



**VILLAGE OF INDIANTOWN
AGENDA
REGULAR VILLAGE COUNCIL MEETING**

November 8, 2018
6:30 PM
at the INDIANTOWN CIVIC CENTER
15675 SW Osceola Street, Indiantown, FL 34956

VILLAGE COUNCIL
SUSAN GIBBS THOMAS, MAYOR
GUYTON STONE, VICE MAYOR
JACKIE GARY CLARKE
ANTHONY D. DOWLING
JANET HERNÁNDEZ

ADMINISTRATION
TERESA LAMAR-SARNO, VILLAGE MANAGER
WADE C. VOSE, VILLAGE ATTORNEY
CHERIE WHITE, VILLAGE CLERK

Civility: Being "civil" is not a restraint on the First Amendment right to speak out, but it is more than just being polite. Civility is stating your opinions and beliefs, without degrading someone else in the process. Civility requires a person to respect other people's opinions and beliefs even if he or she strongly disagrees. It is finding a common ground for dialogue with others. It is being patient, graceful, and having a strong character. That's why we say "Character Counts" in Indiantown. Civility is practiced at all Village meetings.

Special Needs: If anyone attending this meeting requires a reasonable accommodation, please contact Cheryl White, Village Clerk, by telephone at (772) 597-9900 or by email at cwhite@indiantown.org. at least 48 hours in advance.

Quasi-Judicial Hearings: Some of the matters on the Agenda may be "quasi-judicial" in nature. Village Council Members are required to disclose all ex-parte communications regarding these items and are subject to voir dire by any affected party regarding those communications. All witnesses testifying will be "sworn" prior to their testimony. However, the public is permitted to comment, without being sworn. Unsworn comment will be given its appropriate weight by the Village Council.

Appeal of Decision: If a person decides to appeal any decision made by the Village Council with

respect to any matter considered at this meeting, he or she will need a record of the proceeding, and for that purpose, may need to ensure that a verbatim record of the proceeding is made, which record includes any testimony and evidence upon which the appeal will be based.

Consent Calendar: Those matters included under the Consent Calendar are typically self-explanatory, non-controversial, and are not expected to require review or discussion. All items will be enacted by a single motion. If discussion on an item is desired, any Village Council Member, without a motion, may "pull" or remove the item to be considered separately. If any item is quasi-judicial, it may be removed from the Consent Calendar to be heard separately, by a Village Council Member, or by any member of the public desiring it to be heard, without a motion.

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

PROCLAMATIONS, AWARDS AND SPECIAL PRESENTATIONS

1. Indian River State College Presentation Regarding Programs in Indiantown
2. Village Seal Finalists

PUBLIC COMMENT

*-The public is invited to comment for up to 3 minutes **on any item not on the Agenda.** Questions are typically deferred to staff, and if civility is not practiced, the Mayor may rule the person out of order, and may require the person be removed from the meeting.*

COMMENTS BY VILLAGE COUNCIL MEMBERS

COMMENTS BY VILLAGE MANAGER

APPROVAL OF AGENDA

-A motion is adopted to approve the Agenda as it appears, or as modified by motion of the village council.

Motion:	Second:	Discussion by Council:	Public Comment	Vote:
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CONSENT CALENDAR

3. Minutes 09/27/2018 Regular Council Meeting.
4. RESOLUTION No. 058-2018 A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF INDIANTOWN, FLORIDA, APPROVING AN AMENDMENT TO THE AGREEMENT FOR PROFESSIONAL GENERAL PLANNING SERVICES WITH BONNIE C. LANDRY AND ASSOCIATES, P.A.; AND PROVIDING AN EFFECTIVE DATE.

Motion:	Second:	Discussion by Council:	Public Comment	Vote:
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FIRST READING ORDINANCES

5. ORDINANCE NO. 10-(2018) AN ORDINANCE OF THE VILLAGE OF INDIANTOWN, FLORIDA, AMENDING ARTICLE 4, DIVISION 16, SIGNS, OF THE VILLAGE OF INDIANTOWN'S TRANSITIONAL LAND DEVELOPMENT REGULATIONS; PROVIDING FOR FINDINGS, SEVERABILITY, CONFLICTS, CODIFICATION, AND AN EFFECTIVE DATE.

Motion:	Second:	Discussion by Council:	Public Comment	Vote:
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6. ORDINANCE NO. 11 (2018) AN ORDINANCE OF THE VILLAGE OF INDIANTOWN, FLORIDA, ADOPTING PERSONNEL REGULATIONS; PROVIDING FOR FINDINGS, SEVERABILITY, CONFLICTS, NON-CODIFICATION, AND AN EFFECTIVE DATE.

Motion:	Second:	Discussion by Council:	Public Comment	Vote:
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7. ORDINANCE NO. 12 (2018) AN ORDINANCE OF THE VILLAGE OF INDIANTOWN, FLORIDA, ESTABLISHING A TEMPORARY MORATORIUM ON THE RECEIPT, ACCEPTANCE, PROCESSING, AND CONSIDERATION OF APPLICATIONS FOR ANNEXATION INTO THE VILLAGE OF INDIANTOWN; PROVIDING THE DURATION OF THE MORATORIUM; PROVIDING FOR FINDINGS, SEVERABILITY, CONFLICTS, NON- CODIFICATION, AND AN EFFECTIVE DATE.

Motion:	Second:	Discussion by Council:	Public Comment	Vote:
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DISCUSSION ITEMS

8. Results from Code Enforcement Public Input Session

ANNOUNCEMENTS

NEXT REGULAR MEETING

ADJOURNMENT

**VILLAGE OF INDIANTOWN, FLORIDA
AGENDA MEMORANDUM**

MEETINGDATE: November 8, 2018

MEETING TYPE:

AGENDA ITEM TITLE: Indian River State College Presentation Regarding Programs in Indiantown

SUMMARY OF ITEM: Emily Mass, Program Director of IRSC will attend and make a brief presentation on the programs offered in Indiantown.

RECOMMENDATION: n/a

PREPARED BY: Teresa Lamar-Sarno, Village Manager

DATE: 10/31/2018

REVIEWED BY: Teresa Lamar-Sarno, Village Manager

DATE: 10/31/2018

APPROVED BY:

DATE:

VILLAGE OF INDIANTOWN, FLORIDA AGENDA MEMORANDUM

MEETING DATE: November 8, 2018

MEETING TYPE:

AGENDA ITEM TITLE: Village Seal Finalists

SUMMARY OF ITEM: Indiantown Middle School students participated in the Village's Seal design competition. Ms. Monks, IMS Art Teacher provided the Village with over 30 examples of potential Village seal that were drawn by the students.

The top ten were subject to a poll on the Village website and promoted on our Facebook page. The final five were selected from the top vote winners.

The top 5 were voted on at the October 22nd Open House and Code Enforcement Public Input Session.

The top 5 students will be in attendance at the Village Council Meeting and will be recognized for their contribution.

It resulted in the top vote winner being (STUDENT NAME).

This collaboration with Indiantown Middle School to assist the Village with inspiration for our final seal design has been greatly appreciated by the Village of Indiantown.

RECOMMENDATION: Recommend staff contract a designer to utilize the recommended Village Seal as inspiration for the final seal to be revealed at the January 2018 Village of Indiantown Incorporation Anniversary community event.

PREPARED BY: Teresa Lamar-Sarno, Village Manager

DATE: 10/31/2018

REVIEWED BY: Teresa Lamar-Sarno

DATE: 11/1/2018

APPROVED BY:

DATE:

ATTACHMENTS:

Description

Seal A

Village Seal B

Seal C

Village Seal D

Village Seal E

Name: ALBERT HESS

Indiantown City

Grade: 6th

Seal Contest

Must have the
following:

Indiantown,

Florida

Black and

White



Name

Indiantown City

Grade 6

Seal Contest

Must have the
following:

Indiantown,

Florida

Black and

White



Name

Indiantown City

Grade 7

Seal Contest

Must have the

following:

Village of
Indiantown,

Florida
EST. 2017

Black and

White



Name

Indiantown City

Grade: 6th

Seal Contest

Must have the
following:

Indiantown,

Florida

Black and

White



Name

Indiantown City

Grade 6

Seal Contest

Must have the
following:

Indiantown,

Florida

Black and

White



**VILLAGE OF INDIANTOWN, FLORIDA
AGENDA MEMORANDUM**

MEETINGDATE: November 8, 2018

MEETING TYPE:

AGENDA ITEM TITLE: Minutes 09/27/2018 Regular Council Meeting.

SUMMARY OF ITEM:

RECOMMENDATION: Approve Minutes

PREPARED BY: DATE:

REVIEWED BY: DATE:

APPROVED BY: DATE:

ATTACHMENTS:

Description

Minutes 09/27/2018



**VILLAGE OF INDIANTOWN
REGULAR VILLAGE COUNCIL MEETING
SEPTEMBER 27, 2018 6:30 P.M.
MINUTES**

ROLL CALL

Cherie White, Village Clerk

PRESENT

Council Member Dowling, Council Member Clarke, Council Member Hernández, Mayor Gibbs Thomas, Village Manager Teresa Lamar-Sarno and Village Attorney Wade Vose

ABSENT

Vice Mayor Stone

INVOCATION Bishop Ed Skiba

Bishop Skiba asked for a moment of silence to remember Indiantown resident Jason Rebel who was killed in a car accident, he was 27 years old.

PLEDGE OF ALLEGIANCE: Mayor Gibbs Thomas led the council in the pledge of allegiance.

Mayor Thomas recognized County Commissioner Harold Jenkins.

PUBLIC COMMENT

Maureen Saltzer came forward and thanked the council for their consideration to the consent agenda items 4 and 5.

Lauren Baer came forward and announced her candidacy for Congressional District 18, and if elected will be representing Indiantown.

Donna Carman came forward and reminded everyone of the upcoming Indiantown Rodeo on October 19th- 20th, 2018.

COMMENTS BY VILLAGE COUNCIL MEMBERS

Council Member Dowling thanked Lauren Baer for coming to Indiantown, he also encouraged everyone to get out and vote. He stated that he attended a training session for the Florida league of Cities and encouraged everyone to oppose Amendment #1. He also thanked Donna Carmen for her work on the Indiantown Rodeo. He asked the Council to consider supporting the Rodeo in the future.

Council Members Clarke, Hernández and Vice Mayor Stone all support opposing Amendment 1.

Vice Mayor Stone announced he attended several community events and encouraged everyone to attend his upcoming Town Hall meetings:

Sunday October 30th 5:30 p.m. Indianwood
Monday October 1st 6:00 p.m. Mount Zion Church in Booker Park
Monday October 8th 6:00 pm at the Family Worship Center.

Mayor Thomas asked the residents of Indiantown to support the Rodeo. She also enjoyed seeing the updates to the new Indianwood Clubhouse.

She also requested that everyone keep the family of Jason Rebel in their thoughts and prayers.

COMMENTS BY VILLAGE MANAGER

Village Manager Lamar-Sarno requested the Council consider the Open House event also include a special meeting to discuss the Code Enforcement.

She also reminded the public to contact Martin County regarding any road concerns between now and October 1. She also recommended someone from the League of Cities come and educate the Council and Public on Amendment 1.

The Council agreed.

Village Manager Teresa Lamar-Sarno announced that she will not be submitting her candidacy for the Village Manager position. She presented a letter of her decision to the Clerk for the record. She thanked everyone for their support and looks forward to seeing where the Village is going.

Council Member Hernandez was visibly emotional and upset and thanked Teresa for her support to the community. Council Member Dowling also thanked Teresa and Paul for their work in getting the Village started. He asked everyone to rise and applaud her.

Vice Mayor Stone also thanked Teresa for her hard work and dedication.

Mayor Thomas stated that Teresa's effort has always been 110% and appreciates the willingness to lead. She stated that she would like to honor her.

Thelma Waters came forward and thanked Teresa for her patience and support to the community beginning many years ago. She stated that the Village Council will now have to begin learning new staff as well as learn their own jobs by leading the Village in the right direction.

APPROVAL OF AGENDA

Motion: Approve the Agenda tabling item 11 to a future date.

Moved by Council Member Dowling, seconded by Council Member Clarke.

