

TOWN OF PALM BEACH

Office of the Town Clerk

REPORT OF THE ORDINANCES, RULES AND STANDARDS COMMITTEE MEETING HELD ON THURSDAY, OCTOBER 5, 2017

I. CALL TO ORDER AND ROLL CALL

The Ordinances, Rules and Standards Committee Meeting was called to order at 9:30 a.m. in the Council Chambers. On roll call, all elected officials were found to be present.

II. APPROVAL OF AGENDA

Motion to approve the agenda was made by Committee Member Araskog, and seconded by Committee Chair Lindsay.

III. COMMUNICATIONS FROM CITIZENS - None

IV. REGULAR AGENDA

Deputy Town Manager Boodheshwar gave an overview of the old business items relating to the modification of dates for construction season and landscape maintenance. He then introduced John Page, Director of Planning, Zoning and Building to give a presentation on the dates and hours for the construction season.

A. Old Business

1. Potential Code Change to Modify Dates of Construction Season

Director Page gave an overview of the current dates and hours regarding the construction season for both in-season and off-season. He reviewed the following options:

- Limiting the number of permissible work hours.
- Restricting all construction activity to quiet work only.
- Restricting all construction activity to interior work only.
- Disallowing all material deliveries.
- Disallowing all concrete pours.
- Disallowing demolition work.
- Restricting all on-street construction right-of-way parking.
- Prohibiting work altogether when active utility undergrounding construction is occurring.
- Amending high winter season timeframe.
- Any combination of the above options.

1 Mr. Page spoke regarding the importance of maintaining a “balance” between
2 making life more pleasant for residents and the interests of property
3 owners/contractors. He suggested the following amendment to try to achieve
4 that balance:
5

6 “Saturday work is permissible from 9:00 a.m. until 5:00 p.m. Use of heavy
7 equipment, material deliveries, concrete pours, and concrete sawing is
8 prohibited. Construction parking shall not be allowed on public/private streets
9 if viable parking exists on private property.”
10

11 Director Page pointed out that sometimes there will be special circumstances
12 that will require discretion such as completing a roof before a storm. As such
13 he would recommend the following amendment be added:
14

15 “The Town Building Official, acting on his or her own accord, shall have the
16 discretion to waive and/or alter Saturday construction hours and other
17 restrictions when extraordinary conditions exist that compel an exception(s).”
18

19 A discussion ensued regarding demand for Saturday construction.
20

21 In response to a question from Chair Lindsay regarding how many private
22 contractors were willing to pay overtime to work on Saturdays, Bill Bucklew,
23 Building Official, stated that most Saturday work only takes place near
24 completion of the project. A conditional certificate of occupancy is
25 sometimes awarded, typically for a 90-day period, so owners can move in.
26 Most times this is needed to complete landscaping or pool work.
27

28 In response to a question from Council Member Araskog, Ben Alma, Code
29 Enforcement Manager, reported on the number of noise complaints received
30 on Saturdays.
31

32 Mayor Coniglio spoke regarding the history of the construction work season
33 in Town.
34

35 Eric Brown, Assistant Director of Public Works, pointed out the drawbacks to
36 shortening the Saturday work hours.
37

38 Deputy Town Manager Boodheshwar reminded the committee members of
39 the ordinance that was being held in abeyance until a decision was reached by
40 the Council.
41

42 Danielle Moore, resident, inquired about demolition which started during the
43 week and needs to be completed on the weekend. Mr. Bucklew’s response
44 was that if completion of the work is hauling the debris away, that could be
45 allowed.
46

1 **It was the consensus of the Committee to recommend to the Town Council to allow**
2 **quiet interior construction work on Saturdays from 9 a.m. to 5 p.m.**
3

- 4 1. Amendment of Town Code, Relative to Landscape Maintenance (Jay
5 Boodheshwar, Deputy Town Manager)

6
7 Deputy Town Manager Boodheshwar presented clarification regarding
8 landscape maintenance hours vs. landscape equipment usage.
9

- 10 2. Review of Drone Ordinance for Conflicts with FAA Regulations and
11 Permitting Requirements (Jay Boodheshwar, Deputy Town Manager)

12
13 Deputy Town Manager Boodheshwar presented an overview of the FAA
14 regulations and the Town's ordinance regarding drones. He explained that
15 an ordinance was adopted in June 2016 but no citation schedule was
16 created. He suggested a modification to the ordinance or to define an
17 unmanned aircraft system (UAS) or drone in the existing aircraft
18 ordinance.
19

20 In response to Committee Member Araskog, Ben Alma, Code
21 Enforcement Manager explained that voyeurism laws also apply to drones.
22

23 Dragana Connaughton, 267 Merrain Road, Photographer and Realtor,
24 explained that using drones to take photographs was very helpful in her
25 business. She also expressed her concern regarding several construction
26 projects taking place at the same time on a single street.
27

28 **B. New Business**
29

- 30 1. Proposed Meetings Dates for Calendar Year 2018 (Jay Boodheshwar,
31 Deputy Town Manager)
- 32
- 33 2. Deputy Town Manager Boodheshwar presented dates for the upcoming
34 calendar year's meetings. It was decided that January 4, 2018, no meeting
35 would be held.
36

37 **It was the consensus of the Committee to hold meetings on February 8, March 8,**
38 **April 5, May 3, June 7, September 6, October 4, November 8 and December 6, 2018.**
39

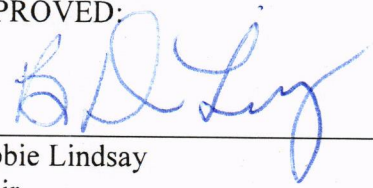
40 **V. ANY OTHER MATTERS - None**
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42 **VI. ADJOURNMENT**
43

44 There being no further business the Ordinances, Rules and Standards Committee Meeting
45 of October 5, 2017, was adjourned at 11:30 a.m.
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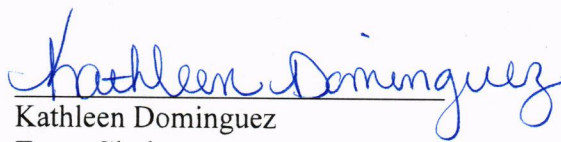
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APPROVED:



Bobbie Lindsay
Chair

ATTEST:



Kathleen Dominguez
Town Clerk

11/15/17

Date