

ORDINANCE NO. 3-2015

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 2 OF THE TOWN CODE OF ORDINANCES RELATING TO ADMINISTRATION AT ARTICLE V, CODE ENFORCEMENT, DIVISION 3, SECTION 2-439, CITATION FINE SCHEDULE, TO PROVIDE FOR CITATIONS FOR VIOLATIONS OF SECTION 42-161, OPERATING MACHINERY CREATING NUISANCE; CONSTRUCTION, SECTION 42-164, FUGITIVE DUST, SECTION 118-242. 104.3, CONSTRUCTION SITE MANAGEMENT AND SECTION 130-107, PREARRANGED CHARTERS OF THE TOWN CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; 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 2 of the Town Code of Ordinances relating to Administration is hereby amended at Article V, Code Enforcement, Division 3; Section 2-439, to read as follows:

“Sec. 2-439. Citation fine schedule.

Upon receiving a citation pursuant to section 2-431, an alleged violator may elect to pay the civil penalty listed below or, in lieu thereof, may proceed to the code enforcement hearing as set forth in the provisions of section 2-429. The following fines shall be applicable to first and subsequent offenses as defined below. If the matter is referred to a code enforcement hearing, the fine imposed may be higher than prescribed in the schedule below as provided in subsection 2-430(a). Nothing in this section shall bar or preclude the town from requiring a mandatory code enforcement hearing.

Class I violations:

First offense\$75.00
Second offense125.00
Third offense250.00
Fourth and subsequent offense500.00

Class II violations:

First offense\$125.00

Second offense250.00

Third offense400.00

Fourth and subsequent offense500.00

Class III violations:

First offense\$250.00

Second and subsequent offense500.00

Class IV violations:\$500.00

Code Section		Class
	CHAPTER 42 - Environment	
	<i>Article IV – Smoke, Odors, Fugitive Dust and Blowing Sand</i>	
Sec. 42-161	Operating machinery creating nuisance; construction	III
Sec. 42-164	Fugitive dust	III
	CHAPTER 18 – Buildings and Building Regulations	
	<i>Article IV – Florida Building Code 2004</i>	
Sec. 18-242. 104.3	Construction site management	III
	CHAPTER 130 – Vehicles for Hire	
	<i>Article II – Taxicabs and Limousines</i>	
	Division 4. Operational Criteria	
Sec. 130-107	Prearranged Charters	III

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.

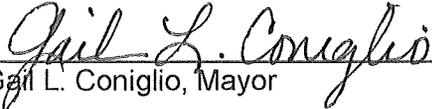
Section 4. Codification.

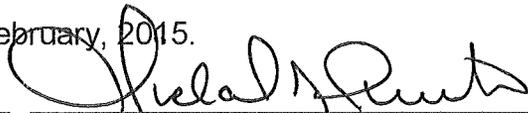
This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Palm Beach.

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 on first reading this 13th day of January 2015, and for second and final reading on this 10th day of February, 2015.


Gail L. Coniglio, Mayor

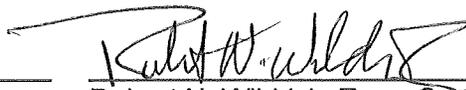

Michael J. Pucillo, Town Council President


Richard M. Kleid, Council President Pro Tem


Danielle H. Moore, Town Council Member


Penelope D. Townsend, Town Council Member


Susan A. Owens, MMC, Town Clerk


Robert N. Wildrick, Town Council Member



ATTEST: