



**TOWN OF REDINGTON BEACH
BOARD REGULAR MEETING AGENDA
WEDNESDAY, September 4, 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, August 21, 2019**
 - B. Bill List for Day Ending August 30, 2019**
- 8. OLD BUSINESS**
 - A. First 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Ordinance of the Town of Redington Beach, Florida Amending Chapter 12 of the Town Code Concerning Nuisances to Remove Outdated, Unenforceable or Pre-empted Provisions and to incorporate current State and Federal Law Requirements; Creating new Regulations Concerning the Distribution of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
- D. Planning Services: Bruce McLaughlin- Calvin Giordano & Associates

9. NEW BUSINESS

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, August 21, 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, August 21, 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 Daigneault	X	
Town Clerk Clarke	X	

Agenda: Mayor Simons suggested moving the Duke Energy Right of Way permit after the consent agenda and before old business. A motion by Commissioner Dorgan and seconded by Commissioner Will to accept the amended agenda. Motion passed with all ayes.

Public Forum:

Public Safety

- Nothing to Report.

Building

- Nothing to Report.

Public Works

- Attended the Florida League of Cities conference. Didn't see an aggressive stance on home rule. Met with an environmental grant writer and she will be contacting the town clerk.

Finance

- Nothing to Report.

Mayor

- Reported that he had a meeting with Safe Built regarding town planner activities. Tom Walsh and Darin Cushing of Safebuilt offered services that were not covered in the contract. Safebuilt acquired Calvin, Giodano & Associates (CGA), which could perform the planning services. A resume from Bruce McLaughlin was also received to perform these services. This will be put on the next agenda for the commission to make a decision on who to retain for planning services.

Town Clerk

- An email was received from Waste Connections and per their agreement, a 1.4% price increase will take affect on October 1st. Evaluations have been completed and are available for review.

Town Attorney

- Town attorney reported on the foreclosure proceedings for the property located at 311 160th Terrace. They have made a claim of homestead. The town could proceed with probate and make the claim that the property is not homesteaded. The property is still out of compliance. The town attorney's office is working on an ordinance that would allow the town to maintain the property. The pool could possibly present a public safety hazard and therefore the town could abate the pool issue. The lawn growth would not be considered a public safety hazard. It was the consensus of the commission to address the abatement issues in Chapter 12 of the ordinances.

Boards and Committees

- Nothing to Report

CONSENT AGENDA

- A. Board Regular Meeting Minutes, August 7, 2019
- B. Bill list ending for Day ending August 16, 2019

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

NEW BUSINESS

- A. **Notice of Right of Way Utilization Permit Application: 15807 Redington Drive.** Town Planner, Bruce McLaughlin reported that Duke Energy seeks approval of a major Right of Way Utilization Permit to install two power poles and a pedestal, remove one pole, replace a street light, and bore and install underground conduit and cable in the vicinity of 15807 Redington Drive. The proposed work complies with the Town's right of way utilization permit. Staff recommends approval. The request also needs to be approved by the town clerk and the public works commissioner. Town clerk had no additional comments and recommends approval. Commissioner Steiermann was in agreeance. Jeff Baker, government and community relations manager introduced himself and Stephanie Selby, the engineer for construction and planning. He stated that Ordinance 2018-05 the commission passed requires a bond. He stated that the fees the town receives from Duke Energy for Franchise Fees should cover the bond fee. A motion by Commissioner Will and seconded by Vice Mayor Kornijtschuk to approve the Right of Way Utilization Permit Application and waive the bond requirement. No public comment. Motion passed with all ayes.

OLD BUSINESS

- A. **Continuance of 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 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.** Attorney Daigneault wants to workshop this before bringing back to the commission. The items that need to be discussed would be the noise element and the solicitation regarding newspapers.

Evan Soileau, 16107 Gulf Blvd, spoke on the wording “substantially obscured” in the ordinance. He stated that putting up trees in front of the house would reduce the smog and noise from the road.

Leslie Wilkinson, 505 161 Avenue asked why would people need to see her house. She may want privacy from the neighbors.

Kris Johanson, 16347 Redington Drive spoke on the neighboring towns decibel ratings. Se stated that the ordinance should be written where exceptions can be made, so law enforcement can use their best judgement instead of just the decibel meter.

Jim Hoffman, 15910 Redington Drive, questioned if the limits were too high. Believes the decibels are conservative.

This ordinance will be continued to the next meeting.

- B. Final Reading: Ordinance 2019-09: 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 franchise provisions from the Town Code, making related findings; Providing for Codification, severability and an Effective date.** Attorney Daigneault read the ordinance by title only. A motion by Vice Mayor Kornijtschuk and seconded by Commissioner Will to adopt Ordinance 2019-09 on its final reading. No Discussion, No public comment. Roll Call vote was taken and motion passed with all ayes.

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

- C. Friendship Park Renovations:** Commissioner Will reported that the architect has completed the rendering of the project and can now go out for bid. The retaining wall is part of the project. The hopes are to re-use the current pergola and relocate it. Commissioner Steiermann asked if the concrete pathway could be stained or painted. The current lighting would not be replaced. The lighting at Town Park would be replaced and the current lighting would be spares for Friendship Park. Mayor Simons asked if there was any public comment. No public comment. A motion by Commissioner Will and seconded by Vice Mayor Kornijtschuk to utilize the current drawings to go out to bid for the Friendship Park Renovations. Motion passed with all ayes.
- D. 2019-2020 Budget:** Commissioner Dorgan reported that there had been some changes made to the budget to increase the reserves on the seawall and the public works building, as well as for the outfall pipe at Friendship Park. The two items Commissioner Dorgan would like to finalize this evening, before the first public hearing on September 3rd is the budget for planning services and the salaries for the employees. The proposal from Bruce McLaughlin is \$45.00 per hour at 20 hours per week, for 52 weeks would be approximately \$46,000.00.

