TOWN OF LAKE PARK

CODE MANUAL

2012 - 2013

TOWN HALL
535 Park Avenue
Lake Park, FL 33403

Visit us 24/7 on the Web at:
www.lakeparkflorida.gov

TO OUR RESIDENTS

Please accept this Manual as an overview and explanation of the Town of Lake Park Codes. The Town Commission adopts regulations known as the *Code of Ordinances*, in order to provide for your health, safety and welfare, while also protecting and enhancing the community's appearance. Neglected properties depreciate property values and increase the tax burden on all of us; plus they seem to be magnets for vandalism and crime. If we all do our part and work together, we can preserve and improve our property values, enhance and promote the general health, safety and welfare of the community, and improve the aesthetics of the Town of Lake Park, creating a great quality of life for everyone!

If you have any questions or concerns, please do not hesitate to contact us. Thank you for doing your part to make Lake Park an even better place to live, work and play.

Nadia Di Tommaso
Community Development Director
561-881-3318

IMPORTANT FEMA LINKS

For more information please access:
http://www.fema.gov/about/programs/nfip/index.shtm

The main FEMA website can be accessing:
http://www.fema.gov

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ALCOHOL

Consumption and possession of alcoholic beverages in unlicensed commercial establishments, public parking lots and public places is prohibited.

Drinking alcoholic beverages in the parking lot or in the street is STRICTLY PROHIBITED and subject to a $500 fine or 60 days in jail, or both.

The sale of alcohol for any purpose is prohibited from 2:00 a.m. to 7:00 a.m. every day, including Sunday, with the exception of December 31st, New Year's Eve, when the sale of alcohol is prohibited between the hours of 5:00 a.m. - 7:00 a.m.

Alcohol sales within 500 feet of a church, public or private day care center, or any school or park are prohibited. The only exceptions are the Lake Park Harbor Marina and Park Avenue from 7th Street to 10th Street. Kelsey Park requires a Special Event Permit for the sale and consumption of alcohol.

TRASH PICK-UP

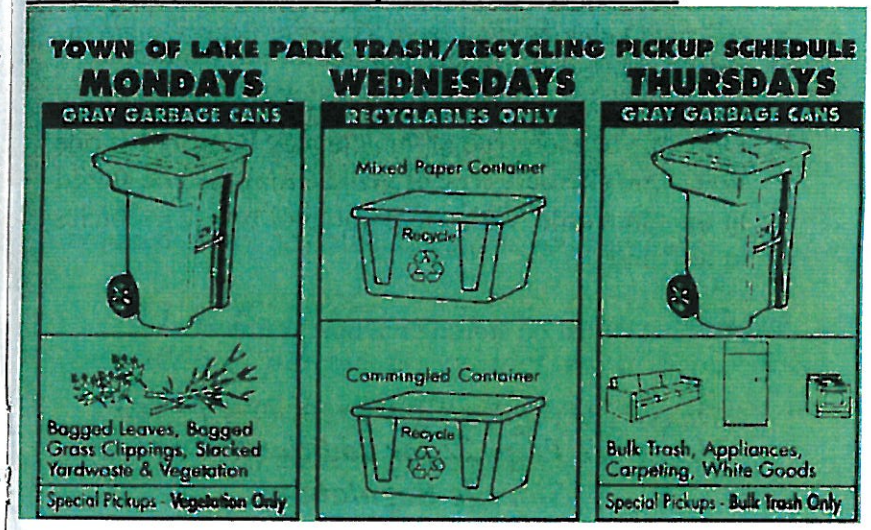
Trash may be placed outside after 4:00 p.m. the day prior to pick-up, or before 7:30 a.m. the day of pick-up.

If trash or garbage pick-up falls on a Town observed Holiday, pick-up will be the following work day.

Only containers designated by Public Works are permitted and must be placed within 6' of the street or walkway.

If trash is put out before or after the designated times, pick-up is not guaranteed and may have to wait until the next scheduled pick-up date, and is required to be stored between dates.

ILLEGAL DUMPING IS PROHIBITED It is unlawful to dispose of or discard any garbage, trash or litter on property owned or controlled by another person. This is considered illegal dumping and **is subject to a sanitation fine and may be subject to a Code Compliance fine of $250.00**.



