

Monday, January 28, 2019  
6:00 pm



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

**TOWN COMMISSION  
REGULAR MEETING AGENDA**

Mayor Myra Koutzen  
Vice Mayor Roby DeReuil

Commissioner Gil Gilgallon  
Commissioner Bob Stanton  
Commissioner Brian Tyler

Town Attorney Keith Davis  
Town Clerk Evyonne Browning  
Assistant Clerk Gaudy Quesada

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1. **CALL TO ORDER**

- a. Pledge of Allegiance
- b. Roll Call

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

3. **CONSENT AGENDA** (Items that do not need discussion, but require a vote)

- a. December 17, 2018 Regular Commission Meeting Minutes.

4. **PRESENTATIONS/UPDATES**

- a. Update on Undergrounding Project (*Presented by Danny Brannon*)

5. **DEPARTMENT AND BOARD REPORTS**

- a. Financials
  - 1. Approval of Financial Report for Period ending December 31, 2018
- b. Staff Reports:
  - 1. Police Department
  - 2. Fire Department
  - 3. Public Works
  - 4. Town Clerk
  - 5. Town Attorney
- c. Planning & Zoning Report (verbal)

6. **COMMISSION REPORTS**

7. **PUBLIC COMMENTS**

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

8. **UPDATES/DISCUSSIONS** (*Non-voting items*)

- a. Update on 5 Year Plan Project (*Commissioners Brian Tyler and Robert Stanton*)

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

- a. Request to purchase a new Emergency Backup Generator for the Lake Drive Lift Station (*Presented by Public Works Director*)
- b. Approval to adopt Palm Beach County's Beach Wheelchair Rules and Regulations for the purchase of a Town Beach Wheelchair. (*Thank you to the Seasideers for their future donation*)

10. **ORDINANCES AND RESOLUTIONS**

- a. Resolution R-19-19: Revision to the Town's Fee Schedule to amend the Building Departments required surcharge on all permit fees associated with the enforcement of the Florida Building Code pursuant to Section 468.631 in the Florida Statutes. (*Presented by Town Attorney*)
- b. Resolution R-20-19: Approval of an updated Ethics Policy for training as required by the Palm Beach County Commission on Ethics (*Presented by Town Attorney*)
- c. Ordinance O-14-19: Amend Chapter 14, Buildings and Building Regulations to create a new Article XIII entitled "Abandoned and Vacant Structures." (**1<sup>st</sup> Reading**) (*Presented by Town Attorney*)
- d. Ordinance O-12-18: Amend Appendix A. Zoning at Section II Definitions to provide cross-reference to definitions in Chapter 82. (**2<sup>nd</sup> Reading**) (*Presented by Town Attorney*)
- e. Ordinance O-13-18: Amend Chapter 82 (creating an entirely new section 82-50 and Amend Section 82-51) (**2<sup>nd</sup> Reading**) (*Presented by Town Attorney*)

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**

**December 17, 2018**

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

**1. CALL TO ORDER**

**Mayor Koutzen** called the meeting to order at 6:00 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 Myra Koutzen, Vice Mayor Roby DeReuil, Commissioner Gil Gilgallon, and Commissioner Robert Stanton. Commissioner Brian Tyler was not present. Also present were Police Chief Langevin, Fire Chief Steedman, Public Works Director Welch, Town Attorney Davis, Town Treasurer Wendy Wells.

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

Request: Commissioner Gil Gallon requested that item "b" under the Consent Agenda regarding the Beach Cabana Contract be moved to item 9c under Other Business.

**MOTION:** Commissioner Stanton moved to approve the meeting agenda with the change as requested by Commissioner Gilgallon stated above.

**SECOND:** Vice Mayor DeReuil seconded the motion.

**VOTE:**     **Gilgallon: YES**  
              **DeReuil: YES**  
              **Tyler:     Not Present**  
              **Stanton: YES**  
              **Koutzen: YES**         **The Motion Passed Unanimously by those present**

**3. CONSENT AGENDA** (Items that do not need discussion, but require a vote)

- a. November 19, 2018 Regular Commission Meeting Minutes
- b. Cabana Beach Chair Contract Amendment to add on-site storage (*Item moved to Other Business, Item 9c by motion and vote*)
- c. Special Event SP18-27: Sailfish Marine Fishing Tournament – Bluewater Movements January 16, 2019. 6:00 pm to 10:00 pm with 300 participants. (All paperwork received)
- d. Special Event SP18-28: Café Chardonnay wedding reception July 6, 2019 at Community Center from 4:30 pm to 10:00 pm with 80 to 100 participants. (All paperwork received)

**MOTION:** Commissioner Stanton moved to approve the meeting agenda with the change as requested by Commissioner Gilgallon stated above. (*Second and Vote on next page*)

### Item 3 – Consent Agenda:

**SECOND:** Vice Mayor DeReuil seconded the motion.

**VOTE:** Gilgallon: YES

DeReuil: YES

Tyler: Not Present

Stanton: YES

Koutzen: YES      The Motion Passed Unanimously by those present

#### 4. PRESENTATIONS/UPDATES

- a. Pinning and Swearing in of Robert Villagomez, Full-time Fire Fighter/EMT
- b. Update on Undergrounding Project (*Presented by Danny Brannon*)

#### 5. DEPARTMENT AND BOARD REPORTS

- a. Financials
  - 1. Approval of Financial Report for Period ending November 30, 2018

**MOTION:** Commissioner Gilgallon moved to approve the Financial Report as printed

**SECOND:** Vice Mayor DeReuil seconded the motion.

**VOTE:** Gilgallon: YES

DeReuil: YES

Tyler: Not Present

Stanton: YES

Koutzen: YES      The Motion Passed Unanimously by those present

- b. Staff Reports were given by Police Chief Langevin, Fire Chief Steedman, Public Works Director Welch, and Town Clerk Browning.
- c. There was no Planning and Zoning Report.

#### 6. COMMISSION REPORTS

Commissioner Stanton stated that he and Commissioner Tyler have been meeting with the Town Treasurer to review the Budget and to look at options on what the Town's finances will look like in 3 to 5 years.

Mayor Koutzen gave accolades to former Mayor Tom Mills for being inducted into the Canadian Hall of Fame for Hockey!

#### 7. PUBLIC COMMENTS

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

There were no Public Comments at this meeting.

#### 8. UPDATES/DISCUSSIONS (*Non-voting items*)

None at this time

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

- a. Potential date change for January 21, 2019 meeting due to Martin Luther King Day

**MOTION:** Commissioner Gilgallon made a motion to move the January 21<sup>st</sup> meeting to January 28<sup>th</sup> 2019 due to the MLK Holiday.

**SECOND:** Commissioner Stanton seconded the motion.

**VOTE:** Gilgallon: YES

DeReuil: YES

Tyler: Not Present

Stanton: YES

Koutzen: YES      **The Motion Passed Unanimously by those present**

- b. Potential date change for February 18, 2019 due to President's Day

**MOTION:** Commissioner Gilgallon made a motion to move the February 18<sup>th</sup> meeting to February 25, 2019 due to the President's Day Holiday.

**SECOND:** Commissioner Stanton seconded the motion.

**VOTE:** Gilgallon: YES

DeReuil: YES

Tyler: Not Present

Stanton: YES

Koutzen: YES      **The Motion Passed Unanimously by those present**

- c. Cabana Beach Chair Contract Amendment to add on-site storage (*Item moved to Other Business, Item 9c by motion and vote*)

Discussion: Commissioner Gilgallon stated that the box needs to be anchored deeper into the ground to keep it from moving during high wind gusts. He also stated the sign on the side of the box needs to be moved. Mayor Koutzen stated that the sign needs to meet the Town's Sign Code.

**MOTION:** Vice Mayor DeReuil moved to approve the requested amendment to the contract as stated with the above conditions.

**SECOND:** Commissioner Stanton seconded the motion.

**VOTE:** Gilgallon: YES

DeReuil: YES

Tyler: Not Present

Stanton: YES

Koutzen: YES      **The Motion Passed Unanimously by those present**

10. **ORDINANCES AND RESOLUTIONS**

- a. Resolution R-17-18: Change Banking Services (*Presented by Town Accountant*)

**MOTION:** Commissioner Gilgallon moved to change the Town's Banking Services as presented in Resolution R-17-18.

**SECOND:** Vice Mayor DeReuil seconded the motion.

**(VOTE ON NEXT PAGE)**

Item 10a: Resolution R-17-18 (vote)

**VOTE:** Gilgallon: YES  
DeReuil: YES  
Tyler: Not Present  
Stanton: YES  
Koutzen: YES      **The Motion Passed Unanimously by those present**

- b. Resolution R-18-18: Fiscal Year 2017/18 Budget Amendment No. 5(*Presented by Town Accountant*).

**MOTION:** Commissioner Stanton moved to approve the Budget Amendment Resolution as presented

**SECOND:** Commissioner Gilgallon seconded the motion.

**VOTE:** Gilgallon: YES  
DeReuil: YES  
Tyler: Not Present  
Stanton: YES  
Koutzen: YES      **The Motion Passed Unanimously by those present**

- c. Ordinance O-10-18: Amend Appendix Chapter 18. Business, Occupations and Professions. (*2<sup>nd</sup> Reading*) (*Presented by Town Attorney*)

**MOTION:** Commissioner Gilgallon moved to approve Ordinance O-10-18 as presented by the Town Attorney.

**SECOND:** Vice Mayor DeReuil seconded the motion.

**VOTE:** Gilgallon: YES  
DeReuil: YES  
Tyler: Not Present  
Stanton: YES  
Koutzen: YES      **The Motion Passed Unanimously by those present**

- d. Ordinance O-11-18: Amend Appendix A. Zoning for Districts B, C, and D to allow replacement of existing asphalt or concrete pavement material with driveway pavers in the Town's 10' strip. (*2<sup>nd</sup> Reading*) (*Presented by Town Attorney*)

**MOTION:** Commissioner Stanton moved to approve Ordinance O-11-18 as presented by the Town Attorney.

**SECOND:** Vice Mayor DeReuil seconded the motion.

As clarification, Mayor Koutzen stated this would also allow for grass pavers.

**VOTE:** Gilgallon: YES  
DeReuil: YES  
Tyler: Not Present  
Stanton: YES  
Koutzen: YES      **The Motion Passed Unanimously by those present**

- e. Ordinance O-12-18: Amend Appendix A. Zoning at Section II Definitions to provide cross-reference to definitions in Chapter 82. **(1<sup>st</sup> Reading)** *(Presented by Town Attorney)*

**MOTION:** Commissioner Gilgallon moved to approve the 1<sup>st</sup> reading of Ordinance O-12-18 as presented by the Town Attorney.

**SECOND:** Vice Mayor DeReuil seconded the motion.

**VOTE:**   **Gilgallon: YES**

**DeReuil: YES**

**Tyler:     Not Present**

**Stanton: YES**

**Koutzen: YES           The Motion Passed Unanimously by those present**

- f. Ordinance O-13-18: Amend Chapter 82 (creating an entirely new section 82-50 and Amend Section 82-51) **(1<sup>st</sup> Reading)** *(Presented by Town Attorney)*

**MOTION:** Commissioner Gilgallon moved to approve the 1<sup>st</sup> reading of Ordinance O-13-18 as presented by the Town Attorney and with the LPA's request to amend "or" to "and" in Sections 82-56 (Private Docks) and 82-57 (Commercial Docks), both subsection (b) referencing validly issued DEP AND Corps permit, thus requiring both for "the property owner's riparian rights lines, unless otherwise allowed by an exception provided in (1)-(7) below AND a validly issued DEP or Corps permit.

**SECOND:** Vice Mayor DeReuil seconded the motion.

**VOTE:**   **Gilgallon: YES**

**DeReuil: YES**

**Tyler:     Not Present**

**Stanton: YES**

**Koutzen: YES           The Motion Passed Unanimously by those present**

## **11. ADJOURNMENT**

Mayor Koutzen adjourned the meeting at 7:40 pm after a motion by Commissioner Gilgallon and seconded by Vice Mayor DeReuil.

Approved this 28<sup>th</sup> day of January, 2019

ATTEST:

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Evyonne Browning, Town Clerk

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Myra Koutzen, Mayor

(Seal)



**TOWN OF PALM BEACH SHORES  
MONTHLY FINANCIAL REPORT**

**ITEM 5a1  
January 28 2019**

	CASH & INVESTMENTS		REVENUE			
			BUDGET	CURRENT	YEAR TO DATE	% OF BUDGET
9/30/2018	\$ 2,514,047		\$ 5,213,755	\$ 173,022	\$ 5,109,963	98%
10/31/2018	\$ 2,281,567		\$ 5,149,810	\$ 93,173	\$ 93,173	2%
11/30/2018	\$ 2,402,952		\$ 5,403,227	\$ 484,362	\$ 577,535	11%
<b>12/31/2018</b>	<b>\$ 4,746,065</b>		<b>\$ 5,403,227</b>	<b>\$ 2,922,904</b>	<b>\$ 3,500,439</b>	<b>65%</b>
12/31/2017	\$ 4,476,734		\$ 4,970,746	\$ 2,793,881	\$ 3,372,519	68%
1/31/2019						
2/28/2019						
3/31/2019						
4/30/2019						
5/31/2019						
6/30/2019						
7/31/2019						
8/31/2019						
9/30/2019						

	EXPENDITURES					
	BUDGET	DISBURSEMENTS	ACCRUALS	CURRENT EXP	YEAR TO DATE	% OF BUDGET
9/30/2018	\$ 5,213,775	\$ 384,580	\$ 143,793	\$ 528,374	\$ 4,984,535	96%
10/31/2018	\$ 5,149,810	\$ 362,599	\$ 15,184	\$ 377,782	\$ 377,782	7%
11/30/2018	\$ 5,403,227	\$ 291,715	\$ (9,054)	\$ 282,661	\$ 660,443	12%
<b>12/31/2018</b>	<b>\$ 5,403,227</b>	<b>\$ 540,803</b>	<b>\$ (62,153)</b>	<b>\$ 478,650</b>	<b>\$ 1,139,093</b>	<b>21%</b>
12/31/2017	\$ 4,970,746	\$ 477,938	\$ (75,127)	\$ 402,811	\$ 1,152,811	23%
1/31/2019						
2/28/2019						
3/31/2019						
4/30/2019						
5/31/2019						
6/30/2019						
7/31/2019						
8/31/2019						
9/30/2019						

*Budget Amendment #1 was adopted by the Town Commision on November 19, 2018.*



**Town of Palm Beach Shores**  
**Budget Summary Report**  
**December 2018**

				December Benchmark		25.0%	
BUDGET			YTD		Favorable(Unfav)		%
REVENUE							
Revenue (without appr'd F/B)	\$	5,037,066.00		\$	3,500,439.26	\$ (1,536,626.74)	69.5%
Appropriated Fund Balance		366,161.00			-	(366,161.00)	
TOTAL REVENUE	\$	5,403,227.00		\$	3,500,439.26	\$ (1,902,787.74)	64.8%
EXPENDITURES BY DEPARTMENT							
			% of total			% of total	
Administration	\$	417,049.00	8%	\$	91,975.96	8%	\$ 325,073.04 22.1%
Legal		93,000.00	2%		22,093.60	2%	70,906.40 23.8%
Public Works		306,890.00	6%		73,372.95	6%	233,517.05 23.9%
Police		1,465,454.00	27%		336,493.09	30%	1,128,960.91 23.0%
Fire		693,791.00	13%		148,684.50	13%	545,106.50 21.4%
Building		215,425.00	4%		48,865.69	4%	166,559.31 22.7%
Emergency Disaster		-	0%		-	0%	- 0.0%
Solid Waste		191,000.00	4%		41,029.27	4%	149,970.73 21.5%
911 Dispatch		431,072.00	8%		88,836.09	8%	342,235.91 20.6%
Legislative		21,160.00	0%		1,896.20	0%	19,263.80 9.0%
Streets/Storm Sewers		20,525.00	0%		7,012.70	1%	13,512.30 34.2%
Parks		115,650.00	2%		17,345.61	2%	98,304.39 15.0%
Beach		93,745.00	2%		22,698.84	2%	71,046.16 24.2%
Lift Stations/Sewer Service		17,975.00	0%		2,619.35	0%	15,355.65 14.6%
Contingencies		85,000.00	2%		-	0%	85,000.00 0.0%
Debt Service		201,989.00	4%		-	0%	201,989.00 0.0%
Emergency Medical Services		321,995.00	6%		78,727.02	7%	243,267.98 24.4%
Community Center		49,350.00	1%		11,640.60	1%	37,709.40 23.6%
Risk Management		140,000.00	3%		64,426.00	6%	75,574.00 46.0%
Capital		522,157.00	10%		81,375.67	7%	440,781.33 15.6%
TOTAL EXPENDITURES	\$	5,403,227.00		\$	1,139,093.14	\$ 4,264,133.86	21.1%
CHANGE IN FUND BALANCE							
		-			2,361,346.12	2,361,346.12	

Explanations of variances:

Streets/Storms Drains - Road Maintenance is high due to paver repairs and pot hole repairs.

Risk Management - Main policy is paid quarterly. First 2 invoices have been paid.

**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

Current Year Receipts:

Date of Receipt	Period	
11/27/2018	October	\$ 5,907.91
12/24/2018	November	\$ 6,337.01
Total current year receipts		\$ 12,244.92

Current Year Expenditures:

Accumulated (unspent) Discretionary Sales Tax as of 10/31/19	\$ 131,679.52
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**Town of Palm Beach Shores**  
**Building Department**

	Building Permits	Building Department	Net Building	Cumulative Net Bldg
10/31/2018	\$ 25,745	\$ (20,591)	\$ 46,336	\$ 46,336
11/30/2018	\$ 6,716	\$ 2,727	\$ 3,989	\$ 50,325
<b>12/31/2018</b>	<b>\$ 18,662</b>	<b>\$ 66,729</b>	<b>\$ (48,067)</b>	<b>\$ 2,257</b>
1/31/2019				
2/28/2019				
3/31/2019				
4/30/2019				
5/31/2019				
6/30/2019				
7/31/2019				
8/31/2019				
9/30/2019				
	\$ 51,123	\$ 48,866	\$ 2,257	

Note: Due to the timing of invoices from SafeBuilt, December includes October, November, and December service.



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-18	13,408.20	8,472.37	1,475.13	23,355.70
Nov-18	25,274.20	9,067.15	2,159.57	36,500.92
Dec-18	19,117.75		1,705.94	20,823.69
Jan-19				-
Feb-19				-
Mar-19				-
Apr-19				-
May-19				-
Jun-19				-
Jul-19				-
Aug-19				-
Sep-19				-
YTD Total	57,800.15	17,539.52	5,340.64	80,680.31

**Town of Palm Beach Shores**  
**Underground Utilities**  
as of 12/31/18

	<b>Cost Estimate</b>	<b>FYE 9/30/2019</b>	<b>Remaining Budget</b>
<b>Cash</b>		<b>\$ 5,723,106.00</b>	
<b>Expenditures:</b>			
Survey	\$ 38,000		\$ 38,000.00
Legal	\$ 4,000		\$ 4,000.00
Project Management/Administration	\$ 80,000		\$ 80,000.00
Construction - Town	\$ 4,336,460		\$ 4,336,460.00
Construction - Comcast	\$ 250,000		\$ 250,000.00
Construction - AT&T	\$ 450,000		\$ 450,000.00
Construction - FPL	\$ 254,386	\$ 254,386.00	\$ -
Landscape Restoration	\$ 16,300		\$ 16,300.00
Loan Acquisition	\$ 23,000	\$ 22,508.00	\$ 492.00
Contingency	\$ 547,854		\$ 547,854.00
<b>Total expenditures</b>	<b>\$ 6,000,000</b>	<b>\$ 276,894.00</b>	<b>\$ 5,723,106.00</b>
<b>Other Financing Sources:</b>			
Loan Proceeds	\$ 6,000,000	\$ 6,000,000.00	\$ -
<b>Net Change in Fund Balance</b>	<b>\$ -</b>	<b>\$ 5,723,106.00</b>	<b>\$ 5,723,106.00</b>

**Town of Palm Beach Shores**  
**Accounts Payable Check Register Report - PNC Bank-12-0164-0172**  
**For The Date Range From 12/1/2018 To 12/31/2018**  
**For All Vendors And For Outstanding Checks - Computer Generated, Hand Written, eCheck**

Check # / eCheck ID	Type	Date	Vendor	Name	Amount	Status
8309	C	12/6/2018	5	AFLAC	\$262.36	O
8311	C	12/6/2018	737	AT&T	\$836.46	O
8312	C	12/6/2018	673	Bishop's Water Company	\$438.50	O
8313	C	12/6/2018	32	City of Riviera Beach	\$157,454.04	O
8314	C	12/6/2018	116	Cox Media Group	\$911.60	O
8315	C	12/6/2018	61	EAP/Center for Family Services	\$176.25	O
8316	C	12/6/2018	190	Global Electric Inc.	\$3,160.00	O
8317	C	12/6/2018	728	Gordon Lerner	\$850.00	O
8318	C	12/6/2018	87	Halsey & Griffith	\$16.10	O
8319	C	12/6/2018	89	Home Depot Credit Svcs	\$1,585.76	O
8320	C	12/6/2018	11	Nationwide Retirement Solutions	\$320.00	O
8321	C	12/6/2018	19	PBC Police Benevolent Association	\$423.00	O
8322	C	12/6/2018	25	Palm Beach Shores Volunteer Fire Dept.	\$13,276.02	O
8323	C	12/6/2018	137	Professional ID Cards	\$21.00	O
8324	C	12/6/2018	516	Schmidt Nichols	\$1,006.25	O
8325	C	12/6/2018	666	Southeastern Emergency Equipment	\$9.32	O
8326	C	12/6/2018	118	Steve Langevin	\$112.34	O
8328	C	12/6/2018	100	Toshiba Business Solutions	\$696.53	O
8329	C	12/6/2018	592	Trevor Steedman	\$81.46	O
8330	C	12/6/2018	101	Verizon Wireless	\$546.45	O
8331	C	12/6/2018	104	Waste Management	\$10,824.79	O
8332	C	12/6/2018	290	Westside Reprographics, Inc.	\$832.34	O
8333	C	12/6/2018	643	Suntrust Bank	\$3,807.76	O
8335	C	12/13/2018	324	AC Enforcement, Inc.	\$2,203.00	O
8336	C	12/13/2018	7	All Safe Safe & Lock	\$223.12	O
8337	C	12/13/2018	129	Ann Bartnick	\$500.00	O
8338	C	12/13/2018	37	Bass Property Maintenance, Inc.	\$5,900.83	O
8339	C	12/13/2018	673	Bishop's Water Company	\$110.00	O
8340	C	12/13/2018	13	City Maintenance Supply	\$172.82	O
8341	C	12/13/2018	115	Clean & Treat Co.	\$85.00	O
8342	C	12/13/2018	718	Division of Alcoholic Beverages and Tobacco	\$25.00	O
8343	C	12/13/2018	65	Federal Background Services, Inc.	\$300.00	O
8344	C	12/13/2018	480	Fink Golf Cars	\$1,317.88	O
8345	C	12/13/2018	80	FL Public Utilities	\$156.61	O
8346	C	12/13/2018	790	Galls, LLC	\$292.83	O



**Town of Palm Beach Shores**  
**Accounts Payable Check Register Report - PNC Bank-12-0164-0172**

*For The Date Range From 12/1/2018 To 12/31/2018*

*For All Vendors And For Outstanding Checks - Computer Generated, Hand Written, eCheck*

Check # / eCheck ID	Type	Date	Vendor	Name	Amount	Status
8347	C	12/13/2018	83	Gator Gun & Archery Center	\$49.75	O
8348	C	12/13/2018	87	Halsey & Griffith	\$128.92	O
8349	C	12/13/2018	90	Hulett Environmental Services	\$277.00	O
8350	C	12/13/2018	791	Ike Van Soelen	\$138.69	O
8351	C	12/13/2018	659	Image Companies	\$370.00	O
8352	C	12/13/2018	129	John M Workman	\$500.00	O
8353	C	12/13/2018	792	Lissette Adorno	\$60.00	O
8354	C	12/13/2018	16	Palmdale Oil Company, Inc.	\$1,631.26	O
8355	C	12/13/2018	30	Poly Systems Company	\$215.00	O
8356	C	12/13/2018	771	Rocky's Pool Service, Inc.	\$675.00	O
8357	C	12/13/2018	365	Sherwin-Williams	\$801.41	O
8358	C	12/13/2018	699	The Islander Grill	\$750.00	O
8359	C	12/13/2018	101	Verizon Wireless	\$5.29	O
8360	C	12/13/2018	131	WEX BANK	\$338.82	O
8361	C	12/17/2018	667	Town of Palm Beach Shores	\$1,000,000.00	O
8362	C	12/20/2018	419	ACS	\$154.00	O
8363	C	12/20/2018	47	Board of County Commissioners	\$139.84	O
8364	C	12/20/2018	764	C & H Distributors 12C	\$3,671.25	O
8365	C	12/20/2018	116	Cox Media Group	\$770.24	O
8366	C	12/20/2018	107	Davis and Ashton, P.A.	\$8,902.40	O
8367	C	12/20/2018	788	Embroidery Plus Signs	\$440.00	O
8368	C	12/20/2018	75	FL Municipal Insurance Trust	\$53,404.25	O
8369	C	12/20/2018	71	FL Power & Light	\$2,650.06	O
8370	C	12/20/2018	790	Galls, LLC	\$292.93	O
8371	C	12/20/2018	767	Insight Public Sector, Inc.	\$4,739.80	O
8372	C	12/20/2018	793	MD Now	\$80.00	O
8373	C	12/20/2018	226	Palm Beach Embroidery	\$699.00	O
8374	C	12/20/2018	33	Riviera Beach Water	\$2,478.74	O
8375	C	12/20/2018	520	SAFEbuilt, LLC	\$50,826.45	O
8376	C	12/20/2018	516	Schmidt Nichols	\$1,973.00	O
8377	C	12/20/2018	375	Simmons & White, Inc.	\$2,228.00	O
8378	C	12/20/2018	795	Smart Coat Painting LLC	\$3,200.00	O
8379	C	12/20/2018	794	T & P Pavers	\$3,000.00	O
8380	C	12/20/2018	796	TimeClock Plus	\$2,016.00	O
8381	C	12/20/2018	649	Tropical Awning	\$900.00	O

**Town of Palm Beach Shores**  
**Accounts Payable Check Register Report - PNC Bank-12-0164-0172**

*For The Date Range From 12/1/2018 To 12/31/2018*

*For All Vendors And For Outstanding Checks - Computer Generated, Hand Written, eCheck*

Check # / eCheck ID	Type	Date	Vendor	Name	Amount	Status
8382	C	12/20/2018	290	Westside Reprographics, Inc.	\$514.85	O
8384	C	12/27/2018	737	AT&T	\$872.66	O
8385	C	12/27/2018	57	Dell Computers	\$197.99	O
8386	C	12/27/2018	676	Guardian	\$1,424.83	O
8387	C	12/27/2018	11	Nationwide Retirement Solutions	\$160.00	O
8388	C	12/27/2018	19	PBC Police Benevolent Association	\$423.00	O
8389	C	12/27/2018	484	Shred-It	\$183.78	O
8390	C	12/27/2018	118	Steve Langevin	\$44.92	O
8391	C	12/27/2018	586	The Standard Insurance Company	\$515.84	O
8392	C	12/27/2018	592	Trevor Steedman	\$81.46	O
8393	C	12/27/2018	290	Westside Reprographics, Inc.	\$813.28	O
ADP, LLC	E	12/14/2018	697	ADP, LLC	\$146.65	O
ADP, LLC	E	12/28/2018	697	ADP, LLC	\$139.65	O
Blue Cross Blue Shield of Florida, Inc.	E	12/20/2018	127	Blue Cross Blue Shield of Florida, Inc.	\$34,173.28	O
FRS	E	12/4/2018	172	FRS	\$26,548.57	O
PBS Payroll	E	12/6/2018	146	PBS Payroll	\$62,774.20	O
PBS Payroll	E	12/20/2018	146	PBS Payroll	\$53,815.02	O
8383	H	12/20/2018	103	Comp Benefits	\$530.18	O
Cleared					\$0.00	
Outstanding					\$1,540,802.68	
Void					\$0.00	



ITEM 5b1  
January 28 2019

**Palm Beach Shores Police Department**  
247 Edwards Lane, Palm Beach Shores, FL 33404  
Phone (561) 844-3456 \* Fax (561) 844-9189

**Steven Langevin**  
**Chief of Police**

Mayor and Commission  
December activity report  
January 2019 meeting

December was busy with all the Town events, such as the Youth Council Christmas with trolley and all the other events during this time of year.

December was also used to prepare for this month's work on an Active Shooter presentation which, was held January 26<sup>th</sup>.

We continue to train our officers with a collaborative effort between the Police and Fire Departments in CPR training and other medical necessities. Certification in Axon Taser devices was also completed during this time frame.

Recruitment continues to be a challenge, as we now have 2 full time positions that remain unfilled. Our part time officers are doing a great job filling in, as well as our full-time officers helping as they can. Several officers have held off on their vacation time in an effort to not cause any additional unfilled shifts.

