

TOWN OF PALM BEACH

Town Manager's Office

TENTATIVE -
SUBJECT TO
REVISION

SPECIAL TOWN COUNCIL MEETING

TOWN HALL
COUNCIL CHAMBERS-SECOND FLOOR
360 SOUTH COUNTY ROAD

AGENDA

FRIDAY, JANUARY 9, 2015

9:30 AM

- I. CALL TO ORDER AND ROLL CALL
Gail L. Coniglio, Mayor
Robert N. Wildrick, President
William J. Diamond, President Pro Tem
Richard M. Kleid
Michael J. Pucillo
Penelope D. Townsend
- II. PLEDGE OF ALLEGIANCE
- III. APPROVAL OF AGENDA
- IV. RESOLUTION NO. 1-2015 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Declaring the Results of the Town Caucus; Naming Therein the Candidates Nominated and Named in this Resolution; Declaring That a Municipal Election Shall be Held. Page 3
- V. MAYOR'S PROCLAMATION TO THE QUALIFIED ELECTORS OF THE TOWN OF PALM BEACH REGARDING THE TOWN ELECTION TO BE HELD ON FEBRUARY 3, 2015. Page 12
- VI. CONSIDERATION OF ENFORCEMENT POLICIES REGARDING POLITICAL SIGNS. Page 14
John C. Randolph, Town Attorney

VII. ANY OTHER MATTERS

VIII. ADJOURNMENT

PLEASE TAKE NOTE:

The progress of this meeting may be monitored by visiting the Town's website (www.townofpalmbeach.com) and clicking on "Meeting Audio" in the left column. If you have questions relative to this feature, please contact the Office of Information Systems (561) 227-6315.

Disabled persons who need an accommodation in order to participate in the Town Council Meeting are requested to contact the Town Manager's Office at 838-5410 or through the Florida Relay Service by dialing 1-800-955-8770 for voice callers or 1-800-955-8771 for TDD callers, at least two (2) working days before this meeting.

RESOLUTION NO. 1-2015

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, DECLARING THE RESULTS OF THE TOWN CAUCUS; DIRECTING THE TOWN CLERK OF SAID TOWN TO PLACE THE NAMES OF CERTAIN CANDIDATES ON THE OFFICIAL BALLOT FOR THE GENERAL ELECTION TO BE HELD IN SAID TOWN ON THE THIRD DAY OF FEBRUARY 2015; ADOPTING THE OFFICIAL BALLOT TO BE USED IN SAID ELECTION; AUTHORIZING THE TOWN CLERK TO ARRANGE FOR VOTING EQUIPMENT TO BE USED IN SAID ELECTION; AND DIRECTING THE MAYOR OF SAID TOWN TO ISSUE A PROCLAMATION OF SAID ELECTION, NAMING THEREIN THE CANDIDATES NOMINATED AND NAMED IN THE RESOLUTION; AND, DESIGNATING THE TOWN CLERK OF THE TOWN OF PALM BEACH, THE ELECTIONS COORDINATOR OF THE TOWN OF PALM BEACH, AND THE SUPERVISOR OF ELECTIONS OF PALM BEACH COUNTY, OR THEIR DESIGNEES, TO SERVE AS THE CANVASSING BOARD.

WHEREAS, at a regular and duly called Caucus of the Town of Palm Beach, Florida, held on January 6, 2015, the following persons were duly nominated at said Caucus by the voters of the Town of Palm Beach for the offices of Mayor and two Town Council Persons of said Town of Palm Beach, Florida, with the term of office for Mayor and Town Council Persons Groups One, and Group Two, to be for two-year periods, terms ending in February 2017:

MAYOR:	GAIL L. CONIGLIO
GROUP ONE:	BILL DIAMOND DANIELLE HICKOX MOORE
GROUP TWO:	MICHAEL J. PUCILLO MICHAEL JAY SCHARF

their nominations being shown by the certified copy of the Minutes of said Caucus, which said certified copy is made a part of this Resolution; and

WHEREAS, the Town Clerk has performed the necessary examination and certification required by Town Ordinance; and

WHEREAS, no opposition candidates were nominated for the seat of Mayor, at the Town Caucus held on January 6, 2015.

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

SECTION ONE: It is hereby declared that the following candidates have been nominated and qualified for election to the seats for Mayor and for Town Council Persons in Groups One and Two, each for a two-year period:

MAYOR: GAIL L. CONIGLIO

GROUP ONE: BILL DIAMOND
DANIELLE HICKOX MOORE

GROUP TWO: MICHAEL J. PUCILLO
MICHAEL JAY SCHARF

SECTION TWO: It is hereby declared that Mayor Gail L. Coniglio, having no opposition for election, is hereby declared to be elected as Mayor of the Town of Palm Beach, effective as of the date of the general election, February 3, 2015.

SECTION THREE: The Town Clerk is hereby directed to have official ballots prepared for said election, and have printed thereon the names of the persons nominated for Town Council person in Group One for a term of two years and Town Council person in Group Two for a term of two years. Since the candidate for Mayor had no opposition, the official ballot to be used in said election is substantially as follows, to wit:

OFFICIAL BALLOT

GENERAL ELECTION OF THE TOWN OF PALM BEACH IN PALM BEACH COUNTY, FLORIDA, TO BE HELD ON THE 3rd DAY OF FEBRUARY, 2015.

THE FOLLOWING PERSONS HAVE BEEN DULY NOMINATED FOR THE OFFICES OF GROUP ONE TOWN COUNCIL PERSON, FOR A TWO-YEAR PERIOD, AND GROUP TWO TOWN COUNCIL PERSON, FOR A TWO-YEAR PERIOD:

**TOWN COUNCIL
GROUP ONE
TWO-YEAR TERM
(Vote for One)**

BILL DIAMOND

DANIELLE HICKOX MOORE

**TOWN COUNCIL
GROUP TWO
TWO-YEAR TERM
(Vote for One)**

MICHAEL J. PUCILLO

MICHAEL JAY SCHARF

SECTION FOUR: The terms of office of the elected officials referenced shall begin and shall run from the first regular meeting of the Town Council following the February 3, 2015, election.

SECTION FIVE: There will be seven precincts with three polling locations in said election, as follows:

Precinct 1390 - St. Edward's Parish Hall, 165 North County Rd., Palm Beach, FL 33480

Precinct 1392 - St. Edward's Parish Hall, 165 North County Rd., Palm Beach, FL 33480

Precinct 1394 - Central Fire-Rescue Station, 355 South County Rd., Palm Beach, FL 33480

Precinct 7154 - Central Fire-Rescue Station, 355 South County Rd., Palm Beach, FL 33480

Precinct 7156 - South Fire-Rescue Station, 2185 South Ocean Blvd, Palm Beach, FL 33480

Precinct 7158 - South Fire-Rescue Station, 2185 South Ocean Blvd, Palm Beach, FL 33480

Precinct 7166 - South Fire-Rescue Station, 2185 South Ocean Blvd, Palm Beach, FL 33480

SECTION SIX: The following persons are hereby appointed as Clerks, Inspectors, and Deputies, respectively, of said election, to wit:

PRECINCT 1390:

Clerk:	Howard Berman
Deputy:	Marion Lee Baldwin (shared with Precinct 1392)
Inspectors:	Cynthia Martin
	Blanca Figueroa
	Verna King
	Karen Louise Six
	Sandra Kelly

PRECINCT 1392:

Clerk:	Sharyn Browning
Deputy:	Marion Lee Baldwin (shared with Precinct 1390)
Inspectors:	Cecelia Delande
	Merle Buckmire
	Delphine Burrows
	Leonard Waghelstein

PRECINCT 1394:

