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TOWN OF JUNO BEACH

ORDINANCE NO. 783

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA, AMENDING ARTICLE V, "PROPERTY MAINTENANCE AND CONSTRUCTION SITE STANDARDS," OF CHAPTER 6, "BUILDINGS AND BUILDING REGULATIONS," OF THE TOWN CODE OF ORDINANCES BY AMENDING SECTION 6-109, "CONSTRUCTION SITE STANDARDS," TO MODIFY EXISTING STANDARDS AND ADD NEW REGULATIONS REGARDING PROPOSED ROAD CLOSURES, WIND MITIGATION, EROSION CONTROL, SCREENING OF TOILET FACILITIES, AIRBORNE DUST AND DEBRIS, AND THE USE OF GENERATORS AND TEMPORARY POWER; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, the Town Council wishes to revise the construction site standards within the Town to modify existing regulations regarding the condition of rights-of-way during construction; the parking of vehicles within the site or on adjacent rights-of-way; waste and construction material; wind mitigation and erosion control; and pool discharges; and

WHEREAS, the Town Council wishes to adopt new construction site standards regarding proposed road closures; the screening of toilet facilities; and the use of generators and temporary power; and

WHEREAS, the Town Council determines that the adoption of this Ordinance is in the interests of the public health, safety and welfare of the residents and property owners of the Town of Juno Beach.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA as follows:

Section 1. The foregoing recitals are hereby ratified as true and correct and incorporated herein.

Section 2. The Town Council hereby amends Article V, "Property Maintenance and Construction Site Standards," of Chapter 6, "Buildings and Building Regulations," of the Town Code of Ordinances by amending Section 6-109 to read as follows (additional language underlined):

- 1 (d) All road closures requests shall be reviewed and approved by
2 the public works department and the police department. All
3 requests shall be made seventy-two (72) hours prior to the
4 road closure, and all fees associated with the road closure
5 shall be paid prior to the road closure. It shall be the joint
6 responsibility of any owner of real property upon which
7 construction is occurring, or any contractor responsible for
8 said construction, to provide written notification of the
9 upcoming road closure to affected residents.
- 10
- 11 (d e) It shall be the joint responsibility of any owner of real property
12 upon which construction is occurring, or any contractor
13 responsible for said construction, to ensure that all waste,
14 trash, or other materials, such as liquid or particulate matter
15 associated with the construction activity is contained on the
16 real property upon which the construction is occurring.
17 Construction waste and trash shall be secured within an
18 enclosed containment structure. In the case of stockpiled
19 particulate materials, such materials shall be stabilized in a
20 manner satisfactory to the building official.
- 21
- 22 (e f) All areas surrounding the construction site which are affected
23 by dust, dirt and debris from the construction site shall be
24 swept clean of such dust, dirt and debris on a daily basis. The
25 planning and zoning director or designee may require an
26 erosion control plan and/or a construction screening plan.
27 Adjacent or nearby catch basins shall be equipped with
28 filtration media beneath the grate or other mechanisms to
29 prevent the deposit of eroded sand, dirt, and other materials
30 inside the basin. It shall be the joint responsibility of any owner
31 of real property upon which construction is occurring, or any
32 contractor responsible for said construction, to submit to the
33 Town every thirty (30) days an affidavit indicating that all catch
34 basins have been inspected and remain free of eroded sand,
35 dirt, and other materials.
- 36
- 37 (g) If there are high winds exceeding thirty (30) miles per hour or
38 the building official otherwise determines that the conditions
39 are unsafe, all work above the first floor shall cease until
40 conditions improve.
- 41
- 42 (£ h) Any pool under construction shall be kept clean of any debris
43 until such time as the pool is properly filtered. All sitting water
44 in pools under construction must be properly treated to
45 eliminate algae and insects. Where it is necessary to empty
46 the water from an existing pool, the water may not be

1 discharged directly into the street but shall be discharged on
2 the property at a slow rate to allow percolation of the water to
3 the greatest extent possible.
4

5 (g i) In addition to other remedies for violation of this code, the
6 building official or his designee may issue a stop work order
7 for violation of this section. Prior to the issuance of a stop work
8 order, the building official or his designee shall, where
9 practicable, attempt to provide a verbal or written notice to the
10 owner of the real property upon which construction is
11 occurring, or any contractor responsible for said construction.
12 That notice shall specifically set a time period for correction of
13 the violation. In the event the town takes emergency action to
14 secure a property in violation of this section, the property
15 owner shall be responsible for all costs associated therewith
16 and shall be billed for all charges and expenses of the town.
17

18 (j) It shall be the joint responsibility of any owner of real property
19 upon which construction is occurring, or any contractor
20 responsible for said construction, to provide and have
21 available on the premises where such construction is
22 occurring sufficient toilet facilities for all workers during the
23 entire construction period as deemed adequate by the
24 building official. If a temporary structure/building is used for
25 that purpose, its construction, location, and operation shall be
26 approved by the building official. Such temporary
27 structure/building shall not be placed in the public right-of-
28 way. Additionally, temporary toilet facilities shall be effectively
29 site screened from all roads, streets, and adjoining properties
30 by walls, hedges, buildings, fences, or other methods as
31 approved by the building official.
32

33 (k) The building official may issue a permit for the use of a
34 portable generator for a period not to exceed four (4) days
35 provided the permit applicant provides proof that neither
36 permanent nor temporary electrical power is available at the
37 work location. The portable generator shall be operated only
38 during the times for permissible construction activities as set
39 forth in section 12-127 of this code. No fee shall be required
40 for the issuance of such a permit.
41

42 (l) It shall be the joint responsibility of any owner of real property
43 upon which construction is occurring, or any contractor
44 responsible for said construction, to ensure that when the
45 cutting and finishing of concrete, tile, brick, stone material,
46 fiber cement, gunite, or other material that creates dust or

airborne debris is taking place on site, all airborne dust or debris remains on site through the use of wet saws, vacuums, and/or screening or any other effective means.

Section 3. The provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the Town of Juno Beach, Florida.

Section 4. If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by a court of competent jurisdiction to be unconstitutional, inoperative, or void, such holding shall not affect the remainder of the Ordinance.

Section 5. All ordinances or parts of ordinances of the Town of Juno Beach, Florida, which are conflict with this Ordinance, are hereby repealed to extent of such conflict.

Section 6. This Ordinance shall be effective immediately upon adoption.

FIRST READING this ____ day of _____, 2024.

SECOND, FINAL READING AND ADOPTION this ____ day of _____, 2024.

AYE NAY _____
PEGGY WHEELER, MAYOR

AYE NAY _____
DD HALPERN, VICE MAYOR

AYE NAY _____
MARIANNE HOSTA, VICE MAYOR PRO TEM

AYE NAY _____
JACOB ROSENGARTEN, COUNCILMEMBER

AYE NAY _____
DIANA DAVIS, COUNCILMEMBER

ATTEST: APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

CAITLIN COPELAND-RODRIGUEZ _____
TOWN CLERK LEONARD G. RUBIN
TOWN ATTORNEY

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