The current budget reflects a 5% raise for the employees. Commissioner Steiermann stated that salary caps have never been set and it is hard to determine what the raise should be. Vice Mayor Kornijtschuk suggested a 4% increase for all employees. The consensus was to put in a 4% raise for the employees. Mayor Simons asked if there was any public comment. No Public Comment. Commissioner Dorgan stated that salary caps could be discussed in the next fiscal year. Town clerk will add the line item for planning services and make the changes to the employees salaries.

NEW BUSINESS

A. Discussed early in the meeting.

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 7:38 p.m.

Adopted: August , 2019

Missy Clarke, CMC, Town Clerk

Date: 08/30/2019
Time: 11:32 am
Page: 1

Town of Redington Beach

Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Posting Date	Amount
Fund: 101 General Fund							
Dept: 512 Town Clerk							
101-512-512.240	Worker's Comp II FLORIDA MUN INSURANCE	FY 2019-2020 Q1	FY 19-20 Q1	0	08/29/2019	10/01/2019	363.06
							363.06
101-512-512.260	General Liability I FLORIDA MUN INSURANCE	FY 2019-2020 Q1	FY 19-20 Q1	0	08/29/2019	10/01/2019	1,709.00
							1,709.00
101-512-512.265	Property Insurance FLORIDA MUN INSURANCE	FY 2019-2020 Q1	FY 19-20 Q1	0	08/29/2019	10/01/2019	1,224.62
							1,224.62
101-512-512.409	Con Education/R FRED STEIERMANN	2019-08-29	2019 FLC Conf reimb.	0	08/29/2019	08/29/2019	523.79
							523.79
101-512-512.490	Advertising TIMES PUBLISHING COMPAN	5283	ROW Application hearing	0	08/12/2019	08/12/2019	178.80
							178.80
101-512-512.510	Office Supplies ADRIANA NIEVES	4253014	Reimbursement	0	08/23/2019	08/23/2019	55.89
							55.89
Total Dept. Town Clerk:							4,055.16
Dept: 513 Finance & Admin							
101-513-513.240	Worker's Comp II FLORIDA MUN INSURANCE	FY 2019-2020 Q1	FY 19-20 Q1	0	08/29/2019	10/01/2019	363.06
							363.06
101-513-513.495	Janitorial Service HIP CLEANING SERVICE	78	8/19 and 9/19 cleaning	0	08/27/2019	08/27/2019	405.00
							405.00
Total Dept. Finance & Admin:							768.06
Dept: 519 Other Gen. Govt Servic							
101-519-519.310	Gen. Govt Servic BOARD OF COUNTY COMMI	TRB828	FIRM review	0	08/28/2019	08/28/2019	6,997.15
							6,997.15
Total Dept. Other Gen. Govt Services:							6,997.15
Dept: 521 Law Enforcement							
101-521-521.340	Law Enforcement PINELLAS COUNTY SHERIFF	749718	Law enforcement Sept. 2019	0	09/01/2019	09/01/2019	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	752548	August 2019 Code Enf	0	09/02/2019	09/02/2019	2,707.80
							2,707.80
Total Dept. Protective Services:							2,707.80
Dept: 539 Department of Public V							
101-539-539.230	Group Insurance FLORIDA MUN INSURANCE	FY 2019-2020 Q1	FY 19-20 Q1	0	08/29/2019	10/01/2019	344.25
							344.25

Date: 08/30/2019
Time: 11:32 am
Page: 2

Town of Redington Beach

Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Posting Date	Amount
101-539-539.240	Workers Comp - FLORIDA MUN INSURANCE	FY 2019-2020 Q1	FY 19-20 Q1	0	08/29/2019	10/01/2019	726.13
							726.13
al Dept. Department of Public Works:							1,070.38
Dept: 572 Parks and Recreation							
101-572-572.260	General Liability FLORIDA MUN INSURANCE	FY 2019-2020 Q1	FY 19-20 Q1	0	08/29/2019	10/01/2019	1,709.00
							1,709.00
101-572-572.265	Property Insurance FLORIDA MUN INSURANCE	FY 2019-2020 Q1	FY 19-20 Q1	0	08/29/2019	10/01/2019	1,224.63
							1,224.63
101-572-572.430	Utilities						
	DUKE ENERGY	60814 47178	2019-08-26 7-24-19 to 8-22-19	0	08/30/2019	08/30/2019	14.25
	PINELLAS COUNTY UTILITIE	76274181	2019-08-20 6-5-19 to 8-2-19	0	08/20/2019	08/20/2019	18.41
	PINELLAS COUNTY UTILITIE	85070121	2019-08-20 6-5-19 to 8-2-19	0	08/20/2019	08/20/2019	18.41
	PINELLAS COUNTY UTILITIE	3614623	6-5-19 to 8-2-19	0	08/21/2019	08/21/2019	18.50
							69.57
101-572-572.462	Maintenance - Gr CHASE CARD SERVICES	114-1272297-9113861	DORIAN - SAND BAGS	0	08/28/2019	08/28/2019	369.90
							369.90
101-572-572.522	Gasoline & Oil						
	CHASE CARD SERVICES	1083672	Diesel - Speedway	0	08/29/2019	08/29/2019	24.68
	WEX BANK	512475	Unleaded	0	08/23/2019	08/23/2019	68.70
	WEX BANK	517037	Unleaded gasoline	0	08/26/2019	08/26/2019	36.00
	WEX BANK	522953	Unleaded	0	08/29/2019	08/29/2019	67.00
	WEX BANK	525063	Unleaded	0	08/30/2019	08/30/2019	19.49
							215.87
Total Dept. Parks and Recreation:							3,588.97
Total Fund General Fund:							40,424.52
Fund: 300 Capital Accounts							
Dept: 539 Department of Public V							
300-539-539.630	Infrastructure						
	CPWG	19073103	Undergrounding	0	08/16/2019	08/16/2019	1,500.00
	MORELLI LANDSCAPING INC	19092	6-1-19 to 8-31-19 watering	0	08/29/2019	08/29/2019	6,675.00
							8,175.00
al Dept. Department of Public Works:							8,175.00
al Fund Capital Accounts:							8,175.00
Grand Total:							48,599.52

8/26/2019	8830 Playworx Playsets LLC	3,664.00
	8831 PAYROLL	277.05
	8832 PAYROLL	277.05
	8833 PAYROLL	381.75
	8834 PAYROLL	277.05
	8835 PAYROLL	277.05
	8836 PAYROLL	1,759.15
	8837 PAYROLL	1,332.28
	8838 PAYROLL	1,197.24
	8839 PAYROLL	1,251.86
EFT	RETIREMENT	2,421.19
EFT	PAYROLL TAXES	3,109.77

16,225.44

MAYOR SIMONS

COMMISSIONER WILL

VICE MAYOR KORNIJTSCHUK

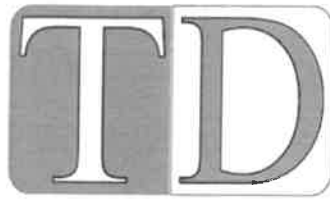
COMMISSIONER DORGAN

ATTEST:

COMMISSIONER STEIERMANN

Missy Clarke, CMC, Town Clerk

Regular Meeting of September 4, 2019



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 27, 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:

At the Commission meeting on August 21, 2019, the Commission discussed additional changes to the suggested amendment to Chapter 12 of the Town's Code. The following changes have been made based on that discussion:

1. In § 12-1(1), the verbiage "substantially obscures the view from the road of the primary structure of the land" was removed at your direction due to citizen concern; and
2. An addition to Article II, Abatement, was made to provide the Town the ability to abate nuisances and assess properties to recoup the cost to the Town.

There was also discussion regarding the distribution of unsolicited materials on private property. The concern that was raised was specific to the Beach Beacon/Tampa Bay Newspapers and its distribution to the residents of the Town. However, there is substantial legal risk in creating an exception for a specific type of publication like the Beach Beacon. The exceptions that are currently drafted are those that have been deemed permissible through developing caselaw and that caselaw is very fact specific. The concern is that if the Town creates an untested exception it will cut against the analysis on the ordinance being narrowly tailored and be found to be unconstitutional under the First Amendment. The Beacon is requesting the Town change the proposed ordinance to make an exception for the delivery of its newspaper by means of tossing from a vehicle, similar to the recent ordinance passed in North Redington Beach. I have amended

the provision accordingly and, of course, it applies to all the delivery of all such unsolicited written materials delivered in this fashion. So, the Town can either choose to keep the provision as drafted or add the provision back. It is your policy decision to make.

The Commission also inquired as to the basis of the noise ordinance as it relates to the decibel levels, and what levels are used in surrounding communities. The recommended noise ordinance was based on that implemented by Manatee County. A survey of the noise ordinances in the surrounding communities shows that there are at least three communities that use decibel ratings: Gulfport, Dunedin, Belleair Bluffs, and Indian Rocks Beach. The ratings for those communities are as follows:

Community	Decibel Level
Gulfport	65 dbA (7am – 11pm) 55 dbA (11pm – 7am)
Dunedin	65 dbA (regardless of time)
Belleair Bluffs	65 dbA (10pm – 7am)
Indian Rocks Beach	60 dbA (residential from 7am – 6pm., M - Sat) 55 dbA (residential from 6pm – 7am, M – Sat, all Sun) 66 dbA (office and commercial from 7am – 6pm., M – Sat) 60 dbA (office and commercial from 6pm – 7am, M – Sat, all Sun)

The recommended change to the ordinance by the Town is consistent with the decibel levels used by the local communities which use them. However, should the Town wish to amend the recommended provision, please let me know.

I believe this addresses all concerns raised as to Chapter 12 at the previous Commission meeting. 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 definition.

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 public~~others~~;
- (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~~ interferes~~nce~~ with the public's comfortable enjoyment of life and property, or ~~tends to depreciate~~ ion of the value of the public's ~~the~~ property ~~of others~~; or
- (4) Violates public rights, subverts public order, decency or morals~~Is 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, 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 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 accumulate ~~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 ~~foot~~other 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 the~~chicles (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 vehicle~~ 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 burying 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 deliveringhaving 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 landfilland 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 NUISANCES PROCEDURE

Sec. 12-31. – In General Abatement.

~~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.~~

Sec. 12-32. – Excessive growth of weeds, grasses, turf, or other vegetation.

All owners, agents, custodians, lessees, and occupants of any lot, parcel of land, or premises with the town shall cut and keep cut all weeds, grasses, turf, underbrush, or other vegetation to a height not to exceed ten inches; shall edge and trim all grass abutting street curbing; and shall remove any cuttings, trimmings, trash, debris, refuse, filth or other offensive accumulation or noxious matter located upon such property.

Sec. 12-33. Notice, appeal, and assessments.

(a) *Service of notice; appeals.* Upon the determination of the town's code enforcement

officer(s), when the public health is impaired by the excessive growth of any thickets, weeds, shrubs, brush, or other growths or vegetation, or the accumulation of trash, or other material liable to be a source of danger to the public health, safety, or welfare on any lot, tract, or parcel of land within the town in violation of section 12-32, the town shall notify the owner of record of the property by registered mail at the owner's address as show in the latest county tax roll of such violation and that such violation must be corrected and the property brought into compliance within thirty (30) days of the notice. The owners, custodians, or persons in possession of the property may present appeal the determination of the code enforcement officer to the city commission, in writing, which shall promptly consider the appeal at the next regularly scheduled commission meeting for which such appeal can be placed on the commission's agenda.

(b) *Failure to comply; removal by town; cost assessment.* If the property owner shall fail to comply with the conditions of the notification to correct the violation or shall otherwise have filed a written notice of appeal with the town commission, the town shall have the thickets, grass, or weeds cut and brush or trash or offensive matter removed from the property and shall assess the cost of such removal against the property, including the cost of postage, administrative expense, and any other costs incident thereto, which assessment shall be a lien against such property. The town clerk shall file in the public records of the county a lien reflecting such amounts, and such lien shall bear interest at the rate then prescribed for interest owed on judgments in circuit court. The lien shall be superior to all liens of mortgagees, mechanics liens, and all other liens of whatever type or nature and shall be of equal dignity to the lien of ad valorem taxes, unless otherwise prohibited by law. Such lien may be foreclosed or otherwise collected by the town attorney in accordance with law.

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

Common

Scientific

<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 tree~~s~~ 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:

<u>Description</u>	<u>Hours of Operations</u>
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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 11:00 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, 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 4th Day of September, 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.

James Simons, Mayor

Attest:

Missy Clarke, CMC, Town Clerk

Approved as to form:

Jay Daigneault, Town Attorney

BUDGET WORKSHEET

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Town of Redington Beach

	Prior Year Actual	Current Year				(6)	(7)	(8)
Month: 8/31/2019		Original Budget	Amended Budget	Actual Thru August	Estimated Total	Requested	Recommended	Adopted
Fund: 101 - General Fund								
Revenues								
Dept: 000								
311.000 Ad Valorem Taxes	791,188	835,156	835,156	837,316	0	884,206		
312.100 Local Option Gas Tax	20,835	21,500	21,500	11,865	0	21,500		
313.200 City of Clearwater Fran Fee	6,122	5,500	5,500	5,254	0	5,500		
313.900 Utility Propane Tax	916	600	600	727	0	750		
314.100 Progress Energy Utility tax	112,226	105,000	105,000	85,089	0	112,000		
315.000 Communications Services Tax	58,811	59,021	59,021	36,855	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	90,585	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	3,510	0			
334.300 FDOT Lighting Grant	9,640	9,500	9,500	9,929	0	9,500		
335.120 State Revenue Sharing	27,432	27,049	27,049	22,533	0	27,037		
335.180 Half Cent Sales Tax	94,499	95,349	95,349	65,640	0	98,628		
351.200 Court Fines - Traffic	6,573	4,000	4,000	2,441	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	30,925	0	30,000		
366.000 Contrib. & Dons. (Twin Towers)	1,852	1,000	1,000	1,450	0	1,000		
367.000 Other Licenses/Permits	420	300	300	360	0	350		
369.900 Other Misc Revenues	3,469	500	500	25,402	0	1,000		
Dept: 000	1,818,931	1,306,475	1,306,475	1,242,615	0	1,375,646	0	0
Total Revenues	1,818,931	1,306,475	1,306,475	1,242,615	0	1,375,646	0	0
Expenditures								
Dept: 000								
999.992 Transfer Out	37,173	48,838	48,838	0	0	36,710		
Dept: 000	37,173	48,838	48,838	0	0	36,710	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	18,700	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	1,431	0	1,561		
Legislative	24,586	24,861	24,861	22,816	0	25,261	0	0
Dept: 512 Town Clerk								
512.120 Salaries and Wages	64,291	67,486	67,486	62,304	0	70,860		
512.130 Holiday Bonus	500	500	500	500	0	500		

BUDGET WORKSHEET

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Town of Redington Beach

	Prior Year Actual	Current Year			Estimated Total	(6)	(7)	(8)
		Original Budget	Amended Budget	Actual Thru August		Requested	Recommended	Adopted
Month: 8/31/2019								
Fund: 101 - General Fund								
Expenditures								
Dept: 512 Town Clerk								
512.220 Pension	6,429	6,749	6,749	6,230	0	7,086		
512.230 Group Insurance	10,063	8,360	8,360	8,296	0	9,210		
512.231 Life Insurance	155	120	120	117	0	120		
512.232 Dental Insurance	416	370	370	367	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		
512.310 Professional Services	0	0	0	6,700	0			
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	1,220	0	1,500		
512.410 Telephone	2,463	2,300	2,300	2,222	0	2,400		
512.411 Internet Services	1,235	1,200	1,200	1,297	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	170	0	220		
512.440 Utilities- Water/Electric	6,235	5,500	5,500	5,122	0	5,800		
512.461 Building Maintenance	1,922	1,500	1,500	3,739	0	2,000		
512.471 Ordinance Codification	206	2,500	2,500	244	0	10,000		
512.472 Election Expense	2,764	2,500	2,500	1,482	0	2,800		
512.473 Newsletter	779	750	750	431	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	7,209	0	7,500		
512.510 Office Supplies	3,353	2,500	2,500	2,387	0	2,500		
512.515 Office Copier/Lease	1,575	1,750	1,750	1,321	0	1,600		
512.520 Office Copier/Usage	629	1,100	1,100	400	0	1,000		
512.521 Document Retention & Control	0	100	100	0	0	500		
512.542 Dues & Subscriptions	1,054	800	800	1,921	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	3,820	0	5,421		
Town Clerk	131,298	138,542	138,542	144,064	0	163,196	0	0
Dept: 513 Finance & Admin								
513.120 Salaries and Wages	37,088	38,985	38,985	36,499	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		

BUDGET WORKSHEET

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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								
Expenditures								
Dept: 513 Finance & Admin								
513.220 Pension	3,778	3,899	3,899	3,650	0	4,093		
513.230 Group Insurance	10,462	8,360	8,360	8,350	0	9,210		
513.231 Life Insurance	155	120	120	117	0	120		
513.232 Dental Insurance	416	370	370	367	0	382		
513.240 Worker's Comp Insurance	1,322	1,413	1,413	1,413	0	1,452		
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	1,606	0	1,500		
513.493 Bank Service Charges	30	120	120	175	0	300		
513.495 Janitorial Services	2,205	2,350	2,350	1,845	0	2,220		
521.210 Fica Match	2,890	2,982	2,982	2,792	0	3,132		
Finance & Admin	82,036	83,599	83,599	81,564	0	89,844	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	24,696	0	35,000		
514.310 Legislative Counsel	0	0	0	24,191	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	55,573	0	90,000	0	0
Dept: 515 Comprehensive Planning								
515.310 Planning	0	1	1	0	0	46,000		
Comprehensive Planning	0	1	1	0	0	46,000	0	0
Dept: 519 Other Gen. Govt Services								
519.310 Gen. Govt Services	0	25,000	25,000	1,250	0			
Other Gen. Govt Services	0	25,000	25,000	1,250	0	0	0	0
Dept: 521 Law Enforcement								
521.340 Law Enforcement Services-Cont	247,176	254,844	254,844	233,607	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	233,787	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	18,120	0	24,000		
524.421 Attorney Fees	561	2,500	2,500	1,466	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	19,827	0	26,850	0	0

BUDGET WORKSHEET

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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								
Expenditures								
Dept: 539 Department of Public Works								
521.210 Fica Match	5,402	5,809	5,809	5,216	0	6,100		
539.120 Salaries & Wages	71,536	75,936	75,936	68,943	0	79,733		
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	6,894	0	7,974		
539.230 Group Insurance - DPW	15,188	16,720	16,720	16,700	0	18,412		
539.231 Life Insurance - DPW	309	240	240	234	0	240		
539.232 Dental Insurance - DPW	754	740	740	874	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	1,021	0	1,500		
Department of Public Works	107,401	117,003	117,003	105,143	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	22,962	0	29,500		
541.535 Road Signage	332	1,500	1,500	416	0	1,500		
Roads & Streets	29,921	37,000	37,000	23,378	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	4,376	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	274	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	5,856	0	6,000		
572.464 Maintenance - Other	0	500	500	0	0	500		

BUDGET WORKSHEET

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Town of Redington Beach

Month: 8/31/2019	Prior Year Actual	Current Year			(6) Requested	(7) Recommended	(8) Adopted
		Original Budget	Amended Budget	Actual Thru August			
Fund: 101 - General Fund							
Expenditures							
Dept: 572 Parks and Recreation							
572.467 Equipment Rental	0	500	500	0	0	500	
572.490 Playground Equipment	0	1,500	1,500	0	0	1,500	
572.510 Maintenance Equipment Repair	107	500	500	3,405	0	2,000	
572.520 Uniforms	432	500	500	0	0	500	
572.521 Twin Towers Operating Supplies	152	300	300	390	0	500	
572.522 Gasoline & Oil	3,520	3,000	3,000	3,808	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	669	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	72,629	0	77,735	0
Dept: 573 Board of Parks & Recreation							
572.439 Holiday Lights	12,515	13,000	13,000	12,871	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	3,664	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	16,535	0	20,000	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	20,000	
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	71,200	
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	229,850	0
Total Expenditures	1,425,954	1,306,476	1,306,476	941,209	0	1,375,646	0

BUDGET WORKSHEET

Town of Redington Beach

Page: 6
8/30/2019
8:43 am

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: 300 - Capital Accounts								
Revenues								
Dept: 000								
312.600 Sales & Use Tax - One Cent Tax	168,403	196,238	196,238	102,737	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	6,996	0	10,646		
337.300 PC Interlocal Agreement Reimb.	32,028	1,518,346	1,518,346	567,266	0	200,000		
361.200 Interest Savings Accounts	11,576	7,500	7,500	12,496	0	10,000		
369.900 Other Misc Revenues	0	0	0	432	0			
399.000 Transfer In	37,173	48,838	48,838	0	0	36,710		
Dept: 000	257,797	1,812,593	1,812,593	771,652	0	445,825	0	0
Total Revenues	257,797	1,812,593	1,812,593	771,652	0	445,825	0	0
Expenditures								
Dept: 539 Department of Public Works								
539.630 Infrastructure	9,660	1,550,346	1,550,346	839,434	0	200,000		
Department of Public Works	9,660	1,550,346	1,550,346	839,434	0	200,000	0	0
Dept: 590 Capital Outlay								
590.001 Capital Outlay	0	1	1	0	0	60,000		
Capital Outlay	0	1	1	0	0	60,000	0	0
Dept: 600 Replacement Reserve								
600.600 Roads & Streets	0	262,247	262,247	0	0	185,825		
Replacement Reserve	0	262,247	262,247	0	0	185,825	0	0
Total Expenditures	9,660	1,812,594	1,812,594	839,434	0	445,825	0	0

BUDGET WORKSHEET

Page: 7
8/30/2019
8:43 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: 400 - Storm Water								
Revenues								
Dept: 000								
312.000 Stormwater Fee Revenue	95,876	94,000	94,000	65,119	0	94,500		
361.200 Interest Savings Accounts	5,747	4,500	4,500	7,220	0	6,000		
369.900 Other Misc Revenues	0	0	0	215	0			
Dept: 000	101,623	98,500	98,500	72,554	0	100,500	0	0
Total Revenues	101,623	98,500	98,500	72,554	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	10,007	0	10,000		
Storm Water	17,146	20,200	20,200	17,314	0	22,200	0	0
Dept: 541 Roads & Streets								
541.468 Maintenance - Storm Drains	1,362	1,500	1,500	959	0	11,000		
Roads & Streets	1,362	1,500	1,500	959	0	11,000	0	0
Dept: 600 Replacement Reserve								
600.500 Stormwater System	0	76,800	76,800	0	0	67,300		
Replacement Reserve	0	76,800	76,800	0	0	67,300	0	0
Total Expenditures	18,508	98,500	98,500	18,273	0	100,500	0	0
Grand Total:	724,229	-2	-2	287,905	0	0	0	0



Calvin, Giordano & Associates, Inc.
EXCEPTIONAL SOLUTIONS™

DRAFT – FOR DISCUSSION

MEMORANDUM OF AGREEMENT

TO: Missy Clarke, Town Clerk
Town of Redington Beach

FROM:  Calvin, Giordano & Associates, Inc.
Christopher Brimo, AICP

SUBJECT: Agreement for Professional Planning Services

DATE: August 13, 2019

Calvin, Giordano & Associates, Inc. (CGA) is pleased to submit this proposal for Professional Planning Services for the Town of Redington Beach (Town).

I. Professional Planning Services

- A. CGA will assist the Town in the review and processing of applications, submissions and requests for development-related approvals, including, but not limited to, the following:
- Variance Requests
 - Special Exception Requests
 - Site Plans
 - Plat Applications (excluding engineering review)
 - Special Projects
- B. The disciplines to be provided by CGA, depending on the type of application and factors to be considered, may include the following:
- Planning,
 - Zoning
 - Redevelopment
1. **Continuing Planning Assistance:**
The purpose of this provision is to provide professional community planning assistance to the Town, on an ongoing, as-needed but readily available basis in the most cost-efficient manner possible.

Building Code Services
Civil Engineering / Roadway
& Highway Design
Coastal Engineering
Code Enforcement
Construction Engineering &
Inspection (CEI)
Construction Services
Data Technologies &
Development
Electrical Engineering
Engineering
Environmental Services
Facilities Management
Geographic Information
Systems (GIS)
Governmental Services
Indoor Air Quality
Landscape Architecture
Planning
Project Management
Redevelopment
& Urban Design
Surveying & Mapping
Traffic Engineering
Transportation Planning
Water / Utilities Engineering
Website Development

Feather Sound
Corporate Center
13535 Feather Sound Dr.
Suite 135
Clearwater, FL 33762
727.394.3825 phone

www.cgasolutions.com



- a. CGA will assist the Town by providing ongoing professional planning assistance as needed and requested by the Town in the maintenance and of the Town's Comprehensive Plan and Land Development Code, including but not limited to the following:
 - Assistance and coordination with Town staff in the interpretation of plan and code provisions in the ongoing administration of the plan and code.
 - Such other continuing planning assistance as may be requested by the Town.
- b. CGA will perform such services on behalf of the Town at the request of the Town Mayor or their designee.

II. BASIS OF AGREEMENT

- A. This proposal does not include provision for any engineering, architectural, construction or other professional services that may be offered by CGA not specifically provided for under paragraphs I.A. and B. above.
- B. Any services not specifically included in this proposal will be considered additional services and be addressed in a separate contractual agreement should that be necessary.

1. Additional Planning Services:

CGA will assist the Town by providing professional planning assistance as needed and requested by the Town in the amendment and of the Town's Comprehensive Plan or Land Development Code.

III. FEE

- A. CGA will perform the professional services set forth in I.A. above based on the Professional Fee Schedule attached hereto and made a part of the Agreement; except as specifically noted herein:
 1. The normal billing rate as set forth in the attached fee schedule for the Senior Planner position will be reduced from \$125 per hour to \$95 per hour for any time expended on non-cost recovery tasks up to twenty (20) hours per month. Hours expended above 20 hours per month by the Senior Planner, and all other positions, will be invoiced at the regular hourly rate in the fee schedule attached.
 2. Attendance at Commission meetings, public hearings or workshops, will be invoiced at the regular hourly rate in the fee schedule attached.
- B. Invoice for work accomplished to date will be submitted monthly and are payable within thirty (30) days. Invoices will detail the services provided under I.B. Professional Planning Services.
- C. In the event of termination in accordance with this Agreement or termination not the fault of CGA, CGA shall be compensated for services properly performed prior to receipt of notice of termination.



IV. TERMS OF THE AGREEMENT

- A. CGA will indemnify the Town in any action brought based upon CGA's negligence; the venue for any such action shall be in Pinellas County, Florida; and in action to enforce this Agreement, attorney's fees will be awarded to the prevailing party.
- B. The Town or their representative shall be available to meet with CGA and provide decisions in a timely manner throughout the course of this Agreement. The Town will provide all plans and other pertinent information, which are necessary for CGA to provide complete professional services as outlined in this Agreement.
- C. This Agreement may be terminated by either party without cause upon written notice. Failure of the Town to make payments to CGA, in accordance with this Agreement, shall be considered substantial nonperformance and cause for termination.
- D. This Agreement represents the entire and integrated agreement between the Town and CGA and supersedes all prior negotiations, representations or agreements, either written or oral. This Agreement may be amended only by written instrument signed by both CGA and the Town.
- E. The terms of this Agreement shall be XXX (X) year(s).



Calvin, Giordano & Associates, Inc.

EXCEPTIONAL SOLUTIONS™

PROFESSIONAL FEE SCHEDULE

Principal	215.00	LANDSCAPE ARCHITECT	
Contract Administrator	190.00	Associate, Landscape Architect	165.00
Project Administrator	165.00	Senior Landscape Architect	135.00
Executive Assistant / Clerical	75.00	Environmental Administrator	125.00
		Landscape Architect	120.00
ENGINEERING		Environmental Specialist	105.00
Associate, Engineering (VI)	190.00	Landscape CADD Technician	95.00
Director, Engineering (V)	175.00	Environmental Assistant	90.00
Project Manager (IV)	150.00	Landscape Inspector/Arborist	105.00
Project Engineer (III)	130.00	Landscape Designer	120.00
Engineer (II)	110.00	Landscape Site Plan Reviewer	135.00
Jr. Engineer (I)	100.00		
Senior CADD Tech Manager	115.00	INDOOR AIR QUALITY SERVICES	
CADD Technician	95.00	Sr. Environmental Scientist	125.00
Permit Administrator	90.00	Environmental Scientist	100.00
DATA TECH DEVELOPMENT			
Associate, Data Tech Dev.	165.00	CONSTRUCTION	
GIS Coordinator	145.00	Associate, Construction	165.00
GIS Specialist	125.00	Construction Management Director	135.00
Multi-Media 3D Developer	115.00	Construction Manager	125.00
GIS Technician	100.00	Senior Inspector	100.00
Sr. Applications Developer	165.00	Inspector	90.00
Applications Developer	135.00	Construction Coordinator	90.00
Network Administrator	155.00		
System Support Specialist	115.00	EMERGENCY MANAGEMENT	
IT Support Specialist	85.00	Director	145.00
		Planner	105.00
GOVERNMENTAL SERVICES		Assistant Planner	90.00
Associate, VP	190.00		
Director of Code Enforcement	145.00	PLANNING	
Director of Building Code	145.00	Associate, Planning	175.00
Project Manager	145.00	Director of Planning	150.00
Grants Administrator	125.00	Planning Administrator	150.00
Code Enforcement Field Supervisor	110.00	Planning Manager	145.00
Code Enforcement Field Inspector	90.00	Senior Planner	125.00
Building Official	115.00	Assistant Planner	90.00
Building Plans Reviewer	90.00		
Building Inspector	90.00	EXPERT WITNESS	
Permit Processor	75.00	Principal/Associate	330.00
		Registered Engineer/Surveyor	280.00
SURVEYING		Project Engineer	230.00
Associate, Surveying	165.00		
Senior Registered Surveyor	145.00		
Survey Crew	135.00		
Registered Surveyor	130.00		
Survey Coordinator	105.00		
CADD Technician	95.00		
3D Laser Scanner	355.00		
Hydrographic Survey Crew	330.00		
G.P.S. Survey Crew	155.00		
Sub-meter G.P.S	75.00		
Soft Dig (per hole)	480.00		
Utility Locates (per hour)	205.00		

In addition to the hourly rates listed above, charges will include direct out-of-pocket expenses such as reproduction, overnight mail, and other reimbursables billed at a multiplier of 1.25.

Building Code Services
Civil Engineering / Roadway & Highway Design
Coastal Engineering
Code Enforcement
Construction Engineering & Inspection (CEI)
Construction Services
Data Technologies & Development
Electrical Engineering
Engineering
Environmental Services
Facilities Management
Geographic Information Systems (GIS)
Governmental Services
Landscape Architecture
Planning
Project Management
Redevelopment & Urban Design
Surveying & Mapping
Traffic Engineering
Transportation Planning
Water / Utilities Engineering
Website Development

1800 Eller Drive
Suite 600
Fort Lauderdale, FL 33316
954.921.7781 phone
954.921.8807 fax

www.cgasolutions.com

Effective October 1, 2014

FORT LAUDERDALE

MIAMI-DADE

WEST PALM BEACH

CLEARWATER/TAMPA

ESTERO

PORT ST. LUCIE

BRUCE McLAUGHLIN CONSULTING SERVICES, INC.

900 Gulf Boulevard, Suite 303
Indian Rocks Beach, Florida 33785
Ph: 727/595-7634 Fax: 727/593-9581
Email: BruceSandy@aol.com

August 12, 2019
BD-Pi

Honorable Mayor and Members
Board of Commissioners
Town of Redington Beach
105 - 164th Avenue
Redington Beach, FL 33708

By E-mail and Hand

Dear Mr. Mayor and Commissioners,

Re. Professional Town Planning Services.
Town of Redington Beach

Please accept this letter as a proposal by the undersigned to offer professional Town Planning services to the Town of Redington Beach through Bruce McLaughlin Consulting Services, Inc. I have been working closely with the Town and its land use planning controls for the past two-plus years and feel as if I know those controls better than anyone else. However, I still have a distance to go to completely master the nuances of the Town's Comprehensive Plan and land development regulations. It will be an honor and a privilege to be able to continue to assist the Town in the capacity of Town Planner in the future.

A. BACKGROUND

The Town is governed by a Comprehensive Plan adopted in 1989, updated in 2008 and now undergoing revision. The Town is also governed by a Zoning Code adopted by Ordinance 53 in 1954, (codified in Appendix A of the Town Code), and amended several times since, although each proposed amendment to the Zoning Code requires approval by a super-majority of Town electors at a referendum.

The following chapters of the Town Code:

Chapter 5	Boats, Docks and Waterways
Chapter 6	Buildings and Building Regulations
Chapter 7	Concurrency Management
Chapter 9	Fire Prevention and Protection
Chapter 10	Floodplain Management
Chapter 15	Planning
Chapter 17	Signs
Chapter 18.5	Stormwater
Chapter 19	Streets, Sidewalks and Other Public Ways

August 12, 2019

Chapter 19.5 and;
Chapter 22 Utilities

are, in whole or in part, land development regulations, or at least within the purview of a town planner/zoning administrator.

From the Town's inception through 2015, the Zoning Code was administered by the Town's Building Official who also administered the Florida Building Code and its predecessors, and the land development regulations of the above-listed Code Chapters. At various times, the Town Building Official was a Town employee, contracted from Pinellas County or otherwise engaged.

Beginning in April, 2015, the Town contracted with Florida Municipal Services (FMS) to provide building department services to the Town including "plan review, inspections, and planning/zoning development review." Although FMS is required to provide a full time zoning reviewer in an office in "close proximity" to the Town, the contract is silent on tasks such as the Comprehensive Plan update, code updates, grant applications, liaison with Pinellas County, etc. While FMS is required to assist in Board of Adjustment and Code Enforcement matters, again,, the contact is silent on working with the Town Board, Planning Board, Town Staff, Town Engineer, etc.