Approved 5/0

CONSENT CALENDAR

2. Approval of Selection Committee Ranking for REI 02-2018 Professional Engineering Services.

3. RESOLUTION No. 048-2018 A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF INDIANTOWN, FLORIDA, APPROVING AN AMENDMENT TO THE RENTAL AGREEMENT WITH INDIANTOWN CIVIC CLUB, INC.; AND PROVIDING AN EFFECTIVE DATE.

4. RESOLUTION No. 049-2018 A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF INDIANTOWN, FLORIDA, APPROVING PIGGYBACK AGREEMENT FOR ROAD RESURFACING; AND PROVIDING AN EFFECTIVE DATE.

5. RESOLUTION 050-2018 A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF INDIANTOWN, FLORIDA, APPROVING PIGGYBACK AGREEMENT FOR INFRASTRUCTURE & MAINTENANCE; AND PROVIDING AN EFFECTIVE DATE.

Motion: Approve the Consent Calendar.

Moved by Vice Mayor Stone, seconded by Council Member Hernández

Approved 5/0

REGULAR AGENDA

6. SR 710 Letter of Support

Motion: Approve the Mayor sign the letter

Moved by Council Member Dowling, seconded by Council Member Clarke.

Marjorie Berry came forward and asked if the area 714 was designated historic, and it was clarified that it was not.

Approved 5/0

7. Consider appointment of an alternate member to serve on the Treasure Coast Council of Local Governments.

Motion: Approve the appointment of Vice Mayor Stone as the alternate to serve on the Treasure Coast Council of Local Governments.

Moved by Council Member Clarke, seconded by Council Member Dowling.

Approved 5/0

8. RESOLUTION No. 047-2018 A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF INDIANTOWN, FLORIDA APPROVING AN INTERLOCAL AGREEMENT WITH MARTIN COUNTY FOR THE PROVISION OF FIRE RESCUE SERVICES AND PARKS AND RECREATION FACILITIES AND SERVICES AND THE TRANSFER OF ROAD RIGHTS-OF-WAY AND STORMWATER FACILITIES TO THE VILLAGE; APPROVING A ROADWAY TRANSFER AGREEMENT WITH MARTIN COUNTY; AND PROVIDING FOR AN EFFECTIVE DATE.

Motion: Approve Resolution 47-2018 with a correction to the scrivener error.

Moved by Council Member Dowling, seconded by Vice Mayor Stone.

Approved 5/0

9. (Cont from 9/13/18) Indiantown Community Trust Fund Selection Committee Recommendations

Motion: Approve Committee Recommendations including Council Member

Moved by Vice Mayor Stone, seconded by Council Member Hernández.

Approved 5/0

10. Village Council Travel Reimbursement Policy

After discussion by the Council and staff the Council directed staff to bring back an agenda item with various scenarios as it relates to the Village Council travel budget.

SECOND READING ORDINANCES

Item 11 was tabled to a future date.

11. (Cont from 9/13/18) ORDINANCE NO. 009 (2018) AN ORDINANCE OF THE VILLAGE OF INDIANTOWN, FLORIDA, PROHIBITING CERTAIN NUISANCES, INCLUDING OVERGROWTH OF LOTS, AND UNSANITARY CONDITIONS, AND PROVIDING ALTERNATIVE ENFORCEMENT PROCEDURES FOR THE VILLAGE OF INDIANTOWN; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

DISCUSSION ITEMS

Council Member Dowling suggested the Village consider sponsorship to the future of the Indiantown Rodeo.

Donna Carmen came forward and gave a brief overview of the cost of the Rodeo. She said a formal invitation will be given to the Village Council and Village staff. She thanked County Commissioner Ed Caimpi for the County past financial support of approximately \$7,000.00 each year.

Mayor Thomas suggested asking Commissioner Jenkins for the County continued financial support.

Commissioner Dowling suggested the Village look at future budget to help support the Rodeo.

Mayor Thomas stated she would reach out to Commissioner Jenkins to encourage continued support to the Rodeo.

ANNOUNCEMENTS

12. Meeting Dates:

Regular Village Council Meeting -October 11, 2018 - 6:30 P.M.

Comprehensive Plan Committee - October 12, 2018 - 9:00 A.M.

Village Open House and Code Enforcement Workshop-October 22, 2018

English 5:00 P.M.-7:00 P.M.

Spanish 7:00 P.M. -8:30 P.M.

NEXT REGULAR MEETING

ADJOURNMENT 9:00 P.M.

ATTEST:

VILLAGE OF INDIANTOWN, FLORIDA

CHERIE WHITE
VILLAGE CLERK

SUSAN GIBBS THOMAS
MAYOR

APPROVED ON: November 8, 2018

VILLAGE OF INDIANTOWN, FLORIDA AGENDA MEMORANDUM

MEETINGDATE: November 8, 2018

MEETING TYPE: Bonnie Landry

AGENDA ITEM TITLE: RESOLUTION No. 058-2018 A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF INDIANTOWN, FLORIDA, APPROVING AN AMENDMENT TO THE AGREEMENT FOR PROFESSIONAL GENERAL PLANNING SERVICES WITH BONNIE C. LANDRY AND ASSOCIATES, P.A.; AND PROVIDING AN EFFECTIVE DATE.

SUMMARY OF ITEM: The local planning firm of Bonnie C. Landry and Associates (BCL) has been providing current planning services to the Village of Indiantown since Incorporation. In addition to deliverables with detailed scopes of services such as the Comprehensive Plan and CRA Finding of Necessity, the firm has provided current professional planning services billed at an hourly rate. The firm has set up a Planning Department which is responsive to public inquiries, provides planning support to the building department, creates processes and procedures as needed (such as annexation requests and new development applications), provided support to the Building Official reviewing building permits for zoning compliance and set up systems such as business tax receipt and alcohol license. Up until now, these services were billed at the hourly rate for professional services according to the agreement that was approved at the June 14, 2018 meeting of the Council. The Village Manager asked the firm to provide a flat rate for current planning services so that the costs are fixed for budgeting purposes of the Village (much like the contracts for clerk duties and legal services). BCL proposes a flat rate of \$8,000 per month and estimates a minimum of 80 hours each month will be dedicated to current planning for the Village of Indiantown.

Village Manager Note: BCL has been providing excellent planning services. BCL is responsive, professional and understands the needs of Indiantown. I believe this amendment to the contract will continue to provide planning services to the Village in a timely and professional manner.

RECOMMENDATION: Approve Res. No. 058-2018 Approving an Amendment to the Agreement for Professional General Planning Services with Bonnie C. Landry and Associates, P.A.

PREPARED BY: Bonnie Landry DATE: 10/31/2018

REVIEWED BY: Wade Vose, Village Attorney DATE: 11/1/2018

APPROVED BY: Teresa Lamar-Sarno, Village Manager DATE: 11/1/2018

ATTACHMENTS:

Description

Res. No. 058-2018 Approving an Amendment to the Agreement for Professional General Planning Services with Bonnie C. Landry and Associates, P.A.

Amendment to the Agreement for Professional General Planning Services with Bonnie C. Landry and Associates, P.A.

Current Agreement



RESOLUTION No. 058-2018

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF INDIANTOWN, FLORIDA, APPROVING AN AMENDMENT TO THE AGREEMENT FOR PROFESSIONAL GENERAL PLANNING SERVICES WITH BONNIE C. LANDRY AND ASSOCIATES, P.A.; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Village of Indiantown and Bonnie C. Landry and Associates, P.A., entered into that certain Agreement for Professional General Planning Services dated June 1, 2018 ("Agreement"); and

WHEREAS, the parties thereto desire to amend the Agreement to provide for greater budgetary certainty for the Village with respect to General Planning Services, as defined in the attached Amendment, while also clearly specifying those types of services that are subject to individual task orders that will be separately billed.

NOW, THEREFORE BE IT RESOLVED, by the Village Council of the Village of Indiantown, Florida, as follows:

SECTION 1. AMENDMENT TO AGREEMENT APPROVED. The First Amendment to Agreement for Professional General Planning Services, a copy of which is attached, is hereby approved, and the Mayor is hereby authorized to execute the same.

SECTION 2. EFFECTIVE DATE. This resolution shall take effect immediately upon adoption.

[THIS SPACE INTENTIONALLY LEFT BLANK.]

RES. 058-2018 Approving an Amendment to the Agreement for Professional General Planning Services with Bonnie C. Landry and Associates, P.A.

Council Member _____ offered the foregoing resolution and moved its adoption. The motion was seconded by Council Member _____, and upon being put to a vote, the vote was as follows:

VILLAGE COUNCIL	YES	NO	ABSENT	ABSTAIN
SUSAN GIBBS THOMAS, MAYOR				
GUYTON STONE, VICE MAYOR				
JACKIE GARY CLARKE, COUNCIL MEMBER				
ANTHONY J. DOWLING, COUNCIL MEMBER				
JANET HERNANDEZ, COUNCIL MEMBER				

ADOPTED this ____ day of _____, 2018.

ATTEST:

VILLAGE OF INDIANTOWN, FLORIDA

CHERIE WHITE
VILLAGE CLERK

SUSAN GIBBS THOMAS
MAYOR

REVIEWED FOR FORM AND
CORRECTNESS:

WADE C. VOSE
VILLAGE ATTORNEY

FIRST AMENDMENT TO
AGREEMENT FOR PROFESSIONAL GENERAL PLANNING SERVICES

THIS FIRST AMENDMENT TO AGREEMENT FOR PROFESSIONAL GENERAL PLANNING SERVICES, hereinafter the “Amendment” is made and entered into this ____ day of November, 2018 by the **BONNIE C. LANDRY AND ASSOCIATES, P.A.**, a Florida corporation, 615 St. Lucie Crescent, Suite 201, Stuart, FL 34994, hereinafter “BCL”, and the **VILLAGE OF INDIANTOWN**, a municipal corporation of the State of Florida, P.O. Box 398, 16550 SW Warfield Blvd., Indiantown, FL 34956-0398, hereinafter the “Village”.

WHEREAS, the parties entered into that certain Agreement for Professional General Planning Services dated June 1, 2018 (“Agreement”); and

WHEREAS, the parties thereto desire to amend the Agreement to provide for greater budgetary certainty for the Village with respect to General Planning Services, as defined herein, while also clearly specifying those types of services that are subject to individual task orders that will be separately billed.

NOW THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, the parties hereto agree to amend the Agreement as follows:

Section 1. Amendments to Agreement

Paragraphs 1 and 2 of the Agreement are amended to read as follows:

1. GENERAL PLANNING SERVICES and PROFESSIONAL FEE. As the General Planning Consultant, BCL shall provide General Planning Services to the Village, at the direction of the Village Manager. BCL estimates that the firm will spend not less than 80 hours per month on General Planning Services for the Village. General Planning Services shall include services such as: timely response to public inquiries related to zoning and land use matters, processing of comprehensive plan amendments and rezonings, preparation of amendments to the comprehensive plan, land development code, and code of ordinances, preparation of processes and procedures as needed (such as annexation requests and new development applications), providing support to the building official on planning-related matters (i.e. zoning compliance for building permits, assistance with impact fees and zoning review of code enforcement cases), zoning compliance for alcohol licenses and occupational licenses, acting as liaison with other municipalities, attendance at Council meetings as needed, and providing professional recommendations to Village Council and staff on planning-related matters. For the General Planning Services, BCL shall be paid a total of \$8,000 per month, payable in the arrears by the 10th day of the following month. No invoice shall be required for the provision of General Planning Services, and this Agreement shall substitute for an invoice. With respect to the General Planning Services, there will be no separately billed copying charges unless copies are

made through a third-party copying firm, and if needed, such charges will be cleared in advance with the Village Manager. With respect to the General Planning Services, there will be no charge for travel time, telephone, facsimile or word processing charges. As principal of BCL, Bonnie C. Landry shall, at her own expense, maintain her designation as a member of the American Institute of Certified Planners (AICP) at all times during the Performance of this Agreement.

2. TASK ORDER PROJECTS. In addition to the General Planning Services, BCL shall provide separately billed additional services to the Village with respect to the preparation of long-term planning studies and state-required documents, as set forth herein (hereinafter, "Task Order Projects"). For the purposes of this Agreement, Task Order Projects excluded from the General Planning Services include preparation of initial land development regulations, preparation of an initial code of ordinances, preparation of a community redevelopment plan, impact fee studies (including but not limited to facilities or roads impact fees), concurrency analyses, vacant land studies, school facility studies, preparation of a residential capacity report, grant-writing (including but not limited to TiGR grants, CDBG grants, USDA grants), and the two Task Order Projects currently in process: the preparation of the Village's initial comprehensive plan, as specified in Exhibit "B" hereto; and preparation of a CRA finding of necessity, as specified in Exhibit "C" hereto. Work concerning Task Order Projects shall be specified in a scope of services which specifies tasks, time-specific deliverables, estimated hours pursuant to the fee schedule attached hereto as Exhibit "A", and not to exceed billable amounts, all to be approved by the Village Manager. Projects currently in progress (preparation of the Village's initial comprehensive plan, as specified in Exhibit "B" hereto, and preparation of a CRA finding of necessity, as specified in Exhibit "C" hereto) shall continue as previously approved. An invoice with deliverables will be provided on a monthly basis for each of the projects defined in the separate task order(s).

Section 2. Terms Not Inconsistent Remain Unchanged.

All terms of the Agreement not inconsistent with the foregoing remain unchanged.

Section 3. Effective Date.

Notwithstanding the date the Amendment is approved by the Village Council, it shall become effective as of November 1, 2018.

[THIS SPACE INTENTIONALLY LEFT BLANK.]

IN WITNESS WHEREOF, the Village and BCL have executed this contract on the _____ day of November 2018.

BCL

Bonnie C. Landry

ATTEST:

VILLAGE OF INDIANTOWN, FLORIDA

DEPUTY VILLAGE CLERK

TERESA LAMAR-SARNO
VILLAGE MANAGER

APPROVED FOR
FORM AND CORRECTNESS:

WADE C. VOSE
VILLAGE ATTORNEY



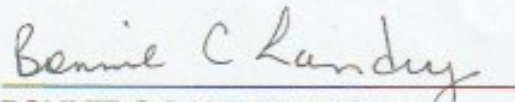
IN CONSIDERATION of the mutual agreements and promises herein, the **VILLAGE OF INDIANTOWN**, Florida, a municipal corporation ("Village"), contracts for Professional General Planning Services with **BONNIE C. LANDRY AND ASSOCIATES, P.A.**, a Florida corporation, 336 SW RIDGE LANE, Stuart, FL 34994 ("BCL"), beginning on JUNE 1, 2018, and terminating as provided herein.

1. **GENERAL PLANNING SERVICES.** As the General Planning Consultant, BCL shall provide planning services to the Village, at the direction of the Village Manager, as well as project specific planning studies and state required documents requested by the Village Manager and prepared by BCL (See "Exhibit B" and "Exhibit C"). In addition, as the principal of BCL, Bonnie C. Landray shall maintain her designation as a member of the American Institute of Certified Planners (AICP) at all times during the performance of the Contract.
2. **PROFESSIONAL FEE.** From June 1, 2018 and until such time that either the Village Manager or BCL terminates this contract, BCL shall be paid according to the Fee Schedule provided herein as "Exhibit A", and as may be amended from time to time. An invoice with deliverables will be provided on a monthly basis. The invoice will be itemized to demonstrate the total number of hours for each Professional Level.
3. **VEHICLE.** BCL agrees to utilize personally owned vehicles (POV) in the performance of duties as Village General Planning Consultant within Martin County. The Village agrees to reimburse BCL at the standard IRS mileage rate for any official use of the POV outside of the County.
4. **PAYMENT.** The Village shall pay invoices to BCL within 10 days of receipt, and approval of invoices.
5. **USE OF VILLAGE OFFICE EQUIPMENT.** The Village agrees to provide BCL the use of computers, printers, copy machines and other business equipment as needed to complete projects and services related to official Village business. For circumstances when this is not possible because either the machine does not have the capabilities for certain graphics or if it these machines are not available, the Village will reimburse these expenses at the actual cost. BCL agrees to provide receipt(s) for these expenses.

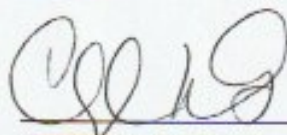
General Planning Services Contract with Bonnie C. Landry and Associates, P.A.

6. **NON-EXCLUSIVE CONTRACT.** The parties agree that this is a non-exclusive Contract, and BCL may accept any and all non-conflicting projects, including private sector and municipal or county governments, and the Village is free to contract for planning services with anyone of its choosing.
7. **TERMINATION.** The Village Manager may terminate this Contract without cause at any time, upon 30 days notice and shall pay BCL for all services performed. The Village Manager may terminate the Contract "for cause" (being any act or omission which constitutes a crime, or which causes public outrage or disgrace). BCL may voluntarily terminate this contract upon at least 45 days written notice.
8. **MISCELLANEOUS.** This Contract is the entire agreement between the parties, and no oral or written agreement shall supersede it. This Contract may be amended only in a writing approved by each party. Additional services may be provided upon the request of the Village Manager and with additional scopes of services signed by each party.
9. **EFFECTIVE DATE.** Notwithstanding the date the Contract is approved by the Village Council or signed by the Village Manager, it shall become effective, nunc pro tunc, as of on June 1, 2018.


"BCL"


BONNIE C. LANDRY, AICP
PRESIDENT

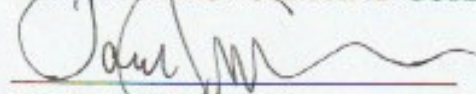
ATTEST:


CHERYL WHITE
VILLAGE CLERK

VILLAGE OF INDIANTOWN, FLORIDA


TERESA LAMAR-SARNO
VILLAGE MANAGER

APPROVED AS FORM AND CORRECTNESS:


PAUL J. NICOLETTI
VILLAGE ATTORNEY



"EXHIBIT A"

BONNIE C. LANDRY, AICP
PROFESSIONAL PLANNING SERVICES

336 SW Ridge Lane
Stuart, FL 34994
772-267-7914

2018 FEE SCHEDULE

Professional Level		Hourly Rate
Principal Planner	Quality Control Manager	\$155
Senior Planner	Senior Environmental Planner	\$145
Planner II	Environmental Specialist	\$135
Planning Technician	Environmental Technician	\$125
GIS Services		\$125
CADD/Design Services		\$85
Administrative Services		\$75

"Exhibit B"

Task	Timeline	Deliverable	Comments	Estimated hours - Not to Exceed
Approve Contract and Scope of Services	July 12, 2018	Signed Contract		
Comprehensive Plan Review Committee	June 1-September 30 (Total of 4 meetings at flat rate of \$300 each)	Sign in Sheets; Agenda and Meeting Summary		\$1,200
Have CPR Approve PIP Outline	June 15	Sign in Sheets; Agenda and Meeting Summary	Provide an outline of strategies for involving the public in Comp Plan Process	4 - \$600
Public Involvement Plan	August 10	Public Involvement Plan	Provide a variety of innovative ways to engage the public	16 - \$2,500
Develop and publish project web page	August 31	Launch Project Web Page	This will be updated on a regular basis	8 - \$1,500
Population, demographics and methodology	August 17-September 15, 2018	Memo with population estimates	Includes year-round and seasonal resident data	120 - \$19,000
Gather input from Council for broad themes and issues	September 13	Council Agenda Item and Minutes	Opportunity for input from the Council on the project; (Develop list of policy and approach.)	2 - \$350
General Policy list that evolves as the project progresses	September 27	Policy Outline based upon input from the Council	List of key desires of the Council and the Committee that will guide the process	4 - \$700

Task	Timeline	Deliverable	Comments	Estimated hours - Not to Exceed
Data & Analysis				
Future Land Use Element	September 30, 2018	Data & Analysis memo		\$9,000
Transportation Element	September 30, 2018	Data & Analysis (Inventory) memo		25 - \$4,000
Subtotal FY2018				\$38,850
Comprehensive Plan Review Committee	October through December (Total of 3 meetings at flat rate of \$300 each)	Sign in Sheets; Agenda and Meeting Summary		\$900
Housing Element	October 31, 2018	Data & Analysis memo		25 - \$4,000
Infrastructure Element	October 31, 2018	Data & Analysis memo		30 - \$4,800
Conservation Element	November 30, 2018	Data & Analysis memo		20 - \$3,500
Transportation Element	November 30, 2018	Data & Analysis (Traffic safety, circulation, LOS) memo		\$10,200
Recreation and Open Space Element	November 30, 2018	Data & Analysis memo		12 - \$2,000
Intergovernmental Coordination Element	November 30, 2018	Data & Analysis memo		12 - \$2,000
Capital Improvements Element	November 30, 2018	Data & Analysis memo		8 - \$2,000

Public Outreach				
Community Vision Workshop(s) {1-3 locations} sessions Topic 1 – Project Overview	December 2018		Kickoff broad themes (Strengths, Weaknesses)	25-\$5,500
Community Vision Workshop(s) {1location} Topic 2 - Land Use	January 2019		General themes for GOP Future Land Use	25-\$5,500
Community Vision Workshop(s) {1-locations} Topic 3 - Housing	January 2019		Intergovernmental and Interagency Coordination; CIP and Infrastructure	25-\$5,500

Community Vision Workshop(s) {1-3 locations} Topic 4	February 2019		Housing and Transportation	25-\$5,500
Draft Comprehensive Plan 1 st Draft	March 31, 2019	Draft Comprehensive Plan and Maps	Village Manager review and recommendations	80 - \$12,500
Community Workshop(s) for Draft Document	April, 2019		May require 2 workshops	25 - \$7,500*
LPA Workshops (2)	May 2019			50 - \$10,000
Village Council Workshop	May 2019			25 - \$5,500
LPA (Transmittal) Hearing	June 2019	Comprehensive Plan 2 nd Draft		25 - \$5,500
Village Council Transmittal Hearing	July 16, 2019			25 - \$5,500
Transmittal to DEO	July 30, 2019		Within 10 working days	5 - \$600
DEO Comments	August 29, 2019		Within 30 days (monitor)	3- \$500
Prepare Responses to DEO	September 25, 2019			20 - \$3,500
Village Council Adoption Hearing	September 26, 2019		Within 180 days from the receipt of comments	25 - \$5,500
Subtotal FY2019				\$108,000

Transmit Adopted Plan	October 10, 2019		10 working days from the hearing	3- \$500
DEO deems package complete	October 18, 2019		5 working days of submittal	
Village of Indiantown Comprehensive Plan Effective Date	November 18, 2019		1 day after the challenge period (monitor)	3- \$500
Subtotal FY2010				\$1,000

"EXHIBIT C"

BONNIE C. LANDRY, AICP PROFESSIONAL PLANNING SERVICES

336 SW Ridge Lane

Stuart, FL 34994

772-267-7914

COMMUNITY REDEVELOPMENT AGENCY – FINDING OF NECESSITY

1. Project Scope and Background

This Scope of Services is prepared with the intention to prepare a Finding of Necessity to establish the Indiantown Community Redevelopment Agency in according to FSS 163.355.

2. Timeline/Schedule/Deliverables

Task	Expected Date of Completion	Deliverable	Estimated hours and Cost not to Exceed
Prepare the Finding of Necessity	August 31, 2018	Finding of Necessity	40 - \$6,400
Adoption of Resolution by the Council	September 13, 2018	Adopted Resolution	10 - \$1,500
Comment Period by Martin County (30 days)	October 19, 2018	Comments, if any, from Martin County	5 - \$775
Total cost not to exceed			\$8,675

VILLAGE OF INDIANTOWN, FLORIDA AGENDA MEMORANDUM

MEETING DATE: November 8, 2018

MEETING TYPE:

AGENDA ITEM TITLE: ORDINANCE NO. 10-(2018) AN ORDINANCE OF THE VILLAGE OF INDIANTOWN, FLORIDA, AMENDING ARTICLE 4, DIVISION 16, SIGNS, OF THE VILLAGE OF INDIANTOWN'S TRANSITIONAL LAND DEVELOPMENT REGULATIONS; PROVIDING FOR FINDINGS, SEVERABILITY, CONFLICTS, CODIFICATION, AND AN EFFECTIVE DATE.

