

TOWN OF PALM BEACH

Office of the Town Clerk

REPORT OF THE ORDINANCES, RULES, AND STANDARDS COMMITTEE MEETING HELD ON WEDNESDAY, JULY 10, 2013

I. CALL TO ORDER AND ROLL CALL

The Ordinances, Rules, and Standards Committee (ORS) meeting was called to order on Wednesday, July 10, 2013, 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

The following change was made to the Agenda:

AMENDMENT: Item IV.A.1. was amended to reflect that Michael J. Pucillo is not the ORS Co-Chair.

Motion was made by Committee Member Pucillo, and seconded by Chairman Diamond, to approve the Agenda, as amended above. On roll call, the motion carried unanimously.

III. COMMUNICATIONS FROM CITIZENS – None

IV. REGULAR AGENDA

A. Old Business

1. Consideration of Allowing Architects Registered in a State other than Florida to be Eligible to Serve as an Architect Appointee on Boards or Commissions that Currently Require One or More Florida Registered Architects to Serve on the Board or Commission.[Michael J. Pucillo, Committee Member]

Discussion ensued regarding the number of Florida registered architects that live in Palm Beach, the differences between state registration requirements and local knowledge, and limiting the number of qualified applicants.

Town Attorney Randolph clarified that non-Florida registered architects can serve in any of the non-architect positions.

Anita Seltzer, 44 Cocconut Row, spoke in opposition to allowing architects registered outside of Florida to serve on these Boards and Commissions.

1 Bill Strawbridge, 223 Atlantic Avenue, spoke regarding the differences between
2 Florida registered and non-Florida registered architects, the need for architects
3 versed in modern and post-modern styles, and in support of allowing non-Florida
4 registered architects to serve on these Boards and Commissions.
5

6 Bill Feldkamp, 251 Bradley Place, stated that he is registered in Florida and in
7 Massachusetts and the tests are 90% identical on Code issues, that Staff reviews
8 all plans submitted and would identify any deficiencies during the review process,
9 and spoke in favor of allowing architects registered outside of Florida to serve on
10 these Boards and Commissions, if needed.
11

12 Further discussion ensued regarding the need for Florida registered architects.
13

14 Ted Cooney, 445 Brazilian Avenue, inquired as to what requirements non-Florida
15 registered architects are subject to and agreed that some type of licensure is an
16 important threshold.
17

18 **Motion was made by Chairman Diamond, and seconded by Committee Member Pucillo, to**
19 **recommend to the Town Council that a provision to the membership requirements of those**
20 **Boards or Commissions that currently require one or more Florida registered architects to**
21 **serve on them be added that states, "In the event there are no bona fide applicants, at the**
22 **discretion of the Town Council, the Town may solicit architects registered outside the State**
23 **of Florida to fill one of the architect seats". On call for a vote, the motion carried**
24 **unanimously.**
25

26 B. New Business
27

- 28 1. Proposed Procedures for Determining Compliance of New Emergency
29 Generators with Town Noise Standards [John Page, Director, Planning,
30 Zoning and Building]
31

32 Planning, Zoning, and Building (PZB) Director Page and Code
33 Enforcement and Parking Manager Houston provided Staff's comments.
34

35 Discussion ensued regarding generator noise complaints, noise differences
36 between new and old generators, Town noise standards, field testing, the
37 need for generators, emergency waivers, certificates of occupancy, the
38 generator approval process, and other options for reducing noise.
39

40 Tom Parker, 215 Jamaica Lane, expressed his concerns regarding the
41 noise from his neighbor's generator, spoke regarding Jupiter Island's
42 generator requirements, and spoke in support of limiting the number of
43 days granted for emergency waivers.
44
45
46

1 **By consensus of the Committee, PZB Staff's recommendation to administratively amend**
2 **their procedures to require that generators meet the Town's noise requirements prior to**
3 **issuance of a Certificate of Occupancy was approved.**

- 4
5 2. Review of Proposed Amendments to Chapter 10, Animals, Town Code of
6 Ordinances, Clarifying that Temporary Animal permits pertain to
7 Livestock and Wildlife and Allowing Display of Animals at Club Land
8 Use Locations. [Thomas G. Bradford, Deputy Town Manager]

9
10 Deputy Town Manager Bradford provided Staff's comments.

11
12 Discussion ensued regarding State wildlife classifications, allowing
13 animals in residential areas and club land use locations, safety, handler
14 requirements, certificates of insurance (COI), and what animals should be
15 prohibited.

16
17 **By consensus of the Committee, Staff was directed to come back with a proposal regarding**
18 **the display of livestock, display of animals in residential areas and at club land use**
19 **locations, which animals should be allowed, and handler and COI requirements. The**
20 **Committee expressed that they did not want to allow Class II Wildlife or pythons.**

- 21
22 3. Review of Proposed Amendments to Chapter 130, Vehicles for Hire,
23 Town Code of Ordinances, to Establish a New Limousine and Taxi Cab
24 transfer fee of \$100 for Transfer of a Vehicle Registered to a Certificate of
25 Public Convenience Holder.[Raychel Houston, Manager Code
26 Enforcement and Parking]

27
28 Code Enforcement and Parking Manager Houston provided Staff's
29 comments.

