

RESOLUTION NO. ____

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, FLORIDA, TEMPORARILY AMENDING THE HOURS FOR CONSTRUCTION WORK SET FORTH IN SECTION 42-199 OF THE TOWN'S CODE OF ORDINANCES FOR THE BENEFIT OF THE HEALTH, SAFETY AND WELFARE OF THE RESIDENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to the Florida Constitution and Chapter 166, Florida Statutes, the Town Council of the Town of Palm Beach (Town) has the home rule powers and authority to govern development within the Town; and

WHEREAS, Section 42-199(b) of the Town's Code of Ordinances authorizes the Town Council, in its discretion, to by resolution temporarily amend the hours for construction work set forth in that section for the benefit of the health, safety and welfare of the residents of the Town; and

WHEREAS, traffic and congestion within the Town have become highly problematic and are adversely affecting the Town's public health, safety and welfare; and

WHEREAS, there is presently a significant amount of residential and non-residential development occurring in the Town;

WHEREAS, nearly all of the contractors, and their various subcontractors, working on development projects in the Town travel to work in the Town from outside the Town;

WHEREAS, it is believed that the daily trips to the Town by construction workers is contributing to this problem; and

WHEREAS, the Town Council has determined that temporarily expanding the hours for construction work set forth in Section 42-199(b) of the Town's Code of Ordinances will relieve the traffic and congestion in the Town and thereby promote the health, safety and welfare of the Town's residents;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, FLORIDA AS FOLLOWS:

SECTION 1. The whereas clauses are incorporated herein, and represent the Town Commission's legislative findings and intent regarding the necessity of temporarily amending the hours for construction work.

SECTION 2. The hours for construction work set forth in Section 42-199(b) of the Town's Code of Ordinance are hereby temporarily amended to permit construction work not otherwise prohibited by Section 42-198 or other work resulting in noise tending to disturb the people in the vicinity thereof to begin no earlier than ____ a.m. and to cease by ____ p.m.,

except Sunday and observed town holidays, when all construction work, other than as excepted in section 42-230, is prohibited. In no event shall heavy equipment or other outdoor construction-related noise be permitted before _____ a.m. Workers are prohibited from arriving at construction sites prior to _____ a.m.

SECTION 3. This change to the construction hours in Section 42-199(b) provided herein shall remain in effect only through the end of April 2025. These changes are of a temporary nature to permit the Town to carefully but expeditiously study the impact of the change in construction hours on the traffic and congestion problem in the Town.

SECTION 4. To the extent not included herein, all other provisions of Section 42-199 remain in full force and effect, including the exceptions set forth in Section 42-199(c).

SECTION 5. This Resolution shall take effect immediately upon its execution.

PASSED AND ADOPTED in a regular adjourned session of the Town Council of the Town of Palm Beach this 11th day of February, 2025.

Danielle H. Moore, Mayor

Bobbie D. Lindsay, Town Council President

Lewis S.W. Crampton, Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Edward A. Cooney, Town Council Member

Kelly Churney, Town Clerk

Bridget Moran, Town Council Member