

ORDINANCE NO. 20-2019

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES AT CHAPTER 88, PROPERTY MAINTENANCE CODE, BY ADDING SUBSECTIONS J. THROUGH Q. TO SECTION 88-16, EXTERIOR PROPERTY AREAS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; AND 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 88, Property Maintenance Code, Article III, General Requirements, Section 88-16, Exterior Property Areas, is hereby amended by adding the following subsections:

J. Clotheslines to be inconspicuous. All clotheslines installed and located on premises within the town shall be installed in locations that shall not be conspicuous from the public streets of the town, or conspicuous from adjoining properties. Clotheslines extending from second or higher floors of buildings within the town are prohibited unless such clotheslines are properly screened from the public streets of the town and properly screened from adjacent property.

K. Filling and grading. The town council shall have the power and authority, if at any time it shall deem it necessary or expedient for the preservation of the public health, or for other good reasons connected with the public welfare or the interest of the town and the people thereof, that any lot, block, vacant lands, marsh, submerged or overflowed lands lying and being within the corporate limits of the town, or that may be lower than any street or adjoining lands, or the grade established therefor, should be filled in or ditched or drained, to direct the owner or owners of such lot, block, marsh or submerged or overflowed lands to fill in the same to such grade as may be established by the town council and in such manner as the town council may direct.

L. Other vegetation. Rank vegetational growth that exudes unpleasant or noxious odors, high or rank vegetational growth that may conceal pools of water, trash or filth, or any other deposits that may be detrimental to health; dead or dying trees, stumps, roots or obnoxious growth; dead, dying or defoliated hedges or trees; and hedges, trees or other plants infested with exotic pests such as whitefly [*Singhiella simplex* (Singh) (Hemiptera: Aleyrodidae)] – are prohibited.

M. Vibrations. All unnecessary, unauthorized, or annoying vibrations are prohibited.

N. Odor and fumes. All disagreeable or obnoxious odors and stench, as well as the conditions, substances, or other causes which give rise to the emission or generation of such odors and stench; the carcasses of animals or fowl not disposed of within a reasonable time

after death; dense smoke, noxious or lethal fumes, lethal gas, soot, or cinders, in unreasonable quantities – are prohibited.

O. Water pollution. The pollution of any public well or cistern, stream, lake, canal, or body of water by sewage, dead animals, commercial wastes, or other substances, is prohibited.

P. Land clearing. Failure of any person who has cleared land pursuant to a land clearing permit to re-sod, replant or periodically sprinkle the cleared area to prevent creation of windblown dust or dirt is a violation of this chapter.

Q. Haphazard use of sprinkler system. It shall be unlawful for any owner of land within the town to permit water sprinkler systems located on his land to be sprayed onto the public street or right-of-way upon which vehicular traffic is permitted to travel. The owner and/or occupant of the premises upon which a sprinkler system is located that is being allowed to be sprayed upon the public street shall be the person determined to be responsible for the violation of this chapter.

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, Florida.

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, Florida, on the First Reading this 15th day of May, 2019; and for the Second and Final Reading on this 12th day of June, 2019.

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