

TOWN OF PALM BEACH

Office of the Town Clerk

REPORT OF THE ORDINANCES, RULES, AND STANDARDS COMMITTEE MEETING HELD ON FRIDAY, SEPTEMBER 11, 2015

I. CALL TO ORDER AND ROLL CALL

The Ordinances, Rules, and Standards Committee (ORS) meeting was called to order on September 11, 2015, at 9:30 a.m., in the Town Council Chambers. On roll call, all Committee Members were found to be present.

Chair Townsend led the Pledge of Allegiance and called for a moment of silence for those who lost their lives on September 11, 2001.

II. APPROVAL OF AGENDA

The following changes were made to the Agenda:

ADDED: Review of the ORS calendar was added under Any Other Matters.

Motion was made by Committee Member Moore, and seconded by Chair 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. Review Proposed Administrative Procedure for Business Association Special Events
(John Page, Director of Planning, Zoning, and Building)

Director Page provided an overview of the proposed procedure.

Robin Miller, Worth Avenue Association General Manager, expressed her thanks for the Town's consideration of such events and called the proposed procedure a reasonable compromise.

Chair Townsend passed the gavel to make a motion to direct Staff to finalize the administrative procedure prior to the October 13, 2015, Town Council meeting, pending review by the Town Attorney. The motion was seconded by Committee Member Moore. On call for a vote, the motion carried unanimously.

It was the consensus of the Committee to further direct Staff to include a copy of the final administrative procedure with this meeting's report for incorporation into the Town Council's agenda backup.

2. Review Resident Inspector Program
(Bill Bucklew, Building Official)

Responding to Chair Townsend, Building Official Bucklew provided an update on Staff's Private Provider Program meetings with Attorney Greene.

Discussion ensued regarding past difficulties with private providers and the need to focus on serving the interests of the Town and not bending to providers.

Building Official Bucklew provided an update on Staff's review of the Resident Inspector Program.

Council Member Townsend requested that Resident Inspector Joseph Hughes be involved in the Resident Inspector Program review process.

Town Attorney Randolph and Building Official Bucklew stated that Mr. Hughes has been, and will continue to be, involved in the process.

Discussion ensued regarding when the review process will be finalized.

3. Review Chapter 10 - Animals
(Jay Boodheshwar, Deputy Town Manager)

Deputy Town Manager Boodheshwar provided an overview of the animal ordinance passed earlier this year, the State's preemption of some of its provisions, and the concerns raised by Outdoor Amusement Business Association President Robert Johnson.

Discussion ensued regarding scheduling a conference call with Mr. Johnson to address his concerns and solicit his input towards an ordinance that preserves the rights of residents and wildlife equally.

It was the consensus of the Committee to direct Staff to schedule a conference call with Outdoor Amusement Business Association President Robert Johnson to address the Association's concerns.

Town Attorney Randolph stated that Staff will also confer with the Florida Fish and Wildlife Conservation Commission to ensure there are no conflicts

1 in the new ordinance.

2
3 B. New Business

4
5 1. Review Potential Regulation of Drones
6 *(Nicholas Caristo, Police Lieutenant)*

7
8 Deputy Town Manager Boodheshwar spoke regarding the complexities of
9 regulating drones and the options available to the Town.

10
11 Lt. Nicholas Caristo, Police Department, provided an overview of the Police
12 Department's concerns regarding drones.

13
14 Town Clerk Owens spoke regarding the commercial motion picture filming
15 permit requirements.

16
17 Shawn Holmgren, Palm Beach Drone, spoke regarding the effect a ban on
18 drones would have on his company, Florida law regarding unmanned aerial
19 vehicles, law enforcement and first responders' immunity from prosecution,
20 and Federal Aviation Administration (FAA) regulations. He stated that he
21 was willing to sit in on any meetings to provide additional input on the
22 matter.

23
24 Discussion ensued regarding the list of FAA certified operators, how the
25 proposed ordinance was prepared, prohibiting weapons, incorporating some
26 of the FAA regulations into the ordinance, establishing a maximum height,
27 whether or not to prohibit drones outright or to allow for limited uses, toy
28 drones and their operation, allowable uses of drones, not outlawing toy
29 drones, how drones are classified, concerns related to drones with video
30 capability, establishing a maximum weight, making exceptions for public
31 safety/government operations, environmental monitoring, and permitted
32 commercial uses, waiting to see what changes the FAA will make, not taking
33 any action against drone hobbyists in the interim, not allowing drones on
34 beaches except for emergencies and environmental monitoring.

35
36 **It was the consensus of the Committee to direct Staff to prepare a potential ordinance**
37 **for the November 5, 2015, ORS meeting that defines unmanned aerial vehicle,**
38 **references the FAA rules, and establishes exemptions for public safety use, permitted**
39 **commercial use, and 333 governmental environmental monitoring use. Town Attorney**
40 **Randolph was directed to determine if a definition for "toy" drones should also be**
41 **included in the proposed ordinance.**

42
43 2. Review Potential Prohibition of Hammocks and Other Objects from
44 Being Attached to Public Property
45 *(Nicholas Caristo, Police Lieutenant)*

46
47 Lt. Nicholas Caristo spoke regarding complaints received by the
48 Police Department related to objects attached to public property and

the damage caused by these attachments.

Discussion ensued regarding potential liability to the Town if someone fell out of a hammock onto public property, the number of bicycle racks in Town and the fact that some are difficult to use, getting more bike racks, potential locations for them, concerns regarding obstruction of sidewalks, the need for more designated bike rack locations, businesses needing to provide bike racks as well, meeting with John David Corey to discuss a Town-wide bicycle rack program, striking the word "bicycle" from the proposed ordinance, having Mr. Corey present at a future meeting to get his input on the matter, and establishing penalties for violations.

It was the consensus of the Committee to remove the word "bicycle" from Section 70-10 of the proposed ordinance and recommend approval of the ordinance to the Town Council, as amended.

It was the consensus of the Committee to invite Palm Beach Walks' John David Corey to a future ORS meeting to discuss a Town-wide bicycle program.

3. Review Proposed Exterior Lighting Standards
(John Page, Director of Planning, Zoning, and Building)

Building Official Bucklew provided an overview of the situation that led to the proposed exterior lighting standards.

Discussion ensued regarding the purpose of the ordinance, providing a method to address nuisance lighting, the Town of Palm Beach Exterior Lighting Requirements guide, other municipalities' lighting standards, how far the lighting standards should be revamped, and condensing all of the lighting standards into Chapter 42, Environment, of the Town Code.

It was the consensus of the Committee to direct Staff to start with the Town of Palm Beach Exterior Lighting Requirements guide to prepare an ordinance for a future meeting that preserves the Code's current lighting standards, provides a method to address nuisance lighting, and condenses all lighting standards into Chapter 42 of the Town Code.

IV. ANY OTHER MATTERS

The Following Item was Added to the Agenda:

A. Review of the ORS Calendar

Chair Townsend announced that the following study items were recently referred to ORS by the Town Council: floating structures, grass protectors, maintenance of overhanging vegetation, and waste management fees. She then confirmed the

REPORT OF THE ORDINANCES, RULES, AND STANDARDS COMMITTEE MEETING
HELD ON FRIDAY, SEPTEMBER 11, 2015

November 5, 2015, meeting items.

Due to the volume of pending study items, discussion ensued regarding the need to schedule a December ORS meeting.

It was the consensus of the Committee to add a December 3, 2015, meeting to the 2015 ORS calendar.

Deputy Town Manager Boodheshwar requested direction regarding the Committee's preferred meeting day and time for 2016.

Discussion ensued regarding keeping the meetings on the same day, but switching the start time to 9:30 a.m.

It was the consensus of the Committee to change the ORS meetings start time to 9:30 a.m., beginning with the December 3, 2015, meeting.

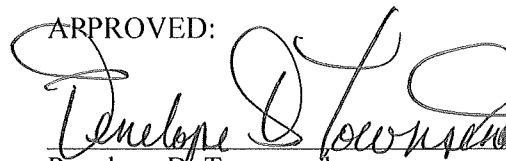
Chair Townsend requested that Deputy Town Manager Boodheshwar work with Staff to prioritize the remaining unscheduled study items and prepare a tentative calendar accordingly for the Committee's review at the November 5, 2015, ORS meeting.

Committee Member Moore requested that Palm Beach Walks' John David Corey be invited to the December 3, 2015, ORS meeting to discuss a Town-wide bicycle program.

V. ADJOURNMENT

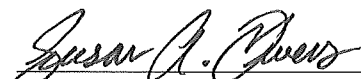
There being no further business, the Ordinances, Rules, and Standards Committee meeting of Friday, September 11, 2015, was adjourned at 11:08 a.m.

APPROVED:



Penelope D. Townsend
Chair

ATTEST:



Susan A. Owens, MPA, MMC
Town Clerk

10/13/15

Date

