.
- Identify and address any potential critical points of failure.



MONTHLY ACTIVITIES REPORT TO THE TOWN COMMISSION
TOWN OF PALM BEACH SHORES
DEPARTMENT OF EMERGENCY SERVICES

Incident Action Plans (IAP's): – As-Needed

- Purpose and Scope: Provides a recognized template to establish control objectives and communicate critical information during planned and unforeseen events and emergencies.
- Response strategies and operational goals for operational periods are regularly updated.
- Current IAP – POA Beach Bonfire scheduled for February 24, 2024



OCEAN RESCUE (January 2024)	Rescue Report	Rescues: 00	Assists: 00	Vessel Assists: 00
	Prevention & Education	Contacts: 365		
	Beach Usage	Guarded Area: 5,375	Total: 15,720	Inlet: 12,297
	First Aid Provided	Occurrences (Minor): 43		

FORMAL TRAINING & DRILLS	DATE	TIME	LOCATION	TYPE			NATURE	STAFFING	NOTES
				FIRE	RESCUE	EMS			
	Jan 23	18:30	Station 80	X	X	X	Advanced FF Rescue	20	Hands-On
	Jan 30	18:30	90 Edwards	X	X	X	Downed FF CPR	28	Hands-On
	Feb 13	18:30	Station 80	X	X		S&R / Air Consumption	17	Hands-On
	Feb 20	18:30	90 Edwards	X	X		Ladders	20	Hands-On
<p align="center">Formal Training Drills – 04</p> <p align="center">Personnel Participation – 85</p> <p align="center">Personnel Training Hours – 255</p>									



Public Works Department

Monthly Status Report

February 2024

Community Center:

1. Receiving quotes to replace the south two windows on the 2nd floor banquet room due to leaking and causing damage to drywall and baseboard. **Verbal quotes estimated \$20,000 for repairs.**
2. Receiving quotes for new roll down shades on the 2nd floor. Delays due to Contractors Schedule and material shortages and daily cost changes.
3. Receiving quotes for new roll down shades on the 1st floor. Delays due to Contractors Schedule and material shortages and daily cost changes.
4. Receiving quotes for new sound panels and acoustics suggestions on the 2nd floor. Delays due to Contractors Schedule and material shortages and daily cost changes.
5. The projects listed are funded through the approved general budget.

Grounds & Parks:

1. Scheduling to install concrete slabs under the Parkway benches due to safety concerns. The concrete slabs will replace the existing individual square pavers creating an uneven surface and trip hazards. There is a total of 37 concrete slabs to be installed. The Public Works Staff will perform this project.
2. Scheduling to convert all the Irrigation mechanical time clock controllers and zone valves to digital located along the Parkway. There is a total of 5 stations to be converted. This will improve water consumption and maintenance costs. The Public Works Department staff will complete the work. The delay for the project is due to new Public Works Staff training.
3. Replaced the Fountain Pump and plumbing repairs to Fountain Spray Nozzles and Filter System.
4. **Under the Direction of the Environmental Committee**, Phase 1 of the Beach Dune restoration is in progress removing all invasive vegetation and applying Garlon to the roots to kill regrowth of the invasive vegetation. Receiving Quotes for the New Trees and the approved Dune Vegetation per the Environmental Committee selection.
5. The projects listed are funded through the approved general budget.

Streets:

1. Scheduling to repair the Sewer Manhole spacer ring to secure the Manhole Lid located on Linda Lane in the 300 block. The repairs are required due to Heavy Traffic and Road surface change. Waiting for

contractors' availability. Scheduling for another contractor to perform the work. The Project delays are due to the Road & Drainage Project.

2. The projects listed are funded through the approved general budget.

Lift Stations:

1. Scheduling to reline the streets sewer manholes in various locations. Rescheduling upon the completion date of the Road & Drainage Project.
2. Receiving quotes for new Flow Meters required update due to technology and equipment changes.
3. Scheduling to perform the maintenance on 4 each check valves located in the Lift Stations Valve Pits.
4. Scheduling to perform the high-pressure cleaning inside the Lift Stations Wet Wells and Pumps.
5. The delays are due to Contractor Scheduling for availability.
6. The projects listed are funded through the approved general budget.

Public Works Building, Police Building, Fire Department Annex Building, Beach Building:

1. Receiving quotes to replace the Town Hall roof tiles and flat roof.
2. Scheduling to repair the Fire Annex Building replace the kitchen exhaust fan over stove to a commercial exhaust fan, replace ceiling lighting with LED Lights, and paint interior walls & doors. Public Works Staff will perform this project. The project will be scheduled immediately following the Beach Building Repairs.
3. The projects listed are funded through the approved general budget.