SUMMARY OF ITEM: Pursuant to Section 11(7) of Ch. 195-2017, Laws of Florida, the land use development regulations of Martin County as they existed on the date that the Village commenced corporate existence, serve as the Transitional Land Development Regulations for the Village of Indiantown, and amendments to the Martin County land use development regulations enacted by the Martin County BCC after the commencement of the Village's corporate existence do not amend the Village's Transitional Land Development Regulations.

In 2015, the United States Supreme Court ruled in *Reed v. Town of Gilbert*, 576 U.S. ___, 135 S. Ct. 2218 (2015), that signage regulations are presumptively unconstitutional if they regulate signs based on content, regardless of the motive or purpose.

The version of the Martin County Sign Ordinance that is presently in effect as a portion of the Village's Transitional Land Development Regulations was enacted in 1974 and contains both content-based and content-neutral regulations of signs.

In March 2018 (after Indiantown commenced corporate existence), the Martin County BCC directed the County Attorney's Office to prepare an amended Sign Ordinance to comply with the Supreme Court's ruling. On June 19, 2018, the Martin County BCC adopted an amended sign code crafted to regulate signs in a content-neutral manner.

In light of the U.S. Supreme Court's ruling in *Reed v. Town of Gilbert*, the Village Attorney and Village staff recommend that the Village adopt an amended sign code substantially similar to the content-neutral sign code recently adopted by Martin County. Further tweaks or revisions to such sign code can be made after adoption of the revised sign code as a whole, after compliance has been achieved.

RECOMMENDATION: Adopt Ordinance 10 (2018) - Indiantown Sign Code on First Reading.

PREPARED BY: Wade Vose, Village Attorney

DATE: 10/24/2018

REVIEWED BY: Teresa Lamar-Sarno, Village Manager

DATE: 10/30/2018

APPROVED BY:

DATE:

ATTACHMENTS:

Description

Ordinance 10 (2018) - Indiantown Sign Code



VILLAGE OF INDIANTOWN, FLORIDA

ORDINANCE NO. 10 (2018)

AN ORDINANCE OF THE VILLAGE OF INDIANTOWN, FLORIDA, AMENDING ARTICLE 4, DIVISION 16, SIGNS, OF THE VILLAGE OF INDIANTOWN'S TRANSITIONAL LAND DEVELOPMENT REGULATIONS; PROVIDING FOR FINDINGS, SEVERABILITY, CONFLICTS, CODIFICATION, AND AN EFFECTIVE DATE.

* * * * *

WHEREAS, the Village of Indiantown was created by Ch. 195-2017, Laws of Florida, and duly approved by public referendum on November 8, 2017, for incorporation beginning December 31, 2017; and

WHEREAS, pursuant to Section 11(7) of Ch. 195-2017, Laws of Florida, the land use development regulations of Martin County, Florida, as they existed on the date that the Village commenced corporate existence, serve as the transitional land development regulations for the Village of Indiantown ("Transitional Land Development Regulations"), and amendments to the Martin County land use development regulations enacted by the Martin County Board of County Commissioners after the commencement of the Village's corporate existence do not amend the Village's Transitional Land Development Regulations; and

WHEREAS, in 2015, the United States Supreme Court ruled in *Reed v. Town of Gilbert*, 576 U.S. ___, 135 S. Ct. 2218 (2015), that signage regulations are presumptively unconstitutional if they regulate signs based on content, regardless of the motive or purpose; and

WHEREAS, the version of the Martin County Sign Ordinance that is presently in effect as a portion of the Village's Transitional Land Development Regulations was enacted in 1974 and contains both content-based and content-neutral regulations of signs; and

WHEREAS, on March 13, 2018, the Martin County Board of County Commissioners directed the County Attorney's Office to prepare an amended Sign Ordinance to comply with the Supreme Court's ruling; and

WHEREAS, on June 19, 2018, the Martin County Board of County Commissioners adopted an amended sign code crafted to regulate signs in a content-neutral manner; and

WHEREAS, the Village Council of the Village of Indiantown finds that adoption of an amended sign code substantially similar to the content-neutral sign code recently adopted by Martin County is advisable in light of the U.S. Supreme Court's ruling in *Reed v. Town of Gilbert*; and

WHEREAS, the Village Council of the Village of Indiantown finds that adoption of an amended sign ordinance is in the best interest of the residents of the Village of Indiantown; and

WHEREAS, for purposes of this Ordinance, underlined type shall constitute additions to the original text, *** shall constitute ellipses to the original text and ~~striketrough~~ shall constitute deletions to the original text.

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF INDIANTOWN, FLORIDA AS FOLLOWS:

SECTION 1. RECITALS. The above recitals and "Whereas" clauses are hereby included as findings by the Village Council of the Village of Indiantown, and are

otherwise fully incorporated herein.

SECTION 2. Article 4, Division 16 ("Signs"), of the Transitional Land Development Regulations of the Village of Indiantown are hereby amended to read as follows:

Sec. 4.691. - Title. This division shall be known as the "~~Martin County~~ Village of Indiantown Sign Ordinance."

Sec. 4.692. - Purpose and intent.

The purpose and intent of this division is to regulate the use of signs in a content-neutral manner so that they are compatible with their surroundings, to promote the aesthetic character of the ~~County~~ Village, to preserve the natural appearance of the ~~County~~ Village, to promote tourism, to promote traffic safety, to maintain property values, to express the identity of individual proprietors and of the community as a whole, and to regulate signs so that they are legible in the circumstances in which they are seen and constructed to standards which promote the safety, health and general welfare of the public. This ordinance is not intended to apply to any traffic control signs within any public right-of-way that are governed by the Manual of Uniform Traffic Control Devices or as otherwise provided by law.

~~Sec. 4.693. - Unlawful signs.~~

~~It shall be unlawful to erect, display or maintain any sign that does not comply with the standards and regulations hereinafter set forth.~~

~~Sec. 4.694. - Definitions.~~

~~*Advertising sign:* A sign directing attention to a business, commodity, service, or entertainment conducted, sold, or offered.~~

~~*Animated sign:* A sign which involves motion or rotation of any part by any means or is illuminated by flashing, intermittent or color changing light or lighting.~~

~~*Banner:* Any sign having the character, letters, illustrations or ornamentations applied to cloth, paper, balloons or fabrics of any kind with only such material for a foundation.~~

~~*Billboard:* Any framework for a sign advertising merchandise, service or entertainment sold, produced, manufactured or furnished at a place other than the location of such structure.~~

~~*County:* The unincorporated area of Martin County.~~

~~*District:* "District" shall mean zoning district.~~

~~*Existing grade:* That level of land upon which the sign structure is constructed. No grade may be altered to create a condition that will add to the overall height of the sign.~~

~~*Freestanding sign:* A sign which is supported by an upright, or uprights, or braces in or upon the ground.~~

~~*Ground mounted sign:* See *Freestanding sign*.~~

~~*Illuminated sign:* A sign which receives light from an internal or an external source to make the message readable.~~

~~*Immoral sign:* Defined as that quality of any description of representation, in whatever form, of nudity, sexual conduct, or sexual excitement, when it:~~

- ~~1.—Predominately appeals to the prurient, shameful, or morbid interest of minors in sex; and~~
- ~~2.—Is patently offensive to contemporary standards in the adult community as a whole with respect to what is suitable sexual material for minors; and~~
- ~~3.—Taken as a whole, lacks serious literary, artistic, political, or scientific value.~~

~~*Off premises sign:* See *Billboard*.~~

~~*Pennant:* Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire or string, usually in a series designed to move in the wind.~~

~~*Point of purchase sign:* A sign advertising merchandise, services, or entertainment sold, produced, manufactured or furnished at the place where such sign is located.~~

~~*Political signs:* Temporary signs supporting candidates for office or urging action on any other matter on the ballot of primary, general and special elections.~~

~~*Portable sign:* Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; signs converted to "A" or "T" frames; menu and sandwich board signs; balloons or helium or air filled material or plastic devices used as signs or advertising; umbrellas used for advertising; signs attached to or painted on vehicles and visible from the public right of way, unless said vehicle is used with such sign in the normal day to day operations of the business; and pole flags of plastic or other lightweight material whether or not containing a message of any kind.~~

~~*Projecting sign:* A sign projecting at an angle from the outside wall or walls of any building.~~

~~*Roof sign:* A sign located wholly upon or over the roof of any building.~~

~~Sign: Any identification, description, illustration or device, illuminated or nonilluminated, which is visible by the public and which directs attention to a product, place, activity, person, institution, business or solicitation.~~

~~Snipe sign: Any sign, generally of a temporary nature, made of any material when such a sign is tacked, nailed, posted, pasted, glued, or otherwise attached to a tree, pole, stake or fence or to any other objects.~~

~~Wall sign: Any sign mounted parallel to the face of a structure or wall.~~

~~Window sign: Any sign mounted inside a window for display to the public passersby outside the window.~~

~~Sec. 4.695. Prohibited signs.~~

~~The following signs shall not be erected, placed or maintained and are prohibited:~~

~~4.695.A. Signs, other than governmental signs of a public nature, erected, placed or maintained on or over any public property, and/or rights of way, except for such signs as the County Commission may itself allow for the general benefit of the County as a whole or for the public convenience, necessity or welfare.~~

~~4.695.B. Billboards or off premises signs on Hutchinson Island.~~

~~4.695.C. Specifically the following signs are expressly prohibited:~~

- ~~1. Signs that are in violation of the building code or electrical code adopted by the city/County.~~
- ~~2. Any sign that, in the opinion of the Building and Zoning Director, does or will constitute a safety hazard.~~
- ~~3. Blank temporary signs.~~
- ~~4. Signs with visible moving, revolving, or rotating parts or visible mechanical movement of any description or other apparent visible movement achieved by electrical, electronic, or mechanical means, except for traditional barber poles.~~
- ~~5. Signs with the optical illusion of movement by means of a design that presents a pattern capable of giving the illusion of motion or changing of copy.~~
- ~~6. Signs with lights or illuminations that flash, move, rotate, scintillate, blink, flicker, or vary in intensity or color except for time-temperature-date signs.~~
- ~~7. Strings of light bulbs used on commercially developed parcels for commercial purposes, other than traditional holiday decorations.~~

- ~~8. Signs, commonly referred to as wind signs, consisting of one or more banners, flags, pennants, ribbons, spinners, streamers or captive balloons, or other objects or material fastened in such a manner as to move upon being subjected to pressure by wind.~~
- ~~9. Signs that incorporate projected images, emit any sound that is intended to attract attention, or involve the use of live animals.~~
- ~~10. Signs that emit audible sound, odor, or visible matter such as smoke or steam.~~
- ~~11. Signs or sign structures that interfere in any way with free use of any fire escape, emergency exit, or standpipe, or that obstruct any window to such an extent that light or ventilation is reduced to a point below that required by any provision of this Code or other ordinance of the County.~~
- ~~12. Signs that resemble any official sign or marker erected by any governmental agency, or that, by reason of position, shape or color, would conflict with the proper functioning of any traffic sign or signal, or be of a size, location, movement, content, color, or illumination that may be reasonably confused with or construed as, or conceal, a traffic control device.~~
- ~~13. Signs that obstruct the vision of pedestrians, cyclists, or motorists traveling on or entering public streets.~~
- ~~14. Nongovernmental signs that use the words "stop," "look," "danger," or any similar word, phrase, or symbol.~~
- ~~15. Signs, within ten feet of public rights of way or 100 feet of traffic control lights, that contain red or green lights that might be confused with traffic control lights.~~
- ~~16. Signs that are of such intensity or brilliance as to cause glare or impair the vision of any motorist, cyclist, or pedestrian using or entering a public way, or that are a hazard or a nuisance to occupants of any property because of glare or other characteristics. Signs that contain any lighting or control mechanism that causes unreasonable interference with radio, television or other communication signals.~~
- ~~17. Searchlights used to advertise or promote a business or to attract customers to a property.~~
- ~~18. Signs that are painted, pasted, or printed on any curbstone, flagstone, pavement, or any portion of any sidewalk or street, except house numbers and traffic control signs.~~

~~19. Signs placed upon benches, bus shelters or waste receptacles.~~

~~20. Signs erected over or across any public street except as may otherwise be expressly authorized by this division, and except governmental signs erected by or on the order of a public officer.~~

~~21. Vehicle signs with a total sign area on any vehicle in excess of ten square feet, when the vehicle:~~

