

ORDINANCE NO. 2022-02

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF HILLSBORO BEACH, FLORIDA, AMENDING THE TOWN'S CODE OF ORDINANCES BY AMENDING ARTICLE VI ENTITLED "NUISANCES" BY SPECIFICALLY AMENDING SECTION 6-132 ENTITLED "LANDSCAPING"; PROVIDING FOR A SUSPENSION IN ENFORCEMENT IN AN EVENT OF AN EMERGENCY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Hillsboro Beach is predominately a residential community that enjoys a quality of life consistent with the residential character of the Town; and

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF HILLSBORO BEACH, FLORIDA THAT:

Section 1. The foregoing "Whereas" clause is hereby ratified and confirmed as being true and correct and are hereby made a part of this Ordinance.

Section 2. Article VI entitled "Nuisances" of the Code of Ordinances is hereby amended as follows:

ARTICLE VI. – NUISANCES.

Sec. 6-132. - Landscaping.

(A) All landscaping, including without limitation trees, shrubs, lawns, flower beds, walkways, ground elevations and berms, shall be maintained in a neat, orderly and attractive manner, including necessary irrigation, consistent with the general appearance of the developed portions of the town. Trees and shrubs shall be regularly pruned and not be allowed to become overgrown. Lawns shall be mowed on a regular basis as necessary by the conditions. No weeds, underbrush or other unsightly growths shall be permitted to grow or remain upon any part of the property and no refuse pile or unsightly objects shall be allowed to be placed or suffered to remain on any property. Dead and/or diseased plant material shall be removed and replaced with a suitable planting in a prompt manner.

(B) No vegetation shall be permitted to extend into the vehicle, pedestrian or bicycle travel lanes, except for tree canopies, which canopies must maintain height clearance for vehicular, pedestrian and bicycle traffic. Any and all landscape maintenance referenced in this section shall not be undertaken on Saturday or Sunday or on the following legal holidays and only between the hours of 8:00 a.m. and 5:00 p.m. on all other days:

- New Year Day
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Christmas Day

The use of gas operated implements commonly referred to as "leaf blowers" shall be expressly prohibited on Saturdays, Sundays and on the aforementioned listed legal holidays.

(C) In the event of an emergency such as a tropical event, the Town Manager shall be authorized to suspend the enforcement of this Section and any other Section of the Town Code of Ordinances to allow for clean up efforts.

Section 3. If any section, subsection, sentence, clause or provision of this Ordinance is held invalid, the remainder of this Ordinance shall not be affected by such invalidity.

Section 4. That all ordinances or parts of ordinances and all resolutions or parts of resolutions in conflict with this Ordinance are repealed to the extent of such conflict.

Section 5. It is the intention of the Town Commission of the Town of Hillsboro Beach, that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of Town of Hillsboro Beach, Florida, and the Sections of this ordinance may be renumbered, re-lettered and the word "Ordinance" may be changed to "Section," "Article," or such other word or phrase in order to accomplish such intention.

Section 6. This Ordinance shall be effective on April 1, 2022 after its passage and adoption by the Town Commission of the Town of Hillsboro Beach.

PASSED AND ADOPTED BY THE TOWN COMMISSION OF THE TOWN OF HILLSBORO BEACH, FLORIDA, ON FIRST READING, THIS 11th DAY OF JANUARY, 2022.

PASSED ADOPTED BY THE TOWN COMMISSION OF THE TOWN OF HILLSBORO BEACH, FLORIDA, ON SECOND AND FINAL READING, THIS 1ST DAY OF FEBRUARY, 2022.

By: Deborah L. Tarrant
Deborah L. Tarrant, Mayor



ATTEST:
By: Sherry D. Henderson
Sherry D. Henderson, CMC
Town Clerk

ORDINANCE NO. 2022-02
RECORD OF TOWN COMMISSION VOTE:

APPROVED AS TO FORM:

Donald J. Doody
Donald J. Doody, Town Attorney

	<u>YES</u>	<u>NO</u>
MAYOR DEBORAH I. TARRANT	<input checked="" type="checkbox"/>	<input type="checkbox"/>
VICE MAYOR IRENE KIRDAHY (Second)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
COMMISSIONER VICKY FEAMAN (Motion)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
COMMISSIONER BARBARA BALDASARRE	<input checked="" type="checkbox"/>	<input type="checkbox"/>
COMMISSIONER JANE REISER	<input checked="" type="checkbox"/>	<input type="checkbox"/>