Clerk:	Deborah Nellson (shared with Precinct 7154)
Deputy:	Roosevelt Wilson (shared with Precinct 7154)
Inspectors:	Frederick Martone
	Clarinda Yvonne Shabazz

Gloria Daley

PRECINCT 7154:

Clerk: Deborah Nellson (shared with Precinct 1394)
Deputy: Roosevelt Wilson (shared with Precinct 1394)
Inspectors: Letitia M. Williams-Sharry
Harriet Waghelstein

PRECINCT 7156:

Clerk: Raymond Chaplin (shared with Precinct 7166)
Deputy: Roy Butler (shared with Precincts 7158 & 7166)
Inspectors: Judith A. Laska

PRECINCT 7158:

Clerk: Sandra Shaw Blair
Deputy: Roy Butler (shared with Precincts 7156 & 7166)
Inspectors: Sylvia Carole Singer
Gary T. Garner
Sheila Santos
Timothy James Cook

PRECINCT 7166:

Clerk: Raymond Chaplin (shared with Precinct 7156)
Deputy: Roy Butler (shared with Precincts 7156 & 7158)
Inspectors: Valarie Johnson
Marlette Ruth Finger
Gail Howe

Said clerks, deputies, and inspectors are hereby directed to hold said election in accordance with law, and in such a manner as to prevent fraud, deceit, and abuse thereat, and to make their return of the result of said election to the Town Council in a manner prescribed by law.

The Town Council hereby authorizes the Town Clerk to assign replacement and/or On-Call Poll Workers as needed.

SECTION SEVEN: The Town Clerk is hereby directed to arrange for the use of optical scan voting machines at said election and for the Supervisor of Elections of Palm Beach County to provide absentee ballots in accordance with the provisions of Chapter 101, Florida Statutes.

SECTION EIGHT: The Mayor of the Town of Palm Beach is hereby required to issue her Proclamation of said Election and the date thereof to wit: February 3, 2015, between the hours of 7:00 a.m. and 7:00 p.m. The names of the candidates proposed for office in said election shall be included in such Proclamation, which shall be printed in the Palm Beach Daily News on January 21, 2015, and in La Guia Gratuita on January 21, 2015. The Town Clerk shall also post a copy of said Proclamation on the bulletin board in Town Hall.

SECTION NINE: The Town of Palm Beach Town Clerk, Susan A. Owens, or her designee, and the Palm Beach County Supervisor of Elections, Susan Bucher, or her designee, and Town of Palm Beach Elections Coordinator Susan Eichhorn, or her designee, are hereby

designated as the Town of Palm Beach Canvassing Board to carry out the duties, as prescribed in the Florida Statutes, for absentee ballots, the testing of the tabulating equipment, and to supervise the canvassing of the returns of the election, as prescribed by law.

PASSED AND ADOPTED IN A SPECIAL, ADJOURNED SESSION ASSEMBLED
THIS 9th DAY OF JANUARY 2015.

Gail L. Coniglio, Mayor

Robert N. Wildrick, Council President

William J. Diamond, Council President Pro-Tem

Richard M. Kleid, Council Member

Michael J. Pucillo, Council Member

Susan A. Owens, MMC, Town Clerk

Penelope D. Townsend, Council Member

(SEAL)



TOWN OF PALM BEACH

Office of the Town Clerk

MINUTES OF THE TOWN OF PALM BEACH TOWN CAUCUS HELD ON TUESDAY, JANUARY 6, 2015

A CAUCUS OF THE VOTERS OF THE TOWN OF PALM BEACH WAS HELD IN THE TOWN COUNCIL CHAMBERS, AT 360 SOUTH COUNTY ROAD, PALM BEACH, FLORIDA, AT 8:00 P.M. ON JANUARY 6, 2015, FOR THE PURPOSE OF NOMINATING CANDIDATES FOR MAYOR AND FOR TWO TOWN COUNCIL SEATS, IN GROUPS ONE AND TWO, EACH FOR TWO-YEAR TERMS.