We have restructured the communications section: Each communication operator (dispatcher) has been given a specific area of control, which removes the need for a full-time manager at this time.

The State requires us to have named positions for security and responsibility purposes. The critical programs that we use to check on a driver license and criminal backgrounds all must have a purpose, and that purpose code needs to be logged. The log must now be audited by us and then the State. A sample of the programs for audit is FCIC, NCIC, FALCON, ELVIS, TRACS; and no, I do not know who makes these acronyms up!

UCR or unified crime reports, are governed by the FBI. Each state must submit certain crime occurrences every six months. The way to submit these reports has also changed from a summary to incident based. We have one dispatcher at night who performs the new tasks. UCR reporting is important in our town since we have a small number of major crimes but; however, an increase from 1 assault to 2 would mean a 100 percent increase for that crime. The Sergeants and I all ensure each police report is assigned the correct criminal charge.

Attached to this report is a yearly summary of the monthly reports.

As always thank you for your assistance.



# Palm Beach Shores Police Department

247 Edwards Lane

Palm Beach Shores, Florida 33404

Phone (561) 844-3456 Fax (561) 844-9189

Steven Langevin  
Chief of Police

Date: January 1, 2019

To: Mayor Myra Koutzen

From: Chief Steven Langevin

RE: Police Activities for December 2018

Criminal Arrests	1	Town Ordinance Violations	1
Parking Citations	9	Segway Patrol Hours	<b>22.7</b>
Verbal Warnings	7	ATV Patrol Hours	7.4
Written Warnings	5	Bike Patrol Hours	3.7
Traffic Citations	9	Foot Patrol Hours	109.0
Radar and Traffic Control Hours	15.7	House Check Hours	21.1
Complaints/Calls for Assistance	56	Vehicle Patrol Hours	<b>420.7</b>
Patrol Mileage	3908	Lifeguard Assist	3
Lifeguard Major First Aid	0	Lifeguard Rescues	0
Lifeguard Double Red Flags	0	Lifeguard Minor First Aid	64

## Misc. Arrest Information:

Arrest Type	Number
Domestic/ 107 Tacoma Lane Apt 32	1800859



# Palm Beach Shores Police Department

247 Edwards Lane

Palm Beach Shores, Florida 33404

Phone (561) 844-3456 Fax (561) 844-9189

Steven Langevin  
Chief of Police

Date: January 18, 2019

To: Mayor Myra Koutzen

From: Chief Steven Langevin

RE: Police Activities for January 1, 2018 - December 31, 2018

Criminal Arrests	37	Town Ordinance Violations	14
Parking Citations	207	Segway Patrol Hours	356.37
Verbal Warnings /Void	5	ATV Patrol Hours	104.75
Written Warnings	79	Bike Patrol Hours	43.20
Traffic Citations	76	Foot Patrol Hours	1,492.25
Radar and Traffic Control Hours	121.67	House Check Hours	258.63
Complaints/Calls for Assistance	829	Vehicle Patrol Hours	3,511.28
All Activities/CAD Entries	8787	Town Hall/Community Center Check	486.13

## Misc. Arrest Information:

Arrest Type	Number
Domestic/ 107 Tacoma Lane Apt 32	1800859

**PALM BEACH SHORES  
POLICE DEPARTMENT**

247 EDWARDS LANE  
PALM BEACH SHORES, FL 33404  
561-844-3456

**CASE REPORT SUMMARY BY  
DATE RANGE AND DISPOSITION**

REPORT DATE FROM  
12/01/2018 00:00

REPORT DATE TO  
12/31/2018 23:59

<u>Case Number</u>	<u>Agency</u>	<u>Report Date</u>	<u>Case Type</u>	<u>Report Type</u>	<u>Disposition</u>	<u>PIN</u>
1800859	PBSPD	12/27/2018 02:20	DOMESTIC	DOMESTIC	ARREST	7740

**TOTAL ITEMS: 1**



# PALM BEACH SHORES POLICE DEPARTMENT

247 EDWARDS LANE  
PALM BEACH SHORES, FL 33404  
561-844-3456

## CITATION LIST REPORT

;c1TafloN:i IS-T- SEARCH""

Citation Report Date= 12/01/2018 to 12/31/2018

### CITATION LIST SEARCH RESULTS

CITATION TYPE 1ST OFFENSE		CITATION NO	DATE	LOCATION	NAME
WARNING		00000262	12/03/2018	LAKE DRIVE	[REDACTED]
WARNING		00000263	12/05/2018	EDWARDS LN / OCEAN AVE	[REDACTED]
WARNING		00000264	12/06/2018	LAKE DR / BLOSSOM LN	[REDACTED]
TRAFFIC	322.34(1)	1718GSXX	12/15/2018	CLAREMONTLANE / LAKE	[REDACTED]
TRAFFIC	322.03(5)	1739 GSX4	12/21/2018	BAMBBO RD / LAKE DR	[REDACTED]
TRAFFIC	322.34(2)(A)	2110-GSXX	12/01/2018	LAKE DR/ EDWARDS LN	[REDACTED]
TRAFFIC	320.02(1)	2111-GSXX	12/01/2018	LAKE DR/ EDWARDS LN	[REDACTED]
TRAFFIC	316.1925(1)	2146 GSXX	12/25/2018	INLETWAY	[REDACTED]
TRAFFIC		2147-GSX1	12/31/2018	INLET WAY/ OCEAN AVE	[REDACTED]
TRAFFIC		2148-GSX2	12/31/2018	INLET WAY/ OCEAN AVE	[REDACTED]
TRAFFIC		A64IDBE	12/03/2018	LAKE DR/ BLOSSOM LN	[REDACTED]
TRAFFIC	316.123(2)(A)	A64IDCE	12/11/2018	LAKE DR/ BAMBOO RD	[REDACTED]
WARNING	316.123(2)(A)	FRMOPERGPOI	12/01/2018	LAKE DR/ BAMBOO RD	[REDACTED]
WARNING	316.123(2)(A)	P;UJGTF	12/21/2018	BAMBOO RD / LAKE DR	[REDACTED]

TOTAL CITATION: 14

# PALM BEACH SHORES POLICE DEPARTMENT

247 EDWARDS LANE  
PALM BEACH SHORES, FL 33404  
561-844-3456

## CITATION LIST REPORT

: A 1.51 - I T S E - R C H ----->--'<.

Parking Report Date= 12/01/2018 to 12/31/2018

### PARKING LIST SEARCH RESULTS

CITATION NO	ISSUED	VEHICLE	OWNER	LOCATION
10056	12/29/2018	BBKN86, FL DODG		LAKE DR/ BLOSSOM LN
10566	12/10/2018	2683017, IN		115 BAMBOO RD
10567	12/20/2018			
10612	12/20/2018	HIZM92, FL		90 EDWARDS LN
10878	12/26/2018			100 BLOCK BLOSSOM LN
10879	12/26/2018	JNBL81, FL		90 EDWARDS LN
10993	12/03/2018	HMPE27, FL FORD		90 EDWARDS LN
10994	12/04/2018	BNWI76, FL FORD		90 EDWARDS LN
10994	12/04/2018	BNWI76, FL FORD		90 EDWARDS LN

TOTAL PARKING: 9

# BEACH PATROL MONTHLY COMPOSITE REPORT

BEACH NAME PAUMotu BEACH SHORES

MONTH Uc

YEAR? . P\8

	BATHING AREA USAGE	BATHER RESCUES	BATHER ASSISTS	PREVENTIONS	MAJOR FIRST AID	MINOR FIRST AID	INLET USAGE	BOATERS RESCUED	BOATS ASSISTED & VESSEL VALUE	HAZARD CLOSINGS /POLICE CALLS	FLAG COLOR	6 0 2 1 0 2	ASSIGNED STAFF
1	500			/J-		1	11P				y		GRAVES
2	600			15							y		DEMARINO
3	250						300				y		TAYLOR
4	111,1			3		J	111)D				1		HARRIS
							300						DEMARINO
	03%			7			25				j		GRAVES
7	05			7		1	70"0				<1		MacQueen
	150					2	100				Y.		Graves
	550					1	1200				Y/f		DEMARINO
10	60			LO			300						TAYLOR
11	LOO			11.		5	e,00.				y		HARRIS
12	2-11		I	Ho		2	150						DEMARINO
13				Jq		2	600				y		Graves
14	2611					1	(JD						MacQueen
15				/J...		.	\$7f				y		Graves
16	51:0					1.	1000						DEMARINO
17	11JCO					2	500						TAYLOR
	31300			6			450				y		1-0iv111 S
19	1:50			1-f		c.2	00				y		DEMARINO
	01200			11							y		Graves
21	1f)-0			1		i	100				y		MacQueen
22	0			1,1		2	120				y		Graves
23	00			11-		4	1000				y		DEMARINO
24	250			JS		3	2000				y		LOCY
25	1:00					3	200				y		HARRIS
	1000			20		4	250				£21 p		DEMARINO
27	1:)-0					3	20				1P		BOWEN
28				IS		9	100				1P		MacQueen
29	//gt}			17		-	100				11		Graves
30	1-1.xP					1	2500				1/f		DEMARINO
31	g00					3	500						TAYLOR

TOTALS

U

G=GOOD  
F= FAI  
R =REPLACE/REP1IR

YEAR \8

Do we need a new Chair? ! yes



**MONTHLY ACTIVITIES REPORT TO THE TOWN COMMISSION**  
**TOWN OF PALM BEACH SHORES FIRE DEPARTMENT**  
**07 December 2018 – 23 January 2019**

**TO:** Mayor Myra Koutzen  
Town Commissioners

**FROM:** Trevor L. Steedman, Fire Chief

**DATE:** 23 January 2019

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**Current Action List Items for the Palm Beach Shores Fire Department**

**OPERATIONS**

- Staffing
  - Career Staff.
    - All Full-Time positions are currently filled
    - A full-time vacancy is expected to occur in March 2019. A hiring list, valid for 12 months, was created during the last Firefighter / Paramedic hiring process. The first candidate on the hiring list has been notified of the upcoming vacancy and will begin orientation on a part-time basis prior to the departure of the Full-time employee to Palm Beach County Fire Rescue. The candidate will fill the full-time vacancy immediately, negating the need to pay overtime to cover the shifts during another hiring process.



## **MONTHLY ACTIVITIES REPORT TO THE TOWN COMMISSION TOWN OF PALM BEACH SHORES FIRE DEPARTMENT**

**07 December 2018 – 23 January 2019**

- Volunteer Staff
  - Recruitment and Retention efforts remain a priority. The entry versus attrition rate (mainly due to full-time employment opportunities with other area departments) remains constant. There are 23 volunteer members certified to State Minimum Standards on the “Active” rolls at the time of this report.
- General Operations
  - Apparatus Replacement Schedule for capital purchase planning
    - Projected apparatus replacement in FY 2020
    - Partial funding source: Fanning Public Safety Bequest
    - Donations, unless otherwise specified, are directed toward replacement fund
- Daily/Weekly/Monthly Duties for On-Duty Personnel
  - Operational, Administrative & Training initiatives are ongoing.
- Workforce & Officer Development
  - Training & Education
    - The PBSFD in partnership with the Palm Beach County F.O.O.L.S. Chapter is hosted a firefighter education and training seminar in Palm Beach Shores on December 13, 2018. The presenter was Battalion Chief Shannon Stone from Ft. Walton Beach Fire Rescue. Chief Stone presented operational strategies and tactical decision-making from the perspective of initial arriving units to emergency incidents. This seminar was free of charge for members of the PBSFD.





## MONTHLY ACTIVITIES REPORT TO THE TOWN COMMISSION TOWN OF PALM BEACH SHORES FIRE DEPARTMENT

**07 December 2018 – 23 January 2019**

- PBSFD employees completed a two-part, 80-hour Pump Operator course on January 8-11 and January 14-17. These courses result in State certification through the *Fire College Department of Insurance Continuing Education (FCDICE) - State of Florida Bureau of Fire Standards and Training*. The State Certification, in conjunction with the PBSFD *Fire Apparatus Driver Operator (FADO)* program meets the eligibility criteria for NFPA 1002 – *Standard for Fire Apparatus Driver/Operator (FADO) Professional Qualifications*. The courses, conducted in Palm Beach Shores, enabled our personnel and apparatus to remain available for emergency and routine responses while receiving the benefit of this mandated training.
- *Fire Department Instructor's Conference (FDIC) International 2019*
  - World's Largest Fire Service Training Conference with over 34,000 personnel in attendance from 58 countries represented.
  - Held in Indianapolis, Indiana April 8-12, 2019
  - Chief Steedman is a featured instructor representing Palm Beach Shores. *FDIC International* provides all related travel and lodging.
- The Performance Objectives (PO's) in the Volunteer Member Orientation Program are undergoing revision to coincide with current operational policies and practices.
- Standards Compliance Initiative
  - 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:



## MONTHLY ACTIVITIES REPORT TO THE TOWN COMMISSION TOWN OF PALM BEACH SHORES FIRE DEPARTMENT

**07 December 2018 – 23 January 2019**

- NFPA 1001 *Standard for Fire Fighter Professional Qualifications*
- NFPA 1002 – P *Standard for Fire Apparatus Driver/Operator (FADO) Professional Qualifications.*
  - PBSFD FADO program was implemented in September 2017.

Chief Steedman asked Wendy Wells to forward the FADO program information to the Town's insurance carriers for consideration of lowering our premium costs. The FADO program incorporates *Safe Driving Practices, Roadway Incident Safety, Seatbelt compliance and Apparatus Backing / Collision Prevention* modules.
- 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*
  - This standard specifies requirements for effective and efficient organization and deployment of fire suppression operations, emergency medical operations, and special operations to the public by volunteer and combination fire departments to protect citizens and the occupational safety and health of fire department employees. The NFPA 1720 Standard has been in existence since 2001.



**MONTHLY ACTIVITIES REPORT TO THE TOWN COMMISSION**  
**TOWN OF PALM BEACH SHORES FIRE DEPARTMENT**  
**07 December 2018 – 23 January 2019**

- Fleet Deployment & Maintenance
  - All suppression apparatus is in service at the time of this report
  - Ocean Rescue 80 (Old Police Department Can-Am)
    - ATV for deployment to Beach and water-related emergencies for direct and more expedient access to related calls-for service.
    - Initial Operator and Safety Training has been completed
    - Response policy, training and Standard Operating Guideline (SOG) are completed. “OR80” is in the County dispatch queue for Palm Beach Shores and will go live when the unit is placed in service.
    - The fabrication shop replaced the frame, brakes and drive belt.

**COMMUNITY RISK REDUCTION (CRR) INITIATIVES**

- *Special Secondary Certificate of Public Convenience & Necessity (COPCN)*
  - Provide immediate Advanced Life Support (ALS) service for Palm Beach Shores
    - This service is achievable and sustainable within the current budget and subsequent comparable budgetary allocations.
  - Currently reviewing proposal from *Safety Pad* (Vendor for Patient Care Reporting (PCR) System used extensively in Palm Beach County).
- *Community CPR & AED*
- *Courtesy Home Fire Safety Surveys – (Implemented: November 2017)*
  - Value-added initiative supports the quality of life and safety for our PBS Community.



## MONTHLY ACTIVITIES REPORT TO THE TOWN COMMISSION TOWN OF PALM BEACH SHORES FIRE DEPARTMENT

07 December 2018 – 23 January 2019

- Residents voluntarily request surveys. PBSFD is working with PBSPD (Chief Langevin) to offer a combined home safety and security survey in a cooperative effort of both public safety agencies.
- Smoke alarms are available through the PBSFD (Grant Funded)
- Palm Beach Shores is a *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* – This on-going initiative serves 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 – Prevention. Kits are available at the Commission Meeting and during business hours at the Town Hall front office.
- *Residential Fire Extinguisher Selection, Use and Maintenance* - Presented as a hands-on opportunity to community members at the Property Owner's Association meeting on October 16, 2018. PBSFD Firefighters worked side-by-side with members of the community to utilize fire extinguishers to put out incipient-stage fires in a controlled setting.
- Public Service Announcements (PSA's) and *Helpful Links* additions will be made to the Town's Fire Department webpage following the transition to the new website.



**MONTHLY ACTIVITIES REPORT TO THE TOWN COMMISSION**  
**TOWN OF PALM BEACH SHORES FIRE DEPARTMENT**  
**07 December 2018 – 23 January 2019**

<b>TOTAL CALLS FOR SERVICE</b>	<b>24 – ( Fire: 10) (Medical: 14)</b>
<b>LAST REPORTING PERIOD</b>	<b>11 – ( Fire: 3) (Medical: 08)</b>
<b>PERCENTAGE OF INCREASE / DECREASE</b>	<b>+118 % - (Fire: +233 %) (Medical: +75 %)</b>

<b>TRAINING &amp; DRILLS</b>	<b>DATE</b>	<b>TIME</b>	<b>LOCATION</b>	<b>TYPE</b>			<b>NATURE</b>	<b>STAFFING</b>	<b>NOTES</b>
				<b>FIRE</b>	<b>RESCUE</b>	<b>EMS</b>			
	13 Dec 2018	0800	90 Edwards	X	X	X	<i>Strategy &amp; Tactice for Initial Company-Level Operations</i>	05	Classroom
	08-11 Jan 2019	0900	90 Edwards	X			<i>Fire Department Hydraulics</i>	04	Classroom
	14-17 Jan 2019	0900	Multiple Field Locations	X			<i>Apparatus Operations</i>	04	Hands-On
	15 Jan 2019	1800	90 Edwards			X	<i>CPR / AED Refresher</i>	17	Classroom
	22 Jan 2019	1800	90 Edwards	X			<i>Hoseline Management</i>	14	Hands-On
	<b>Formal Training Drills – 05</b>								
	<b>Personnel Participation (Formal) –44</b>								
	<b>Personnel Training Hours – 453</b>								

**Inter-Departmental Training**

PBSFD provided training to the PBS Police Department on January 21 & 23, 2019 on the following topics:

- CPR / AED Refresher
- Combat Application Tourniquet
- Narcan® (Naloxone) Administration
- Natural Gas Emergencies



ITEM 5b3  
January 28 2019

## ***Public Works Department***

### ***Monthly Status Report***

***January 2019***

#### **Community Center:**

1. Receiving quotes to repair the Parking Lot Post Light located North West of the Beach Bathroom Building. The damaged was caused by a large truck. The Post Light will be relocated a little South of the original location to prevent future costly damage.
2. Receiving Quotes to replace the bread warmer in the 2<sup>nd</sup> floor kitchen.
3. The projects listed is funded through the approved general budget.

#### **Grounds & Parks:**

1. The Parkway and Fountain Landscaping Beautification Project is in the planning stages with the assistance of the Environmental Committee. A landscaping plan will be presented to the Environmental Committee for review and approval.
2. Scheduling to pressure clean and paint the Gazebos located at the Town Hall and Inlet Park.
3. Scheduling to perform the necessary maintenance and staining of all the park benches located along the Parkway.
4. The installation of the larger Bike Rack was completed Wednesday, January 16, 2019. This will allow up to ten bicycles located at the Beach Picnic Area to replace the rusted existing Bike Rack that allowed up to four bicycles.
5. The New Beach Playground Equipment installation project is underway. Project began Monday, January 14, 2019 and expected to be completed Friday, February 1, 2019.
6. The projects listed is funded through the approved capital and general budget.

#### **Streets:**

1. Scheduling to replace the storm grates that no longer meet DOT requirements and repair the concrete Aprons surrounding the storm grates and basins on Lake Drive and Ocean Ave.
2. The cleaning of the 80 Storm Drain Basins and Concrete Aprons on the outer perimeter streets was completed Friday, January 11, 2019. We are in compliance with the MS4 Permit for NPDES.
3. Receiving quotes to Reline the Storm Drain Pipe located at the intersection of Lake Drive and Bamboo Road along with the installation of the Outfall Tidal Valve. Inquiring for Grant assistance.
4. The projects listed are funded through the approved capital and general budget.
5. Underground Utilities Project with contractor Viking Electric was underway starting Monday, January 7, 2018. The concentrated work location is on Linda lane and Bravado Lane and Atlantic Ave proceeding North of Town.



**Lift Stations:**

1. Scheduling to reline the streets sewer manholes located on Atlantic Ave and Linda Lane due to ground water intrusion. Receiving new quotes to piggyback from.
2. Scheduling to perform the required pump and controller maintenance to Lake Drive and Ocean Ave Lift Stations. Scheduled for Tuesday, January 29, 2019.
3. In the process to present the required documentation for the Bid Process to purchase a new Emergency Backup Generator for the Lake Drive Lift Station. The existing Emergency Generator is 12 plus years in service and due to climate location and normal wear it has failed on several occasions to perform the required operational efficiency. Requesting Commission approval to proceed with the bid process.
4. The projects listed are funded through the approved capital and general budget.

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

1. The Police Departments renovations for the new bathroom and Dispatch area is still in progress. The Commissioners approved the contractor, Crawford Construction who meet all the requirements and was awarded the contract. The work was scheduled to begin the last week of October 2018, unfortunately Crawford Construction has not responded to phone calls or emails therefore breaching the contract with the Town awarding the company the bid for the project. I have reached out to several contractors to provide a proposal for the Bathroom Renovations. If we are unsuccessful with this attempt the project will go through the bid process once again. The Public Works Department Staff will complete all of the remaining renovation projects except the Bathroom Renovations. The renovations have been a group effort between the Police Department Staff and the Public Works Department Staff.
2. Receiving quotes to repair the exterior stucco and perform the required repairs of the Beach Bathroom Building.
3. The project listed is funded through the approved capital and general budget.

**Foot Note:****Training / Certificates:**

1. The next training courses begin in January 2018 for all Public Works Staff. These courses will consist of waste water, pumps, and Storm Water Advanced Engineering looking to the future Level 1 & 2.
2. OSHA'S Model Training Program for multiple certifications & continuing education credits.
3. Additional training for heavy equipment operation and safety will be provided for all Public Works Staff. The training is provided through United Rentals under the instruction of "City of Orlando" Heavy Equipment Training Level 1. A certificate of completion for 18 hours of training will be provided. This is a continuing education program as needed.

**TOWN CLERK REPORT**  
**January 28, 2019 Commission Meeting**  
**(Data Period December 2018)**

ITEM 5b4  
January 28 2019

TASKS	STATUS
<b>Upcoming Meetings</b>	<ul style="list-style-type: none"> <li>➤ DRC February 6, 2019</li> <li>➤ Commission Meeting February 18, 2019 meeting rescheduled to February 25, 2019 due to President's Day holiday.</li> <li>➤ P &amp; Z Regular meeting February 26, 2019 at 6:30 pm.</li> </ul>
<b>Building Department Updates</b>	<p>December 2018:</p> <ul style="list-style-type: none"> <li>• Total Permits issued: 53</li> <li>• Total Permit Fees Paid: \$18,200.79</li> <li>• Total Construction Value: \$770,662.14</li> <li>• Total Permits issues in 2018: 593</li> <li>• Total Permit Fees in 2018: \$264,795.92</li> <li>• Total Construction Value in 2018: \$9,019,928.18</li> </ul> <p>➤ <b>NEW HOURS FOR THE BUILDING DEPARTMENT!</b>  We are open Monday, Wednesday, and Friday from 9:00 am to 1:00 pm.  The change in hours for the Building Department has NOT slowed anything down! We are still processing 50 + permits a month.</p>
<b>Code Compliance</b>	<p>New/ongoing open Code Violations December 2018: <b>22</b></p> <ul style="list-style-type: none"> <li>• 7 Yard debris, bulk and trash/garbage collections times (Code Sec. 38-9)</li> <li>• 10 Property Maintenance (Code Sec. 14-329)</li> <li>• 2 Expired Tags/prohibited vehicles (Code Sec 70-75)</li> <li>• 1 Temporary Signs (For Sale/Rent) (Code Sec. 58-53)</li> <li>• 2 No Business Tax/Certificate of Use (Code Sec 18-16)</li> </ul>
<b>Going green in 2019!!</b>	<p>As many of you know, we have been scanning our lot files and creating individual pdf files of each lot in the Town. We are well on our way and hope that by the end of 2019 every lot file will be completed.</p> <p>We are also reviewing the costs to have our Building Department services online, such as plan reviews and online permit processing, as well as connecting with the County's GIS database to have up to the minute Geographic information available for everyone's property.</p> <p>Stay tuned for future updates!</p>
<b>Community Center</b>	<p>15 events December: 2 Town/Misc.; 5 Civic; 2 Resident; 1 Service Providers; 5 Church</p>

*From all of us... Laura, Gaudy, Wendy, and Evyonne... WELCOME 2019!!  
We hope that this is one of the best years for all of you and our wonderful Town!*

Town of Palm Beach Shores  
Long Range Planning ("LRP") Committee  
11 AM Tuesday December 11, 2018  
Meeting Summary

Attendees: Wendy Wells, Evyonne Browning, Robert Stanton, Brian Tyler

Meeting Summary:

- First meeting to review and discuss strategies for assessing long-range trends on revenue, costs and capital items effecting the town over the next 5-7 years
- Meeting focused on how the town derives most of its revenues which are substantially weighted towards property taxes
- Key revenue trends including
  - static value of timeshares causing significant percentage decline in what was the largest tax payer as a percentage of the towns total tax value
  - revenue growth over past five year largely due to increasing property values
- Ways to potentially improve tax base when town borders are fixed
- Trends in expense budget - particularly safety (police/fire) which is growing at a rate twice that of revenue.
- Issues with existing town infrastructure and focus on capturing capital needs through the LRP plan period
- Set-up meetings with all key budget holders to discuss their needs, expense base, and long range trends

Follow-up for next meeting:

- Look at recent builds on Inlet to evaluate effect of net increase to the towns tax revenue base
- Begin scheduling meetings with budget holders

## Town of Palm Beach Shores, Florida Commission Agenda Memorandum

### **Subject: Lake Drive Lift Station #01 Emergency Generator**

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**Request:** To purchase a new Emergency Backup Generator for Lake Drive Lift Station.

**Background:** The existing generator is over 12yrs old. The life span of our generators given our harsh environment is 8yrs. to 10yrs. We have a service contract with Global Electric, and a service agreement with TWC Generators and Lightning Electric, it is with their findings to replace the GENERATOR do to extreme cost for repairs and the issues of Environment, Electrical Components breaking down, Engine Failure, Bolts Breaking, severe rust and corrosion.

**Discussion of Proposal:** To proceed with the Bid process for the Purchase of a new Emergency Backup Generator.

**Potential Solutions:** Purchase of a new Emergency Backup Generator, the existing Generator has serious damage to the Electrical Components and the Engine, and Enclosure. The cost for repairs is not justified with the age and condition of the Generator.

**Legal Issues:** Upon obtaining preliminary quotes (\$30,000+/-) it was discovered that the cost reaches a threshold level that requires the Town to undergo a formal bid or piggyback on an existing government contract. Staff is currently searching for piggyback opportunities but will immediately begin the bid process if unable to utilize this form of procurement.

**Fiscal Impact:** This is a budgeted item that is allocated in the current capital plan FY 2019 for the purchase of a new Lift Station Emergency Generator located at Lake Drive.

**Staff Recommendation:** To immediately begin the bid process if unable to utilize a piggyback on an existing government contract in order to purchase a new Emergency Backup Generator for the Lake Drive Lift Station.

To: Palm Beach Shores Town Commission

From: Mayor Myra Koutzen

Re: Donated Beach Wheelchair

Date: January 28, 2019

The purpose of this item is to acknowledge the generous donation of a beach wheelchair by the Seaside and to educate the Commission on the process by which it will be managed. We ask that the Commission agree to accept the donation and to the on-going management plan.

#### Discussion

The Town has been investigating various methods of making our Town Beach more accessible to our handicapped and disabled residents. A mat was considered and rejected for a variety of reasons.

The Seaside have offered to purchase a wheelchair designed specifically to work on beach sand. This device is similar to one used at County beaches. Since our Town lifeguards are all County lifeguards, we have patterned our paperwork and process after the one that they already know. Examples are attached.

Alan's team will build a small shelter for the wheelchair near the south end of the tiki. This will make it easily accessible, protect it from the elements and keep the storage removed from prime turtle nesting areas.

Lifeguards will collect and hold the user's ID and have them sign a release. The lifeguards will deliver any signed releases to Dispatch at the end of the day for filing.

#### Appreciate the Teamwork

Thank you to the Seaside for their generous and thoughtful contribution to the Town's residents.

Thank you to our staff – Chief Langevin, Public Works Director Alan Welch, Town Attorney Keith Davis and Lifeguard Benny Demonstranti – for devising a workable plan.

Thank you to our Public Works team, Lifeguards and Dispatchers for agreeing to take on this additional workload and responsibility so more may share the joy of our beach.



