



**TOWN OF REDINGTON BEACH
BOARD REGULAR MEETING AGENDA
WEDNESDAY, August 7, 2019
6:30 P.M.**

Town Hall

Assembly Hall

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. APPROVAL OF AGENDA

- 5. PUBLIC FORUM: Non-Agenda Items Only NOTE:** A three minute time limit applies to all comments from the public on non-agenda items only. If a person wishes to address the Board of Commissioners, please fill out a "Speakers Card" and give it to the Town Clerk prior to the start of the meeting.

6. REPORTS

Public Safety	Vice Mayor Kornijtschuk
Building/Code	Commissioner Will
Public Works/Parks	Commissioner Steiermann
Finance	Commissioner Dorgan
Mayor	
Town Clerk	
Attorney Daigneault	
Boards & Committees	

7. CONSENT AGENDA

- A. Board Regular Meeting Minutes, July 17, 2019**
- B. Bill List for Day Ending August 2, 2019**

8. OLD BUSINESS

- A. Final Reading: Ordinance 2019-06: An Ordinance of the Town of Redington Beach, Florida Amending Chapter 12 of the Town Code Concerning Nuisances to Remove Outdated, Unenforceable or Pre-empted Provisions and to incorporate current State and Federal Law Requirements; Creating new Regulations Concerning the Distribution of Written or Printed Materials; Making Related Findings; Providing for Codification, severability, and an effective Date.**
- B. Friendship Park Renovations**
- C. 2019-2020 Budget**



9. NEW BUSINESS

A. Park Board Appointment

B. Resolution 2019-06: A Resolution of the Board of Commissioners of the Town of Redington Beach, Florida, Authorizing the Transfer of Funds from JP Morgan Chase Bank to Florida Safe, PMA Financial Network and Providing for an Effective Date.

10. OTHER BUSINESS

11. ADJOURNMENT

Note: The Town of Redington Beach Board of Commissioners meet the First and Third Wednesday of each month beginning at 6:30 p.m.

The Town of Redington Beach Board of Commissioners may take action on any matter during this meeting, including items that are not set forth within this agenda.

Minutes of the Board of Commissioners meeting may be obtained from the Town Clerk's office. The meetings may be recorded. The Minutes are not transcribed verbatim. It is the policy of the Board of Commissioners to make "action minutes" of all meetings

Persons requiring a verbatim transcript of any Town meeting (for purposes of appeal or otherwise) should make arrangements to have a certified Court Reporter, at their own cost and expense, present at the meeting.

Persons who wish to appeal any decision made by the Board of Commissioners with respect to any matter considered at this meeting will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. (F.S. 286.0105) **Notice Regarding Special Accommodations: (F.S. 286.26)**



TOWN OF REDINGTON BEACH, FLORIDA
BOARD REGULAR MEETING MINUTES
Wednesday, July 17, 2019
6:30 p.m.

Having been duly advertised as required by law, the **Regular Meeting** of the Board of Commissioners of the Town of Redington Beach, Florida, was held on **Wednesday, July 17, 2019, 6:30 p.m.**, in Redington Beach Town Hall at 105 164th Avenue, Redington Beach Florida.

Mayor Simons called the **Regular Meeting** to order and led the pledge of allegiance.

Roll Call

	Present	Absent
Commissioner Dorgan	X	
Commissioner Steiermann	X	
Commissioner Will	X	
Vice Mayor Kornijtschuk	X	
Mayor Simons	X	
Town Attorney Perez	X	
Town Clerk Clarke	X	

Agenda: A motion by Vice Mayor Kornijtschuk and seconded by Commissioner Dorgan to accept the agenda as presented. Motion passed with all ayes.

Public Forum: None

Public Safety

- Nothing to Report.

Building

- Nothing to Report.

Public Works

- Nothing to Report.

Finance

- Nothing to Report.

Mayor

- Reported that a reporter from the Beach Beacon had called and asked if the three Redington's would combine and make one city. The other mayors from North Redington and Redington Shores were also contacted. The story will appear in a future edition of the paper.

Town Clerk

- Nothing to Report

Town Attorney

- Nothing to Report.

Boards and Committees

CONSENT AGENDA

- A. Board Regular Meeting Minutes, July 3, 2019**
- B. Bill list ending for Day ending July 12, 2019**

A motion by Commissioner Dorgan and seconded by Vice Mayor Kornijtschuk to approve the consent agenda as presented. No public comment. Motion passed with all ayes.

OLD BUSINESS

- A. Friendship Park Renovations:** The architect has not completed the drawings, but they should be available for next meeting.
- B. Final Reading: Ordinance 2019-06: An Ordinance of the Town of Redington Beach, Florida, Amending Chapter 14 of the Town Code Concerning Personnel; Repealing Chapter 7.5 of the Town Code Concerning Housing Discrimination; Removing Related Findings; Providing for Codification, Severability, and an effective date.** Town Attorney read the ordinance by title only. A motion by Commissioner Will and seconded by Commissioner Dorgan to adopt ordinance 2019-06 on its first reading. Commissioner Steiermann had questions on the employee conflict section. No public comment. Roll call vote was taken and motion passed with all ayes.

	Motion	Second	Aye	Nay	Absent
Commissioner Dorgan		X	X		
Commissioner Steiermann			X		
Commissioner Will	X		X		
Vice Mayor Kornijtschuk			X		
Mayor Simons			X		

- C. 2019-2020 Budget:** Commissioner Dorgan reported that the finance committee will meet one more time before the next commission meeting. The revenues should be in by then and most of the expenses should be calculated. Commissioner Steiermann noted that the Park Board is looking to improve the swing set area of the park and will need additional funds. Town Clerk noted that the ½ cent revenue estimate was received in the amount of \$98,628.00.

NEW BUSINESS

- A. Park Board Appointments:** Town Clerk reported that JoAnna Lynch and Rich Cariello's terms expire on July 19th. The vacancies were posted for thirty days and the town received four applications from Alyece Thompson, Debi Robinson, Rich Cariello, and Laura Barnett. Town Clerk received an email from JoAnna Lynch stating she did not want to be reappointed. Mr. Cariello, Alyece Thompson, and Debi Robinson each spoke on their desire to volunteer on the park board. A motion by Commissioner Will and seconded by Commissioner Dorgan to re-appoint Rich Cariello to the park board for two more years. Motion passed with all ayes. A motion by Commissioner Steiermann and seconded by Vice Mayor Kornijtschuk to appoint Debi Robinson to the park board. Motion passed with all ayes.

B. Tentative Millage Rate: Town Clerk referred to the spreadsheet with the current millage rate of 1.8149 and the rollback rate of 1.726. The current millage rate would generate \$884,206.00 in revenue and the rollback rate would be \$840,895.00, a difference of \$43,311.00. This needs to be reported to the county by August 2nd. The millage rate can always be lowered, but never raised. A motion by Commissioner Dorgan and seconded by Commissioner Steiermann to keep the millage rate the same. Motion passed with all ayes. Finance Committee Chairman, Jim Hoffman agreed in keeping the millage rate the same.

Other Business

With no further business, a motion was made by Vice Mayor Kornijtschuk and seconded by Commissioner Will to adjourn. Regular meeting was adjourned at 6:50 p.m.

Adopted: , 2019

Missy Clarke, CMC, Town Clerk

INVOICE APPROVAL LIST BY FUND REPORT

Town of Redington Beach

Date: 08/02/2019

Time: 11:30 am

Page: 1

Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Posting Date	Amount
Fund: 101 General Fund							
Dept: 512 Town Clerk							
101-512-512.230	Group Insurance						
	FLORIDA MUN INSURANCE	2019-07-31	9-1-19 to 9-30-19	0	07/31/2019	07/31/2019	699.89
							699.89
101-512-512.231	Life Insurance						
	FLORIDA MUN INSURANCE	2019-07-31	9-1-19 to 9-30-19	0	07/31/2019	07/31/2019	9.75
							9.75
101-512-512.232	Dental Insurance						
	FLORIDA MUN INSURANCE	2019-07-31	9-1-19 to 9-30-19	0	07/31/2019	07/31/2019	61.35
							61.35
101-512-512.410	Telephone						
	BRIGHT HOUSE NETWORKS	056775401070919	7-8-19 to 8-7-19	0	07/09/2019	07/09/2019	199.96
							199.96
101-512-512.411	Internet Services						
	BRIGHT HOUSE NETWORKS	056775401070919	7-8-19 to 8-7-19	0	07/09/2019	07/09/2019	119.97
							119.97
101-512-512.421	Stamps.com						
	CHASE CARD SERVICES	2019-07-31	July 2019 Stamps.com	0	07/31/2019	07/31/2019	17.99
							17.99
101-512-512.440	Utilities- Water/EI						
	DUKE ENERGY	73928-48713	2019-08-01 July 2019	0	08/01/2019	08/01/2019	788.56
							788.56
01-512-512.510	Office Supplies						
	APEX OFFICE PRODUCTS	1938261-0	Paper products	0	07/26/2019	07/26/2019	110.97
							110.97
01-512-512.542	Dues & Subscrip						
	FLORIDA ASSOC OF CITY CL	34218	2019-2020 2019-2020 Dues NIEVES	0	08/01/2019	08/01/2019	75.00
	FLORIDA ASSOC OF CITY CL	4286	2019-2020 2019-2020 Dues CLARKE	0	08/01/2019	08/01/2019	75.00
	FLORIDA GOVERNMENT FIN	2019-07-31	FY 2019-2020 CLARKE DUES	0	07/31/2019	07/31/2019	50.00
	SAM'S CLUB	3410-924060437	2019-2020 Membership 2019-2020	0	08/01/2019	08/01/2019	45.00
							245.00
							Total Dept. Town Clerk: 2,253.44
Dept: 513 Finance & Admin							
01-513-513.230	Group Insurance						
	FLORIDA MUN INSURANCE	2019-07-31	9-1-19 to 9-30-19	0	07/31/2019	07/31/2019	695.82
							695.82
01-513-513.231	Life Insurance						
	FLORIDA MUN INSURANCE	2019-07-31	9-1-19 to 9-30-19	0	07/31/2019	07/31/2019	9.75
							9.75
01-513-513.232	Dental Insurance						
	FLORIDA MUN INSURANCE	2019-07-31	9-1-19 to 9-30-19	0	07/31/2019	07/31/2019	30.61
							30.61
							Total Dept. Finance & Admin: 736.18
Dept: 519 Other Gen. Govt Servic							
01-519-519.310	Gen. Govt Servic						
	GLOBAL CARTOGRAPHICS,	2019-07-31	ISR analysis	0	07/15/2019	07/15/2019	1,250.00
							1,250.00
							Total Dept. Other Gen. Govt Services: 1,250.00

