

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



TOWN COUNCIL REGULAR MEETING
Town Hall Council Chambers
Thursday ~ August 23, 2012
7:00 p.m.
REVISED AGENDA

- I. CALL TO ORDER**
- II. INVOCATION AND PLEDGE OF ALLEGIANCE**
- III. ROLL CALL**
- IV. APPROVAL OF AGENDA**
- V. APPROVAL OF THE CONSENT AGENDA**
- VI. PROCLAMATIONS AND PRESENTATIONS**
- VII. COMMENTS FROM THE PUBLIC**
- VIII. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE**
- IX. SECOND READINGS AND PUBLIC HEARINGS**

PUBLIC HEARING TO INCREASE THE NON-AD VALOREM SPECIAL ASSESSMENT TO FUND SOLID WASTE COLLECTION AND DISPOSAL SERVICES

a. RESOLUTION NO. 2012-05

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, LEVYING A NON-AD VALOREM SPECIAL ASSESSMENT FOR RESIDENTIAL PROPERTIES LYING WITHIN THE MUNICIPAL BOUNDARIES OF THE TOWN OF HAVERHILL AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO, TO FUND SOLID WASTE COLLECTION AND DISPOSAL AND RELATED CHARGES WITHIN THE TOWN, COLLECTING SUCH PURSUANT TO THE UNIFORM METHOD FOR THE LEVY, COLLECTION AND ENFORCEMENT OF NON-AD VALOREM ASSESSMENTS; APPROVING, CONFIRMING, AND ADOPTING THE NON-AD VALOREM ASSESSMENT ROLL, INCORPORATED HEREIN AS EXHIBIT "B"; PROVIDING THAT SUCH ASSESSMENTS SHALL CONSTITUTE LEGAL, VALID, AND BINDING FIRST LIENS UPON PROPERTY AGAINST WHICH ASSESSMENTS ARE MADE UNTIL PAID; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCES ON 2ND READING:

a. ORDINANCE NO. 408

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING CHAPTER 54, SUBDIVISIONS, BY AMENDING SECTION 54-16 BY DELETING THE APPLICABILITY OF VARIATIONS TO MATTERS IN CHAPTER 58, ZONING; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AUTHORITY TO CODIFY; PROVIDING FOR AN EFFECTIVE DATE.

b. ORDINANCE NO. 409

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING CHAPTER 58, ZONING, BY AMENDING THE DEFINITION OF PAIN MANAGEMENT CLINICS IN SECTION 58-8, DEFINITIONS; AND AMENDING SECTION 58-333 TO CLARIFY THAT DISTANCE IS MEASURED IN A STRAIGHT LINE AND THAT THE REGULATIONS GOVERNING PAIN MANAGEMENT CLINICS ARE SUBJECT TO THE VARIANCE PROVISIONS OF SECTION 58-56; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY AND AUTHORITY TO CODIFY, AND AN EFFECTIVE DATE.

c. ORDINANCE NO. 410

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING SECTION 14-2 OF CHAPTER 14, BUILDINGS AND BUILDING REGULATIONS, AND CREATING A NEW SECTION 58-334 OF CHAPTER 58, ZONING, OF THE CODE OF ORDINANCES FOR THE TOWN OF HAVERHILL, BY PROVIDING THAT A BUILDING PERMIT MAY NOT ISSUE OR AND APPLICATION FOR VARIANCE, REZONING, CHANGE IN LAND USE, SPECIAL EXCEPTION, SITE PLAN APPROVAL BE PROCESSED SO LONG AS AN OUTSTANDING CODE ENFORCEMENT VIOLATION REMAINS ON THE PROPERTY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY AND AUTHORITY TO CODIFY, AND AN EFFECTIVE DATE.

d. ORDINANCE NO. 411

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING CHAPTER 58, ZONING, BY AMENDING THE DEFINITION OF ADULT ENTERTAINMENT ESTABLISHMENT IN SECTION 58-8, DEFINITIONS, TO ADD CUSTOMER OR PATRON RELATIVE TO CERTAIN ACTIVITIES; AND CREATING A NEW SECTION 58-335 TO ADDRESS DISTANCE RESTRICTIONS FOR SUCH ESTABLISHMENTS, MEASUREMENT CRITERIA, AND REQUIRED DISTANCES BETWEEN SCHOOLS, PARKS AND BUSINESSES SERVING ALCOHOLIC BEVERAGES; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY AND AUTHORITY TO CODIFY, AND AN EFFECTIVE DATE.

