

Monday, August 24, 2020
7:00 pm



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

**REGULAR TOWN COMMISSION
MEETING AGENDA**

Mayor Alan Fiers
Vice Mayor Roby DeReuil

Commissioner Bob Stanton
Commissioner Tom Mills
Commissioner Scott McCranel

Town Attorney Keith Davis
Town Administrator Wendy Wells
Town Clerk Evyonne Browning

PLEASE NOTE:
DUE TO MANDATES BY GOVERNOR DESANTIS,
THIS MEETING MAY BE CONDUCTED USING
COMMUNICATION MEDIA TECHNOLOGY.

INSTRUCTIONS TO JOIN MEETING ELECTRONICALLY

To join meeting by computer (video & audio) click or type the following link in the address bar:

<https://townofpalmbeachshores.my.webex.com/townofpalmbeachshores.my/j.php?MTID=m88b1a133077506a3ca176880bd39bb34>

Meeting Number: 132 635 8864

Password: 0824

To join meeting by phone (voice only):

Phone Number: 1-408-418-9388 US toll-free

Access Code: 132 635 8864

Password: 0824

The entire agenda packet is available on the Town's website:

http://www.palmbeachshoresfl.us/government/agendas_and_minutes/commission.php#outer-287

AGENDA

1. **CALL TO ORDER;**
 - a. Pledge of Allegiance
 - b. Roll Call
2. **APPROVAL OF MEETING AGENDA** (*Additions, substitutions, deletions*)
3. **CONSENT AGENDA**
 - a. Approval of July 27, 2020 Commission Meeting Minutes
4. **PRESENTATIONS**

5. **DEPARTMENT AND BOARD REPORTS**

a. Financials

1. Approval of Financial Report for period ending July 31, 2020 (*Wendy Wells, Town Administrator/Treasurer*)

b. Staff Reports:

1. Sheriff's Department
2. Fire Department
3. Public Works
4. Town Clerk
5. Town Attorney

6. **COMMISSION REPORTS**

- a. Undergrounding Update (*Mayor Fiers*)

7. **OTHER BUSINESS** (Any regular business requiring a vote)

None at this time

8. **ORDINANCES AND RESOLUTIONS**

- a. Resolution R-9-20, Amend Fee Schedule. (*Presented by Keith Davis, Town Attorney*)
- b. Ordinance O-2-20, Amend Chapter 70, Amending Chapter 70, Traffic and Vehicles. (*Presented by Keith Davis, Town Attorney*)
- c. Ordinance O-3-20, Amend Chapter 2, Administration, Code Enforcement and Special Magistrate Sec. 2-68 to update and amend definitions for Police Officer, Special Magistrate and Town Attorney, and Sec. 2-76 by updating and clarifying the citation method of code enforcement. (*Presented by Keith Davis, Town Attorney*)
- d. Ordinance O-4-20, Amending Chapter 18, Article II, Sections 18-16 by repealing registration requirements for certain contractors and business that do not pay a local business tax. (*Presented by Keith Davis, Town Attorney*)

9. **DISCUSSION ITEMS**

None at this time

10. **PUBLIC COMMENTS**

**PUBLIC PARTICIPATION AND OPPORTUNITY TO BE HEARD
(Resolution R-7-13)**

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.

**TOWN OF PALM BEACH SHORES, FLORIDA
REGULAR COMMISSION MEETING MINUTES
July 27, 2020**

**PLEASE NOTE:
DUE TO MANDATES BY GOVERNOR DESANTIS, THIS MEETING WAS
CONDUCTED USING COMMUNICATION MEDIA TECHNOLOGY.**

1. CALL TO ORDER

Mayor Fiers called the meeting to order at 7:00 pm. The meeting was held at Town Hall located at 247 Edwards Lane, Palm Beach Shores, FL 33404.

Town Clerk Browning called the roll and those present were Mayor Alan Fiers, Commissioner Bob Stanton, Commissioner Tom Mills, Commissioner Scott McCranels, and Vice Mayor Roby DeReuil. Also present were PBSO Sgt. Langevin, Fire Chief Steedman, Public Works Director Welch, Town Attorney Davis, and Town Administrator Wendy Wells. Town Clerk Browning confirmed a quorum was present.

2. APPROVAL OF MEETING AGENDA (Additions, substitutions, deletions)

MOTION: Vice Mayor DeReuil moved to approve the Meeting Agenda.

SECOND: Commissioner Stanton seconded the motion.

VOTE:

DeReuil:	YES
Stanton:	YES
Mills:	YES
McCranels:	YES
Fiers:	YES

The Motion Passed Unanimously

3. CONSENT AGENDA

a. Approval of June 22, 2020 Commission Meeting Minutes

MOTION: Commissioner McCranels moved to approve the Consent Agenda.

SECOND: Vice Mayor DeReuil seconded the motion.

VOTE:

DeReuil:	YES
Stanton:	YES
Mills:	YES
McCranels:	YES
Fiers:	YES

The Motion Passed Unanimously

4. **PRESENTATIONS**

- a. Audit Report for Fiscal Year Ending 9/30/2019 (Terry Morton, CPA
Nowlen, Holt & Miner, P.A.)

5. **DEPARTMENT AND BOARD REPORTS**

- a. Financials

Town Administrator/Treasurer Wendy well went through the Financial Report for period ending June 30, 2020. The FY 2020 Projections and an update on FY 2021 Capital were also included in this report.

MOTION: Vice Mayor DeReuil moved to approve the Financial Report as presented.

SECOND: Commissioner McCranel seconded the motion.

VOTE: **DeReuil:** **YES**
 Stanton: **YES**
 Mills: **YES**
 McCranel: **YES**
 Fiers: **YES** **The Motion Passed Unanimously**

- b. Staff Reports were provided in written form and brief verbal updates provided by the PB Sheriff Department, Fire Department, and Public Works.

6. **COMMISSION REPORTS**

- a. Undergrounding Update: Public Works Director Welch stated Viking is on schedule. FPL is waiting on the project engineer with FPL to give updated information on converting to the new system on Inlet Way, which is the final loop. The Anchorage will be completed with the conversion by the end of this week. Once this is all completed, they will begin removing the lines from the poles.

7. **OTHER BUSINESS** (Any regular business requiring a vote)

- a. Set tentative millage rate - operating (*Presented by Wendy Wells, Town Administrator*)

MOTION: Commissioner Stanton moved to set the tentative millage rate for operating at 6.3500 mills.

SECOND: Commissioner McCranel seconded the motion.

VOTE: **DeReuil:** **YES**
 Stanton: **YES**
 Mills: **YES**
 McCranel: **YES**
 Fiers: **YES** **The Motion Passed Unanimously**

- b. Set tentative millage rate – debt (*Presented by Wendy Wells, Town Administrator*)

MOTION: Vice Mayor DeReuil moved to set the tentative millage rate for debt at .04290 mills.

SECOND: Commissioner McCranels seconded the motion.

VOTE: **DeReuil:** **YES**
 Stanton: **YES**
 Mills: **YES**
 McCranels: **YES**
 Fiers: **YES** **The Motion Passed Unanimously**

- c. Date, time, and location of the first public budget hearing (*Presented by Wendy Wells, Town Administrator*)

MOTION: Commissioner Stanton moved to set the first public budget hearing on September 14, 2020 at 7:00 pm and the final budget hearing on September 28, 2020 at 7:00 pm.

SECOND: Vice Mayor DeReuil seconded the motion.

VOTE: **DeReuil:** **YES**
 Stanton: **YES**
 Mills: **YES**
 McCranels: **YES**
 Fiers: **YES** **The Motion Passed Unanimously**

8. **ORDINANCES AND RESOLUTIONS**

Resolution R-8-20, A Resolution providing local recognition of South Florida Water Management District Year-round water conservations rules for landscape irrigation.
(*Presented by Keith Davis, Town Attorney*)

MOTION: Commissioner Stanton moved to approve Resolution R-9-20 as presented by Town Attorney Davis.

SECOND: Commissioner McCranels seconded the motion.

VOTE: **DeReuil:** **YES**
 Stanton: **YES**
 Mills: **YES**
 McCranels: **YES**
 Fiers: **YES** **The Motion Passed Unanimously**

9. **DISCUSSION ITEMS**

- a. Registering landscapers/lawn services who work in the Town
b. Rules on use of PODS

NOTE: After discussion, it was unanimously decided by the Commission to move both of these items to the next Commission workshop as discussion items.

10. **PUBLIC COMMENTS**
PUBLIC PARTICIPATION AND OPPORTUNITY TO BE HEARD
(Resolution R-7-13)

Resident Janet Kortenhaus stated she agreed that the discussion on landscapers and other workers coming into the Town needs to be addressed and thanked the Commission for putting this on the next workshop agenda.

Commission Stanton asked if the Commission could address the lack of response to the Census. The Town is currently at 42.9% in responses. The Mayor stated he will put something in the next newsletter appealing to all the residents to complete the census as we only have 3 more months to get this completed.

11. **ADJOURNMENT**

MOTION: Commissioner McCranels moved to adjourn the meeting

SECOND: Commissioner Mills seconded the motion.

VOTE: **DeReuil:** **YES**
 Stanton: **YES**
 Mills: **YES**
 McCranels: **YES**
 Fiers: **YES** **The Motion Passed Unanimously and the meeting was**
 adjourned at 8:26 pm

Approved this 24th day of August 2020.

ATTEST:

Alan Fiers, Mayor

Evyonne Browning, Town Clerk

(Seal)

*This meeting was recorded, and the full meeting dialogue is available
in audio format through the Town Clerk's office.*

TOWN OF PALM BEACH SHORES MONTHLY FINANCIAL REPORT

	CASH & INVESTMENTS	REVENUE			
		BUDGET	CURRENT	YEAR TO DATE	% OF BUDGET
9/30/2019	\$ 3,090,996	\$ 5,483,468	\$ 175,675	\$ 5,665,728	103%
10/31/2019	\$ 2,593,552	\$ 5,427,660	\$ 59,577	\$ 59,577	1%
11/30/2019	\$ 2,301,889	\$ 5,575,352	\$ 407,740	\$ 467,317	8%
12/31/2019	\$ 5,172,573	\$ 5,575,352	\$ 3,206,956	\$ 3,674,273	66%
1/31/2020	\$ 4,991,371	\$ 5,575,352	\$ 280,037	\$ 3,954,309	71%
2/29/2020	\$ 4,809,796	\$ 5,575,352	\$ 178,665	\$ 4,132,974	74%
3/31/2020	\$ 4,648,894	\$ 5,575,352	\$ 185,578	\$ 4,318,551	77%
4/30/2020	\$ 4,223,150	\$ 5,575,352	\$ 223,557	\$ 4,542,109	81%
5/31/2020	\$ 4,086,390	\$ 5,575,352	\$ 149,864	\$ 4,691,973	84%
6/30/2020	\$ 3,815,455	\$ 5,575,352	\$ 121,260	\$ 4,813,233	86%
7/31/2020	\$ 3,589,997	\$ 5,575,352	\$ 134,825	\$ 4,948,058	89%
7/31/2019	\$ 3,705,698	\$ 5,468,538	\$ 274,796	\$ 5,347,479	98%
8/31/2020					
9/30/2020					

	EXPENDITURES					
	BUDGET	DISBURSEMENTS	ACCRUALS	CURRENT EXP	YEAR TO DATE	% OF BUDGET
9/30/2019	\$ 5,483,468	\$ 395,603	\$ 62,282	\$ 457,885	\$ 5,085,531	93%
10/31/2019	\$ 5,427,660	\$ 643,149	\$ 27,951	\$ 671,101	\$ 671,101	12%
11/30/2019	\$ 5,575,352	\$ 700,753	\$ (308,997)	\$ 391,756	\$ 1,062,857	19%
12/31/2019	\$ 5,575,352	\$ 335,700	\$ (44,776)	\$ 380,476	\$ 1,443,332	26%
1/31/2020	\$ 5,575,352	\$ 463,959	\$ (5,521)	\$ 469,481	\$ 1,912,813	34%
2/29/2020	\$ 5,575,352	\$ 360,878	\$ 23,659	\$ 337,219	\$ 2,250,032	40%
3/31/2020	\$ 5,575,352	\$ 348,722	\$ (49,116)	\$ 397,838	\$ 2,647,869	47%
4/30/2020	\$ 5,575,352	\$ 606,087	\$ (18,682)	\$ 624,769	\$ 3,272,639	59%
5/31/2020	\$ 5,575,352	\$ 323,655	\$ (12,514)	\$ 336,170	\$ 3,608,808	65%
6/30/2020	\$ 5,575,352	\$ 378,352	\$ (51,148)	\$ 429,499	\$ 4,038,307	72%
7/31/2020	\$ 5,575,352	\$ 358,997	\$ (68,387)	\$ 427,385	\$ 4,465,692	80%
7/31/2019	\$ 5,468,538	\$ 273,131	\$ 83,414	\$ 356,545	\$ 4,194,862	77%
8/31/2020						
9/30/2020						

Budget Amendment #1 was approved at the November 2019 Commission Meeting.

Budget Amendment #2 was approved at the May 2020 Commission Meeting

Town of Palm Beach Shores
Disbursements - June 2020

Check #	Type	Date	Vendor Name	Amount
1969	C	6/4/2020	665 Andrew Fenton	\$ 90.00
1970	C	6/4/2020	823 AT&T Mobility	\$ 34.99
1971	C	6/4/2020	673 Bishop's Water Company	\$ 391.00
1972	C	6/4/2020	47 Board of County Commissioners	\$ 117.00
1973	C	6/4/2020	52 Comcast	\$ 19.95
1974	C	6/4/2020	107 Davis and Ashton, P.A.	\$ 9,810.00
1975	C	6/4/2020	863 Diversified Building Department Manager	\$ 3,810.00
1976	C	6/4/2020	65 Federal Background Services, Inc.	\$ 250.00
1977	C	6/4/2020	89 Home Depot Credit Svcs	\$ 2,038.83
1978	C	6/4/2020	129 Hugo's Gourmet Catering, Inc.	\$ 500.00
1979	C	6/4/2020	881 South Central Planning & Development Co	\$ 1,833.33
1980	C	6/4/2020	100 Toshiba Business Solutions	\$ 422.71
1981	C	6/4/2020	592 Trevor Steedman	\$ 81.46
1982	C	6/4/2020	101 Verizon Wireless	\$ 50.73
1983	C	6/4/2020	104 Waste Management	\$ 11,150.30
1984	C	6/4/2020	290 Westside Reprographics, Inc.	\$ 363.13
1985	C	6/4/2020	786 Zach's Dive Service	\$ 80.00
1986	C	6/11/2020	877 All Around Builder	\$ 3,000.00
1987	C	6/11/2020	556 Armchem International	\$ 440.00
1988	C	6/11/2020	861 BrightView Landscape Services, Inc.	\$ 6,859.38
1989	C	6/11/2020	13 City Maintenance Supply	\$ 234.08
1990	C	6/11/2020	53 Concentra Occupation Health Centers of S	\$ 140.00
1991	C	6/11/2020	606 Florida Municipal Insurance Trust	\$ 21,396.00
1992	C	6/11/2020	844 Florida Roadway Signs, Inc.	\$ 2,483.75
1993	C	6/11/2020	80 FL Public Utilities	\$ 177.14
1994	C	6/11/2020	880 Gray /Robinson Attorney	\$ 240.00
1995	C	6/11/2020	659 Image Companies	\$ 2,746.16
1996	C	6/11/2020	888 Morabito Consultants	\$ 1,085.00
1997	C	6/11/2020	14 Nowlen, Holt & Miner, P.A.	\$ 7,000.00
1998	C	6/11/2020	879 Orlando Rodriguez	\$ 180.00
1999	C	6/11/2020	858 Palm Beach County Sheriff's Office	\$ 137,364.82
2000	C	6/11/2020	16 Palmdale Oil Company, Inc.	\$ 290.52
2001	C	6/11/2020	375 Simmons & White, Inc.	\$ 2,400.00
2002	C	6/11/2020	99 Torcivia, Donlon, Goddeau and Ansay, PA	\$ 185.00
2003	C	6/11/2020	348 United Lighting Sales Inc.	\$ 472.23
2004	C	6/11/2020	640 Ward-Damon Attorney	\$ 280.90
2005	C	6/11/2020	131 WEX BANK	\$ 242.47
2006	C	6/11/2020	815 Zoom, Inc.	\$ 5,633.40
2007	C	6/18/2020	737 AT&T	\$ 518.50
2008	C	6/18/2020	47 Board of County Commissioners	\$ 5,739.75
2009	C	6/18/2020	645 Bureau of Elevator Safety	\$ 75.00
2010	C	6/18/2020	32 City of Riviera Beach	\$ 2,832.49
2011	C	6/18/2020	116 GateHouse West Palm Beach - Adv	\$ 512.56
2012	C	6/18/2020	862 Jarbas Silva	\$ 194.93
2013	C	6/18/2020	295 LiftOff, LLC	\$ 336.00
2014	C	6/18/2020	10 Municipal Code Corporation	\$ 473.52
2015	C	6/18/2020	516 Schmidt Nichols	\$ 1,181.07
2016	C	6/18/2020	100 Toshiba Business Solutions	\$ 190.09

Town of Palm Beach Shores
Disbursements - June 2020

Check #	Type	Date	Vendor Name	Amount
2017	C	6/18/2020	290 Westside Reprographics, Inc.	\$ 270.08
2018	C	6/25/2020	114 Albatross Supply	\$ 705.75
2019	C	6/25/2020	877 All Around Builder	\$ 10,675.00
2020	C	6/25/2020	737 AT&T	\$ 869.82
2021	C	6/25/2020	666 Bound Tree Medical	\$ 44.40
2022	C	6/25/2020	861 BrightView Landscape Services, Inc.	\$ 6,859.38
2023	C	6/25/2020	48 Bug Stoppers	\$ 425.00
2024	C	6/25/2020	13 City Maintenance Supply	\$ 252.21
2025	C	6/25/2020	708 Dilo Fire Alarms Inc	\$ 855.00
2026	C	6/25/2020	746 Essential Net Solutions	\$ 450.00
2027	C	6/25/2020	844 Florida Roadway Signs, Inc.	\$ 1,883.00
2028	C	6/25/2020	71 FL Power & Light	\$ 2,614.56
2029	C	6/25/2020	676 Guardian	\$ 629.04
2030	C	6/25/2020	90 Hulett Environmental Services	\$ 1,318.00
2031	C	6/25/2020	679 Keehn Emergency Medical Services, Inc	\$ 1,500.00
2032	C	6/25/2020	95 Lowes	\$ 290.85
2033	C	6/25/2020	464 Palm Beach County Chapter/ FGFOA	\$ 60.00
2034	C	6/25/2020	16 Palmdale Oil Company, Inc.	\$ 314.95
2035	C	6/25/2020	896 Primestar Digital Network	\$ 11,190.29
2036	C	6/25/2020	831 Randy's Plumbing, LLC	\$ 940.00
2037	C	6/25/2020	484 Shred-It	\$ 89.79
2038	C	6/25/2020	494 Signs by Tomorrow	\$ 2,700.00
2039	C	6/25/2020	643 Suntrust Bank	\$ 627.09
2040	C	6/25/2020	586 The Standard Insurance Company	\$ 333.78
2041	C	6/25/2020	103 Comp Benefits	\$ 82.86
2042	C	6/25/2020	104 Waste Management	\$ 2,906.10
2043	C	6/25/2020	290 Westside Reprographics, Inc.	\$ 32.51
2044	C	6/25/2020	112 Zimmerman Tree Service	\$ 714.00
2045	C	6/25/2020	815 Zoom, Inc.	\$ 960.00
ADP, LLC	E	6/26/2020	697 ADP, LLC	\$ 322.05
Blue Cross Blue Shield	E	6/30/2020	127 Blue Cross Blue Shield of Florida, Inc.	\$ 13,098.88
FRS	E	6/4/2020	172 FRS	\$ 9,951.65
ADP Wages	E	6/5/2020	ADP Wages	\$ 26,887.98
ADP Taxes	E	6/5/2020	ADP Taxes	\$ 8,677.21
ADP Wages	E	6/19/2020	ADP Wages	\$ 25,020.93
ADP Taxes	E	6/19/2020	ADP Taxes	\$ 8,091.21
				\$ 378,591.56

General Fund	\$ 378,351.56
Underground Utilities Fund	\$ 240.00
Total	\$ 378,591.56

Town of Palm Beach Shores
Budget Summary Report
July 2020

						Jul Benchmark	83.3%
		BUDGET		YTD		Favorable(Unfav)	%
REVENUE							
Revenue (without appr'd F/B)	\$	5,231,085.00		\$	4,948,056.09	\$	(283,028.91) 94.6%
Appropriated Fund Balance		344,267.00			-		(344,267.00)
TOTAL REVENUE	\$	5,575,352.00		\$	4,948,056.09	\$	(627,295.91) 88.7%
EXPENDITURES BY DEPARTMENT							
			% of total		% of total		
Administration	\$	450,220.00	8%	\$	364,530.36	8%	\$ 85,689.64 81.0%
Legal		152,000.00	3%		101,097.65	2%	50,902.35 66.5%
Public Works		322,358.00	6%		281,865.04	6%	40,492.96 87.4%
Police		1,715,378.00	31%		1,578,271.45	35%	137,106.55 92.0%
Fire		678,169.00	12%		512,892.32	11%	165,276.68 75.6%
Building		236,375.00	4%		190,723.25	4%	45,651.75 80.7%
Emergency Disaster		-	0%		-	0%	- 0.0%
Solid Waste		197,100.00	4%		165,798.04	4%	31,301.96 84.1%
911 Dispatch		45,101.00	1%		45,100.19	1%	0.81 100.0%
Legislative		12,410.00	0%		17,357.59	0%	(4,947.59) 139.9%
Streets/Storm Sewers		24,635.00	0%		21,825.47	0%	2,809.53 88.6%
Parks		133,150.00	2%		104,847.40	2%	28,302.60 78.7%
Beach		99,329.00	2%		78,126.29	2%	21,202.71 78.7%
Lift Stations/Sewer Service		22,975.00	0%		13,258.56	0%	9,716.44 57.7%
Contingencies		35,813.00	1%		-	0%	35,813.00 0.0%
Debt Service		355,328.00	6%		355,327.29	8%	0.71 100.0%
Emergency Medical Services		331,654.00	6%		275,972.33	6%	55,681.67 83.2%
Community Center		49,815.00	1%		46,809.84	1%	3,005.16 94.0%
Risk Management		139,500.00	3%		139,161.34	3%	338.66 99.8%
Capital		574,042.00	10%		172,394.49	4%	401,647.51 30.0%
TOTAL EXPENDITURES	\$	5,575,352.00		\$	4,465,358.90	\$	1,109,993.10 80.1%
CHANGE IN FUND BALANCE		-		482,697.19		482,697.19	

Explanation of Variances:

Public Works - This is solely due to costs related to covid-19 (additional cleaning/sanitizing).