HPFY STORES

Advanced Search ymnou

(/)

Wound Care (/c-wound-care.html) Ostomy (/c-ostomy-product-suppliers.html)

Home (<https://www.healthproductsforyou.com/>) > Mobility (<https://www.healthproductsforyou.com/c-wheelchair.html>)  
> Sports and Top End Manual Wheelchairs (<https://www.healthproductsforyou.com/c-sports-wheelchairs.html>)  
**Healthline Medical All Terrain Beach Wheelchair**



(<https://cdn.webareacontrol.com/prodimages/1000-X-1000/1/r/12620175821Healthline-Medical-All-Terrain-Beach-Wheelchair-L.png>)

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## SURF CHAIR CHECK-OUT FORM

Date: \_\_\_\_\_

Time: \_\_\_\_\_

Name of User: \_\_\_\_\_

Address: \_\_\_\_\_

Phone (Home): \_\_\_\_\_ (Work): \_\_\_\_\_

**DRIVER'S LICENSE REQUIRED FROM USER OR GUARDIAN TO BE HELD  
BY LIFEGUARD STAFF UNTIL SURF CHAIR IS RETURNED.**

Driver's License #: \_\_\_\_\_ State: \_\_\_\_\_

### RELEASE WAIVER

The undersigned participant in consideration for the Palm Beach County Parks and Recreation Department providing facilities, equipment, instruction and supervision in this activity for which he/she has registered hereby:

1. Assume all risks and responsibility of possible damage or injury involved through participation in this program. I understand I am to furnish my own insurance in case of injury.
2. I certify that I am in good health and capable of participation in this activity.
3. I agree to indemnify and hold harmless Palm Beach County departments or agents from liability resulting from my participation in this program.

\_\_\_\_\_  
User, Parent or Guardian

\_\_\_\_\_  
Date



## **SURF CHAIR USER RULES**

The Surf Chair is available for use by disabled members of the public at this beach daily from 9:30 A.M. to 5:00 P.M.

1. The Surf Chair is available on a first come-first serve basis with a 2-hour time limit per user.
2. The user must arrange for transfer into the Surf Chair and movement of the chair without assistance from the lifeguard staff.
3. The user will leave a valid driver's license with the lifeguard staff and sign a waiver form prior to using the Surf Chair. The lifeguard will retain the driver's license until the chair is returned.
4. The Surf Chair must remain within the boundaries of the park and within sight of the lifeguard tower at all times.
5. In the event of approaching inclement weather, the users must respond promptly to the lifeguards' request to return the chair.
6. Palm Beach County and its employees assume no responsibility for wheelchairs or other personal belongings left unattended.
7. The user shall be responsible for any damage or loss to the Surf Chair (other than ordinary wear and tear) that occurs while the chair is in the user's possession.
8. The Surf Chair is not to be taken into the water, as it may become unstable and tip over.
9. The maximum load limit of the Surf Chair is 300 lbs. and must not be exceeded.
10. The user understands that the foot rest is not to be used as a step, or for standing on, as this will cause the Surf Chair to tip over.

I have read the above rules and agree to abide by them as stated.

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User or Guardian signature



**RESOLUTION NO. R-19-19**

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, Florida, desires to adjust and revise the comprehensive schedule of fees and charges for services provided by the town; and

WHEREAS, the Town Commission desires to make certain the revised schedule of fees and charges 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:

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

Section 2: This Resolution specifically supersedes any and all other fee schedules previously adopted.

Section 3: This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 28<sup>th</sup> day of January 2019.

TOWN OF PALM BEACH SHORES

(SEAL)

\_\_\_\_\_  
Myra Koutzen, Mayor

ATTEST:

\_\_\_\_\_  
Evyonne Browning, Town Clerk

**RESOLUTION NO. R- 20 -19**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, ADOPTING A REVISED ETHICS TRAINING POLICY FOR ALL TOWN OFFICIALS AND PERSONNEL IN ACCORDANCE WITH THE PALM BEACH COUNTY CODE OF ETHICS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**WHEREAS**, Section 2-446(a) of the *Palm Beach County Code of Ethics* requires all local governments to adopt by policy a mandatory training schedule for all officials and employees; and

**WHEREAS**, the Town Commission of the Town of Palm Beach Shores previously adopted a policy in compliance with this requirement, and now desires to revise said policy as set forth herein.

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

Section 1: The Town Commission of the Town of Palm Beach Shores, Florida, hereby adopts the revised Ethics Training Policy attached hereto as Exhibit "A" in conformance with Section 2-446(a) of the *Palm Beach County Code of Ethics*, which policy provides for ethics training for all Town officials and personnel.

Section 2: The Town Clerk of the Town of Palm Beach Shores is hereby directed to implement said ethics training policy, effective immediately, including the provision of said policy to each of the Town's officials and employees.

Section 3: This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 28<sup>th</sup> day of January, 2019.

TOWN OF PALM BEACH SHORES

(SEAL)

\_\_\_\_\_  
Myra Koutzen, Mayor

ATTEST:

\_\_\_\_\_  
Evyyonne Browning, Town Clerk

**Town of Palm Beach Shores  
Fee Schedule  
Approved January 28, 2019**

<b>TYPE OF FEE</b>	<b>AMOUNT</b>
<b><u>ADMINISTRATIVE FEES</u></b>	
Certified Copies	\$5 each
Lien Search	\$15
Lot File Review	\$15
Meeting with Building Official, Code Official, <b><u>Town Engineer</u></b> , and/or Zoning Official:	<b><u>Current Hourly Rate per official</u></b> <del>\$50</del> Code official/1 hour max <del>\$75</del> Building official/1 hour max <del>\$75</del> Zoning official/1 hour max <b><u>Town Engineer/1 hour max</u></b>
Open Records:	
Search/Retrieval	See Open Record Rate Schedule (Exhibit A)
CD copies	\$15 each
Copies	\$.10/page (black/white) \$.15/page (color)
Electronic copies	N/C (if available - \$32/hourly rate applies to transfer to electronic format)
Business Tax Receipt (administrative fees)	
Code Compliance Inspections	\$50
Building Official Inspections	\$50
Re-Inspections	\$25
Transfer (to new owner)	10% of annual license tax up to \$25.00; minimum \$3.00 (per Sec. 205.033(2), F.S.)
Transfer (to new location)	10% of annual license tax up to \$25.00; minimum \$3.00 (per Sec. 205.033(3), F.S.)
Transfer (to new name)	\$15
Duplicate	\$15
Solicitor Fees for all commercial activity (See Sec. 18-42 of the Town Code of Ordinances)	
Annual Fee	\$300
Monthly (30 day) Fee (minimum required)	\$50
Garage Sale Permit	\$10

Beach Parking Permit	
Resident (annual)	\$10
Hotel/Motel Guest Pass	\$10
Non-Resident (annual; limited to # of permits issued per year – set by Commission)	\$150
Special Event Permit (Town Beach or on any Town Property)	
Timely Application	\$50 (plus all costs necessitated by conditions of approval imposed by Town Commission)
Untimely Application	\$150 (plus all costs necessitated by conditions of approval imposed by Town Commission)
No Special Event Permit on Beach or any Town Property	\$500 (Police Dept. to issue fine)
Underground Utility Waiver Application	\$50
Unauthorized Sewer Connection; Per Incident	\$500 (See Sec. 74-91 of the Town Code of Ordinances)
Sewer System Usage Rates	
(See Sec. 74-131 of the Town Code of Ordinances)	
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 restaurants, lounges or bars	\$ 3.93
Each marina boat slip	\$ 2.62
Proportionate Fair-Share Program Application	\$50.00
Special Meetings/Hearings	\$75.00 (plus the cost of any/all advertising)

## **POLICE DEPARTMENT**

Police Reports	\$10
Recorded Copies	
Voice Copies	\$20
Hourly Rate for Record Search	\$25
Impoundment	
Towing	\$150.00
Storage	\$35/day
Parking Penalties	

Obstructing Traffic	\$25
Parallel parking (w/in 10 ft. of fire hydrant)	\$50
Parking w/in 15 ft. of a "STOP" sign	\$35
Parking on wrong side of street	\$25
Double-parking	\$25
Parking in prohibited area	\$25
Blocking driveway, public or private	\$35
Parking Penalties (continued)	
Parking on private property w/out permission	\$35 (trespassing)
Parking at beach parking lot w/out permit	\$50
Parking at beach parking lot with expired permit	\$25
Parking in handicapped parking space w/o permit	\$250
Parking in fire lane or zone	\$75
Parking in any manner as to block any portion of a sidewalk and/or bicycle path or cross walk	\$25
Parking outside of designated lines	\$25
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

## **PLANNING AND ZONING**

### **Development Orders \***

Comprehensive Plan Amendment	\$750
Variance	\$250
Special Exception	\$250
Re-zoning	\$750
Plat Approval	\$600
Site Plan Review or Modification	\$50
Telecom Site plan Review of Modification	\$500
Building Plan Review & Inspections	\$150
Administrative Appeal	\$15

\*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.

## **BUILDING PERMIT FEES**

Building permit fees are determined based on the cost of the structure for which a permit is being applied and are as follows:

<i>Structure Cost Over:</i>	<i>But Not Over:</i>	<i>Permit Fee:</i>
\$ 0	\$ 1,000.00	\$30
1,000.00	100,000.00	\$30 + 3% of amount over \$1,000.00
100,000.00	250,000.00	\$2,500 + 2 % of amount over \$100,000
250,000.00	500,000.00	\$5,000 + 1.5 % of amount over \$250,000
500,000.00	---	\$7,000 + 1 % of amount over \$500,000

### **IMPORTANT NOTE:**

~~Effective October 1, 2010 and Pursuant to Section 553.721 Florida Statutes, Sections 468.631 and 553.721,~~ the Building Department is required to assess and collect a **1% 3% surcharge** (minimum \$2.00) on all permit fees associated with the enforcement of the Florida Building Code. Pursuant to Section 468.631 Florida Statutes, the Building Department is required to assess and collect a **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.**

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### **Additional Fees:**

Re-Inspection fee	\$50
Electrical Permit	\$30
Demolition Permit	\$100
Telecom or Utilities Registration	\$100

PALM BEACH SHORES TOWN COMMISSION POLICY  
REVISED JANUARY 2019

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**SUBJECT:** Ethics Training

**REFERENCE:** Palm Beach County Code of Ethics §2-446(a)

**PURPOSE:** To set the Town's policy and procedures for providing guidelines to all Town officials and personnel regarding required ethics training.

**POLICY:**

According to the Palm Beach County Code of Ethics §2-446(a), *Officials and employees shall be informed of their ethical responsibilities at the start of their public service, and shall receive updates and training materials on ethics issues throughout the span of their public service... The county administrator or municipal administrator as applicable shall establish by policy a mandatory training schedule for all officials and employees which shall include mandatory periodic follow-up sessions.*

**PROCEDURE:**

1. All Town employees and non-elected officials must receive initial Code of Ethics training within sixty (60) days of employment or appointment. All Town elected officials must receive initial training within sixty (60) days of taking office. This training may consist of live training with Palm Beach County Commission on Ethics (COE) staff, on-line training through the use of the training video available on the COE's website, or a DVD presentation by COE staff.
2. As part of the required training, all Town employees, and elected and appointed officials must read the Palm Beach County Code of Ethics. The code is available on the COE's website at [www.palmbeachcountyethics.com](http://www.palmbeachcountyethics.com), as well as in the *Ethics Pocket Guide*, published by the COE.
3. After initial training, periodic mandatory follow-up training is required of all Town elected and appointed officials upon re-election or re-appointment, as applicable, and should be completed within sixty (60) days of re-appointment or re-election. The COE will coordinate with the Town Clerk to provide timely and effective follow-up training.
4. After initial training, periodic mandatory follow-up training is required of all Town employees every two (2) years. The COE will coordinate with the Town Clerk to provide timely and effective follow-up training.
5. After completing training and having read the Code of Ethics, all Town employees, and elected and appointed officials shall complete an approved acknowledgment form available

on the COE's website, <http://www.palmbeachcountyethics.com/forms.htm>, indicating that they attended a live COE training session or viewed the appropriate web-video or approved DVD provided by the COE. The training acknowledgment form must be signed by the Town employee or official and submitted to the Town Clerk for inclusion in their personnel file.

6. Compliance reviews performed by the COE are for the purpose of achieving maximum compliance with the Code of Ethics training mandates as contained in Art. XIII, §2-446 of the Palm Beach County Code of Ethics. Results of training compliance reviews will be submitted to the Town for necessary action prior to the issuance of a compliance report. The Town shall have an opportunity to cure any deficiency within a reasonable time not to exceed forty-five (45) days. Compliance reviews will be performed by the COE on an as needed or bi-annual basis.
7. The Town Clerk is designated as the liaison between the Town and the COE. The Town Clerk will coordinate all mandated training and compliance audits with the COE. COE staff will make every effort to accommodate scheduling requests for both training and auditing of compliance.
8. Periodically, the COE will recommend changes, modifications or updates to this ethics training policy. The Town Clerk will provide such recommended changes, modifications or updates to the Town Commission for review and approval.



To: Palm Beach Shores Town Commission

From: Mayor Myra Koutzen

Re: Abandoned and Vacant Structures Ordinance

Date: January 28, 2019

This item is requesting approval of ordinance O-14-19 to give the Town the ability to control distressed and abandoned structures.

### Background

Attached is a photo of a property on Cascade Lane that was partially demolished and then abandoned for almost 2 years. The owner had planned to renovate and improve the property but lost financing. The Town has no legal right to force demolition or construction. The property also fails to meet the County's limited definition of a dangerous structure. Meanwhile, the neighbors are left with an eyesore with no hope of short-term remediation.

The proposed ordinance would give us the ability to bring such distressed properties into code compliance and put liens for future reimbursement. It has adequate controls in place so that it can not be used capriciously.

The proposed ordinance is based on other such laws in neighboring municipalities. It has been vetted by our Building Official.

### Recommendation

Staff recommends that the Commission approve the first reading of the Abandoned and Vacant Structures Ordinance O-14-19.



**ORDINANCE NO. O-14-19**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, AMENDING CHAPTER 14. BUILDINGS AND BUILDING REGULATIONS. OF THE CODE OF ORDINANCES OF THE TOWN OF PALM BEACH SHORES TO ADD AN ENTIRELY NEW ARTICLE XIII. TO BE ENTITLED "ABANDONED AND VACANT STRUCTURES"; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 14. BUILDINGS AND BUILDING REGULATIONS. 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**, it has come to the attention of the Town Commission of the Town of Palm Beach Shores that there is an increase in the number of abandoned and vacant properties located throughout the Town; and

**WHEREAS**, in many instances the owners, lenders and trustees responsible for these abandoned and vacant properties fail to provide for adequate maintenance and security; and

**WHEREAS**, the presence of abandoned and vacant properties can lead to neighborhood decline, can contribute to lower property values, and can create public nuisances; and

**WHEREAS**, the Town Commission believes that these unmaintained and unsecured abandoned and vacant properties threaten and endanger the public health, safety or welfare; and

**WHEREAS**, the Town Commission has an interest in protecting its residential neighborhoods and business communities from these public nuisances, and the decline and devaluation caused by such abandoned and vacant properties; and

**WHEREAS**, the Town Commission believes this amendment to its Code of Ordinances is in the best interests of the citizens of the Town of Palm Beach Shores.