e. ORDINANCE NO. 412

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING SECTION 14-4 OF CHAPTER 14, BUILDING AND BUILDING REGULATIONS TO PROVIDE THAT SWIMMING POOLS AND SPAS AND BARRIER REQUIREMENTS SHALL BE GOVERNED BY THE PROVISIONS OF THE FLORIDA BUILDING CODE, AS AMENDED, AND DELETING SECTION 58-320, SWIMMING POOLS – ENCLOSURES; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY AND AUTHORITY TO CODIFY, AND AN EFFECTIVE DATE.

f. ORDINANCE NO. 413

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING SECTION 46-28 OF CHAPTER 46, SIGNS, TO DELETE THE SIGN PERMIT FEE SCHEDULE AND ADD LANGUAGE THAT THE PERMIT FEES SHALL BE AS SET FORTH IN THE TOWN PERMIT FEE SCHEDULE; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY AND AUTHORITY TO CODIFY, AND AN EFFECTIVE DATE.

g. ORDINANCE NO. 414

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING CHAPTER 58, ZONING, BY AMENDING THE DEFINITION OF BUILDING, BUILDING COVERAGE AND DRIVEWAY IN SECTION 58-8, DEFINITIONS; AND DELETING THE DEFINITION OF STRUCTURE; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY AND AUTHORITY TO CODIFY, AND AN EFFECTIVE DATE.

h. ORDINANCE NO. 415

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING CHAPTER 58, ZONING, BY AMENDING SECTION 58-103 TO CLARIFY THAT THE TOWN COUNCIL'S ABILITY TO CHANGE PROPERTY TO A MORE RESTRICTIVE ZONING OR LAND USE APPLIES TO CASES WHERE A VARIANCE OR SPECIAL EXCEPTION MAY EXPIRE OR BE OTHERWISE TERMINATED; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY AND AUTHORITY TO CODIFY, AND AN EFFECTIVE DATE.

i. ORDINANCE NO. 416

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING CHAPTER 58, ZONING, BY AMENDING SECTION 58-391 TO CLARIFY THAT EXISTING PROPERTIES MAY NOT REDUCE THEIR CURRENT TREE SHRUB AND/OR SOD PLANTINGS BELOW WHAT IS REQUIRED IN SECTION 58-411, AND CANNOT FURTHER REDUCE SUCH PLANTINGS IF THE PLANTINGS DO NOT COMPLY WITH 58-411; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY AND AUTHORITY TO CODIFY, AND AN EFFECTIVE DATE.

j. ORDINANCE NO. 417

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING CHAPTER 58, ZONING, BY AMENDING SECTION 58-417(b)(8) TO CLARIFY THAT THE PROHIBITION AGAINST BLOWING GRASS CLIPPINGS INTO DRAINAGE FACILITIES DOES NOT APPLY TO GRASS SWALE AREAS; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY AND AUTHORITY TO CODIFY, AND AN EFFECTIVE DATE

k. ORDINANCE NO. 418

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING CHAPTER 58, ZONING, BY AMENDING SECTION 58-575 TO CLARIFY THAT PLACES OF WORSHIP MUST HAVE ACCESS OFF OF HAVERHILL ROAD OR BELVEDERE ROAD AND MAY NOT HAVE ACCESS OFF OF OTHER TOWN ROADS, AND PROVIDED THAT THE TOWN COUNCIL MAY REQUIRE A LARGER LANDSCAPE BUFFER THAN REQUIRED UNDER THE LANDSCAPE CODE; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY AND AUTHORITY TO CODIFY, AND AN EFFECTIVE DATE

X. REPORTS:

Town Attorney

Mayor

Consultants

Town Administrator

XI. Committee/Delegate Report

XII. Treasurer's Report (included in packet)

XIII. UNFINISHED BUSINESS

XIV. NEW BUSINESS

XV. 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 Facsimile Number (561) 689-4317