

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: October 20, 2026

☐ Consent ☒ Regular
☐ Public Hearing

Department: Planning, Zoning, and Building

Submitted By: Code Compliance

Submitted For: Code Compliance

I. EXECUTIVE BRIEF

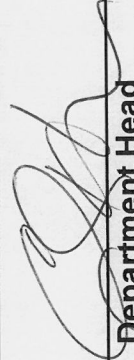
Motion and Title: Staff recommends motion to approve on preliminary reading and permission to advertise for public hearing on November 17, 2026 at 9:30 a.m.: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING PALM BEACH COUNTY CODE, CHAPTER 14, ARTICLE 1, (ORDINANCE NO. 2003-051, 2005-061, 2009-009, AND 2018-013); AMENDING SECTION 14-3 (DUTIES AND POWERS OF THE CODE OFFICIAL); AMENDING SECTION 14-4 (VIOLATIONS); AMENDING SECTION 14-22 (GENERAL DEFINITIONS); AMENDING SECTION 14-31 (GENERAL); AMENDING SECTION 14-32 (EXTERIOR PROPERTY AREAS); AMENDING SECTION 14-33 (EXTERIOR OF STRUCTURE OR BUILDING); PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; PROVIDING FOR ENFORCEMENT; PROVIDING FOR PENALTY; PROVIDING FOR CAPTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

Summary: This Ordinance revises provisions of the Property Maintenance Code (PMC) to reflect the name change of the Division and to include amendments pertaining to graffiti, blocking sidewalks, maintenance of grassed areas on developed property, pool barriers, maintenance of building exteriors, use of hurricane screens and shutters, and to provide other necessary amendments. **Countywide** (SF)

Background and Policy Issues: (See page 3).

Attachments:

1. Proposed Ordinance: Strikethrough/Underline Version
2. Business Impact Estimate

Recommended by:  **Department Head** 9/28/2026 **Date**

Approved by:  **Deputy County Administrator** 9/30/26 **Date**

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2027	2028	2029	2030	2031
Capital Expenditures					
Operating Costs					
External Revenues					
Program Income					
(County)					
In-Kind Match					
(County)					
NET FISCAL IMPACT	*				

ADDITIONAL FTE POSITIONS (Cumulative)

0	0			
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Is Item Included in Current Budget:	Yes	No
Is this item using Federal Funds:	Yes	No
Is this item using State Funds:	Yes	No

Budget Account No: _____

Fund	Dept	Unit	Object

B. Recommended Sources of Funds/Summary of Fiscal Impact:

* Fiscal impact cannot be determined at this time

C. Departmental Fiscal Review:

Aaron Maharaj



Electronically signed by Aaron Maharaj
on 09/24/2024 at 09:29:00 AM.
The County of San Diego, California
is the author of this document.
F026 09/23 15:31:39.4407
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III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

<u>San Diego 9/23/2024</u> OFMB	<u>Handi Paul 9/24/24</u> Contract Development and Control 9/24/2024
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B. Legal Sufficiency:

TS
Assistant County Attorney

C. Other Department Review:

Department Director

This summary is not to be used as a basis for payment.

Continued from page 1

Background and Policy Issues:

This Ordinance amends the PMC as follows:

- 1) Reference to the Division is changed to the Division of Code Compliance;
- 2) Provides the circumstances in which vacant structures that have been vandalized may be secured with exterior barriers or coverings;
- 3) Prohibits blocking or parking over or on a sidewalk;
- 4) Requires developed or partially developed residential and non-residential lots greater than one-half acre to maintain grass, weeds, and low-growing vegetation at a maximum of seven inches on the entire lot;
- 5) Prohibits vegetation that impairs the use of or access to a public sidewalk;
- 6) Revises language to clarify that swimming pools must have a permitted pool barrier that meets the requirements of the Florida Building Code;
- 7) Requires property owners to keep their property free of graffiti;
- 8) Requires that exterior stucco and walls must be maintained in good condition; and
- 9) Provides that exterior barriers or coverings may be used on a temporary basis due to weather concerns and must be removed no later than 72 hours after the dissipation of the tropical storm warning, hurricane warning, hurricane, or other similar large-scale weather event.

