

TOWN OF PALM BEACH

Information for Town Council Meeting on: September 14, 2021

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Jay Boodheshwar, Deputy Town Manager

Re: Recommendations Regarding Modifications to Chapter 42 of the Town Code, Relative to Construction Hours

Date: September 6, 2021

STAFF RECOMMENDATION

Staff recommends the Town Council review the recommendations of the Ordinances, Standards and Rules Committee and provide direction to staff, relative to potential modifications to Chapter 42 of the Town Code to modify construction hours.

GENERAL INFORMATION

At the July 1, 2021, ORS Committee meeting, members of the committee, staff, and representatives of the construction industry had a robust discussion regarding the merits of modifying Chapter 42 of the Town Code, relative to construction hours.

At present, construction work is permitted Monday through Friday from 8:00 am to 5:00 pm (quiet work only from 8:00 am – 9:00 am) during the peak season (beginning on the Monday preceding Thanksgiving until April 30) and from 8:00 am to 6:00 pm during the summer season (May 1 until the Saturday preceding Thanksgiving). The Code also permits “quiet” construction work on Saturdays from 9:00 am to 5:00 pm on a year-round basis.

After much discussion, the committee advanced the following recommendations to the Town Council for consideration.

1. Require “quiet work” only from 8:00 am – 9:00 am on a year-round basis and not just during the peak season. This recommendation was unanimous.
2. Prohibit arrival to construction sites before 7:30 am and restrict any kind of site activity until 8:00 am on a year-round basis. This recommendation was unanimous.
3. Eliminate Saturday construction hours during the winter peak season and add an extra hour of quiet work at the end of each workday to partially offset the loss of Saturday quiet hours. An additional 9 days would also be added to the duration of the building permit to help offset the loss of Saturdays. Committee members were split on this recommendation.

These recommendations were originally scheduled for discussion at the August 10, 2021, Council meeting, but the item was deferred to the September 14, 2021, meeting.

As a related matter, at the August 10, 2021, Council meeting, ORS was asked to also review Chapter 42, Section 42-230 of the Town Code – Lawn Maintenance. At the September 2, 2021, ORS meeting, staff suggested that it should be understood that this section of the code is cross-referenced with Section 42-199, as lawn maintenance is subject to the same hours as construction, and leaf blowers use restrictions are consistent with heavy equipment use in said section. Attached to this memo is Ordinance No. 03-2018, which is inclusive of the related sections 42-199 and 42-230.

Staff would like direction from Town Council regarding the desired language for inclusion in an ordinance that would be presented for first reading in a subsequent Town Council meeting to codify changes you wish to make to Chapter 42.

Attachment

cc: Wayne Bergman, Director of Planning, Zoning and Building
Nick Caristo, Police Chief
James Murphy, Assistant Director of Planning, Zoning and Building
Ben Alma, Support Services Manager
John Randolph, Town Attorney