Police - October costs for PBSPD and monthly payments to PBSO are paid in advance.

Dispatch - budget is for October only, then contracted with PBSO. No more costs.

Solid Waste - projected to be on budget at year end.

Legislative - includes noncapital portion of new AV equipment for meeting room.

Streets/Storm Sewers - Signs and removal of ficus tree with roots problematic to storm drains

Debt Service - all payments have been made.

Community Center - eletrical work required by Fire Marshal, door repairs, elevator repairs.

Risk Management - due to timing of expenditures. Paid in full.

Town of Palm Beach Shores
Utility Tax
10% Effective 4/1/17

	Electric <i>FPL</i>	Water <i>Riviera Beach</i>	Gas <i>FPU</i>	Total
Oct-19	17,986.20	8,477.99	1,364.92	27,829.11
Nov-19	17,613.23	7,015.45	2,064.96	26,693.64
Dec-19	19,849.65	10,754.87	2,738.02	33,342.54
Jan-20	16,427.17	4,007.08	2,633.45	23,067.70
Feb-20	16,089.10	13,608.72	2,401.72	32,099.54
Mar-20	16,064.43	8,125.57	2,474.55	26,664.55
Apr-20	16,991.01	8,094.56	1,029.02	26,114.59
May-20	14,712.20	7,356.76	1,254.19	23,323.15
Jun-20	18,666.25	8,375.93	1,368.99	28,411.17
Jul-20	23,147.18			23,147.18
Aug-20				-
Sep-20				-
YTD Total	177,546.42	75,816.93	17,329.82	270,693.17

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

Current Year Receipts:

Date of Receipt	Period	
11/25/2019	October	\$ 6,138.62
12/24/2019	November	\$ 6,664.62
1/29/2020	December	\$ 6,907.32
2/13/2020	4Q adjustment	\$ 2,267.68
2/26/2020	January	\$ 8,374.45
3/24/2020	February	\$ 7,138.14
4/28/2020	March	\$ 6,924.64
5/6/2020	1Q adjustment	\$ 2,570.20
5/28/2020	April	\$ 5,694.37
6/26/2020	May	\$ 4,293.33
7/27/2020	June	\$ 5,171.31
Total current year receipts		\$ 62,144.68

Current Year Expenditures:

\$ -

Accumulated (unspent) Discretionary Sales Tax as of 7/31/20	\$ 269,758.55
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Town of Palm Beach Shores
Building Department

	Building Permits	Building Department	Net Building	Cumulative Net Bldg
10/31/2019	\$ 28,495	\$ 16,030	\$ 12,465	\$ 12,465
11/30/2019	\$ 23,676	\$ 17,473	\$ 6,203	\$ 18,667
12/31/2019	\$ 11,572	\$ 14,241	\$ (2,669)	\$ 15,998
1/31/2020	\$ 20,913	\$ 27,726	\$ (6,812)	\$ 9,186
2/29/2020	\$ 1,780	\$ 14,124	\$ (12,345)	\$ (3,159)
3/31/2020	\$ 25,623	\$ 30,705	\$ (5,082)	\$ (8,241)
4/30/2020	\$ 4,796	\$ 10,229	\$ (5,432)	\$ (13,673)
5/31/2020	\$ 712	\$ 18,005	\$ (17,292)	\$ (30,965)
6/30/2020	\$ 8,273	\$ 16,349	\$ (8,076)	\$ (39,041)
7/31/2020	\$ 5,829	\$ 25,842	\$ (20,013)	\$ (59,053)
8/31/2020				
9/30/2020				
	\$ 131,670	\$ 190,723	\$ (59,053)	

Note: Includes \$18,400 to demo home at 118 Cascade.

Town of Palm Beach Shores
Underground Utilities
as of 7/31/20

	Cost Estimate	FYE		TOTAL	Remaining Budget	PROJECTED	
		9/30/2019	9/30/2020			Cost	Variance
Cash		\$ 2,149,130.20	\$ 1,182,944.06				
Accounts Payable		\$ 141,138.49	\$ -				
Due to General Fund		\$ 16,986.50	\$ 17,319.64				
Fund Balance		\$ (6,947.41)	\$ 1,991,005.21				
Liabilities and fund balance		\$ 151,177.58	\$ 2,008,324.85				
Expenditures:							
Survey	\$ 38,000	\$ 54,543.00	\$ 11,219.50	\$ 65,762.50	\$ (27,762.50)	\$ 65,762.50	\$ (27,762.50)
Legal	\$ 4,000	\$ -	\$ 3,150.00	\$ 3,150.00	\$ 850.00	\$ 3,150.00	\$ 850.00
Project Mgmt/Admin	\$ 80,000	\$ 65,729.65	\$ 13,592.50	\$ 79,322.15	\$ 677.85	\$ 80,000.00	\$ -
Construction - Town	\$ 4,336,460	\$ 3,596,780.73	\$ 300,646.60	\$ 3,897,427.33	\$ 439,032.67	\$ 4,336,460.00	\$ -
Construction - Comcast	\$ 250,000	\$ -	\$ 490,489.05	\$ 490,489.05	\$ (240,489.05)	\$ 490,489.05	\$ (240,489.05)
Construction - AT&T	\$ 450,000	\$ -	\$ 5,000.00	\$ 5,000.00	\$ 445,000.00	\$ 5,000.00	\$ 445,000.00
Construction - FPL	\$ 254,386	\$ 254,386.00	\$ -	\$ 254,386.00	\$ -	\$ 254,386.00	\$ -
Landscape Restoration	\$ 16,300	\$ 8,100.00	\$ 1,283.14	\$ 9,383.14	\$ 6,916.86	\$ 16,300.00	\$ -
Loan Acquisition	\$ 23,000	\$ 22,508.00	\$ -	\$ 22,508.00	\$ 492.00	\$ 22,508.00	\$ 492.00
Contingency	\$ 547,854	\$ -	\$ -	\$ -	\$ 547,854.00	\$ -	\$ 547,854.00
Total expenditures	\$ 6,000,000	\$ 4,002,047.38	\$ 825,380.79	\$ 4,827,428.17	\$ 1,172,571.83	\$ 5,274,055.55	\$ 725,944.45
Other Financing Sources:							
Loan Proceeds	\$ 6,000,000	\$ 6,000,000.00	\$ -	\$ 6,000,000.00	\$ -		
Net Change in Fund Balance	\$ -	\$ 1,997,952.62	\$ (825,380.79)	\$ 1,172,571.83	\$ 1,172,571.83		

As of 6/30/20, Viking is nearly complete. A 10% retainage is held by the Town that will be paid upon completion

PALM BEACH COUNTY SHERIFF'S OFFICE

RIC L. BRADSHAW, SHERIFF



Mayor and Commission
August Meeting
July Statistics and events
08-20-2020

Attached are the statistics for the month of July, one arrest was made in the month. The arrest was for obstruction in an investigation at 181 Ocean Avenue.

Parking tickets are being issued as needed, they were created at PBSO graphics unit last month. To date we have issued 25 in July and 26 as of August 19, these were mainly in the beach lot.

The resident and visitor beach permits are being placed in various areas of the resident's cars and in some cases not easily seen. In one vehicle last week, a car's sun shield was up and the sticker was sticking out of the bottom of it on the dashboard.

As of August 19, we issued out 100 hurricane permits for the fire department. Our Law enforcement aid has been taking reservations to have the permit issued, since as you know COVID19 continues to keep the office closed to regular traffic.

We have and continue to increase our beach patrol, we have had a few reports of a ATV on the beach in the early evening hours between 5PM and 8PM, this is not a government vehicle or driver.

Officer Jay Wikse from District 10/Lake park joins us on day shift in our town, Deputy Russian has switched with him due to the recent threats on Deputy Russian's wellbeing. Restraining orders have been issued to the persons accused of this act and felony charges are also awaiting the subjects at trial.

Deputy Cupini who joined us here at Palm Beach Shore's in November is presently on vacation and stated he will then leave the Sheriff's Office and possibly law enforcement. We wish him well as decides his future.

In the last 45 days or so, our deputies have responded to 5 different incidents in which we initiated baker act proceedings towards persons who seen as a danger to themselves or others.

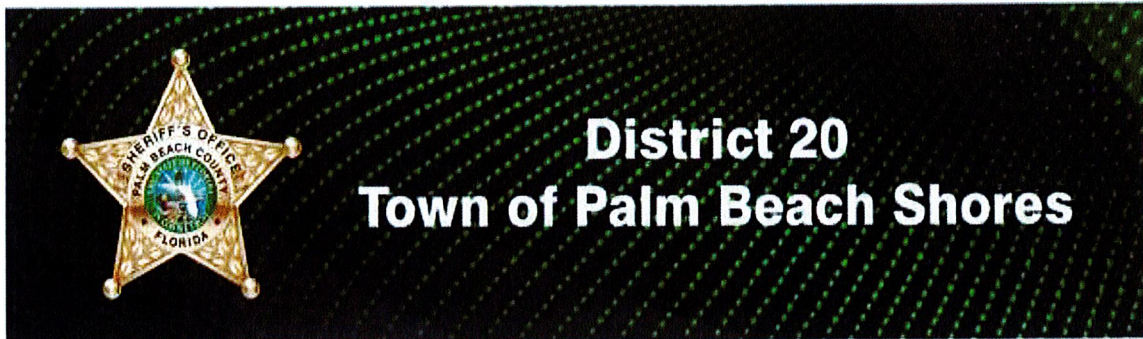
In these cases, we transport the person to a nearby psychiatric facility on a 72 hour hold in an attempt to help them from themselves.

In one incident there was nearly 20 Thousand dollars in damage to a hotel room and the deputies involved needed hazmat decontamination protocols due the amount of blood they were exposed to, which the subject had caused.

In each case a minimum of 5 deputies and a supervisor will respond to ensure the least amount of force (if any) is necessary to ensure the safe arrival of the person to the facility.

As always, I am available to answer any questions or concerns the commission or residents may have.

Sergeant Steven Langevin
Commander, PBSO District 20
Town of Palm Beach Shores.



July - 2020 - Monthly Strategic Report

CAD Calls	Monthly Totals
Business / Residence Checks (Self-Initiated)	2151
Traffic Stops (Self-Initiated)	54
Calls for Service (Excluding 1050's & 1061's)	212
All CAD Calls - Total	2417

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 2417 generated calls within the district. 91% of these calls were self-initiated.

Arrest and NTA Statistics

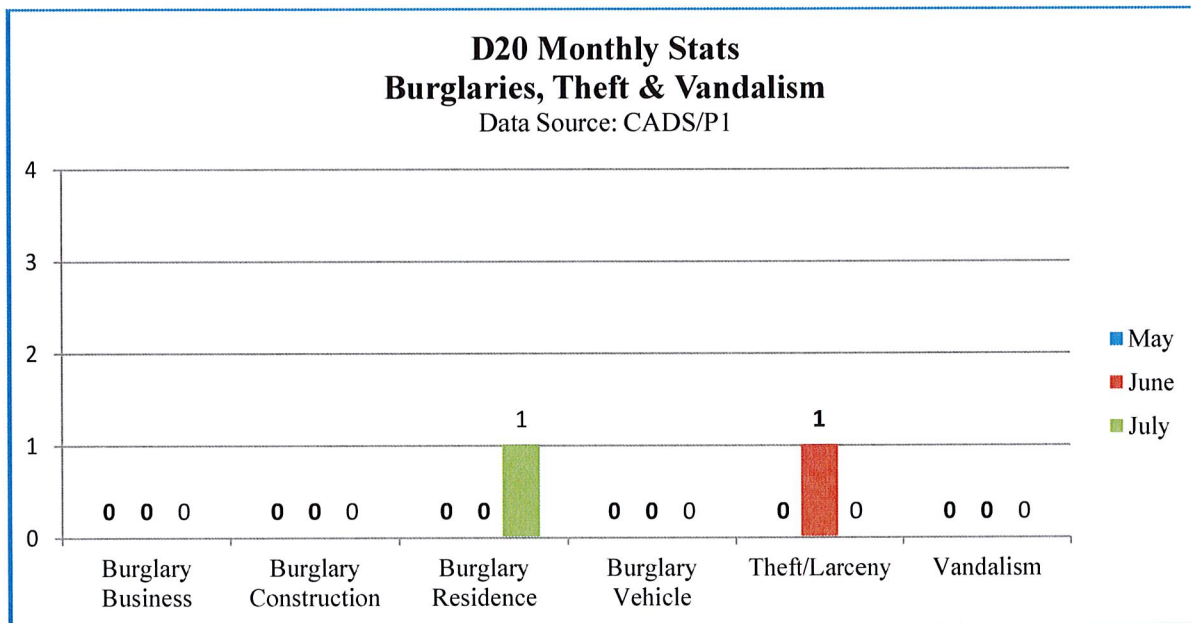
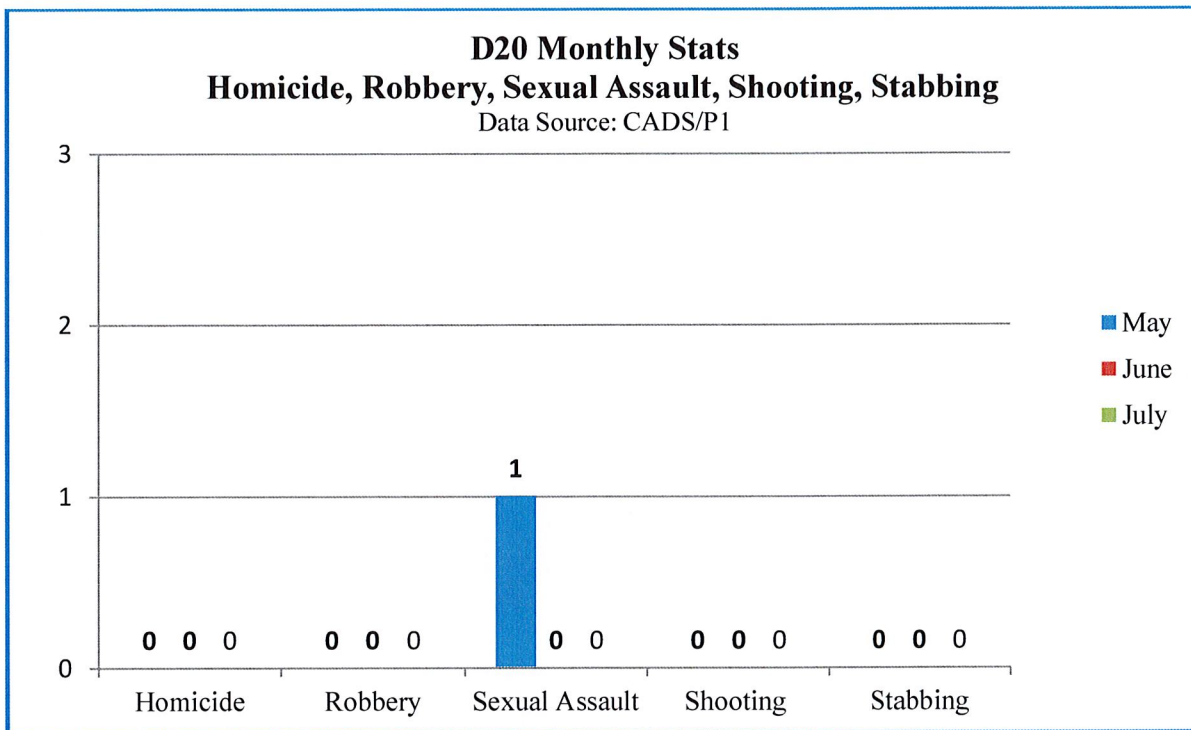
Arrest Data
Arrests & Notice to Appear (NTA) within District 20
Total Count - 1

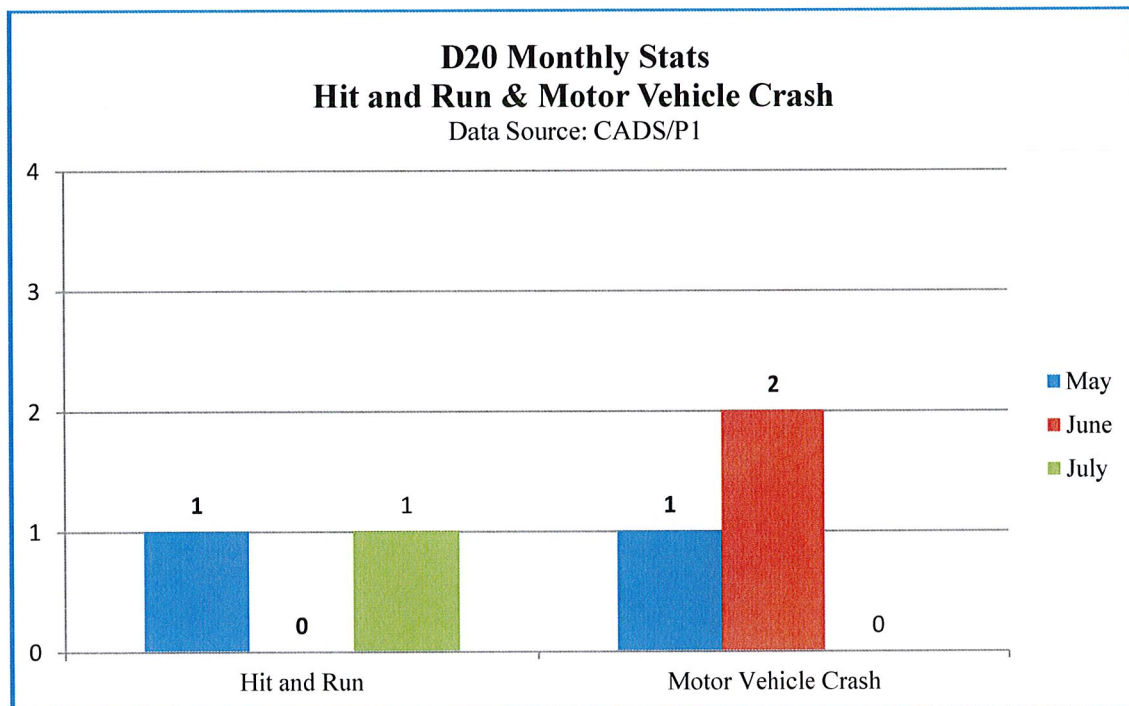
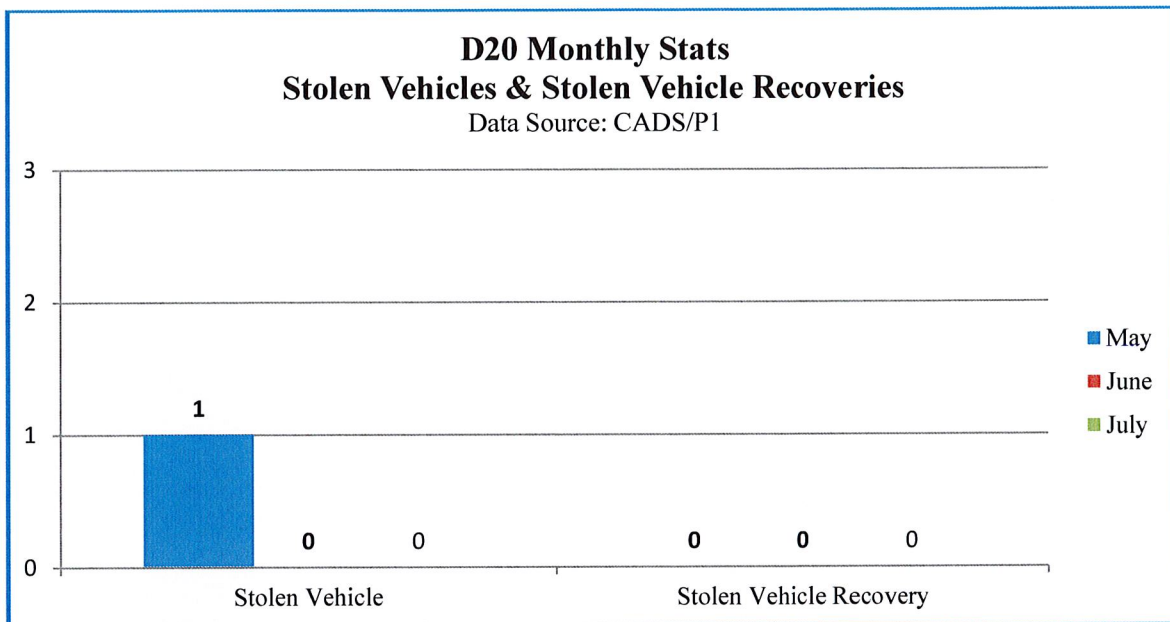
Data Source: CADS/Premier 1

RPT #	SIGNAL	NEIGHBORHOOD	COMMONPLACE	LOCATION
20088015	80		PALM BEACH SHORES RESORT	181 OCEAN AVE

DATA ANALYSIS

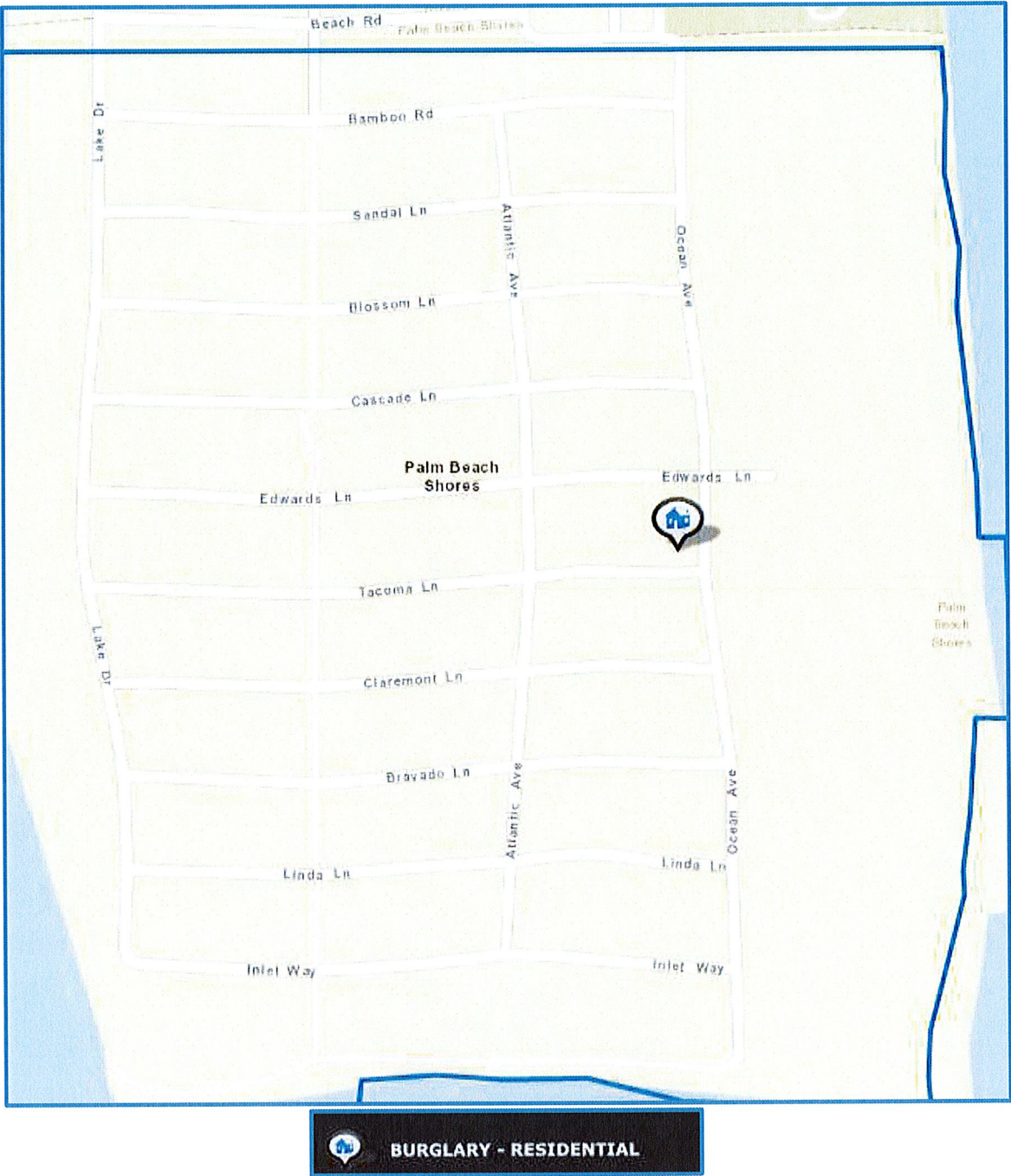
The data included in this report is charted and graphed to illustrate and compare changes over a specific time period. These charts and graphs are utilized to assist in determining crime trends and to measure enforcement efforts. This data is utilized in conjunction with other analysis to develop directed 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.





