

Friday, April 17, 2026, 2:00 p.m.

Please be advised that in keeping with a recent directive from the Town Council, the minutes of all Town Boards and Commissions will be “abbreviated” in style. Persons interested in listening to the meeting, after the fact, may access the audio from the item via the Town’s website at www.townofpalmbeach.com or may obtain an audio recording of the meeting by contacting the Code Enforcement Board Secretary at (561)227-7080. As a point of reference, you will find the recording times listed on these minutes at the beginning of each item.

CALL TO ORDER:

Magistrate Nicoletti called the hearing to order.

PLEDGE OF ALLEGIANCE:

APPROVAL OF THE AGENDA:

The agenda was amended with the removal of items 5 and item #6
The amended agenda was accepted.

ADMINISTRATION OF OATH TO TOWN STAFF:

Board Secretary administrated the oath of office to the staff.

PUBLIC HEARING:

Case # CE 26-643, Vessel Death Star – Tanner F. Martin (owner):

Violation of Chapter 74, Section 74-267 of the Town of Palm Beach Code of Ordinances states.

Prohibition on extended overnight anchoring. No vessel shall anchor overnight within the jurisdictional waters of the Town of Palm Beach for a period of one hour or more between one-half hour after sunset and one-half hour before sunrise for more than 30 days within any consecutive six-month period.

Officer Moriarty presented the facts of the case and entered evidence into the record. Officer Keehan also gave testimony in the case.

The owner of the vessel was not present and there was a finding of proper notice.

Magistrate Nicoletti found on the testimony of the officers as stated and the evidence presented there is a finding of violation for section 74-267(b) overnight anchoring limitation area established.

The following must be corrected by April 22, 2026, pursuant section 74-267. Remove the vessel from the jurisdictional waters of the Town of Palm Beach within five (5) days and no later than 4:00 pm on April 22, 2026. If respondent fails to comply within the requirements of this subsection the vessel will be towed and all towing and other town costs will be the assessed against the owner.

Should the Respondent come into compliance with this Order Finding Violation, and subsequently violate the same code section within a five (5) year period from this date, such recurrence shall subject the Respondent vessel being towed from jurisdictional waters of the Town of Palm Beach immediately, and owner and operator shall be subject to additional fines and administrative costs as provide by law.

Town Attorney O’Connor suggested that the provision of 2-436 of the Town Code be added to the order of compliance.

Magistrate Nicoletti added the provision of Section 2-436, Town Code, an aggrieved party may appeal the final order of the Special Magistrate by filing with the 15th Judicial Circuit Court within thirty (30) days of the execution of this Order. After the final administrative order of the Special Magistrate, and upon all appeals have been exhausted, if the vessel owner or lienholder has failed to retrieve the vessel from the impoundment facility the town or its contractor may dispose of the vessel in accordance with law.

Case # CE 26-771, Vessel Tantara – Michael Benton (owner):

Violation of Chapter 74, Section 74-267 of the Town of Palm Beach Code of Ordinances states.

Prohibition on extended overnight anchoring. No vessel shall anchor overnight within the jurisdictional waters of the Town of Palm Beach for a period of one hour or more between one-half hour after sunset and one-half hour before sunrise for more than 30 days within any consecutive six-month period.

Officer Moriarty presented the facts of the case and entered evidence into the record. Officer Keehan also gave testimony in the case.

The owner of the vessel was not present and there was a finding of proper notice.

Magistrate Nicoletti found on the testimony of the officers as stated and the evidence presented there is a finding of violation for section 74-267(b) overnight anchoring limitation area established.

The following must be corrected by April 22, 2026, pursuant section 74-267. Remove the vessel from the jurisdictional waters of the Town of Palm Beach within five (5) days and no later than 4:00 pm on April 22, 2026. If respondent fails to comply within the requirements of this subsection the vessel will be towed and all towing and other town costs will be the assessed against the owner.

Should the Respondent come into compliance with this Order Finding Violation, and subsequently violate the same code section within a five (5) year period from this date, such recurrence shall subject the Respondent vessel being towed from jurisdictional waters of the Town of Palm Beach immediately, and owner and operator shall be subject to additional fines and administrative costs as provide by law.

Section 2-436, Town Code, an aggrieved party may appeal the final order of the Special Magistrate by filing with the 15th Judicial Circuit Court within thirty (30) days of the execution of this Order. After the final administrative order of the Special Magistrate, and upon all appeals have been exhausted, if the vessel owner or lienholder has failed to retrieve the vessel from the impoundment facility the town or its contractor may dispose of the vessel in accordance with law.

Case # CE 26-641, Vessel Wind Walker – Michelle Leigh Hay (owner):

Violation of Chapter 74, Section 74-267 of the Town of Palm Beach Code of Ordinances states.

Prohibition on extended overnight anchoring. No vessel shall anchor overnight within the jurisdictional waters of the Town of Palm Beach for a period of one hour or more between one-half hour after sunset and one-half hour before sunrise for more than 30 days within any consecutive six-month period.

Officer Moriarty presented the facts of the case and entered evidence into the record. Officer Keehan also gave testimony in the case.

The owner of the vessel was not present and there was a finding of proper notice.

Magistrate Nicoletti found on the testimony of the officers as stated and the evidence presented there is a finding of violation for section 74-267(b) overnight anchoring limitation area established.

The following must be corrected by April 22, 2026, pursuant section 74-267. Remove the vessel from the jurisdictional waters of the Town of Palm Beach within five (5) days and no later than 4:00 pm on April 22, 2026. If respondent fails to comply within the requirements of this subsection the vessel will be towed and all towing and other town costs will be the assessed against the owner.

Should the Respondent come into compliance with this Order Finding Violation, and subsequently violate the same code section within a five (5) year period from this date, such recurrence shall subject the Respondent vessel being towed from jurisdictional waters of the Town of Palm Beach immediately, and owner and operator shall be subject to additional fines and administrative costs as provide by law.

Section 2-436, Town Code, an aggrieved party may appeal the final order of the Special Magistrate by filing with the 15th Judicial Circuit Court within thirty (30) days of the execution of this Order. After the final administrative order of the Special Magistrate, and upon all appeals have been exhausted, if the vessel owner or lienholder has failed to retrieve the vessel from the impoundment facility the town or its contractor may dispose of the vessel in accordance with law.

MEETING SCHEDULE:

The next meeting is scheduled for May 19, 2026.

ADUOURNMENT: