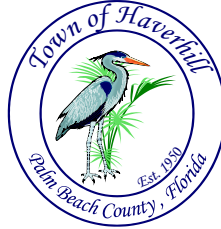


Jay G. Foy, Mayor
Lawrence Gordon, Vice Mayor
Mark C. Uptegraph, Council Member
Dennis Withington, Council Member
Ray Caranci, Council Member
John Fenn Foster, Town Attorney
Janice C. Rutan, Town Administrator



TOWN COUNCIL MEETING

August 27, 2020

IN ACCORDANCE WITH STATE OF FLORIDA, OFFICE OF THE GOVERNOR EXECUTIVE ORDER NUMBER 20-69 (Emergency Management – COVID- 19 – Local Government Public Meetings), the Emergency Declaration issued by the Town, and FS 286.0114, and other applicable federal, state, county and Town declarations, orders, rules and regulations, the Town Hall meeting shall be modified with respect to public access and public comment. Public comment will be received via e-mail (jrutan@townofhaverhill-fl.gov) up until noon on August 27, 2020. Any public comments received via e-mail, will be made part of the record of the meeting. If you prefer to appear in person to address the Town Council, access to the Town Hall by the public will be limited to no more than 10 persons in the Council Chambers including Town Council, Staff and PBSO; provided, however, that those persons exhibiting signs of illness, such as coughing or sneezing will not be permitted in the Town Hall. Each person will be granted 5 minutes to speak either on an agenda item or under Public Comment. If you wish to speak on a specific agenda item, please tell the Administrator prior to your entrance into the Town Hall so she can schedule speakers accordingly. All persons will be required to bring their own mask and wear it when entering Council Chambers to address the Town Council. Those persons gathering outside the Town Hall shall maintain a separation of at least six feet from one another, and it is recommended that masks be worn as well. If you wish to listen to the Town Council Meeting via teleconferencing, dial 1-877-953-1152 and enter participant code 7404157#. Those individuals gathering outside of the Town Hall will need to dial-in to the number above as there will be no speaker outside to broadcast the meeting. Once the workshop begins, all participants will be muted, however, after Council discusses a specific workshop item, the call will be unmuted to allow for questions. Please be courteous of the other participants, speak in turns and do not talk over another speaker. Thank you for your patience and understanding during these uncertain times.

Jay G. Foy, Mayor
Lawrence Gordon, Vice Mayor
Mark C. Uptegraph, Council Member
Dennis Withington, Council Member
Raymond Caranci, Council Member
John Fenn Foster, Town Attorney
Janice C. Rutan, Town Administrator



**TOWN OF HAVERHILL
TOWN COUNCIL REGULAR MEETING
Thursday, August 27, 2020
7:00 p.m.
REVISED AGENDA**

- I. CALL TO ORDER**
- II. INVOCATION AND PLEDGE OF ALLEGIANCE**
- III. ROLL CALL**
- IV. COMMENTS FROM THE PUBLIC**
- V. APPROVAL OF AGENDA**
- VI. APPROVAL OF THE CONSENT AGENDA**
 - a. Approval of the minutes of the July 23, 2020**
- VII. PROCLAMATIONS AND PRESENTATION**
- VIII. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE**
- IX. REGULAR AGENDA AND FIRST READINGS**
 - a. Act on request for Variance for a pool setback as filed by the property owners of 930 Briarwood Drive, Haverhill Florida.**
 - b. Act of request for variation to allow two feet of 6' fence height in front of the plain of the house for property located at 5088 Ivywood Road as filed by the property owner Rose M. Alvarez**
 - c. ORDINANCE NO. 490: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING CHAPTER 2, ADMINISTRATION, OF THE TOWN CODE OF ORDINANCES, BY ADOPTING A NEW ARTICLE VI, CIVIL RIGHTS; PROVIDING FOR THE ADOPTION OF THE HAVERHILL CIVIL RIGHTS ACT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR THE CORRECTION OF SCRIVENER'S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE**
 - d. ORDINANCE NO. 491 AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES BY AMENDING CHAPTER 58, ZONING, BY REPEALING DIVISION 11, ACCESSORY DWELLING UNITS, OF ARTICLE IX, SUPPLEMENTAL DISTRICT REGULATIONS, TO NO LONGER ALLOW FOR ACCESSORY DWELLING UNITS IN THE TOWN; PROVIDING A CONFLICTS CLAUSE, AUTHORITY TO CODIFY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE CORRECTION OF SCRIVENER'S ERRORS; AND PROVIDING AN EFFECTIVE DATE**
 - e. ORDINANCE NO. 492 AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING THE TOWN CODE OF**