Date: 08/02/2019

Time: 11:30 am

Page: 2

Town of Redington Beach

Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Posting Date	Amount
Dept: 521 Law Enforcement							
101-521-521.340	Law Enforcement						
	PINELLAS COUNTY SHERIFF	741036	August 2019 Law Enf.	0	08/01/2019	08/01/2019	21,237.00
							21,237.00
Total Dept. Law Enforcement:							21,237.00
Dept: 524 Protective Services							
101-524-524.310	Code Enforcement						
	PINELLAS COUNTY SHERIFF	748428	July 2019 Code Enf.	0	08/02/2019	08/02/2019	1,850.33
							1,850.33
Total Dept. Protective Services:							1,850.33
Dept: 539 Department of Public Works							
101-539-539.230	Group Insurance						
	FLORIDA MUN INSURANCE	2019-07-31	9-1-19 to 9-30-19	0	07/31/2019	07/31/2019	1,391.64
							1,391.64
101-539-539.231	Life Insurance - C						
	FLORIDA MUN INSURANCE	2019-07-31	9-1-19 to 9-30-19	0	07/31/2019	07/31/2019	19.50
							19.50
101-539-539.232	Dental Insurance						
	FLORIDA MUN INSURANCE	2019-07-31	9-1-19 to 9-30-19	0	07/31/2019	07/31/2019	130.91
							130.91
101-539-539.440	P/W Utilities						
	DUKE ENERGY	31525-72269	2019-07-15 July 2019	0	07/15/2019	07/15/2019	161.08
							161.08
Total Dept. Department of Public Works:							1,703.13
Dept: 541 Roads & Streets							
101-541-541.467	Maint - Street Lig						
	DUKE ENERGY	73928-48713	2019-08-01 July 2019	0	08/01/2019	08/01/2019	2,295.96
							2,295.96
Total Dept. Roads & Streets:							2,295.96
Dept: 572 Parks and Recreation							
101-572-572.430	Utilities						
	DUKE ENERGY	54246-18249	2019-07-15 July 2019	0	07/15/2019	07/15/2019	29.27
	DUKE ENERGY	60814-47178	2019-07-29 July 2019	0	07/29/2019	07/29/2019	14.25
	DUKE ENERGY	73928-48713	2019-08-01 July 2019	0	08/01/2019	08/01/2019	57.73
							101.25
101-572-572.463	Maintenance - Tr						
	PRIMESCAPE SERVICES	38134	Annual tree trimming	0	07/23/2019	07/23/2019	4,656.00
	PRIMESCAPE SERVICES	38135	Park sea grapes trimming	0	07/23/2019	07/23/2019	1,200.00
							5,856.00
101-572-572.521	Twin Towers Ope						
	FLORIDA MONUMENT	190702	MCILROY	0	07/09/2019	07/09/2019	26.00
							26.00
101-572-572.522	Gasoline & Oil						
	CHASE CARD SERVICES	1027420	Diesel fuel	0	07/18/2019	07/18/2019	37.07
	WEX BANK	449140	Unleaded	0	07/11/2019	07/11/2019	69.97
	WEX BANK	461442	Unleaded	0	07/19/2019	07/19/2019	72.34
	WEX BANK	465146	Unleaded	0	07/22/2019	07/22/2019	53.61
	WEX BANK	471524	Unleaded	0	07/26/2019	07/26/2019	28.80
							261.79

Date: 08/02/2019

Time: 11:30 am

Page: 3

Town of Redington Beach

Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Posting Date	Amount
Total Dept. Parks and Recreation:							6,245.04
Total Fund General Fund:							37,571.08
Fund: 300 Capital Accounts							
Dept: 539 Department of Public Works							
300-539-539.630	Infrastructure						
	CPWG	19063011	Undergrounding	0	07/19/2019	07/19/2019	2,080.00
	MORELLI LANDSCAPING INC	19046	Watering 3-1-19 to 5-31-19	0	07/12/2019	07/12/2019	6,675.00
							8,755.00
Total Dept. Department of Public Works:							8,755.00
Total Fund Capital Accounts:							8,755.00
Grand Total:							46,326.08

7/18/2019

8759 Payroll	277.05
8760 Payroll	277.05
8761 Payroll	381.75
8762 Payroll	277.05
8763 Payroll	277.05
8764 Payroll	1,759.15
8765 Payroll	1,309.67
8766 Payroll	1,197.24
8767 Payroll	1,251.86
8789 PAYROLL	1,773.14
8790 PAYROLL	1,309.67
8791 PAYROLL	1,197.24
8792 PAYROLL	1,279.87
Eft Payroll Liabilities	4,500.06
EFT Retirement	3,673.56

7/29/2019

20,741.41

MAYOR SIMONS

COMMISSIONER WILL

VICE MAYOR KORNIJTSCHUK

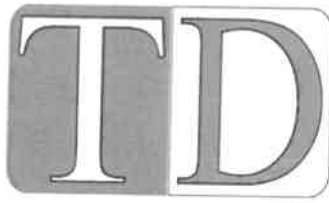
COMMISSIONER DORGAN

ATTEST:

COMMISSIONER STEIERMANN

Regular Meeting of August 7, 2019

Missy Clarke, CMC, Town Clerk



T R A S K
DAIGNEAULT
—LLP—
A T T O R N E Y S

THOMAS J. TRASK, B.C.S.*
JAY DAIGNEAULT
RANDY MORA, B.C.S.*
ERICA F. AUGELLO
DAVID E. PLATTE
PATRICK E. PEREZ

** Board Certified by the Florida Bar in
City, County and Local Government Law*

MEMORANDUM

DATE: August 1, 2019

TO: Mayor James "Nick" Simons
Vice Mayor Tim Kornijtschuk
Commissioner Fred Steiermann
Commissioner Tom Dorgan
Commissioner David Will

FROM: Jay Daigneault, Esq., Town Attorney

RE: Redington Beach Code Revision Project (Chapter 12), Additional Revisions

Dear Mayor, Vice Mayor, and Commissioners:

On July 3, 2019, the after the first reading of Ordinance 2019-06, the Commission requested the following changes be made:

- Sec. 12-81(2)(a):
 - The hours of operation for the operation of lawn care, soil cultivation, domestic power tools, lawn mowers, maintenance of trees, hedges, gardens, saws and tractors, street sweepers, mosquito fogging, tree trimming and limb chipping and other normal community operations changed from 7:00am – 10:00pm to 7:00am - 8:00pm.
- Sec. 12-81(3):
 - The usual sounds or noises of construction and operation of construction equipment were changed from between the hours of 7:00am - 8:00pm to 7:00am – 6:00pm.
- Sec. 12-82 (b)(1):

- Sixty (60) dBA or sixty-five (65) dBC during the hours between 7:00 am - 11:00 pm were changed to between 7:00am – 10:00pm, Sunday through Thursday. Friday, Saturday and the day prior to a federally recognized holiday, the hours were changed from 7:00 am - 12:00 midnight to 7:00am - 11:00pm.
- Sec. 12-82 (b)(2):
 - Seventy-two (72) dBA or seventy-seven (77) dBC if the receiving land is a residential use adjacent to a commercial use during the hours between 7:00 am - 11:00 pm., was changed to between 7:00am and 10:00pm, Sunday through Thursday. Friday, Saturday and the day prior to a federally recognized holiday, the hours were changed from 7:00 am - 11:00 pm to 7:00 am – 10:00 pm.
- Sec. 12-82 (b)(3):
 - Fifty-five (55) dBA or sixty (60) dBC were changed from the hours between 11:00 pm and 7:00 am to 10:00pm – 7:00am, Sunday through Thursday. Friday, Saturday and the day prior to a federally recognized holiday, the hours were changed from 11:00 pm - 7:00 am to between 10:00pm – 7:00am.

These changes have been incorporated into the newly revised draft ordinance. In going through the revision, another edit is suggested as it pertains to the permitting of the removal of trees on residential property.

As you may know, effective July 1, 2019, the Governor signed into law § 163.045 prohibiting local governments from requiring any “notice, application, approval, permit, fee, or mitigation for the pruning, trimming, or removal of a tree on residential property if the property owner obtains documentation from an arborist certified by the International Society of Arboriculture or a Florida licensed landscape architect that the tree presents a danger to persons or property.” § 163.145, Fla. Stat. As a result, the revision to the Section 12-58. – Tree removal is required to be further amended. Section 12-58(a) has be revised to incorporate this language as an exception to permitting. Section 12-58(b)(2) also addresses diseased, injured, or trees in declining condition and requires a report by a certified arborist in order to obtain a permit. This section would of course apply to any trees that are not otherwise “park trees” or trees on residential property.

As always, please do not hesitate to contact me should you have concerns regarding this matter.

/s/ Jay Daigneault, Esq.
Town Attorney

ORDINANCE NO. 2019 -06

AN ORDINANCE OF THE TOWN OF REDINGTON BEACH, FLORIDA, AMENDING CHAPTER 12 OF THE TOWN CODE CONCERNING NUISANCES TO REMOVE OUTDATED, UNENFORCEABLE OR PREEMPTED PROVISIONS AND TO INCORPORATE CURRENT STATE AND FEDERAL LAW REQUIREMENTS; CREATING NEW REGULATIONS CONCERNING THE DISTRIBUTION OF WRITTEN OR PRINTED MATERIALS; MAKING RELATED FINDINGS; PROVIDING FOR CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the Town of Redington Beach (the Town) has codified its ordinances over time into a Town Code (the Code) which sets forth the cumulative law of the Town; and

WHEREAS, the Town Board of Commissioners (the Commission) regularly adopts ordinances amending the Code; and

WHEREAS, however, many portions of the Code date back to 1980, with other portions of the Code not having been updated for ten or more years; and

WHEREAS, part of the Commission's duties include the necessity to ensure that the Town's ordinances, as codified in the Code, are up to date, reflect current Florida and federal statutory and case law, that they reflect current actual Town operations, and that they do not contain outdated, redundant or erroneous provisions; and

WHEREAS, in light of the foregoing, the Commission has charged the Town Attorney with the task of conducting a complete review of the Town's Code (excluding the Land Development Code) and to bring forward any recommended revisions to the Code which would alleviate any of the aforementioned potential concerns with the Code's current text; and

WHEREAS, the Town has over time received regular and numerous complaints from residents and owners of residential units associated with the unsolicited distribution of written/printed materials at such locations; and

WHEREAS, in light of the growing frequency of these complaints the Commission has asked the Town Attorney to prioritize revision of Chapter 12 of the Town Code, addressing nuisances, which could address these complaints; and

WHEREAS, Florida Statutes § 823.01 provides that all nuisances that tend to annoy the community, injure the health of the citizens in general, or corrupt the public morals are misdemeanors of the second degree; and

