

TOWN OF PALM BEACH

Office of the Town Clerk

REPORT OF THE ORDINANCES, RULES, AND STANDARDS COMMITTEE MEETING HELD ON THURSDAY, JANUARY 8, 2015

I. CALL TO ORDER AND ROLL CALL

The Ordinances, Rules, and Standards Committee (ORS) meeting was called to order on Thursday, January 8, at 2:00 p.m., in the Town Council Chambers. On roll call, all Committee Members were found to be present.

II. APPROVAL OF AGENDA

AMENDMENT: Staff will provide a general overview of Item No. IV.B.3., Review of Chapter 18. Substantive discussion was deferred to the February 5, 2015, Committee meeting.

Motion was made by Committee Member Pucillo, and seconded by Chairperson Townsend, to approve the Agenda, as amended above. On call for a vote, the motion carried unanimously.

III. COMMUNICATIONS FROM CITIZENS – None

IV. REGULAR AGENDA

A. Old Business

1. Update on Meeting to Review Business Association Special Events for Possible Codification (*Penelope D. Townsend, Chair, ORS*)

Deputy Town Manager Bradford provided an overview of the meeting. He stated that there are a few outstanding items that need to be addressed, and that the item will be brought back before the Committee at its February 5, 2015, meeting.

By consensus of the Committee, the item was deferred to the February 5, 2015, ORS Committee meeting.

2. Review of Draft Vehicles for Hire Ordinance Amendments to Protect the Health, Safety and Welfare of the Public (*John C. Randolph, Town Attorney*)

Town Attorney Randolph provided an overview of the amendments.

Discussion ensued regarding health, safety, and welfare, and new requirements for prearranged charters.

Motion was made by Committee Member Pucillo, and seconded by Chairperson Townsend, to approve the draft Vehicles for Hire Ordinance amendments. On call for a vote, the motion carried unanimously.

Town Attorney Randolph was directed to provide additional information on the proposed new requirements for prearranged charters for the Town Council.

- i. Companion Ordinance Setting Forth Citation Fines for Violating Section 130-107 fine as a Class III violation proposed to require a prearranged charter to be permitted by the permitting agency in the prearranged charter's point of origin.

Motion was made by Committee Member Pucillo, and seconded by Chairperson Townsend, to approve the draft companion ordinance setting forth citation fines. On call for a vote, the motion carried unanimously.

3. Report on Landmarks Demolition Process in Furtherance of Landmarks Preservation Commission Meeting December 17, 2014 (*John Page, Director of Planning, Zoning and Building*)

Director of Planning, Zoning, and Building Page provided an overview of the report.

Discussion ensued regarding Bert Harris implications, punitive measures and discouraging owners from landmarking, requiring a statement of purpose for the preconstruction meetings, and emphasizing that the up to five year permit prohibition is only for future permits.

Chairperson Townsend passed the gavel to make a motion to send the proposed demolition process to the Town Council for discussion, to emphasize that the up to five year permit prohibition is only for future permits, and to add a statement of purpose for the preconstruction meetings. Motion was seconded by Committee Member Pucillo. On call for a vote, the motion carried unanimously.

4. Follow-Up Report on Private Provider Option (*Veronica Close, Assistant Director of Planning, Zoning and Building*)

Assistant Director of Planning, Zoning, and Building Close provided an overview of the report. She stated that staff has indicated they may decide to make improvements to the resident inspector process at the same time so that all alternative inspection procedures are addressed simultaneously,

and that the item will be brought back before the Committee at its February 5, 2015, meeting.

By consensus of the Committee, the item was deferred to the February 5, 2015, ORS Committee meeting.

5. Review of Draft Ordinances Regulating Segways for Public Safety Purposes. (*Raychel Houston, Manager, Code Enforcement and Parking*)

Code Enforcement and Parking Manager Houston provided an overview of the draft ordinances.

Shawn Wolf, Palm Beach Segway Tours, spoke regarding the company's operations and expressed his opposition regarding banning segways on Lake Trail. He stated that he is willing to add the Town as an additional insured, or whatever else the Town wants, to be able to continue using Lake Trail.

