



TOWN OF PALM BEACH

Office of The Town Clerk

REPORT OF THE ORDINANCES, RULES AND STANDARDS COMMITTEE MEETING HELD ON NOVEMBER 1, 2007

1 I. CALL TO ORDER AND ROLL CALL

2

3 The Ordinances, Rules and Standards Committee Meeting was called to order on
4 Thursday, November 1, 2007, at 9:30 a.m., in the Town Council Chambers. On roll call,
5 Chair Gail Coniglio and Committee Member Richard Kleid were found to be present.

6

7 Others present for all or a portion of the meeting were:

8

9 Deputy Town Manager Thomas G. Bradford

10 Town Attorney John C. Randolph

11 Kirk Blouin - Police Department Support Services Captain

12 Paul Brazil - Public Works Director

13 Veronica Close - Director of Planning, Zoning and Building]

14 Fred Hess - Police Sargent

15 Charles Langley - Public Works Assistant Director

16 Gary Sallenbach- Police Department Support Services Captain

17 Susan A. Eichhorn - Town Clerk

18

19

20 II. APPROVAL OF AGENDA

21

22 The Agenda was approved as printed.

23

24

25 III. CONSTRUCTION RELATED ISSUES

26

27 1. Construction Completion Times

28

29 Veronica Close, Director of Planning, Zoning & Building, reviewed the current
30 construction time limits:

31

32 ▶ 13 months for projects under 4,000 sq.ft.

O.R.S. 11/1/07

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- 1 ▶ 22 months for projects under 6,000 sq.ft.
- 2 ▶ 30 months for all major construction projects 6,000 sq.ft. and over.

3
4 She noted that approximately one year ago staff had begun to track major
5 construction projects that had not completed in the time allowed or had not asked for an
6 extension of time from the Town Council. Those projects that were not in compliance
7 with the completion time had been referred to the Code Enforcement Board.

8
9 Ms. Close pointed out that staff proposed that the new time limits would apply to
10 all open projects, unless they were already over the time allowed in the present code. In
11 essence, someone at the end of construction, going over the time allowed, would not get
12 any additional time, but would go directly to the new procedures, or the Code
13 Enforcement Board. Those projects currently under construction, and within the time
14 allowed, would have the new time limits applied to them.

15
16 Ms. Close also noted two situations that staff was proposing to be included in the
17 Code, when a construction permit would be automatically be extended:

- 18
19 1. When a condominium prohibits work during a certain time of the year.
20 Example: A 13-month permit, given in a condominium that prohibits work
21 for five or six months of the year, would be extended by the number of
22 months that construction was prohibited by the condominium.
23
24 2. In the CWA District, which prohibits work during certain times of the
25 year, the permit is automatically extended to allow work to stop during the
26 season and resume after the season.

27
28 In response to Committee Member Kleid, Ms. Close pointed out that construction
29 time limits applied only to major construction or redevelopment. They were not for
30 minor construction projects.

31
32 Ms. Close stated that the new procedures had been reviewed with the contractors,
33 and they had indicated that the new time limits were certainly achievable. She reviewed
34 what would happen, under the new procedures, for projects requesting Town Council
35 approval of an extension prior to the expiration of time limits:

- 36
37 ▶ Contractor/Owner comes to the Town Council to request time extension.
38 ▶ If the time extension is granted:
39 10 days prior notice to surrounding neighborhoods.

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- 1 ▶ A condition of approval, if they do not complete the project within the
2 extended time limit would be, that they pay a fee of 10 cents per square
3 foot per day, with a minimum of \$500 per day up to 60 days, no longer.
4

5 Committee Member Kleid clarified that staff was proposing that after receiving a
6 time extension from the Town Council, and that time extension ran out, the contractor
7 would automatically get another 60 days, provided that they paid the fee of 10 cents per
8 square foot per day.
9

10 Ms. Close pointed out that if the 60 days was a problem, a policy decision could
11 be made to limit it to 30 days.
12

13 Town Attorney Randolph commented that an alternative would be to impose the
14 fee immediately, rather than imposing it after the extension date is done.
15

16 Committee Member Kleid noted that he was not in favor of an automatic 60 day
17 extension; the extended construction periods were very liberal, and that the Town
18 Council was going to be very tough on those not meeting the time lines.
19

20 Committee Member Kleid moved that the provision relating to the automatic
21 60 day extension be expunged, and that the fee of 10 cents per square foot would be
22 applied by the Town Council at their discretion, when a permit extension was
23 granted. The motion was seconded by Committee Chair Coniglio.
24

25 Jere Zenko, Tangier Avenue, commented regarding the impact of construction to
26 the quality of life of residents, the length of time given to contractors to complete
27 projects, and the constant disruptions caused by 8:00 - 6:00 p.m. work hours, six days a
28 week
29

30 Committee Member Kleid noted that the contractors would have a time frame in
31 which to build. If they had not completed at that time, they would come back to the
32 Town Council to request a time extension – it may be for two weeks or for nine months
33 – however, it would be a decision of the Town Council to make a determination as to
34 how much of an extension would be given, and what conditions would be in place.
35

36 Ms. Zenko replied that she hoped extraordinary scrutiny would be given to a
37 contractor who had deliberately slowed down on the project and not completed it in the
38 allotted time.
39

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1 Committee Member Kleid responded that it was evident in these meetings, that
2 enforcement would be very strict.

3
4 Committee Chair Coniglio pointed out that many times the extension of
5 construction was due to homeowner changes.

6
7 Mrs. Yvelyne Marix, 1570 North Ocean Blvd., commented regarding the
8 notice/advertisement of the meeting today, the rights of residents, and that contractors
9 should not be given more time to complete projects. She suggested that there should be
10 no time extensions, and immediate Code Enforcement Board action when projects were
11 not completed in the allotted time.

12
13 **On roll call, the motion carried unanimously.**

14
15 Ms. Close provided assurance that the owner will be cited as well as the
16 contractor, and both would appear before the Town Council to request time extensions.

17
18 Ms. Close then reviewed the staff recommendation for projects not requesting
19 Town Council approval prior to the expiration of time limits:

- 20
21 ► Pay a fee of \$.20 per sq. ft. per day for a minimum of \$1,000 per day, or
22 as determined by the Town Council.

23
24 Ms. Close noted that the automatic 60 day extension would be expunged,
25 as requested by the Committee.

26
27 Discussion took place. Town Attorney Randolph suggested that staff be provided
28 with some discretion in granting extensions administratively. If a person could then not
29 complete in that time, it would be referred to the Town Council.

30
31 David Rosow, 1460 North Lake Way, commented regarding the liberal time
32 frame, expressing concern that it was too liberal. He noted that he had built a home in 17
33 months, with two hurricanes during that period, and that there were very few 10,000
34 square foot houses anywhere in the country that would take almost three years to build.
35 He suggested that it would be more appropriate if Town staff came up with a proposal on
36 how to help homeowners and contractors build homes in a faster time, rather than a
37 longer time.

38
39 John Ripley, Preservation Foundation, commented that this was a quality of life
40 issue. He recommended against any discretionary time from the staff, because it was

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1 unfair to the staff. There was absolutely no guarantee that at the end of this discretionary
2 time that the project would be finished, and staff would then have been put in a position
3 where they would have allowed 30 or 60 days, and the project could still not be
4 completed and then needed to come to the Town Council. He suggested making the time
5 frames very simple so that everyone working on a project would know exactly what the
6 deadlines were, and extenuating circumstances could come before the Town Council.

7
8 Committee Member Kleid commented that there were lots of problems in town
9 with getting things done within a particular time – no matter how well meaning the
10 contractor was, many owners made changes as they were going along, which extended
11 the time frame.

12
13 Committee Member Kleid made a motion to direct contractors to come back
14 to the Town to explain why more time was needed, once the allowed time frame had
15 expired; the Town Council could then determine whether additional time would be
16 granted and could attach any conditions. The motion was seconded by Ms.
17 Coniglio.

18
19 David Rosow suggested that the old time limits be used, but with a penalty fee
20 that could go up to the new time limits. He pointed out that owners would react to
21 money at some point. Anything that could be done to shorten the period of construction
22 would be useful.

23
24 In response to Town Attorney Randolph, Ms. Close explained that if a person did
25 not complete a job, under all of the scenarios, had an unsafe structure at the end, if they
26 had no extensions or no permits to work on the structure, and there were any code
27 violations on that property, they would be coming back to the Code Enforcement Board.

28
29 Town Attorney Randolph noted that one of the problems was that people did not
30 come to staff to request an extension, but went directly to Code Enforcement Board to get
31 an extension. If the new process was used, there ought not to be a simultaneous process
32 allowing people to go to Code Enforcement to ask for an extension. It would be for a
33 limited purpose and they would go to Code Enforcement for an unsafe structure.

34
35 Responding to Town Attorney Randolph, Ms. Close advised that he was correct,
36 and if there were code violations on the property, after work ceased, they would come
37 before the Code Enforcement Board, but it would not be related to extensions of time to
38 work on the job.

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1 Ms. Close commented that it was her understanding that the procedure now
2 would be a single procedure: the contractor would come to the Town Council to get an
3 extension, but once the extension was over or one did not request an extension, the
4 permit would be cancelled; and the contractor would have to come back to the Town
5 Council for further consideration.

6
7 **On roll call, the motion to direct contractors to come back to the Town**
8 **Council to explain why more time was needed, once the allowed time frame had**
9 **expired; the Town Council could then determine whether additional time would be**
10 **granted and could attach any conditions, carried unanimously.**

11
12 Ms. Close added that the code currently allowed a period of time from three to six
13 months to come back to the Town Council to request an extension. Staff recommended
14 an expansion of the time a contractor would be allowed to come before the Town
15 Council: up to forty-five days before a permit expired to request an extension.

16
17 **Mr. Kleid made a motion to approve expanding the time a contractor was**
18 **allowed to come before the Town Council to request a time extension: up to forty-**
19 **five days before the end of their allowed time frame. The motion was seconded by**
20 **Chair Coniglio. On roll call, the motion carried unanimously.**

21
22 Ms. Close advised that staff proposed to include the Right-of-Way Manual, by
23 reference, into Chapter 18 of the Code Of Ordinances, in order that the conditions of the
24 permit include the requirements of the "3 Strike Rule," or whatever might be adopted,
25 along with the other provisions of the Right-of-Way Manual.

26
27 **Mr. Kleid made a motion to include the Right-of-Way Manual into Chapter**
28 **18 of the Town Code, in order that the permit could be affected by violations of the**
29 **Right-of-Way Manual. Chair Coniglio seconded the motion. On roll call, the**
30 **motion carried unanimously.**

31
32 Harry Ackerman, outside consultant, noted that he had not had the opportunity to
33 view the exact verbiage of any proposed changes being considered today, which made it
34 difficult to comment. Discussion ensued and Chair Coniglio and Committee Member
35 Kleid responded to questions and concerns expressed by Mr. Ackerman relative to the
36 motions made.

37
38 Robert Moore, retired Director of Planning, Zoning and Building Department,
39 commented regarding whether the "3 Strike Rule" would fit the criteria set out in the
40 Florida Building Code.

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1
2 Attorney Randolph responded that no one had raised that with him; he was
3 familiar with the fact that the State regulates the enactment of the Building Code and that
4 he believed that care should be taken in the manner in which the Town implemented this.
5 If it was in violation of State Law, the Town would have to look at another way of doing
6 this.