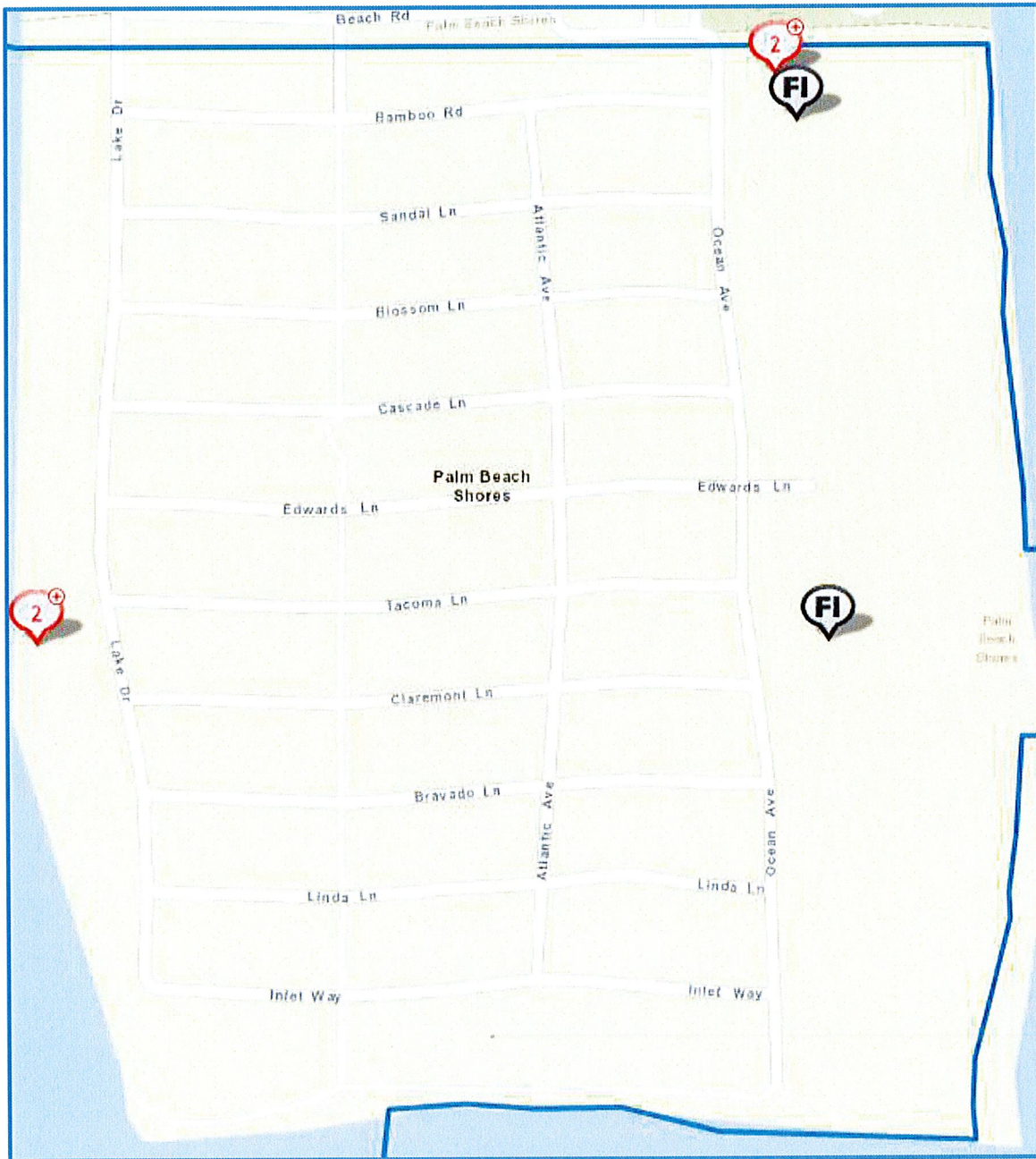
District 20 Map of Activity

Data: Source: CrimeView Dashboard



FIR MAP

6 Records Plotted in CrimeView Dashboard.



(12) Conducted per the FIR Track system.

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



Palm Beach County Sheriff's Office
Incident Search

Incident	Type	Incident Type Description	Date	Beat	Location	Source	Unit	Officer	Priority	Report
202000775022	1061	1061 - Business / Residence Check	07/30/2020 16:05:35	20-11	Approx Loc:1 Edwards Ln	Mdt	20A12	9576	5	
202000774618	1050	1050 - Vehicle Stop	07/30/2020 13:38:01	20-11	212 Bamboo Rd	Self Initiate	20A12	9576	2	
202000774212	1050	1050 - Vehicle Stop	07/30/2020 10:57:42	20-11	Bamboo Rd / Park Ave	Self Initiate	20A12	9576	2	
202000774135	1050	1050 - Vehicle Stop	07/30/2020 10:39:32	20-11	Bamboo Rd / Park Ave	Self Initiate	MTR15	7580	2	
202000764512	13	13 - Suspicious Vehicle	07/27/2020 17:27:23	20-11	Dist20 (247 Edwards Ln)	Self Initiate	20A13	36144	3	
202000763786	1050	1050 - Vehicle Stop	07/27/2020 12:03:53	20-11	Approx Loc:84 Lake Dr	Mdt	MTR11	9458	2	
202000763718	1050	1050 - Vehicle Stop	07/27/2020 11:34:37	20-11	Approx Loc:80 Lake Dr	Mdt	MTR11	9458	2	
202000763647	1050	1050 - Vehicle Stop	07/27/2020 11:08:07	20-11	Approx Loc:180 Lake Dr	Mdt	MTR11	9458	2	
202000763612	1050	1050 - Vehicle Stop	07/27/2020 10:59:33	20-11	Approx Loc:392 Bamboo Rd	Mdt	MTR26	7056	2	
202000763594	1050	1050 - Vehicle Stop	07/27/2020 10:56:46	20-11	Approx Loc:144 Lake Dr	Mdt	MTR11	9458	2	
202000758269	1050	1050 - Vehicle Stop	07/25/2020 13:49:34	20-11	Ocean Ave / Linda Ln	Self Initiate	20A12	9576	2	20090856
202000754852	1050	1050 - Vehicle Stop	07/24/2020 11:45:23	20-11	Lake Dr / Cascade Ln	Self Initiate	MTR15	7580	2	
202000754796	1050	1050 - Vehicle Stop	07/24/2020 11:24:49	20-11	Lake Dr / Bamboo Rd	Self Initiate	MTR15	7580	2	
202000754527	1050	1050 - Vehicle Stop	07/24/2020 09:54:32	20-11	Lake Dr / Bamboo Rd	Self Initiate	MTR15	7580	2	
202000749736	1050	1050 - Vehicle Stop	07/22/2020 23:59:28	20-11	Ocean Ave / Inlet Way	Self Initiate	20B12	36150	2	
202000745660	1050	1050 - Vehicle Stop	07/21/2020 22:19:16	20-11	145 Lake Dr	Self Initiate	20B11	36199	2	
202000744864	13	13 - Suspicious Vehicle	07/21/2020 17:51:44	20-11	200 Blk Inlet Way	Self Initiate	20B12	36150	3	
202000731662	1050	1050 - Vehicle Stop	07/17/2020 11:31:30	20-11	Ocean Ave / Blossom Ln	Self Initiate	MTR15	7580	2	
202000703737	1050	1050 - Vehicle Stop	07/08/2020 22:53:31	20-11	Lake Dr / Cascade Ln	Self Initiate	20B11	36199	2	
202000702915	13	13 - Suspicious Vehicle	07/08/2020 18:35:55	20-11	90 Ocean Ave	Self Initiate	20A13	36144	3	
202000696597	1050	1050 - Vehicle Stop	07/07/2020 00:02:39	20-11	Marriott Ocean Pointe - Welcome Center (71 Ocean Ave)	Self Initiate	20B11	36199	2	
202000696429	1050	1050 - Vehicle Stop	07/06/2020 23:04:34	20-11	Lake Dr / Bamboo Rd	Self Initiate	20B11	36199	2	

22 Record(s)

Total Incidents Listed	22
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Palm Beach County Sheriff's Office
Incident Search

Incident	Type	Incident Type Description	Date	Beat	Location	Source	Unit	Officer	Priority	Report
202000779384	76	76 - Asst To Another Department	07/31/2020 20:27:38	20-11	Lake Dr / Blossom Ln	Self Initiate	20811	36199	2	
202000770671	1050	1050 - Vehicle Stop	07/29/2020 13:09:34	20-11	318 Cascade Ln	Self Initiate	20A12	9576	2	
202000768130	1050	1050 - Vehicle Stop	07/28/2020 19:25:51	20-11	Edwards Ln / Ocean Ave	Self Initiate	20811	36146	2	
202000760936	1050	1050 - Vehicle Stop	07/26/2020 13:12:48	20-11	238 Bamboo Rd	Self Initiate	20A12	9576	2	
202000744342	1050	1050 - Vehicle Stop	07/21/2020 14:02:37	20-11	Ocean Ave / Tacoma Ln	Self Initiate	20A12	9576	2	
202000736549	1050	1050 - Vehicle Stop	07/18/2020 23:57:29	20-11	Edwards Ln / Lake Dr	Self Initiate	20811	36146	2	
202000733496	86	86 - Noise	07/17/2020 23:57:09	20-11	Atlantic Shores Vacation Villas (100 Bamboo Rd)	Phone	20811	36146	4	
202000728754	1050	1050 - Vehicle Stop	07/16/2020 15:29:55	20-11	Sailfish Marina - Restaurant (98 Lake Dr)	Self Initiate	20A11	29925	2	
202000717472	1050	1050 - Vehicle Stop	07/13/2020 15:06:30	20-11	Sailfish Marina - Island House (82 Lake Dr)	Self Initiate	MRN07	6778	2	
202000707320	1050	1050 - Vehicle Stop	07/09/2020 23:13:16	20-11	72 Lake Dr	Self Initiate	20811	36146	2	
202000696094	1050	1050 - Vehicle Stop	07/06/2020 21:31:31	20-11	Bamboo Rd / Park Ave	Self Initiate	20811	36199	2	
202000679689	1050	1050 - Vehicle Stop	07/01/2020 17:01:39	20-11	Inlet Way / Ocean Ave	Self Initiate	20A11	29925	2	

12 Record(s)



Palm Beach County Sheriff's Office
Incident Search

Total Incidents Listed

12



Palm Beach County Sheriff's Office
Incident Search

Incident	Type	Incident Type Description	Date	Beat	Location	Source	Unit	Officer	Priority	Report
202000777588	1050	1050 - Vehicle Stop	07/31/2020 09:30:40	20-11	Lake Dr / Bravado Ln	Self Initiate	20A13	36144	2	
202000776131	1050	1050 - Vehicle Stop	07/30/2020 23:03:58	20-11	Lake Dr / Edwards Ln	Self Initiate	20B11	36199	2	
202000775591	1050	1050 - Vehicle Stop	07/30/2020 19:49:58	20-11	300 Blk Bamboo Rd	Self Initiate	20B11	36199	2	
202000772353	1050	1050 - Vehicle Stop	07/29/2020 23:00:42	20-11	300 Blossom Ln	Self Initiate	20B11	36199	2	
202000763791	1050	1050 - Vehicle Stop	07/27/2020 12:07:33	20-11	Approx Loc:344 Cascade Ln	Mdt	MTR26	7056	2	
202000763778	1050	1050 - Vehicle Stop	07/27/2020 11:58:48	20-11	Approx Loc:344 Blossom Ln	Mdt	MTR26	7056	2	
202000760799	1050	1050 - Vehicle Stop	07/26/2020 11:52:03	20-11	Oceanview (115 Bamboo Rd)	Self Initiate	20A12	9576	2	
202000758642	1050	1050 - Vehicle Stop	07/25/2020 16:57:45	20-11	Ocean Ave / Inlet Way	Self Initiate	20A12	9576	2	
202000755662	1050	1050 - Vehicle Stop	07/24/2020 17:54:30	20-11	Town And Beach Apartments (237 Inlet Way)	Self Initiate	20B12	36150	2	
202000752314	1050	1050 - Vehicle Stop	07/23/2020 18:56:56	20-11	Lake Dr / Bravado Ln	Self Initiate	20B12	36150	2	
202000747371	1050	1050 - Vehicle Stop	07/22/2020 10:26:22	20-11	Approx Loc:158 Lake Dr	Mdt	MTR11	9458	2	
202000747274	1050	1050 - Vehicle Stop	07/22/2020 09:59:08	20-11	Approx Loc:148 Lake Dr	Mdt	MTR11	9458	2	
202000731623	1050	1050 - Vehicle Stop	07/17/2020 11:14:43	20-11	Lake Dr / Edwards Ln	Self Initiate	MTR15	7580	2	
202000730470	1050	1050 - Vehicle Stop	07/17/2020 01:08:13	20-11	Lake Dr / Blossom Ln	Self Initiate	20B11	36199	2	
202000730415	1050	1050 - Vehicle Stop	07/17/2020 00:45:42	20-11	Lake Dr / Bravado Ln	Self Initiate	20B12	36150	2	
202000728453	1050	1050 - Vehicle Stop	07/16/2020 13:20:47	20-11	Approx Loc:102 Lake Dr	Mdt	MTR11	9458	2	
202000728439	1050	1050 - Vehicle Stop	07/16/2020 13:13:52	20-11	Approx Loc:106 Lake Dr	Mdt	MTR11	9458	2	
202000728417	1050	1050 - Vehicle Stop	07/16/2020 13:04:13	20-11	Approx Loc:398 Sandal Ln	Mdt	MTR11	9458	2	
202000728397	1050	1050 - Vehicle Stop	07/16/2020 12:55:18	20-11	Approx Loc:396 Edwards Ln	Mdt	MTR11	9458	2	
202000728365	1050	1050 - Vehicle Stop	07/16/2020 12:47:08	20-11	Blossom Ln / Lake Dr	Self Initiate	MTR11	9458	2	
202000719170	1050	1050 - Vehicle Stop	07/14/2020 00:59:29	20-11	Sandal Ln / Lake Dr	Self Initiate	20B12	36150	2	
202000714241	1050	1050 - Vehicle Stop	07/12/2020 11:17:31	20-11	Blossom Ln / Lake Dr	Self Initiate	20A11	29925	2	
202000705049	1050	1050 - Vehicle Stop	07/09/2020 08:36:26	20-11	193 Lake Dr	Self Initiate	MTR28	9674	2	
202000703516	1050	1050 - Vehicle Stop	07/08/2020 21:41:52	20-11	Lake Dr / Linda Ln	Self Initiate	20B11	36199	2	

Incident	Type	Incident Type Description	Date	Beat	Location	Source	Unit	Officer	Priority	Report
20200069733	1050	1050 - Vehicle Stop	07/07/2020 21:38:56	20-11	Lake Dr / Bamboo Rd	Self Initiate	20811	36199		2

25 Record(s)



Palm Beach County Sheriff's Office
Incident Search

Total Incidents Listed

25



MONTHLY ACTIVITIES REPORT TO THE TOWN COMMISSION

TOWN OF PALM BEACH SHORES

DEPARTMENT OF EMERGENCY SERVICES

23 July 2020 – 20 August 2020

ITEM 5b2
8 24 2020

TO: Mayor Alan Fiers
Town Commissioners

FROM: Trevor L. Steedman, Fire Chief

DATE: 20 August 2020

OPERATIONS

FIRE DEPARTMENT

COMMUNITY RISK REDUCTION (CRR) INITIATIVES

- Hydrant Inspection Program (Monthly)
 - Two hydrants remain out of service. PBS Public Works and Riviera Beach Water Utilities were notified.
- Special Secondary Certificate of Public Convenience & Necessity (COPCN)
 - Provide immediate Advanced Life Support (ALS) service for Palm Beach Shores
 - Exploring alternatives to current EMS transport contract with Riviera Beach based on cost effectiveness and service delivery.
- *Community CPR & AED* – Presented twice annually
- *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.
- *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.

STAFFING

Career Staff.

- No vacancies.

○ 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. There are 36 volunteer members certified to State Minimum Standards on the “Active” rolls at the time of this report.
- Volunteer opportunities for Non-Operations personnel are under development.

WORKFORCE & OFFICER LEADERSHIP DEVELOPMENT

○ Training & Education

FLEET DEPLOYMENT & MAINTENANCE

- Ocean Rescue 280 (Can Am) is Out of Service

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

- Renovation of equipment garage at the Beach Building is complete.
- Lifeguard ATV (Gator) is in service
 - Recommend the Honda TRX420FA as less costly and more efficient alternative to the current ATV. The Honda TRX420FA is the “workhorse” ATV used by many Ocean Rescue entities including Palm Beach County.

PROFESSIONAL STANDARDS

- Assure compliance with certification, training, continuing education, and performance standards

OFFICE OF EMERGENCY MANAGEMENT

COVID-19:

- The PBS Office of Emergency Management is in daily communication with Local, County, Regional and State authorities and provides weekly updates to the Community via email distribution and Town Newsletter. Requests for Homebound Testing, provided by Palm Beach County Department of Health, can be coordinated through Palm Beach Shores Emergency Management by calling (561) 296-3380.
- **Comprehensive Emergency Operations Plan (CEOP)**
 - 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
- **Continuity of Operations Plan (COOP)**
 - 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.
- **Incident Action Plans (IAP's)**
 - 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.

Calls for Service Activity

Fire/EMS

TOTAL CALLS FOR SERVICE	34 (Fire: 06) (28: Medical)
LAST REPORTING PERIOD	49 (Fire: 15) (Medical: 34)
PERCENTAGE OF INCREASE / DECREASE	(Total: -33%) (Fire: -60 %) (Medical: -18 %)

Ocean Rescue

(July)

Rescue Report	Rescues: 0 Assists: 0
Prevention & Education	Contacts: 256
First Aid Provided	Occurrences (Minor): 59

Training & Continuing Education

TRAINING & DRILLS	DATE	TIME	LOCATION	TYPE			NATURE	STAFFING	NOTES
				FIRE	RESCUE	EMS			
<p>* Daily Shift-Based training continues with social-distancing parameters in place. Formal weekly training is delivered via virtual format due to COVID-19 compliance measures.</p> <p style="text-align: center;">Formal Training Drills –</p> <p style="text-align: center;">Personnel Participation (Formal) –</p> <p style="text-align: center;">Personnel Training Hours –</p>									



Public Works Department

Monthly Status Report

August 2020

Item #: 5 b 3.

8 24 2020

Community Center:

1. Scheduling with contractors for estimates to paint the exterior of the building and the first-floor concrete deck including bathrooms.
Scheduling to resurface the kitchen floors waiting on contractors' quotes.
2. Receiving quotes to replace the AC Air handler on the second floor in the Mechanical Room.
3. Scheduling for repairs to the Elevator Doors control circuits.
3. The projects listed is funded through the approved capital budget.

Grounds & Parks:

1. Scheduling to paint the Inlet Park walkway light posts and install numbers on each light post for maintenance tracking. This project is still in progress due to weather.
2. Scheduling to repair the Inlet Park irrigation located on the west end of the walkway. Installing new electronic zone valves and engineering new spray patterns for vegetation water coverage. This project is still in progress.
3. Public Works Staff is assisting PBSO with the installation of new security cameras on the Inlet Park walkway. This project is completed.
4. The installation of the concrete retaining wall on the East Gazebo located at the Inlet Park is completed. The task was completed on Tuesday, August 11, 2020 by Public Works Staff.
5. The projects listed is funded through the approved general budget.

Streets:

1. Receiving quotes and information to install tidal valves in the storm drain outfall pipes located at Lake Drive and Bamboo Road, and Lake Drive and Inlet Way. Working with the assistance from a former Commissioner Lisa Tropepe a Civil Engineer to discuss options. The pipes are scheduled for the CTV camera videos for Wednesday, August 26, 2020 at 9:00 am. After the video is presented then the plan review will begin for the best type of tidal valves to install at the designated locations.
2. Scheduling to replace the storm grates and concrete aprons along Lake drive and Inlet Way. The grates are on order waiting for their arrival to install. Public Works will perform the work. Still in progress.
3. The projects listed is funded through the approved capital budget.

Lift Stations:

1. Replaced the level floats and incased the cables with a stainless-steel braided sheathing to prevent rodents from damaging the float cables. This project was completed on Wednesday, July 29, 2020.
2. Repaired and performed the specified maintenance on the inline 8" inch check valves to both Lift Stations.
3. Public Works and the Fire Department is scheduling emergency training in the event of someone falling into the Lift Station wet well. Still in progress due to volunteer staff scheduling.
4. The projects listed is funded through the approved general budget.