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

**Section 1:** Chapter 14. Buildings and Building Regulations. of the Code of Ordinances of the Town of Palm Beach Shores is hereby amended to add an entirely new Article XIII. to be entitled “Abandoned and Vacant Structures”; providing that Article XIII shall hereafter read as follows:

**ARTICLE XIII. ABANDONED AND VACANT STRUCTURES.**

**Sec. 14-339. - Purpose and intent.**

It is the purpose and intent of the town to establish a process to address the abandoned and vacant structures located within the town in order to prevent blight associated with the lack of adequate maintenance and security of these structures, and to protect the health, safety and welfare of the general public.

Article XIII in no way abrogates the authority of the building official relating to unsafe structures under the Florida Building Code.

**Sec. 14-340. - Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abandoned structure means a vacant structure or building or any portion thereof that is in such a condition so as to constitute a danger, nuisance, blighted condition, or hazard to the health, safety and welfare of the public. Abandonment also may be evidenced by any one or more of the following conditions:

(1) Failure of the legal owner, tenant, lessee or agent in charge to answer notices from the town, to pay taxes, or to make appearances at town code enforcement hearings; or

(2) Failure of the legal owner, tenant, lessee or agent in charge to properly board up or secure broken windows, open doors, gates, or other openings so as to prevent the structure, building or any portion thereof from being accessible to trespassers, criminals or other unauthorized persons; or

(3) Failure of the legal owner, tenant, lessee or agent in charge to reinforce and secure walls which may have caved-in or buckled in the structure, building or any portion thereof; or

(4) Failure of the legal owner, tenant, lessee or agent in charge to properly secure walls which are subject to buckling or caving onto adjacent or adjoining properties, as declared by the town code inspector, building official, building inspector, fire inspector or health department; or

(5) Failure of the legal owner, tenant, lessee or agent in charge to remove accumulated debris that is declared to be a health or fire hazard by the town code inspector, building official, building inspector, fire inspector or health department; or

(6) Failure of the legal owner, tenant, lessee or agent in charge to comply with orders of the town code enforcement special magistrate; or

(7) The structure, building or any portion thereof is regularly or repeatedly occupied or used by vagrants, transients, criminals or unauthorized persons; or

(8) The structure, building or any portion thereof is destroyed, or is deteriorated more than fifty (50) percent, and not rebuilt or repaired within six (6) months of the occurrence, damage or destruction; or

(9) The structure, building or any portion thereof is partially constructed or contains incomplete construction and the building permit authorizing such construction has expired, or there has been no inspection conducted under a valid building permit within the prior six (6) months; or

(10) Any other state or condition that may be identified as evidence of abandonment.

Accessible or unsecured property means a property that is accessible through a compromised/breached gate, fence, wall, etc., to trespassers, criminals or other unauthorized persons.

Accessible or unsecured structure means a structure/building that is unsecured and/or breached in such a way as to allow access to the interior space by trespassers, criminals or other unauthorized persons.



Blighted conditions mean conditions existing on a property that include, but are not limited to, an unsecured property, a property left open to the elements, a property without supervision by the owner or authorized agent, the exterior of the premises are in disrepair, the property contains an accumulation of litter or debris about the premises, or the value of the subject real property would be greater if the structure or building were removed.

Enforcement officer means any code inspector, code enforcement officer, law enforcement officer, building official or building inspector, fire inspector, or zoning inspector employed by the town.

Evidence of vacancy or abandonment means any condition that on its own, or combined with other conditions present would lead a reasonable person to believe that the property is vacant or abandoned. Such conditions may include, but not be limited to, overgrown and/or dead vegetation, stagnant and unsanitary pool water, nonfunctioning electric, water and/or gas utilities, accumulation of abandoned real and/or personal property, statements by neighbors, passers-by, delivery agents or government agents.

Nuisance structure means a deteriorated or deteriorating structure, building or portion thereof which contains conditions that endanger life or property by fire or other cause, are unsanitary or unsafe, constitute a menace, a blighted condition or may be injurious to life, property, public health, or the public welfare, or may constitute an attractive nuisance or otherwise endanger the public's safety while in the vicinity thereof.

Owner means those persons or legal entities owning or controlling an interest in real property or the structures or buildings located thereon, including but not limited to, real or contingent interests.

Property management company means a local property manager, property maintenance company or similar entity responsible for the maintenance of vacant real property.

Vacant means any structure, building or portion thereof that is not legally occupied, unattended, and is not actively used as a place of legal residence or business. Vacant properties include those occupied by vagrants, transients, squatters, trespassers or other persons having no legal right to occupy the premises.

**Sec. 14-341. - Public nuisance; enforcement and abatement procedures.**

(1) All abandoned structures are hereby declared to be public nuisances in violation of this chapter and shall be abated through repair, vacation and/or demolition in order to protect the health, welfare and safety of the residents of the town.

(2) All violations of this chapter shall be enforced or abated pursuant to chapter 2, article III, division 2 of the town code and chapter 162, F.S. The town also may pursue any other legal remedy available to it under the law for enforcement or abatement of the violation.

(3) If the town determines a structure, building or portion thereof is an abandoned structure within the standards set forth in this chapter, and constitutes a danger or hazard to the health, safety and welfare of the general public, the town shall serve the owner with notice of the violation. The notice shall identify the structure, building or portion thereof deemed abandoned; contain a statement of the particulars which made the structure, building or portion thereof abandoned and a danger or hazard to the health, safety and welfare of the general public; contain a statement requiring the owner to remedy the violation through repair, vacation or demolition within a certain time period; contain a statement advising that if the owner does not repair, vacate or demolish the structure, building or portion thereof within a certain time period, the town may cause it to be repaired, vacated or demolished; contain a statement that the repair, vacation or demolition may include the removal and disposal of all tangible personal property on the site; contain a statement that the owner has the right to appear before the town code enforcement special magistrate to contest the violation; and contain a hearing date before the town code enforcement special magistrate. If the notice prescribes the repair of any structure, building or portion thereof, the notice shall contain a statement that the owner shall have the option to demolish and remove the structure in lieu of making the repairs thereto within the time period provided.

(4) If the owner fails, neglects or refuses to comply with any notice to repair, vacate or demolish the structure, building or portion thereof, the town shall cause the matter to be set for hearing before the town code enforcement special magistrate. If, after a hearing, the town code enforcement special magistrate makes a finding that the structure, building or portion thereof constitutes an abandoned structure, and that such structure, building or portion thereof constitutes a danger or hazard to the health, safety and welfare of the general public, the town code

enforcement special magistrate may order the owner to repair the structure, building or portion thereof to make it safe, to secure the property, or to demolish the structure and clean the lot. All costs incurred in the repair, securing or demolition shall be the responsibility of the owner. If the owner fails, neglects or refuses to comply with the order of the town code enforcement special magistrate within the time specified in such order, the town may proceed with the repair, securing or demolition. If the town repairs, secures or demolishes the structure, building or portion thereof, the town may charge the cost of such repair, securing or demolition, including all administrative costs, to the owner and the town may have a lien placed against the property for these costs. Nothing herein shall prevent the town code enforcement special magistrate from ordering the town to immediately proceed with the repair, securing of the property or demolishment after a hearing.

**Sec. 14-342. - Security requirements for vacant structures.**

(1) A vacant structure, building or a portion thereof in which windows, doors, gates and other openings are broken, missing, or open so as to allow access to the interior or are otherwise unsecured is hereby declared to be a public nuisance in violation of this chapter and shall be abated in order to protect the health, welfare and safety of the general public.

(2) All vacant structures shall be maintained in a secure manner so as not to be accessible to unauthorized persons.

(3) A "secure manner" shall include, but not be limited to, the closure and locking of windows, doors, gates and other openings of such size that may allow a child or other unauthorized persons to access the interior of the property and/or structure. Broken windows, doors, gates and other openings shall be secured by replacement, re-glazing or boarding so as to meet all applicable town codes and not create a nuisance or blighting condition to the community.

(4) If the property is owned by a corporation, limited liability company or other business entity and/or out of area mortgagee, a local property management company shall be contracted to perform bi-weekly inspections to verify compliance with the requirements of this section and any other applicable laws.



(5) The property shall be posted with the name, address and twenty-four (24) hour contact phone number of the local property management company. The posted sign shall be no less than eight-inches by ten-inches or any larger than four (4) square feet. All written information thereupon shall be clear, legible and updated as required.

The posting shall contain the following language:

THIS PROPERTY IS MANAGED BY: NAME & ADDRESS

TO REPORT PROBLEMS OR CONCERNS CALL: DIRECT PHONE NUMBER

The posting shall be placed on the interior of a window facing the street to the front of the property so it is visible, or secured to the exterior of the building/structure facing the street to the front of the property so it is visible or, if no such area exists, on a stake of sufficient size to support the posting in a location as close as possible to the main door entrance of the property. Exterior posting shall be constructed of and printed with weather-resistant materials.

(6) The local property management company shall inspect the property on a bi-weekly basis to ensure that the property is in compliance with this section and any other applicable laws. Upon the request of the town, the local property management company shall provide a copy of the inspection reports to the code compliance division.

(7) Failure to comply with the requirements of this section shall result in a violation of the town code. Such violation shall be enforced or abated pursuant to chapter 2, article III, division 2 of the town code and chapter 162, F.S. The town also may pursue any other legal remedy available to it under the law for enforcement or abatement of the violation.

**Section 2:** Each and every other article, section and subsection of Chapter 14. Buildings and Building Regulations. of the Code of Ordinances of the Town of Palm Beach Shores, shall remain in full force and effect as previously enacted.

**Section 3:** All ordinances or parts of ordinances in conflict herewith 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 and incorporate this ordinance into the existing Code of Ordinances of the Town of Palm Beach Shores.

FIRST READING this 28<sup>th</sup> day of January, 2019.

SECOND AND FINAL READING this \_\_\_\_ day of February 2019.

**TOWN OF PALM BEACH SHORES**

\_\_\_\_\_  
Myra Koutzen, Mayor

ATTEST:

\_\_\_\_\_  
Evyonne Browning, Town Clerk

Approved as to form and legal sufficiency.

\_\_\_\_\_  
Keith Davis, Town Attorney

(Seal)

**ORDINANCE NO. 0-12-18**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, AMENDING APPENDIX A. ZONING. OF THE CODE OF ORDINANCES OF THE TOWN OF PALM BEACH SHORES AT SECTION II. DEFINITIONS. TO PROVIDE FOR CROSS-REFERENCE TO DEFINITIONS IN CHAPTER 82. WATERWAYS., REVISE THE DEFINITION OF “ACCESSORY USE OR STRUCTURE,” REMOVE THE DEFINITION OF “MARINA,” AND TO ADD AN ENTIRELY NEW DEFINITION FOR THE TERM “PRIMARY USE;” AT SECTION V. DISTRICT A REGULATIONS., SECTION PF. 5.1. PERMITTED USES. TO ADD PRIVATE DOCKS AS A PERMITTED USE WITHIN ZONING DISTRICT A; AT SECTION VII. DISTRICT C REGULATIONS., SECTION PF. 7.2. PERMITTED AND SPECIAL EXCEPTION USES. TO ADD COMMERCIAL DOCKS AND MARINAS AS SPECIAL EXCEPTION USES WITHIN ZONING DISTRICT C AND PROVIDE FOR THE TYPES OF ANCILLARY AND SUPPORT USES AFFILIATED WITH EACH; AND AT SECTION VII. DISTRICT C REGULATIONS., SECTION PF. 7.13. OFF-STREET PARKING. TO ADD PARKING STANDARDS AND REGULATIONS FOR COMMERCIAL DOCKS; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF APPENDIX A. ZONING. 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 Commission of the Town of Palm Beach Shores hired Taylor Engineering, Inc. to review the Town’s Code of Ordinances related to docks and provide recommendations and proposed revisions to the Town Commission; and

**WHEREAS**, such revisions are intended to incorporate existing conditions into the Town Code, as well as provide new standards and regulations for both private and commercial docks to guide future development within the Town; and

**WHEREAS**, as part of the scope of services provided by Taylor Engineering, Inc., two (2) public joint workshops were held with the Town Commission and the Planning and Zoning Board to obtain public input and to discuss existing conditions, regulations and recommended revisions; and

**WHEREAS**, Taylor Engineering, Inc. provided its draft report, Proposed Revisions to Code of Ordinances, Town of Palm Beach Shores Marine Dock Codes Review, dated August 15, 2018, which included recommended revisions to various sections of the Town Code to provide clearer regulation of both private and commercial docks in Town; and

**WHEREAS**, an additional Joint Workshop was held with the Town Commission and the Planning and Zoning Board to review the draft report and provide for additional public input into the revision process; and

**WHEREAS**, based on the recommendations and suggested revisions provided by Taylor Engineering, Inc., public comment from the various workshop meetings, and thorough discussion between and among the Town Commission and the Planning and Zoning Board, the Town Commission desires to amend the Town Code of Ordinances at Appendix A. Zoning. to revise select definitions and amend the permitted and special exception uses in Zoning Districts A and C to account for private and commercial docks; and

**WHEREAS**, the Town Commission has determined that such amendments to the Town's Code are in the best interests of 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:** Appendix A. Zoning. of the Code of Ordinances of the Town of Palm Beach Shores is hereby amended at Section II. Definitions. to provide for cross-reference to definitions in Chapter 82. Waterways., to revise the definition of "accessory use or structure," remove the definition of "marina," and to add an entirely new definition for the term "primary use"; providing that Pf. 2.1, Pf. 2.2, Pf. 2.34 and Pf. 2.35.1 shall hereafter read as follows:

**Pf. 2.1. - Generally.**

For the purpose of this Zoning Ordinance, certain terms or words used herein shall be interpreted as follows:

The word person includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.

The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular.

The word shall is mandatory, the word may is permissive.

The words used or occupied include the words intended, designed, or arranged to be used or occupied.

The word land includes the word water unless the context clearly requires otherwise.

The word lot includes the words plot, parcel, or tract.

The word structure includes the word building as well as other things constructed or erected on the ground, attached to something having location on the ground, or requiring construction or erection on the ground.

The words time share dwelling unit and plan shall be as now or hereafter defined in *Definitions* of Section 718.103(19) and (20) and Section 721.05(1), (7), (14) and (15), Florida Statutes.

For definitions related to docks, marinas and water-dependent facilities, refer to Chapter 82. Waterways., Section 82-50. Definitions.