7
8 Mr. Moore advised that he wanted to go on record that he favored this and was no
9 longer acting in his capacity of a building official, but he believed that it was good for the
10 Town, and providing more liberal time was a benefit to everyone, including the
11 neighbors, to get the job done as fast as possible. He advised that he would not like to
12 see the whole baby thrown out with the bath water in the event that a job was stopped
13 under the revisions of a revocation of a Building Permit, when in fact there was no
14 authority to do that.

15
16 In response to Chair Coniglio, Attorney Randolph advised that further research
17 was needed to provide a legal opinion.
18
19
20

21 **2. Parking Control at Construction Job Sites**
22
23

24 Deputy Town Manager Thomas G. Bradford advised that at the August 1, 2007,
25 O.R.S. Meeting, staff shifted gears and backed away from the "3 Strike Rule". Staff
26 requested consideration be given to the "Task Force" concept, which was the application
27 of many departments involved with construction and construction parking to be cross-
28 trained, where required; and as a team, they would go into construction areas to regulate
29 construction related parking. The Committee supported staff moving forward with the
30 Task Force concept, but staff needed to review some of the legalities of the proposed
31 Task Force. Mr. Randolph had, subsequently advised, that some of the aspects of the
32 Task Force concept were not legal. Staff had proposed for penalties three and four, a
33 \$750 fine and \$1,000 fine for all incidents number 4 and beyond. Mr. Randolph advised
34 staff that per State Statute, the Town could not exceed \$500. Staff concluded that the
35 penalty aspects of the "Task Force" concept would not work, but continued to move
36 forward with that idea, and in fact, it was functioning now - the multi-departmental
37 approach to enforcement in the field, but staff would like to come back and revisit details
38 of the "3 Strike Rule" in addition to the Task Force concept.
39

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1 Mr. Bradford advised that staff was considering the concept of allowing six
2 strikes per calendar year and upon accumulation of the six strikes within one calendar
3 year, the contractor would have to go to Council, but when the conclusion of the calendar
4 year was up, their slate was wiped clean. It was believed that the six strikes within a
5 calendar year would aid in keeping the work load of the Town Council at a minium.

6
7 Mr. Bradford advised that it was believed that the "3 Strike Rule" would be
8 beneficial in gaining compliance because contractors and owners did not want a job to be
9 stopped, even if only for a short period of time, and certainly did not want to read their
10 names in the newspaper when there was a report relative to the actions of a Town
11 Council Meeting. He noted that staff believed that it would have some beneficial effect.

12
13 In response to Chair Coniglio, Mr. Bradford advised she was correct in that the
14 first violation could be one or multi violations. He clarified that when referring to right-
15 of-way violations, staff was talking about issuance of a violation that required the
16 payment of a penalty by the contractor. The way it stood today, if an employee of a
17 contractor was legally parking on a street as an individual, then they would not get a
18 ticket; but if the Police Department and Public Works could show a clear nexus or
19 connection of that vehicle and the job site, i.e., that person worked for the contractor or a
20 sub, then the contractor would get hit with the fine. The only way it was currently set up
21 was that the employee would get a ticket if they were parked illegally in some fashion.

22
23 He clarified that it was not illegal in and of itself for an employee of a
24 construction site to be parked there, but it was just that typically there would be a limit of
25 three right-of-way permits to be parked in the street, but if the fourth, fifth and sixth
26 employee do not have a permit, that would be a violation that the contractor would be
27 fined for.

28
29 Committee Member Kleid noted that he was philosophically opposed to an
30 extension of the "3 Strike Rule. It appeared to him that after three strikes, they should be
31 out. Mr. Kleid advised that he was hearing complaints from residents concerned about
32 construction parking and the Town now had a staff that could enforce this. It was a much
33 larger staff, now incorporating the Police Department. He stated that once it has been
34 violated three times, the Town should take a very tough stance.

