



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: July 16, 2025

Originating Department: Public Works

Agenda Title: Discussion - Proposed Amendments to Town Code - Sections 72-2 and 72-3 (Public Infrastructure Maintenance Responsibilities)

Approved by Town Manager: _____ **Date:** _____

Cost of Item: _____ **Funding Source:** _____

Account Number: _____ **Finance Signature:** _____

Advertised: _____

Date: _____ **Newspaper:** _____

Attachments: Revised Code Language Sections 72-2 and 72-3

Legal Memorandum: Sidewalk Maintenance Obligations (Jones Foster LLP, dated April 8, 2025)

Please initial one:

_____ Yes I have notified everyone

_____ Not applicable in this case

Summary Explanation/Background:

The Public Works Department is requesting the Town Commission to consider, discuss and provide input/direction on proceeding with an amendment (ordinance) to Sections 72-2 and 72-3, Town Code, which relates to the maintenance responsibilities for public sidewalks and related infrastructure.

The Department requested the Town's Attorney to review this section of the Code to identify areas within the Code that lacks clarity regarding Town property owners' duties, liability apportionment and enforcement related to public sidewalks and infrastructure. As a result, proposed amendments have been developed by the Attorney and Public Works Department that generally includes:

- Clarify the duty of adjacent property owners to inspect, report, and repair conditions caused by their property or actions

- Provide a clear framework for tree-related damages, including comparative liability for boundary trees
- Strengthen enforcement mechanisms and consistency with Florida Statutes
- Reduce ambiguity regarding the Town's discretionary repair authority and liability exposure

The proposed revisions to this section of the Town's Code were developed utilizing text from comparable-sized Florida communities regarding this important community issue well as best practices utilized within public infrastructure maintenance management.

Recommendation:

The Town Commission consider, discuss and provide input/direction on proceeding with various amendments (ordinance) to Sections 72-2 and 72-3, Town Code, which relates to the maintenance responsibilities for public sidewalks and related infrastructure.