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

1. Scheduling to receive quotes to reline the sewer pipes in Town Hall.
2. Receiving quotes to replace the Fire Department Annex Roof. There will be three separate quotes for the different types of roof materials as listed. Asphalt, Metal, and Tile.
3. Receiving quotes to replace the Police Departments Roof due to acquiring roof leaks in various locations. This roof has not been replaced for over 20 plus years only repairs. This is a modified rolled roofing material.
4. The projects listed is funded through the approved general and capital budget.

Foot Note:

Capital Projects For 2020 Public Works

1. **Beach Bathroom Restoration: Completed**
2. **Beach Boardwalk Construction:**
3. **Paint Exterior of Community Center:**
4. **LED Conversion of all lighting fixtures Community Center: Completed**
5. **AC Air Handler replacement 2nd floor Community Center:**
6. **New Storm grates and concrete aprons Streets:**
7. **New Tidal valves Lake Drive & Inlet way Outfall Pipes:**
8. **Lift Station Pumps: Removed not required**
9. **Town Hall Relining of Sewer Lines:**
10. **AC Units replaced 2ea. Town Hall: Completed**
11. **Fire Department front porch construction: Completed**
12. **Fire Department new roof:**
13. **Police Department Parking lot and Parkway Town Hall New Light Poles LED: Completed**
14. **Inlet Park Pathway asphalt sealer:**
15. **Inlet Park Gazebos retaining walls and concrete slab repairs: Completed**

Training / Certificates:

1. The next training courses begin in October 2020 for all Public Works Staff. These courses will consist of wastewater, pumps, and Storm Water Advanced Engineering looking to the future Level 1 & 2. Control Panels and the specified component functions.
2. Continuing Education in Florida Stormwater Erosion and Sedimentation Control.
3. OSHA'S Model Training Program for multiple certifications & continuing education credits.
4. Safety Meeting scheduled for September 2, 2020 Public Works Safety Officer.

TOWN CLERK REPORT
July 2020 Status Update

ITEM 5b4
8 24 2020

TASKS	STATUS
Upcoming Meetings	<ul style="list-style-type: none"> ➤ DRC Meeting (via communication technology, if needed) September 2, 2020 ➤ P & Z Meeting August 26, 2020 (via communication technology).
Building Department Updates	<p>July 2020:</p> <ul style="list-style-type: none"> • Total Permits issued: 20 • Total Permit Fees Paid: \$6,031.58 • Total Construction Value: \$182,763.13 • Total Permits issued in 2020 to date: 132 • Total Permit Fees in 2020 to date: \$133,568.95 • Total Construction Value in 2020 to date: \$3,639,803.76 <p>➤ HOURS FOR THE BUILDING DEPARTMENT! We are open Monday, Wednesday, and Friday from 9:00 am to 1:00 pm to take in Building Permit Applications BY APPOINTMENT ONLY. All other building department related business are during normal business hours (8:30 am to 4:30 pm, Monday through Friday) ALSO BY APPOINTMENT ONLY.</p>
Code Compliance	<p>New/ongoing open Code Violations July 2020</p> <ul style="list-style-type: none"> • 17 Property Maintenance (Code Sec. 14-329) • 7 Expired Tags, prohibited vehicles (Code Sec. 70-75) • 3 Work without permits (Code Sec. 14-81) • 2 Temp/Permanent Sign without permit (Code Sec. 58-31) • 1 No Business tax/Certificate of Use • 11 Landscape obstruction (Code Sec. 58-31) • 5 Yard debris/bulk trash/garbage before pick-up (CodeSec.38-9) • 1 Permitted uses: Daily Transient use (Code Sec. PF 5.1.) • 1 Off-street parking (Code Sec. Pf.5.13)
TOWN HALL	<p>Due to safety and health concerns, we are open BY APPOINTMENTS ONLY for all services. For Notary services, if you need witnesses, you will need to try your bank as we cannot allow more than 1 person in the door at a time; and Town Hall staff are not available to serve as witnesses.</p> <p>The updated audio/visual equipment in the Town Hall Chambers is now complete! We will have our 1st test run at the August 24th meeting. We ask that everyone please use proper decorum on your end of the sound and visual aspects, as you would if you were attending in person at any meeting. Please keep your microphones muted unless you are asked to speak, as any ambient noise on your end will be heard in the commission chambers unless you are muted. Also, remember if you are attending visually, you will be seen by everyone else who is also attending visually and on the big screens in the Commission Chambers. Please check yourselves accordingly. My email is: ebrowning@pbstownhall.org if you have any questions.</p>
Community Center	Community Center closed due to COVID-19

RESOLUTION NO. R-9-20

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, PROVIDING AN UPDATED AND REVISED COMPREHENSIVE SCHEDULE OF FEES AND CHARGES FOR SERVICES PROVIDED BY THE TOWN; PROVIDING THAT THE TOWN'S REVISED SCHEDULE OF FEES AND CHARGES SHALL BE AVAILABLE FOR INSPECTION AT ALL TIMES AT THE TOWN HALL DURING REGULAR BUSINESS HOURS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Town Commission of the Town of Palm Beach Shores has previously adopted fees as set forth in the Town's Fee Schedule to be imposed for the various services rendered by the Town for its citizens and for other members of the public; and

WHEREAS, the Town Commission of the Town of Palm Beach Shores desires to adopt various additions and revisions to the Town's Fee Schedule; and

WHEREAS, the Town Commission of the Town of Palm Beach Shores desires to make certain the updated Fee Schedule, including the additions and revisions as set forth therein, is available for inspection such that any member of the public may be aware of the cost of each and every service provided by the Town of Palm Beach Shores.

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

SECTION 1: The Town Commission of the Town of Palm Beach Shores, Florida, hereby officially adopts the comprehensive revised schedule of fees and charges attached hereto as Exhibit "A" and made a part hereof as if fully set forth herein.

SECTION 2: The updated Fee Schedule, as set forth in Exhibit "A" shall be available at the Town Hall for inspection by the public during normal business hours.

SECTION 3: This Resolution specifically supersedes any and all other fee schedules previously adopted, including but not limited to Resolution R-11-19, adopted August 19, 2019.

SECTION 4: This Resolution shall take effect immediately upon adoption by the Town Commission.

PASSED AND ADOPTED this 24th day of August 2020.

Alan Fiers, Mayor

ATTEST:

Evynne Browning, Town Clerk

(Seal)

EXHIBIT A

Town of Palm Beach Shores Fee Schedule

As Approved August 2020



TYPE OF FEE	AMOUNT
<u>ADMINISTRATIVE FEES</u>	
Certified Copies	\$ 5.00 each
Lien Search	\$ 15.00
Lot File Review	\$ 15.00
Meeting with:	
Code Official	\$ 75.00 per hour \$50/1 hour max
Building Official	\$ 85.00 per hour \$75/1 hour max
Zoning Official	\$ 135.00 per hour \$75/1 hour max
Open Records:	
Search/Retrieval	See Open Record Rate Schedule - Exhibit B
CD copies	\$ 15.00 each
Electronic Copies	No charge if available; \$32/hr if created
Black & White Copies	\$ 0.10 per page
Color Copies	\$ 0.15 per page
Business Tax Receipt (administrative fees):	
Code Compliance Inspections	\$ 50.00
Building Official Inspections	\$ 50.00
<u>Fire Inspections - residential</u>	<u>\$ 50.00</u>
<u>Fire Inspections - commercial</u>	<u>\$ 75.00</u>
Re-Inspections	\$ 25.00
Transfer (to new owner)	10% of BTR max \$25; min \$3; per F.S. Sec 205.033(2)
Transfer (to new location)	10% of BTR max \$25; min \$3; per F.S. Sec 205.033(3)
Transfer (to new name)	\$ 15.00
Duplicate	\$ 15.00
Solicitor Fees for all commercial activity (See Sec. 18-42 of the Town Code of Ordinances)	
Annual Fee	\$ 300.00
Monthly Fee, 30 day - (minimum required)	\$ 50.00
Garage Sale Permit	\$ 10.00

Town of Palm Beach Shores

Fee Schedule

As Approved August 2020



TYPE OF FEE	AMOUNT
Beach Parking Permit:	
Resident (annual)	\$ 10.00
Hotel/Motel Guest Pass	\$ 10.00
Non-Resident (annual; limited to # of permits issued per year – set by Town Commission)	\$ 200.00
Special Event Permit (Town Beach or on any Town Property)	
Timely Application	\$ 50.00
Untimely Application	\$ 150.00
No Special Event Permit on Beach or any Town Property	\$ 500.00 Fine
Underground Utility Waiver Application	\$ 50.00
Unauthorized Sewer Connection; Per Incident (See Town Code of Ordinances, Sec. 74-131)	\$ 500.00
Sewer System Usage Rates (See Town Code of Ordinances, Sec. 74-131)	
Single unit / vacant single unit lot accounts	\$ 32.00
Multiple units w/ facilities for meal preparation	\$ 26.00
Multiple units w/o facilities for meal preparation	\$ 23.58
Each seat in restaurant/lounge/bar	\$ 3.93
Each marina boat slip	\$ 2.62
Proportionate Fair-Share Program Application	\$ 50.00
Special Meetings/Hearings	\$ 75.00 plus advertising costs
<u>LAW ENFORCEMENT POLICE DEPARTMENT</u>	
Police Reports	\$ 10.00
Recorded Copies	
Voice Copies	\$ 20.00
Hourly Rate for Records Search	\$ 25.00
Impoundment:	
Towing	\$ 150.00
Storage	\$ 35.00 per day

Town of Palm Beach Shores

Fee Schedule

As Approved August 2020



TYPE OF FEE	AMOUNT		
Parking Penalties:			
Obstructing Traffic	\$	35.00	\$ 25.00
Parallel parking within 10 ft. of fire hydrant	\$	60.00	\$ 50.00
Parking on <u>any wrong side of street or right-of-way, including the "10-foot strip"</u>	\$	35.00	\$ 25.00
Double-parking	\$	35.00	\$ 25.00
Parking in prohibited area <u>posted with a "No Parking" sign</u>	\$	35.00	\$ 25.00
Parallel parking w/in 15 ft. of a “STOP” sign	\$	45.00	\$ 35.00
Blocking driveway, public or private	\$	45.00	\$ 35.00
Parking on private property w/out permission	\$	45.00	\$ 35.00
Parking at beach parking lot w/out permit	\$	60.00	\$ 50.00
Parking at beach parking lot with expired permit	\$	35.00	\$ 25.00
Parking in handicapped parking space w/o permit	\$	260.00	\$ 250.00
Parking in fire lane or zone	\$	85.00	\$ 75.00
Parking in any manner as to block any portion of a sidewalk and/or bicycle path or cross walk	\$	35.00	\$ 25.00
Parking outside of designated lines <u>at beach or Town Hall parking lots</u>	\$	35.00	\$ 25.00
Other Penalties			
Littering	\$	200.00	
Animals (Chapter 10) Violations:			
First violation		written or verbal warning citation	
Second violation	\$	100.00	
Subsequent violations	\$	200.00	each
Illegal use of bicycles, roller-skates, rollerblades, skateboards, quadricycles on Parkway or Inlet Park	\$	25.00	

Town of Palm Beach Shores

Fee Schedule

As Approved August 2020



TYPE OF FEE	AMOUNT		
<u>PLANNING AND ZONING</u>			
Development Orders *			
Comprehensive Plan Amendment	\$	750.00	
Variance	\$	350.00	\$ 250.00
Special Exception	\$	250.00	
Re-zoning	\$	750.00	
Plat Approval	\$	600.00	
Site Plan Review or Modification	\$	350.00	\$ 200.00
Telecom Site Plan Review of Modification	\$	500.00	
Building Plan Review & Inspections	\$	150.00	
Administrative Appeal	\$	250.00	

**All development orders are subject to the fees listed herein in addition to any legal fees associated with the Town's review/processing of the development application, any costs associated with the Town's consultants' review of the development application, postage and advertising, which may exceed the fee amount listed herein.*

Specially set meetings of the DRC, Planning & Zoning Board and/or Town Commission at the request of an applicant shall require the applicant to pay actual cost (minimum one hour) in advance for all Town consultants' involvement in said meeting(s), including, but not limited to the Town Attorney, Planner, Engineer and other consultants as applicable.

Town of Palm Beach Shores

Fee Schedule

As Approved August 2020



TYPE OF FEE	AMOUNT
<u>BUILDING PERMIT FEES</u>	

Building permit fees are determined based on the valuation formula as follows:

<i>Structure Cost</i>		<i>Permit</i>
<i>Over:</i>	<i>But Not Over:</i>	<i>Fee:</i>
\$ -	\$ 1,000.00	\$ 30.00
\$ 1,000.00	\$ 100,000.00	\$30 + 3% of amount over \$1,000.00
\$ 100,000.00	\$ 250,000.00	\$3,000 + 2% of amount over \$100,000.00
\$ 250,000.00	\$ 500,000.00	\$6,000 + 1.5% of amount over \$250,000.00
\$ 500,000.00	---	\$9,750 + 1% of amount over \$500,000.00

IMPORTANT NOTE:

Pursuant to Section 553.721 Florida Statutes, the Building Department is required to assess and collect a **1% surcharge** (minimum \$2.00) on all permit fees associated with the enforcement of the Florida Building Code. Pursuant to Section 468.631 Florida Statute, the Building Department is required to assess and collect at **1.5% surcharge** (minimum \$2.00) on all permit fees associated with the enforcement of the Florida Building Code. **The total minimum amount collected on any permit pursuant to these state statute provisions will be \$4.00.**

Additional Fees:

Re-Inspection fee	\$ 50.00
Electrical Permit	\$ 30.00
Demolition Permit	\$ 100.00
Telecom or Utilities Registration	\$ 100.00
Reinstate Expired Permit of Less Than 1 Year	\$ 30.00
Reinstate Expired Permit of More Than 1 Year	Per Valuation Formula Above
<i>(May be waived in part or in total by the Building Official)</i>	

Exhibit B
Admin Fees/Open Records

Open Records Process and Rates:

The Custodian of Records will receive all requests for records and distribute the requests to the various departments for processing the data. The requests can be received in person, via email, telephone, or fax. The Town has an open record request form available on the Town's website and in hard copy in Town Hall. A record request can be orally or in writing. However, a written request is preferred to ensure the accuracy of the requested information, but is not required.

There will be no charge for the first 15 minutes for the search, retrieval, and copying of any open records request.

There will be no charge for any documents that are currently stored in an electronic format.

If the search, retrieval, and copying time exceeds 15 minutes, there will be an hourly administrative charge not to exceed the hourly rate of the lowest paid full-time employee who, in the discretion of the custodian of records, has the necessary skills and training to perform the request.

Copying charges will also be incurred at the cost of \$.010 per page for black/white copies and \$.015 per page for color copies.

Electronic records transferred to CD will be \$15 each.

Lot File Review Requests - \$15 per file paid in advance

Documents that cannot be produced in-house will be sent to the town's reproduction vendor and the requestor will be charged the actual costs for reproduction.

For requests expected to exceed \$25, an estimate of costs will be prepared and must be approved by the requestor. Any anticipated costs exceeding \$25, \$50, or \$100 will be paid in advance as a deposit. If the final costs exceed the anticipated costs, final payment of the balance will be paid prior to the release of any records. If the balance is not paid within 10 days of receiving the final costs invoice, the deposit will be forfeited. Any payment over the actual costs will be refunded within 10 business days.

ORDINANCE NO. O-2-20

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, AMENDING CHAPTER 70. TRAFFIC AND VEHICLES. TO UPDATE PARKING REGULATIONS, PROVIDE FOR TOWING OF UNLAWFULLY PARKED VEHICLES, PROVIDE REGULATIONS FOR PARKING ON UNIMPROVED LOTS, PROVIDE FOR ENFORCEMENT AND TO GENERALLY PROVIDE FOR INTERNAL CONSISTENCY; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 70. TRAFFIC AND VEHICLES. 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, Chapter 70 of the Town Code of Ordinances currently provides parking and other vehicle regulations which are in need of updating to assist Town law enforcement and code enforcement in the enforcement of same; and

WHEREAS, the Town Commission of the Town of Palm Beach Shores desires to update its parking regulations and provide for towing of unlawfully parked vehicles, parking on unimproved lots, as well as general enforcement and internal consistency; and

WHEREAS, the Town Commission believes these revisions to its Code of Ordinances to be in the best interests of the health, safety, and welfare of the citizens of Palm Beach Shores.

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

Section 1: Chapter 70. Traffic and Vehicles. of the Code of Ordinances of the Town of Palm Beach Shores is hereby amended to update parking regulations, provide for towing of unlawfully parked vehicles, provide regulations for parking on unimproved lots, provide for enforcement and to generally provide for internal consistency; providing that Chapter 70. Traffic and Vehicles. shall hereafter read as follows:

Chapter 70 – TRAFFIC AND VEHICLES
ARTICLE I. - IN GENERAL

Sec. 70-1. - Adoption of state laws.

(a) It shall be a violation to commit, within the corporate limits of the town, any act which is or shall be recognized by the laws of the state as an infraction under F.S. ch. 316; and the commission of such acts is hereby forbidden.

(b) Whoever shall violate the provisions of this section shall be subject to the civil penalties contained in F.S. ch. 318.

(c) Town law enforcement officers are authorized and directed to enforce all such laws withing the town.

Sec. 70-2. - Reserved.

Sec. 70-3. - Reserved.

Sec. 70-4. - Identification of commercial vehicles.

(a) Each person using any commercial vehicle in connection with any business, profession or occupation shall paint or cause to be painted on each side of such vehicle or on placards clearly visible on each side of such vehicle, in letters no smaller than three inches in height, the name, address and occupation of each person so using the vehicle.

(b) A licensee, licensed under the principal categories of hotel, motel and marina is hereby authorized to use logo lettering on permitted passenger vehicles.

Sec. 70-5. - Backing to turn.

No vehicle shall be backed into any street or intersection from any other street or intersection for the purpose of making a turn.

Sec. 70-6. - Powers and duties of town law enforcement officers ~~chief of police~~ to enforce traffic regulations.

(a) The town commission, upon recommendation of the town's law enforcement personnel ~~chief of police~~, shall regulate the operations and parking of vehicles within the corporate limits of the town by the erection of parking signs, signals, markers, markings and other authorized traffic-control devices in the following specified instances:

- (1) Designation of areas where parking is prohibited or limited.
- (2) Designation of one-way streets, through streets, stop streets, U-turns, play streets, quiet zones, crosswalks, safety zones and truck routes.
- (3) Installation and proper timing and maintenance of traffic-control devices.
- (4) Marking off of traffic lanes indicating the flow of traffic.
- (5) Closing of streets to vehicular or pedestrian traffic for temporary period of time.

(b) Yellow paint or markings on any street or curbing shall mean that parking is prohibited in that area so marked; provided, however, that areas marked with yellow paint and designated as a loading zone shall be permitted to be used for that purpose or for whatever purpose so designated.

(c) The existence of such signs, signals, markers or markings at any place within the corporate limits of the town shall be prima facie evidence that such signs or markers were erected or placed by and at the direction of the town commission and in accordance with the provisions of these sections.

(d) Town law enforcement ~~The chief of police and/or his~~ officers are hereby directed to enforce the provisions of this section and are further authorized to regulate traffic during emergencies notwithstanding other regulations. Any person failing or refusing to comply shall be punished as provided by state law or town code, as applicable in section 1-15.

Secs. 70-7—70-30. - Reserved.

ARTICLE II. - PARKING, STOPPING AND STANDING

DIVISION 1. - GENERALLY

Sec. 70-31. – Reserved ~~Notice on illegally parked vehicle.~~

~~Whenever any motor vehicle without a driver is found parked, stopped or standing in violation of any of the restrictions imposed by this ordinance or the Code of Ordinances of this town, the officer finding such vehicle shall take its registration number and may take any other information displayed on the vehicle which may identify its user and shall conspicuously affix to such a vehicle a traffic citation or notice in writing, on a form provided by the town clerk, for the driver to answer the charge against him within 48 hours, during the hours and at a place specified in the notice.~~

Sec. 70-32. - Parking prohibitions; fines and penalties.

(a) Parking of motor vehicles is strictly prohibited and unlawful within the Town of Palm Beach Shores as follows:

- (1) Obstructing traffic.
- (2) Parallel parking within 10 feet of a fire hydrant.
- (3) Parking on any ~~wrong side of street or right-of-way, including the "10-foot strip"~~
- (4) Double-parking.
- (5) Parking in prohibited area posted with a "No Parking" sign.
- (6) Reserved ~~Parking within an area posted with a "No Parking" sign.~~
- (7) Parallel parking within 15 feet of a "Stop" sign.
- (8) Blocking driveway, public or private.
- (9) Parking on private property without permission (trespassing).
- (10) Parking at beach parking lot with no permit.
- (11) Parking at beach parking lot with expired permit.
- (12) Parking in any handicapped parking space without permit.
- (13) Parking in fire lane or zone.
- (14) Parking in any manner so as to block any portion of a sidewalk and/or bicycle path or cross walk.
- (15) Parking outside of designated lines at beach or Town Hall parking lots.

(b) Fines and penalties ~~Penalties.~~ The fine fee ~~schedule for violations of the regulations~~ ~~prohibitions~~ as set forth in this chapter shall be set by the town commission and may be

amended from time to time, as necessary. The fine schedule shall be available at the office of the town clerk during normal business hours. Any vehicle found parked in violation of the regulations ~~prohibitions~~ set forth in this chapter shall be posted with a ~~notice or~~ citation affixed to such vehicle clearly stating that the fine fee set forth on such citation must be paid to the town within ten ~~five~~ days. Failure to pay the fine ~~penalty~~ within ten ~~five~~ days after such citation ~~notice~~ is posted ~~attached~~ to the vehicle may result in a summons being issued ordering the owner of the vehicle to appear at county court. In the event the owner is found guilty of such violation in county court, the owner may be assessed additional fines and court costs. Failure to pay may also result in the inability to re-register the vehicle ~~shall be fined such amount as shall be determined by the county court judge.~~

Sec. 70-33. - Presumption in reference to illegal parking, operating, stopping, etc.

(a) ~~For~~ In any citation ~~prosecution~~ alleging ~~charging~~ a violation of this chapter governing the parking, stopping, or standing, ~~parking or operating~~ of a motor vehicle, proof that the offending ~~particular~~ motor vehicle described in the complaint was parked or operated in violation of this chapter or other regulation, together with proof that the person ~~defendant~~ named in the citation ~~complaint~~ was at the time of such alleged violation ~~parking or operating~~ the registered owner of such motor vehicle, shall constitute in evidence a prima facie presumption that the registered owner of such motor vehicle was the person who parked, stopped, or stood, ~~parked or operated~~ such vehicle in violation of this chapter as alleged at the point where and for the time during which such violation occurred.

