

James E. Woods, Mayor  
Jay G. Foy, Vice Mayor  
Jerry E. Beavers, Council Member  
Henry "Butch" Lynch, Council Member  
Mark C. Uptegraph, Council Member  
John Fenn Foster, Town Attorney  
Janice C. Rutan, Town Administrator



**TOWN OF HAVERHILL**  
**Regular Town Council Meeting**  
**Thursday, May 6, 2010 – 7:00 p.m.**  
**Town Hall – 4585 Charlotte Street**

- I. CALL TO ORDER
- II. INVOCATION AND PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. APPROVAL OF AGENDA
- V. APPROVAL OF THE CONSENT AGENDA
  - a. Approval of the April 8, 2010 and April 22, 2010 regular meeting minutes
- III. PRESENTATIONS
- VII. COMMENTS FROM THE PUBLIC
- VIII. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S DEPARTMENT
- IX. SECOND READINGS AND PUBLIC HEARINGS

**ORDINANCE NO. 388**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING CHAPTER 38, TRAFFIC AND VEHICLES, BY AMENDING SECTION 38-18 ENTITLED "DANGEROUS INTERSECTION SAFETY ACT" BY REVISING DEFINITIONS TO MODIFY THE REQUIREMENTS FOR THE TRAFFIC INFRACTION OFFICER, ALLOWING THE TOWN COUNCIL TO ELECT NOT TO ISSUE NOTICES OF INFRACTIONS FOR CERTAIN VEHICULAR MOVEMENTS OR SPECIFIC LOCATIONS, ADDING A WARNING PERIOD, SPECIFYING ADDITIONAL LANGUAGE FOR THE NOTICE OF INFRACTION, OUTLINING THE PROCEDURES FOR MAILING A NOTICE OF INFRACTION AND SETTING TIME PERIODS FOR RESPONSE AND APPEAL, IDENTIFYING THE FACTORS TO REBUT THE PRESUMPTION OF LIABILITY, PROVIDING THE TRAFFIC INFRACTION OFFICER WITH AUTHORITY TO DISMISS A CASE, DESCRIBING THE CONTENTS OF THE AFFIDAVIT FOR CERTAIN DEFENSES, AND INCREASING THE FINE TO \$155; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AUTHORITY TO CODIFY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**ORDINANCE NO. 389**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING CHAPTER 54, SUBDIVISIONS, PLATTING AND REQUIRED IMPROVEMENTS, BY DELETING THE DISTINCTION BETWEEN A MINOR AND MAJOR SUBDIVISION, REQUIRING THE TOWN COUNCIL TO APPROVE ALL SUBDIVISIONS, REQUIRING ALL SIGNATURES TO BE OBTAINED PRIOR TO SIGNING BY THE TOWN AND AUTHORIZING THE TOWN TO RECORD THE PLAT, PROHIBITING A PLAT APPLICATION FROM BEING CONSIDERED IF THERE ARE PENDING CODE VIOLATION ISSUES, CLARIFYING THAT A SUBDIVISION WITH 3 OR FEWER LOTS MAY BE ON WELL SYSTEM AND 4 OR FEWER LOTS ON SEPTIC SYSTEM, IF ALLOWED BY APPLICABLE LAW, AND ILLUSTRATING THAT A BOND OR LETTER OF CREDIT MAY SATISFY GUARANTEE REQUIREMENTS; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AUTHORITY TO CODIFY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**ORDINANCE NO. 390**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING CHAPTER 58, ZONING, BY DELETING ARTICLE II, PLANNING AND ZONING COMMISSION; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AUTHORITY TO CODIFY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

**ORDINANCE NO. 391**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING SUBSECTION (A) OF SECTION 58-330, GARAGE AND YARD SALES, OF CHAPTER 58, ZONING, BY CLARIFYING THAT A PERMIT FOR A GARAGE SALE WILL NOT BE ISSUED FOR THE WEEKEND OF THE TOWN SPONSORED GARAGE SALE; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AUTHORITY TO CODIFY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

**ORDINANCE NO. 392**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING ARTICLE V, CODE ENFORCEMENT, OF CHAPTER 2, ADMINISTRATION, BY DELETING ANY AND ALL REFERENCES TO CODE ENFORCEMENT BOARD AND PROVIDING THAT THE TOWN MAY CONDITION THE PROCESSING OF ANY APPLICATION OR PETITION UPON SATISFACTION OF ANY OUTSTANDING CODE VIOLATIONS OR FINES; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AUTHORITY TO CODIFY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

**ORDINANCE NO. 393**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING SECTION 58-151, ESTABLISHING ZONING DISTRICTS, OF ARTICLE VI, DISTRICT REGULATIONS, OF CHAPTER 58, ZONING, BY ADDING PLANNED BUSINESS CAMPUS DEVELOPMENT (PBCD) AS A SPECIFIC ZONING DISTRICT; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AUTHORITY TO CODIFY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

**ORDINANCE NO. 394**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING SECTION 14-7(c), SECTION 58-6, SECTION 58-9, SECTION 58-60, SECTION 58-61 AND SECTION 58-62 BY DELETING THE POWER AND RESPONSIBILITY OF THE ZONING BOARD OF APPEALS TO HEAR APPEALS AND BY VESTING SUCH RIGHT AND AUTHORITY IN THE TOWN COUNCIL; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AUTHORITY TO CODIFY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

**ORDINANCE NO. 395**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING SECTIONS 30-44, 30-88 AND 30-119 OF CHAPTER 30, SOLID WASTE, BY REQUIRING THE PROPERTY OWNER TO PLACE THEIR GARBAGE RECEPTACLES CURBSIDE NO EARLIER THAN 4:00 P.M. THE DAY PRIOR TO THE SCHEDULED PICKUP AND VEGETATIVE WASTE NO EARLIER THAN 72 HOURS PRIOR TO THE SCHEDULED PICKUP; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AUTHORITY TO CODIFY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

**REGULAR AGENDA:**

- a. Update on Cell Tower negotiations**
- b. Parkview Place road request**
- c. Briarwood Drainage Improvement Project**
- d. Club Road Sidewalks**

**X. REPORTS**

**Town Attorney**

**Mayor**

**Consultants**

**Administrator's Report**

**Committee and Delegate Reports**

**Treasurer's Report (included in packet)**

**XII UNFINISHED BUSINESS**

**XIII NEW BUSINESS**

**XIV ADJOURNMENT**

Notice: If any person decides to appeal any decision of the Town Council at this meeting, he/she will need a record of the proceedings and for this purpose; he/she needs to ensure that a verbatim record of the proceedings is made. The record must include the testimony and evidence upon which the appeal is to be based, pursuant to F.S. 286.0105. The Town of Haverhill does not prepare nor provide such verbatim record.

In accordance with the provisions of the American with disabilities Act (ADA), this document can be made available in an alternate format (large print) upon request. Special accommodations can be provided upon request with three (3) days advance notice of any meeting, by contacting Janice C. Rutan, CMC, Town Administrator at the Haverhill Town Hall, 4585 Charlotte Street, Haverhill, Florida. Phone Number (561) 689-0370 Facsimile Number (561) 689-4317