**Pf. 2.2. - Accessory use or structure.**

A use, building or structure, or part of a building or structure which:

- (1) Is subordinate to and serves the primary building or structure or primary use;
- (2) Is subordinate in area, extent, or purpose to the primary building or structure or primary use served;
- (3) Contributes to the comfort, convenience, or necessity of occupants of the primary building or primary use; and
- (4) Is located on the same zoning lot/building site as the primary building or structure or primary use served, with the exception of such accessory off-street parking facilities as are permitted to locate elsewhere than on the same zoning lot as the building or use served.

~~An accessory use or structure is a use or structure of a nature customarily incidental and subordinate to the principal use or structure and, unless otherwise provided, on the same premises.~~

~~On the same premises with respect to accessory uses and structures shall be construed as meaning on the same lot or on a contiguous lot in the same ownership. Where a building is attached to the principal building, it shall be considered a part thereof, and not an accessory building. Home occupations as defined as subsection 18-29(b) are considered accessory uses for single family and~~

~~multiple family residential units so long as all requirements set forth in subsection 18-29(b) are observed.~~

**Pf. 2.34. –~~Marina.~~ *Reserved.***

~~A facility designed to provide a variety of services for boaters such as the sale of gasoline, oil for boating purposes only and accessories; renting or leasing of boat slips; sale of ice and/or bait. Marinas shall be allowed as accessory uses for motels and hotels in the "C" Zoning District; or as a Special Exception use in the "C" Zoning District. Sport fishing boats for hire (i.e. charter boats) shall be allowed by Special Exception in the "C" Zoning District only.~~

**Pf. 2.35.1 – Primary use.**

An activity or combination of activities of chief importance on the zoning lot/building site. The main purposes for which the land or structures are intended, designed or ordinarily used. A zoning lot may have more than one Primary use. See also Accessory use or structure.

**Section 2:** Appendix A. Zoning. of the Code of Ordinances of the Town of Palm Beach Shores is hereby amended at Section V. District A Regulations., Pf. 5.1. Permitted uses. to add private docks as a permitted use within Zoning District A; providing that Pf. 5.1. Permitted uses. shall hereafter read as follows:

**Pf. 5.1. - Permitted uses.**

Permitted uses in District A shall be only the following:

- (a) One-family dwelling for occupancy by only one family. Boarding houses and/or rooming houses, as defined at Pf. 2.7 are prohibited as a use in this zoning district.
- (b) Private horticulture nurseries, greenhouses, and garden work centers, where such activity is carried on only for the personal enjoyment of the lot occupant and no sales of plant materials are made.
- (c) Accessory buildings for uses customarily incident to any of the above uses including private garages for motor vehicles when located on the same lot.

(d) Private docks. No private dock shall be used for any purpose other than the private use of the property owner or his guests and no commercial use or purpose shall be made of any docks whatsoever.

**Section 3:** Appendix A. Zoning. of the Code of Ordinances of the Town of Palm Beach Shores is hereby amended at Section VII. District C Regulations. Pf. 7.2. Permitted and special exception uses. to add commercial docks and marinas as special exception uses within Zoning District C and to provide for the types of ancillary and support uses affiliated with each; providing that Pf. 7.2. Permitted and special exception uses. shall hereafter read as follows:

**Pf. 7.2. - Permitted and special exception uses.**

(a) Permitted uses.

- (1) Any uses permitted in Districts "A" & "B" except for group home facilities which are only allowed in Zoning District "B". All setbacks shall meet the minimums specified in this section below for District "C".
- (2) Hotels and motels.
- (3) Accessory uses may include uses of a nature customarily incidental and subordinate to the principal use. Such uses may include stores, shops, dining rooms, bars or taverns, and lawfully incorporated private clubs with or without bars, when such facilities are for the main and principal purpose of serving residents and guests of the establishment. Facilities of the types listed in the preceding sentence must be an integral part of the principal building and entrances to such facilities shall not open or front upon any public street. Additional accessory uses may also include recreational amenities, facilities or concessions when such facilities are for the main and principal purpose of serving residents and guests of the establishment. Marinas, as defined in section 82-50Pf. 2.34, hereinabove are allowed as accessory uses for motels and hotels in the "C" Zoning District only and shall be consistent with the standards, limitations and requirements associated with marinas provided in Chapter 82 – Waterways, Article III – Docks, Marinas and Water-Dependent Facilities of this Code of Ordinances. There shall be no rental of any watercraft allowed within the Town except at commercial docks and marinas in the C Zoning District

consistent with the requirements established in Chapter 82 of the Town Code of Ordinances.

(b) Special exception uses.

(1) Commercial docks ~~Marinas~~. Ancillary and support services provided at commercial docks shall be limited to:

a. Renting or leasing of boat slips.

b. Charter boats.

(2) Marinas. Ancillary and support services provided at marinas shall be limited to:

a. Sale of gasoline, diesel and oil for boating purposes only.

b. Renting or leasing of boat slips.

c. Sale of ice or bait, and other fishing equipment or supplies.

d. Retail sale of marine supplies.

e. Accessory on-shore retail and eating facilities.

f. Servicing (marine).

g. Pump-out services.

h. Charter boats.

Commercial docks and marinas must comply with the standards, limitations and requirements associated with marinas provided in Chapter 82 – Waterways, Article III – Docks, Marinas and Water-Dependent Facilities of this Code of Ordinances.

~~(2) Boats for hire. (Charter boats).~~

(c) Boarding houses and/or rooming houses. Boarding houses and/or rooming houses, as defined at Pf. 2.7. are prohibited as a use in this zoning district.

**Section 4:** Appendix A. Zoning. of the Code of Ordinances of the Town of Palm Beach Shores is hereby amended at Section VII. District C Regulations., Section Pf. 7.13. Off-street parking. to add parking standards and regulations for commercial docks; providing that Section Pf. 7.13. Off-street parking. shall hereafter read as follows:

**Pf. 7.13. - Off-street parking.**

(a) Multi-family residences. Multiple-family residences shall have a minimum of one and one-quarter (1¼) off-street parking spaces for each hotel and motel room, one-bedroom or



efficiency apartment. One and one-half (1½) parking spaces for two-bedroom apartments with one-half (½) space for each additional bedroom. Off-street parking spaces shall be paved and marked with a minimum size of nine by twenty (9 × 20) feet, except for establishments offering services (food, drink, supplies, etc.) whose minimum size shall be ten by twenty (10 × 20) feet, and so arranged that any vehicle may be parked and removed without moving any other vehicle. Parking area and arrangement of spaces shall be shown on the original building plans submitted to the Planning and Zoning Board for approval and for all modifications to the previously approved site plan.

(b) Accessory Uses. Where accessory uses under Pf. 7.2~~(e)~~(a)(3) above are included as a part of a building, additional off-street parking spaces shall be provided at the ratio of one off-street parking space for each three (3) seats in private clubs, dining rooms, bars, or taverns, and at the ratio of one off-street parking space for each two hundred (200) square feet of gross floor area in shops or stores. Such additional parking facilities need not be on the same building site as the principal establishment; provided that the proposed location is located within the same zoning district as the principal use it is designed to serve if located within the Town corporate limits. Additionally, the owner of the principal establishment shall submit to the Town a written agreement with the owner of the off-site parking area. Such agreement must be approved by the Town Commission prior to the use of the off-site parking area. All uses supported by off-site parking shall automatically cease should the agreement for off-site parking terminate for any reason, whatsoever, and such uses shall not be re-instituted unless and/or until another off-site parking agreement has been provided to the Town and approved by the Town Commission. All uses supported by off-site parking shall automatically cease should either jurisdiction cease permitting off-site parking within their jurisdiction. Valet parking is hereby prohibited unless specifically approved by the Town Commission as part of a site plan review or site plan modification.

(c) Commercial Docks and Marinas. For commercial docks and marinas approved as special exception uses under Pf. 7.2(b)(1) or (2), the upland site shall provide:

(1) Ancillary and support services include private clubs, dining rooms, bars or taverns. Parking shall be provided at the ratio of one (1) off-street parking space for each three (3) seats in the private club, dining room, bar or tavern;

(2) Ancillary and support services include shops or stores. Parking shall be provided at the ratio of one (1) off-street parking space for each two hundred (200) square feet of gross floor area in the shop or store;

(3) Boat Slips. Parking shall be provided at a ratio of 0.75 parking space for every boat slip available;

(4) Ancillary and support services which include charter boats. Parking shall be provided as follows:

- a. Any or all charter boats shall first secure a town business tax receipt and certificate of use for that purpose. Prior to the issuance of the business tax receipt and certificate of use, the applicant must demonstrate that there is adequate parking for this use in addition to the parking required for other uses located on the same property.
- b. Parking area and arrangements of spaces shall be shown on the application plans and must be submitted to the building official and approved by the planning and zoning board prior to issuance of an occupational license.
- c. Parking spaces for charter boats shall be paved and marked, with a minimum size of 10 by 20 feet (10' x 20') each, and so arranged that any other vehicle may be parked and removed without moving any other vehicle. Parking spaces shall be provided at the ratio of 1½ parking spaces for each boat slip so used, plus one (1) parking space is required for every three (3) passengers allowed to be carried as a passenger on such vessel as designated in the vessel's certificate of inspection issued by the United States government, Department of Transportation, United States Coast Guard; and all such vessels shall be properly licensed as required by applicable state and federal laws and regulations and shall comply with all applicable equipment requirements of the United States Coast Guard before an occupational license may be issued by the town.

Such additional parking facilities need not be on the same building site as the commercial dock or marina; provided that the proposed location is located within the same zoning district as the principal use it is designed to serve, if located within the Town corporate limits. Additionally, the owner of the commercial dock or marina shall submit to the Town a written agreement with the owner of the off-site parking area. Such agreement must be approved by the Town Commission

prior to the use of the off-site parking area. All uses supported by off-site parking shall automatically cease should the agreement for off-site parking terminate for any reason, whatsoever, and such uses shall not be re-instituted unless and/or until another off-site parking agreement has been provided to the Town and approved by the Town Commission. All uses supported by off-site parking shall automatically cease should either the town or the offsite parking location jurisdiction cease permitting off-site parking within their jurisdictions. Valet parking is hereby prohibited unless specifically approved by the Town Commission as part of a site plan review or site plan modification.

No parking is permitted in any yard area within the Town corporate limits except in approved parking spaces, and except as allowed by the Town Code at chapter 70 Traffic and Vehicles.

**Section 5:** Each and every other article, section and subsection of Appendix A. Zoning. of the Code of Ordinances of the Town of Palm Beach Shores, shall remain in full force and effect as previously enacted.

**Section 6:** All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

**Section 7:** 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 8:** Specific authority is hereby granted to codify and incorporate this ordinance into the existing Code of Ordinances of the Town of Palm Beach Shores.

FIRST READING this \_\_\_\_ day of December, 2018.

SECOND AND FINAL READING this \_\_\_\_ day of January 2019.

**TOWN OF PALM BEACH SHORES**

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Myra Koutzen, Mayor

ATTEST:

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Evyonne Browning, Town Clerk

Approved as to form and legal sufficiency.

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Keith Davis, Town Attorney

(Seal)

**ORDINANCE NO. O-13-18**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, AMENDING CHAPTER 82. WATERWAYS. OF THE CODE OF ORDINANCES OF THE TOWN OF PALM BEACH SHORES AT ARTICLE III. DOCKS. TO AMEND THE ARTICLE TITLE; CREATE AN ENTIRELY NEW SECTION 82-50. DEFINITIONS. TO ADD SEVERAL DEFINITIONS; AMEND SECTION 82-51. CONSTRUCTION REGULATED. TO PROVIDE GENERAL DESIGN, APPLICATION, PERMITTING, MATERIALS, AND MAINTENANCE REQUIREMENTS FOR PIERS, DOCKS AND OTHER STRUCTURES; REMOVE SECTION 82-52. USE RESTRICTED.; ADD ENTIRELY NEW SECTION 82-56. PRIVATE DOCKS. TO PROVIDE STANDARDS AND REGULATIONS FOR PRIVATE DOCKS WITHIN THE TOWN; AND ADD ENTIRELY NEW SECTION 82-57. COMMERCIAL DOCKS. TO PROVIDE STANDARDS AND REGULATIONS FOR COMMERCIAL DOCKS WITHIN THE TOWN; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 82. WATERWAYS. 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 Commission of the Town of Palm Beach Shores hired Taylor Engineering, Inc. to review the Town's Code of Ordinances related to docks and provide recommendations and proposed revisions to the Town Commission; and

**WHEREAS**, such revisions are intended to incorporate existing conditions into the Town Code, as well as provide new standards and regulations for both private and commercial docks to guide future development within the Town; and

**WHEREAS**, as part of the scope of services provided by Taylor Engineering, Inc., two (2) public joint workshops were held with the Town Commission and the Planning and Zoning Board to obtain public input and to discuss existing conditions, regulations and recommended revisions; and

**WHEREAS**, Taylor Engineering, Inc. provided its draft report, Proposed Revisions to Code of Ordinances, Town of Palm Beach Shores Marine Dock Codes Review, dated August 15, 2018, which included recommended revisions to various sections of the Town Code, as well as the creation of new sections to provide clearer regulation of both private and commercial docks in Town; and

**WHEREAS**, an additional Joint Workshop was held with the Town Commission and the Planning and Zoning Board to review the draft report and provide for additional public input into the revision process; and

**WHEREAS**, based on the recommendations and suggested revisions provided by Taylor Engineering, Inc., public comment from the various workshop meetings, and thorough discussion between and among the Town Commission and the Planning and Zoning Board, the Town Commission desires to amend the Town Code of Ordinances at Chapter 82. Waterways. to revise the existing regulations governing docks to provide additional definitions, provide better distinction between and specific standards and regulations for private and commercial docks, and incorporate manatee protection measures into these regulations; and

**WHEREAS**, the Town Commission has determined that such amendments to the Town's Code are in the best interests of 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 82. WATERWAYS. of the Code of Ordinances of the Town of Palm Beach Shores is hereby amended at Article III. Docks. to amend the article title; create an entirely new Section 82-50. Definitions. to add several definitions; amend Section 82-51. Construction regulated. to provide general design, application, permitting, materials, and maintenance requirements for piers, docks and other structures; remove Section 82-52. Use restricted.; add entirely new Section 82-56. Private docks. to provide standards and regulations for private docks within the Town; and add entirely new Section 82-57. Commercial docks. to provide standards and regulations for commercial docks within the Town; providing that Article III shall hereafter read as follows:

### **ARTICLE III. - DOCKS, MARINAS AND WATER-DEPENDENT FACILITIES**

#### **Sec. 82-50. – Definitions.**

*Charter boat* means a watercraft, holding itself out to the public for rent or charter for a specified fee or charter price, with an authorized operator on board at all times, and ready to leave the dock

with the charter party. Such boat shall be available to the public in general upon payment of the specified fee, must so equip itself to be suitable for the purpose for which chartered, and must be primarily used for charter or rent.

