

# TOWN OF PALM BEACH

Information for Town Council Meeting on:

July 12, 2023

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Wayne Bergman, Director of Planning, Zoning & Building



Re: Waiver of Town Code Section 42-199, For Construction Work Hour Extension  
at 170 N. Ocean Blvd.

Date: June 28, 2023

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## **STAFF RECOMMENDATION**

Staff recommends that the Town Council consider the request from James Gallo, President of Waterfront Services, regarding an extension of construction hours in which to complete a concrete restoration project at the Ocean Towers North Condominium, 170 N. Ocean Blvd. The request is to work Saturdays during the summer season. The construction schedule shows a possible completion date January 3, 2024 (without Saturday work).

## **GENERAL INFORMATION**

The concrete restoration building permit was issued on February 22, 2023, and is scheduled to expire in June of 2024. The attached schedule shows possible project completion of all stacks on January 3, 2024.

The Town Code restricts Saturday work, as shown below. Only the Town Council can approve an exception to the work restrictions.

*"Sec. 42-199. - Hours for construction work.*

*Limited. Beginning on the Monday preceding Thanksgiving, and during the months of December, January, February, March and April of each year, construction work not otherwise prohibited by section 42-198 or other work resulting in noise tending to disturb the people in the vicinity thereof shall not begin until the hour of 8:00 a.m., and shall cease at the hour of 5:00 p.m., except Saturday, Sunday and observed town holidays, and the days before and after Thanksgiving, when all construction and lawn maintenance work, other than as excepted in section 42-230, is prohibited. In no event shall heavy equipment or other outdoor construction-related and lawn maintenance noise be permitted before 9:00 a.m. Beginning on May 1 until the Monday preceding Thanksgiving, work may commence at 8:00 a.m. and cease at the hour of 6:00 p.m., except Saturdays, Sundays and town observed holidays, when all construction and lawn maintenance work is restricted or prohibited. In no event shall heavy equipment or other outdoor construction-related and lawn maintenance noise be permitted before 9:00 a.m. Construction work is permissible on Saturdays from May 1 through the*

*Monday preceding Thanksgiving, but subject to the following restrictions: work shall not begin until the hour of 9:00 a.m. and shall cease at the hour of 5:00 p.m.; all work must be quiet in nature and limited to indoor activity, with the exception of quiet lawn maintenance work and tree trimming); material deliveries are prohibited in all cases unless the Building Official waives such restriction due to compelling circumstances; concrete pours and concrete sawing is prohibited unless the Building Official waives such restrictions due to compelling circumstances; and the razing of buildings is prohibited, with the exception of non-mechanized debris clean-up. The permitted hours for construction work in the C-WA zoning district shall be from 8:00 a.m. until 8:00 p.m. during the months commencing May 1 and ending October 31, except Sundays and legal holidays, when all construction work is prohibited. Workers are prohibited from arriving at construction and lawn maintenance sites prior to 7:30 a.m. and are restricted from conducting any kind of site activity prior to 8:00 a.m. during the weekdays. Workers are prohibited from arriving at construction and lawn maintenance sites prior to 8:30 a.m. and are restricted from conducting any kind of site activity prior to 9:00 a.m. on Saturdays, when limited."*

Staff has no objection to the request.

Attachment: Letter from James Gallo, President, w/ Construction Schedule