WHEREAS, the Florida Supreme Court, in *Thompson v. State*, 392 So.2d 1317 (Fla. 1981), confirmed that a public nuisance violates public rights, subverts public order, decency or morals, or causes inconvenience or damage to the public generally, and that legislative bodies have broad discretion to designate a particular activity to be a public nuisance, and that government, in

the exercise of its police power, has authority to prevent or abate nuisances in order to protect the lives, health, morals, comfort and general welfare of its citizens; and

WHEREAS, the Florida Supreme Court, in *Orlando Sports Stadium v. State*, 262 So.2d 881 (Fla. 1972), recognized the difficulty of writing specificity into nuisance statutes since it is not possible to define comprehensively “nuisances” as each case must turn upon its facts and be judicially determined; and

WHEREAS, with respect to the regulation of distribution of written/printed materials, the Commission acknowledges that such regulation must comply with First Amendment standards established by the courts, including the necessity that such regulation be content-neutral, serve a significant government interest, be narrowly tailored to serve that government interest, and leave open ample alternative channels of communication; and

WHEREAS, in *Bowen v. Winterle*, 159 Fla. 330, So.2d 536 (1947), the Florida Supreme Court has held that the right of a municipality to remove shade trees in public streets when necessary for the improvement of said streets, and without liability to an abutting owner, is not open to question, and that municipalities are vested with a broad discretion in matters relating to the public streets and the removal of trees therefrom, then necessary or desirable for the improvement of the street, or to abate a nuisance; and

WHEREAS, the case of *Florida Dept. of Agriculture and Consumer Services v. Lopez-Brignoni*, 114 So.3d 1138 (Fla. 3rd DCA 2012) confirms that governmental removal of a healthy, non-commercial tree from residential property will require full compensation; and

WHEREAS, the case of *DA Mortg., Inc. v. City of Miami Beach*, 486 F.3d 1254 (11th Cir. 2007), ruled that sound ordinances addressing “unnecessary and excessive” noises and prohibiting persons from creating noises in such a manner “as to disturb the peace, quiet and comfort of the neighboring inhabitants” are not unconstitutionally vague or overbroad; and

WHEREAS, the Florida Supreme Court, in *State v. Catalano*, 104 So.3d 1069 (Fla. 2012), ruled that the “plainly audible” standard when regulating car stereo noise is not unconstitutionally vague; and

WHEREAS, the *Catalano* court also ruled that a ban on amplified sound that can be heard beyond twenty-five feet of a motor vehicle, unless that sound comes from a business or political vehicle, was an unconstitutional regulation of the content of speech; and

WHEREAS, the Town Attorney has recommended that the Commission make the revisions to Chapter 12 of the Town Code as are set forth in this Ordinance both to accomplish the overall goals of the Code revision project and to address the issue of unsolicited residential distribution of printed/written materials; and

WHEREAS, the Commission has considered the Town Attorney’s recommendations and finds them to be consistent with the goals of the Commission; and

WHEREAS, the Commission therefore finds that it is in the best interests of the Town, and its citizens, property owners and businesses to adopt this Ordinance.

NOW, THEREFORE BE IT ORDAINED by the Board of Commissioners of the Town of Redington Beach, Florida, that:

Section 1. Article I of Chapter 12 of the Redington Beach Town Code is hereby amended to read as follows:

Chapter 12 – NUISANCES

ARTICLE I. - IN GENERAL

Sec. 12-1. -- Public nuisance dDefinition.

For purposes of this chapter, the wordphrase "public nuisance" shall mean engaging in conduct, failing to act, is defined as the doing of an unlawful act, or the omitting to perform a duty, or the creating, suffering or permitting of any condition or thing to be or exist, which conduct, act, failure to act, omission, or creation, suffering or permitting of the condition or thing either:

- (1) Injures or endangers the health or safety of the publicothers;
- (2) ~~Unlawfully i~~Interferes with, obstructs or tends to obstruct or renders dangerous for passage any public or private street, highway, sidewalk, stream, ditch or drainage facility;
- (3) Cause inconvenience or damage to the public generally, including Unreasonably interference with the public's comfortable enjoyment of life and property, or tends to depreciateion of the value of the public's the property of others; or
- (4) Violates public rights, subverts public order, decency or moralsIs declared by ordinance to be a nuisance.

Sec. 12-2. -- Public nuisances declaredEnumeration.

~~The following conduct or conditions are declared to be public nuisances:It shall be unlawful for any person to do, perform, have, allow, suffer or permit any of the acts, occurrences or conditions enumerated in this section within the limits of the town. All of such acts, occurrences and conditions are deemed to be nuisances, and may be abated pursuant to article II of this chapter. The enumeration is merely indicative of the nature and type of acts, occurrences or conditions sought to be prohibited under this section, and shall not be deemed to be exclusive.~~

- (1) ~~To allow, suffer or permit palmetto scrub, w~~Weeds, vines, bushes, grass, thistles or other plant material rank or noxious vegetable growth to grow or otherwise accumulate upon any occupied or vacant residential or commercial landpremises within the town, including adjacent or upon any rights-of-way in a manner, which create foul odors, substantially obscures the view from the road of the primary structure on the land, includes nuisance exotic plants prohibited by law, create a fire hazard, impedes use of sidewalks, prevents

access to water, gas or electric meters, harbor or allow for the propagation of rodents or mosquitos, creates a substantial visual obstruction for persons operating vehicles or bicycles on roads or bicycle lanes or, which allows grass or other ground cover to grow higher than six inches tall adjacent to such property, regardless of whether such premises are occupied or unoccupied.

- (2) ~~B~~To allow, suffer or permit any buildings or structures which are left in a by act of God, fire, decay or other cause may become structurally dangerous, unsafe, dilapidated or unsanitary to remain in such dangerous, unsafe, dilapidated or unsanitary condition and for which reconstruction, renovation, restoration or demolition has not been performed without forthwith doing and performing all things necessary to cause such building or structure to be reconstructed, restored, torn down or removed, in conformity with applicable laws or and regulations of the town which may be applicable in respect thereto.
- (3) Standing or ~~To allow, suffer or permit any stagnant water, including sewage and stormwater, which has to accumulated or stand upon the surface of the ground or upon or within any receptacle or structure existing deposited or erected either above or below the ground, which creates noxious odors visually obscures pedestrian or vehicular traffic, or allows without exercising necessary precautions to prevent the propagation of mosquitoes therein.~~
- (4) Privately-owned ~~To neglect or fail to keep in a state of good repair any sidewalks, footways, or footother pavedment areas commonly used or expected to be used by members of the public including invitees, emergency responders, mail and parcel delivery personnel, utility workers, or other persons with a lawful right to traverse same, where same are not in a state of good repair such that a safety hazard exists, situated upon any public lands lying immediately adjacent to the abutting private property by the party owning, occupying or having the custody of such abutting premises.~~
- (5) ~~To allow or permit or fail to remove anything which might be considered unsanitary, by keeping, maintaining, allowing to exist or permitting anything whereby the life or health of any person may be threatened or impaired or by which or through which, directly or indirectly, disease may be caused or the environment of any person rendered unclean or unwholesome.~~
- (6) Motor v~~To allow the owner or occupant or family member of any residential or commercial area of theehicles (including motorcycles) town to parked, kept or stored or keep upon his premises, in the open or in the street, right-of-way, or on private land or area adjacent thereto, any vehiele which is not in mechanical operating condition for immediate locomotion under its own power, or any derelict or junk vehicle, or to create or permit the use of any part of his premises to be used for the storage or parking or the presence thereon of any motor vehicle which are not currently licensed and registered as required by state law.~~
- (6) or not mechanically capable of immediate operation under its own automotive power, or to permit the storage upon the property of rubbish, old cars or old unlicensed b~~Boats, or parts of boats or old trailers, or parts thereof or parts of trailers, parked, kept or stored in the street, right-of-way, or on private land which are not in seaworthy or otherwise in safe~~

operating order, or which are not currently licensed and registered as required by state law or any other materials thereof.

- (7) Building materials, construction debris, carpets, furniture, household appliances, lawn furniture, garbage or rubbish which has accumulated on any private land, including any adjoining right-of-way or street, other than those materials lawfully placed at designated locations to be retrieved and removed by waste or recycle services for proper disposal. To permit or to have on one's property or the adjoining public right-of-way or easement any trees, bushes and shrubbery which will impair the view of oncoming traffic at a street intersection and which constitute a hazard to traffic.
- (8) To allow, suffer or permit any accumulation of branches, cuttings, leaves, palm fronds, and grass or weeds with an overall height in excess of 12 inches, litter or combustible or flammable waste, rubbish or debris of any kind in any courtyard, vacant lot or open space. If such materials are not removed by the town's regular authorized trash pickup service, removal shall be the responsibility of the property owner.
- (9) To allow, suffer or permit any wornout, scrapped, partially dismantled, nonoperative, unusable or discarded materials or objects such as automobiles or parts thereof, building materials, carpets, furniture, household appliances, lawn furniture, lumber, machinery, metal, wastepaper or vehicles, boats or parts thereof in any court, yard, vacant lot or open space. If such materials are not removed by the town's regular authorized trash pickup service, removal shall be the responsibility of the property owner.

Sec. 12-3. - Littering.

It shall be an unlawful public nuisance for any person to deposit any trash, rubbish or unsightly matter whatsoever on any of the streets, sidewalks or public easements of the town or on the public squares and parks or other public property of the town, or in the Gulf of Mexico or waters of Boca Ciega Bay within the town limits, or upon the residential or commercial premises or property of any other person or entity.

Sec. 12-4. - Burning or burving of garbage.

It shall be an unlawful public nuisance for any person to cause or permit garbage (including landscape or construction debris) to be burned upon any residential or commercial property premises within the town, or to bury such garbage on any residential or commercial property within the town except on such property as the town may, from time to time, designate for such purposes in compliance with rules established by the town and state and federal environmental regulations.

Sec. 12-5. — Burying garbage.

It shall be unlawful for any person to bury garbage or other material which has become or is reasonably likely to become a nuisance or menace or threat to health within the town, except in

~~such areas or confines of the town as may, from time to time, be set aside and designated for the burial or disposal of garbage, and in compliance with rules prescribed by the board of commissioners.~~

Sec. 12-65. - Transport of garbage over streets.

Unless a person or entity shall have been specifically authorized and licensed by resolution of the board of commissioners to do so, it shall be an unlawful public nuisance for any person or entity to transport garbage over the public streets or alleys of the town, except where such transportation is for the purpose of delivering having the garbage to a location designated by ~~apicked up by~~ persons or entity authorized and licensed by the town as a pick up site, or except when the person or entity is passing through the town and is transporting garbage under the authorization of another governmental entity, or except when a person or entity is hauling personally owned/generated waste to an authorized landfill and dispose of the garbage. This section shall be liberally construed to protect the public health, safety and general welfare.

Section 2. Article II of Chapter 12 of the Redington Beach Town Code is hereby amended to read as follows:

ARTICLE II. - ABATEMENT OF PUBLIC NUISANCESPROCEDURE

Sec. 12-31. - ProcedureAbatement.

