

ORDINANCE NO. 16-12-01

AN ORDINANCE OF THE TOWN OF PEMBROKE PARK, FLORIDA, RELATING TO CHAPTER 5, BUILDINGS AND BUILDING REGULATIONS; AMENDING SECTION 5-103, EXTERIOR MAINTENANCE OF STRUCTURES AND PREMISES; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; SUPERSEDING CONFLICTING ORDINANCES AND RESOLUTIONS, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Pembroke Park has enacted Section 5-103 of the Code of Ordinances to provide for exterior maintenance of structures and premises in order to maintain the overall aesthetic appearances of the Town; and

WHEREAS, Section 5-103 also provides regulations for the maintenance of structures in order to promote the health, safety and welfare of residents and visitors to the Town; and

WHEREAS, the Town has received complaints regarding the presence of numerous cable television, telephone and electrical wires on buildings in the Town which create an unsightly appearance; and

WHEREAS, the exposed wires also pose a threat to the health, safety and welfare to individuals in the Town due to electrical shock and other possible injuries; and

WHEREAS, the Town Commission has deemed it necessary to enact regulations for the placement and maintenance of exterior cables or electrical wiring in the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE TOWN OF PEMBROKE PARK, FLORIDA:

Section 1: That Section 5-103 of the Code of Ordinances, Town of Pembroke Park, Florida, is hereby amended to read as follows:

**“Sec. 5-103. Exterior maintenance of structures and premises.**

(a) All exterior surfaces of buildings and accessory structures shall be properly maintained and protected from the elements by paint or other protective coating applied in a workmanlike fashion. Painted or protective coatings shall be uniform in color without blemishes throughout the exterior and shall be in accordance with the color palette of the Town of Pembroke Park adopted by Resolution. Trim paint shall be uniform in color without blemishes and can be of another color in accordance with the adopted color palette of the Town of Pembroke Park. Every foundation, exterior wall, window, roof, and all other exterior surfaces

shall be free of holes, cracks, breaks, loose or rooted wood and any condition that would allow rain or moisture to enter the interior portions of the walls or to the occupied spaces of the dwellings, commercial, industrial or other non-residential buildings or structure.

(b) Roofs shall be structurally sound, watertight and shall prevent rainwater or moisture from entering the walls, ceilings or any other portion of the dwelling, commercial, industrial or other non-residential building or structure. All building roofs and gutters shall be kept free of faded or chipped paint and shall be maintained in good repair and in good condition to prevent deterioration and must be cleaned (pressure and/or chemical), repainted or re-covered with like material when twenty-five (25) percent or more of any exposed roof surface becomes discolored or is scaling. In the event a roof shingle or tile is replaced, the replacement shingle or tile shall be of the closest possible color and shade to the existing roofing shingles or tiles.

(c) Fences, exterior walls, dumpster enclosures, perimeter hedges, playground equipment, trellis, swimming pools, modular storage structures, and similar utility enclosures shall be maintained in a good state of repair.

(d) Adequate run off drains shall be provided and maintained to eliminate any accumulation of stormwater on the roof any dwelling, commercial building or structure.

(e) All store fronts and walls exposed to public view shall be maintained and kept in a good state or repair.

(f) Any awning or marquee and its supporting structural members shall be maintained in a good state of repair. Awnings or marquees made of cloth, plastic or of a similar material shall not show evidence of excessive weathering, discoloration, ripping, tearing or other damage.

(g) All signage shall be maintained in the originally constructed condition as required by Chapter 21, Town of Pembroke Park Code of Ordinances.

(h) Refuse, brush, weeds, broken glass, stumps, roots, obnoxious growths, filth, garbage, trash and debris shall not be permitted on any premises. This subsection shall not apply to garbage, trash and debris which is containerized in approved receptacles for appropriate collection and removal.

(i) Dead and dying trees and limbs or other natural growth which constitute a health or safety hazard to persons or property shall be removed. Trees shall be kept reasonably pruned and trimmed to prevent the occurrence of a health or safety hazard.

(j) Loose or overhanging objects which constitute a danger of falling on persons or property shall be removed.

(k) Ground surface hazards such as holes, excavations, breaks, projections, obstructions and excretion of pets and other animals on paths, walks, driveways, parking lots and parking areas, and other portions of the premises shall be repaired or removed.

(l) Premises and adjacent swales shall be kept landscaped, irrigated and maintained in good repair. All landscaping on commercial property shall be in compliance with the site plan. Any person who increases the area of a primary structure by more than twenty (20) percent shall comply with all landscaping requirements in effect at the time of alteration unless said person applies for and is granted a special permit by the Town Commission.

(m) All off-street parking spaces shall be paved asphalt or constructed of concrete or block and shall have smooth surfaces in good repair in compliance with Town Code of Ordinances. All street parking spaces surfaced with gravel in existence prior to the enactment of this article and in compliance with previous code requirements shall not be precluded so long as the owner of such off-street parking spaces maintains the public right-of-way free from gravel. Any owner of property who makes an addition of more than twenty (20) percent of the area of the primary structure shall be required to install and maintain paved asphalt or concrete for off-street parking spaces.

(n) All store fronts and walls exposed to the public view shall be maintained in a state of good repair. Each exterior wall surface of buildings and structures shall be kept free of faded or chipped paint and must be cleaned (pressure and/or chemical), repainted or re-covered with like material when twenty-five (25) percent or more of any exposed surface becomes discolored or is peeling.