~~a. Is parked for more than 60 consecutive minutes within 100 feet of any street right-of-way;~~

~~b. Is visible from the street right-of-way that the vehicle is within 100 feet of; and~~

~~c. Is not regularly used in the conduct of the business advertised on the vehicle. A vehicle used primarily for advertising, or for the purpose of providing transportation for owners or employees of the occupancy advertised on the vehicle, shall not be considered a vehicle used in the conduct of the business.~~

~~23. Immoral signs.~~

~~24. Portable signs as defined by this division.~~

~~25. Signs on a tower except "no trespassing" signs and identification signs.~~

~~Sec. 4.696. Exempt signs.~~

~~The following signs are exempt from the operation of these sign regulations, and from the requirement in this division that a permit be obtained for the erection of permanent signs, provided that such signs are not placed or constructed so as to create a hazard of any kind. It shall be the responsibility of the property owners to ensure that any of the following exempt signs placed on their property are erected and maintained in accordance with such hurricane protection measures as may be in effect.~~

~~4.696.A. Trespassing, safety or caution signs, provided that such signs are:~~

~~1. Nonilluminated.~~

~~2. Not over four square feet in overall area.~~

~~3. No greater than four feet in overall height.~~

~~4.696.B. Signs bearing only property numbers, street addresses, telephone numbers, post box numbers or names of occupants of the premises, including professional nameplates, provided that such signs are:~~

~~1. Not over four square feet in area; and~~

~~2. Limited to one per street frontage, per housing unit, or per business.~~

~~4.696.C. Governmental flags and insignias, except when displayed in connection with commercial promotion.~~

~~4.696.D. Legal notices of 16 square feet or less, either publicly or privately owned, directing and guiding traffic and parking, in accordance with the standards for internal traffic control signs as recommended by the Manual on Uniform Traffic Control Devices (MUTCD) but bearing no advertising matter (example: parking, entrance, exit, service, etc.).~~

~~4.696.E. Temporary real estate signs on properties where an owner is actively attempting to sell such property, either personally or through an agent, provided that such signs are:~~

- ~~1. Nonilluminated;~~
- ~~2. Not over six square feet in area;~~
- ~~3. No greater than four feet in overall height; and~~
- ~~4. No closer than 15 feet to any side or rear property line.~~

~~4.696.F. Christmas and other holiday displays, except as specifically prohibited herein.~~

~~4.696.G. Bulletin boards for public, charitable or religious institutions, provided that such signs are:~~

- ~~1. Located on the premises of the institution;~~
- ~~2. Not over 16 square feet in area;~~
- ~~3. No greater than six feet in overall height; and~~
- ~~4. No closer than 15 feet to any side or rear property line.~~

~~4.696.H. Temporary signs denoting a project or subdivision name, the architect, the engineer, the contractor or subcontractor on the premises where construction work is underway or is to take place within 180 days, provided that such signs are:~~

- ~~1. Nonilluminated;~~
- ~~2. Not over 16 square feet in area;~~
- ~~3. No greater than six feet in overall height;~~
- ~~4. No closer than 15 feet to any property line; and~~
- ~~5. Limited to one per street frontage per construction site.~~

~~4.696.I. Memorial signs or tablets.~~

~~4.696.J. Names of buildings and dates of erection.~~

~~4.696.K. Window signs.~~

~~4.696.L. Signs inside a building and not visible from a public street.~~

~~4.696.M. Air towed banners.~~

~~4.696.N. Umbrellas containing advertising when used in conjunction with an approved food or beverage establishment or when used to denote products or services not available for sale or consumption on-site.~~

~~4.696.O. Any sign required by any governmental regulation as a public notice.~~

~~4.696.P. Ornamental flags devoid of any lettering with a maximum size of five feet by five feet. One such flag shall be allowed per parcel of property. In the event there are multiple parcels of property under the same ownership, only one such flag shall be permitted on continuous parcels of property under the same ownership.~~

~~4.696.Q. Banners used in conjunction with civic events, not for profit fundraisers, church or charity functions shall be allowed with the following conditions:~~

- ~~1.— Over the road banners must be approved by the Traffic Engineer.~~
- ~~2.— Banners may be erected 14 days prior to the commencement of the event being promoted.~~
- ~~3.— Banners must be removed three days after the conclusion of the event.~~
- ~~4.— Banners must be secured in a manner so as to prevent a hazard to either vehicular or pedestrian traffic.~~
- ~~5.— Banners shall be limited in size to three feet by 50 feet.~~

~~Sec. 4.697.— Temporary signs.~~

~~The following temporary signs shall be permitted in accordance with the building code construction standards provided that the applicable provisions of this section are met:~~

~~4.697.A. Subdivision and on-site development signs identifying where an approved active building and on-site development program is underway, provided that such signs are:~~

- ~~1.— Nonilluminated;~~
- ~~2.— Ground mounted;~~
- ~~3.— Erected no more than 180 days prior to the beginning of actual construction;~~
- ~~4.— Removed if construction is not initiated within 180 days after the sign is erected or within 60 days of cessation of construction if construction is not continuously and actively prosecuted to completion or when construction is completed and a final certificate of occupancy has been issued;~~
- ~~5.— No larger than 100 square feet in area per sign face and no more than 18 feet in overall height;~~
- ~~6.— Limited to one sign per street frontage abutting the development;~~
- ~~7.— No closer than 15 feet to any property line.~~
- ~~8.— Signs approved in PUD projects are additionally subject to any conditions~~

specified in the PUD agreement.

~~4.697.B. Promotional, special event, grand opening and seasonal sales signs, provided that such signs are:~~

- ~~1. Limited to commercial and industrial use areas;~~
- ~~2. Ground or wall mounted;~~
- ~~3. Not over 40 square feet in area;~~
- ~~4. No closer than 15 feet to any property line;~~
- ~~5. Securely fastened or attached to the ground or wall to assure safety;~~
- ~~6. Erected in such a way that they do not interfere with vehicular or pedestrian traffic;~~
- ~~7. Permitted on the basis of not more than one such permit in any given six-month period;~~
- ~~8. Permitted for a period not to exceed 60 days for seasonal sales (such as Christmas tree sales) or for a period not to exceed 30 days for promotional sales;~~
- ~~9. Removed upon the expiration of the use permit for the use or event for which they are granted; and~~
- ~~10. Limited to one per each 500 feet of street on which the activity has frontage.~~

~~4.697.C. Temporary for sale real estate signs greater than six square feet on properties where an owner is actively attempting to sell such property, either personally or through an agent, provided such signs are:~~

- ~~1. Located on industrial, commercial or agricultural property;~~
- ~~2. Limited to ten feet in height;~~
- ~~3. Limited to one sign per site;~~
- ~~4. Nonilluminated;~~
- ~~5. No closer than 15 feet to any property line;~~
- ~~6. A maximum of 32 square feet.~~

~~4.697.D. Any legally registered nonprofit corporation may place temporary promotional, special event, and seasonal sales signs, provided that such signs:~~

- ~~1. Are limited to commercially and industrially zoned property;~~
- ~~2. Shall be no more than four square feet per sign face for signs, and 50 square feet for sign face for banners;~~
- ~~3. Are erected no closer than ten feet to any right-of-way;~~
- ~~4. Permitted on the basis of not more than one time every three months;~~
- ~~5. Permitted for a period not to exceed 30 days for special events, promotional sales, and seasonal sales;~~
- ~~6. Removed immediately upon the expiration of the use or event for which they were erected; and~~
- ~~7. Limited to one sign or banner per 100 feet of street frontage.~~

~~Sec. 4.698. Permanent on-site development identification signs.~~

~~Permanent on-site development identification signs shall be permitted in accordance with building code construction standards provided that the following conditions are met:~~

- ~~4.698.A. Permanent development identification signs exceeding six feet in height shall meet the height and setback requirements in the district in which they are located.~~
- ~~4.698.B. Permanent development identification signs are permitted in any zoning district for the exclusive purpose of identifying residential developments.~~
- ~~4.698.C. Permanent development identification signs shall only identify a County-approved subdivision, development or community.~~

~~Sec. 4.699. Political signs.~~

~~Political signs shall not be erected, placed or maintained within the unincorporated areas of Martin County unless they meet the following criteria:~~

- ~~4.699.A. The candidate or person responsible for political signs shall register with the Growth Management Director prior to the erection of any such signs.~~
- ~~4.699.B. A written agreement must be submitted which states that the candidate is aware of political sign requirements and agrees to abide with such requirements.~~
- ~~4.699.C. It is recommended that no political signs be erected prior to 45 days of any primary, special or general election.~~
- ~~4.699.D. Political signs shall be removed within five days after the election to which the signs pertain, unless such sign continues to be pertinent to an election to be held within 90 days.~~
- ~~4.699.E. All temporary political signs shall be constructed of lightweight material such as plastic, canvas, styroboard or cardboard. Framework and stanchion for political signs shall be limited to wood stock material of 2 × 2 or less. Such signs shall not be considered snipe signs.~~
- ~~4.699.F. No political signs may be located within any right of way or on any public property.~~
- ~~4.699.G. Signs located on private property must have the permission of the property owner.~~
- ~~4.699.H. The maximum size of any political sign shall be 16 square feet. Permanent approved billboards rented for use as a political sign shall be exempt from the 16 square feet maximum provision.~~
- ~~4.699.I. All political signs must be erected in such a manner so as not to represent~~

~~a threat to the health, safety and welfare of the public.~~

~~4.699.J.— No political signs may be attached to any trees, utility poles or other supports that are not normally used to support such signs.~~

~~4.699.K.— All illuminated political signs shall comply with Martin County electrical code standards.~~

~~4.699.L.— The enforcing official may remove any signs which are found to be in violation of any of these requirements.~~

~~4.699.M.— Section 4.999.C shall not apply to magnetic signs placed on the outside of vehicles.~~

~~Sec. 4.700.— Point of purchase signs.~~

~~The following point of purchase signs shall be permitted in accordance with building code construction standards provided that the applicable provisions of this section are met:~~

~~4.700.A.— *Location.* Wall signs, projecting signs or freestanding signs are restricted to point of purchase advertising only and are further restricted to the following districts.~~

- ~~1.— Commercial;~~
- ~~2.— Mixed use districts where the land use is commercial;~~
- ~~3.— Industrial; and~~
- ~~4.— Planned unit development (PUDs) where permitted in the PUD agreement.~~

~~4.700.B.— *Wall signs.*~~

- ~~1.— The permitted size of wall signs shall be based on a percentage of the wall areas computed by the length times the height in the geometric figures which determine the actual area. The wall length shall be the building, or that portion occupied. The height of the wall for computing purposes shall not exceed 15 feet for one-story structures nor 25 feet for two or more story structures. One wall shall be the front wall; other walls shall be figured on the basis of one-half of the percent allowable given the front wall.~~

SIGN AREA TABLE

Square Footage	Percent Allowable
—0—500	12.0
—500—1,000	11.5
1,000—1,500	11.0

1,500—2,500	10.5
2,500—3,500	10.0
3,500—4,500	9.5
4,500—5,500	9.0

The maximum allowable size of a wall sign shall not exceed 495 square feet.

2. ~~No wall sign shall be mounted at a distance measured perpendicular to said wall greater than 24 inches.~~

3. ~~No wall sign shall cover wholly or partially any required wall opening.~~

4.700.C. ~~Projecting signs.~~ No projecting sign shall have a sign area exceeding 50 percent of the permitted freestanding sign area and in no case shall it exceed 150 square feet.