BOATS, TRAILERS, RV'S AND OTHER VEHICLES

- Motor homes, RV's, travel or camping trailers, and boats being prepared for use may not be parked in a driveway for more than 48 hours
- For long-term storage, all of the vehicles mentioned above must be parked on the side of the building/house behind the front setback and screened from neighbors' view by a fence or landscaping at least 6' high
- All such vehicles shall have a current license plate or valid vehicle registration decal
- Only one of each type of vehicle may be stored at one time. One alternate type of vehicle may also be stored at the same time, with a maximum of two (2) vehicles at any time.
- All boats must be stored on a boat trailer

Please see Page 22 for additional Outdoor Storage Regulations.

BUILDING PERMITS

A Building Permit is required for all new construction, alterations, installations or any other change to a property. Examples are windows, fences, walls, doors, shutters, plumbing, electrical, landscaping, engineered signage, and more. Please call us before you begin at 561-881-3318 if you need help or are unsure if a building permit is required.

BUILDING PERMITS ARE ISSUED BY THE COMMUNITY DEVELOPMENT DEPARTMENT (located on the ground floor of Town Hall)

All hired contractors must be licensed, insured and registered with the Town of Lake Park and the State of Florida and/or Palm Beach County prior to beginning work in the Town.

Permit applications change periodically. Please refer to the Community Development Department page on the Town Website at: www.lakeparkflorida.gov or visit us in person at 535 Park Avenue between the hours of 8:30am – 5:00pm for a copy of the latest Building Permit application form. Please call 561-881-3318 to determine if a permit is required, or for any other questions you may have.

PLEASE NOTE: Work done without a building permit is subject to a Stop Work Order and a penalty of three (3) times the permit fee.

BUILDINGS AND STRUCTURES MAINTENANCE

All buildings and structures must be kept safe and sanitary

- Building and structure exteriors must be kept clean and neat, without stains, mold, mildew, peeling paint, discoloration, graffiti, and general disrepair. They must not have missing windows, doors, or railings.

- **Vacant/abandoned bank-owned properties are required to register with the Town, pursuant to Town Ordinance No. 05-2011**.

- Driveways, private sidewalks, and parking areas shall be maintained without discoloration or deterioration.

- Fences and walls must be sound and kept in their original condition with no discoloration, staining or peeling paint.

- Hedges shall be trimmed and maintained, and not encroach on a neighbor's property or the street.

- Construction sites require roll-off containers and need to be kept safe and clean at all times. (See Page 26 for Town roll-off provider requirements)

- All security devices that are necessary for public safety and welfare must be properly maintained

- Plywood on windows is prohibited unless the home is abandoned and vacant and a building permit is issued to ensure installation compliance.

BUSINESS TAX RECEIPTS

A Business Tax Receipt (formerly Occupational License) must be obtained from the Town within 30 days of opening or establishing a business, profession or occupation within the Town, including a home occupation. Please note that this is a tax, not a license.

START OR OPEN A BUSINESS IN LAKE PARK

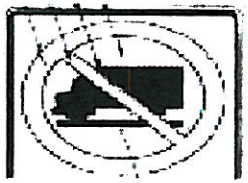
STEP 1: Apply for a Zoning Certificate at Town Hall to cover Zoning approval and Fire and Building inspections. An application fee will be collected, and Palm Beach County will bill you separately for the Fire Inspection.

STEP 2: The Business Tax Receipt (BTR) application must include a copy of the Palm Beach County Business Tax Receipt; a copy of the Fictitious Name Registration or a copy of the Articles of Incorporation filed by mail or on-line at www.sunbiz.org. A fictitious name is not required if the full name of the applicant is included in the business name. The *Building Inspection and Fire Inspection Sign-Off Sheet*, which may be obtained from the Community Development Department, must also be submitted with the BTR application.

STEP 3: Upon approval, your BTR will be mailed to the address provided. The business owner is responsible for renewing their BTR by the 1st of October every year, while the business remains active.

If there is a change in the ownership, location, or type of use, the business owner must notify the Town and file new paperwork, along with the applicable fee. A location or use change requires zoning approval FIRST.

COMMERCIAL MOTOR VEHICLES



Commercial vehicles may not park or stand at any time in any residential area, including the public streets, rights-of-way, swales or alleys, or on any private property in any residential district unless drop-offs and pick-ups are permitted by Code.

