

# TOWN OF PALM BEACH

Information for Town Council Meeting on: June 13, 2018

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To: Mayor and Town Council

From: Paul Castro, Acting Director of Planning, Zoning & Building

Re: Stop Work Order Under 3-Strike Rule – 223 Orange Grove Road

Date: June 4, 2018

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## **STAFF RECOMMENDATION**

Staff recommends consideration of lifting the Stop Work Order for 223 Orange Grove Road with conditions identified in this memorandum.

## **GENERAL INFORMATION**

The Town's STANDARDS APPLICABLE TO PUBLIC RIGHTS-OF-WAY AND EASEMENTS WITHIN THE TOWN OF PALM BEACH outlines construction parking regulations (known as the 3-Strike Rule) in Chapter XII. These rules specify that pending an appeal to the Public Works Director, a contractor who receives three (3) construction parking violations is subject to a Stop Work Order issued by the Building Official. This Stop Work Order may only be lifted upon application to the Town Council, who makes the final determination.

Southland Contractors Group, Inc. is the contractor at 223 Orange Grove Road, and has been cited on three separate occasions for violations of the 3-strike rule: March 29, 2017 (for 6 unauthorized vehicles), July 27, 2017 (for 3 unauthorized vehicles) and May 25, 2018 (for 2 unauthorized vehicles). After the second citation July 27, 2017, the Town issued a second strike warning to Gregory Stepp, the Qualifier for Southland Contractors Group, Inc. (See Exhibit A). That warning advised Mr. Stepp that a third strike would result in a Stop Work Order. After the third citation on May 25, 2018, Mr. Stepp was notified by correspondence on May 30, 2018, (see Exhibit B) that failure to appeal the three strikes by June 4, 2018, or denial of an appeal by the Public Works Director, would result in a Stop Work Order. Mr. Stepp filed the appeal and that appeal was denied by Paul Brazil, who notified the Planning, Zoning and Building Department to issue a stop work order. The Stop Work Order cited three violations, all related to the 3-strike rule. Mr. Stepp has requested to be placed on the Town Council agenda for consideration of lifting the Stop Work Order as it relates to the 3-strike rule.

The project is one of seven major construction projects on Orange Grove Road since 2014, four of which are still ongoing. The construction on that street and the on-street construction parking and loading have been the source of much irritation to the neighbors, in particular, Cynthia Martin,

who resides at 220 Orange Grove Road. The Department recommends that the Stop Work Order pertaining to the 3-strike rule be lifted, only upon the following conditions:

- Contain all parking on site until completion of the project.
- Any future parking violation assessed a fine of \$500 per occurrence, as stated in the 3-Strike parking regulation.
- Immediate, repeat Stop Work Order to be issued if and when a subsequent parking violation occurs.
- Payment of all parking fines accrued to date.

#### Attachments

cc: Jay Boodheshwar, Deputy Town Manager  
Paul Brazil, Director of Public Works  
Anne-Marie Taylor, Acting Police Chief  
Benjamin Alma, Parking/Code Enforcement Manager  
William Bucklew, Building Official