ORDINANCE NO. 2026-_____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING PALM BEACH COUNTY CODE, CHAPTER 14, ARTICLE 1, (ORDINANCE NO. 2003-051, 2005-061, 2009-009, AND 2018-013); AMENDING SECTION 14-3 (DUTIES AND POWERS OF THE CODE OFFICIAL); AMENDING SECTION 14-4 (VIOLATIONS); AMENDING SECTION 14-22 (GENERAL DEFINITIONS); AMENDING SECTION 14-31 (GENERAL); AMENDING SECTION 14-32 (EXTERIOR PROPERTY AREAS); AMENDING SECTION 14-33 (EXTERIOR OF STRUCTURE OR BUILDING); PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; PROVIDING FOR ENFORCEMENT; PROVIDING FOR PENALTY; PROVIDING FOR CAPTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 125.01(1), Florida Statutes, empowers Palm Beach County to adopt ordinances necessary for the exercise of its powers and to perform acts not inconsistent with law that are in the common interest of the people of the County; and

WHEREAS, the Palm Beach County Board of County Commissioners enacted the Property Maintenance Code by Ordinance No. 2003-051 (the “Ordinance”), as amended, to promote, protect, and improve the health, safety, and welfare of the citizens of Palm Beach County; and

WHEREAS, the Board of County Commissioners finds it necessary to amend the Ordinance to reflect the name change of the Division and to include amendments pertaining to graffiti, blocking sidewalks, maintenance of grassed areas on developed property, pool barriers, maintenance of building exteriors, use of hurricane screens and shutters, and to provide other necessary amendments.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

SECTION 1. The foregoing recitals are hereby confirmed and incorporated herein.

SECTION 2. DUTIES AND POWERS OF THE CODE OFFICIAL. Section 14-3 of the Palm Beach County Code is amended as follows:

1 (e) Interpretive authority. The Code ~~Enforcement~~ Compliance Director shall have
2 power as necessary in the interest of public health, safety, and general welfare, to interpret and
3 implement the provisions of this code.

4 ***

5 **SECTION 3. VIOLATIONS. Section 14-4 of the Palm Beach County Code is amended as**
6 **follows:**

7 ***

8 (b) Enforcement. The provisions of this code shall be enforced by:

9 (1) Special magistrate pursuant to the authority granted by F.S. § 162.01 et seq., as
10 may be amended;

11 (2) The Board of County Commissioners through its authority to enjoin and restrain
12 any person violating the code;

13 (3) Palm Beach County through the prosecution of violations in the name of the
14 State of Florida pursuant to the authority granted by F.S. § 125.69, as may be amended.

15 The Code ~~Enforcement~~ Compliance Director may pursue these or any other
16 enforcement remedies available to and applicable to the county;

17 (4) Article 10 of the Palm Beach County Unified Land Development Code; or

18 (5) Chapter 8.5, the Citation System Ordinance.

19 (c) Transfer of ownership. If the owner of property that is subject to an enforcement
20 proceeding before an enforcement board, special magistrate, or court transfers ownership of
21 such property between the time the initial notice or pleading was served and the time of the
22 hearing, such owner shall:

23 (1) Disclose, in writing, the existence and the nature of the proceeding to the
24 prospective transferee.

25 (2) Deliver to the prospective transferee a copy of the pleadings, notices, and other
26 materials relating to the code enforcement proceeding received by the transferor.

27 (3) Disclose, in writing, to the prospective transferee that the new owner will be
28 responsible for compliance with the applicable code and with orders issued in the code
29 enforcement proceeding.

1 (4) File a notice with the Code Enforcement Compliance Official of the transfer of
2 the property, with the identity and address of the new owner and copies of the
3 disclosures made to the new owner, within five (5) days after the date of the transfer.
4 A failure to make the disclosures described in subsections (1), (2), and (3) before the transfer
5 creates a rebuttable presumption of fraud. If the property is transferred before the hearing, the
6 proceeding shall not be dismissed, but the new owner shall be provided a reasonable period of
7 time to correct the violation before the hearing is held.

8 **SECTION 4. GENERAL DEFINITIONS. Section 14-22 of the Palm Beach County Code**
9 **is amended as follows:**

10 ***

11 Approved. Approved by the Code Enforcement Compliance Director.

12 ***

13 Code official. The Code Enforcement Compliance Director or any duly authorized
14 representative.

15 ***

16 Graffiti. Any unauthorized inscription, word, figure, design, painting, writing, drawing or
17 carving that is written, marked, etched, scratched, sprayed, drawn, painted, or engraved on or
18 otherwise affixed on a component of any building, structure, or other facility.