No commercial motor vehicle traffic is allowed along Park Avenue, except for public transportation buses.

Light vans, pickup trucks under one-ton, and automobiles, excluding taxi cabs, are permitted in residential areas.

DISPLAY OF ADDRESS NUMBERS

All buildings in Lake Park must have the building number on the front of the structure and visible from the street, and must be at least 6" high. A clear and visible address number enables Police and Fire-Rescue to locate your property in an emergency situation.

FENCES AND WALLS IN RESIDENTIAL AREAS

- Barbed wire is prohibited in residential areas and areas that are visible from major roadways in commercial and industrial areas.
- The maximum height for side and rear yard walls and fences is 6 feet with an additional 6 inches for poles or decorative caps. Side and rear yard walls and fences may be constructed of wood (natural, painted or stained), painted concrete, wrought iron, aluminum, vinyl or vinyl-coated chain link. Side street walls and fences must be set back a minimum of 3feet from the sidewalk to allow for required landscaping. Chain link fabric is not permitted along the side street.
- The maximum height for front yard fences is 40 inches plus an additional 6 inches for poles or decorative caps. Front yard fences may be constructed of painted or stained wood pickets, painted wrought iron, or painted aluminum. Chain link fabric, chicken wire and unpainted and unstained wood materials are prohibited in the front yard.
- The maximum height for front yard walls is 30 inches with an additional 6 inches for decorative caps. Walls may be constructed of painted or stuccoed concrete or other masonry.
- The solid wall portion shall be limited to a maximum height of 16 inches and the fencing portion shall be no more than 30 percent opaque. Maximum height is 40 inches, and up to 46 inches with decorative caps.

A BUILDING PERMIT IS REQUIRED FOR THE REPAIR & INSTALLATION OF FENCES

GARAGE OR YARD SALES FOR RESIDENTIAL PROPERTIES

A garage sale permit, along with a $5.00 fee, is required from the Community Development Department.

- This permit is valid for two (2) consecutive days during daylight hours only.

- Goods offered for sale or sold may be displayed in the garage or carport areas, but not the front lawn, yard or portion of driveway directly in front of the main building.

- Signage is permitted and must include the address of the sale site and the date of the sale. There is no limit to the number of signs, although ALL signs must be removed by 8:00 a.m. on the day immediately following the day of the sale, or Monday by 8:00 a.m. for weekend sales. Signs cannot be placed on utility poles or columns, trees, fences or similar structures and objects.

- Failure to properly place signs as noted above, failure to clearly mark the date and address of the sale on all signs, and/or failure to remove the signs by 8:00 a.m. as described above will result in an immediate $50.00 fine.

Garage Sale

HISTORIC BUILDINGS

The following properties are historically designated and require a Certificate of Appropriateness to be filed with the Community Development Department before any type of significant exterior changes are made, including alteration, restoration, renovation, erection or demolition.

- ***3rd Street – Lake Park Elementary School***
- ***114 Bayberry***
- ***230 Date Palm***
- ***255 East Jasmine***
- ***412 Evergreen***
- ***505 Evergreen***
- ***515 Evergreen***
- ***Evergreen House***
- ***227 Foresteria***
- ***250 Foresteria***
- ***304 Foresteria***
- ***414 Greenbriar***
- ***318 Hawthorne***
- ***324 Hawthorne***
- ***328 Hawthorne***
- ***211 Park Avenue***
- ***918 Park Avenue***
- ***535 Park Avenue***
- ***700 North Federal Highway***
- ***624 North Federal Highway (Kelsey House)***
- ***600 North Federal Highway***

HURRICANE SHUTTERS

A building permit is required for the installation of hurricane shutters.