The 103rd Annual Town Caucus was held in the Town Council Chambers at 360 South County Road, at the above named time pursuant to the call and notice thereof, which was published in the Palm Beach Daily News, a newspaper in Palm Beach County, Florida, on December 22, 2014, December 29, 2014, and January 5, 2015, and in La Guia Gratuita, a Spanish language newspaper in Palm Beach County, Florida, on December 17, 2014, and December 24, 2014, and December 31, 2014.

I. CALL TO ORDER – MAYOR GAIL CONIGLIO

The Caucus was called to order by Mayor Gail Coniglio.

II. ELECTION OF CAUCUS OFFICERS

Mayor Coniglio advised that the first order of business of this 103rd Caucus was to elect Caucus Officers, consisting of a Caucus Chairperson and a Caucus Secretary. She stated that, pursuant to the Town Charter and Town Code, only qualified voters may participate in the Town Caucus, and that each nominator must state his or her name and street address.

A. Caucus Chairperson

On motion of Daniel J. McDonnell, 2784 S. Ocean Blvd., Apt. 206-N, the nomination of Raymond W. Snow, 2335 S. Ocean Blvd., Apt. A-3, for Caucus Chairperson was made. The motion was seconded by William J. Diamond, 220 Wells Rd. Mayor Coniglio called for further nominations. There were none. Mr. Snow was elected unanimously, by acclamation.

Mr. Snow assumed the office of Chairperson, and called for nominations for a Caucus Secretary. Chairperson Snow reminded all that pursuant to the Town Charter and Code, only qualified voters of the Town were permitted to participate in this 103rd Caucus. Each nominator must state his or her name and address.

B. Caucus Secretary

On motion of Jere Zenko 232 Tangier Ave., the nomination of Roberta F. Mambrino, 2545 S. Ocean Blvd., Apt. 407, for Caucus Secretary was made. There being no further nominations, Ms. Mambrino was elected unanimously, by acclamation.

III. NOMINATIONS FOR THE OFFICE OF TOWN MAYOR

Chairperson Snow called for nominations for Town Mayor, the seat currently held by Gail L. Coniglio. He announced that each nominator must state the name and street address of the person being nominated, as well as his or her own name and street address.

Barbara Duna Lindsay, 212 Caribbean Rd., nominated Gail L. Coniglio, 1139 N. Ocean Blvd., as a candidate for Mayor.

The nomination was seconded by Roberta Horwich, 2860 S. Ocean Blvd., Apt. 401, and Nicholas Coniglio, 201 El Dorado Ln.

Chairperson Snow called for further nominations, and there were none.

After a motion was made, seconded, and unanimously passed to close nominations, Chairman Snow declared that nominations for candidates for Mayor were closed.

The Chairman then declared that Gail L. Coniglio has been duly nominated at the Town Caucus to be a candidate for the Office of Mayor, and requested that the candidate stand and state her address.

Gail L. Coniglio stood and was recognized. She stated that she is a registered voter and that her address is 1139 N. Ocean Blvd., Palm Beach, FL 33480.

IV. NOMINATIONS FOR THE OFFICE OF TOWN COUNCIL MEMBER-GROUP ONE

Chairperson Snow called for nominations for Town Council Member-Group One, the seat currently held by William J. Diamond. He announced that each nominator must state the name and street address of the person being nominated, as well as his or her own name and street address.

William L. Hanley, Jr., 250 Jungle Rd., nominated William J. Diamond, 220 Wells Rd., as a candidate for Town Council Member-Group One.

The nomination was seconded by Eileen Curran, 2778 S. Ocean Blvd., Apt. 202, Lewis S. Crampton, 2335 S. Ocean Blvd., #5, Paulette Cooper, 2175 Ibis Isle Rd. W, Apt. 2, and Jeffrey A. Cloninger, 422 Brazilian Ave.