(b) ~~The presumption stated in this section shall apply only when the procedure prescribed in this section has been followed.~~

Sec. 70-34. – Enforcement of laws, issuance of citations ~~When warrant to be issued.~~

The regulations contained in this chapter may be enforced by the town's law enforcement officers and / or code enforcement officers, as appropriate. Generally, law enforcement officers may issue citations for violations of state traffic laws and parking violations on public or Town property; code enforcement officers may issue citations or

~~notices for violations of town ordinances occurring on private property. If any person fails to comply with a notice given to such person or attached to a vehicle or fails to make appearance pursuant to a summons directing an appearance in the county court, or if any person fails or refuses to deposit bail as required and within the time permitted by law, the clerk of the county court shall forthwith secure and issue and have served a warrant for his arrest.~~

Sec. 70-35. - Disposition of parking traffic fines and forfeitures.

~~All fines or forfeitures collected pursuant to this chapter, less any administrative fees charged by the clerk of the court upon conviction or upon the forfeiture of bail of any person charged with a violation of any of the provisions of this chapter or other traffic ordinances shall be paid into the town treasury and deposited in the general fund of the town.~~

Sec. 70-36. - Authority to remove and impound vehicles.

The Mayor or designee, in consultation with town law enforcement or code enforcement officers, as appropriate, are hereby authorized to have any motor vehicle towed from any public street, right-of-way including the ten-foot strip, or town parking lot under any of the circumstances hereinafter enumerated: ^[KD1]

- (1) When any motor vehicle is disabled upon any public parking area or street and such motor vehicle constitutes an obstruction to traffic.
- (2) When any motor vehicle is left unattended or disabled for more than 24 hours in a public parking area or street without written authorization from the town.
- (3) When any motor vehicle is parked in a public parking area and is not parked within a marked or delineated parking space or stall and constitutes an obstruction to traffic or the orderly use of the public parking area.
- (4) When any motor vehicle is improperly parked in an area that is designated by signs stating that improperly parked vehicles will be towed away.
- (5) When any motor vehicle is parked in a designated "no parking" area.
- (6) When any motor vehicle is left disabled or unattended on any portion of any public sidewalk or bike path at any hour of the day or night.

(7) When removal of any motor vehicle is necessary in the interest of public safety because of fire, flood, storm, or other emergency reason.

Secs. 70-37 ~~36~~—70-50. - Reserved.

DIVISION 2. - PARKING ZONES

Sec. 70-51. - No-parking zones.

(a) It shall be unlawful for any person to park any motor vehicle at any time ~~upon the streets and avenues of the town~~ at any place marked and designated as "No Parking" by appropriate signs erected by town law enforcement officers ~~the police department~~ pursuant to Town written instructions of the Commission direction.

(b) This section shall not apply to official or emergency vehicles ~~parked in pursuance of~~ carrying out their official or emergency duties.

Sec. 70-52. - Parking on streets unlawful.

It shall be unlawful for any person to park or to leave parked a motor vehicle of any kind, whatsoever upon any street in the town, or within town rights-of-way including those commonly known as the "ten foot strip" adjacent to paved streets throughout the town, except for the parking of work trucks during daylight hours, emergencies, meetings held at the town hall or special events with prior approval of the Mayor or designee in consultation with town law enforcement.

Secs. 70-53—70-70. - Reserved.

DIVISION 3. - PARKING AND STORAGE OF VEHICLES

Sec. 70-71. - Definitions.

For the purpose of this division, the following definitions shall apply:

Commercial vehicle means any vehicle of any nature which is used for hire or for profit or that either contains equipment for, or markings showing or advertising the commerce, trade or industry in which the vehicle is used, or has a rated capacity over a gross vehicle

weight of three-quarter ton or 8,600 pounds, or is equipped to draw a semi-trailer, or has three or more axles.

Personal vehicle means any standard unmarked passenger car, van, private passenger pick-up truck or other motor vehicle not exceeding a gross vehicle weight of three-quarter ton or 8,600 pounds, which is used for personal transportation.

Recreational vehicle means any vehicle primarily designed for off-road recreational operation such as a "dune buggy" or a "swamp buggy" or designed as temporary living quarters for recreational, camping or travel use which either has its own motive power or is mounted on or drawn by another vehicle including without limitation travel trailers, camping trailers, park trailers, truck campers attached or detached from the truck, motor homes, mobile homes, trailers, semi-trailers, and truck trailers.

Trailer means any open or enclosed trailer used to transport goods, equipment, or vehicles, but not including boat trailers.

Utility vehicle means any vehicle used by the owner of a motel, hotel, or marina with markings showing or advertising the business for which the vehicle is used, and which is utilized primarily on motel, hotel, or marina premises. This definition shall not include marked passenger cars vans or private passenger pick-up trucks not exceeding a gross vehicle weight of three-quarter ton or 8,600 pounds.

Sec. 70-72. - Purpose.

The purpose of this division is to provide for public safety and general welfare of the town in preserving its residential character, eliminating noise and traffic hazards, by limiting and restricting the parking and storage of certain types of vehicles within the limits of the town.

Sec. 70-73. - Reserved.

Sec. 70-74. - Penalty for division violations.

Any person found to be in violation of violating any part of this division may be cited to the town's code enforcement special magistrate and may be fined up to \$250.00 per day for each day their property remains in violation of this division, or up to \$500.00 per

day for a repeat violation as contemplated by town code Sec. 2-73 shall be punished by a fine of not more than \$50.00 for each day such violation continues.

Sec. 70-75. - Prohibition.

(a) It shall be unlawful for any person to park, keep or maintain upon the streets, town property and private property within the limits of the town any vehicle listed in section 70-71, unless such vehicle is completely housed in a garage or other suitable structure, or as otherwise specified in this division. Further, it shall be unlawful for any person to park, keep or maintain upon the streets, town property and private property within the limits of the town any inoperable, dismantled, partially dismantled or unregistered vehicles.

(b) Recreational vehicles granted a temporary parking permit are exempt from the provisions of this section. However, recreational vehicles with a temporary parking permit may not be used for occupancy and may not be connected to any utilities.

(c) Personal vehicles that display a current and valid state registration and that are capable of lawful operation on public streets or roadways are exempt from application of this division.

Sec. 70-76. - Temporary parking.

Recreational vehicles not over 25 feet in length may be parked on driveways while being loaded and prepared for use and for unloading after use. Such temporary parking shall not exceed 48 hours. Prior to the temporary parking of recreational vehicles, the owner or renter of the property shall ~~notify the police department and shall~~ obtain a no-fee permit from the town ~~police department~~ which shall be placed in the vehicle so that it is visible from the street. Such temporary parking permits shall be issued to any property owner or renter only twice in any 30-day period and only if the recreational vehicle is under control of the owner or renter of the property. During such temporary parking, the recreational vehicle may not be used for occupancy and may not be connected to any utilities.

Sec. 70-77. - Exceptions for certain vehicles in districts "B," "C" and "D."

(a) Personal vehicles and utility vehicles as defined hereinabove may be parked in districts "C" and "D" on the premises of the motel, hotel or marina, provided such vehicles are used by the owner in principal categories of motel, hotel or marina, and are licensed in accordance with section 18-31.

(b) Utility vehicles as defined hereinabove may be parked in district "B" on the premises of the motel, hotel or marina, provided such vehicles are used by the owner in principal categories of motel, hotel or marina, and are licensed in accordance with section 18-31.

Sec. 70-78. - Limited exceptions for watercraft trailers, watercraft with or without trailers, and recreational vehicles in districts "C" and "D."

(a) All watercraft trailers, watercraft with or without trailer(s) and recreational vehicles may be parked in zoning districts "C" and "D" only if located a minimum of 50 feet to the rear of the property line adjacent to and parallel to the street and only when they are substantially hidden from the view of the abutting property, public rights-of-way, the inlet walk and the parkway with a wall, fence, hedge or any combination thereof constructed such that the transmission of light and air is not allowed to pass through more than ten percent of the surface area, and which is otherwise legally permissible in accordance with the Town Code of Ordinances. The watercraft, personal watercraft and/or trailer(s), including all accessories and/or attachments, if applicable, shall be allowed at a maximum height of 12 feet and a maximum length of 28 feet. Watercraft and recreational vehicles shall be deemed to be "substantially hidden" from view when screened by a wall, fence, hedge or combination thereof, constructed such that the transmission of light and air is not allowed to pass through more than ten percent of the surface area, and which is six feet in height.

(b) Watercraft may not be used for occupancy or storage purposes and may not be connected to utilities.

(c) Watercraft trailers, or watercraft with or without trailers must be owned by the property owner or tenant of the property on which they are parked, except for storage at bona fide marinas, see subsection (e) hereinbelow.

(d) Any parked or stored watercraft or watercraft trailer as permitted by this section shall be in operable condition and must have at all times valid State of Florida vehicle registration plate, sticker, and Florida decal.

(e) All watercraft or watercraft trailers stored at a bona fide marina are exempt from the ownership requirement set forth in subsection (c) above (i.e. that the watercraft be owned by the property owner or tenant of the property on which they are parked.) However, if stored on land at a marina, all watercraft and/or trailers must be located a minimum of 50 feet to the rear of the property line adjacent to and parallel to the street and must be substantially hidden from the view of the abutting property, public rights of way, the inlet walk and the parkway with a wall, fence, hedge or any combination thereof constructed such that the transmission of light and air is not allowed to pass through more than ten percent of the surface area, and which is otherwise legally permissible in accordance with the Town Code of Ordinances. The watercraft, personal watercraft and/or trailer(s) including all accessories and/or attachments, if applicable, shall be allowed at a maximum height of 12 feet and a maximum length of 28 feet and shall be deemed to be "substantially hidden" from view when screened by a wall, fence, hedge or combination thereof, constructed such that the transmission of light and air is not allowed to pass through more than ten percent of the surface area, and which is six feet in height.

Sec. 70-79. - Exceptions for vehicles used in construction, deliveries, and services during regular business hours.

Nothing in this division shall be deemed to prevent the parking and keeping of vehicles listed in section 70-71 on the streets, town property or private property within the limits of the town for the period of time during which such vehicles are actually being used for construction, deliveries and services within the town during the hours of 8:00 a.m. to 6:00 p.m. Between May 1 and September 30, however, these times shall be extended to the hours of 8:00 a.m. to 7:00 p.m. Personal vehicles used for deliveries and vehicles used to deliver petroleum products are exempt from the time limitations set forth herein.

Sec. 70-80. - Exception for disabled vehicles; removal of wheels or other transporting devices prohibited.

(a) It shall not be a violation of this division ~~Notwithstanding the sections and restrictions in this division, no penalty shall be imposed~~ if the time limits are exceeded due to mechanical failures affecting the mobility of the vehicle. This extension shall be granted only for a reasonable time in order to allow the owner or operator of the vehicle to secure assistance, to have the vehicle removed at his or her own expense.

(b) It shall be unlawful for any owner or operator of any vehicle of any kind to remove wheels or other transporting devices or in any way disable the vehicle to prevent its ready removal from the town limits.

Sec. 70-81. - Parking on unimproved property ~~by persons other than owner and by owner.~~

(a) It shall be unlawful for any person to park any vehicle on the unimproved property of another person. Owners of unimproved property may park no more than two (2) vehicles of any kind (including but not limited to all vehicles defined in Sec. 70-71 hereinabove, watercraft, watercraft trailers, and utility trailers) on their unimproved property during daylight hours only. Parking of any vehicle between sunset and sunrise the following day is prohibited.

(b) The Mayor or designee, in consultation with Town law enforcement, ~~The police chief, with the mayor's approval,~~ shall have the authority to grant special permission to the owner of unimproved property in districts "B", "C" and "D", to allow parking for special events. Such special event parking permits shall not exceed eight hours.

Sec. 70-82. - Limited exception for watercraft trailers, watercraft with or without trailers and utility trailers in districts "A" and "B."

(a) One watercraft trailer or two personal watercraft trailers, or one watercraft or two personal watercraft (jet ski, wave runner, etc.) with or without trailer may be parked in the rear or side yard as defined in Appendix A, Zoning Ordinance, in districts "A" or "B" when they are substantially hidden from the view of the abutting property, public rights-of-way, the inlet walk and the parkway with a wall, fence, hedge or any combination thereof

constructed such that the transmission of light and air is not allowed to pass through more than ten percent of the surface area, and which is otherwise legally permissible in accordance with the Town Code of Ordinances. The watercraft, personal watercraft and/or trailer, including all accessories and/or attachments, if applicable, shall be allowed at a maximum height of 12 feet and a maximum length of 28 feet and shall be deemed to be "substantially hidden" from view when screened by a wall, fence, hedge or combination thereof, constructed such that the transmission of light and air is not allowed to pass through more than ten percent of the surface area, and which is six feet in height.

(b) Watercraft may not be used for occupancy or storage purposes and may not be connected to utilities.

(c) Watercraft trailers, or watercraft with or without trailers must be owned by the property owner or tenant of the property on which they are parked.

(d) One watercraft trailer or one watercraft with or without trailer may be parked in the front driveway for a 24-hour period for the purpose of loading or unloading; repairing; or servicing same.

(e) Any parked or stored watercraft or watercraft trailer as permitted by this section shall be in operable condition and must have at all times valid State of Florida vehicle registration plate, sticker and Florida decal.

(f) One utility trailer may be parked in the rear or side yard as defined in Appendix A, Zoning Ordinance, in Districts "A" and "B" when it is substantially hidden from the view of the abutting property, public rights-of-way, the inlet walk and the parkway with a wall, fence or hedge or any combination thereof constructed such that the transmission of light and air is not allowed to pass through more than ten percent of the surface area, and which is otherwise legally permissible in accordance with the Town Code of Ordinances. The utility trailer shall be allowed at a maximum height of seven feet and a maximum length of 15 feet, and shall be deemed to be "substantially hidden" from view when screened by a wall, fence or hedge or any combination thereof, constructed such that the transmission of light and air is not allowed to pass through more than ten percent of the surface area, and which is six feet in height. No lettering shall be permitted on any utility trailer so parked.

Secs. 70-83—70-100. - Reserved.

DIVISION 4. - PARKING LOTS

Sec. 70-101. - Layout generally.

Pedestrian circulation facilities, roadways, driveways, and off-street parking and loading areas in a parking lot shall be designed to be safe and convenient.

Sec. 70-102. - Relationship to buildings.

Parking and loading areas, aisles, pedestrian walks, landscaping, and open space in a parking lot shall be designed as integral parts of an overall development plan and shall be properly related to existing and proposed buildings.

Sec. 70-103. - Protection of pedestrians.

Buildings, parking and loading areas, landscaping and open spaces in a parking lot shall be designed so that pedestrians moving from parking areas to buildings and between buildings are not unreasonably exposed to vehicular traffic.

Sec. 70-104. - Pedestrian walks.

Landscaped, paved, and gradually inclined or flat pedestrian walks shall be provided along the lines of the most intense use, particularly from building entrances to streets, designed to discourage incursions into landscaped areas except at designated crossings.

Sec. 70-105. - Access to spaces.

Each off-street parking space shall open directly onto an isle or driveway that, except for single-family and two-family residences, is not a public street.

Sec. 70-106. - Use of aisles, driveways.

Aisles and driveways in a parking lot shall not be used for parking vehicles, except that the driveway of a single-family or two-family residence shall be counted as a parking space for the dwelling unit.

Sec. 70-107. - Drive lanes, barriers.

The design of a parking lot shall be based on a definite and logical system of drive lanes to serve the parking and loading spaces. A physical separation or barrier, such as vertical curbs, may be required to separate parking spaces from travel lanes.

Sec. 70-108. - Movement of other vehicles not to be required.

Parking spaces for all uses, except single-family and two-family residences, shall be designed to permit entry and exit without moving any other motor vehicle.

Sec. 70-109. - Access for emergency vehicles.

No parking space shall be located so as to block access by emergency vehicles.

Sec. 70-110. - Compact car spaces.

Compact car spaces should be located no more and no less conveniently than full-sized car spaces, and shall be grouped in identifiable clusters.

Sec. 70-111. - Illumination.

All parking lots shall be lighted to the extent that all parts of the lots are clearly visible at night.

Section 2: Each and every other section and subsection of Chapter 70. Traffic and Vehicles. of the Code of Ordinances of the Town of Palm Beach Shores, 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 adoption.

FIRST READING this 24th day of August 2020.

SECOND AND FINAL READING this ____ day of ____, 2020.

TOWN OF PALM BEACH SHORES

Alan Fiers, Mayor

ATTEST:

Evyonne Browning, Town Clerk

(Seal)

Approved as to form and legal sufficiency.

Keith Davis, Town Attorney

HISTORICAL DATA

MEMO

FROM: Keith Davis, Attorney

RE: Ordinance O-10-06
Chapter 70: Traffic and Vehicles

DATE: 8/19/2020

My recollection is that this was something the late, former Commissioner Tom Sullivan wanted from back in the day. Seems like maybe we had a simple piece of paper/form that was placed on the dashboard / windshield visible to Code Enforcement, which had the permitted date range in big numbers.

According to the Municode legislative history, it looks like this was done in 2006 2007. Perhaps the Town Clerk can pull ordinances O-10-06 which was adopted in January 2007. and also the preceding Town Commission meetings around when that was discussed and adopted. That should shed light on the process originally contemplated. If that's not it, try also 2010, ordinance O-6-10 adopted in August, 2010 (that seems too recent, but my memory isn't the greatest).

I could not tell you how frequent, or if at all, this process is being used, and its possible that I am not recalling it correctly either.

Keith W. Davis, Esquire
Attorney

ORDINANCE NO. O-10-06

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, AMENDING CHAPTER 70. TRAFFIC AND VEHICLES. AT DIVISION 3. PARKING AND STORAGE OF VEHICLES. BY AMENDING SEC. 70-75 AND SEC. 70-76. TO REQUIRE A NO-FEE PERMIT FOR THE TEMPORARY PARKING OF RECREATIONAL VEHICLES; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUB-SECTION OF CHAPTER 70. TRAFFIC AND VEHICLES. SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ENACTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Town's vehicle parking regulations allow for temporary parking of recreational vehicles in certain circumstances; and

WHEREAS, enforcement of recreational vehicle temporary parking will be made more effective by use of no-fee permits displayed in such vehicles; and

WHEREAS, the Town Commission believes this revision to its vehicle parking regulations will be in the best interest, and will promote the health, safety and welfare 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: Chapter 70. Traffic and Vehicles. of the Code of Ordinances of the Town of Palm Beach Shores is hereby amended at Division 3. Parking and Storage of Vehicles. by amending Sec. 70-75. Prohibition. and Sec. 70-76. Temporary parking. to require a no-fee permit for the temporary parking of recreational vehicles; providing that Sec. 70-75 and Sec. 70-76. shall hereafter read as follows:

Sec. 70-75. Prohibition.

(a) It shall be unlawful for any person to park, keep or maintain upon the streets, town property and private property within the limits of the town any vehicle listed in section 70-73, unless such vehicle is completely housed in a garage or other suitable structure, or as otherwise specified in this division. In no case may any vehicle exceeding 3/4 ton, or

8,600 pounds, gross vehicle weight, be parked anywhere within the town except as otherwise provided in the Town of Palm Beach Shores Code of Ordinances.

(b) Recreational vehicles granted a ~~variance or~~ permit are exempt from the provisions of this section. However, no vehicles so parked or housed may be used for occupancy, and they may not be connected to any utilities.

Sec. 70-76. Temporary parking.

Travel trailers, motor homes, recreational vehicles and campers not over 25 feet in length may be parked on driveways ~~in the front yards~~ while being loaded and prepared for use and for unloading after use. Such temporary parking shall not exceed 48 hours. ~~During~~ Prior to such temporary parking of travel trailers, motor homes, recreational vehicles and campers, the owner or renter of the property shall notify the police department and shall obtain a no-fee permit from the police department which shall be placed in the vehicle so that it is visible from the street. Such temporary parking permits shall be ~~permitted~~ issued to any property owner or renter only twice in a any 30-day period and only if under control of the owner or renter of the property. During such temporary parking the vehicle may not be used for occupancy.

Section 2: Each and every other Section and Subsection of Chapter 70. Traffic and Vehicles. shall remain in full force and effect as previously enacted.

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 18th day of December, 2006.

SECOND AND FINAL READING this 22nd day of January, 2007.

✓
Aye Nay

✓
Aye Nay

✓
Aye Nay

✓
Aye Nay

✓
Aye Nay

TOWN OF PALM BEACH SHORES

Thomas R. Mills
THOMAS R. MILLS, MAYOR

Thomas R. Sullivan
THOMAS R. SULLIVAN, VICE MAYOR

Lisa A. Tropepe
LISA A. TROPEPE, COMMISSIONER

John M. Workman
JOHN M. WORKMAN, COMMISSIONER

John Mitchell
JOHN MITCHELL, COMMISSIONER

ATTEST:

Cecilia Ponzio
TOWN CLERK

Approved as to form and
legal sufficiency.

Kurt F.
TOWN ATTORNEY

TEMPORARY PARKING PERMIT

**STREET
ADDRESS** _____

FROM _____

TO _____

**PALM BEACH SHORES POLICE
DEPARTMENT**

TOWN COMMISSION
TOWN OF PALM BEACH SHORES
247 EDWARDS LANE

Regular Meeting

Monday, December 18, 2006
7:00 pm

THOMAS R. MILLS
MAYOR X

THOMAS R. SULLIVAN
VICE MAYOR X

LISA A. TROPEPE
COMMISSIONER X

JOHN M. WORKMAN
COMMISSIONER X

JOHN G. MITCHELL
COMMISSIONER X

AGENDA

1. ROLL CALL, PLEDGE OF ALLEGIANCE.
2. APPROVAL OF MINUTES:
 - a. Regular meeting of November 20, 2006.
3. AGENDA APPROVAL:
Additions, substitutions, deletions.
4. MISCELLANEOUS BUSINESS:
 - a. Discussion: security camera system.
 - b. Discussion: Zoning District C – *considered concurrently with item 4.c.*
 - c. Update by Town Building Official.
 - d. Discussion: Community Center Landscaping.
 - e. Planning and Zoning Board update.
5. ORDINANCES AND RESOLUTIONS:
 - a. **Resolution R-14-06** regarding home rule issues.
 - b. **Second reading of Ordinance O-8-06** amending Appendix A. Zoning Ordinance at Section XII. to provide for the creation and use of the underground utility trust fund.
 - c. **First reading of Ordinance O-3-06** amending Chapter 18 "Businesses, Occupations and Professions" at various sections.
 - d. **First reading of Ordinance O-9-06** amending Appendix A. Zoning Ordinance at Section II in Order to provide a definition for "Boarding House and/or Rooming House", and to clarify that boarding houses and/or rooming houses are a prohibited use in zoning Districts A, B, C and D.
 - e. **First reading of Ordinance O-10-06** amending Chapter 70 to require a no-fee permit for the temporary parking of recreational vehicles.
6. DEPARTMENT REPORTS:
 - a. Financial report for November 2006.
 - b. Police department report.
 - c. Fire department report.
 - d. Staff reports.
 - e. Legal update
7. MAYOR, COMMISSION REPORTS:
8. PUBLIC COMMENTS:

9. ADJOURNMENT.

MINUTES

The regular meeting was called to order at 7:00 pm by Mayor Thomas Mills, who led the assembled in the pledge to the flag.

Roll call revealed that all members of the Commission were present. Also present were Town Attorney Keith Davis of Corbett & White, Town Administrator Cindy Lindskoog, Town Clerk Carolyn Gangwer, Chief of Police Roger Wille and Fire Chief Larry Fauci.

APPROVAL OF MINUTES: Mayor Mills directed the members' attention to a late revision to the minutes made at the request of the Town Attorney. Commissioner Lisa Tropepe moved to **approve the amended minutes of the November 20, 2006 meeting**, second by Commissioner John Mitchell. The motion carried unanimously.

AGENDA APPROVAL: Commissioner Tropepe stated that she requested a specific agenda item "Cannonsport issues". She asked where that item appeared on the published agenda? Mayor Mills explained that this item will fall under 4.c. "Update by Town Building Official". Ms. Tropepe opined that item 4.b. "Discussion: Zoning District C" should come before 4.c. It was determined that items 4.b and 4.c would be considered together. Vice Mayor Thomas Sullivan moved to **approve the agenda as amended**. After a second by Commissioner John Mitchell, the motion carried unanimously.

MISCELLANEOUS BUSINESS:

a. Discussion: security camera system.

Captain Steven Kniffin was in attendance at the meeting to answer any questions, stated the Mayor. The Captain has made a recommendation to the Town Commission regarding purchase of a security camera system for one of the entrances to town (Lake Drive): The three companies being considered are NDI Technologies at a total price of \$48,154.40, International Security Networks (\$47,675.30) and ??? (\$???). The Mayor noted that the dollar values for all three systems are within \$2,000 of each other.

Captain Kniffin explained that he is recommending NDI based on the performance results, service history and maintenance costs. Considerable time has been spent evaluating each of these systems, he noted. The Captain opined that this type of system which reads license plates of all vehicles coming into and going out of town would be a very valuable tool for the police department.

Vice Mayor Sullivan touted the need for this type of surveillance tool and **moved to purchase the NDI Technologies system at a price of \$48,154.40, as recommended by Captain Kniffin, with the expense to be paid from the Contingency Fund**. The motion was seconded by Commissioner Tropepe.

A resident questioned such a large expenditure without further discussion. Mayor Mills countered that there has been plenty of discussion about this issue, and it is time to make a decision.

A resident asked where the camera will be installed? Mayor Mills explained that the first camera will be installed at Lake Drive and Bamboo Road. If an additional camera is purchased, it will be installed at Park Avenue and Bamboo Road, he commented. The resident opined that if people know where the camera is located, they'll just come into town a different ways.

December 18, 2006 Commission meeting

Gil Trower of 140 Inlet Way asked how fast the information on license plates comes back from Tallahassee? Capt. Kniffin answered approximately three hours. Mr. Trower asked how much money will be generated by this system? Mayor Mills answered that he is not sure at this time.

Commissioner John Mitchell asked what the Captain thought of the system at Manalapan? Captain Kniffin answered that this system is good, but there have been some problems with angles with this type of system at other agencies. The Commissioner asked what the most expensive part of this product was – the hardware or the software? Captain Kniffin answered that it was probably the cameras.

Commissioner John Workman asked if Lake and Bamboo is the best location for a security camera system? Captain Kniffin explained that Lake Drive is the most traveled road in town, and it is the logical choice. Mayor Mills opined that the Commission should go with the recommendation of the police department on this.

Alan Fiers of 236 Inlet Way suggested placing “dummy” cameras at the two other entry roads. Vice Mayor Sullivan amended his motion to include installation of two dummy cameras at the time of installation of the system. Commissioner Tropepe amended her motion.

The vote was unanimous for approval.

Mayor Mills asked to be kept apprised of any problems with the purchase or installation of the camera system.

b. Discussion: Zoning District C – considered concurrently with item 4.c.

Mayor Mills thanked Commissioner Tropepe for bringing certain issues to the town’s attention. He asked Attorney Keith Davis to give the Commission some background information on the status of the Cannonsport project.

Attorney Davis explained that in March 2005, three variances and two special exceptions were approved for the Cannonsport project. The variances included height, lot coverage and additional dock length. The special exceptions were for marina use not accessory to a hotel or motel and the size of the building site (more than two lots).

There was one condition of approval: parking area to be gated, pavers and landscaping required.

During the time that the Cannonsport project was under review, ordinance O-1-05 was being crafted. This ordinance provided an extra foot of grade elevation when tuck under parking was used. It also changed the way that height was measured in District C, and allowed additional balcony space under certain conditions. O-1-05 was approved in June 2005. Mr. Davis summarized by explaining that, as of June 2005, buildings in District C could be as high as 43’ and lot coverage for a 3 story building was increased from 30% to 32%.

In light of the passage of O-1-05, the developers of the Cannonsport project came back to the town to get an additional foot of grade elevation, and took advantage of the new balcony allowances. This was when the modification that also added entry points to buildings 4 and 5 was approved. These buildings are closest to Lake Drive.

December 18, 2006 Commission meeting

Building permits were obtained for the 5 buildings, Notices of Commencement were filed, and construction on the buildings commenced. At the same time, the dock damaged by the 2004 hurricanes was repaired.

When the buildings began to take shape, it became obvious that the entry "features" (steps) were encroaching into the front setbacks. A meeting including the developer, Building Official, Town Attorney and staff took place, and changes were requested. The developer has since provided revised plans that bring the front, entry areas of buildings 4 and 5 into compliance with Town Code.

Mr. Davis concluded by reporting that a current as-built survey shows all buildings at the Cannonsport site to be located exactly as on the approved site plan.

Attorney Davis noted that there have been some questions regarding how depressed the tuck under parking is at the Cannonsport. Some have suggested that these buildings look like they are 4 stories. Mr. Davis opined that the way that the depressed parking ordinance was written, it does not specify how far down the parking area must be. This issue was not apparent until this project. Two previous projects at 155 Ocean Avenue and 314 Inlet Way both took their depressed parking areas down substantially.

Mayor Mills explained that, based on this, the Attorney has drafted a proposed amendment to Town Code. Mr. Davis noted that this amendment was drafted at the suggestion of Commissioner Tropepe:

A motion to amend Paragraph 12.6 of the Town Zoning Code regarding
Underground/depressed parking:

First, to add a definition for the term "depressed parking" which provides that depressed private parking garages, located beneath the ground floor of the principal building, shall have a minimum floor elevation of three (3) feet below the mean elevation of the abutting road crown, and a maximum ceiling height of five (5) feet above the mean elevation of the abutting road crown.

Further, to add the requirement that the ground floor of the principal building must be no higher than two (2) feet above the ceiling height of the depressed parking facility.

Mayor Mills opined that amending this code is a good idea, but it looks to him like the town is dictating exact numbers, and this may not be a good idea. The Mayor stated that he had questions about whether or not fire apparatus would need to get into the garage area? Building Official Joe Crisafulle noted that the Fire Inspector has not required that fire apparatus needs access to tuck under parking areas.

Commissioner Workman asked why 314 Inlet Way went down so far, when the code was not specific on depth? Mayor Mills explained that the code did not allow tuck under parking when that project was proposed and the project's architect actually came up with the idea for depressing the parking under the building.

Commissioner Tropepe confirmed that Cannonsport is now in compliance horizontally (along Lake Drive). Mr. Davis explained that there will be only planters in front of the buildings – the arched entryways and exterior stairways are gone.

December 18, 2006 Commission meeting

Commissioner Tropepe stated that she has questions about actual elevations. She presented a sketch which she prepared showing side elevations of the buildings at Cannonsport. It was Ms. Tropepe's contention that the building as built is actually 7/10 foot higher than what was approved.

The Building Official explained that what was approved by the Planning and Zoning Board could be described as "typical". It was Mr. Crisafulle's contention that the building was only off by 6".

Commissioner Tropepe asked the Building Official if it is standard practice to get a survey showing what the elevation of the ground floor is? Mr. Crisafulle asked if Ms. Tropepe meant a "form board" survey? Commissioner Tropepe stated that this is what she meant. Mr. Crisafulle opined that this was not possible, given the type of construction which include pilings and floating footers. Commissioner Tropepe asked if the as built survey provided to the Commission tonight is per the approved site plan for Cannonsport? Mr. Crisafulle answered that it is not exactly as approved, however, it is only off by a few inches. It was his opinion that, with a 20 story building, this might be an issue, but not with a 3 story building.

Vice Mayor Sullivan agreed with Mr. Crisafulle's explanation, and opined that this could be fixed when the roof is put on.

Commissioner Tropepe asked Commissioner Mitchell (who is a general contractor) if he thought that 7/10 of a foot was "an issue"? Commissioner Mitchell answered that it depends on at what point in the construction it occurs. He opined that usually this type of issue can be taken care of if the building is not complete. With the Cannonsport building, it would be corrected with the third floor. Ms. Tropepe asked if this building is not being built per approved site plan, is code being broken? How much is a "substantial" difference?

Attorney Keith Davis listed three options:

1. If the as built difference is found to be an "unsubstantial deviation" from the approved site plan, the construction should be allowed to continue, making sure that the beam height and maximum height of the building does not exceed current Town Code.
2. The town could request that the developer come in with a site plan modification.
3. The town could force the developer to bring the building into compliance, if the Commission feels that it's a serious enough issue.

Commissioner Tropepe stated her admiration for the Building Official, and the work his company does for the town. She opined that sometimes it's a good idea to seek another opinion. Commissioner Tropepe moved to ask a county building official to take a look at the Cannonsport buildings to see if they match the approved site plan, and if not, are the differences "substantial". Ms. Tropepe offered to contact the county regarding this.

Mayor Mills stated that he would like to hear from some of the contractors in the audience regarding the Cannonsport buildings. The Vice Mayor concurred with the Mayor.

Attorney Davis gave an opinion on Roberts Rules of Order.

Larry Smith, of Gary, Dietrich and Ryan, and attorney for the developers of Cannonsport agreed that Commissioner Tropepe's figures are correct. However, what is not shown on the Commissioner's diagram

December 18, 2006 Commission meeting

is a comparison of the construction plans to what is actually built. The "bottom line" is that the overall height of the building will meet code when completed.

Frank Hoak, developer of Cannonsport concurred with Mr. Smith that Commissioner Tropepe's sketch and numbers were correct. Ms. Tropepe reiterated that these are the surveyor's numbers. Mr. Hoak explained that the floor height was changed to allow for plumbing stacks, etc, and so that there would be adequate head clearance in the garage. He explained that the difference will be made up by taking height from the second and third floors.

Vice Mayor Sullivan asked attorney Smith for clarification on the exact height of the building. Mr. Smith stated that when the top of the beam is reached, it will be at the correct number. Vice Mayor Sullivan asked Mr. Hoak if slight variations such as this are common? Mr. Hoak stated that this is not an uncommon occurrence. The Vice Mayor opined that the contractor should be allowed to build the buildings.

PUBLIC COMMENTS:

Gil Trower asked how deep the tuck under parking was at Cannonsport? Mr. Crisafulle answered 7/10 of a foot lower than the crown of the road. Mr. Trower stated his opinion that it is important that "real" numbers should be in the code. The depressed parking at Cannonsport is not really depressed, he opined. He thanked Commissioner Tropepe for bringing this to the Commission's attention. He also suggested that when multiple story buildings are being constructed, the town needs to have some way to ensure that they are being built as approved.

Mayor Mills stated that the town is addressing the tuck under parking issue due to Commissioner Tropepe's information. He noted that all boards – DRC, Planning and Zoning Board and Town Commission – saw the Cannonsport site plan and site plan modification, and all approved it.

Commissioner Tropepe clarified that all current Commissioners with the exception of Commissioner Workman were involved in putting together the original tuck under parking legislation.

Planning and Zoning Board Vice Chairman Alan Fiers opined that there needs to be more oversight on these projects. When there is a change to an approved site plan, it needs to be brought to the attention of the Planning and Zoning Board.

Building Official Joe Crisafulle addressed Mr. Fiers' concerns. He noted that Mr. Hoak previously explained why it was necessary to make the changes in the height of the first floor slab, and how this was being addressed with reducing heights on the second and third floor slabs.

Dan Shalloway of 121 Claremont Lane opined that the tuck under parking situation at Cannonsport is very different from that at 155 Ocean Avenue and 314 Inlet Way. Both of these projects "kept to the spirit of the tuck under parking" opined Mr. Shalloway. He suggested that Cannonsport did not do this, but attempted to find as many loopholes in the code as possible.

Attorney Larry Smith opined that the grade elevation had nothing to do with Cannonsport, but probably did affect the project at 155 Ocean Avenue. Mr. Smith pointed out that the building at 314 Inlet Way actually

December 18, 2006 Commission meeting

went up 2 feet, and then down 4 feet. He urged everyone to wait until the buildings, landscaping, grading, etc is complete before drawing too many conclusions.

After further discussion, Vice Mayor Sullivan moved to **send the code changes for tuck under parking recommended earlier to the Planning and Zoning Board for their review, with their recommendations to come back to the Town Commission in January, in the form of a draft ordinance for first reading.** Mayor Mills agreed that this should be looked at as soon as possible, but again cautioned against using specific numbers.

Commissioner Mitchell agreed that the tuck under parking code needed to be addressed. He opined that the overall height of buildings, and the distance that multistory buildings were set back from the road were also issues that need to be looked at by the Planning and Zoning Board.

Commissioner Tropepe reiterated her opinion that the Cannonsport (as being built) does not meet the approved site plan.

There was some discussion about the responsibilities of the on site threshold inspector. Commissioner Mitchell pointed out that, normally, a threshold inspector only notes issues that do not meet code.

Both the Mayor and Vice Mayor opined that if the finished building did not exceed the approved height, it meets code.

After further discussion, Commissioner Workman seconded the Vice Mayor's motion, which **passed on a unanimous affirmative vote.**

Alan Fiers asked for the Commission's opinion of the Inlet Pointe building at 314 Inlet Way. Vice Mayor Sullivan stated that he liked the look of the project. Commissioner Mitchell agreed that the building is attractive, but opined that it does not really fit in with the adjacent buildings. Commissioner Tropepe commended the developers that built Inlet Pointe, opining that they did not take advantage of the town with the depressed parking. Commissioner Tropepe agreed that the setback issue is a big part of this. Mayor Mills noted that depressed parking was not on the books when Inlet Pointe was approved.

Building Official Joe Crisafulle stated that if the town wants the floor elevations to be exactly as per approved site plans, then this must be codified. Then, if the floor elevations do not match, would the developer be penalized, he asked? Mayor Mills stated that he is not sure that he wants this.

The Mayor thanked the developers and Building Official for attending tonight's meeting.

d. Discussion: Community Center Landscaping.

Mayor Mills introduced town resident and professional planner Dodi Glas. He noted that her planning firm has offered to donate her services in designing the landscaping for the new town Community Center.

Ms. Glas gave a brief presentation:

- Landscaping for both the Community Center and the existing playground are included in this project.
-

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- The entire site, including the existing beach park should be considered during this planning project.
- It is important that a “conceptual plan” is put together, and then a public meeting is held to get input from town residents on what type of playground equipment is needed, what plants are salt and wind tolerant, etc.

Mayor Mills stated that he would like to see Ms. Glas work closely with the town’s engineer, Lee Collum on this. He reminded everyone that the budget is limited, and thanked Ms. Glas for the help.

Vice Mayor Sullivan stated that he would like to see a nice, professional playground designed. He noted that he’s heard that care has to be taken when putting trees around for liability reasons. Ms. Glas will look into this.

Commissioner Mitchell asked if the restrooms at the Community Center would be open for anyone using the playground? Town Administrator Cindy Lindskoog explained that the Community Center facilities will be used only by those using the center, and the existing restrooms at the beach park are accessible to those using the beach and the playground.

Commissioner Mitchell stated his concern about the limited number of parking spaces at the beach/Community Center location. Ms. Lindskoog explained that many options are being looked at to add spaces.

Vice Mayor Sullivan asked when this project will start? Ms. Glas responded that she needs to get answers to issues such as a plan for the parking lot, how much green space is planned, drainage, etc.

The Town Administrator explained that until all of the “finishes” are complete on the building, it will be hard to judge how much money is left for landscaping and the playground.

Commissioner Workman suggested setting up a committee to work on plans for the site? Mayor Mills opined that the public meeting will suffice. Vice Mayor Sullivan concurred, opining that it takes too long to set up a committee.

Vice Mayor Sullivan moved to **authorize the Town Administrator to act as a liaison between the landscape planner and the town engineer in order to come up with some basic concepts before a landscape site plan is brought to the Commission and to the public forum.** After a second by Commissioner Workman, the motion carried unanimously.

Gil Trower asked how the town will manage rental of the Community Center? Will non-residents be allowed to rent the facility, or will it be limited to residents, as the beach picnic pavilion was? Mayor Mills answered that this will be determined before the Community Center is officially open.

Dr. Scott McCranel asked if the Mom’s Club could assist with plans for the playground? Mayor Mills welcomed any and all help at the public meeting on this issue.

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e. Planning and Zoning Board update.

Board Vice Chairman Alan Fiers stated that the following items are on top of the priority list for the Planning and Zoning Board:

- Draft an ordinance for standardization of news boxes in town.
- Continue to discuss and debate vegetation as it relates to fences in town. It was Mr. Fiers' opinion that fencing materials are not the issue, rather use of vegetation to hide them. The Board is waiting for input from the planner before going too far with this, he noted.
- There has been much discussion about boats and trailers. The Board has asked the Code Enforcement Officer to enforce current code on parking/storage of boats and trailers. This will be reviewed after he sees how the enforcement efforts pan out. Mr. Fiers noted that boats have changed quite a bit over the years with bimini tops, etc. It was his opinion that the entire boat and trailer parking section needs a closer review.

Vice Mayor Sullivan opined that the November Planning and Zoning Board meeting was very good.

ORDINANCES AND RESOLUTIONS:

a. Resolution R-14-06 regarding home rule issues.

Resolution R-14-06 was read aloud by title only by the Town Clerk. Mayor Mills opined that this resolution is very important for the town.

Commissioner Tropepe moved to **approve R-14-06**, second by Commissioner Workman who thanked Commissioner Tropepe for all her hard work on this issue.

Gil Trower stated that he likes the high level of service provided to the residents by the police department. Mayor Mills gave a brief review of what is being done by towns who are fighting for home rule.

The vote was unanimous for approval.

Commissioner Tropepe outlined the steps that follow approval of this resolution. She stated that she hopes for some legislative action on this in the next session.

Commissioner Workman suggested that citizens call and contact their legislators on this issue.

It was suggested that updates on this issue be posted on the web site.

b. Second reading of Ordinance O-8-06 amending Appendix A. Zoning Ordinance at Section XII. to provide for the creation and use of the underground utility trust fund.

Ordinance O-8-06 was read by title only by the Town Clerk. Attorney Davis explained that this ordinance is strictly housekeeping, creating a trust fund that was mentioned in O-8-06 (creation of underground utility trust fund).

Commissioner Tropepe moved to **adopt Ordinance O-8-06 on second reading**. After a second by Vice Mayor Sullivan, the motion carried on a unanimous vote.

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- c. **First reading of Ordinance O-3-06 amending Chapter 18 “Businesses, Occupations and Professions” at various sections.**

Ordinance O-3-06 was read by title only by the Town Clerk. Attorney Keith Davis explained that sections of Chapter 18 needed to be amended due to the next ordinance being considered (O-9-06). This was drafted when it was brought to the attention of the town that some multi-family rental facilities in town were carving up rooms, and renting “by the bed”. The terms “rooming house/boarding house” are eliminated in this ordinance. In addition, O-3-06 changes the term Code Enforcement “Special Master” to “Special Magistrate”, per State Statutes, and allows the town to collect administrative costs related to Certificate of Use violation cases.

Commissioner Workman moved to **approve O-3-06 on first reading**, second by Commissioner Mitchell. The vote was unanimous for approval.

Vice Mayor Sullivan asked how multi-family rentals are monitored? Commissioner Workman opined that this ordinance and O-9-06 give the town the legal “teeth” needed when a violation is found.

- c. **First reading of Ordinance O-9-06 amending Appendix A. Zoning Ordinance at Section II in Order to provide a definition for “Boarding House and/or Rooming House”, and to clarify that boarding houses and/or rooming houses are a prohibited use in zoning Districts A, B, C and D.**

Ordinance O-9-06 was read by title only by the Town Clerk. Mr. Davis explained that definitions for “boarding house/rooming house” are included in this ordinance. Boarding/Rooming houses are prohibited in all districts. O-9-06 will need to be heard by the LPA before it comes back to the Commission, explained Mr. Davis. He asked for comments and questions from the Commission on this ordinance.

Gil Trower asked if an employer owned a multifamily rental in town, and offered free room and board to his workers, would this be covered by this ordinance? Mr. Davis was directed to make sure that this possibility was covered. Fire Chief Larry Fauci mentioned NFPA code which mandates 200 square feet for each person.

Vice Mayor Sullivan moved to **approve O-9-06 on first reading**. After a second by Commissioner Tropepe, the motion carried unanimously.

- e. **First reading of Ordinance O-10-06 amending Chapter 70 to require a no-fee permit for the temporary parking of recreational vehicles.**

Ordinance O-10-09 was read by title only by the Town Clerk. Mr. Davis gave a brief review of the ordinance, which requires a no-fee permit to be issued by the police department whenever a resident wants to park a recreational vehicle in town.

Vice Mayor Sullivan moved to **adopt O-10-06 on second reading**. The motion was seconded by Commissioner Tropepe. Commissioner Workman asked if such a no-fee permit could be issues for a boat trailer, and the answer was “no”, only recreational vehicles. The motion carried on a unanimous vote.

DEPARTMENT REPORTS:

December 18, 2006 Commission meeting

a. Financial report for November 2006.

Commissioner Tropepe moved to **approve dispersals for the month of November in the amount of \$184,863**. Commissioner Workman asked about a check written to Palm Beach County. Town Administrator Lindskoog will research this and get back to Mr. Workman. After a second by Vice Mayor Sullivan, the motion carried unanimously.

Ms. Lindskoog explained that there would be some adjustments to several accounts on next month's report, as monies are moved out of the Money Market account to the Community Center account.

b. Police department report.

The Police Chief had no verbal report.

Commissioner Tropepe asked how the K-9 unit is doing? Chief Wille answered that this unit is doing fine, and is on duty tonight.

Gil Trower urged the Town Commission to ensure that the best police department possible is maintained, and that the officers are paid as well as possible. Mayor Mills concurred with Mr. Trower's sentiments, and noted that he has asked the Police Chief to ensure that there are 2 officers on duty at all time.

c. Fire department report.