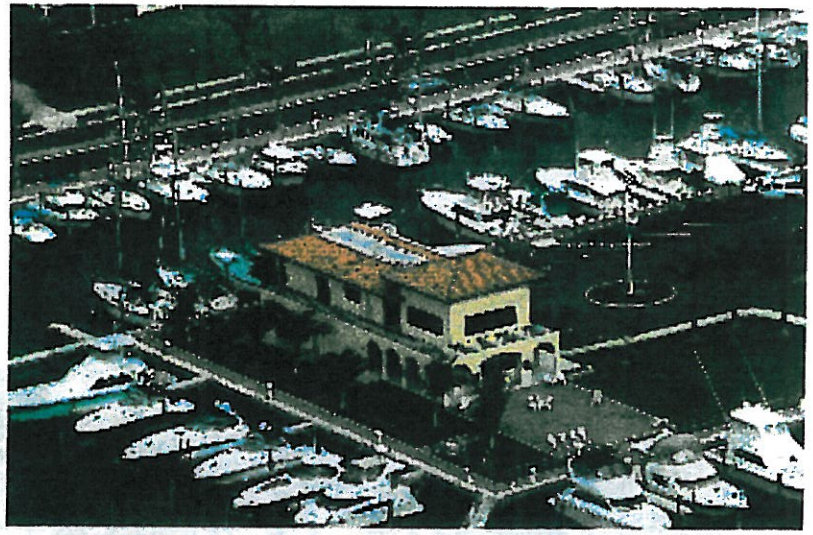
Hurricane shutters used to secure property may not be put in place until an official hurricane or storm watch is in effect and must be removed no later than 28 days following the storm unless:

- an additional threat is officially confirmed
- No one is living in the residence and the shutters have been supplied by a licensed shutter manufacturer.

The installation of hurricane shutters is mandatory if an owner replaces 25% or more of existing windows that are not impact resistant.

For boarding up buildings and abandoned property requirements, please call the Code Compliance Department at (561)-881-3321.

*****Vacant and abandoned properties in default require the mortgage company to register with the Town and abide by all safety and maintenance standards. Please call Code Compliance.*****



LANDSCAPING

The goal of the Town of Lake Park is to protect, preserve, and enhance the Town's natural environment and beauty through minimum requirements for landscaping and vegetation, so all properties are required to abide by the Town's Codes.

All non-conforming landscaping must comply with the Town Code requirements regardless of the date of the erection of the structure.

Removal of the following protected trees is strictly prohibited without a permit:

- All mangrove trees located in the Town's coastal areas
- All Royal Palms in Kelsey Park
- Banyan trees at the old Blakely House located on the northwest corner of North Federal Highway and Park Avenue
- Any Live Oak, Laurel Oak, Gumbo Limbo, Royal Poinciana and Mahogany with a diameter of 4 inches or more

HAT RACKING OR TREE TOPPING IS PROHIBITED and subject to a maximum fine of $250 for each tree damaged.

LANDSCAPING *(continued)*

New Tree Planting Regulations

➢ If a tree on private property has a minimum diameter of 4 inches at 1 foot above the ground, PLEASE call before cutting as removing the tree may not be allowed.

➢ All landscaping and beautification in the swale must be permitted and approved by the Community Development Department prior to planting.

➢ The Town maintains the right to remove or have removed any dead or diseased trees on private property within the Town.

➢ It is the duty and obligation of all Town property owners and occupants to maintain all swale areas abutting, adjacent, or contiguous to their property in a good and proper, neat and clean condition.

IF YOU ARE UNSURE WHETHER A PERMIT IS REQUIRED, PLEASE CONTACT THE COMMUNITY DEVELOPMENT DEPARTMENT FIRST AT 561-881-3318. MONDAY – FRIDAY 8:30-5:00

LAWN AND YARD

Lawns and grass shall not be higher than 8 inches. All landscape areas must be weeded, watered, fertilized, trees pruned, lawns mowed and edged, and landscaping may not obstruct pedestrian or vehicular traffic.

Landscaping must be kept in good condition, and free from disease, insect pests, refuse and debris.

Junk, trash and debris must not be stored within the yard.

Proper irrigation is required.

Failure to comply may result in Town abatement procedures (see Abatement Procedures on Page 21)

MOTOR VEHICLES IN RESIDENTIAL AREAS

Motor vehicles without a valid license plate or those that are dismantled or otherwise inoperable are not permitted to be stored on private or public property, unless it is one project car that is properly screened.

Any kind of auto repair on private property is prohibited except:

Minor motor vehicle repairs like replacement of oil, coolant, filters, tires, belts, hoses, headlamps, bulbs and ignition components, battery charging, chassis lubrication and other tasks that take the same time and/or expense.

