



## TOWN OF PALM BEACH GENERATOR CHECKLIST

Address \_\_\_\_\_

	PROVIDE ONE COPY WHEN APPLYING ONLINE OR TWO COPIES WHEN SUBMITTING IN PERSON OF THE FOLLOWING WITH EACH APPLICATION:
	CURRENT SURVEY OR SITE PLAN IS REQUIRED
	SIGNED AND SEALED DRAWINGS / ENGINEERING FOR PRECAST OR CAST IN PLACE SLABS REQUIRED
	COMPLETE ELECTRICAL DRAWINGS AND SPECIFICATIONS REQUIRED
	COMPLETE GAS DRAWINGS AND SPECIFICATIONS REQUIRED
<p><b>INCOMPLETE APPLICATIONS WILL BE RETURNED</b></p> <p>Please see Sec 134-1729. – Generators for further information</p> <p>Please see Sec 42-226 through Sec 42-228 - Use of meter, Geographic sections and Nonvehicular noise</p>	

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## Sec. 134-1729. - Generators

Except for generators serving a public purpose and owned and operated by the town or temporary generators used during or after a natural disaster such as a tropical storm or hurricane event, and which are therefore exempt from these regulations, portable or permanent generators temporarily or permanently placed on the ground, on a stand or on a trailer, shall not be placed in the required front, street side or street rear yard setbacks; provided, however, not more than one such generator shall be placed in any given within the same required side or rear yard setback.

Replacement of existing generator or installation of new generator on properties located within the Special Flood Hazard Areas (Zones AE & VE) shall be located at elevation required in Section R322.2 or R322.3 of the Florida Building Code. Which is one foot above the Base Flood Elevation (BFE). The BFE is the elevation shown on the Flood Insurance Map (FIRM).

(1) One portable or a combination of more than one portable or permanent generators with an output of not more than 60 KW shall be allowed provided only one generator is within the same required side or rear yard setback. Said generator(s) shall be allowed five feet from a side or rear property line provided said generator meets the following conditions:

- a. There is only one generator within that required yard area.
- b. The generator shall not, at any time or for any purpose, exceed the maximum decibels allowed at the property line as set forth in section 42-228.
- c. The highest point on the generator shall not exceed a maximum of seven feet above the neighboring property owner's grade or zero datum as defined in the appropriate definition of building height in section 134-2.
- d. The generator shall be completely screened from a street and the neighboring property owners by a concrete wall the same height as the generator (including the height of the exhaust muffler). An adjacent property owner's existing side or rear concrete wall that completely screens the generator from the neighbor adjacent to that generator can satisfy said requirement provided the walls meets the height requirement to screen the generator and the applicant enters into recorded agreement with the Town to construct said wall as provided in the Code to meet the screening requirement should the neighbor remove their wall.
- e. If the generator is visible from a street or public way, its location shall be subject to approval by the Architectural Commission or Landmarks Preservation Commission, whichever is applicable. Intervening landscape material shall not be considered when determining a generators visibility.
- f. The generator's exhaust is, as much as practically feasible, vented upwards or directed away from neighboring properties.
- g. The generator shall be used only during periods of power outages or for periodic testing and necessary maintenance operation and shall not be used to sell power back to a power company or for use by power customers during periods of peak demand.
- h. The generator shall be operated for routine testing and maintenance purposes not more than one time in any seven-day period and no test shall exceed 30 minutes. Testing of emergency generators is

permitted Monday through Thursday only (excluding holidays), between the hours of 11:00 a.m. and 12:00 p.m. or 2:00 pm. and 3:00 p.m.

i. Testing may be conducted when the unit is being repaired, provided that such testing period shall not exceed 30 minutes and shall be conducted only between the hours of 10:00 a.m. and 5:00 p.m. Monday through Saturday, excluding holidays.

j. Generators are not permitted on the roof of a building.

(2) Temporary or permanent generators with a combined output of greater than 0KW or more may be temporary placed on the ground on stand or a trailer provider, however, said generator (s) meets the following requirements:

a. The generator(s) meet the minimum setback requirements applicable to a principal structure and not more than one generator shall be one generator shall be within the same required setback or yard area.

b. The generator shall not, at any time or for any purpose, exceed the maximum decibels allowed at the property line as set forth in section 42-228.

c. If the generator's exceeds an output capacity of 100 KW, or the combined output capacity of multiple generators exceed 120 KW, said generator(s) shall be subject to site plan review as defined in sections 134-326-134-330. If any individual generator output capacity exceeds 100KW it shall be housed in an enclosed building with landscaping as approved by the Architectural Commission or Landmarks Preservation Commission, whichever is applicable.

d. If the generator exceeds 60KW and is 100KW or less, it shall be screened from view at the street and from the neighboring properties by a concrete wall the same height as the generator (including the height of the exhaust muffler). An adjacent property owner's existing side or rear concrete wall that completely screens the generator from the neighbor adjacent to that generator can satisfy said requirement provided the walls meets the height requirement to screen the generator and the applicant enters into recorded agreement with the Town to construct said wall as provided in the Code to meet the screening requirement should the neighbor remove their wall.