4.700.D. ~~Freestanding signs.~~

1. ~~Not more than three freestanding signs shall be permitted on each property line adjacent to a public street.~~

2. ~~The total sign area of all freestanding signs permitted on any property line adjacent to a public street shall be prorated on the basis of one square foot of sign area for each linear foot of property line adjacent to that public street.~~

3. ~~No freestanding sign shall exceed 300 square feet in sign area per face.~~

4. ~~Freestanding signs shall comply with the minimum side and corner yard setbacks of the applicable zoning district.~~

5. ~~No freestanding sign shall exceed a height of 25 feet from existing grade.~~

6. ~~All freestanding signs shall be located at least five feet from all buildings.~~

7. ~~Freestanding signs shall not overhang any required landscape area.~~

Sec. 4.701. ~~Billboards and off-premises signs.~~

4.701.A. ~~Billboards and off-premises signs shall be permitted in accordance with building code construction standards in the unincorporated areas of Martin County, provided that the following conditions are met:~~

1. ~~Billboards and off-premises signs shall be allowed only on property zoned general commercial or general industrial.~~

2. ~~Said signs shall only be allowed on property which has been reviewed and developed in accordance with a commercial site plan.~~

3. ~~Said signs shall be considered a principal use on the property. Where utility facilities or railroads are in place or are constructed after the date of adoption of this division, those improvements shall be considered the principal use of the property and no further principal uses shall be allowed on the property.~~

- ~~4. Said signs shall not exceed 18 feet in height above unfinished lot grade.~~
- ~~5. Said signs shall not exceed 100 square feet in sign area on any face. There shall not be more than two faces on any sign.~~
- ~~6. Said signs shall not be less than 2,500 feet in any direction from any other billboard or off-premises sign.~~
- ~~7. Said signs shall not be less than 2,500 feet in any direction from any of the following:~~
 - ~~a. Public service district.~~
 - ~~b. Residential districts including a residential PUD.~~
 - ~~c. Mixed use districts where the land use is residential.~~
 - ~~d. Place of worship.~~
 - ~~e. School.~~
 - ~~f. Cemetery.~~
 - ~~g. Road intersection (measured from the centerline).~~
 - ~~h. Railroad crossing (measured from the centerline).~~
- ~~8. Said signs shall comply with the minimum front, rear, side and corner setbacks established in the Land Development Code. Setbacks shall be measured from the outermost limit of any portion of a sign.~~
- ~~9. Said signs shall be completely independent of any building or other structure, excluding the sign structure.~~
- ~~10. Said signs shall not be permitted within 100 feet of a point of purchase sign.~~
- ~~11. The applicant must be in receipt of any required State Department of Transportation permit prior to application to Martin County for a sign permit.~~

~~Sec. 4.702. Auxiliary signs.~~

~~The following auxiliary signs are permitted in association with commercial, industrial or public service activities only:~~

~~4.702.A. Time and temperature devices: These signs may be freestanding, projecting or wall signs. Those devices with alternating messages shall display each such message for not less than ten seconds.~~

~~4.702.B. Changing message devices.~~

~~Sec. 4.703. Compliance requirements.~~

~~4.703.A. Signs prohibited by section 4.695 above shall be removed immediately upon the effective date of this division [January 1, 1995].~~

~~4.703.B. The sign or at least the message portion of any sign now or hereafter existing which no longer advertises a bona fide business conducted, or a product sold, shall~~

~~be taken down and removed by the owner, agent, or persons having beneficial use of the building, structure, or land upon which such sign shall be found, within 90 days after written notification by the Building and Zoning Director.~~

~~4.703.C.—Any sign located within a public right of way shall be removed immediately, unless it is permitted elsewhere within this division. The enforcing official is authorized to remove any sign not permitted in the right of way under this division at such time as the sign is determined to be in noncompliance.~~

~~Sec. 4.704.—Maintenance.~~

~~Signs shall be kept clean, neatly painted and free from all hazards such as, but not limited to, faulty wiring and loose fastenings. Weeds shall be cut underneath and around the base of ground signs and no rubbish or debris shall be permitted that would constitute a fire hazard or be detrimental to the public health and safety. All signs shall be maintained in a manner which will withstand hurricane wind load requirements.~~

~~Sec. 4.705.—Nonconformities.~~

~~For those signs which: (1) are not otherwise prohibited by section 4.695.C; and (2) are not consistent with the provisions of this division; (3) are not located within an approved PUD, the following provisions shall apply:~~

~~4.705.A. All billboards or off premises signs which were legally erected prior to August 1, 1990, but which do not comply with the requirements of this division must be removed or altered to comply with the requirements of this division by August 1, 1996. This subsection does not apply to billboards or off premises signs adjacent to the Florida Turnpike.~~

~~4.705.B. All billboards or off premises signs adjacent to the Florida Turnpike which were legally erected prior to August 1, 1994, but which do not comply with the requirements of this division must be removed or altered to comply with the requirements of this division by August 1, 2000.~~

~~4.705.C. Nonconforming signs may not be structurally modified. Any nonconforming sign damaged in excess of 50 percent of the integrity of the structure as determined by the Building Official can only be repaired in full compliance with the requirements of this division.~~

~~Sec. 4.706.—Enforcement.~~

~~4.706.A.—The Building and Zoning Director shall be the enforcing official. The enforcing official is charged with the duty of administering the provisions of this division and securing compliance therewith. In furtherance of this responsibility, the enforcing official shall:~~

~~1.—Make such inspections as may be necessary to effectuate the purposes and intent~~

~~of this division and initiate appropriate action to bring about compliance with this division, if such inspection discloses any instance of noncompliance.~~

~~2.—Investigate thoroughly any complaints of alleged violations of this division, and indicate clearly in writing as a public record in his office the disposition made of such complaints.~~

~~3.—Order in writing, as set out below, the remedy of all conditions of all violations of this division found to exist in or on any premises.~~

~~4.—State in the violation order a time limit for compliance herewith as hereinafter set out.~~

~~4.706.B.—The enforcing official or his agent is authorized and directed to enter upon all premises at reasonable times to determine their condition insofar as the provisions of this division are applicable.~~

~~4.706.C.—As an alternative to the penalties provided in section 4.709, this division may be enforced by the Code Enforcement Board as established by Martin County Ordinance No. 206, as amended or hereafter amended, or by appropriate action in the Circuit Court.~~

~~Sec. 4.707.—Permits required.~~

~~An advertising display sign shall not hereafter be erected, constructed, altered or maintained except as provided in this division until after permit for same has been issued by the Building Official and the applicable fee paid.~~

~~Sec. 4.708.—Expiration of permits.~~

~~4.708.A.—A sign permit shall become null and void unless work on the permitted sign is substantially underway within six months after the effective date of the issuance of such permit. Any fee paid shall be forfeited.~~

~~4.708.B.—All rights and privileges acquired under the provisions of this division, or any amendments thereto, are mere licenses, revocable at any time by the Board of County Commissioners of Martin County, and all permits shall contain such provisions.~~

~~Sec. 4.709.—Violations and penalties.~~

~~Violation of this division is a misdemeanor pursuant to F.S. § 125.69, and is punishable under said section by imprisonment for up to 60 days, or a fine for up to \$500.00, or both such imprisonment and fine.~~

Sec. 4.693 – Definitions

A. The following terms and phrases when used in this ordinance, whether in the singular or plural or if the first letter is capitalized or in lower case, shall have the

meanings ascribed to them in this section, except when the context clearly indicates a different meaning:

1. *Abandoned sign* means a sign located on a property where the use advertised on the sign is unlicensed, the owner has failed to pay its local business taxes, or the business advertised has moved or vacated from the property where the sign is located.
2. *Animated (sign)* means a sign that uses movement or change of lighting to depict action or to create a special effect or scene.
3. *Awning sign* means letters or characters placed upon an awning or awning valance.
4. *Balloon* means a lighter than air sign or display tethered to the ground or a structure.
5. *Banner* means a temporary sign having the characters, letters, illustrations, or ornamentations applied to cloth, paper, or fabric of any kind with only the material for a backing. "Banner" shall include any animated or fluttering devices designed to attract attention.
6. *Billboard* means a flat surface (such as a panel, wall or fence) on which bills are placed; specifically, a large panel designed to carry outdoor advertising, particularly for an off-premises sale.
7. *Building Director* means the Director of the Village of Indiantown's Building Department or his or her designee, and in the absence of a Building Department, the Village Manager or his or her designee.
8. *Cabinet sign* means a sign incorporating a rigid frame, which supports and retains the sign face panel(s) and/or background constructed of plastic or similar material, and which has an internal light source. Cabinet signs do not include signs composed of individually-mounted and individually-illuminated letters, or logos no larger than the lettering to which they relate.
9. *Canopy* means a covered structure projecting from the face of the principal building. Canopies may be cantilevered or self-supporting and include awnings.

10. Changeable copy sign means a sign with informational content that can be changed or altered by manual or electronic means to display a message.
11. Circuit Court means the 19th Judicial Circuit in and for Martin County, Florida.
12. Village means the Village of Indiantown, a Florida municipal corporation.
13. Village Engineer means the engineer for the Village of Indiantown or his or her designee.
14. Combustible sign means any sign or sign structure, which has an internal electrical circuit which may ignite or support flames and which has a low flame point.
15. Day means a calendar day and includes Saturdays, Sundays, and legal holidays.
16. Directory sign means a sign listing the tenant's names, locations, buildings or group of buildings.
17. District means a zoning district.
18. Effective date means the date this ordinance is adopted pursuant to Section 166.041, Florida Statutes.
19. Finished grade means the final elevation of the ground surface after completion of all site preparation and development, and conforming to the approved plans, but not including berms or artificial fills to elevate signs above the surrounding finished grade.
20. Fixed projecting sign means a sign projecting at an angle from the outside wall of any building and rigidly affixed thereto.

21. Freestanding sign means a sign not affixed to any other structure and limited to no more than two faces. Example:



21. Ground sign means a sign affixed to the ground and supported by a masonry foundation with posts, uprights, or braces extending from the ground, or a permanently mounted object on the ground, but not attached to any part of a building.

22. Height (of a sign) means the vertical distance measured from the highest point of the sign, to the finished grade at the base of the sign.

23. Identification sign means a sign that indicates the name of the primary use.

24. Lighted (sign) means any sign, which is illuminated by any type of light from an artificial or man-made source, whether separate and apart from or contained within or on the sign, which is intended and used to make the sign visible or readable.

25. Manual or electronic changeable copy sign. See Changeable copy sign.

26. Manual of Uniform Traffic Control Devices means the manual issued by the Federal Highway Administration of the United States Department of Transportation specifying traffic control standards including traffic signs.

27. Monument (sign) means a freestanding low-profile sign with the sign area at the top of a solid base. Example:



28. *Mural sign* means a painting or drawing on an external wall which contains a message, or logo, or depiction of a product or service of a particular business being offered to the public.

29. *Non-commercial sign* means a temporary sign erected for purposes other than advertising a commercial business.

30. *Non-conforming sign* means a sign which was erected legally but no longer complies with the current sign ordinance.

31. *Off-premises sign* means a sign advertising a business which is not located on the property where the sign is located.

32. *Owner* means the individual, entity, or person having ownership, whether in whole or in part, of a sign, including but not limited to an agent, attorney, director, executor, guardian, officer, personal representative, trustee, or any other individual, entity, or person acting on behalf of the owner or owners of the sign.

33. *Projecting sign* means a sign which is attached at a right angle to the outside wall of the building. Example:



34. *Real estate sign* means any temporary sign on the real estate where the sign is placed, stating as being for sale, rent or lease.

35. *Remove or removal* means the actual removal by digging up or cutting down, or the effective removal through other means.

36. *Roof sign* means a sign which projects above the roof line or is located on the roof of the building structure.
37. *Sandwich or sidewalk sign* means a temporary, movable sign, made of metal and/or wood, having not more than two faces, and not permanently attached to the public sidewalk, but stable enough to support its own weight.
38. *Sign* means any device, structure or fixture using graphics, illustrations, lettering, logos, printing, symbols, writing or other forms of communication, whether commercial or non-commercial.
39. *Sign area* means the area including all graphics, illustrations, lettering, logos, printing, symbols, writing or other forms of communication of a sign.
40. *Signs confusing to vehicular drivers* means a sign erected at the intersection of any streets or in any street right-of-way in a manner as to obstruct free and clear vision; or at any location where, by reason of the position, shape, or color, it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, a traffic signal, or traffic device; or which makes use of the words "look," "danger," "stop," or any other word, phrase, symbol, or character in a manner as to interfere with, mislead, or confuse pedestrians or vehicular drivers.
41. *Sign structure* means the frame, hardware, platform, posts, or other material or parts on which a sign is displayed, mounted, or supported.
42. *Snipe sign* means any sign located in the public right-of-way other than traffic signs or other lawful signs intended to direct pedestrian or vehicular traffic or designate streets or street crossings.
43. *Special event banner sign* means a sign which announces a special event or function which is of general benefit to the community at large.