Chairperson Snow called for further nominations for Town Council Member-Group One.

Bruce A. McAllister, 224 Bahama Lane, nominated Danielle Hickox Moore, 277 Pendleton Ave., as a candidate for Town Council Member-Group One.

The nomination was seconded by Carla Termini, 2860 S. Ocean Blvd., #305, Bertram Tamarkin, 44 Cocoanut Row, and Lesly Stockard Smith, 300 Chapel Hill Rd.

Chairperson Snow called for further nominations, and there were none.

After a motion was made, seconded, and unanimously passed to close nominations, Chairman Snow declared that nominations for Group 1 candidates were closed.

The Chairman then declared that William J. Diamond and Danielle Hickox Moore have been duly nominated at the Town Caucus to be candidates for the Office of Town Council Member-Group One, and requested that the candidates stand and state their addresses.

William J. Diamond stood and was recognized. He stated that he is a registered voter and that his address is 220 Wells Rd., Palm Beach, FL 33480.

Danielle Hickox Moore stood and was recognized. She stated that she is a registered voter and that her address is 277 Pendleton Ave., Palm Beach, FL 33480.

V. NOMINATIONS FOR THE OFFICE OF TOWN COUNCIL MEMBER-GROUP TWO

Chairperson Snow called for nominations for Town Council Member-Group Two, the seat currently held by Michael J. Pucillo. He announced that each nominator must state the name and street address of the person being nominated, as well as his or her own name and street address.

William Matthews, 380 North Lake Way, nominated Michael J. Pucillo, as a candidate for Town Council Member-Group Two.

The nomination was seconded by Susan Guttman, 389 S. Lake Dr., Apt. 4H, and Ellen Tansey, 2860 S. Ocean Blvd, Apt. 614.

Chairperson Snow called for further nominations for Town Council Member-Group 2.

Douglas Williamson, 421 Peruvian Ave., nominated Michael J. Scharf, 225 Dunbar Rd., as a candidate for Town Council Member-Group Two.

The nomination was seconded by Madelyn Greenberg, 3360 S. Ocean Blvd., Apt. 3BS, and Anne Pepper, 333 Seaspray Ave.

Chairperson Snow called for further nominations, and there were none.

After a motion was made, seconded, and unanimously passed to close nominations, Chairman Snow declared that nominations for Group 2 candidates were closed.

Chairman Snow then declared that Michael J. Pucillo and Michael J. Scharf have been duly nominated at the Town Caucus to be candidates for the Office of Town Council Member-Group Two, and requested that the candidates stand and state their addresses.

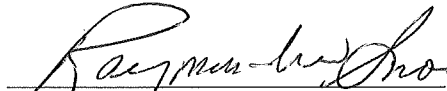
William J. Pucillo stood and was recognized. He stated that he is a registered voter and that his address is 224 Dunbar Rd., Palm Beach, FL 33480.

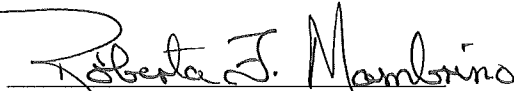
Michael J. Scharf stood and was recognized. He stated that he is a registered voter and that his address is 225 Dunbar Rd., Palm Beach, FL 33480.

Chairperson Snow thanked all of the candidates, and reminded them to promptly contact the Town Clerk's Office for information about additional required procedures, pursuant to Section 5.05 of the Town Charter and Florida Statutes. He stated that the Caucus Chair and Secretary are hereby authorized to sign and present the minutes of this 103rd Caucus to the Town Council at their meeting scheduled for Friday, January 9, 2015, at 9:30 a.m., to call the Election.

VI. ADJOURNMENT

There being no further business to come before the Caucus, upon motion duly made, seconded, and carried, the Caucus meeting was adjourned at 9:22 p.m.