The Commissioners congratulated the Fire Department on a great Christmas party.

d. Staff reports.

Town Clerk Carolyn Gangwer reported:

- The Planning and Zoning Board meets this week on Wednesday night at 7:00 pm. Draft ordinances having to do with uniform real estate signs and newspaper racks will be included on the meeting agenda.
- A team from Land Research Management, the town's planners, visited 15 homes in town last Wednesday. The data gathered from these visits is being reviewed, and will be put into a usable report format. Jim Fleischmann of LRM will be at Wednesday's Planning and Zoning Board meeting to give a verbal update of the data gathering, and of the status of their Phase I report.
- Code Enforcement Special Magistrate hearing tomorrow afternoon at 2:00 pm. Two new violation cases and one status case appear on the agenda.
- A "smaller" tree trim/remove is being planned for late January. The town's contractor, Novo Arbor will be doing the work, after a list is compiled by Public Works and the town's Master Gardener, Sue Licht.
- Candidate packets for the March 2007 local election are being put together by the Town Clerk and Deputy Clerk. Two Commission seats are up this year, Commissioner Workman, and the seat held by Vice Mayor Sullivan.
- Thank you to the Town Commission for providing another great Employees Christmas party.

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Town Administrator Cindy Lindskoog reported:

- The recent concrete pour at the inlet park was exactly where proposed. Ms. Lindskoog will be going to the Town of Palm Beach to request their assistance with construction of the eastern portion of the project, since they regularly use this area to access the sand transfer plant.
- Community Center: Sue Franklin is gathering information on furnishings for the ground level of the center. Ms. Lindskoog hopes to have something for the Commission's consideration on this in January.
- Ms. Lindskoog has been asked by County Commissioner Karen Marcus to attend a meeting on Peanut Island planned for January 16th.
- Environmental Committee: 8 trees will soon be planted in the parkway. In addition, Ms. Lindskoog will bring a list of trees that need to be replaced along the streets and in the parkway to the Commission's January meeting. Plans will be made for placement of trees, number of trees, budget issues, etc. Master Gardener Sue Licht will be involved in this planning, also.
- M.U.U.C: there are some funds left after the completion of the study (\$192) The Consortium is asking that these monies be left in the fund for now, in case future legal expenses arise. Commissioner Workman confirmed that Palm Beach Shores had agreed to help out with additional expenses that might arise (conference calls, etc.). Commissioner Tropepe moved to **leave funds in the amount of \$192 with the M.U.U.C. in case of future legal costs.** After a second by Vice Mayor Sullivan, the motion carried unanimously.

Legal report:

- All forms and documents previously referring to "Occupational License" will now refer to "Local Business Tax Receipts", per new state law.

MAYOR, COMMISSION REPORTS:

Vice Mayor Sullivan had no report.

Commissioner Tropepe requested that copies of approved Resolution R-14-06 be forwarded to Senator Jeff Atwater and Representative Carl Domino. She wished everyone a Merry Christmas and Happy Holidays.

Commissioner Workman agrees with Dr. McCranels that the town's Moms Club should be included in all planning for the town's playground. In addition, Commissioner Workman asked that funds be allocated to update the meeting room with flat screens and projection capabilities. Commissioner Workman moved to **direct staff to research what equipment would be needed to bring up to date audio-visual capabilities to the public meeting room.** Commissioner Tropepe seconded the motion which carried unanimously.

Commissioner Workman asked if a date has been set for a public workshop on District A yet? Attorney Davis answered that no date has been set, but this will probably be decided at Wednesday's Planning and Zoning Board meeting. The Commissioner wished everyone Happy Holidays.

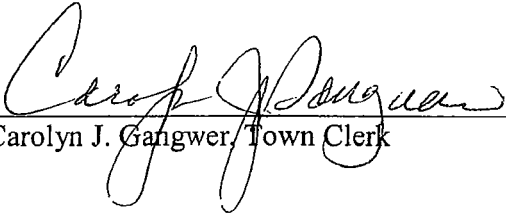
Mayor Mills stated his satisfaction with the earlier good discussions. He thanked the staff and elected officials and wished all Happy Holidays and Greetings of the Season.

PUBLIC COMMENTS:

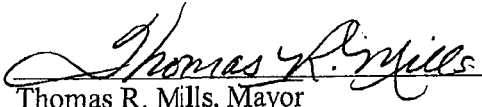
Gil Trower thanked the Commission for their hard work on difficult issues.

December 18, 2006 Commission meeting

The meeting adjourned at 10:10 p.m.



Carolyn J. Gangwer, Town Clerk



Thomas R. Mills, Mayor

TOWN COMMISSION
TOWN OF PALM BEACH SHORES
247 EDWARDS LANE

Regular Meeting

Monday, January 22, 2007
7:00 pm

THOMAS R. MILLS
MAYOR X

THOMAS R. SULLIVAN
VICE MAYOR X

LISA A. TROPEPE
COMMISSIONER X

JOHN M. WORKMAN
COMMISSIONER X

JOHN G. MITCHELL
COMMISSIONER X

AGENDA

1. ROLL CALL, PLEDGE OF ALLEGIANCE.
2. APPROVAL OF MINUTES:
 - a. Regular meeting of December 18, 2006.
3. AGENDA APPROVAL:
Additions, substitutions, deletions.
4. MISCELLANEOUS BUSINESS:
 - a. Ratification of new police officer.
 - b. Election Proclamation.
 - c. Phase I report on zoning District A prepared by Land Research Management.
 - d. Planning and Zoning Board update.
 - e. Request for additional funding – Inlet Park project.
5. ORDINANCES AND RESOLUTIONS:
 - a. **Resolution No. R-1-07** appointing the Palm Beach County Supervisor of Elections as a member of the Town Commission Canvassing Board.
 - b. **Resolution No. R-2-07** endorsing Florida League of Cities' legislative agenda.
 - c. **Resolution No. R-3-07** – 2005-2006 budget amendment.
 - d. **Second reading of Ordinance O-10-06** amending Chapter 70 to require a no-fee permit for the temporary parking of recreational vehicles.
 - e. **First reading of Ordinance O-1-07** amending Chapter 62 to require uniform news racks in town.
 - f. **First reading of Ordinance O-4-07** amending Appendix A Zoning Ordinance by revising the requirements for depressed/underground parking, building height and setbacks for multi story structures in zoning districts B, C and D.
6. DEPARTMENT REPORTS:
 - a. Financial report for December 2006.
 - b. Police department report.
 - c. Fire department report.
 - d. Staff reports.
 - e. Legal update
7. MAYOR, COMMISSION REPORTS:
8. PUBLIC COMMENTS:
9. ADJOURNMENT.

MINUTES

The regular meeting was called to order at 7:00 pm by Mayor Thomas Mills, who led the meeting attendees in the pledge to the flag. Roll call revealed that all members were present. In addition, Town Attorney Keith Davis, Town Administrator Cindy Lindskoog, Town Clerk Carolyn Gangwer and Deputy Town Clerk Roberta Loftus were present.

APPROVAL OF MINUTES:

Vice Mayor Sullivan moved for **approval of the minutes of the December 18, 2006 regular Commission meeting as published**. After a second by Commissioner Workman, the motion passed unanimously.

APPROVAL OF AGENDA:

Mayor Mills inserted Sailfish Marina Special Events Permits to the agenda as item 4c in Miscellaneous Business. Town Administrator Lindskoog added Resolution R-4-07 regarding the MUUC. Commissioner Tropepe **moved for approval of the meeting agenda as amended**, second by Commissioner Workman. The vote was unanimous.

MISCELLANEOUS BUSINESS:

4a. Ratification of new police officer

Mayor Mills commended the new police officers recently hired by the Town. Mayor Mills explained that the new officer, Sean Alex, was unable to attend due to a death in his family. A background check on Officer Alex has been performed by the Police Department and Mayor Mills would like to proceed with the hiring process. Officer Deck worked with Sean Alex as his partner in Riviera Beach. Both were homicide and property crime detectives. Mayor Mills asked Chief Wille if Sean Alex would have a problem working as a road officer instead of a detective. Chief Wille replied Sean Alex no longer wants to work in Riviera Beach.

Commissioner Workman made the **motion to ratify Sean Alex**. After a second from Commissioner Tropepe, the motion passed unanimously. Chief Wille stated that the Town's police department is now fully staffed.

4b. Election proclamation

Mayor Mills read the entire election proclamation notice. Mayor Mills encouraged the assembled to vote if the Town had an election in March. Mayor Mills noted that Vice Mayor Sullivan and Commissioner Workman's terms were finished, and he anticipated that both incumbents would run again.

4c. Sailfish Marina Special Events Permits

Town Clerk Gangwer addressed the Commission stating that Sailfish Marina, due to new employee misunderstandings, did not obtain permits for two fishing tournaments. One event took place last weekend and the other (fishing tournament event) has already begun at the Buccaneer from January 22 to January 23, 2007. Ms. Gangwer explained that Town Code authorizes the Town Commission to levy fines when permits are not acquired for special events. Christian Agustin, a representative from Sailfish, was present to answer any questions from the Commission.

**Commission Meeting
January 22, 2007**

Attorney Davis explained that if there is no special event permit, the host and owner of the property are subject to a \$500.00 fine. Issues may also be resolved by Code Enforcement.

Mayor Mills opined that if permits are not applied for the fee then doubles. Mayor Mills that if two events were scheduled at the same time, parking would be problematic.

When asked by Mayor Mills, Mr. Agustin replied that he has been employed by Sailfish Marina for only a month and assumes full responsibility for the error.

Vice Mayor Sullivan opined that since Sailfish is a good neighbor to the Town and it was an honest mistake made by new personnel, the Town should forgive the fines.

Commissioner Tropepe made the **motion that the owner of Sailfish Marina be fined \$300.00 due to the fact they did not make an application for a special events permit** with a second from Commissioner Mitchell. The vote was 4 YEA to 1 NAY with Vice Mayor Sullivan dissenting.

Town Clerk Gangwer stated that a check for the application for the Sailfish Tournament at the Buccaneer will be received within two days.

Commissioner Tropepe made the **motion to approve a special event permit for the Sailfish fishing tournament of January 22 to January 23, 2007.** After a second by Commissioner Mitchell, the vote was unanimous.

4d. Phase I report on zoning District A prepared by Land Research Management

Mayor Mills thanked Mr. Fleishmann and his staff for the presentation, workshop and copy of the final Phase I report. Mayor Mills continued by asking the Commission to approve an expenditure of \$10,000.00 for the work already completed and authorization for the continuance of work for Phase II

Commissioner Tropepe made the **motion to approve the expenditure of \$10,000 for Phase I report District A code analysis** with a second from Commissioner Mitchell. The vote was unanimous.

Mr. Fleishman explained that the Phase I proposal included basic recommendations for the approval process and general code revisions which would be completed in Phase II. The process recommendations are an added step in the site plan approval for two story homes. A pre application meeting would be required between the Town, applicants and the Town consultants so that applicants would be well aware of all issues. In addition, more information related to surrounding properties would be required. Land Research Management recommended that Phase II work involve the preparation of a design manual. Also included in Phase II would be the recommendation that the size of one story home be increased as incentive. LRM will address the floor-to-area ratios to more closely fit the current character of the Town.

Commissioner Tropepe made the **motion to allow Mayor Mills to negotiate a Phase II contract not to exceed \$10,000.00 with Land Research Management.** Mr. Fleishman stated LRM will start on that basis but noted that Phase II will involve extensive work by the architect and landscape architect for the design manual. The Commission agreed that the project may require more funds in the future. Commissioner Mitchell seconded the motion.

**Commission Meeting
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Commissioner Mitchell stated that Mayor Mills could make the determination regarding Phase II and if any adjustments are required a special meeting could be called.

The motion passed with a unanimous vote.

Mayor Mills advised that if any resident is interested in reading the Phase I report, a copy is available in Town Hall, and this report will be posted on the town's web site.

e. Planning and Zoning Board update

The Commission decided to table discussion pertaining to last month's Planning and Zoning Board meeting.

f. Request for additional funding – Inlet Park project

Town Administrator Lindskoog explained that she is recommending the installation of pavers from the Inlet Way crosswalk to the Inlet Park. These pavers would connect to the pavers being installed at the new park to those on Inlet Way crosswalk. Ms Lindskoog explained that the water line for Inlet Park irrigation would require trenching down the center of the existing walkway. Ms. Lindskoog stated that the alternative is to patch the existing asphalt, resurface the asphalt or replace with concrete. Ms. Lindskoog is requesting additional funding not to exceed \$15,000.00.

Vice Mayor Sullivan asked what the water line would service? Ms Lindskoog replied the water line will service both irrigation and a water fountain.

Commissioner Workman suggested that the color scheme of the pavers should remain the same as the parkway crosswalks.

Vice Mayor Sullivan made the **motion to accept the proposal for additional funds associated with Inlet Park Project**. After a second from Commissioner Mitchell, the motion passed unanimously.

ORDINANCES AND RESOLUTIONS:

a. Resolution No. R-1-07 appointing the Palm Beach County Supervisor of Elections as a member of the Town Commission Canvassing Board.

Deputy Town Clerk Loftus read Resolution R-1-07 by title only. Commissioner Mitchell **moved to accept Resolution R-1-07** with a second from Commissioner Workman. The vote was unanimous.

b. Resolution No. R-2-07 endorsing Florida League of Cities' legislative agenda.

Clerk Loftus read Resolution R-2-07 by title only. Mayor Mills stated that he does not endorse the entire resolution. Mayor Mills asked Attorney Davis to explain the portion of the resolution regarding how document stamp fees are used. Attorney Davis stated that document stamp fees are dedicated to the Local Government Trust Fund and this eliminates changes in how the funds are used. Vice Mayor Sullivan reported that this resolution prevents the funds from being diverted into the General Revenue fund instead of keeping them local.

**Commission Meeting
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Commissioner Tropepe disagreed with some of the previous statements stating that legislation does not always end up the way we may wish. Commissioner Tropepe opined that the goal of the League of Cities is to look after municipalities.

Commissioner Tropepe made the **motion to endorse R-2-07** with a second from Commissioner Workman. The vote was unanimous.

c. Resolution R-3-07 2005-2006 budget amendment

Deputy Town Clerk Loftus read Resolution R-3-07 by title only. The Vice Mayor made the **motion to approve Resolution R-3-07** with a second from Commissioner Mitchell.

Town Administrator Lindskoog explained that the budget amendment is a housekeeping issue. Instead of having budget amendments throughout the year, it was decided to simplify the process by doing the amendments once at the end of the budget year. Ms Lindskoog reminded the Commission that they had been made aware of each of the additional expenses with all of the details as they occurred.

Mayor Mills explained that \$150,000 was recovered for emergency disaster in 2005-2006 but expenditures were \$154,000.

Vice Mayor Sullivan noted that Section I states that the Town amends its 2005/06 budget but does not increase its 2006/06 budget and it has increased by \$4000.00.

The Vice Mayor amended his motion to approve Resolution R-3-7 to include the increase of \$4000.00 with a second from Commissioner Mitchell. The vote was unanimous.

d. Resolution No. R-4-07 supporting Municipal Underground Utility Commission

The Deputy Clerk read the resolution by title only. Town Administrator Lindskoog explained that the Town is actively involved with the MUUC in trying to urge Florida Power & Light to underground overhead utilities. The MUUC group decided to have each participating town pass a resolution to be forwarded to the Public Service Commission (PSC) before their hearing date at the end of February.

Commissioner Workman made the **motion to approve Resolution R-4-07** with a second from Commissioner Mitchell. The vote was unanimous.

e. Second reading of Ordinance 0-10-06 amending Chapter 70 to require a no-fee permit for the temporary parking of recreational vehicles.

Mayor Mills explained that this is a new system being used by the Police Department requiring temporary parking permits for recreational vehicles. The no-fee permit (which is being added to existing code) allows the police department to monitor that RV's are parked in town for only 48 hours. Dates and times are clearly shown on the permits to assist the officers with compliance.

**Commission Meeting
January 22, 2007**

The Clerk read Ordinance 0-10-06 by title only. Vice Mayor Sullivan **moved to adopt Ordinance 0-10-06** with a second from Commissioner Tropepe.

Resident Jim Collins of Lake Drive asked if he could park a motorhome on his property? Mayor Mills suggested Mr. Collins contact the Code Enforcement Officer stating that the motorhome would have to be totally enclosed.

Attorney Keith Davis opined that the ordinance for parking of recreational vehicles has been in Town code since the 1970's and covers all zones.

The motion passed on a unanimous vote.

f. First reading of Ordinance 0-1-07 amending Chapter 62 to require uniform news racks in town

Deputy Town Clerk Loftus read Ordinance 0-1-07 by title only.

Vice Mayor Sullivan made **the motion to approve Ordinance 0-1-07** with a second from Commissioner Workman.

Vice Mayor Sullivan asked if the newspaper racks were all located in the Town's ten foot strip? Mayor Mills declared that the Town has a map designating where newspaper racks may be placed. Attorney Davis noted that Chapter 62.29 refers to the approved locations for news racks in the Town code. The section of the ordinance being amended deals only with the uniform appearance and maintenance of the news racks.

Resident Jack McDevitt pointed out that the Best Western Seaspray seems to have news racks on public property. Mayor Mills answered that the new racks are permitted to be in designated areas. Mayor Mills reiterated that the Town wants the news racks to be uniform.

The motion passed with a unanimous vote.

Vice Mayor thanked Planning and Zoning Board member Carol Hurst for all her work on the news racks.

g. First reading of Ordinance O-4-07 amending Appendix A Zoning Ordinance by revising the requirements for depressed/underground parking, building height and setbacks for multi story structures in zoning districts B, C and D.

Deputy Town Clerk Loftus read Ordinance 0-4-07 by title only.

Commissioner Workman **moved to approve Ordinance 0-4-07** with a second from Commissioner Tropepe.

Vice Mayor Sullivan commented that the motion made at last month's Commission meeting was for the Planning and Zoning Board to come back and recommend "numbers" for underground parking depth. There was to be no decision on setbacks. The Commission had decided to wait until the consultants were finished with District A. Vice Mayor Sullivan requested that Ordinance 0-4-07 be split, omitting any setback changes until the consultants establish a building-to-land ratio.

**Commission Meeting
January 22, 2007**

Commissioner Workman agreed that it was clear at last month's Commission meeting that the ordinance would only address tuck under parking.

Commissioner Mitchell stated he was not prepared to vote on the setback issue.

Commissioner Tropepe thanked the Planning and Zoning Board for their research.

Commissioner Mitchell thanked Vice Chairman Alan Fiers for his comparison of height and setbacks regarding what has been built and his conclusions from the new buildings. Mr. Fiers stated that after looking at recent buildings, one fact that jumps out is that the two easternmost Cannonsport buildings are closer to the road and the mass is right "in your face". Mr. Fiers explained that Inlet Pointe has a 50 foot front setback, Dolcevit has 80 feet, and Dolcevit on the Inlet will have a 53 foot front setback.

Mayor Mills congratulated Vice Chairman Alan Fiers for his comparisons. The Mayor agreed that the ordinance should be divided.

A discussion ensued on the underground parking issue.

Commissioner Workman withdrew his motion.

Commissioner Tropepe noted the issues of concern and agreed to split the ordinance.

Commissioner Workman made the **motion to send Ordinance 0-4-07 back to the Planning and Zoning Board to re-evaluate depressed underground parking and two setback issues**. After a second by Commissioner Mitchell, the vote was unanimous.

6a. Financial

Commissioner Tropepe made the **motion to approve expenditures of \$394,861.00 for December 2006** with a second from Vice Mayor Sullivan. The vote was unanimous.

b. Police report

Chief Wille had been asked by the Commission to demonstrate on a Town map areas not covered by 1000 foot existing State Statute regarding sexual predators residing in Palm Beach Shores. The map designated a red line for 1000 feet, a green line 1200 feet and a blue line 1300 feet. Chief Wille explained that if a predator passed the probationary period they may live wherever they want.

Attorney Davis noted that the map showed the Town is 99.9% covered by the State Statute and he would not recommend going to the expense of creating the Town's own ordinance. Attorney Davis inserted that with the addition of Inlet Park and the Beach Park the Town will be even closer to 100%.

Chief Wille reported that the Police Department will receive a \$1000 grant for powerpoint presentations which includes a laptop computer with an overhead projector.

c. Fire department

**Commission Meeting
January 22, 2007**

Chief Fauci filed his report. Chief Fauci noted that his research shows that the cost to replace the volunteer fire department comes to \$2.6 million.

Mayor Mills opined the volunteer fire department creates camaraderie within the Town which should be protected. Mayor Mills declared that Commissioner Workman has agreed to become the liaison with Riviera Beach Fire Department in the negotiations with regard to the Town's back up fire/rescue service.

Vice Mayor Sullivan opined that the Town will lose its volunteers if false alarms continue.

Manager Cheryl Moore from the Marriott's Ocean Pointe indicated that money has been spent on new fire alarm devices which are less sensitive, but still safe. Ms. Moore added that false alarms have dropped by 50%.

d. Staff reports

Town Clerk Gangwer reported the following:

1. The Planning and Zoning Board meets tomorrow night at 7:00 pm. The agenda includes two site plan modification reviews, one special exception recommendation, and one site plan review. Also, the Planning and Zoning Board sits as the Local Planning Agency in order to consider 3 ordinances. Town Clerk Gangwer urged any town resident who is interested in serving on the Planning and Zoning Board to submit a resume and letter of interest to her attention within the next month.
2. Tree trimming and removal should begin next week. This will be a mini-trim, with the major pre-hurricane trimming to be done in late spring.
3. The local election is scheduled for March 13, 2007. Qualifying time is from noon on January 30, 2007 through noon on February 13, 2007. The Town Clerk urged residents to consider serving their town in the capacity of a Town Commissioner.

Town Administrator Cindy Lindskoog reported the following:

1. Dodi Glas has donated her services to work on a plan for the site of the Community Center and has asked for the Commission's wish list such as number of parking spaces, drop off area, handicap parking, landscaping. Town consulting engineer Lee Collum would like for the plan to coordinate with Inlet Park.
3. Ms. Lindskoog added that the Inlet Park project is proceeding with the concrete columns of the gazebos already going through the curing process. Landscaping contractors are trenching for irrigation. The electrical work is being done in-house.
6. Tree trimming and removal is being coordinated with the Environmental Committee and Sue Licht, the Town's landscape maintenance person. An update appears in the Property Owners' newsletter.

e. Legal update

Attorney Davis reported that there are a couple of ordinances regarding rooming/boarding houses that are going to the Local Planning Agency tomorrow night. Attorney Davis opined that this area of Town code needs beefing up and he will have ordinances prepared for review by the Commission meeting in February.

7. MAYOR, COMMISSION REPORTS:

Vice Mayor Sullivan commented that the Commission toured the inside of the Community Center and "you are going to love it"!