35
36 Yvelyne D. Marix, 1570 N. Ocean Boulevard, commented that it was important to
37 keep in mind the very concise letter sent out recently by Peter Elwell on this subject. She
38 noted that the entire conversation related only to streets where one could park legally,
39 and it did not relate to streets where most of the complaints have come from which had
40 "No Parking" signs. It had nothing to do with permits. She did not believe that the

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1 message had gotten through as clearly as it should, but she was pleased that it finally had
2 come through. There should be no permits on "No Parking" streets.

3
4 Ms. Marix commented that what they were discussing now was only right-of-way
5 permits on streets where anybody was allowed to park, she presumed for as long as they
6 want unless it had a "2-Hour" sign. If it had a "2-Hour" sign anybody could park there
7 for two hours. If it was a contractor, obviously, who was working on the house next
8 door, he was sort of at a disadvantage that he could not park there longer. She questioned
9 that when it was not two hour parking, how could a contractor be stopped from parking
10 on a street that allowed anyone to park unlimitedly. She questioned whether the Town
11 was legal in applying the "3 Strike Rule". It was much simpler when construction
12 vehicles or anyone related to that site, had to park on the site and now the Town was
13 allowing some to park on the streets and some not on the streets.

14
15 Attorney Randolph advised that the difference was that it was a condition of their
16 permit in going forward, and that they must abide by the conditions of the Right-of-Way
17 Manual, and the Right-of-Way Manual was very specific in stating that all parking
18 should be onsite or a contractor could receive up to three permits. If the contractor did
19 not have the three permits, he was not allowed to park on the street.

20
21 Ms. Marix advised that she was against the three permits because of the
22 enforcement of it. She commented that what was being said was that there were three
23 construction vehicles allowed with, hopefully, a large permit sign on them and so the
24 contractor could tell his people not to put a sign on your car, no one will know you were
25 working on his project.

26
27 Attorney Randolph advised that it was subject to the discretion of Public Works
28 in looking at the job, the contractor could apply for up to three permits, if they could
29 show if they could not put everyone onsite or if they could not car pool. He advised that
30 he had drafted some amendments to the Right-of-Way Manual and had incorporated that.
31 He noted that it had not been reviewed as yet, but was something that they were
32 considering.

33
34 Ms. Marix suggested that if a contractor violated what they were allowed to do
35 and used more than three strikes, the Town should begin enforcing it at that point. If the
36 Town wished to give them a warning, they should be given one warning and then a fine.

37
38 Chair Coniglio noted that at some point the Police Department, Code
39 Enforcement and the Task Force would be ticketing for this, but the construction traffic
40 would then just be moved to someone else's street.

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1 Kirk Blouin, Police Captain, clarified that it was \$75 on the first violation per
2 vehicle; the second violation was \$150 per vehicle. He noted that there were no warnings
3 from the Police Department and they were cited immediately on a right-of-way violation,
4 which were issued to the contractor. He advised that in the short time they have been
5 assisting Public Works on this, they have issued close to 50 violations to contractors,
6 general contractors, hundreds of vehicles, and approximately \$10,000 in fines, as of
7 today. He noted that would probably increase as the entire Police Department have been
8 trained in how to enforce the right-of-way and Public Works has provided all the proper
9 paperwork/booklets and all officers have the proper forms to issue to the contractors. He
10 reiterated that there were no warnings and the contractor was cited immediately. He
11 noted that what was being proposed was that the third time they were cited, they would
12 then need to report to the Director of Planning, Zoning, and Building to discuss the issue
13 with them because it was tied to the Building Permit.

14
15 In response to Chair Coniglio, Capt. Blouin advised that he had seen success and
16 they were optimistic that during the course of the next month, word was getting out to the
17 contractors, they were seeing more compliance on their part, they were policing
18 themselves.

19
20 Chair Coniglio passed the gavel and made the motion that the "3 Strike Rule"
21 would remain as 3 strikes, but discretion would be given to the Planning, Zoning
22 and Building Department to consider whether there was a particular problem or
23 extenuating circumstance, because she believed that every contractor with 3 strikes
24 coming to the Town Council would be overwhelming. The motion was subject to
25 legal counsel.