The following is **NOT** permitted:

Removal or replacement of any engine, transmission, differential or structural body part, paint/body work, or any other repair that is not completed in one day or less during daylight hours. These repairs may be performed on residential property only in an area that is fully screened with landscaping and a structural barrier from the neighboring properties, and complies with all regulations applicable to storage of a project/special purpose vehicle.

NUISANCES AND ABATEMENT

A **nuisance** is any act that:

- Injures or endangers the comfort, repose, health or safety of others
- Offends decency
- Is offensive to the senses, including foul odors
- Interferes with the passage of any public or private street, highway, sidewalk, stream, ditch or drainage
- In any way renders other persons insecure in life or the use of property, including unmaintained lawns
- Interferes with the comfortable enjoyment of life and property, or depreciates the value of the property of others, including excessive trash, debris, broken windows or doors

Abatement procedure:

If an inspection reveals the presence of a **nuisance**, Code Compliance will notify the property owner that a nuisance exists by Certified Mail and/or by posting the property. The Notice to Abate will:

- Identify the nuisance and explain that it is the property owner's duty to eliminate the nuisance, or the Town may do so at the property owner's expense;
- Specify the corrective actions that must be taken to eliminate the nuisance and by what date and time;
- Advise the property owner that if the Town enters the property and abates the nuisance, that if abatement costs are not paid to the Town that an assessment lien will be placed on the property; and
- Advise the owner of the right to appeal the Town's determination of a nuisance.

OUTDOOR STORAGE

Please refer to Page 6 for additional outdoor storage information.

AT RESIDENTIAL LOCATIONS:

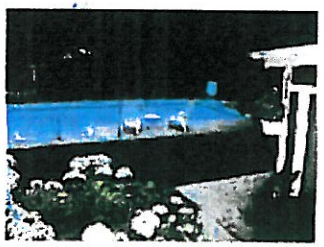
- Miscellaneous items such as tools, equipment, auto parts, furniture, appliances, building materials, tires, and landscape debris must remain stored within a fully enclosed building, i.e., a shed
- Play sets, such as jumpers and seesaws, are not allowed in the front yard with the exception of a basketball hoop.

AT COMMERICAL LOCATIONS:

- Outdoor storage within a utility or drainage easement, alley or street right-of-way, or within required off-street parking spaces is prohibited
- Outdoor storage of motor homes, recreational vehicles, boats and/or trailers on a site zoned for commercial use is limited to commercial exhibits and/or sales
- All other outdoor storage is prohibited

Exceptions to the Outdoor Storage Ordinance are barbeque grills, lawnmowers, children's toys, and sheds. Sheds require a building permit and must not exceed 8' in height and 120 SF in size. Sheds are limited to the side and rear yards.

POOLS AND DECKS



A building permit is required for a swimming pool and/or deck. The property owner is responsible for the proper care and maintenance of the pool, including a safety barrier fence consisting of at least 5 feet, but no more than 6 feet, with gates that close automatically. Please call Community Development at 561-881-3318 if you have any questions.

Swimming pools must be kept clean and sanitary, and be cleaned at least once each week with disinfectant agents, chemicals and/or proper pool cleansing materials. The pool water must be clear and completely circulated at least twice each week.

The rim of a swimming pool must be a minimum of ten (10) feet from the side and rear property lines. The pool deck must meet minimum setback requirements as set by the Town Code and determined by the Zoning District.

CODE COMPLIANCE PROCEDURES

The Town's code enforcement actions ensure the maintenance and enhancement of property values, and assist property owners and tenants with compliance actions in the allowed time. **Code Compliance Warnings, Notices of Violation, or a Notice of (Special Magistrate) Hearing are issued by Town Code Compliance Officers.**

A Notice of Violation is a formal notice that a code violation exists on your property. The Notice will specify the Code Section**(s)** in violation and will indicate the number of days given for corrective action. If you receive a Warning or Notice of Violation and have corrected the violation, it is your responsibility to contact the Code Compliance Office at 561-881-3321 in order to request a re-inspection of your property. Failure to comply with the Notice of Violation will result in the issuance of a Notice of Hearing, indicating a Special Magistrate Hearing date. A re-inspection of the violation(s) prior to the Hearing will determine compliance and whether the code violation will be closed prior to the Special Magistrate Hearing. **Once a Special Magistrate Hearing has taken place, it is your responsibility to contact the Code Compliance Office upon compliance to request a re-inspection. In the event you do not comply by the ordered compliance date, a daily fine will begin to accrue and a lien will be placed against your property for the fine amount and administrative costs, plus interest. The daily fine will continue to accrue until the Code Officer has determined that you have corrected the code violation and issued an Affidavit of Compliance.**

