

**TOWN OF HIGHLAND BEACH
ORDINANCE NO. 2023-001**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF HIGHLAND BEACH, FLORIDA, AMENDING ARTICLE II, "TECHNICAL CODES," OF CHAPTER 6, "BUILDINGS AND STRUCTURES," BY AMENDING SECTION 6-20, "PROPERTY MAINTENANCE CODE," TO ADOPT THE MOST RECENT EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Highland Beach, Florida (the "Town"), is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, Section 6-29 of the Town Code adopts the 2012 edition of the International Property Maintenance Code as the property maintenance code for the Town of Highland Beach; and

WHEREAS, the Town Council wishes to amend Section 6-29 to adopt the most recent edition of the International Property Maintenance Code and to complete blanks within the Code for enforcement by the Town; and

WHEREAS, the Town Commission determines that the adoption of this Ordinance serves a public purpose and is in the best interest of the public health, safety and welfare of the Town of Highland Beach.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF HIGHLAND BEACH, FLORIDA, AS FOLLOWS:

Section 1. The foregoing facts and recitations contained in the preamble to this Ordinance are hereby adopted and incorporated by reference as if fully set forth herein.

Section 2. The Town of Highland Beach hereby amends Article II, "Technical Codes," of Chapter 6, "Buildings and Structures," by amending Section 6-29 to read as follows (additional language underlined and deleted language ~~stricken through~~):

Sec. 6-29. Property maintenance code.

- (a) The International Property Maintenance Code, ~~2012~~ 2021 edition, published by the International Code Council, is hereby adopted as the property maintenance code for the town and incorporated herein by

reference. For the purpose of applying this Code to properties within the town, the following provisions shall apply:

- (1) Section 103.1 is amended to provide for enforcement by the Town's Code Compliance Department.
- (2) Section 302.4 is amended to provide that all premises and exterior property shall be maintained free from weeds or plant growth in excess of twelve (12) inches.
- (3) Section 304.14 is amended to require insect screens, where required, year-round.
- (4) Section 602.3 is amended to require heat during the period from November 1 to April 30 to maintain a minimum temperature of 68° F (20°C) in all habitable rooms.
- (5) Section 602.4 is amended to require that indoor occupiable work spaces be supplied with heat during the period from November 1 to April 30 to maintain a minimum temperature of 65°F (18°C) during the period the spaces are occupied.

Section 3. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 4. Repeal of Laws in Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. Codification. Section 2 of the Ordinance shall be made a part of the Town Code of Ordinance and may be re-numbered or re-lettered to accomplish such.

Section 6. Effective Date. This Ordinance shall become effective immediately upon adoption.

The foregoing Ordinance was moved by Commissioner Evalyn David, seconded by Vice Mayor David Stern and upon being put to the vote, the vote was as follows:

VOTES:	YES	NO
Mayor Natasha Moore	X	
Vice Mayor David Stern	X	
Commissioner Evalyn David	X	
Commissioner Donald Peters	X	
Commissioner Judith M. Goldberg	X	

PASSED on first reading at the Regular Commission meeting held on this 20th day of June, 2023.

The foregoing Ordinance was moved by _____, seconded by _____ and upon being put to the vote, the vote was as follows:

VOTES:	YES	NO
Mayor Natasha Moore		
Vice Mayor David Stern		
Commissioner Evalyn David		
Commissioner Donald Peters		
Commissioner Judith M. Goldberg		

PASSED AND ADOPTED on second and final reading at the Regular Commission meeting held on this 18th day of July, 2023.

ATTEST:

Natasha Moore, Mayor

**REVIEWED FOR LEGAL
SUFFICIENCY**

Lanelda Gaskins, MMC
Town Clerk

Glen Torcivia, Town Attorney
Town of Highland Beach