Capital Projects For 2023-2024:

1. **Beach Playground Equipment:**
2. **Tidal Valves Lake Drive & Tacoma Lane / Lake Drive & Inlet Way.**
3. **Town Hall Roof Repairs.**
4. **Receiving Quotes for a new Skid-Steer Loader for Sand & Debris Removal.**

Training / Certificates:

1. Continuing Education in Florida Stormwater Erosion and Sedimentation Control. No cost to the Town.
2. OSHA'S Model Training Program for multiple certifications & continuing education credits. No cost to the Town.
3. Safety Meeting scheduled for Tuesday, February 13, 2023, Public Works Safety Officer (Public Works Director).
4. Continuing Training on Lift Stations Pumps, Valves, and control panels training performed by PSI Technologies and tabletop and PCS. No cost to the Town.
5. Continuing Training on Irrigation Design, spray patterns, and pump controllers. Tabletop and Landscaper Contract and Melrose Irrigation. No cost to the Town.
6. Continuing Training on Street Light repairs and safety protocols. No cost to the Town.
7. Continuing Training on DOT roadwork protocols. No cost to the Town.

Updates:

1. AT&T Project.
2. Road and Drainage Project.
3. Community Center Kitchen Remodel.
4. Beach Bathroom Building Repairs.

Notes:

1. The Iguana Extermination Program will continue as soon as the training and documentation has been completed with the new Public Works Staff.



Town Clerk's Monthly Status Report February 2024

BUILDING DEPARTMENT STATISTICS:

January 2024: Total Permits issued: 22 Total Permit Fees Paid: \$ 20,354.48

REMINDER: Working without a permit will result in a stop work order and a charge of 4 times the permit fee. Unsure if you need a permit, call the Building Department, and we'll be glad to help you.

CODE ENFORCEMENT STATISTICS:

The following is a count of properties with Code Enforcement violations from January 18, 2024 - February 20, 2024.

Code Violation: Sec. 14-106. Florida Building Code (Work without a permit)

1 Open 115 Inlet Way

Code Violation: Sec. 14-329 Property Maintenance

2 Closed

Code Violation: Sec. 70-75. Prohibition. (Commercial/Recreational Vehicle)

2 Closed 1 Open 115 Claremont Lane, 107 Claremont Lane

Code Violation: Sec. 18-29. Rental property without a Business Tax Receipt.

5 Closed 1 Open 115 Inlet Way

Code Violation: Sec. 78-79. Landscaping Maintenance.

3 Closed 4 Open 100, Tacoma Lane, 100 Claremont Lane, 224 Inlet Way, 140 Inlet Way

Code Violation: Pf. 5.13 Parking on Grass.

2 Closed

Code Violation: 78-75. Sight Triangle

1 Closed

Code Violation: Sec. 42-42. Noise

1 Closed

Code Violation: Pf. 12.12 Storage Pods

1 Closed

Total Amount of Cases created that are closed from 1/18/24 - 2/20/24: 17

Total Amount of Cases that are open from 1/18/24 - 2/20/24: 7

Total count of Cases 1/18/24 - 2/20/24: 24

Notice of Violation:

115 Inlet Way - Expired Business Tax Receipt and work without a permit.

Special Magistrate:

115 Claremont Lane - Recreational vehicle in the parking lot.

Board Openings:

There are two alternate seats open for appointment to the P&Z Board. Please send a letter of interest and/or a resume or bio to the Town Clerk's office. igoudreau@pbstownhall.org

Election information for the 2024 Elections:

Election Day: 7:00 a.m. - 7:00 p.m., Tuesday, March 19, 2024

2024 Presidential Preference Primary (PPP)

Deadline to register to vote; and, in the PPP to register with one of the two major political parties: Tuesday, February 20, 2024, Early Voting: TBD

Deadline to request that a Vote-by-Mail ballot be mailed to you: 5:00 p.m. on Thursday, March 7, 2024.

Deadline to return your Vote-by-Mail ballot to our Main Office: 7:00 p.m. on Tuesday, March 19, 2024

**Jude M. Goudreau, CMC
Town Clerk**

ARBOR DAY PROCLAMATION

WHEREAS, in 1872 J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

WHEREAS, Arbor Day is now observed throughout the nation and world, and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and increase property values.

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal, and

WHEREAS, through the dedication and hard work of former Mayor Tom Chilcote and the Environmental Committee this town has been a Tree City since 1991.

NOW, THEREFORE, I Alan Fiers, Mayor of the Town of Palm Beach Shores, do proclaim March 28, 2024, as Arbor Day and will be recognized in the Town of Palm Beach Shores, and I urge all citizens to attend the celebration and to continue to support efforts to protect our trees and woodlands and to get involved with projects like Arbor Day, and

FURTHER, I urge all citizens to plant trees to gladden the hearts and promote the well being of present and future generations.

DATE: This February 26, 2024

Alan Fiers, Mayor

ATTEST:

Jude M. Goudreau, Town Clerk