Discussion ensued regarding Segway speed and power, complaints received, and Lake Trail being a right-of-way over private property.

Motion was made by Committee Member Pucillo, and seconded by Chairperson Townsend, to send the draft ordinances to the Town Council for discussion and first reading. On call for a vote, the motion carried unanimously.

B. New Business

1. Fertilizer Usage & Impacts to ICW (*H. Paul Brazil, Director of Public Works*)

Director of Public Works Brazil provided an overview on fertilizer usage and the National Pollutant Discharge Elimination System (NPDES) requirements.

By consensus of the Committee, Staff's recommendation that the Town not adopt a fertilizer ordinance was approved.

2. Amend Special Event Permits to allow road closure where infrastructure paid for by adjacent properties. (*Thomas G. Bradford, Deputy Town Manager*)

Deputy Town Manager Bradford provided an overview of the item and recommended that discussion of this item be dovetailed into the previous Business Association Special Events item.

1 **By consensus of the Committee, the item was deferred to the February 5, 2015, ORS**
2 **Committee meeting, and it will come back alongside the Business Association**
3 **Special Events item.**

- 4
5 3. Review of Final Draft of Chapter 18, Buildings and Building Regulations,
6 Town of Palm Beach Code of Ordinances (*Veronica Close, Assistant*
7 *Director of Planning, Zoning and Building*)

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9 Assistant Director of Planning, Zoning, and Building Close stated that the
10 draft included in the agenda backup was not the correct version and that
11 Staff would like to defer the matter to the February 5, 2015, ORS meeting
12 so that the Committee Members can be given the correct backup to
13 review. In the interim, she provided an overview of the proposed changes
14 to Chapter 18.

15
16 Discussion ensued regarding pulling Chapter 1 of the Florida Building
17 Code from the Town Code and adopting it by reference via a resolution,
18 and local amendments.

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20 **By consensus of the Committee, the item was deferred to the February 5, 2015, ORS**
21 **Committee meeting.**

- 22
23 4. Review of Sec.18-898 for Valet Parking Sign Standards (*Raychel*
24 *Houston, Manager, Code Enforcement and Parking*)

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26 Code Enforcement and Parking Manager Houston provided an overview
27 of valet parking sign requirements and stated that Staff is seeking input
28 from the Committee regarding amendments.

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30 Discussion ensued regarding removing the provision requiring that the
31 Town provide valet parking signs, sign standards and height limits, and
32 requiring that signs not obstruct pedestrians.

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34 **By consensus of the Committee, the item was deferred to the February 5, 2015, ORS**
35 **Committee meeting to allow Staff time to draft the appropriate ordinance for the**
36 **Committee's review.**

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38 5. Discussion on Short Term Rentals in Residential Areas (*Penelope D.*
39 *Townsend, Chair, ORS*)

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41 Committee Chair Townsend spoke regarding concerns she has received
42 regarding short term rentals.

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44 Code Enforcement and Parking Manager Houston stated that Code
45 Enforcement is aware of the complaints, and has sent warning letters to 16
46 property owners.

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Discussion ensued regarding enforcement difficulties, state preemptions, bed taxes, public safety, and requiring owners to notify the Town when they short term rent their properties.

It was the consensus of the Committee to see if the matter could be resolved by requiring owners to notify the Town when they short term rent their properties.

Town Attorney Randolph stated that he would have to review the matter further to see if the Town could require such notice.

By consensus of the Committee, the item was deferred to the February 5, 2015, ORS Committee meeting to allow the Town Attorney to review the matter further.

V. ANY OTHER MATTERS – None

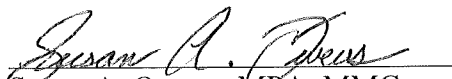
VI. ADJOURNMENT

There being no further business, the Ordinances, Rules, and Standards Committee meeting of Thursday, January 8, 2015, was adjourned at 3:47 p.m.

APPROVED:


Penelope D. Townsend
Chairperson

ATTEST:


Susan A. Owens, MPA, MMC
Town Clerk

2/10/15
Date

