

TOWN OF PALM BEACH

Information for Town Council Meeting on: April 9, 2019

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

Via: Josh Martin, Director of Planning, Zoning & Building

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

Re: Property Maintenance Code
Ordinance 15-2019

Date: March 28, 2019

STAFF RECOMMENDATION

Staff recommends that the Town Council consider approving Ordinance 15-2019 on First Reading.

GENERAL INFORMATION

The Town has applicable codes for new construction projects, for fire protection of old and new buildings, for the preservation of older, historic buildings, for the prohibition of 22 types of public nuisances, and for the regulation of certain property activities (such as the haphazard use of sprinkler systems, the handling of manure, and fruit or vegetable displays). However, the Town does not have a general property maintenance code to deal with existing buildings and properties that fall into disrepair. Our recent involvement with, and discussion of, specific properties raised this issue and made it clear that while there is a certain expectation that Town property owners must maintain their properties to high standards, the Town cannot enforce certain matters of blight or inappropriate conditions on private property, unless the certain matters or conditions fall within the 22 examples of public nuisances.

A solution is to adopt a general property maintenance code, applicable to all properties within the Town. A property maintenance code would regulate and govern the conditions and maintenance of all property, buildings and structures within the Town. It would provide the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use. It would further allow for the condemnation of buildings and structures unfit for human occupancy and use.

The International Code Council (ICC) has published a property maintenance code for decades. Staff reviewed the current version of the ICC property maintenance code and has modified the code for Town use. The numbering system was changed to match the Town code numbering designation and the code was modified to follow existing Town codes and Florida Statute 162. The ICC codes were changed to match the Florida Building Code and the Florida Fire Protection Code.

SPECIAL CONSIDERATIONS

The ordinance has been reviewed by the Town Attorney as to legal form and sufficiency. Ordinance No. 15-2019 (Chapter 88) is ready to be approved on First Reading.

Attachments

WRB