~~In addition Any of the acts, occurrences or conditions prohibited in this chapter that have happened or exist shall be abated to being~~ addressed through the code enforcement procedures set forth in article III of pursuant to chapter 2, article II [III] of this Ccode. the town's law enforcement agency is authorized to seek prosecution as a second degree misdemeanor of any public nuisance as authorized by Florida Statutes § 823.01. The board of commissioners may also authorize the town attorney to file a civil action for an order enjoining and requiring abatement of a public nuisance.

Section 3. Article III of Chapter 12 of the Redington Beach Town Code is hereby amended to read as follows:

ARTICLE III. - TREES, AND VEGETATION

Sec. 12-57. - Definitions.

Canopy. Leafy portion of trees.

Park trees. Trees, shrubs, bushes and all other woody vegetation in public parks and all areas owned by the town or to which the public has free access as a park.

Street trees. Trees, shrubs, bushes and all other woody vegetation on land lying between property lines on either side of all streets, avenues or ways within the town.

Trees. Any self-supporting, woody plant including royal palms and cabbage palms of a species which normally grow at maturity to an overall height of a minimum of 12 feet.

Vegetation. Plant growth other than trees including but not limited to sod, ground cover, vines, hedges and shrubs.

Sec. 12-58. — Tree removalPermitting.

(a) In furtherance of the protection of public safety and the avoidance of property damage, and so as to ensure the landscaping requirements in this code are complied with, no person or entity shall remove A removal permit for the removal of any trees measuring more than 12 feet above existing grade without first obtaining a tree removal permit from the town. The fee for such permit will be established by the board of commissioners from time to time. This section shall not apply to trees town removes from town parks or trees located on residential property if the property owner obtains documentation from an International Society of Arboriculture certified arborist or licensed architect that the tree presents a danger to persons or property.

~~will be required, except for removing Australian Pine, Brazilian Pepper and Punk Trees as these are prohibited from being planted (see section 12-60) or park trees within the town, without first applying for and procuring an business tax receipt. The receipt fee shall be \$30.00 annually in advance, provided, however, that no receipt shall be required of a public service company or its agents and homeowners. Before any receipt shall be issued, each applicant shall first file evidence of liability insurance in the minimum amount of \$50,000.00 for bodily injury and \$100,000.00 for property damage indemnifying the town. Applications for permits and receipts for removal of trees may be acquired in the town hall. The business tax payer is responsible for the removal and cleaning up of all trunks, limbs and debris there from.~~

(b) After an application is filed to remove a tree and all applicable requirements are complied with, a permit shall be issued if one or more of the following criteria is met:

1. The tree presents a safety hazard to public or private property due to proximity to an existing structure. The applicant may provide a written report bearing the signature of a licensed engineer to support the application; or
2. The tree is diseased, injured, or in declining condition with no reasonable assurance of regaining vigor, and the applicant provides a written report bearing the signature of a certified arborist; or
3. The tree is located in an area where a structure or improvement will be placed, or which serves as an access point to a site, according to an approved plan and the applicant provides a written report bearing the signature of a licensed architect.

licensed landscape architect, or licensed engineer providing a determination that

the proposed structure, improvement, or access point cannot be reasonably redesigned to preserve the Grand tree; or

4. The tree is within a site which has the minimum number of trees required by the town code and removal of the tree will allow the site to be used in a manner which is consistent and compatible with properties of the same use and similar size in the abutting blocks of the same zoning district; or
 5. The removal of the tree is reasonably necessary to allow solar access for the efficient operation of solar-dependent technologies including solar collection and solar hot water systems. The applicant shall provide supporting documentation from a solar collection and solar hot water system installer, or other credible source, such as a government agency with expertise in solar dependent technologies or licensed architect, licensed landscape architect or licensed engineer, confirming there is no reasonable alternative location for the equipment or reasonable option to trim the trees.
- (c) Decisions of the building code administrator to grant or deny a tree removal permit shall be appealable to the board of commissioners, which shall render a final decision on any such appeal.

Sec. 12-59. — Prohibited tree planting.

- (a) **No trees may be planted within six feet of a municipal sewer line.**
- (b) It is unlawful to plant or cause to be planted, or to sell or offer for sale, within the town limits the following prohibited exotic and nuisance plant species. Any development or redevelopment which is required to obtain a landscaping permit or file a landscape plan shall remove all prohibited trees on the property and abutting right-of-way and shall include a plan to prevent re-growth prior to approval of a certificate of occupancy. Planting of hedges shall be governed by chapter 6, article X of this Code.

PROHIBITED TREES

<u>Common</u>	<u>Scientific</u>
<u>Acacia, earleaf</u>	<u>Acacia auriculiformis</u>
<u>Australian pines, all</u>	<u>Casuarina spp.</u>
<u>Brazilian pepper</u>	<u>Schnius terebinthifolius</u>
<u>Carrotwood</u>	<u>Cupaniopsis anacardioides</u>

<u>Chinaberry</u>	<u>Melia azederach</u>
<u>Chinese tallow</u>	<u>Triadica sebifera</u>
<u>Lead tree</u>	<u>Leucaena leucocephala</u>
<u>Punk</u>	<u>Melaleuca quinquenervia</u>
<u>Strangler fig</u>	<u>Ficus aurea</u>

- (c) Any new growth at the location of an already removed prohibited tree must be eradicated by the property owner at the owner's expense within thirty (30) days of the growth becoming known

Sec. 12-60. — Landscape wasteCutting or clearing—Authority.

Tree trunks and limbs, trunks, and tree roots and root balls produced as a result of tree maintenance or removal on private property will not be removed by the town's refuge collection company.; Therefore, tree and vegetation removal of such material shall be is the responsibility and obligation of the property owner. An owner cannot satisfy this obligation by placing such materials into an adjoining right-of-way but must instead arrange for the transportation of such material to a designated brush site or landfill capable of receipt of such materialsIt is also prohibited to transport plantings and debris from private property to the town for removal by the town's refuge collection company.

The building code administrator and code enforcement shall have the authority to make inquiry into the necessity and need for clearing, cleaning or cutting grass, weeds or wild growth upon any property within the town. If, upon inquiry, it is determined that it is necessary for the protection of the health and public safety of the town and its residents that such clearing, cleaning or cutting of grass, weeds or wild growth be done, the nuisance shall be abated pursuant to chapter 2 of the Code. A 14-day notice will be given to the homeowner by certified mail or hand delivered to owner for signature. If the violation is not rectified, the town will correct the violation and the homeowner shall be liable for the cost.

Sec. 12-61. — Prohibited trees.

Due to the prolific nature, toxicity to native vegetation, imminent threat to natural communities and the propensity for causing aggravation to people from noxious plant species, it shall be the intent of this article to eradicate from all areas of the town, the following plant species:

~~Brazilian Pepper, Punk and Australian Pine trees. Any new growth of these species must be removed at the owners expense or penalties will apply within one year after growth begins.~~

Sec. 12-631. - Tree care on public right-of-ways and town property.

- (a) *Street trees.* Street tree species to be planted may be those selected from "Urban Trees of Florida" distributed by the Florida Department of Agriculture. No species other than those included in this publication shall be planted and in keeping with Article XII "Habitat Management of Landscaping" Ordinance of Pinellas County. Setbacks must be six feet from municipal sewer line.
- (b) *Public tree care.* The town shall have the right to plant, prune, maintain and remove trees and other vegetation within the lines right-of-way boundaries of all streets, alleys, avenues, lanes, squares, cul-de-sacs, causeways and public grounds as may be necessary to insure public safety or to preserve or enhance the symmetry and beauty of such public grounds. The town may, under the guidance of a certified arborist with the cost thereof to be charged to the town's budget, ~~remove or cause to order to be removed under the guidance of a certified arborists with the cost thereof to be charged to the town's budget;~~ any tree or other vegetation which is in an unsafe condition or which by its nature is injurious to sewers, electric power lines, gas lines, water lines or other public improvement or is infected with any injurious fungus, insects or other pests.
- (c) *Tree topping.* It shall be unlawful as a normal practice for any person or firm to top any street tree, park tree or other tree on public property except where authorized by the town. Topping is defined as the severe cutting back of limbs to stubs larger than three inches in diameter with the tree's crown to such a degree so as to remove the normal canopy and disfigure the tree. Palm trees shall be trimmed under the guidelines as published by the Pinellas County Cooperative Extension Service.
- (d) *Pruning corner clearance.* Every owner of any tree or other vegetation overhanging any street or right-of-way within the town shall prune the branches so the branches shall not obstruct the light from any street lamp or obstruct the view of any street intersection so that there shall be clear space of eight feet above the surface of the street or sidewalk. Said owners shall remove all dead, diseased or hazardous trees; and broken or decayed limbs which constitute a menace to the safety of the public or property. The town shall have the right to prune any tree or other vegetation on private property when it interferes with the proper spread of light along the street from a street light or interferes with the visibility of any traffic control device or sign.

Sec. 12-642. - Dead, diseased and hazardous trees removal on private property.

In the event the town code enforcement officer (with the assistance as necessary of a certified arborist or county extension agent) finds that a tree situated on private property is dead, diseased, infected, harboring invasive or destructive insects or a disease which have the realistic potential to spread to or to threaten other trees within or proximate to the town, or which, due to its condition presents a present hazard to life or property, such tree shall be deemed to be a public nuisance and the owner thereof shall remove said tree at owner's expense within 30 days after the written notice of the violation has been served on the owner. If, in the judgment of the code enforcement officer, the tree's condition is the result of a tropical storm, the owner may be given up to 60 days to

~~accomplish the removal. In the event of failure of the owner to comply with the requirement to remove the tree, the nuisance shall be abated pursuant to § 12-31 of this code. The town shall have the right to cause the removal of any dead, diseased or hazardous trees on private property within the town when such trees constitute a hazard to life and property or harbor infections or disease which are a potential threat to other trees in the town. Removal shall be done by the owner of said trees at their expense within 30 days after the written notice of the violation has been served on the owner. However, the removal period will be extended after a very severe storm up to 60 days. In the event of failure of the owner to comply with such notice of violation, the nuisance shall be abated pursuant to chapter 2 of the Code of Ordinances and cost of the removal will be the responsibility of the owner..~~

Section 4. Article IV of Chapter 12 of the Redington Beach Town Code, addressing *Noise*, inclusive of § 12-81 through and including § 12-96, is hereby repealed in its entirety.

Section 5. A new Article IV of Chapter 12 of the Redington Beach Town Code, addressing *Noise*, inclusive of § 12-80 through and including § 12-83, is hereby created to read:

ARTICLE IV. – NOISE

Sec. 12-80. - Definitions.