Raymond W. Snow
Caucus Chairperson


Roberta F. Mambrino
Caucus Secretary

ATTEST:


Susan A. Owens, MPA, MMC
Town Clerk

1/8/15
Date

**MAYOR'S PROCLAMATION TO THE QUALIFIED ELECTORS
OF THE TOWN OF PALM BEACH, FLORIDA**

WHEREAS, pursuant to the Charter of the Town of Palm Beach, Florida, and the General Laws pertaining thereto, there will be held in the Town of Palm Beach, Florida, on the 3rd day of February 2015, a General Election for the purpose of electing two Town Council persons, for two year periods; and

WHEREAS, the Town Council of the Town of Palm Beach, Florida, on January 9, 2015, at a special adjourned session assembled, duly adopted a resolution calling said election on said date, providing for the use of optical scan voting machines therein, and directing the Mayor of the Town to issue her proclamation thereof.

NOW THEREFORE, I, Gail L. Coniglio, Mayor of the Town of Palm Beach, Florida, hereby give notice and make proclamation that there will be held in the Town of Palm Beach, Florida, on the 3rd day of February 2015, between the hours of 7:00 a.m. and 7:00 p.m., a General Election for the purpose of electing two Town Council Persons, for two year periods.

The official ballot to be used in said election is substantially as follows, to wit:

**OFFICIAL BALLOT
TOWN OF PALM BEACH - GENERAL ELECTION
PALM BEACH COUNTY, FLORIDA
FEBRUARY 3, 2015**

**TOWN COUNCIL
GROUP ONE
TWO-YEAR TERM
(Vote for One)**

BILL DIAMOND

DANIELLE HICKOX MOORE

**TOWN COUNCIL
GROUP TWO
TWO-YEAR TERM
(Vote for One)**

MICHAEL J. PUCILLO

MICHAEL JAY SCHARF

There will be three polling places, to include seven precincts, in said election as follows:

Registered electors in Precinct 1390 shall vote at St. Edward's Parish Hall, 165 North County Rd., Palm Beach, FL 33480

Registered electors in Precinct 1392 shall vote at St. Edward's Parish Hall, 165 North County Rd., Palm Beach, FL 33480

Registered electors in Precinct 1394 shall vote at the Central Fire-Rescue Station, 355 South County Rd., Palm Beach, FL 33480

Registered electors in Precinct 7154 shall vote at the Central Fire-Rescue Station, 355 South County Rd., Palm Beach, FL 33480

Registered electors in Precinct 7156 shall vote at the South Fire-Rescue Station, 2185 South Ocean Blvd., Palm Beach, FL 33480

Registered electors in Precinct 7158 shall vote at the South Fire-Rescue Station, 2185 South Ocean Blvd., Palm Beach, FL 33480

Registered electors in Precinct 7166 shall vote at the South Fire-Rescue Station, 2185 South Ocean Blvd., Palm Beach, FL 33480

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said Town this 9th day of January 2015.

Mayor Gail L. Coniglio

ATTEST:

Susan A. Owens, MPA, MMC
Town Clerk

PUBLISH: January 21, 2015 (Palm Beach Daily News)
January 21, 2015 (La Guia Gratuita)

TOWN OF PALM BEACH

Information for Special Town Council Meeting on: January 9, 2015

To: Mayor and Town Council

Via: Thomas G. Bradford, Town Manager

From: John C. Randolph, Town Attorney

Re: Amendment to Chapter 134, Article XI, Signs

Date: December 31, 2014

Attached is the backup and the ordinance relating to political signs which is proposed for amendment. This needs to first go to the Planning and Zoning Commission and then come to the Town Council for first and second reading prior to it being adopted. It is my suggestion that while this matter is under consideration the Council give direction to the Town Manager to have Code Enforcement staff enforce the ordinance in the manner in which it is proposed, not in the manner which is now stated in the code. That direction will allow, in the upcoming Town election, residents to post more than one sign on their property and will allow signs to be placed prior to thirty days before the election.

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TOWN OF PALM BEACH

Information for Special Town Council Meeting on: January 9, 2015

To: Mayor and Town Council

Via: Thomas G. Bradford, Town Manager

From: John C. Randolph, Town Attorney

Re: Ordinance No. _____
Amendment to Chapter 134, Article XI, Signs

Date: December 17, 2014

STAFF RECOMMENDATION

The Town Attorney recommends that Chapter 134, Zoning, of the Town Code of Ordinances be amended at Article XI, Signs, so as to allow for more than one political sign on a property; providing for not more than one sign per candidate or ballot measure during an election; providing for the placement of political signs 60 days prior to an election instead of 30 days; and providing that in the event signs are illegally placed, they may be removed by the Town.

GENERAL INFORMATION

This matter was brought to the attention of the Town as a result of the filing of the lawsuit Lesley Blackner and Richard Stone vs Town of Palm Beach, USDC Case No. 9:14-CV-81221-KAM, claiming that the Town's sign ordinance is unconstitutional as it relates to the three areas dealt with in the attached Ordinance. Outside of the allegations made in this lawsuit, others have complained about the fairness of this provision and have alleged that the ordinance is unconstitutional. Our research reveals that there is merit to these allegations and it is, therefore, recommended that the Town Council adopt the Ordinance attached hereto. The ordinance makes specific modifications to Sections 134-2409 and 134-2446 so as to allow more than one political sign per property, but no more than one sign per candidate or ballot measure during an election. It also modifies the requirement that signs not be placed prior to 30 days prior to an election by extending that to 60 days prior to an election. Finally, it provides that signs will not be removed at the expense of the owner but shall be removed by the owner, and in the event of the owner's failure to do so the signs may be removed by the Town.

This ordinance must, pursuant to Town Code, because it is an amendment to the zoning code, first be reviewed by the Planning and Zoning Commission. Upon that Commission's review and recommendation, this matter will come back to the Town Council for first reading and final adoption. Because of the pending lawsuit and the immediacy of the Town election, it is

my recommendation that the Council direct staff not to enforce those provisions of the Town's sign code which are now under consideration for change.

Attachment

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ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 134 OF THE TOWN CODE OF ORDINANCES TITLED ZONING AT ARTICLE XI, SIGNS, DIVISION 2, RESIDENTIAL DISTRICTS, SECTION 134-2409, TEMPORARY POLITICAL SIGNS PERTAINING TO SPECIFIC ELECTIONS, AT SUBPARAGRAPH (2) RELATING TO MAXIMUM NUMBER OF SIGNS, AT SUBPARAGRAPH (6) RELATING TO THE TIME LIMIT FOR PLACEMENT OF SIGNS, AND AT SUBPARAGRAPH (7) RELATING TO ILLEGALLY PLACED SIGNS; ALSO AMENDING CHAPTER 134, ARTICLE XI, SIGNS, DIVISIONS 3, COMMERCIAL DISTRICTS, SECTION 134-2446 TITLED TEMPORARY POLITICAL SIGNS PERTAINING TO SPECIFIC ELECTION AT SUBPARAGRAPH (2) RELATING TO MAXIMUM NUMBER OF SIGNS, AT SUBPARAGRAPH (6) RELATING TO THE TIME LIMIT FOR PLACEMENT OF SIGNS, AND AT SUBPARAGRAPH (7) RELATING TO ILLEGALLY PLACED SIGNS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

Section 1. Chapter 134 titled Zoning of the Town Code of Ordinances is hereby amended at Article XI, Signs; Division 2, Residential Districts; Section 134-2409 to read as follows:

“Sec. 134-2409. Temporary political signs pertaining to specific elections.

Political signs urging the election or opposition of any candidate seeking any political office or urging the passage or defeat of any ballot measure are permitted subject to the following restrictions:

- (1) *Maximum size:* No sign shall exceed a maximum of four square feet in area.