30
31 **Motion was made by Chairman Diamond, and seconded by Committee Member Pucillo, to**
32 **recommend to the Town Council that a new limousine and taxi cab transfer fee of \$100 for**
33 **transfer of a vehicle registered to a certificate of public convenience holder be established.**
34 **On call for a vote, the motion carried unanimously.**

- 35
36 4. Review of Proposed Amendments to Chapter 2, Administration, Town
37 Code of Ordinances at Section 2-439, so that Violations of Residential
38 Parking Permit Parking Programs (RPP) are a Class II Violation Subject to
39 a First Time \$125 Fine and Subject to Overview by the Code Enforcement
40 Board.[Raychel Houston, Manager Code Enforcement and Parking]

41
42 Code Enforcement and Parking Manager Houston provided Staff's
43 comments.

44
45 Discussion ensued regarding the extent of these violations and how they
46 should be classified.

1 **Motion was made by Chairman Diamond, and seconded by Committee Member Pucillo, to**
2 **recommend to the Town Council that violations of residential parking permit parking**
3 **programs (RPP) be classified as Class I violations, subject to a first time \$75 fine and to**
4 **overview by the Code Enforcement Board. On call for a vote, the motion carried**
5 **unanimously.**

- 6
7 5. Review of the Town Code Provision (Sec. 118-135) Limiting the Number
8 of Hours Vehicles Can be Parked Along Residential Streets as Requested
9 by the Town Council on May 7, 2013. [Raychel Houston, Manager Code
10 Enforcement and Parking]

11
12 Deputy Police Chief Szarszewski and Code Enforcement and Parking
13 Manager Houston provided Staff's comments.

14
15 Discussion ensued regarding how these situations are handled, notice to
16 and from the vehicle owners, and a current situation where one owner parks
17 his vehicle in the area on a regular basis and his neighbors' objection to it.
18

19 **By consensus of the Committee, Staff was directed to leave the regulations as is and to**
20 **encourage the residents to keep notifying the Police Department when their cars will be**
21 **parked in these areas for an extended period of time.**

- 22
23 6. Discussion on Providing for Placard Permit Parking In Lieu of Business
24 Parking Permits in Phipps Plaza. [Thomas G. Bradford, Deputy Town
25 Manager]

26
27 Deputy Town Manager Bradford provided Staff's comments.

28
29 Discussion ensued regarding the validity of the business parking permits
30 (BPP), phasing them out, and other plans for the parking lot.
31

32 **By consensus of the Committee, Staff was directed to stop issuing BPPs, to meet with the**
33 **residents and businesses regarding the BPP change, and to come back with a new parking**
34 **proposal for Phipps Plaza.**

- 35
36 7. Review of Proposed Amendments to Chapter 106, Streets, Sidewalks and
37 Other Public Places, Town Code of Ordinances at Section 106-46, to
38 Amend Sec. 106-46 to Dovetail with 67% Non-Ad Valorem Petition
39 Requirement and Requiring Petitioners to Pay 100 % of cost of Paving and
40 Lighting, with Upkeep to be Paid for by Town. [Thomas G. Bradford,
41 Deputy Town Manager]

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43 Deputy Town Manager Bradford provided Staff's comments and stated
44 that this is just a housekeeping item in order to mirror previous Council
45 action.
46

1 Motion was made by Chairman Diamond, and seconded by Committee Member Pucillo, to
2 recommend to the Town Council that Sec. 106-46 of the Town Code be amended to dovetail
3 with the 67% non-ad valorem petition requirement and requiring petitioners to pay 100 %
4 of the cost of paving and lighting, with upkeep to be paid for by Town. On call for a vote,
5 the motion carried unanimously.
6

- 7 8. Review of Proposed Amendments to Chapter 134, Zoning, Town Code of
8 Ordinances, Amending Sections 134-2293 and 134-2294 (b) to Change
9 Placement of the Required Residential Permit Parking Map to the Town's
10 Website Instead of the Town Clerk's Office. [Thomas G. Bradford,
11 Deputy Town Manager]
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13 Deputy Town Manager Bradford provided Staff's comments.
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15 Motion was made by Chairman Diamond, and seconded by Committee Member Pucillo, to
16 recommend to the Town Council that Chapter 134, Zoning, Town Code of Ordinances,
17 Sections 134-2293 and 134-2294 (b) be amended to change placement of the required
18 residential permit parking map on to the Town's website instead of in the Town Clerk's
19 Office. On call for a vote, the motion carried unanimously.
20

- 21 9. Revisit taxicab ordinance vis-à-vis fines levied for violations of the
22 ordinance.[Raychel Houston, Manager Code Enforcement and Parking]
23

24 Code Enforcement and Parking Manager Houston provided Staff's
25 comments.
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27 Motion was made by Chairman Diamond, and seconded by Committee Member Pucillo, to
28 recommend to the Town Council that the taxicab ordinance, vis-à-vis the fines levied for
29 violations of the ordinance, be revisited. On call for a vote, the motion carried
30 unanimously.
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32 **V. ANY OTHER MATTERS**
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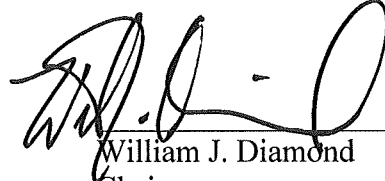
34 Deputy Town Manager Bradford advised the Committee that an item regarding taxicab
35 transfers would be coming forward at a future meeting. Staff will be working with the
36 Town Attorney and the taxicab companies and will prepare a proposal for the
37 Committee's review.
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VII. ADJOURNMENT

There being no further business, the Ordinances, Rules, and Standards Committee Meeting of Wednesday, July 10, 2013, was adjourned at 3:42 p.m.

APPROVED:



William J. Diamond
Chairman

ATTEST:



Susan A. Owens, MMC, Town Clerk

8/13/13

Date