All words or phrases used in this article which are not defined below and are of a technical nature shall be defined according to applicable publications of the American National Standards Institute (ANSI) or the American Society for Testing and Materials (ASTM) or their successor bodies, where same have been defined.

Adjacent: Shall mean to have property lines, or portions thereof, in common or facing each other across a street, or right-of-way.

A-weighted sound level (dBA): The sound pressure level in decibels as measured using A-weighting network on a sound level meter that meets the standards set forth in ANSI Standard S1.4-1983 (or more recent version). The level so read is designated "dBA."

Ambient sound: The surrounding or steady background sound in a particular location as distinct from the specific noise being measured.

C-weighted sound level (dBC): The sound pressure level in decibels measured using the C-weighting network on a sound level meter that meets the standards set forth in ANSI Standard S1.4-1983 (or more recent version). The level so read is designated "dBC."

Construction activity: Any site preparation, assembly, erection, substantial repair, alteration, or improvement of realty, whether publicly or privately owned, and whether above ground or below ground.

Continuous sound: A sound which remains essentially constant in level during a period of observation.

Decibel (dB): The practical unit of measurement for sound pressure level; the number of decibels of a measured sound is equal to twenty (20) times the logarithm to the base ten (10) of the ratio of the sound pressure of the measured sound to the sound pressure of a standard sound (twenty [20] micropascals); abbreviated "dB."

Emergency: Any occurrence or set of circumstances involving actual or imminent physical trauma to human beings or living creatures or property damage which necessitates immediate attention.

Emergency work: Any work performed for the purpose of preventing or alleviating the physical trauma or property damage threatened or caused by an emergency, including work necessary to restore property to a safe condition following an emergency.

Impulsive sound: Any sound or vibration that has an abrupt increase immediately followed by an abrupt decay.

Leq: The average sound level.

Noise: Any sound which annoys or disturbs a reasonable person of ordinary sensibilities or causes or tends to cause an adverse physical or psychological effect on humans. "Noise" includes, but is not limited to, low frequency sounds that can induce vibration in structures or human beings.

Noise disturbance: Any sound or vibration which:

- (a) May disturb, annoy, or be harmful or injurious to the health or welfare of a reasonable person of ordinary sensibilities; or
- (b) Exceeds the maximum allowable limits set forth in this article.

Person: A natural person, any corporation, firm, association, joint venture, partnership, or any other entity whatsoever or any combination of such, jointly and severally.

Public right-of-way: Any street, avenue, boulevard, highway, sidewalk or alley or similar place normally accessible to the public which is owned or controlled by a governmental entity.

Public space: Any real property or structure thereon normally accessible to the public which is owned or controlled by a governmental entity.

Real property line:

- (a) The imaginary line along the ground surface, including its vertical extension that separates one parcel of real property from another; or
- (b) The vertical and horizontal boundaries of a dwelling unit that is one unit in a multi-dwelling-unit building.

Receiving land: The property which receives the transmission of sound.

Residential area: Any area within the town that is designated for residential use pursuant to the town's land development code.

School: This term shall have all of the same meanings as set forth in the town's land development code.

Short duration and non-repetitive: Any sound with a duration of less than thirty (30) seconds.

Sound: A temporal and spatial oscillation in pressure, particle displacement, particle velocity or other physical parameter, in a medium with internal forces that causes compression and rarefaction of that medium. The description of sound may include any characteristic of such sound, including duration, intensity and frequency.

Sound analyzer: A device for measuring the octave band level of a sound as a function of frequency.

Sound level: The conversion of sound pressure to a logarithmic measure called the decibel.

The criteria required to properly define the sound level limits include the following:

1. The actual sound level limit with the frequency weighting to be used, such as A-weighting or C-weighting (i.e. 55 dBA, 60 dBC, etc.).
2. The acoustical metric to be used, such as real time measurement using fast/slow time constant, an average sound level (Leq), a maximum sound level (Lmax), etc. or a combination of multiple metrics.
3. The time duration of the measurement (i.e. instantaneous, time average, percentage of time sound level is not to be exceeded, etc.).

Sound level or noise meter: An instrument which includes a microphone, amplifier, RMS detector, integrator or time average, output meter, and weighting networks used to measure sound pressure levels. The output meter reads sound pressure level when properly calibrated, and the instrument is of type 2 or better, as specified in the American National Standards Institute publication S1.4-1983 or its successor publication.

Sound pressure: The instantaneous difference between the actual pressure and the average or barometric pressure at a given location.

Sound pressure level: Twenty (20) times the logarithm to the base ten (10) of the ratio of the RMS sound pressure to the reference pressure of twenty (20) micronewtons per square meter ($20 \times 10^{-6} \text{ N/m}^2$). The sound pressure level is expressed in decibels.

Vibration: A temporal and spatial oscillation of displacement, velocity and acceleration in a solid material.

Sec. 12-81. - Exemptions.

The following activities or sources are exempt from the requirements of this article:

- (1) The emission of sound or noise for the purpose of alerting persons to the existence of an emergency or in the performance of emergency work.
- (2) Operation of equipment or conduct of activities normal to residential or agricultural communities as set forth herein:

Description	Hours of Operations
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a.	<u>Lawn care, soil cultivation, domestic power tools, lawn mowers, maintenance of trees, hedges, gardens, saws and tractors, street sweepers, mosquito fogging, tree trimming and limb chipping and other normal community operations</u>	<u>7:00 a.m. to 8:00 p.m.</u>
b.	<u>Operation of equipment for solid waste and recycling collection in or adjacent to residential uses</u>	<u>6:00 a.m. to 6:00 p.m.</u>
c.	<u>Operation of equipment for solid waste collection in nonresidential locations</u>	<u>4:00 a.m. to 10:00 p.m.</u>

(3) The usual sounds or noises of construction and operation of construction equipment between the hours of 7:00 a.m. to 6:00 p.m.

- (4) Motor vehicles operating on a public right-of-way in compliance with Florida Statutes Chapter 316 and § 403.415. This exception shall not apply to amplified sound produced by the sound system speakers or other electrical or mechanical sound making device or instrument from within the motor vehicle so that the sound is plainly audible from fifty (50) feet from the source vehicle. In determining whether a sound is plainly audible:
- a. The primary means of detection shall be by means of the officer's ordinary auditory senses, so long as the officer's hearing is not enhanced by any mechanical device, such as a microphone or hearing aid; and,
 - b. The officer must have a direct line of sight and hearing to the motor vehicle producing the sound so that he/she can readily identify the offending motor vehicle and the distance involved; and,
 - c. The officer need not determine the particular words or phrases being produced or the name of any song or artist producing the sound.
- (5) Any residential unit with air-conditioning or pool pump equipment when in reasonable mechanical condition operating with the standard sound and vibration control systems typically provided by the manufacturer in a sound level not to exceed sixty (60) dBA or sixty-five (65) dBC. Air conditioning units are presumed to be in reasonable mechanical condition if the unit meets the sound specifications contained in the Air Conditioning, Heating, and Refrigeration Institute's ("AHRI") Applied Directory of Certified Product Performance Variable Air Volume terminals.
- (6) Any aircraft operating in conformity with, or pursuant to, federal law, federal air regulations and air traffic control instructions used pursuant to and within the duly adopted federal air regulations.
- (7) Between the hours of 7:00 a.m. and 11:00 p.m., the emission of sound or noise from lawful and proper activities on park or school grounds and places primarily used for athletic contests and sporting events.

- (8) Fireworks displays, special events, and events for which all required permits have been obtained in compliance with any conditions imposed by a permit that has been issued by the relevant jurisdiction.
- (9) Impulsive sound.

Sec. 12-82. - Prohibited acts.

The occurrence of the conditions, acts or omissions as described in subsection (1) or (2) of this section shall constitute a violation of this article. Requirements in any one of the said subsections stand alone. Measurements described in subsection (2) shall constitute *prima facie* evidence of a violation of this article. However, such measurements are not necessary for enforcement of this article, i.e., neither sound measurements and maximum permissible sound levels as provided in subsection (2) nor any other type of sound measurement are necessary to prove a violation of subsection (1) of this section so long as evidence exists sufficient to establish that the sound constitutes a noise disturbance pursuant to the applicable standard of proof.

- (1) Noise disturbance. Notwithstanding any other provision of this article, and in addition thereto, it shall be unlawful for any person to make or continue, or cause or permit to be made or continued, any noise disturbance, as defined in § 12-80.
 - a. Standards. The standards to be considered in determining whether a violation of subsection (1) of this section exists must include consideration of one or more of the following factors:
 - 1. The sound level of the noise.
 - 2. The intensity of the noise.
 - 3. Whether the nature of the noise is usual or unusual.
 - 4. The volume and intensity of the ambient sound, if any.
 - 5. The proximity of the noise to residential sleeping facilities.
 - 6. The nature and zoning of the area from which the noise emanates.
 - 7. The nature and zoning of the receiving land.
 - 8. The time of the day or night the noise occurs.
 - 9. The duration of the noise.
 - b. Persons affected. Persons affected include residents, passersby, or code enforcement officials, law enforcement officials, or others who may be reasonably disturbed by excessive noise in the general conduct of their affairs.
- (2) Maximum permissible sound levels.
 - a. Sound level limits pursuant to this section shall be measured with a sound level meter as a Leq (average sound level) for a minimum thirty (30) second period of time.

- b. Sound level limits. No person shall generate or cause to be generated from any source, sound which, when measured in accordance with the requirements of subsection (d) of this section, exceeds:
1. Sixty (60) dBA or sixty-five (65) dBC during the hours between 7:00 a.m. and 10:00 p.m., Sunday through Thursday. Friday, Saturday and the day prior to a federally recognized holiday, the hours shall be from 7:00 a.m. to 11:00 p.m.
 2. Seventy-two (72) dBA or seventy-seven (77) dBC if the receiving land is a residential use adjacent to a commercial use during the hours between 7:00 a.m. and 10:00 p.m., Sunday through Thursday. Friday, Saturday and the day prior to a federally recognized holiday, the hours shall be from 7:00 a.m. to 11:00 p.m.
 3. Fifty-five (55) dBA or sixty (60) dBC during the hours between 10:00 p.m. and 7:00 a.m., Sunday through Thursday. Friday, Saturday and the day prior to a federally recognized holiday, the hours shall be from 10:00 p.m. to 7:00 a.m.
- c. Correction for character of sound. For any source of sound which emits a continuous sound, the maximum sound level limits set forth in subsection (2)(b) shall be reduced by five (5) dBA. For any source of sound which is of short duration and is nonrepetitive, the maximum sound level limits set forth in subsection (2)(b) shall be increased by five (5) dBA from 7:00 a.m. to 10:00 p.m.
- d. Correction for ambient sound. Corrections for ambient sound should be made in accordance with applicable ASTM standards.
- e. Methods of measurements.
1. The measurement of sound shall be made with a decibel or a sound level meter operating on the "A" or "C"-weighted scale of any standard design and quality meeting the standards prescribed by the American National Standards Association. The instruments shall be maintained in calibration and good working order. Measurements recorded shall be taken so as to provide a proper representation of the sound source. The microphone used during measurement shall be positioned so as to not to create any unnatural enhancement or diminution of the measured sound. A wind-screen for the microphone should be used when required. Traffic, aircraft, and other background ambient sounds shall not be considered in taking measurements except where such ambient sound interferes with the primary noise being measured.
 2. If the receiving property is an agricultural area the measurement shall be made within thirty (30) feet of a receiving occupied structure or facility approximately five (5) feet above ground.
 3. For all other properties, the measurement shall be made within the boundary of the receiving property as appropriate approximately five (5) feet above ground.
 4. Acoustical measurements should be made in general conformance with ASTM Standard E1503-06 (or most recent) Standard Test Method for Conducting

Outdoor Sound Measurements Using a Digital Statistical Sound Analysis System or ANSI Standard S1.13, Measurement of Sound Pressure Levels in Air, with regard to addressing issues such as measurement equipment, equipment interferences, calibration of the equipment, and measurement procedures.

Sec. 12-83. - Enforcement and penalties.

- (1) Enforcement. The provisions of this article shall be enforced throughout the town. The sheriff and his or her deputies are hereby designated as code enforcement officers for purposes of enforcing the provisions of this article within their respective jurisdictions and are fully authorized to enforce the provisions of this article. Enforcement methods may be any of those procedures set forth in article III of chapter 2 of this code.
- (2) Except as set forth in subsection (4) below, when a code enforcement officer or law enforcement officer has reasonable cause to believe that a violation of this article has occurred, based upon personal investigation, he or she shall provide notice to the person that the person has committed a violation of this article and shall establish a reasonable time period within which the person must correct the violation. Absent special circumstances, a reasonable time period shall be fifteen (15) minutes. If, upon personal investigation, a code enforcement officer or law enforcement officer finds that the person has not corrected the violation within a reasonable time period, they may engage in any of the enforcement actions set out in section (1).
- (3) A notice issued under any section of this article may be contested by requesting a hearing before the code enforcement special magistrate. However, the pendency of a hearing on the contested notice shall not entitle the person to continue any activity which formed the basis of the alleged violation, unless and until the special magistrate rescinds such notice.
- (4) A code enforcement officer or law enforcement officer is not required to provide the person with a reasonable time period to correct the violation prior to issuing a citation summons, notice to appear, or prior to making an arrest, and may immediately take such action if a repeat violation within three hundred sixty-five (365) days is found or if the code enforcement officer or law enforcement officer has reason to believe that the violation presents a serious threat to the public health, safety, or welfare, the violator is engaged in violations of an itinerant or transient nature, or if the violation is irreparable or irreversible.

"Repeat violation" is a violation of this article by a person who has been previously found by the code enforcement special magistrate or any other quasi-judicial or judicial process, to have violated or who has admitted violating this article, notwithstanding the violations occur at different locations.

Additionally, payment of a civil citation, failure to pay the civil penalty or failure to contest the citation within the time frame specified on the citation shall be deemed an admission of a violation of this article for the purposes of a repeat violation.

Due to the mobile nature of motor vehicles, violations involving amplified sound produced by a radio, tape player, CD player, or other mechanical soundmaking device or instrument from within motor vehicles are deemed *per se* itinerant or transient in nature.

- (5) A violation of § 12-81(4)(a)—(c) of this article shall be a written warning for a first offense, a one hundred dollar (\$100.00) civil penalty for a second offense committed within three hundred sixty-five (365) days of the written warning, and a two hundred fifty dollar (\$250.00) civil penalty for any third or subsequent offense committed within three hundred sixty-five (365) days of the second violation.

For a violation of any other section of this article:

- a. *First violation:* A code enforcement officer may issue a citation, in accordance with subsections (2)—(4), with a one hundred dollar (\$100.00) fine or a notice to appear in county court subject to the penalties of a second degree misdemeanor, as provided in Florida Statutes § 775.082. A law enforcement officer may issue a citation, in accordance with subsections (2)—(4), with a one hundred dollar (\$100.00) fine, a summons, or a notice to appear in county court or arrest by a law enforcement officer subject to the penalties of a second degree misdemeanor, as provided in Florida Statutes § 775.082.
- b. *Second violation:* Within three hundred sixty-five (365) days of the first violation, a code enforcement officer may issue a citation with a two hundred fifty dollar (\$250.00) fine or a notice to appear in county court subject to the penalties of a second degree misdemeanor, as provided in Florida Statutes § 775.082. A law enforcement officer may issue a citation with a two hundred fifty dollar (\$250.00) fine, a summons, or a notice to appear in county court or arrest by a law enforcement officer subject to the penalties of a second-degree misdemeanor, as provided in Florida Statutes § 775.082.
- c. *Third or subsequent violation:* Within three hundred sixty-five (365) days of the second violation, a code enforcement officer may issue a five hundred dollar (\$500.00) fine or a notice to appear in county court subject to the penalties of a second degree misdemeanor, as provided in Florida Statutes § 775.082. A law enforcement officer may issue a citation with a five hundred dollar (\$500.00) fine or effectuate an arrest or issue a citation a summons, or a notice to appear in county court subject to the penalties of a second-degree misdemeanor, as provided in Florida Statutes § 775.082.
- (6) A citation issued under any section of this article shall be contested in county court.
- (7) If the violator elects to contest the citation, he, she or it shall request a hearing through the procedure described on the citation and within the time frame specified on the citation.
- (8) If the violator neither pays the civil penalty nor contests the citation within the time frame specified on the citation, he, she or it shall be deemed to have waived the right to contest the citation and it shall be deemed an admission to the violation. A judgment may be entered against that person for the maximum civil penalty of five hundred dollars (\$500.00) plus applicable fees and costs.

Section 6. A new Article VII of Chapter 12 of the Redington Beach Town Code, addressing *Unsolicited printed/written materials*, inclusive of § 12-140 through and including § 12-141, is hereby created to read:

ARTICLE VII. – UNSOLICITED PRINTED/WRITTEN MATERIALS

Sec. 12-140. – Definitions.

For the purpose of this article, the following definitions shall apply:

Front door. The street-facing entrance(s) to a principal structure. In the event no door faces the street, then any other door of a principal structure nearest the street shall be considered a front door for purposes of this section. The term includes the door of a multi-family dwelling structure which are designed with doors allowing primary apartment/unit entry or exit from within an interior common area.

Porch. An exterior appendage to a principal structure leading to a doorway, including any stairway attached thereto.

Premises. A lot, plot, or parcel of land including any structures, driveways, or other impervious surfaces thereon.

Principal structure. A structure, or combination of structures of primary importance on the premises, and that contains the primary use associated with the premises. The primary use is characterized by identifying the main activity taking place on the premises.

Unsolicited printed/written materials. Any printed or written materials delivered to any premises without the express invitation or permission, in writing or otherwise, by the owner, occupant, or lessee of such premises.

Sec. 12-141. – Unsolicited written/printed materials.

(a) Unsolicited printed/written materials delivered to premises shall be delivered or placed only in the following methods and in the following order:

- (1) By placement in a distribution box or receptacle located on or adjacent to the premises labeled as the designated point of distribution for unsolicited printed/written materials.
- (2) By delivering the materials to an on-duty concierge, security guard, property manager, or other person present on a multi-family premises for subsequent retrieval by residents.
- (3) By causing the materials to be delivered by the United States Postal Service.
- (4) Through a mail slot on the front door or principal structure, if one exists, as permitted by the United States Postal Service Domestic Mail Manual, Section 508 Recipient Services, Subsection 3.1.2.
- (5) By handing the materials personally to the owner, occupant, and/or lessee of the premises.
- (6) Between the exterior front door, if one exists and is unlocked, and the interior front door.
- (7) By complete insertion of the material between the bottom of the front door and the door sill such that the material is not sticking out of the exterior of the door.

(b) No other method of distribution or placement of unsolicited printed/written materials shall be permitted on premises within the town, including, but not limited to, tossing such materials from vehicles, affixing, tying or hanging such materials onto door knobs, door handles, door locks,

security monitoring devices, house or apartment numbers, porch lights, or on windshields of parked vehicles.

(c) Unsolicited written materials placed at a premises create a rebuttable presumption that the materials were placed at the premises by the owner, agent, manager, and/or authorized distributor of the business, product, good, service, message, or idea, which is being advertised, promoted, endorsed, or conveyed in such materials.

(d) Notwithstanding subsection (a) above, an owner, lessee, or other person with property rights in the premises retains all rights to post premises with no-trespassing notices, to cause persons to receive trespass notices, to cause persons subject to trespass notices to be removed and arrested as provided for by law, to maintain secured limited access to common areas of multi-family premises, and to bring private actions against persons or entities for private nuisance.

(e) The provisions of this section do not apply to the United States Postal Service.

(f) This article shall be enforced according to the procedures set forth in article III of chapter 2 of this code. A fine of two hundred dollars (\$200.00) shall result from each violation of this section.

Section 7. For purposes of codification of any existing section of the Redington Beach Code herein amended, words **underlined** represent additions to original text, words **~~stricken~~** are deletions from the original text, and words neither underlined nor stricken remain unchanged.

Section 8. If any section, subsection, sentence, clause, provision or word of this Ordinance is held unconstitutional or otherwise legally invalid, same shall be severable and the remainder of this Ordinance shall not be affected by such invalidity, such that any remainder of the Ordinance shall withstand any severed provision, as the Board of Commissioners would have adopted the Ordinance and its regulatory scheme even absent the invalid part.

Section 9. The Codifier shall codify the substantive amendments to the Redington Beach Town Code contained in Sections 1 through 6 of this Ordinance as provided for therein, and shall not codify the exordial clauses nor any other sections not designated for codification.

Section 10. Pursuant to Florida Statutes § 166.041(4), this Ordinance shall take effect immediately upon adoption.

ADOPTED ON FIRST READING on the ____ day of _____, 2019, by the Board of Commissioners of the Town of Redington Beach, Florida.

ADOPTED ON SECOND AND FINAL READING on the ____ day of _____, 2019, by the Board of Commissioners of the Town of Redington Beach, Florida.