**Commission Meeting
January 22, 2007**

Commissioner Tropepe stated that 40% of the county adopted the home rule resolution. The Florida League of Cities is moving forward and two additional cities have enlisted.

Commissioner Workman had no report.

Mayor Mills acknowledged that the Commissioners take on extra tasks – Vice Mayor Sullivan – the Community Center; Commissioner Tropepe – Home Rule; Commissioner Workman – Riviera Beach Fire Department and Commissioner Mitchell’s expertise in reviewing plans for new buildings.

Mayor Mills addressed the “Spring Bling” stating that a special meeting of the police department was held and contingency plans would be ready soon. Mayor Mills added that this event is not a “done deal”. Most resort towns have asked them not to return. Mayor Mills stated that it is an invitation only affair with invitations being sent to only black colleges.

Resident Comments:

Carol Hurst voiced her concerns over the effects of traffic with the building in Riviera Beach. Ms Hurst also sent a letter to the Palm Beach Post re the “Spring Bling”.

Jim Collins would like to know what the proposed landscaping will be at the north boundary of Cannonsport, noting that the landscaping was “devastated”. Mayor Mills replied that Mr. Collins should come into Town Hall where the landscaping plan is available. He opined that mature trees are planned.

Attorney Davis noted that Cannonsport was required to submit landscape plans to the Planning and Zoning Board for Architectural and Aesthetic review.

Scott McCranels asked if the Town had the dates for the installation of the camera system yet? Mayor Mills stated it will be installed within the next month. Also Dr. McCranels wanted to know about the latest plan for Ocean Mall. Mayor Mills stated the plans provided to the Town show the road going around the turn with two way traffic. Mr. Catalfumo stated he would be glad to work with the Town. Mayor Mills opined that a study needs to be done with all the traffic that will be generated.

Mary Henig commented that there appears to be a large hole on the Inlet Park. Ms. Lindskoog explained that this would be a base for pavers to hold tables and benches.

Marion Hartl asked what type of benches would be inside the gazebos? Ms Lindskoog replied the benches will be concrete.

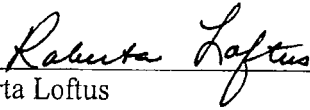
Robert Doolittle commented that the Cannonsport project appeared to be a four story building instead of a three story complex with tuck under parking. Mr. Doolittle wanted to know how this project passed the Development Review Committee, the Planning and Zoning Board and lastly the Commission. Mayor Mills stated that although the plans were reviewed by all of the groups, no one took the water table depth into account. Mayor Mills declared that Cannonsport found they could only go down less than a foot for their depressed parking. Mr. Doolittle asked whether the Town had any recourse if the actual construction is not the same as depicted in their renderings? Mayor Mills opined that landscaping will soften the look of the buildings.

Commission Meeting
January 22, 2007

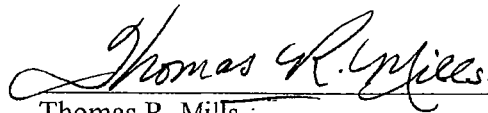
Jack McDevitt asked if the two incumbents were running for office. The reply was in the affirmative.

Dr. Scott McCranels stated that in light of Mr. Doolittle's comments, the Town's consultants have their homework to do. Dr. McCranel's opined that he would hate to see the Commission rush to judgment without the assistance of the consultants and would hope that the consultants would reveal more issues in Districts B, C, and D.

The meeting adjourned at 9:30 p.m.



Roberta Loftus
Deputy Town Clerk



Thomas R. Mills
Mayor

ORDINANCE NO. O-3-20

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, AMENDING CHAPTER 2. ADMINISTRATION. AT ARTICLE III. BOARDS AND COMMISSIONS., DIVISION 2. CODE ENFORCEMENT; SPECIAL MAGISTRATE. SEC. 2-68 BY ADOPTING AND REVISING DEFINITIONS FOR “POLICE OFFICER”, “SPECIAL MAGISTRATE” AND “TOWN ATTORNEY”, AND SEC. 2-76 BY UPDATING AND CLARIFYING THE CITATION METHOD OF CODE ENFORCEMENT WITHIN THE TOWN AT THE TOWN’S DISCRETION; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 2. ADMINISTRATION. 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, Part II of Chapter 162, Florida Statutes, provides for supplemental code enforcement procedures using the citation method of code enforcement; and

WHEREAS, the Town Commission of the Town of Palm Beach Shores desires to update its citation method of code enforcement within the Town; and

WHEREAS, the Town Commission believes these revisions to its Code of Ordinances to be in the best interests of the health, safety, and welfare of the citizens of Palm Beach Shores.

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

Section 1: Chapter 2. Administration. of the Code of Ordinances of the Town of Palm Beach Shores is hereby amended at Article III. Boards and Commissions. Division 2. Code Enforcement Board; Special Magistrate. Sec. 2-68 by adopting and revising its definitions and Sec. 2-76 by updating and clarifying the citation method of code enforcement within the Town; providing that Sections 2-68 and 2-76 shall hereafter read as follows:

CHAPTER 2. ADMINISTRATION

Article III. Boards and Commissions

Division 2. Code enforcement board; Special magistrate.

Sec. 2-68. - Definitions.

As used in this division, the following terms shall have the meanings indicated:

Code enforcement officer inspector: Any authorized agent or employee of the town whose duty it is to assure code compliance.

Police officer: A law enforcement officer authorized through employment or contract to enforce the laws within and for the Town. Generally, a police officer is either a sworn member of the Town's police department or a sworn member of the Palm Beach County Sheriff's Office.

Special magistrate: A Florida licensed attorney appointed by the Town Commission to preside over code enforcement hearings and citation hearings in the Town and issue orders in accordance with this division and Chapter 162, Florida Statutes The code enforcement special magistrate.

Town: The Town of Palm Beach Shores.

Town attorney: A Florida licensed An attorney designated by the town to represent the Town of Palm Beach Shores.

Town commission: The legislative body of the Town of Palm Beach Shores.

Sec. 2-76. - Alternate code enforcement procedures.

- (a) *Issuance of citations*. A code enforcement ~~inspector, code compliance officer or police officer~~ is authorized to issue a citation to a person when, based on personal investigation, the code enforcement ~~inspector, code compliance officer or police officer~~ has reasonable cause to believe that the person has committed a civil infraction in violation of a duly enacted code or ordinance. The special magistrate will hold a hearing on the violation alleged in the citation if the citation is contested or if the fine is not paid within the time specified in the citation. and this citation will be heard by the county court.
- (b) *Courtesy Warning*. *Notice*. Prior to issuing a citation, a code enforcement ~~inspector, code compliance officer or police officer~~ may, based on the

circumstances and on a case-by-case basis, shall provide a courtesy warning notice to the person that has committed a violation of a code or ordinance and may, based on the circumstances on a case-by-case basis, shall establish a reasonable time period within which the person must correct the violation. Such ~~time period shall be no more than 30 days.~~ If, upon personal investigation, ~~the a~~ code enforcement ~~inspector, code compliance~~ officer or police officer finds that the person has not corrected the violation within the time period allowed, the code enforcement ~~inspector, code compliance~~ officer or police officer may issue a citation to the person who has committed the violation. If the code enforcement ~~inspector, code compliance~~ officer or police officer has reason to believe that the violation presents a serious threat to the public health, safety, or welfare, or if the violation is irreparable or irreversible, the code inspector, code compliance officer or police officer shall ~~is not obligated to~~ provide the person with a reasonable time period within which to correct the violation prior to the issuance of the citation.

(c) *Form of citation.* The citation issued by the code enforcement ~~inspector, code compliance~~ officer or police officer shall be in the form prescribed by the town and shall contain the following:

- (1) The date and time of issuance.
- (2) The name and address of the person to whom the ~~this~~ citation is issued.
- (3) The date and time the civil infraction was committed and the facts constituting reasonable cause.
- (4) The number or section of the code or ordinance violated.
- (5) The name and authority of the code enforcement ~~inspector, code compliance~~ officer or police officer.
- (6) The procedure for the person to whom the citation is issued to follow in order to pay the civil penalty or contest the citation.
- (7) The applicable civil penalty if the person to whom the citation is issued elects to contest the citation and is found to have committed the civil infraction after a hearing before the special magistrate.
- (8) The applicable civil penalty if the person to whom the citation is issued elects not to contest the citation.

- (9) A conspicuous statement if the person fails to pay the civil penalty within the time allowed or fails to appear before the town's special magistrate in court to contest the citation, he the person to whom the citation is issued shall be deemed to have waived their his right to contest the citation and that, in such case, judgment may be entered against the person to whom the citation was issued for an amount up to the maximum civil penalty.
- (d) *Disposition by the special magistrate county court*. After issuing a citation to an alleged violator, a code enforcement inspector, ~~code compliance~~ officer or police officer shall provide ~~deposit~~ the original citation and one copy of the citation to the town clerk for further ~~with the county court for further~~ disposition.
- (e) *Schedule of violations and penalties*. The town has deemed the following sections of the Code to be enforceable through these alternate code enforcement procedures ~~the citation method~~ in addition to the enforcement procedure provided in Sec. 2-70 ~~code compliance special magistrate method~~ and has provided a schedule of violations and civil penalties to be assessed in the event these alternate code enforcement procedures are ~~the citation method of code compliance~~ is utilized, as follows:

Class I offenses—\$50.00

Sec. 6-4—Hours of sale (alcoholic beverages): first offense.

Sec. 6-5—Possession or consumption in parking lots prohibited (alcoholic beverages): first offense.

Sec. 6-6—Consumption or possession in and upon public property prohibited: exceptions (alcoholic beverages): first offense.

Sec. 10-1—Keeping a nuisance (animals): first offense.

Sec. 10-26—Running at large prohibited (dogs): first offense.

Sec. 10-27—Prohibited on beaches (dogs): first offense.

Sec. 10-28—Removal of feces (pet): first offense.

Sec. 10-30—County license required (dogs and cats): first offense.

Sec. 18-42—Approved application required (solicitors): first offense.

Sec. 18-44—Issuance; expiration of permit (failure of solicitors to carry permit): first offense.

Sec. 18-46—Prohibited acts (solicitors): first offense.

Sec. 30-68—Fireworks: first offense.

Sec. 42-2—Littering: first offense.

Sec. 42-41—Noise disturbances prohibited generally: first offense.

Sec. 42-42—Specific prohibitions (noise): first offense.

Sec. 42-43—Decibel measurement standards for noise other than operating motor vehicles: first offense.

Sec. 42-44—Amplified noise upon public streets prohibited: first offense.

Sec. 48-2—Park property (no fishing from gazebo): first offense.

Sec. 48-3—Sanitation (trash): first offense.

Sec. 48-4—Traffic (parks and parkway): first offense.

Sec. 48-5—Recreational activities: first offense.

Sec. 48-6—Behavior (intoxicating beverages, fireworks and explosives, loitering and boisterousness, vending and peddling, signs on town park or beach property): first offense.

Sec. 48-7—Park operating policy (park hours): first offense.

Sec. 54-30—Parking (garage sale): first offense.

Sec. 62-1—Obstruction prohibited: first offense.

Sec. 62-3—Damaging streets prohibited: first offense.

Sec. 70-4—Identification of commercial vehicles: first offense.

Sec. 70-32—Parking prohibitions: penalties: first offense.

Sec. 70-52—Parking on streets unlawful: first offense.

Sec. 70-75—Unregistered vehicles prohibited: first offense.

Sec. 82-32—Vehicles prohibited (beach): first offense.

Sec. 82-87—Mooring and anchoring vessels: first offense.

Class II offenses—\$250 75.00

Sec. 6-4—Hours of sale (alcoholic beverages): second and subsequent offenses.

Sec. 6-5—Possession or consumption in parking lots prohibited (alcoholic beverages): second and subsequent offenses.

Sec. 6-6—Consumption or possession in and upon public property prohibited: exceptions (alcoholic beverages): second and subsequent offenses.

Sec. 10-1—Keeping a nuisance (animals): second and subsequent offenses.

Sec. 10-26—Running at large prohibited (dogs): second and subsequent offenses.

Sec. 10-27—Prohibited on beaches (dogs): second and subsequent offenses.

Sec. 10-28—Removal of feces (pet): second and subsequent offenses.

Sec. 10-30—County license required (dogs and cats): second and subsequent offenses.

Sec. 18-42—Approved application required (solicitors): second and subsequent offenses.

Sec. 18-44—Issuance; expiration of permit (failure of solicitors to carry permit): second and subsequent offenses.

Sec. 18-46—Prohibited acts (solicitors second and subsequent offenses.

Sec. 30-68—Fireworks: second and subsequent offenses.

Sec. 42-2—Littering: second and subsequent offenses.

Sec. 42-41—Noise disturbances prohibited generally: second and subsequent offenses.

Sec. 42-42—Specific prohibitions (noise): second and subsequent offenses.

Sec. 42-43—Decibel measurement standards for noise other than operating motor vehicles: second and subsequent offenses.

Sec. 42-44—Amplified noise upon public streets prohibited: second and subsequent offenses.

Sec. 48-2—Park property (no fishing from gazebo): second and subsequent offenses.

Sec. 48-3—Sanitation (trash): second and subsequent offenses.

Sec. 48-4—Traffic (parks and parkway): second and subsequent offenses.

Sec. 48-5—Recreational activities: second and subsequent offenses.

Sec. 48-6—Behavior (intoxicating beverages, fireworks and explosives, loitering and boisterousness, vending and peddling, signs on town park or beach property): second and subsequent offenses.

Sec. 48-7—Park operating policy (park hours): second and subsequent offenses.

Sec. 54-30—Parking (garage sale): second and subsequent offenses.

Sec. 62-1—Obstruction prohibited: second and subsequent offenses.

Sec. 62-3—Damaging streets prohibited: second and subsequent offenses.

Sec. 70-4—Identification of commercial vehicles: second and subsequent offenses.

Sec. 70-32—Parking prohibitions: penalties: second and subsequent offenses.

Sec. 70-52—Parking on streets unlawful second and subsequent offenses.

Sec. 70-75—Unregistered vehicles prohibited second and subsequent offenses.

Sec. 82-32—Vehicles prohibited (beach): second and subsequent offenses.

Sec. 82-87—Mooring and anchoring vessels: second and subsequent offenses.

Class III offenses—\$125.00

~~Sec. 10-26—Running at large prohibited (dogs): third offense.~~

~~Sec. 10-27—Prohibited on beaches (dogs): third offense.~~

~~Sec. 10-28—Removal of feces (pets): third offense.~~

~~Sec. 18-42—Approved application required (solicitors): third offense.~~

~~Sec. 42-2—Littering: third offense.~~

~~Sec. 42-42—Specific prohibitions (noise): third offense.~~

~~Sec. 42-43—Decibel measurement standards for noise other than operating motor vehicles: third offense.~~

~~Sec. 42-44—Amplified noise upon public streets prohibited: third offense.~~

~~Sec. 62-1—Obstruction prohibited.~~

~~Sec. 62-3—Damaging streets prohibited.~~

~~Sec. 70-52—Parking on streets unlawful.~~

Class IV offenses—\$250.00

~~Sec. 6-4—Hours of sale (alcoholic beverages).~~

~~Sec. 6-5—Possession or consumption in parking lots prohibited (alcoholic beverages).~~

~~Sec. 6-6—Consumption or possession in and upon public property prohibited: exceptions (alcoholic beverages).~~

~~Sec. 10-26—Running at large prohibited (dogs): fourth or subsequent offense.~~

~~Sec. 10-27—Prohibited on beaches (dogs): fourth or subsequent offense.~~

~~Sec. 10-28—Removal of feces (pets): fourth or subsequent offense.~~

~~Sec. 18-42—Approved application required (solicitors): fourth or subsequent offense.~~

~~Sec. 18-46—Prohibited acts (solicitors).~~

~~Sec. 42-2—Littering: fourth or subsequent offense.~~

~~Sec. 42-42—Specific prohibitions (noise): fourth or subsequent offense.~~

~~Sec. 42-43—Decibel measurement standards for noise other than operating motor vehicles: fourth or subsequent offense.~~

~~Sec. 42-44—Amplified noise upon public streets prohibited: fourth or subsequent offense.~~

~~Sec. 48-4—Traffic (parks and parkway).~~

~~Sec. 82-32—Vehicles prohibited (beach).~~

Upon receipt of a citation, the person alleged to have committed a civil infraction ~~violated the town code~~ may request a hearing before the town's special magistrate court appearance. The special magistrate county court judge may assess the maximum civil penalty not to exceed \$500.00 if it is determined that the civil infraction was committed by the person contested. If the citation is not contested, the amount of fine is the face value of the citation plus all costs incurred in prosecuting the case before the special magistrate. For purposes of this section, the term "all costs" includes the following:

- (1) Attorney's fees incurred by the town in prosecuting all aspects of any case brought before the special magistrate;
- (2) Special magistrate fees incurred by the town for all aspects of the case heard by the special magistrate;
- (3) Costs incurred by the town for providing notice, including postage costs;
- (4) Costs incurred by the town for creating and presenting photographic or other evidence of the violation for the special magistrate hearing;
- (5) Costs incurred by the town for the actual presentation of the case to the special magistrate (this does not include time spent on regular code compliance duties not specific to the prosecution/presentation of the case.
- (6) Expert witness fees incurred by the town in prosecuting any case brought before the special magistrate.

- (f) *Code violations—Civil infractions.* All violations of this Code shall be considered as civil infractions with a maximum civil penalty not to exceed \$500.00, plus all costs.
- (g) *Citation contested—Special Magistrate. ~~County court.~~* Should any person receiving a citation desire to contest same, such person shall have the right to appear before the town's special magistrate ~~in county court~~ in order to present his their case and have the determined position made by the town's special magistrate ~~court.~~
- (h) *Failure to accept citation—Misdemeanor.* Any person who willfully refuses to sign and accept a citation issued by a code inspector, code compliance officer or police officer shall be guilty of a misdemeanor of the second degree, punishable as provided in F.S. § 775.082 or § 775.083.
- (i) *Citations not applicable to certain portions of building code.* The provisions of this section shall not apply to enforcement pursuant to sections 553.79 and 553.80 of the building codes adopted pursuant to section 553.73 as they apply to construction, provided that a building permit is either not required or has been issued by the municipality. For the purpose of this subsection, "building" codes means only those codes adopted pursuant to section 553.73.
- (j) The provisions of this division ~~section~~ are additional and a supplemental means of enforcing certain town ~~municipal~~ codes and ordinances and may be used for the enforcement of such any codes ~~or ordinances~~ ~~or for the enforcement of all codes and ordinances except~~ as set forth hereinabove. Nothing contained in this division ~~section~~ shall prohibit the town from enforcing its codes or ordinances by any other means.

Section 2: Each and every other section and subsection of Chapter 2. Administration. of the Code of Ordinances of the Town of Palm Beach Shores, 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 adoption.

FIRST READING this 24th day of August 2020.

SECOND AND FINAL READING this ____ day of ____, 2020.

TOWN OF PALM BEACH SHORES

Alan Fiers, Mayor

ATTEST:

Evyonne Browning, Town Clerk

(Seal)

Approved as to form and legal sufficiency.

Keith Davis, Town Attorney

ORDINANCE NO. O-4-20

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, AMENDING CHAPTER 18. BUSINESSES, OCCUPATIONS AND PROFESSIONS. AT ARTICLE II. BUSINESS TAXES. SECTIONS 18-16. LEVY OF BUSINESS TAX; REGISTRATION. BY REPEALING REGISTRATION REQUIREMENTS FOR CERTAIN CONTRACTORS AND BUSINESSES THAT DO NOT PAY A LOCAL BUSINESS TAX TO THE TOWN; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 18. BUSINESSES, OCCUPATIONS AND PROFESSIONS. 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, Town regulations currently provide a registration requirement for certain contractors and businesses that do not pay a local business tax to the Town; and

WHEREAS, the Town Commission of the Town of Palm Beach Shores desires to eliminate this registration requirement; and

WHEREAS, the Town Commission has determined that these revisions to the Town's code will serve to promote the public health, safety and welfare.

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

Section 1: Chapter 18. Businesses, Occupations and Professions. of the Code of Ordinances of the Town of Palm Beach Shores is hereby amended at Section 18-16. Levy of business tax; registration. by repealing Sec, 18-16(b) and eliminating the associated registration requirement for certain businesses that do not pay a local business tax to the Town; providing that Section 18-16. Levy of business tax; registration. shall hereafter read as follows:

Sec. 18-16. - Levy of business tax; registration.

(a) *Business tax.* A tax is hereby fixed and imposed upon every person who maintains a permanent business location or branch office within the town for the privilege of engaging in or managing any business, profession or occupation within the town. A business tax is also hereby levied upon any person who does not qualify under the provisions noted hereinabove and who transacts any business or engages in any occupation or profession in interstate commerce, if such business tax is not prohibited by Section 8 of Article I of the United States Constitution. This tax shall not be construed to mean any fee or license paid to any commission or official for permits or examinations which are deemed to be regulatory and are requirements in addition to and not in lieu of the business tax imposed under the provisions of this article.

(b) ~~*Reserved. Registration.* Any person who does not fall into one of the categories set forth above in subsection (a) but who comes within the corporate limits of the town to carry on, complete, perform~~

~~or engage in any type of business, is hereby required to register with the town by filling out a registration form with the town clerk, except that this registration requirement shall not apply to any trade or business regulated by the Department of Business and Professional Regulation pursuant to F.S. § 205.065. Persons for whom registration is required must provide a copy of a valid business tax receipt issued by another municipality and/or by Palm Beach County indicating that he possesses a valid business tax receipt at the location of his branch or permanent office and must provide appropriate credentials and/or certificates as required by the town, according to the type of business. A nominal registration fee shall be charged to cover administrative costs in registering these additional businesses, occupations and professions; the amount of which registration fee shall be set by resolution of the town commission.~~

Section 2: Each and every other section and subsection of Chapter 18. Businesses, Occupations and Professions. of the Code of Ordinances of the Town of Palm Beach Shores shall remain in full force and effect as previously adopted.

Section 3: All ordinances or parts of ordinances in conflict with this ordinance are repealed.

Section 4: If any section or provision of this ordinance, any paragraph, sentence or word is declared invalid by a court of competent jurisdiction, the decision shall not affect the validity of the remainder of this ordinance.

Section 5: Specific authority is hereby given to codify this ordinance into the Code of Ordinances of the Town of Palm Beach Shores, Florida.

Section 6: This ordinance will take effect immediately upon adoption.

FIRST READING this 24th day of August 2020.

SECOND AND FINAL READING this ____ day of ____ 2020.

TOWN OF PALM BEACH SHORES

ATTEST:

Alan Fiers, Mayor

Evyonne Browning, Town Clerk

Approved as to form and legal sufficiency

(Seal)

Keith Davis, Town Attorney