26
27 Ms. Close commented that stopping a job was the most serious thing that could be
28 done to a contractor and an owner. Stopping a job was very, very serious and probably
29 had a lot of legal ramifications.

30
31 Committee Member Kleid advised that he understood that, and the idea was to
32 make this tough and they would have to have violated three times before this occurs and
33 that was three times that they were caught. He believed that they would have been given
34 a lot of warnings and the owners had to be cognizant of this as well as the contractors.

35
36 Attorney Randolph commented that as he understood the motion, it was that the
37 staff would have the opportunity to make a determination on the fourth violation, but on
38 the fifth one they would have no discretion and it would automatically come to the Town
39 Council.

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1 Chair Coniglio advised that was correct and they really only got three strikes, but
2 PZ&B might decide that one of those was extenuating, so the contractor would get one
3 more shot and on the fourth, it would go to the Town Council She advised that they
4 needed to look carefully at stopping work.

5
6 Robert Moore raised the issue of the use of parking meters in commercial areas of
7 Town, and whether contractors or their employees would be permitted to park at a
8 parking meter. He noted that presently a contractor was not allowed even fifteen minutes
9 at a parking meter. The question was whether the contractor's employees would be given
10 the same ability to park at a parking meter as a business employee would be.

11
12 Mr. Brazil explained that it was just the same as if they were in a residential area.
13 It was a condition of their permit that they take all their construction parking and keep it
14 on the site. If they could not do that, they could be allowed up to three on-street parking
15 permits. The cost of the permit from Public Works in a commercial zone was eight hours
16 at the Town's current meter rate. It was just the same everywhere. It was a condition of
17 the Building Permit, that the traffic associated with that construction had to be confined
18 to the site unless they could show a need, and then a limited amount of spaces would be
19 given.

20
21 Chair Coniglio noted that until Attorney Randolph gave his legal counsel, this
22 was just discussion.

23
24 **Chair Coniglio clarified that her motion was that it was a "3 Strike Rule" at**
25 **which point, the PZ&B administrator could decide one of them was extenuating, so**
26 **in actuality they would get a fourth. On the third strike, it would come to an end.**

27
28 Mr. Bradford responded that what staff anticipated was that the PZ&B Director
29 would not know that they had a "3 Strike Rule" until Public Works advised that person,
30 and Public Works would allow the ten day appeal period to pass before they notified
31 PZ&B.

32
33 Committee Member Kleid advised that during that ten day period, there would
34 not be a stop work order.

35
36 Mr. Bradford replied that he did not believe so, and if that was the way it was
37 wanted, it would not be that way.

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1 Ms. Close added that what she expected would happen was that on the eleventh
2 day, at 8:30 a.m., PZ&B would be notified by Public Works and at 8:45 a.m., the
3 contractor would be in the PZ&B office.

4
5 Chair Coniglio commented that if the contractor had received three violations in a
6 weeks time and it was found unacceptable, the contractor would be going before the
7 Town Council, which could take another twenty days.

8
9 Committee Member Kleid advised that he did not find that a problem because
10 they created the problem themselves, and obviously it was a very poor situation there, if
11 they had gotten that many violations in that amount of time and the Director of PZ&B in
12 consultation with Public Works, had determined that they really were causing a problem
13 on that street(s).

14
15 Chair Coniglio noted that it was really loud and clear to the construction
16 companies.

17
18 Committee Member Kleid seconded the motion made by Chair Coniglio that
19 the "3 Strike Rule" would remain as 3 strikes, at which point the PZ&B
20 administrator could decide if one of them was extenuating, so in actuality there was
21 the possibility that there may be a fourth strike. The motion was subject to the
22 review of legal counsel. On roll call, the motion carried unanimously.