Attest:

James Simons, Mayor

Missy Clarke, CMC, Town Clerk

Approved as to form:

Jay Daigneault, Town Attorney

BUDGET WORKSHEET

Page: 1
8/1/2019
11:06 am

Town of Redington Beach

	Prior Year Actual	Original Budget	Amended Budget	Current Year Actual Thru August	Estimated Total	(6) Requested	(7) Recommended	(8) Adopted
Month: 8/31/2019								
Fund: 101 - General Fund								
Revenues								
Dept: 000								
311.000 Ad Valorem Taxes	791,188	835,156	835,156	837,313	0	884,595		
312.100 Local Option Gas Tax	20,835	21,500	21,500	10,070	0	21,500		
313.200 City of Clearwater Fran Fee	6,122	5,500	5,500	3,501	0	5,500		
313.900 Utility Propane Tax	916	600	600	631	0	750		
314.100 Progress Energy Utility tax	112,226	105,000	105,000	71,647	0	112,000		
315.000 Communications Services Tax	58,811	59,021	59,021	32,206	0	55,925		
316.000 Business Tax License	2,026	1,500	1,500	1,500	0	1,500		
323.100 Electricity Franchise Fee	120,956	112,000	112,000	76,338	0	120,000		
324.210 Impact Fees	0	0	0	9,984	0			
327.000 Variances Permits/Licenses	2,250	2,000	2,000	1,250	0	1,750		
331.500 Federal Grant	499,719	10,000	10,000	0	0			
334.300 FDOT Lighting Grant	9,640	9,500	9,500	0	0	9,500		
335.120 State Revenue Sharing	27,432	27,049	27,049	20,232	0	27,037		
335.180 Half Cent Sales Tax	94,499	95,349	95,349	57,120	0	98,628		
351.200 Court Fines - Traffic	6,573	4,000	4,000	2,101	0	3,500		
359.900 Other Fine	31,500	1,500	1,500	0	0	1,500		
361.200 Interest Savings Accounts	28,497	15,000	15,000	30,908	0	30,000		
366.000 Contrib. & Dons. (Twin Towers)	1,852	1,000	1,000	1,400	0	1,000		
367.000 Other Licenses/Permits	420	300	300	300	0	350		
369.900 Other Misc Revenues	3,469	500	500	37,770	0	1,000		
Dept: 000	1,818,931	1,306,475	1,306,475	1,194,271	0	1,376,035	0	0
Total Revenues	1,818,931	1,306,475	1,306,475	1,194,271	0	1,376,035	0	0
Expenditures								
Dept: 000								
999.992 Transfer Out	37,173	48,838	48,838	0	0	106,529		
Dept: 000	37,173	48,838	48,838	0	0	106,529	0	0
Dept: 511 Legislative								
511.111 Registration	1,825	1,500	1,500	1,375	0	1,500		
511.120 Salaries and Wages	20,400	20,400	20,400	17,000	0	20,400		
511.400 Travel	0	100	100	10	0	500		
511.410 Boat Parade	800	800	800	800	0	800		
511.820 Donations	0	500	500	500	0	500		
521.210 Fica Match	1,561	1,561	1,561	1,301	0	1,561		
Legislative	24,586	24,861	24,861	20,986	0	25,261	0	0
Dept: 512 Town Clerk								
512.120 Salaries and Wages	64,291	67,486	67,486	57,112	0	70,860		
512.130 Holiday Bonus	500	500	500	500	0	500		

BUDGET WORKSHEET

Page: 2
8/1/2019
11:06 am

Town of Redington Beach

	Prior Year Actual	Current Year				(6)	(7)	(8)
Month: 8/31/2019	Actual	Original Budget	Amended Budget	Actual Thru August	Estimated Total	Requested	Recommended	Adopted
Fund: 101 - General Fund								
Expenditures								
Dept: 512 Town Clerk								
512.220 Pension	6,429	6,749	6,749	5,711	0	7,086		
512.230 Group Insurance	10,063	8,360	8,360	7,699	0	9,210		
512.231 Life Insurance	155	120	120	107	0	120		
512.232 Dental Insurance	416	370	370	675	0	382		
512.240 Worker's Comp Insurance	1,322	1,413	1,413	1,413	0	1,452		
512.260 General Liability Insurance	5,315	5,779	5,779	5,990	0	6,836		
512.265 Property Insurance	628	4,502	4,502	4,502	0	4,899		
512.269 Flood Insurance	5,719	5,500	5,500	8,833	0	7,200		
512.315 Temporary Services	0	100	100	0	0	100		
512.400 Travel	572	1,000	1,000	804	0	1,000		
512.409 Con Education/Registrations	1,113	1,500	1,500	820	0	1,500		
512.410 Telephone	2,463	2,300	2,300	1,822	0	2,400		
512.411 Internet Services	1,235	1,200	1,200	1,047	0	1,560		
512.412 Website Services	1,153	1,500	1,500	1,153	0	1,500		
512.415 Technical Assistance	99	1,000	1,000	0	0	1,000		
512.420 Postage	499	800	800	702	0	750		
512.421 Stamps.com	192	200	200	152	0	220		
512.440 Utilities- Water/Electric	6,235	5,500	5,500	4,164	0	5,800		
512.461 Building Maintenance	1,922	1,500	1,500	3,640	0	2,000		
512.471 Ordinance Codification	206	2,500	2,500	6,944	0	10,000		
512.472 Election Expense	2,764	2,500	2,500	3,963	0	2,800		
512.473 Newsletter	779	750	750	241	0	1,000		
512.480 Promotion/Public Relations	831	1,000	1,000	2,416	0	2,500		
512.490 Advertising	3,584	1,500	1,500	7,166	0	7,500		
512.510 Office Supplies	3,353	2,500	2,500	1,641	0	2,500		
512.515 Office Copier/Lease	1,575	1,750	1,750	1,171	0	1,600		
512.520 Office Copier/Usage	629	1,100	1,100	528	0	1,000		
512.521 Document Retention & Control	0	100	100	0	0	500		
512.542 Dues & Subscriptions	1,054	800	800	1,641	0	1,000		
512.640 Equipment	2,045	1,500	1,500	752	0	1,000		
521.210 Fica Match	4,157	5,163	5,163	3,505	0	5,421		
Town Clerk	131,298	138,542	138,542	136,814	0	163,196	0	0
Dept: 513 Finance & Admin								
513.120 Salaries and Wages	37,088	38,985	38,985	33,471	0	40,935		
513.130 Finance Holiday Bonus	500	500	500	500	0	500		
513.140 Overtime Pay	690	500	500	0	0	1,000		
513.220 Pension	3,778	3,899	3,899	3,347	0	4,093		

BUDGET WORKSHEET

Page: 3
8/1/2019
11:06 am

Town of Redington Beach

Month: 8/31/2019	Prior Year Actual	Current Year			Estimated Total	(6)	(7)	(8)
		Original Budget	Amended Budget	Actual Thru August		Requested	Recommended	Adopted
Fund: 101 - General Fund								
Expenditures								
Dept: 513 Finance & Admin								
513.230 Group Insurance	10,462	8,360	8,360	7,654	0	9,210		
513.231 Life Insurance	155	120	120	107	0	120		
513.232 Dental Insurance	416	370	370	337	0	382		
513.240 Worker's Comp Insurance	1,322	1,413	1,413	1,413	0	1,452		
513.310 Professional Fees	411	0	0	575	0	600		
513.320 Audit Fee	22,500	23,000	23,000	24,250	0	25,000		
513.415 Fund Balance Support	0	1,000	1,000	1,311	0	1,500		
513.493 Bank Service Charges	30	120	120	150	0	300		
513.495 Janitorial Services	2,205	2,350	2,350	1,665	0	2,220		
521.210 Fica Match	2,890	2,982	2,982	2,561	0	3,132		
Finance & Admin	82,447	83,599	83,599	77,341	0	90,444	0	0
Dept: 514 Legal Counsel								
514.121 Litigation	1,669	35,000	35,000	5,066	0	35,000		
514.124 Town Attorney	22,652	35,000	35,000	23,018	0	35,000		
514.310 Legislative Counsel	0	0	0	20,939	0	15,000		
514.421 Special Magistrate	0	5,000	5,000	1,620	0	5,000		
Legal Counsel	24,321	75,000	75,000	50,643	0	90,000	0	0
Dept: 519 Other Gen. Govt Services								
519.310 Gen. Govt Services	0	25,000	25,000	0	0			
Other Gen. Govt Services	0	25,000	25,000	0	0	0	0	0
Dept: 521 Law Enforcement								
521.340 Law Enforcement Services-Cont	247,176	254,844	254,844	212,370	0	262,788		
521.350 Traffic Enforcement Officer	135	1,500	1,500	180	0	1,500		
521.410 Shared Cost - Phone	0	200	200	0	0	200		
Law Enforcement	247,311	256,544	256,544	212,550	0	264,488	0	0
Dept: 522 Fire Control								
522.340 Fire Department Services	56,068	57,302	57,302	57,302	0	57,530		
522.341 EMS (Seminole)	56,068	57,302	57,302	57,302	0	57,530		
Fire Control	112,136	114,604	114,604	114,604	0	115,060	0	0
Dept: 524 Protective Services								
524.310 Code Enforcement Services	19,127	24,000	24,000	16,269	0	24,000		
524.421 Attorney Fees	561	2,500	2,500	1,195	0	2,500		
524.422 Citation Costs/NRB	0	250	250	0	0	250		
524.510 Code Enforcement Supplies	0	100	100	241	0	100		
Protective Services	19,688	26,850	26,850	17,705	0	26,850	0	0
Dept: 539 Department of Public Works								
521.210 Fica Match	5,402	5,809	5,809	4,778	0	6,100		
539.120 Salaries & Wages	71,536	75,936	75,936	63,155	0	79,733		

BUDGET WORKSHEET

Page: 4
8/1/2019
11:06 am

Town of Redington Beach

Month: 8/31/2019	Prior Year Actual	Current Year				(6)	(7)	(8)
		Original Budget	Amended Budget	Actual Thru August	Estimated Total	Requested	Recommended	Adopted
Fund: 101 - General Fund								
Expenditures								
Dept: 539 Department of Public Works								
539.129 Overtime - DPW	0	1,000	1,000	0	0			
539.130 Holiday Bonus - DPW	1,000	1,000	1,000	1,000	0	1,000		
539.200 Temp Help - DPW	0	2,000	2,000	0	0	2,000		
539.220 Pension Expense - DPW	7,154	7,594	7,594	6,316	0	7,974		
539.230 Group Insurance - DPW	15,188	16,720	16,720	15,308	0	18,412		
539.231 Life Insurance - DPW	309	240	240	215	0	240		
539.232 Dental Insurance - DPW	754	740	740	1,440	0	764		
539.233 Vehicle Insurance	1,313	1,338	1,338	1,338	0	1,377		
539.240 Workers Comp - DPW	2,643	2,826	2,826	2,923	0	2,905		
539.241 Continuing Education	0	500	500	0	0	500		
539.440 P/W Utilities	2,102	1,300	1,300	703	0	1,500		
Department of Public Works	107,401	117,003	117,003	97,176	0	122,505	0	0
Dept: 541 Roads & Streets								
541.465 Maintenance - Streets	0	1,000	1,000	0	0	1,000		
541.466 Maint - Signs/Signals	0	5,000	5,000	0	0	5,000		
541.467 Maint - Street Lights	29,589	29,500	29,500	20,666	0	29,500		
541.535 Road Signage	332	1,500	1,500	416	0	1,500		
Roads & Streets	29,921	37,000	37,000	21,082	0	37,000	0	0
Dept: 554 Housing Development								
554.800 Grants and Aids	492,639	10,000	10,000	18,805	0			
Housing Development	492,639	10,000	10,000	18,805	0	0	0	0
Dept: 571 Libraries								
571.000 Libraries	30,700	31,234	31,234	31,234	0	31,147		
Libraries	30,700	31,234	31,234	31,234	0	31,147	0	0
Dept: 572 Parks and Recreation								
572.260 General Liability	5,315	5,779	5,779	5,778	0	6,836		
572.265 Property Insurance	628	4,502	4,502	4,502	0	4,899		
572.269 Flood Insurance	13,313	9,500	9,500	23,196	0	15,000		
572.340 Landscaping Expense	750	8,000	8,000	1,643	0	8,000		
572.341 Storm Debris Collection	22,543	0	0	4,931	0			
572.430 Utilities	6,190	5,500	5,500	3,713	0	6,000		
572.460 Maint - Automotive Equipment	0	1,500	1,500	1,037	0	1,500		
572.461 Maintenance - Building	1,883	1,500	1,500	244	0	1,500		
572.462 Maintenance - Grounds	6,399	15,000	15,000	7,028	0	10,000		
572.463 Maintenance - Trees	5,956	5,000	5,000	0	0	6,000		
572.464 Maintenance - Other	0	500	500	0	0	500		
572.467 Equipment Rental	0	500	500	0	0	500		
572.490 Playground Equipment	0	1,500	1,500	0	0	1,500		

BUDGET WORKSHEET

Page: 5
8/1/2019
11:06 am

Town of Redington Beach

Month: 8/31/2019	Prior Year Actual	Current Year				(6)	(7)	(8)
		Original Budget	Amended Budget	Actual Thru August	Estimated Total	Requested	Recommended	Adopted
Fund: 101 - General Fund								
Expenditures								
Dept: 572 Parks and Recreation								
572.510 Maintenance Equipment Repair	107	500	500	3,562	0	2,000		
572.520 Uniforms	432	500	500	0	0	500		
572.521 Twin Towers Operating Supplies	152	300	300	364	0	500		
572.522 Gasoline & Oil	3,520	3,000	3,000	3,166	0	3,500		
572.524 Fertilizer & Mulch	3,100	2,500	2,500	2,100	0	3,000		
572.527 Tools & Equipment	954	1,000	1,000	590	0	1,000		
572.535 Signage	326	2,000	2,000	1,240	0	2,000		
572.599 Swim Buoys	2,392	3,000	3,000	2,396	0	3,000		
Parks and Recreation	73,960	71,581	71,581	65,490	0	77,735	0	0
Dept: 573 Board of Parks & Recreation								
572.439 Holiday Lights	12,515	13,000	13,000	12,515	0	13,000		
572.535 Signage	151	1,500	1,500	0	0	1,500		
573.460 Holiday Lighting Maintenance	118	1,500	1,500	0	0	1,500		
573.462 Grounds Maintenance	0	2,500	2,500	0	0	2,500		
573.525 Plants/Trees/Shrubs	0	1,500	1,500	0	0	1,500		
Board of Parks & Recreation	12,784	20,000	20,000	12,515	0	20,000	0	0
Dept: 600 Replacement Reserve								
600.220 2016 F150 Truck	0	3,000	3,000	0	0	3,000		
600.250 Tractor 2016	0	2,000	2,000	0	0	2,000		
600.301 Seawall	0	6,000	6,000	0	0	6,000		
600.401 Bldg Refurbishment - Town Hall	0	122,346	122,346	0	0	122,350		
600.403 Bldg Refurbishment - Pub Works	0	61,173	61,173	0	0	61,200		
600.640 Lawn Mower 2015	0	1,300	1,300	0	0	1,300		
600.820 Park Board Playground Equip	0	10,000	10,000	0	0	10,000		
600.900 Storm Debris Collection	0	20,000	20,000	0	0			
Replacement Reserve	0	225,819	225,819	0	0	205,850	0	0
Total Expenditures	1,426,365	1,306,475	1,306,475	876,945	0	1,376,065	0	0

BUDGET WORKSHEET

Town of Redington Beach

Page: 6
8/1/2019
11:06 am

Month: 8/31/2019	Prior Year Actual	Current Year				(6)	(7)	(8)
		Original Budget	Amended Budget	Actual Thru August	Estimated Total	Requested	Recommended	Adopted
Fund: 300 - Capital Accounts								
Revenues								
Dept: 000								
312.600 Sales & Use Tax - One Cent Tax	168,403	196,238	196,238	88,863	0	188,469		
334.390 FDOT Grant (Planning Board)	0	32,000	32,000	81,725	0			
335.122 Sales & Use Tax - 8th Cent	8,617	9,671	9,671	6,323	0	10,646		
337.300 PC Interlocal Agreement Reimb.	32,028	1,518,346	1,518,346	286,227	0	200,000		
361.200 Interest Savings Accounts	11,576	7,500	7,500	12,472	0	10,000		
399.000 Transfer In	37,173	48,838	48,838	0	0	106,529		
Dept: 000	257,797	1,812,593	1,812,593	475,610	0	515,644	0	0
Total Revenues	257,797	1,812,593	1,812,593	475,610	0	515,644	0	0
Expenditures								
Dept: 539 Department of Public Works								
539.630 Infrastructure	9,660	1,550,346	1,550,346	781,612	0	200,000		
Department of Public Works	9,660	1,550,346	1,550,346	781,612	0	200,000	0	0
Dept: 600 Replacement Reserve								
600.600 Roads & Streets	0	262,247	262,247	0	0	315,614		
Replacement Reserve	0	262,247	262,247	0	0	315,614	0	0
Total Expenditures	9,660	1,812,593	1,812,593	781,612	0	515,614	0	0

BUDGET WORKSHEET

Town of Redington Beach

Page: 7
8/1/2019
11:06 am

Month: 8/31/2019	Prior Year Actual	Current Year		Actual Thru August	Estimated Total	(6)	(7)	(8)
		Original Budget	Amended Budget			Requested	Recommended	Adopted
Fund: 400 - Storm Water								
Revenues								
Dept: 000								
312.000 Stormwater Fee Revenue	95,876	94,000	94,000	52,942	0	94,500		
361.200 Interest Savings Accounts	5,747	4,500	4,500	7,197	0	6,000		
Dept: 000	101,623	98,500	98,500	60,139	0	100,500	0	0
Total Revenues	101,623	98,500	98,500	60,139	0	100,500	0	0
Expenditures								
Dept: 535 Storm Water								
535.340 Street Sweeping	750	1,500	1,500	750	0	1,500		
535.441 Utility Mailing Costs	3,599	3,700	3,700	3,010	0	3,700		
535.468 Maintenance CDS Units	2,050	3,500	3,500	1,025	0	3,500		
535.540 Clean Drains & Lines	1,500	2,000	2,000	1,500	0	2,000		
535.548 NPDES Drain Cleaning	977	1,500	1,500	1,022	0	1,500		
535.650 Engineering Expense	8,270	8,000	8,000	8,260	0	10,000		
Storm Water	17,146	20,200	20,200	15,567	0	22,200	0	0
Dept: 541 Roads & Streets								
541.468 Maintenance - Storm Drains	1,362	1,500	1,500	959	0	1,500		
Roads & Streets	1,362	1,500	1,500	959	0	1,500	0	0
Dept: 600 Replacement Reserve								
600.500 Stormwater System	0	76,800	76,800	0	0	76,800		
Replacement Reserve	0	76,800	76,800	0	0	76,800	0	0
Total Expenditures	18,508	98,500	98,500	16,526	0	100,500	0	0
Grand Total:	723,818	0	0	54,937	0	0	0	0



TOWN OF REDINGTON BEACH, FLORIDA

APPLICATION FOR APPOINTMENT TO TOWN BOARD OR TOWN COMMITTEE

NAME:

KRISTINE JOHANSON

ADDRESS: 16347 BEDINGTON DRIVE

Redington Beach, FL 33708

HOME PHONE:

CELL PHONE: 727-392-4302

E-MAIL: krisj1@live.com

SEEKING APPOINTMENT TO (Check Appropriate Choice):

☐ Board of Adjustment

☐ Planning Board

☒ Park Board

☐ Other (Specify)

EDUCATIONAL BACKGROUND:

School: H.S. Diploma

Location:

Major:

Degree:

EMPLOYMENT:

Employer: RETIRED

Industry:

Address:

City:

State: Zip:

Position:

How Long:

Employment Reference:

Phone:

Prior Employment:

Employer: Raymond James Financial

Industry: Finance

Address: 880 CARLTON PKWY

City: ST PETERSBURG

State: FL

Zip:

Position: Project Manager

How Long: 23y

Employment Reference:

Phone:

Why would you like to be considered as a candidate for service as noted in this Application?

I have served on the Park Board since 2015 and Chairman since Aug 2017. I would like to continue serving my community.

Kristine Johanson

Signature

Date: 7/01/19

TOWN OF REDINGTON BEACH

Resolution 2019-06

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE TOWN OF REDINGTON BEACH, FLORIDA, AUTHORIZING THE TRANSFER OF FUNDS FROM JP MORGAN CHASE BANK TO FLORIDA SAFE, PMA FINANCIAL NETWORK AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Redington Beach Board of Commissioners has the authority to transfer funds; and

WHEREAS, Morgan Stanley is no longer offering account management for municipal funds; and

WHEREAS, Resolution 2019-06 authorizes the transfer of funds from the town's General, Capital and Stormwater account at JP Morgan Chase to Florida Safe, PMA Financial Network.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF REDINGTON BEACH, FLORIDA AS FOLLOWS:

Section 1: Transfer \$1,070.66 from JP Morgan Chase, General Fund [...2561] to Florida Safe, PMA Financial [...101]

Section 2: Transfer \$431.86 from JP Morgan Chase, Capital Fund [...2561] to Florida Safe, PMA Financial [...103]

Section 3: Transfer \$214.57 from JP Morgan Chase, Stormwater Fund [...2561] to Florida Safe, PMA Financial [...102]

PASSED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF REDINGTON BEACH, FLORIDA, IN REGULAR SESSION THIS 7th Day of August, 2019.

Attest:

By: _____
Missy Clarke, CMC, Town Clerk

By: _____
Nick Simons, Mayor

	Motion	Second	Aye	Nay	Absent
Commissioner Dorgan					
Commissioner Steiermann					
Commissioner Will					
Vice Mayor Kornijtschuk					
Mayor Simons					

Resolution 2019-06
August 7, 2019