ORDINANCES BY AMENDING CHAPTER 14, BUILDINGS AND BUILDING REGULATIONS, BY ADDING A NEW SUB-SECTION (g) TO SECTION 14-7, CLARIFYING THAT THE CODE INSPECTOR FOR THE TOWN OF HAVERHILL MAY ALSO ENFORCE THE PROVISIONS OF SECTION 14-7(a)(3), BUILDINGS OR STRUCTURES ERECTED WITHOUT A PERMIT, AND UTILIZE THE ENFORCEMENT PROCEDURES AS SET FORTH IN ARTICLE V, CODE ENFORCEMENT, OF CHAPTER 2, ADMINISTRATION, OF THE TOWN CODE, IN ADDITION TO THE ABATEMENT PROCEDURES SET FORTH IN SECTION 14-7 WITH RESPECT TO THE POWERS OF THE BUILDING OFFICIAL; PROVIDING A CONFLICTS CLAUSE, AUTHORITY TO CODIFY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE CORRECTION OF SCRIVENER'S ERRORS; AND PROVIDING AN EFFECTIVE DATE

- f. ORDINANCE NO. 493 AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING ORDINANCE NO. 449, TO CLARIFY THAT SECTION 2 THEREOF WAS NOT INTENDED TO DELETE THE PROVISIONS OF ORDINANCE NO. 228, WHICH WAS CODIFIED AS CHAPTER 50 OF THE CODE OF ORDINANCES, BUT ONLY PROVISIONS OF SAID ORDINANCE AS IT RELATED TO FLOODPLAIN MANAGEMENT, AND THEREBY RE-ENACTING, RE-ADOPTING AND RATIFYING ALL OF THE LANGUAGE OF PREVIOUS CHAPTER 50, STORMWATER MANAGEMENT, OF THE CODE OF ORDINANCES, AS IT EXISTED IMMEDIATELY PRIOR TO THE DATE OF ADOPTION OF ORDINANCE NO. 449, JUNE 22, 2017, INCLUDING, WITHOUT LIMITATION, SECTIONS 50-1 THROUGH 50-12; SECTIONS 50-36 THROUGH 50-43; SECTIONS 50-66 THROUGH 50-71; AND SECTION 50-91; PROVIDING A CONFLICTS CLAUSE, AUTHORITY TO CODIFY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE CORRECTION OF SCRIVENER'S ERRORS; AND PROVIDING AN EFFECTIVE DATE**

X. SECOND READINGS AND PUBLIC HEARINGS

- a: ORDINANCE NO. 478:ORDINANCE OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES BY AMENDING CHAPTER 14, BUILDING AND BUILDING REGULATIONS, BY ADDING A NEW SECTION 14-8, HURRICANE SHUTTERS, REGULATING THE TIMING OF THE PLACEMENT AND REMOVAL OF HURRICANE SHUTTERS ON BUILDINGS AND STRUCTURES WITHIN THE TOWN; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CORRECTION OF SCRIVENERS' ERRORS; PROVIDING FOR AN EFFECTIVE DATE AND OTHER PURPOSES.**
- b: ORDINANCE NO. 479:AN ORDINANCE OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES BY AMENDING CHAPTER 58, ZONING, BY AMENDING SEC. 58-315, VISUAL OBSTRUCTIONS, TO CLARIFY THE PROHIBITION OF ANY OBSTRUCTIONS ON CORNER LOTS WHICH MAY OBSCURE THE VIEW, OR OBSTRUCTIONS ON OTHER LOTS WHICH MAY IMPAIR VISIBILITY AT DRIVEWAYS OR STREET INTERSECTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CORRECTION OF SCRIVENERS' ERRORS; PROVIDING FOR AN EFFECTIVE DATE AND OTHER PURPOSES.**
- c. ORDINANCE NO. 480: AN ORDINANCE OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES BY AMENDING CHAPTER 58, ZONING, BY AMENDING SEC. 58-319, DRIVEWAYS, FENCES AND SHRUBBERY, TO CLARIFY THAT FENCES, WALLS AND HEDGES MAY**