44. *Swinging sign* means a flexible swinging sign hanging from the outside wall or walls of any building or any pole structure which is not rigidly affixed thereto.

45. *Temporary sign* means any sign erected for a limited time period not to exceed six months per year.

46. *Under-canopy sign* means a sign attached or suspended under the canopy or roof of a walkway. Example:



47. *Unlawful sign* means a sign which does not meet the requirements of the Village of Indiantown Sign Ordinance or other applicable law and has not received legal non-conforming status.

48. *Vehicular sign* means a sign placed on vehicles or trailers that are parked in the public right-of-way or on private property for the primary purpose of displaying the sign.

49. *V-shape sign* means a sign containing two faces of approximately equal size erected upon common or separate structures, positioned in a "V" shape with an interior angle between faces of not more than 90 degrees.

50. *Wall sign* means a sign painted or attached parallel to the outside of a building.

51. *Wind sign* means a sign consisting of banners, pennants, ribbons, spinners, streamers, or other objects or material fastened in such a manner as to move upon being subjected to pressure by natural or artificial wind.

52. *Window sign* means any sign placed on the inside or outside of any window of any building or door and which is visible from any public right-of-way. This does not include merchandise on display.

Sec. 4.694. - Sign ordinance is content-neutral.

- A. Notwithstanding anything contained in this sign ordinance to the contrary, any sign erected pursuant to the provisions of this ordinance may contain either a commercial or non-commercial message. Either a commercial or non-commercial message may occupy the entire sign face or portion thereof. The sign face may be changed from a commercial message to non-commercial message as desired by the owner of the sign, subject to the further provisions of this ordinance, and provided that:
1. The size and design criteria conform to the applicable portions of this ordinance;
 2. The sign is allowed by this ordinance;
 3. The sign conforms to the setback and other requirements of the zoning district in which the sign is located;
 4. The appropriate permits have been obtained; and
 5. The construction materials and methods meet the requirements of the Florida Building Codes.
- B. No permitting decision shall be based upon the content or the message contained (i.e., the viewpoint expressed) on such signs.
- C. Notwithstanding subsections A and B above, no banner, billboard, or any other sign shall contain, depict, display, exhibit, illustrate, present, or show any message or image that: is 1) lewd, obscene, profane, pornographic as the same may be defined by community standards and by law; 2) is directed to inciting or producing imminent lawless action and is likely to incite or produce such action; 3) violates the constitutional protections of individuals; or 4) violates applicable law.

Sec. 4.695. – Prohibited Signs.

- A. The following signs, or sign features, are prohibited within the Village of Indiantown:
1. Animated signs;
 2. Balloons;
 3. Combustible signs;
 4. Intermittent lighting, animation, moving or rotating signs, not including governmental traffic signals and devices.

5. Noise-producing signs.
6. Private signs in public rights-of-way other than awning or under-canopy signs or as otherwise approved by the Village Council.
7. Roof signs.
8. Signs confusing to vehicular drivers.
9. Snipe signs.
10. Vehicular signs, except:
 - a. Bumper stickers; and
 - b. Graphics applied or painted upon a vehicle as long as the primary use of the vehicle is not for the purpose of advertisement, whether commercial or non-commercial. In no case shall vehicles with graphics applied or painted on the vehicle be parked in, at or near rights-of-way or on publicly-owned land, including but not limited to parks, roads, streets, and highways, unless for a reasonable time for the temporary placement of the vehicle at that location.
11. Wind signs.
12. Any sign not provided for, or expressly permitted, by this ordinance or otherwise allowed by law is prohibited.

Sec. 4.696. - Permit required.

It shall be unlawful for any person to post, display, erect or modify a sign or sign structure that requires a permit provided for in this ordinance without first having obtained a permit therefor from the either the Building Director or the Village Engineer, or both, as applicable. Signs or sign structures erected without a valid permit shall be deemed to be in violation of this ordinance.

Sec. 4.697. - Non-conforming signs.

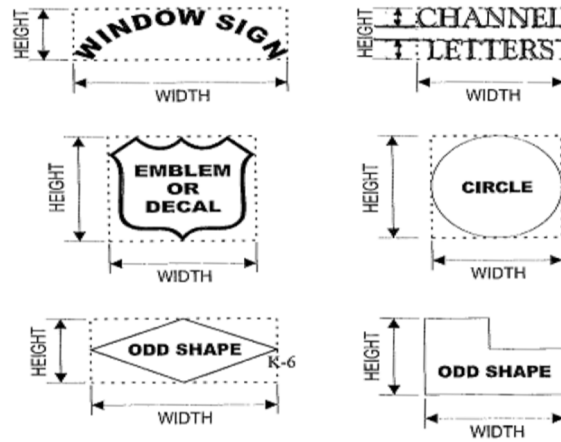
- A. Signs erected under a valid permit prior to the effective date of this ordinance that are now non-conforming under this ordinance shall be allowed to remain. Non-conforming signs may be repaired, but may only be replaced with signs in conformance with this ordinance or as otherwise required by law.
- B. Nothing in this section shall prohibit the Building Director from removing any unsafe or dangerous signs as provided in this ordinance.

Sec. 4.698. - Permit procedures.

- A. Issuance of permits, validity and renewal. Permit applications shall be reviewed by the either the Building Director or the Village Engineer, or both, as applicable, within 30 days of submission of the permit application. Upon satisfactory compliance and a determination that the proposed sign meets all applicable standards, either the Building Director or the Village Engineer, or both, as applicable, shall cause a permit to be issued to the applicant. The permit shall be valid for 180 days from its approval, during which period the sign may be erected and inspected. However, the Building Director, for good cause shown, may renew the permit for an additional 90-day period provided there have not been later enacted sign ordinance provisions which invalidate or disallow the permit. Appeals from the decision of the Building Director may be made directly to the Village Council.
- B. Permits for individual signs. Permits for all lawful signs shall be on a form promulgated by the either the Building Director or the Village Engineer, or both, as applicable.

Sec. 4.699. - Sign area, dimensioning, illumination, location and safety.

- A. Basis for measurement. The sign area shall be expressed in square feet or square inches that is allowed in accordance within these regulations for each sign face. The sign face includes any background material, panel, trim, color, and direct or self-illumination used that differentiates the sign from the building, structure, backdrop surface, or object upon which, or against which, it is placed. When there is no such differentiation, the sign face shall be one or more rectangles or squares just large enough to enclose all illustrations, lettering, logos, ornamentation, or symbols. A sign structure shall not be included in the total sign area provided that no lettering, illustrations, lettering, logos, ornamentation, or symbols are displayed on, or designed as part of, the sign structure.
- B. Dimensioning of Signs. The basis and method of sign dimensions is depicted graphically, below:



C. Illumination. Signs may be illuminated directly or indirectly, unless specifically prohibited elsewhere. In residential districts, all overhead illumination shall provide shielding so that the light is not directed toward adjacent residential property. Illumination of monument or freestanding signs shall be external and directed from the ground by up-lighting or from behind individual letters by backlighting. Wall signs or fixed projecting signs may include individual illuminated letters or letters which are lighted from behind by backlighting. Illumination of signs shall exclude exposed neon tube lighting, or similar, and electronic changeable copy, unless permitted elsewhere in this ordinance.

D. Location.

1. Obstructions. A sign shall be located in such a manner as to not obscure an existing sign unless provisions are made for the removal of the obscured sign, or unless it is not reasonable and practical to locate the new sign elsewhere on the site.
2. Zoning requirements. Signs shall comply with the requirements of the applicable zoning district.

E. Safety.

1. Safety determination required. Whenever consideration is given to locating a sign, either the Building Director, the Village Engineer, or both as applicable, must determine that the location of the sign does not present a hazard to children, bicyclists, pedestrians or to vehicular traffic circulation. In so doing, any applicable sign triangle shall comply with the Florida Department of Transportation's Design Manual or as otherwise required by law.
2. Traffic safety. No sign shall be located in such a manner that is a hazard to automotive or pedestrian traffic nor shall any sign or lighting of a sign be

so placed as to obstruct the vision of the driver of any motor vehicle where vision is necessary for safety.

3. Height of ground signs (monument or freestanding) at intersections. Anything else in this section to the contrary notwithstanding, 3 feet (as measured from the crown of the road) shall be the maximum height of any section of new ground signs that are located within 10 feet of the following:
 - a. The right-of-way lines of two streets;
 - b. The right-of-way lines of a street and a right-of-way line of an alley; and
 - c. The right-of-way line of a street and the right-of-way line of a railroad.

Sec. 4.700. – Wall signs.

- A. The size and amount of all allowable wall signs shall be based on a percentage of the wall areas computed as the length multiplied by the height of the geometric figures which comprise the actual wall area fronting on a street. The wall length shall be the building face. The height of the wall for computing purposes shall not exceed 25 feet. No wall sign shall be mounted more than 18 inches from the wall face of the building, and no wall sign shall cover, in whole or in part, any wall opening required by law.

SIGNAGE-AREA TABLE

<u>Square Footage of Building Face Area</u>	<u>Percent Allowable</u>
<u>0— less than 500 SF</u>	<u>12%</u>
<u>500 SF - less than 1,000 SF</u>	<u>11.5%</u>
<u>1,000 SF - less than 1,500 SF</u>	<u>11%</u>
<u>1,500 SF - less than 2,500 SF</u>	<u>10.5%</u>
<u>2,500 SF - less than 3,500 SF</u>	<u>10%</u>
<u>3,500 SF — 4,500</u>	<u>9.5%</u>
<u>4,500 SF — up</u>	<u>9%</u>

(Example: 100 linear feet x 25 feet height building = 2,500 square feet x 10% = 250 square feet total signage allowed.)

Sec. 4.701. - Structural standards.

A. In addition to provisions of the Florida Building Code, the following structural standards shall be required for all signs erected in the Village of Indiantown.

1. *Securing signs.* Wall signs shall be securely attached to the building or structure by means of metal anchors, bolts, or expansion screws. No wood blocks or anchorage with wood used in connection with screws or nails shall be considered proper anchorage, except in the case of wall signs attached to studs or other structural members of buildings or structures having non-masonry walls. No sign shall be attached to a non-structural parapet wall.
2. *Wind loading.* Where the Florida Building Code or applicable federal, state or local law requires a sign meet certain wind loading specifications, the sign contractor or sign owner shall submit plans showing the location, structural members, and design calculations for wind loading, and certify the sign is in compliance with the wind loading specifications.

Sec. 4.702. - Removal and disposition of certain signs.

A. *Removal and disposition of certain signs.* It shall be unlawful to erect, use or maintain a sign or sign structure when it does not comply with the requirements of this ordinance. Unlawful signs are subject to removal pursuant to the following provisions:

1. *Summary procedures for removal of snipe signs.* The Village finds that the inexpensive nature of snipe signs and the administrative and cost burden imposed by elaborate procedural prerequisites prior to removal, requires the summary removal of these signs, when unlawfully erected and maintained. The Building Director is hereby authorized to remove such signs when unlawfully erected and maintained, subject to the provisions contained herein. Upon removal of a snipe sign, pursuant to this section, a written notice shall be sent to the occupant of the property from which the sign was removed, or if the sign identifies a party other than the occupant of the property, the party so identified. The notice shall advise that the sign has been removed and shall state that the sign may be retrieved within 30 days of the date of the notice upon payment of the fine or administrative fee established therefor, and that, if the sign is not retrieved within 30 days, it will be disposed of by the Village, without further notice.
2. *Permanent signs.* Signs and sign structures not subject to removal pursuant to the provisions of subsection 1 above that are or have been erected or maintained unlawfully, are subject to all remedies available at law or equity

for the removal of signs or sign structures which are or have been unlawfully erected or maintained.

3. Unsafe or dangerous signs. The Building Director is authorized to remove unsafe or dangerous signs pursuant to Village of Indiantown Code of Ordinances, Chapter 21, Section 21.75 et seq., as amended.
 4. Abandoned signs. If any sign regulated in this ordinance is found by the Building Director to be abandoned, the owner shall be responsible to remove the sign, cover the sign with a plain fabric cover, or place a blank copy panel in the sign frame within 30 days of the Building Director's notice to the owner.
- B. Failure to remove. Upon the failure, neglect or refusal of any owner to remove or repair any sign in violation of this ordinance, after reasonable notice by the Building Director, and in addition to any other remedies available to the Village, the Building Director is hereby authorized and empowered to effect the removal of the sign which is in violation. When the Village has made reasonable repairs or removed a sign or has paid for the repair or removal thereof, the actual cost shall be paid to the Village by the owner of the property upon which the sign is located as set forth in Section 4.707 below.
- C. Responsibility of maintenance. All signs shall be properly maintained. Exposed surfaces shall be cleaned and painted, if paint is required. Defective or damaged parts shall be replaced.