PROHIBITED PARKING

"NO PARKING" AREAS INCLUDE:

- On-street parking on any portion of Park Avenue
- Service alleys behind 7th – 9th Street blocks, except in designated parking spaces
- East Side of Miller Way, Reed Road, Brant Road, and 12th - 15th Streets
- South side of Newman Road and Kinetic Road
- On 10th Street between Park Avenue and Northlake Blvd and on Watertower Road, Gateway Road, South Killian Drive, West Killian Drive, North Killian Drive and 10th Court
- On Lake Shore Drive, Cypress Drive, Date Palm, Evergreen, Foresteria, Hawthorne, E. Ilex Drive and Federal Highway except in designated metered parking spaces, and Greenbriar Drive between Lake Shore Drive and Federal Highway in designated metered parking spaces.
- In public parks except in designated parking areas and public median areas, i.e. the middle of any road
- On swales: The only exception is in residential areas where you may not park from sunrise to sunset, but does not include the residential areas one block east of Federal Highway
- Parking is not allowed at any time on the sidewalks

ROLL-OFF DEBRIS REMOVAL

Construction sites require roll-off containers and must be kept safe and clean at all times. As of January 1, 2011, residents and businesses engaging in construction projects in the Town of Lake Park were required to use one of the following providers for the removal of construction debris:

SOUTHERN WASTE SYSTEMS, LLC
(561) 582-6688

WASTE MANAGEMENT, INC. OF FLORIDA
(561) 547-4000

WASTE-PRO USA, INC.
(561) 688-8912

THE TOWN OF LAKE PARK PUBLIC WORKS DEPARTMENT DOES NOT PICK UP CONSTRUCTION DEBRIS

SIGNS

Please refer to Chapter 70 of the Code of Ordinances for the regular Sign Code, or contact the Town Planner at 561-881-3318 for more information.

Additional Regulations for Northlake Boulevard can be found in Section 5 of the Appendix of the Town Code.

Additional Regulations for Park Avenue can be found in Section 78-70-7 of the Town Code.

If there is an overlap of Code Sections, the most restrictive regulations apply.

All signs, including window signs, require a sign permit. Mounting, engineering or electrical work requires a separate building permit application.

As a new business or in-Town relocation incentive, there is no fee for temporary new business or in-Town relocation signage, although it must be applied for prior to installation.

Please contact the Town Planner at (561) 881-3318 for more detailed information.

SPECIAL REGULATIONS FOR ANIMALS

- No animals are allowed in Town Parks, with the exception of the Lake Park Marina.
- A maximum of 6 household pets are allowed.
- Dogs must remain on a leash at all times. All droppings must be cleared. All dogs and cats over 4 months old must have a tag and appropriate vaccinations.

- No animals are allowed to run loose anywhere in Town unless attended by their human.
- **Humans must pick up after their pets at all times!**