e. If the generator is visible from a street or public way, its location shall be subject to approval by the Architectural Commission or Landmarks Preservation Commission, as applicable. Intervening landscape material shall not be considered when determining a generator's visibility.

f. The generator's exhaust shall, as much as practically feasible, vented upwards or directed away from neighboring properties.

g. The generator shall be used only during periods of power outages, periods of power reductions resulting from the exercise of utility load control programs or for periodic testing and necessary maintenance operation and shall not be used to sell power back to a power company.

h. The generator shall be operated for routine testing and maintenance purposes not more than one time in any seven-day period and no test shall exceed 30 minutes. Testing of emergency generators is permitted Monday through Thursday only (excluding holidays), between the hours of 11:00 a.m. and 12:00 p.m. or 2:00 pm. and 3:00 p.m.

i. Testing may be conducted when the unit is being repaired, provided that such testing period shall not exceed 30 minutes and shall be conducted only between the hours of 10:00 a.m. and 5:00 p.m. Monday through Saturday, excluding holidays.

j. Generators are not permitted on the roof of a building.

## *DIVISION 2. MEASURED CRITERIA*

### **Sec. 42-226. Use of meter authorized.**

Measurement of noise may be made with a sound level meter using the A scale (dBA) and/or an octave band (frequency) analyzer meeting the standards prescribed by the American Standards Association. Measurement and recordation of any noise that has the possibility of annoying, disturbing, being injurious or endangering the comfort, repose, health, peace or safety of others shall be measured and recorded at the property line of the private property originating the noise or shall be measured and recorded at the property line of the adjacent private property if the noise is originating from any public road, street or property.

(Code 1982, § 12-47(a))

### **Sec. 42-227. Geographic sections.**

The criteria listed in section 42-226 shall be applicable to the following geographical areas of the town:

- (1) *Area 1.* From the northerly corporate limits southerly to Wells Road.
- (2) *Area 2.* From Wells Road southerly to Worth Avenue.
- (3) *Area 3.* From Worth Avenue southerly to Sloan's Curve.
- (4) *Area 4.* From Sloan's Curve southerly to the southerly corporate limits.

(Code 1982, § 12-47(b))

### **Sec. 42-228. Nonvehicular noise.**

In the use of a sound level meter, the following criteria shall be used for determining a violation of the town's ordinances relating to the maximum permissible emissions of noise levels emanating from other than motor vehicles, with the exception of lawn maintenance equipment.

Area (Geographic)	Maximum Level, dBA	
	Day	Night
1	61	55
2	64	58
3	61	55
4	66	60

"Night" as used hereinabove is defined as the hours between 7:00 p.m. and 9:00 a.m.

(Code 1982, § 12-47(c))

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### **Sec. 42-229. Vehicular noise.**

In the use of a noise level meter to measure noises emitted by motor vehicles, the criteria to be used for determining a violation of the town's ordinances relating to the maximum permissible emissions of noise levels shall be as prescribed by F.S. § 316.293.

(Code 1982, § 12-47(d))

Cross reference(s)—Traffic and vehicles, ch. 118Cross reference(s)—.

### **Sec. 42-230. Lawn maintenance.**

- (a) Lawn maintenance in the town shall be limited to the hours outlined for construction work at section 42-199 and leaf blowers shall be subject to the same restrictions as heavy equipment as described in said section.
- (b) Nothing in this section shall preclude the operation of lawn maintenance equipment by residents after 9:00 a.m. on Saturdays, Sundays or legal holidays, including the Friday immediately after Thanksgiving. Further, golf course maintenance equipment within the town is not restricted during the hours outlined herein: however, such golf course maintenance equipment shall not be used before 8:00 a.m. or after 5:30 p.m. on any day at locations within 300 feet of residential properties, except in the event of valid emergencies and once per month for purposes of chemical spraying or fertilizing, The sound level meter measurement shall be no greater than 75 dBA measured 50 feet from the point of operation of the equipment. The sound level meter measurement shall not be applicable to lawn maintenance equipment used on golf courses.
- (c) Lawn maintenance equipment includes but is not limited to lawn mowers, edgers, hedge trimmers, yard tractors, leaf blowers, lawn vacuum machines, and monofilament line grass trimmers.
- (d) Leaf blowers shall not exceed a decibel level of 65 dBA as measured at 50 feet from the point of operation. It shall be unlawful to blow, sweep or rake yard trash or clippings into the public street or storm drains.
- (e) There shall be no commencement of large scale landscape installation at any time on Saturdays.

(Code 1982, § 12-47(e), (f); Ord. No. 10-05, § 6, 7-12-05; Ord. No. 11-05, § 1, 7-12-05; Ord. No. 18-05, § 3, 1-10-06; Ord. No. 15-07, § 1, 9-11-07; Ord. No. 18-10, § 2, 7-13-10; Ord. No. 24-2011, § 1, 10-11-11; Ord. No. 03-2018 , § 2, 2-13-18)

### **Secs. 42-231—42-260. Reserved.**