**Commercial use or purpose** means any activity where there is an exchange of goods or services for monetary gain.

**Dock** means a fixed or floating structure, including access walkways, terminal platforms, finger piers, catwalks, mooring pilings, lifts, davits and other associated water-dependent structures, used for mooring and accessing vessels.

**Dock, commercial** means a dock intended for the mooring of vessels for commercial purposes and shall include any dock not herein defined as a private dock or marginal dock.

**Dock, marginal** means a dock placed immediately adjacent and parallel to the shoreline or seawall, bulkhead or revetment.

**Dock, private** means a dock that is intended for the mooring of boats not for commercial purposes.

**Marina** means a commercial dock/facility for the servicing, fueling, berthing and storage of boats that may include the sale of gasoline, diesel and oil for boating purposes only; pump-out services, renting or leasing of boat slips; charter boats; retail sales of marine supplies; sale of ice, bait and fishing equipment; and accessory on-shore retail and eating facilities.

**Servicing (marine)** means minor repair service to watercraft, including the installation of accessories, and minor boat rigging and motor repair. No dredge, barge or other work dockage or service is permitted and no boat construction or reconstruction is permitted.

**Transitory slip** means docks, slips, and other shoreline structures used for the temporary mooring of vessels (less than one day), facilities used for water-dependent public transportation (e.g., water taxis), and designated day-use slips at restaurants and hotels. Transitory slips cannot be used for the permanent storage of vessels. Slips used for boat rentals or slips rented to patrons are not considered transitory.

**Water-dependent facility** means a facility that involves or focuses on activities which can only be conducted on, in, over, or adjacent to water areas because the activity requires direct access to the water body or sovereign submerged lands for transportation, recreation, energy production or transmission, or source of water and where the use of the water or sovereign submerged lands is an integral part of the activity. Such facilities include marinas, docks, pilings, piers, boat ramps, boat lifts and other direct water access facilities.

## **Sec. 82-51. - Construction regulated.**

### **(a) General requirements.**

(1) Design. The design of any pier, dock or other structure to be constructed under the provisions of this article shall be performed by a professional engineer licensed in the state. Detailed construction drawings shall be submitted bearing the signature and seal of such engineer. Any dock or other approved structure to be constructed waterward of the bulkhead shall comply with all building code provisions in force at the time of construction, including requirements for permits, inspections, and construction detail. The designer shall incorporate appropriate provisions as published in "Planning and Design Guidelines for Small Craft Harbors; ASCE Manual and Reports on Engineering Practice No. 50," or similar professionally recognized design references and guidelines for design of docks and marinas, as determined by the Town Engineer or his/her designee. The designer shall adhere to and incorporate the Palm Beach County Manatee Protection Plan into the design of any pier, dock or other structure within the Town.

(2) No hazard or intrusion. The Town shall rely solely on the receipt of appropriate state and federal permits or permit exemption verifications and state authorizations for use of sovereign submerged lands. Town receipt of such permits shall signify to the Town that the permitted pier, dock or other structure location or design does not create a hazard to navigation; impede the flow of water; damage or endanger environmentally-sensitive areas; contribute to water quality degradation; or intrude upon the riparian rights of others, including rights vested to the public.

~~No dock shall be erected within the corporate limits of the town which shall extend more than 100 feet in length from the bulkhead line, to the outer end of the dock or pilings of the dock. Location and construction of all docks to be considered must provide that the dock does not interfere with the existing channels, nor violate federal or state laws or regulations, nor shall any dock have a "T" at the end exceeding 25 feet in length, said "T" to be constructed in the center of the dock. No "T" outer pilings or cross walks shall extend beyond the 100-foot limit set forth in this section, nor shall any dock be constructed, erected or permitted within 30 feet of the westerly projection of the north and south lot lines of a single lot fronting on Lake Worth, nor shall any dock be located so as to interfere with the present or future use of a dock on an adjacent lot. No dock shall be permitted in connection with a vacant lot unless there is a unity~~



~~of title conforming with the zoning ordinance of the town. Location of a dock on multiple lots joined by a unity of title covenant or by the construction of a building on more than one lot shall be on the centerline of the multiple lots, so joined.~~

(b) Applications. All applications, ~~drawings~~ plans and specifications for the construction of ~~water-dependent facilities docks, pilings and/or boatlifts~~ shall be approved as follows:

(1) Submittal requirements: An applicant for a water-dependent facility shall submit ten (10) sets, three (3) of which are sealed, of each of the following documents with the application:

a. Proof that the applicant is the owner of the property and the holder of the riparian rights;

b. Construction drawings prepared by and under the seal of a Florida licensed professional engineer;

c. A site plan drawn to scale sufficient to represent all elements of the proposed dock and of the riparian property from which the dock will project, and of the adjacent properties on both sides thereof;

d. A cross section showing all elements of the proposed dock, the bottom of the waterway, as well as the mean high waterline and mean low waterline; and

e. Valid written authorization of the proposed dock from the Florida Department of Environmental Protection (DEP) or the South Florida Water Management District (SFWMD) and the U.S. Army Corps of Engineers (Corps) is required. Such written approval shall contain the date on which the proposed dock was approved.

~~The town planning and zoning board shall first consider the conceptual plans and may reject, approve or approve with modification any such dock, piling and/or boat lift conceptual plans. This review shall occur prior to the applicant obtaining documentation from all applicable federal and state agencies establishing approval, exemption or waiver.~~

(2) Review Process. Subject to the exception specified in subpart (3) below and the specific regulations provided herein, all applications for the construction of any water-dependent facility shall be subject to the site plan review processes set forth in sections 14-62, 14-63, Pf. 17.1 and Pf. 17.2 of the town code ~~The town planning and zoning board shall subsequently consider the final dock, piling and/or boat lift plans which must include documentation from all applicable federal and state agencies establishing approval,~~

~~exemption or waiver.~~ The town planning and zoning board may reject, approve or approve with conditions or modification any such applications ~~dock, piling and/or boat lift final plans.~~

(3) The town building official shall review the documentation from all applicable federal and state agencies establishing approval, exemption or waiver, as well as the final approval of the town planning and zoning board before a town construction permit is issued. However, in case of an emergency where danger exists to public health or life or damage to property either public or private is imminent, an emergency permit may be authorized in writing by the building official without a formal town planning and zoning board approval.

~~(4) In the event an applicant obtains documentation from all applicable federal and state agencies establishing approval, exemption or waiver prior to the town planning and zoning board's conceptual review, the review process set forth in sub parts (1) and (2) above may be combined into one single review at the discretion of the town planning and zoning board.~~

(c) Permit required. It shall be unlawful for any person without a permit to build, construct, erect, repair, alter or maintain any such dock, wharf, ramp, water-dependent facility, or other structure of any kind or character whatsoever upon, across, adjoining or connected with the seawall along the lakefront of Lake Worth.

~~(d) However, in case of an emergency where danger exists to public health or life or damage to property either public or private is imminent, an emergency permit may be authorized in writing by the building official without a formal town planning and zoning board approval.~~

~~(d)-(e)~~ Materials. Materials, engineering design and construction shall produce a structure with a minimum life expectancy of at least ten (10) years. The following materials are approved for the supporting structures within the waters of Lake Worth:

(1) Minimum of fourteen ~~ten~~-inch square pre-stressed concrete pilings.

(2) Six-inch diameter standard weight steel pipe or larger.

(3) Structural steel members with a minimum thickness of three-eighths inch.

(4) Treated wood pilings approved by the American Wood Products Association and building official.

(5) Stainless steel hardware.

(6) Other materials or a combination of above materials which fulfill the requirements of a ten-year life expectancy for the supporting structures shall be subject to the approval of the building official.

(e)-(f) No untreated wood is allowed as part of the supporting structures nor may be used for fenders, moorings, pilings or superstructures. No dock constructed in Lake Worth shall have a roof or vertical sides.

(f)-(g) Maintenance. No floats or barges may be moored or maintained within the limits of the town other than where necessary for repair, construction or maintenance of existing facilities or authorized facilities and then only so long as may be necessary in the completion ~~prosecution~~ of such work.

**Sec. 82-52. - ~~Use restricted.~~ Reserved.**

~~(a) No dock shall be used for any purpose other than the private use of the property owner or his guests and no commercial use shall be made of any docks whatsoever, except those located at a marina which has been permitted as an accessory use to a hotel or motel; and then the services rendered shall be restricted to:~~

~~(1) Sale of gasoline, oil for boating purposes only and compatible accessories.~~

~~(2) Renting or leasing of boat slips.~~

~~(3) Sale of ice or bait.~~

~~(4) Permitting deep sea sportfishing boats to operate for hire from docks provided that any or all boats operated for hire shall first secure a town occupational license for that purpose. Prior to the issuance of the occupational license, the applicant must demonstrate that there is adequate parking for this use in addition to the parking required for other uses located on the property. Parking area and arrangements of spaces shall be shown on the application plans and must be submitted to the building official and approved by the planning and zoning board prior to issuance of an occupational license.~~

~~(b) Parking spaces for boats for hire shall be paved and marked, with a minimum size of ten by 20 feet each, and so arranged that any other vehicle may be parked and removed without moving any other vehicle. Parking spaces shall be provided at the ratio of 1½ parking spaces for each boat slip so used, and in addition, one parking space is required for every three~~

~~passengers allowed to be carried as a passenger on such vessel as designated in the vessel's certificate of inspection issued by the United States government, Department of Transportation, United States Coast Guard; and all such vessels shall be properly licensed as required by applicable state and federal laws and regulations and shall comply with all applicable equipment requirements of the United States Coast Guard before an occupational license may be issued by the town.~~

**Sec. 82-53. - Ambulance and fire lane.**

Each owner or operator of a dock where three or more boats are customarily moored, stored or fueled, shall provide an ambulance and fire lane of not less than 13½ feet in width, to be maintained at all times from the nearest public street of the town, with direct access to any such dock.

**Sec. 82-54. - Fire extinguishers.**

At any dock where three or more boats are customarily moored, stored or fueled, the owner or operator shall provide a fire extinguisher of a type approved by the National Board of Fire Underwriters, to be provided and maintained at:

- (1) A station near the dispensing nozzle of any fuel line; and
- (2) At a station near the booster pumps connected with fuel lines, if any; and
- (3) At proper intervals on dock or pier as specified in the fire prevention code, adopted in section 30-86, and the National Fire Codes, as published by the National Fire Protection Association adopted in section 30-86.

**Sec. 82-55. - Trash receptacles.**

Each owner or operator of a dock, where three or more boats are customarily moored, stored or fueled, shall provide an adequate number of trash and garbage receptacles of approved type, covered to accommodate the number of boats that may be berthed at such dock, which receptacles shall be placed for convenient access by the trash and garbage disposal crews of the town.

**Sec. 82-56. – Private docks.**

- (a) No private dock shall be erected within Zoning District A which shall extend more than 100 feet in length from the bulkhead line to the outer end of the dock or pilings of the dock.
- (b) All private docks, including mooring pilings, must be set back a minimum of 25 feet inside the property owner's riparian rights lines, unless otherwise allowed by an exception provided in (1)-(7) below and a validly issued DEP or Corps permit. Marginal docks must be set back a minimum of 10 feet. Exceptions to the setbacks are:

  - (1) Private residential single-family docks or piers associated with a parcel that has a shoreline frontage of less than 65 feet, where portions of such structures are located between riparian lines less than 65 feet apart, or where such structure is shared by two adjacent single-family parcels.
  - (2) Utility lines.
  - (3) Bulkheads, seawalls riprap or similar shoreline protection structures located along the shoreline.
  - (4) Structures and activities previously authorized.
  - (5) Structures and activities built or occurring prior to any requirement for authorization.
  - (6) When a letter of concurrence is obtained from the affected adjacent upland riparian owner.
  - (7) When the DEP determines that locating any portion of the structure or activity within the setback area is necessary to avoid or minimize adverse impacts to natural resources.
- (c) Private docks shall be constructed and used consistent with the standards, limitations and requirements provided in Appendix A. Zoning. of the town's code of ordinances.

**Sec. 82-57. – Commercial docks.**

Commercial docks (which includes marinas) shall comply with the following standards:

- (a) No commercial dock shall be constructed where the dock and its vessel mooring areas extend beyond a line offset from the bulkhead and located along the extent of similar neighboring docks and vessel mooring areas which have been historically approved by the town. Terminal tee head platforms shall be no longer than twice the slip length plus the width of the access dock.

- (b) All commercial docks, including mooring pilings, must be set back a minimum of 25 feet inside the property owner's riparian rights lines, unless otherwise allowed by an exception provided in (1)-(6) below and a validly issued DEP or Corps permit. Marginal docks must be set back a minimum of 10 feet. Exceptions to the setbacks are:
- (1) Utility lines.
  - (2) Bulkheads, seawalls riprap or similar shoreline protection structures located along the shoreline.
  - (3) Structures and activities previously authorized.
  - (4) Structures and activities built or occurring prior to any requirement for authorization.
  - (5) When a letter of concurrence is obtained from the affected adjacent upland riparian owner.
  - (6) When the DEP determines that locating any portion of the structure or activity within the setback area is necessary to avoid or minimize adverse impacts to natural resources.
- (c) Boat slips are allowed at an intensity of use as provided in the most current and updated Palm Beach County Manatee Protection Plan, as amended from time to time, and included in Appendix C. Slip intensity of use only pertains to newly proposed slips (for new facilities or expanding facilities). Any existing slips as of July 30, 2018 are not counted in calculating this slip density. These slip densities apply to a project at final build out, are a one-time allotment and represent the maximum density allowed at a particular location. Slip allowances are not transferable from one location to another. Transitory slips shall not be included in the calculation of wet slips.
- (d) Commercial docks operating as marinas shall be required to apply for, obtain, and maintain a Clean Marina Designation with the Florida Department of Environmental Protection Clean Marina Program.

**Secs. 82-~~58-56~~—82-70. - Reserved.**

**Section 2:** Each and every other article, section and subsection of Chapter 82. WATERWAYS. of the Code of Ordinances of the Town of Palm Beach Shores, shall remain in full force and effect as previously enacted.

**Section 3:** All ordinances or parts of ordinances in conflict herewith 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 and incorporate this ordinance into the existing Code of Ordinances of the Town of Palm Beach Shores.

FIRST READING this \_\_\_\_ day of December, 2018.

SECOND AND FINAL READING this \_\_\_\_ day of January 2019.

**TOWN OF PALM BEACH SHORES**

\_\_\_\_\_  
Myra Koutzen, Mayor

ATTEST:

\_\_\_\_\_  
Evyonne Browning, Town Clerk

Approved as to form and legal sufficiency.

\_\_\_\_\_  
Keith Davis, Town Attorney

(Seal)