- (2) *Maximum number:* Not more than one sign per candidate or ballot measure shall be placed upon any property unless such property fronts upon more than one street, ~~in which event two signs may be erected, one on each frontage. Nothing in this section shall be construed as prohibiting the same wording from being on both the front and back of the sign.~~
- (3) *Location:* Only on lots where the property owner has given permission. The placing of temporary political signs anywhere on public property is prohibited. Temporary political signs located on public property shall be deemed to be public property and shall be summarily removed by the town.
- (4) *Minimum setbacks:* From lot line of another: Ten feet. From the front property line or from a street: Five feet.
- (5) *Maximum height:* Four feet, including supports for the sign.
- (6) *Time limit:* Signs permitted pursuant to this section shall not be placed prior to ~~30~~60 days of the election to which they are related and shall be removed within 48 hours after the day of the final election to which they apply. In the case where there is a primary election, signs shall be allowed 60 days prior to the primary election. This time limit also applies to candidates who do not have an opponent in the primary.
- (7) *Illegally placed:* Temporary political signs shall be removed by ~~or at the expense of~~ the owner or individual responsible for the illegal placement. In the event of failure to do so, the signs may be removed by the Town."

Section 2. Chapter 134 titled Zoning of the Town Code of Ordinances is hereby amended at Article XI, Signs; Division 3, Commercial Districts; Section 134-2446 to read as follows:

"Sec. 134-2446. Temporary political signs pertaining to specific elections.

Political signs urging the election or opposition of any candidate seeking any political office or urging the passage or defeat of any ballot measure are permitted subject to the following restrictions:

- (1) *Maximum size:* No sign shall exceed a maximum of four square feet in area.
- (2) *Maximum number:* Not more than one sign per candidate or ballot measure shall be placed upon any property unless such property fronts upon more than one street, ~~in which event two signs may be erected, one on each frontage. Nothing in this section shall be construed as prohibiting the same wording from being on both the front and back of the sign.~~
- (3) *Location:* Only on lots where the property owner has given permission. The placing of temporary political signs anywhere on public property is prohibited. Temporary political signs located on public property shall be deemed to be public property and shall be summarily removed by the town.
- (4) *Minimum setbacks:* From lot line of another: Ten feet. From the front property line or from a street: Five feet.
- (5) *Maximum height:* Four feet, including supports for the sign.
- (6) *Time limit:* Signs permitted pursuant to this section shall not be placed prior to ~~30~~60 days of the election to which they are related and shall be removed within 48 hours after the day of the final election to which they apply. In the case where there is a primary election, signs shall be allowed 60 days prior to the primary election. This time limit also applies to candidates who do not have an opponent in the primary.
- (7) *Illegally placed:* Temporary political signs shall be removed by ~~or at the expense of~~ the owner or individual responsible for the illegal placement. In the event of failure to do so, the signs may be removed by the Town."

Section 3. Severability.

If any provision of this Ordinance or the application thereof is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provisions or applications, and to this end the provisions of this Ordinance are hereby declared severable.

Section 4. Repeal of Ordinances in Conflict.

All other ordinances of the Town of Palm Beach, Florida, or parts thereof which conflict with this or any part of this Ordinance are hereby repealed.

Section 5. Codification.

This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Palm Beach.

Section 6. Effective Date.

This Ordinance shall take effect immediately upon its passage and approval, as provided by law.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach on first reading this _____ day of January , 2015, and for second and final reading on this _____ day of February , 2015.

Gail L. Coniglio, Mayor

Robert N. Wildrick, Town Council President

William J. Diamond, President Pro Tem

Richard M. Kleid, Town Council Member

ATTEST:

Michael J. Pucillo, Town Council Member

Susan Eichhorn, Town Clerk

Penelope D. Townsend, Town Council Member