

ORDINANCE NO. 05-2018

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 18, BUILDINGS AND BUILDING REGULATIONS, OF THE TOWN CODE OF ORDINANCES AT SECTION 18-112 OF ARTICLE II, DIVISION 5, PROHIBITION ON DEMOLITION TO PROVIDE FOR A PROHIBITION OF DEMOLITION OF STRUCTURES DURING THE PERIOD OF THE YEAR COMMENCING ON THE MONDAY PRIOR TO THANKSGIVING OF EACH YEAR AND ENDING MARCH 31 OF THE FOLLOWING YEAR, INCLUDING GOOD FRIDAY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE

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

Section 1. Chapter 18 of the Town Code of Ordinances titled Buildings and Building Regulations is hereby amended at Section 18-112 of Article II, Division 5, Prohibition on Demolition, as follows:

"Sec. 18-112. - Prohibition on demolition.

During the period of the year commencing on the Monday prior to Thanksgiving of each year and ending March 31 of the following year, including Good Friday, demolition of structures shall be prohibited and no permits for demolition of structures shall be issued by the Town during said periods. Demolitions of the interiors of structures are not prohibited during this time provided the demolition and the removal of debris from said demolition is completed in three days or less. Exceptions may be allowed by the Town Council for the demolition of accessory structures, when demolition shall be determined by the Town Council not to create a nuisance to surrounding properties, or in circumstances determined an emergency by the Town Council. In the event of an application for waiver to this prohibition on demolition, notice shall be filed with the Town

at least 45 days prior to the Town Council meeting at which such application is to be considered and notice shall be given to all property owners as listed with the property appraiser's office within 300 feet of the property lines on which the demolition is proposed to occur."

Section 2. Severability.

If any provision of this Ordinance or the application thereof is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provisions or applications, and to this end the provisions of this Ordinance are hereby declared severable.

Section 3. Repeal of Ordinances in Conflict.

All other ordinances of the Town of Palm Beach, Florida, or parts thereof, which conflict with this or any part of this Ordinance are hereby repealed.

Section 4. Codification.

This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Palm Beach.

Section 5. Effective Date.

This Ordinance shall take effect immediately upon its passage and approval, as provided by law.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach on first reading this 20th day of March, 2018, and for second and final reading on this 10th day of April, 2018.

Gail L. Coniglio, Mayor

Danielle H. Moore, Town Council President

Margaret A. Zeidman, Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Lewis S.W. Crampton, Town Council Member

Kathleen Dominguez, Town Clerk

Bobbie Lindsay, Town Council Member

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