

TOWN OF PALM BEACH

Information for Town Council Meeting on: December 14, 2021

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Jay Boodheshwar, Deputy Town Manager

Re: Proposed Ordinance to Amend Chapter 42 of the Town Code, Relative to Lawn Maintenance and Prohibited Acts
Ordinance No. 29-2021

Date: December 3, 2021

STAFF RECOMMENDATION

Staff recommends that Town Council approve Ordinance No. 29-2021, amending Chapter 42 of the Town Code, relative to lawn maintenance and prohibited acts.

GENERAL INFORMATION

Over the course of multiple ORS Committee meetings, discussions took place regarding the existing regulations pertaining to lawn maintenance, as well as the impacts associated with proposed changes to section 42-199 via Ordinance 26-2021, which is scheduled for second and final reading at the December 14, 2021, Council meeting.

In addition to the forthcoming changes to the code, resulting from the approval of Ordinance 26-2021, the ORS Committee is also recommending changes to sections 42-197 (Specific Acts Prohibited) and 42-230 (Lawn Maintenance). The proposed changes are outlined below and incorporated in the attached ordinance.

Section 42-197

- (2) *Playing of radio, television, phonograph, similar device.* The playing of any radio, television, phonograph, compact disc player, tape player, musical instrument, or other sound-making device audible within any receiving dwelling, hotel or other type of residence between the hours of 12:00 midnight and ~~7:00~~ 9:00 a.m. or at any such time so that the sound created by such device violates the standards set forth in section 42-196.
- (7) *Yelling, shouting, similar noises.* Yelling, shouting, hooting, whistling or singing on the public streets between the hours of 12:00 midnight and ~~7:00~~ 9:00 a.m., or at any time or place in a manner violating the standards set forth in section 42-196.

(12) *Gasoline powered leaf blowers.*

(a) Definition. Leaf blowers shall mean any air blowing machine that uses a concentrated stream of air to push, propel or blow dirt, dust, leaves, grass clippings, trimmings, cuttings, refuse or debris.

(b) The use of gasoline powered leaf blowers is prohibited on any property within the town ~~which is less than one acre in size~~. This prohibition shall be effective as of May 1, 2022~~October 1, 2017~~.

Section 42-230

- (a) Lawn maintenance in the town shall be limited to the hours outlined for construction work at section 42-199 and all gas or electric powered lawn maintenance equipment, including leaf blowers, shall be subject to the same restrictions as heavy equipment as described in said section.

TOWN ATTORNEY REVIEW

Ordinance No. 29-2021 was prepared by the Town Attorney and has been approved for legal form and sufficiency.

Attachment

cc: Department Directors
John Randolph, Town Attorney