19 ***

20 Exterior barrier or covering. Any exterior barrier or covering made of any material, including
21 but not limited to, aluminum, metal, steel, plastic, or wood that covers any opening of a
22 building such as a window or door. This may include, but is not limited to, security screens and
23 shutters, hurricane shutters or curtains, rolling or retracting metal flexible shutters, and other
24 materials used to cover any opening of a building such as a window or door.

25 **SECTION 5. GENERAL. Section 14-31 of the Palm Beach County Code is amended as**
26 **follows:**

27 ***

29 (c) Vacant structures and premises. All vacant structures and premises shall be maintained
30 in a clean, safe, secure, and sanitary condition as provided ~~herein~~ in this chapter so as not to
31 cause a ~~deteriorating problem~~ blight or adversely affect the public health, safety, or welfare.

32 (1) The exterior of all vacant structures shall be maintained in a manner required of
33 occupied structures as provided in this chapter code.; In addition, window areas shall be

1 maintained with appropriate glass and glazing treatment; exterior doors shall be water-
2 tight and weather-tight; and walls and roof areas shall be maintained in a clean, safe,
3 and intact condition; and water-tight and weather-tight.

4 (2) In cases where the property owner presents proof of two (2) instances of
5 vandalism or unauthorized entry resulting in violations of subparagraph (1) above,
6 within any six~~three~~-month period, the property owner may secure the structure by
7 placing exterior barriers or coverings ~~boarding up~~ on all exterior openings in lieu of
8 replacing ~~broken~~, shattered and/or broken windows or glass doors with new glass or
9 glazing treatments. Such proof ~~may~~ shall consist of county sheriff reports ~~and/or~~
10 ~~affidavits from at least two (2) neighbors~~. When a vacant structure is secured by placing
11 exterior barriers or coverings ~~boarded~~, exterior barriers or coverings ~~the boards~~ shall be
12 white or match the exterior color of the structure.
13

14 **SECTION 6. EXTERIOR PREMISES. Section 14-32 of the Palm Beach County Code is**
15 **amended as follows:**

16 ***
17

18 (b) Sidewalks and driveways. All sidewalks, walkways, ~~stairs~~, driveways, parking lots,
19 parking spaces, and similar areas shall be kept in a proper state of repair; and maintained free
20 from hazardous conditions. Blocking or parking over or on a sidewalk is prohibited. Stairs
21 shall comply with the requirements of section 143-34(g).

22 (c) Excessive growth of grass, weeds and low-growing vegetation.

23 (1) Grass, weeds, and low-growing vegetation shall be maintained as follows:

24 Table 14-32(c)

Lot and Use	Size of Lot	Maximum Maintenance Height
Vacant—Residential and Non-Residential	One-half acre or less	18 inches on the entire lot.
Vacant—Residential and Non-Residential	Greater than one-half acre	18 inches on the first 25 feet measuring from property line or pod line of the lot on any side of the lot adjacent to a developed lot.
Developed or Partially Developed—Residential and Non-Residential	One-half acre or less	7 inches on the entire lot.
Developed or Partially Developed—Residential and Non-Residential	Greater than one-half acre	7 inches on the entire lot. ~~first 25 feet measuring from property line or pod line of the lot on any side of the lot adjacent to a developed lot.~~

Golf Course—Inactive or Abandoned (Prior to Redevelopment)	Any size	7 inches on the first 25 feet measuring from property line or pod line of the lot and 18 inches on the remainder of the lot.
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1 ***

2 (d) Vegetation. The following vegetation is prohibited:

3 (1) All diseased, ~~or~~ damaged, or dead limbs, ~~or~~ foliage, or trees that present a

4 hazard.

5 (2) Vegetation that constitutes a fire hazard.

6 (3) Vegetation that impedes or obstructs adequate view of an intersection, a traffic

7 sign or device, a railroad crossing, or traffic from any street, road, ₁ or highway.

8 (4) Vegetation that impedes, blocks, obstructs, or impairs the use of or access to a

9 public sidewalk.

10 (e) Accessory structures. All accessory structures, including detached garages, fences,

11 walls, and swimming pools shall be maintained in a structurally sound condition and in good

12 repair.

13 (1) Water clarity in swimming pools. Water clarity shall be maintained so that the

14 water is clear and free from algae.

15 (2) Swimming pool barriers. A swimming pool shall have a permitted pool barrier

16 that meets the requirements of the Florida Building Code pool barrier requirements in

17 effect at the time of construction of the pool, or, if constructed before such

18 requirements went into effect, shall have a barrier that meets all of the following

19 minimum requirements:

20 a. The barrier must be at least four (4) feet high on the outside.