NOT BE PLACED WITHIN THREE FEET OF UTILITY INSTALLATIONS OR EMERGENCY APPARATUS; PROVIDING A LIMIT ON THE HEIGHT OF HEDGES TO SIX FEET IN ANY SETBACK, EXCEPT FOR LOTS ABUTTING HAVERHILL ROAD AND BELVEDERE ROAD WHICH MAY BE UP TO TEN FEET IN HEIGHT; REQUIRING ALL FENCES, WALLS AND HEDGES TO COMPLY WITH APPROPRIATE ZONING CLEARANCE AND BUILDING PERMIT PROCEDURES; AND SUBJECTING THE PROVISIONS OF THE SECTION TO ANY STRICTER REQUIREMENTS OF THE CODE, INCLUDING SEC. 58-315; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CORRECTION OF SCRIVENERS' ERRORS; PROVIDING FOR AN EFFECTIVE DATE AND OTHER PURPOSES.

- D. **ORDINANCE NO. 481:**AN ORDINANCE OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES BY AMENDING CHAPTER 38, TRAFFIC AND VEHICLES, BY AMENDING SEC. 38-3, DEFINITIONS, TO ADD NEW DEFINITIONS FOR RECREATIONAL VEHICLE, TRAILER, TRAVEL TRAILER, AND WATERCRAFT; AMENDING SECTION 38-9, PARKING OF VEHICLES AND BOATS IN RESIDENTIAL DISTRICTS, TO ADD A CONTROLLING LAW PROVISION IN THE EVENT OF CONFLICT WITH CHAPTER 58, ZONING; CLARIFYING THAT NO MORE THAN ONE WATERCRAFT, SPORTS VEHICLE AND RECREATIONAL VEHICLE MAY BE PARKED ON RESIDENTIAL PROPERTY; CLARIFYING THAT NO PORTION OF ANY WATERCRAFT, RECREATIONAL VEHICLE, SPORTS VEHICLE OR TRAILER MAY BE PARKED OR EXTEND INTO THE FRONT YARD, AND SETTING FORTH THE REQUIREMENTS OF SCREENING; CLARIFYING THAT A TRAILER, RECREATIONAL VEHICLE, AND WATERCRAFT MAY NOT BE USED FOR LIVING PURPOSES; DEFINING THE AREA REQUIRED FOR THE PARKING AND STORAGE OF RECREATIONAL VEHICLES, TRAILERS AND WATERCRAFT ON RESIDENTIAL PROPERTY WITHIN THE TOWN; AND ESTABLISHING A WAIVER PROCEDURE FOR ANY RESIDENT SEEKING TO AVOID A STRICT APPLICATION OF SEC. 38-9; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CORRECTION OF SCRIVENERS' ERRORS; PROVIDING FOR AN EFFECTIVE DATE AND OTHER PURPOSES.
- E. **ORDINANCE NO. 487:** AN ORDINANCE OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES BY AMENDING CHAPTER 38, TRAFFIC AND VEHICLES, BY REPEALING AND DELETING SEC. 38-18, DANGEROUS INTERSECTION AND SAFETY ACT, IN ITS ENTIRETY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CORRECTION OF SCRIVENERS' ERRORS; PROVIDING FOR AN EFFECTIVE DATE AND OTHER PURPOSES.
- F. **ORDINANCE NUMBER 489:** AN ORDINANCE OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES BY AMENDING CHAPTER 30, SOLID WASTE, BY AMENDING SEC. 30-61 OF DIVISION 3, ROLLOFF COLLECTION SERVICE, TO CLARIFY THAT ALL NON-RESIDENTIAL LOTS SHALL CONTRACT FOR SEPARATE ROLLOFF SERVICE AND MAY NOT DISPOSE OF ITS SOLID WASTE ON ANY OTHER PROPERTY WITHIN THE TOWN; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CORRECTION OF SCRIVENER'S' ERRORS; PROVIDING FOR AN EFFECTIVE DATE AND OTHER PURPOSES.
- G. **RESOLUTION R2020-08:** A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL LEVYING A SPECIAL EXCEPTION FOR THE RESIDENTIAL PROPERTIES LOCATED WITHIN THE MUNICIPAL BOUNDARIES OF THE TOWN AND ADOPTING THE FINAL NON AD VALOREM

RATES FOR THE 2020/2021 FISCAL YEAR AT \$282 PER RESIDENTIAL UNIT <5 UNITS.

XI. REPORTS

Town Attorney

Mayor

Town Administrator

Committee/Delegate Report

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, Town Administrator at the Haverhill Town Hall, 4585 Charlotte Street, Haverhill, Florida. Phone Number (561) 689-0370