

ORDINANCE NO. 2005 - 02

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PARKLAND, FLORIDA, CREATING SECTION 4 - 62, "STORM SHUTTERS REGULATIONS" OF THE CODE OF ORDINANCES; ESTABLISHING CERTAIN POST- HURRICANE REGULATIONS; PROVIDING FOR PENALTIES; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission desires to preserve and protect the quality of life of its residents; and

WHEREAS, the City Commission finds that the adoption of code provisions relating to the regulation of storm shutters and requiring their prompt removal will serve the best interest and promote the life safety of the citizens of the City; and

WHEREAS, the City Commission has reviewed the proposed regulations provided by this ordinance and finds that such regulations accomplish the purposes intended;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF PARKLAND, AS FOLLOWS:

SECTION 1. The foregoing Whereas clauses are hereby ratified and incorporated as the legislative intent of this ordinance.

SECTION 2. Section 4 - 62, "Storm Shutters Regulations," of the Code of Ordinances of the City of Parkland is hereby created as follows:

Sec. 4 – 62.1. Storm Shutters Placed On Structures Certified For Occupancy.

Protection from windborne debris is encouraged for all structures certified for occupancy in the City. Storm shutters, or hurricane protection devices, shall be designed & installed in conformance with the building code in effect at the time such hurricane protection was permitted by the Building Department.

Sec. 4 – 62.2. Storm Shutter Placement.

Consistent with the provisions regarding storm shutters as set forth in the Florida Building Code, Broward County Edition, as amended from time to time, it is prohibited to maintain hurricane protective devices which impede egress, light, and/or ventilation in a closed/secured position on occupied buildings after a designated hurricane watch or warning has terminated; and further it is hereby prohibited to maintain any hurricane protective devices, with the exception of those covering clerestory windows, in a closed/secured position for periods in excess of ten consecutive days unless:

- A. a hurricane occurs during the ten day period, at which point the ten day period begins anew the day after hurricane conditions have subsided; or
- B. hurricane or tropical storm watch conditions are predicted to occur within 48 hours after the tenth day; or
- C. the structure is used for residential purposes, but no person is in residence for a period in excess of ten consecutive days, except that (A) and (B), above, shall still apply during periods when a person is in residence.
- D. clerestory windows exempted under section 4-62-2 shall be removed 10 days after the official conclusion of the hurricane season.

Sec. 4 - 62.3. Penalties.

Any person, firm, corporation or agent who violates any provisions of this Ordinance may, upon conviction, be punished by a fine not to exceed \$500.00 per violation.

SECTION 3. That all Sections or parts of Sections of the Code of Ordinances, 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 4. It is the intention of the City Commission and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of the City of Parkland, Florida, and the sections of this ordinance may be renumbered to accomplish such intent.

SECTION 5. If any word, phrase, clause, sentence, or section of this ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this ordinance.

SECTION 6. That this ordinance shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED ON FIRST READING THIS 16 DAY OF February, 2005.

PASSED AND ADOPTED ON SECOND READING THIS 16 DAY OF March, 2005.

CITY OF PARKLAND, FLORIDA



ROBERT A. MARKS, MAYOR

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ATTEST:


SANDRA COUZZO, C.M.C., CITY CLERK

APPROVED AS TO FORM AND LEGALITY:


ANDREWS S. MAURODIS, ESQUIRE
CITY ATTORNEY