21 b. The barrier may not have any gaps, openings, indentations, protrusions,

22 or structural components that could allow a young child to crawl under, squeeze

23 through, or climb over the barrier.

24 c. The barrier must be placed around the perimeter of the pool and must be

25 separate from any fence, wall, or other enclosure surrounding the yard unless the

26 fence, wall, or other enclosure or portion thereof is situated on the perimeter of

27 the pool, is being used as part of the barrier, and meets the barrier requirements

28 of this section. A wall of a dwelling may serve as part of the barrier if it does not

1 contain any door or window that opens to provide direct access from the home
2 to the swimming pool.

3 d. The barrier must be placed sufficiently away from the water's edge to
4 prevent a young child or medically frail person who may have managed to
5 penetrate the barrier from immediately falling into the water. Sufficiently away
6 from the water's edge shall mean no less than twenty (20) inches from the barrier
7 to the water's edge.

8 ***

9 (g) Graffiti. Property owners shall keep their property free of graffiti.

10 **SECTION 7. EXTERIOR OF STRUCTURE OR BUILDING. Section 14-33 of the Palm**
11 **Beach County Code is amended as follows:**

12 ***

13 (b) Exterior painting. All wood, stucco, and metal surfaces including but not limited to,
14 walls, window frames, doors, door frames, cornices, porches, and trim shall be maintained in
15 good condition. Peeling, flaking, and chipped paint shall be eliminated and surfaces repainted.

16 ***

17 (g) Roofs and drainage. The roof and flashing shall be sound, tight, and not have defects.
18 ~~that admit rain.~~ Roof drainage shall be adequate to prevent dampness or deterioration in the
19 walls or interior portion of the structure. Roof drains, gutters, and down spouts shall be
20 maintained in good repair and free from obstructions. Roof water shall not be discharged in a
21 manner that creates an adjacent public nuisance.

22 ***

23 (o) Exterior barrier or covering. Exterior barrier or coverings are not allowed except as
24 described below:

25 (1) Exterior barrier or coverings may be used temporarily when there is a tropical storm
26 warning, hurricane warning, hurricane, or other similar large-scale weather event
27 anticipated to immanently affect Palm Beach County provided that said exterior barrier
28 or coverings must be removed no later than seventy-two (72) hours after the dissipation
29 of the tropical storm warning, hurricane warning, hurricane, or other similar large-scale
30 weather event.

31 ***

1 **Section 8. REPEAL OF LAWS IN CONFLICT:**

2 All local laws and ordinances in conflict with any provisions of this Ordinance are
3 hereby repealed to the extent of such conflict.

4

5 **Section 9. SAVINGS CLAUSE:**

6 Notwithstanding anything to the contrary, all provisions of Palm Beach County Code
7 Chapter 14, Article 1, codifying Palm Beach County Ordinance No. 2003-051, as amended, are
8 specifically preserved and remain in full force and effect for the limited purpose of enforcing
9 any alleged violations of said Code which occurred prior to its repeal or amendment.

10

11 **Section 10. SEVERABILITY:**

12 If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any
13 reason held by a Court of competent jurisdiction to be unconstitutional, inoperative, or void,
14 such holding shall not affect the remainder of this Ordinance.

15

16 **Section 11. INCLUSION IN THE CODE OF LAWS AND ORDINANCES:**

17 The provisions of this Ordinance shall become and be made a part of the Palm Beach
18 County Code. The sections of this Ordinance may be renumbered or relettered to accomplish
19 such, and the word “ordinance” may be changed to “section,” “article,” or other appropriate
20 word.

21

22 **Section 12. ENFORCEMENT:**

23 This Ordinance is enforceable by all means provided by law. Additionally, the County
24 may choose to enforce this Ordinance by seeking injunctive relief in the Circuit Court of Palm
25 Beach County.

26

27 **Section 13. PENALTY:**

28 Any violation of any portion of this Ordinance shall be punishable as provided by law.

29

1 **Section 14. CAPTIONS:**

2 The captions, section headings, and section designations used in this Ordinance are for
3 convenience only and shall have no effect on the interpretation of the provisions of this
4 Ordinance.

6 **Section 15. EFFECTIVE DATE:**

7 The provisions of this Ordinance shall become effective upon filing with the
8 Department of State.

10 APPROVED and ADOPTED by the Board of County Commissioners of Palm Beach
11 County, Florida, on this the ____ day of _____, 2026.