(o) Exterior building and structure colors. The exterior of all new structures or existing structures which is to be painted or repainted, shall be compatible with the official color palette of the Town of Pembroke Park, adopted by Resolution, which is on record in the

Building Department. Multiple colors, including trim, may not be used except to accent architectural features of the structure, unless approved by the Town Planner when it is found that the colors are generally consistent with the official color palette of the Town and compatible with other dwellings and/or nonresidential buildings in the neighborhood. All new buildings shall have their colors reviewed as part of the site plan review process. All buildings or structures whose exterior color does not conform to the official color palette at the time of the adoption of this article shall be removed or altered within a period of time not to exceed one (1) year from the effective date of this ordinance.

The exterior of all buildings or structures that are to be painted or repainted shall be consistent with the official color palette of the Town and have colors that meet the following standards:

(1) Colors shall be traditional to Florida coastal areas, primarily earth tones; except the primary color for all mobile homes shall generally be white, beige or light pastel in color with limited trim colors.

(2) Building trim (window frames and door frames, fascia, etc.) shall be colors that are complimentary to the color of the principal facade.

(3) Signs and awnings shall also be complimentary colors to the principal facade color and trim.

(4) Colors shall not be gaudy or garish. Bright colors shall be used only for accent or limited trim as specified in the general list below:

General Color Palette

White - All shades.

Grey - Light shades with medium to dark shades for accents.

Beige or Tan - Light shades with medium to dark shades for accents.

Terracotta - Roofs and accents.

Brown - Light shades with medium to dark shades for accents.

Blue - Light shades with medium to dark shades for accents

Green - Light shades with medium to dark shades for accents

Black - Accent only.

Gold - Accent only.

Red - Accent only.

Yellow - Accent only.

Mauve - Accent only.

Peach - All shades.

Pink - Light shades only.

(p) Building design. A relatively wide variety of architectural designs and materials shall be permitted. However, it is intended that a basic harmony of architecture shall prevail so that no building shall detract from the attractiveness of the overall environment. Within nonresidential zoning districts (commercial and industrial), box-like buildings will be strongly discouraged. Sloped rooflines are strongly encouraged such as gable, hip or mansard. Sloped roof surfaces visible from off site shall be covered with architectural materials such as flat or standing seam metal panels, shingles or roof tiles. If flat roofs are provided, all mechanical equipment such as air-conditioner compressors, vents, stacks, etc. and associated ductwork shall be screened from surrounding properties by the use of parapets, cornices or other architectural features constructed of concrete, stucco, glass or pre-cast concrete or other materials as may be approved by the Town.

(q) Roof-mounted mechanical equipment. All roof-mounted mechanical equipment, including but not limited to, air-conditioning equipment and associated ductwork, shall be screened by opaque screening methods mounted directly to or immediately around the equipment, as approved by the Town Planner. Chain-link fencing shall not be permitted as an approved screening method. The screening materials and colors must match or blend in with the overall building design and colors. All installations of roof-mounted mechanical equipment and the screening thereof shall be approved by the Town Planner prior to a permit being issued for such installation. Screening of such equipment shall be required to be installed to screen the maximum height of the equipment or ductwork.

All new and/or replacement roof-mounted mechanical equipment, shall provide adequate screening as provided herein. Where there exists multiple items of roof-mounted mechanical equipment on a building or a portion of a multi-occupancy building leased by a tenant, the installation of any new mechanical equipment or the initial replacement of an existing mechanical equipment shall trigger the need to screen all roof-mounted mechanical equipment for the entire tenant area served by the mechanical equipment.

(r) All exterior cables or electrical wiring and accessories shall be maintained in good, safe working condition and be adequately insulated and protected. No cables, wiring,

outlets or connections shall be left exposed or loose so as to create a hazardous or unattractive condition. Exposed cables, wiring and accessories on the exterior of building, or on the parcel of land, shall be prohibited. All exposed cables, wiring and accessories shall be secured and placed in conduit to minimize their appearance and shall blend in with the building design. All cables, wiring and accessories within the open yard areas shall be buried underground and hidden from view.”

Section 2: That if any section, paragraph, sentence or word of this Ordinance or the application thereof to any person or circumstance is held invalid, that invalidity shall not affect the other sections, paragraphs, sentences, words or application of this Ordinance.

Section 3: That it is the intention of the Town Commission of the Town of Pembroke Park, and it is therefore ordained, that the provisions of the Ordinance shall become and be made a part of the Town of Pembroke Park’s Code of Ordinances, that sections of this Ordinance may be re-numbered or re-lettered to accomplish such intentions, and that the word “Ordinance” shall be changed to “Section” or other appropriate word.

Section 4: That all Ordinances, parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith be and the same are hereby superseded to the extent of such conflict.

Section 6: That this Ordinance shall be in force and take effect immediately upon its passage and adoption.

PASSED AND ADOPTED on First Reading the 9<sup>th</sup> day of November, 2016.

PASSED AND ADOPTED on Second Reading this 14<sup>th</sup> day of December, 2016.

ATTEST:

  
ANNETTE WEXLER  
Clerk-Commissioner

VOTE

  
ASHIRA A. MOHAMMED  
Mayor-Commissioner



ASHIRA MOHAMMED

GEORGINA COHEN

ANNETTE WEXLER

HOWARD P. CLARK, JR.

EMMA SHOAFF