SWALE MAINTENANCE

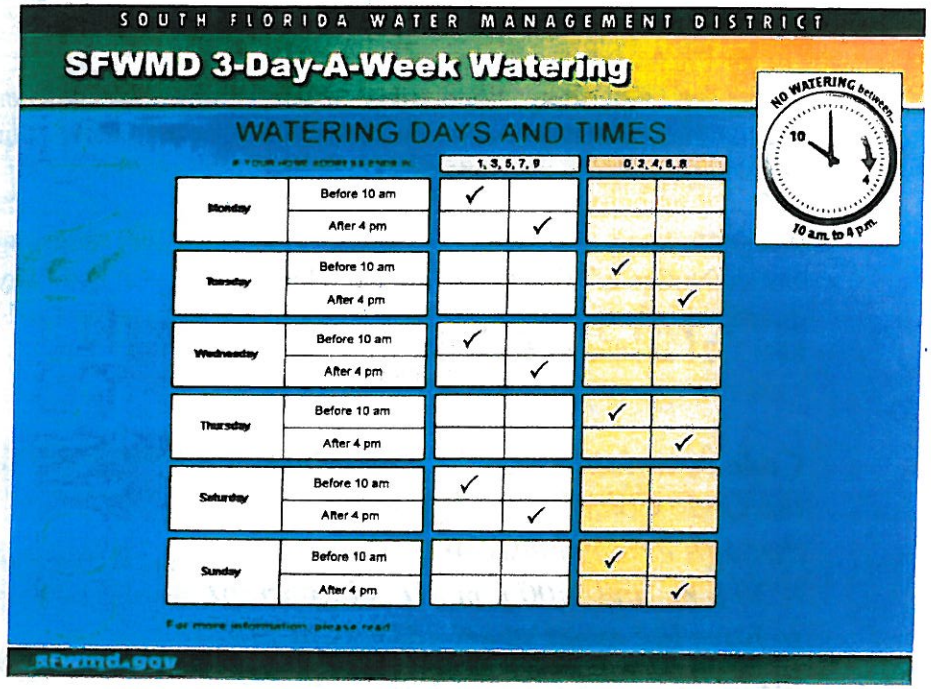
A Swale Permit issued by the Public Works Department is required for trees, vegetation and/or decorative markers or other improvements, landscaping, structures or objects that are planted, installed, removed, constructed or placed in the swale.

All grass and sod or any other ground cover may not exceed 6 inches in height, and must be maintained by the property owner.

WATERING

Water conservation measures are established by the South Florida Water Management District (SFWMD). This Manual reflects the water conservation measures that are in effect at the time of publication.

YEAR-ROUND WATER CONSERVATION MEASURES



For more information, please contact the
South Florida Water Management District
Water Conservation Helpline @ 1-800-662-8876
or visit www.sfwmd.gov

IN THE EVENT OF A CODE VIOLATION:

If the violation has not been brought into compliance within the allotted time, the property owner/or tenant ("Respondent(s)") is required to appear before the Special Magistrate at a Special Magistrate Hearing. These quasi-judicial hearings are conducted similar to court proceedings, and may result in a daily fine of $150.00, up to $250.00, per violation, plus administrative costs, or in the case of a repeat violation, the imposition of a daily fine of up to $500.00 per day, plus administrative costs.

A repeat violation, life safety issue, non-repairable or irreversible violation can be scheduled immediately for presentation before the Special Magistrate.

If you have received a Code Compliance Warning Notice/Notice of Violation/Notice of Hearing and you have any questions, please call the Code Compliance Office at (561) 881-3321 as soon as possible.

Code complaints** may be called into the Code Compliance Office Monday through Friday between the hours of 8:30 a.m. and 5:00 p.m. **It is important to have the exact street address of the property where the possible Code violation exists.

CODE COMPLAINTS MAY REMAIN ANONYMOUS

IMPORTANT TOWN TELEPHONE NUMBERS

Administration..... 561-881-3300
Town Clerk's Office..... 561-881-3311
Finance Department.....561-881-3350
Community Development Department.....561-881-3318
Code Compliance Division.....561-881-3321
Parks and Recreation Department.....561-881-3338
Public Works Department 561-881-3345
Lake Park Library.....561-881-3330
Lake Park Marina 561-881-3353
Town Attorney.....561-650-8233
PBC Fire Rescue Station 68..... .....**911**
Non-Emergency (1000 Park Avenue).....561-840-4581
Palm Beach County Sheriff's Office.....**911**
Non-Emergency (PBSO Headquarters).....561-688-3466

TOWN ELECTED OFFICIALS

561-881-3300

James DuBois, Mayor
jdubois@lakeparkflorida.gov

Kendall Rumsey, Vice-Mayor
krumsey@lakeparkflorida.gov

Steve Hockman, Commissioner
shockman@lakeparkflorida.gov

Jeanine Longtin, Commissioner
jlongtin@lakeparkflorida.gov

Tim Stevens, Commissioner
tstevens@lakeparkflorida.gov

The information contained within this Code Manual is subject to revision and may not reflect the most up-to-date information available, as Codes are constantly updated.

This Code Manual was prepared by the Community Development Department of the Town of Lake Park, Florida.

Version: August 2012