12 SHANNON RAMSEY-CHESSMAN, PALM BEACH COUNTY, FLORIDA, BY ITS
13 CLERK of the CIRCUIT COURT BOARD OF COUNTY COMMISSIONERS
14 & COMPTROLLER Ad Interim

17 By: _____ Deputy Clerk

By: _____ Sara Baxter, Mayor

20 APPROVED AS TO FORM AND
21 LEGAL SUFFICIENCY

24 By: _____ County Attorney

27 EFFECTIVE DATE: Filed with the Department of State on the ____ day of
28 _____, 2026.

BUSINESS IMPACT ESTIMATE

Meeting Date: November 17, 2026

Proposed Ordinance Title/Reference: Ordinance No: 2026-

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING PALM BEACH COUNTY CODE, CHAPTER 14, ARTICLE 1, (ORDINANCE NO. 2003-051, 2005-061, 2009-009, AND 2018-013); AMENDING SECTION 14-3 (DUTIES AND POWERS OF THE CODE OFFICIAL); AMENDING SECTION 14-4 (VIOLATIONS); AMENDING SECTION 14-22 (GENERAL DEFINITIONS); AMENDING SECTION 14-31 (GENERAL); AMENDING SECTION 14-32 (EXTERIOR PROPERTY AREAS); AMENDING SECTION 14-33 (EXTERIOR OF STRUCTURE OR BUILDING); PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; PROVIDING FOR ENFORCEMENT; PROVIDING FOR PENALTY; PROVIDING FOR CAPTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

Summary of Proposed Ordinance and Statement of Public Purpose to be Served:

The proposed ordinance revision makes administrative changes to job titles and code revisions to Palm Beach County Ordinance Chapter 14, Article 1 (the Property Maintenance Code). Code Enforcement Officers are now Code Compliance Officers.

Revisions to the code for clarity and enforcement efficiency to include:

1. Definition for exterior barrier or covering.
2. Exterior premises: No parking on or over a sidewalk, blocking pedestrian movement; in line with the ULDC.
3. Exterior premises: Seven-inch grass height limitation on developed residential lots greater than one-half acre, in line with other developed residential properties.
4. Exterior premises: Prohibit vegetation from blocking a sidewalk.
5. Exterior premises: Building Permit requirement for swimming pool barriers, in line with the Florida Building Code.
6. Exterior of structure: Add “stucco” and “walls” to exterior surfaces, painting requirement.
7. Exterior of structure: Omit the term “that admits rain” in roof disrepair.
8. Exterior of structure: Require the removal of hurricane shutters 72 hours after a storm on occupied structures (egress safety).

<u>Estimate of Direct Economic Impact on Private/For Profit Businesses:</u> a. <u>Estimate of Direct Business Compliance Costs:</u> There are no business-related costs. b. <u>New Charges/Fees on Businesses Impacted:</u> There are no business-related fees. c. <u>Estimate of Regulatory Costs:</u> There are no regulatory costs.
<u>Good Faith Estimate of Number of Businesses Likely Impacted:</u> The proposed ordinance revision would not affect any businesses.
<u>Any Additional Information:</u>

INSTRUCTIONS

Before the enactment of a proposed ordinance, the Board of County Commissioners shall prepare or cause to be prepared a business impact estimate in accordance with this section 125.66(3), Florida Statutes.	
<u>Posting</u> The business impact estimate must be posted on the County’s website no later than the date the notice of proposed enactment is published pursuant to section 125.66(2)(a), Florida Statutes.	
<u>Exemptions</u> The business impact requirement does not apply to the following: 1. Ordinances required for compliance with federal or state law or regulation; 2. Ordinances relating to the issuance or refinancing of debt; 3. Ordinances relating to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget; 4. Ordinances required to implement a contract or an agreement, including, but not limited to, any federal, state, local, or private grant, or other financial assistance accepted by a county government; 5. Emergency ordinances; 6. Ordinances relating to procurement; or 7. Ordinances enacted to implement the following: a. Development orders and development permits, as those terms are defined in section 163.3164, Florida Statutes, and development agreements, as authorized by the Florida Local Government Development Agreement Act under sections 163.3220–163.3243; b. Comprehensive plan amendments and land development regulation amendments initiated by an application by a private party other than the municipality; c. Sections <u>190.005</u> and <u>190.046</u>; d. Section <u>553.73</u>, relating to the Florida Building Code; or e. Section <u>633.202</u>, relating to the Florida Fire Prevention Code.	
<u>Resolutions</u> Resolutions proposed pursuant to a non-exempt ordinance must include a business impact estimate.	