23
24
25 **3. Identification Requirements for Commercial Vehicles**

26
27 Deputy Town Manager Thomas G. Bradford advised that at the August 1, 2007,
28 O.R.S. Meeting, the issue of identification requirements for commercial vehicles was
29 discussed. Staff wanted to tweak the ordinance related to that issue because the Police
30 Department had an internal problem with the definition of commercial vehicles. The
31 Police Department wanted a specific definition, basically stating that any vehicle, car,
32 truck, etc., including trailers, that were used for commercial business type purposes was
33 applicable and therefore, must have the proper identification placed on the sides of the
34 vehicle. Currently, the ordinance was written to the effect that the identification needed
35 to be painted on the side of the vehicle. He noted that he suggested that they also be
36 allowed to affix the identification on the side of the vehicle with the hope that it would
37 help in gaining more compliance because many people were not able to paint the vehicle,
38 because it then makes it illegal for them to park that vehicle outside at their place of
39 residence. He advised that if magnetic identification signs were used, for example, the

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1 Town would get the compliance wanted and at the end of the day when the worker left
2 the Town, the sign could be removed from the vehicle and everyone was happy.

3
4 Mr. Bradford noted that the only other question that staff had related to
5 identification of trailers being pulled by commercial vehicles.

6
7 Attorney Randolph remarked that it seemed that as long as they had the
8 identification on either the car or the trailer that they would comply.

9
10 Committee Member Kleid advised that the only thing that concerned him was
11 what happened if they took the trailer and parked it and it was standing by itself. He
12 noted that he could see some of these construction companies leaving the trailer at the
13 site for a given period of time while they were utilizing it.

14
15 Attorney Randolph advised that if a trailer was standing alone in the Town, it
16 would have to have identification. He suggested that a trailer left on a construction site,
17 however, would be allowed.

18
19 Committee Member Kleid advised that he could see a landscaper who had a two
20 or three day job leaving his trailer with his equipment in the area, not having to bring it
21 back and forth all the time.

22
23 Mr. Bradford noted that perhaps the words motor vehicles should be taken out
24 and just make it very clear that a construction vehicle would be anything that was listed
25 in the ordinance.

26
27 Committee Member Kleid advised that was what he was suggesting and noted
28 that he had no objection to the magnetic attachments.

29
30 **Committee Member Kleid made a motion relative to identification**
31 **requirements for commercial vehicles: magnetic identification would be allowed,**
32 **in addition to painting, and that the ordinance be redrafted to include a trailer but**
33 **strike the word "motor." Chair Coniglio seconded the motion. On roll call, the**
34 **motion carried unanimously.**

35
36 In response to Ms. Zenko, Attorney Randolph advised that fines for unmarked
37 vehicles would not fall under the "3 Strike Rule" but would fall under Section 1-14. He
38 advised that they would have to look at that because normally, if an ordinance was
39 violated, one was subject to being cited and have to go to County Court and could be
40 penalized up to \$500 or 60 days in jail. That was when it went to County Court, but if it

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1 was a matter that went before the Code Enforcement Board, then they had the ability to
2 fine up to \$250 per day for the first offense or \$500 for the second. He advised that it
3 might be included on the Citation Fine Schedule and it might have a set fine for first,
4 second, third and fourth violations.

5
6 Chair Coniglio commented that the Police Department would now be strictly
7 enforcing parking. She advised that she wanted everyone to think about the "what if"
8 situations – if there was no parking on a street, – that it would now include all household
9 personnel, pool and landscape personnel, and if the resident were to have a bridge
10 luncheon or cocktail party, no one would be able to park on that street. She noted that
11 everyone needed to be cognizant of the impacts, as the breadth and width of parking
12 enforcement was increased.

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16 IV. ANY OTHER MATTERS

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18 There were none.

19
20 V. ADJOURNMENT

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22 There being no further business, the Ordinances, Rules & Standards Committee
23 Meeting of November 1, 2007, was adjourned at 11:10 a.m.

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29 
30 Gail Coniglio
31 Chairman
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29 
30 Richard M. Kleid
31 Committee Member
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