(There is a Rate Schedule item for "Land Use/Zoning Plan Review," but that item is for plan reviews for "large commercial projects only," a type of development unlikely to occur in Redington Beach.)

For the first year and a half of the FMS contract, FMS provided minimal support in planning and zoning efforts. The then Building Official did sponsor the Comprehensive Plan Amendments related to ISR, Mobility Management and emergency housing, ¹ and the corresponding code amendment for the ISR. Mr. Owings also attended Planning Board meetings and offered advice on issues before the Planning Board.

However, the vigorous participation by the Town Planner now being provided began with me. FMS has not charged the Town for my efforts in this regard. It is realistic to expect that when the FMS contract is renegotiated later this year or early next year, these services will be included as a billable item at a set billing rate, presumably comparable to that for land use/zoning review for large commercial projects.

¹ None of which were legally adopted.

August 12, 2019

B. SERVICES TO BE PROVIDED.

1. Overview:

The undersigned, through Bruce McLaughlin Consulting Services, Inc., will serve as the Town Planner/zoning administrator, providing general land use planning and code compliance services to the Town. In particular, I will offer the following services.

2. Planning Mandate Compliance:

Ensure that the Town comes into compliance with any outstanding state or countywide planning mandates, *e.g.*, preparation of the past due water supply plan update. Ensure future compliance with all applicable planning mandates, *e.g.*, preparation of the annual update to the Schedule of Capital Improvements in the Comprehensive Plan's Capital Improvements Element.

3. Comprehensive Plan Update:

Continue the update to the Comprehensive Plan, now underway. As the Plan is administered in the future, identify and propose appropriate additional Plan amendments.

4. Land Development Regulation Amendments.

Working closely with the Building Official and with the Town Attorney's office, continue preparation of an amended Building and Building Regulation Code. Prepare amendments to the land development regulations in the Code Chapters identified on pages 1 and 2, above.

5. Issue Identification and Analysis:

In consultation with the Mayor, the Board of Commissioners, Planning Board, Town Staff and the Town's other professional advisors, identify issues within the purview of land use planning/zoning administration, which issues could be addressed for the betterment of the Town. Analyze said issues and propose appropriate action based on the identification and analysis.

August 12, 2019

6. Meetings:

Prepare for and attend meetings of the Town Board when there are items on the agenda within the purview of the Town Planner. Prepare for and attend all meetings of the Planning Board and of the Board of Adjustment. As appropriate, prepare staff reports for all relevant items, coordinating with the Building Official for Board of Adjustment agenda items. Assist the Clerk's office with the preparation and publication of all public hearing notices.

Be available to attend meetings of Boards and Committees when there are agenda items that fall within the purview of land use planning/zoning. Be available to attend outside meetings on the Town's behalf on the instructions of the Clerk or the Mayor.

7. Grant Applications:

Identify and seek appropriate and relevant planning grants for eligible Town projects. Assist other Town Staff and advisors with other grant applications.

8. FEMA Compliance:

Assist Town Staff with FEMA compliance including CRS documentation and applications for FEMA assistance on specific projects.

9. Pre-application Counseling:

Be available to the Town's property owners and their agents for pre-application consultation with respect to land development regulation and Comprehensive Plan implications for project design.

10. Plan Review Liaison:

For new construction, for remodeling projects that involve significant exterior work, and for other appropriate projects, work with the Building Department's plan reviewers to ensure complete compliance with the Town's Comprehensive Plan and land development regulations.

August 12, 2019

11. Code Enforcement:

As requested, assist the Code Enforcement Officer and the Building Official with code enforcement issues, including field inspections and code compliance research.

12. General:

Be available to the Town Board and its individual members, Planning Board members, Town Staff, other Town professional advisors and the public to assist with assignments that fall generally within the purview of land use planning and zoning (e.g., the Friendship Park permit applications), and where the undersigned is qualified to undertake the work.

C. LOCATION OF SERVICES

I will perform the work described herein at my home office, in the Town and at the Redington Beach Town Hall, as appropriate.

Except when traveling, I will keep regular office hours at Town Hall as negotiated with the Mayor. Exceptions to my regular office hours will be posted as soon as known. In addition, I will be available at Town Hall by appointment to members of the Town Board, Town Staff, other Town professional advisors and the public.

D. TIME TO BE EXPENDED

Beginning October 1, 2019, I will spend an average of 20 hours per week on Town business for the tasks described in Part B of this outline. The 20 hours per week will be averaged over a four week period so that the most the Town can be invoiced in any four week period is 80 hours. Invoices will be submitted every two weeks and will be itemized so that if any of my fees are recoverable from a property owner the necessary documentation for such a recovery will be available.

E. COMPENSATION

The work will be performed by Bruce McLaughlin Consulting Services, Inc., (BMCS). My time

Mayor and Members,
Town Board of Commissioners
Town of Redington Beach
Town Planner Proposal
Page 6 of 6

August 12, 2019

will be billed at \$45.00 per hour. BMCS will be responsible for all payroll associated costs. I will also provide my own transportation at no charge to the Town for travel within Pinellas County.

The primary out-of-pocket expense associated with my services is photocopying, an expense which the Town is already incurring. No other reimbursable out of pocket expenses will be incurred without the prior approval of the Clerk, the Mayor or of the Town Board, as appropriate.

F. CONCLUSION

It has been an honor and a privilege to serve as Town Planner for the past two years. I sincerely hope that I will be able to continue in that capacity under the auspices of Bruce McLaughlin Consulting Services, Inc., for the foreseeable future.

With many thanks for your consideration of this outline,

Yours very truly,
Bruce McLaughlin Consulting Services, Inc.



R. Bruce McLaughlin, AICP, MCIP
President