Sec. 4.703. - Types of signs permitted.

- A. Billboards and off-premises signs. Billboards and off-premises signs shall be permitted in accordance with building code construction standards of the Village (except as provided in Section 4.695.A.3.), provided that the following conditions are met:
1. Billboards and off-premises signs shall be allowed only on property zoned general commercial or general industrial.
 2. Billboards and off-premises signs shall only be allowed on property, which has been reviewed and developed in accordance with a commercial site plan.
 3. Where utility facilities or railroads are in place or are constructed after the date of adoption of this division, those improvements shall be considered the principal use of the property and no further principal uses shall be allowed on the property.

4. Billboards and off-premises signs shall not exceed 18 feet in height above unfinished lot grade.
 5. Billboards and off-premises signs shall not exceed 100 square feet in sign area on any face. There shall not be more than two faces on any sign.
 6. Billboards and off-premises signs shall not be less than 2,500 feet in any direction from any other billboard or off-premises sign.
 7. Billboards and off-premises signs shall not be less than 2,500 feet in any direction from any of the following:
 - a. Residential district;
 - b. Cemetery;
 - c. Mixed-use districts where the land use is residential;
 - d. Place of worship;
 - e. Public service district;
 - f. Railroad crossing (measured from the centerline);
 - g. Road intersection (measured from the centerline); and
 - h. School.
 8. Billboards and off-premises signs shall comply with the minimum front, rear, side and corner setbacks established in the Land Development Code. Setbacks shall be measured from the outermost limit of any portion of a sign.
 9. Billboards and off-premises signs shall be completely independent of any building or other structure, excluding the sign structure.
 10. Billboards and off-premises signs shall not be permitted within 100 feet of a point of purchase sign.
 11. The applicant must be in receipt of any required Florida Department of Transportation permit prior to application to the Building Director for a sign permit.
- B. Freestanding signs. Freestanding signs shall be wood or composite material supported by one or two wood or composite posts. Each post shall have ornamental post caps or covers. A freestanding sign shall not be used as a frame for a cabinet sign. The top edge of all freestanding signs shall be no more than 6 feet above the finished grade and not exceed 6 feet in width. All freestanding signs shall contain the street number.

- C. Ground signs (monument or freestanding). A ground sign shall not be affixed to any structure and is limited to no more than two sign faces. A ground sign is either a freestanding sign or a monument sign. All ground signs shall contain the street address number.
- D. Monument signs. Monument signs shall be composed of metal frame, textured brick, concrete block, or other masonry, and finished with stucco or other textured material, and having a solid base. The top edge of the sign shall be no higher than elsewhere permitted in this ordinance, and the skirt and base shall be no smaller than 80 percent of the sign width nor greater than 120 percent of the sign width. A monument sign shall not be used as a frame for a cabinet sign that exceeds 25 percent of the sign area.
- E. Projecting signs. A projecting sign is affixed to a structure and extends at a right angle from the structure.
1. A projecting sign shall not have more than 2 sign faces. Projecting signs may project into the public right-of-way, but must have clear sidewalks by at least 9 feet, and be no closer than 2 feet from the curb.
 2. Signs must not project more than 6 feet from the wall face of a building.
 3. The permitted size of a fixed projecting sign shall not exceed 8 square feet or 16 square feet, dependent upon the applicable zoning district.
- F. Under-canopy signs. A sign hung from the underside of an awning or canopy or ceiling of an arcade or covered walkway or portico. It may be rigid or it may swing. Any swinging sign shall be removed during a major storm event. Such a sign shall not have more than 2 sign faces.
- G. No portion of any sign projecting over a public sidewalk shall be less than 9 feet above the grade of the sidewalk, with the exception of awning valances, which shall not be less than 8 feet above the sidewalk.
- H. Any sign projecting over private property and located where motor trucks may be required to pass beneath it shall be erected and maintained at a height of not less than 14 feet.
- I. Signs consisting of one line of letters not exceeding 9 inches in height may be painted, placed or installed upon the hanging border only of any awning erected and maintained in accordance with this chapter. A graphic or other similar feature not exceeding an area of 8 square feet, may be painted, placed, or installed elsewhere on any awning provided that any such graphic shall comply with all other provisions of this chapter.

- I. Wall signs. A wall sign must be professionally hand-painted or flush mounted on board, or in a raised channel or individual letters. Such a sign may be applied to a structural mansard or building face.
- K. Gas station canopy shall be limited to a maximum of one wall sign per right-of-way frontage and shall be counted as part of the allowable wall signage per occupancy.
- L. Window signs.
 - 1. Plastic signs, or signs painted on the glass may be placed upon windows when limited to 20 percent of the aggregate glass area, per tenant space or per main use.
 - 2. Signs displayed from the inside of the glass but which are visible from the outside shall be considered as window signs.
 - 3. Window signs shall not be placed where they substantially obscure the view of a person to the interior of the building through the window.

Sec. 4.704. - Special purpose signs.

- A. As an aid to the motoring public, the Village has determined that the following special purpose signs serve the public interest and welfare by providing basic information regarding fuel price, location, time, temperature, dates of events, and the like. Permits for the following signs shall be issued provided that the provisions contained herein are in compliance:
 - 1. Grand opening banner. One banner may be placed on the building of a newly opened location pursuant to the following:
 - a. Display is limited to four weeks.
 - b. The banner shall not exceed one square foot per linear foot of occupancy frontage, and a total area of 50 square feet.
 - c. The banner shall not be higher than 15 feet above the finished grade, and must be placed on the building on the predominate street front.
 - d. Banners shall be made of color fast material, and shall be securely fastened so as not to become a safety hazard.
 - 2. Special event banner signs. The Building Director may approve one or more banners for a non-profit, charitable organization or special event on any street, sidewalk, public building, park or playground, or on private property, subject to the following criteria:

- a. The sign shall be located on the property where the event is being held or on private property with the written consent of the property owner; and
 - b. The sign shall be temporary and for a stated limited period of not more than 14 days prior to the event, and it must be removed by the second day after the event;
 - c. Each sign shall not exceed 20 square feet in area;
 - d. When permitted, the sign must meet the following additional criteria:
 - i. The sign will not conceal or obstruct adjacent land uses or signs;
 - ii. The sign will not conflict with the principal permitted use of the site or adjoining sites;
 - iii. The sign will not interfere with, or obstruct the vision of, or distract motorists, bicyclists or pedestrians; and
 - iv. The sign will be installed and maintained in a safe manner;
 - e. The approval, or disapproval, of such sign shall not be based on the content of the message contained (i.e., the viewpoint expressed) on such sign;
 - f. The Building Director shall render a decision within 10 days after an application is made for utilizing this sign type for a special event. Any person adversely affected by the decision has the right to appeal the decision to the Village Council.
- B. Drive-thru window signs. Sign boards used at locations in conjunction with service at a drive-thru window are permitted so long as the size of the board does not exceed 7 feet in height, nor 24 square feet in total area.
- C. Subdivision identification signs. Residential subdivision identification signs shall be located only at the roadway entrance(s) to the subdivision and subject to the following standards:
- 1. Such signs may be either one double faced sign or two signs where there are two walls at the entrance and where the signs are permanently affixed to the walls at each entrance of the subdivision.
 - 2. Each sign area shall be no greater than 36 square feet in area.

3. Subdivision entrance signs are permitted within all residential zoning districts.
- D. Construction site signs. Temporary construction site signs identifying that an approved, active, on-site development project is underway, shall be permitted provided that such signs shall be subject to the following standards:
1. One temporary freestanding sign per street frontage, non-illuminated, with sign area of not more than 32 square feet, nor more than 6 feet in height or one temporary wall sign per street frontage, which shall be non-illuminated with a sign area of not more than 32 square feet.
- E. Changeable copy signs.
1. Manual or electronic changeable copy information signs shall be permitted when attached to or made part of an otherwise permitted monument sign. Such signs shall be limited to 1 changeable copy message sign per street frontage, and no more than 2 such signs shall be permitted on any individual parcel.
 2. Electronic changeable copy signs shall be permitted to change their message no more than 4 times within a 24-hour period, except that time and temperature signs may change as the temperature changes, and as the time changes in one minute increments.
- F. Time and temperature signs. Signs giving time and temperature, or either time or temperature information shall be permitted when attached to or made part of an otherwise permitted sign. Such signs shall not be larger than 20 percent of the permitted area of the sign to which they are attached or included. Such signs shall be counted as part of the permitted area of the sign to which they are attached.
- G. Prohibited lighting for electronic message sign:
1. Lamps, light emitting diodes, or bulbs in excess of the amount and intensity of light generated by a 30-watt incandescent lamp.
 2. Exposed reflectorized lamps, light emitting diodes, or bulbs; and lamps or bulbs not covered by a lens, filter, louver or sunscreen; or modes of operation that scroll, flash, zoom, twinkle or sparkle, or appear to do so.
- H. Mural signs. Mural signs shall be counted as wall signs for the portion which includes any message, logo or which depicts a product or service, and shall be of such a design as to compliment the architectural style of the subject building and shall be in keeping with the general character of the land use district. There shall be a maximum of only one mural sign per building. The sign portion of a mural sign, if any, shall comply with the dimensional requirements of a wall sign.

Sec. 4.705. - Temporary signs.

A. Temporary signs are allowed to be erected on private property in the Village with a permit so long as they conform to the following criteria:

1. One temporary freestanding sign per street frontage, non-illuminated, with a sign area of not more than 12 square feet per sign face with two face maximum per sign on any private lot or parcel. A temporary sign may be erected for a limited time period not to exceed 6 months per year. Signs may not be placed in a location that constitutes a safety hazard or hindrance to pedestrian or vehicular traffic.
2. No temporary sign shall be placed on any public right-of-way or public property without the written permission of the Building Director and for good cause shown.

B. The Building Director may require the location or relocation based on potential or actual traffic obstruction.

Sec. 4.706. - Exempt signs (not requiring a permit).

A. The following signs are allowed to be erected on public or private property in the Village, without a permit, so long as they conform to the following criteria:

1. *Automated teller machine (ATM) panels.* One panel which is physically constructed within and is an integral part of an ATM.
2. *Directional signs.* Such signs shall be for the purpose of directing vehicular and pedestrian traffic, and shall be placed in accordance with the Manual on Uniform Traffic Control Devices or as otherwise required by law.
3. *Hours of operation signs.* Signs denoting hours of operation shall be non-illuminated; have a sign face of not more than 2 square feet and be located close to the entry of the establishment.
4. *Instructional signs.* Instructional signs are signs which convey safety information or legal information or instructions with respect to the premises on which located, including, but not limited to, "no trespassing," "danger" or "bad dog" signs. Such signs shall not have a height of more than 6 feet from the ground and shall not be greater than 5 square feet in area.
5. *Memorial signs, tablets, tombstones, or other markers* adjacent to, covering, or designating a crypt, grave, or vault.

6. Mural. A mural, which is not a mural sign, may be painted or placed on one or more exterior walls.
7. Non-residential and multi-family residential real estate signs.
 - a. One freestanding sign structure with up to two sign faces, with or without post caps or covers, shall be permitted for each street frontage.
 - b. Signs shall not exceed 16 square feet in area per face, and shall not be higher than six feet above the adjacent finished grade. A V-shape sign shall be permitted and shall be considered as one sign as long as it has no more than two faces, and the interior angle does not exceed 90 degrees.
8. Single family and duplex residential real estate signs.
 - a. One freestanding sign structure with up to 2 sign faces shall be permitted for each single-family or duplex property, and shall not exceed 3 square feet in area, per face, and shall not be higher than 4 feet above the adjacent finished grade. One additional sign per lot may be erected on a lot which borders a waterway or which is a corner lot, provided that the additional sign is located along the waterways or placed so there is only one sign per street frontage.
 - b. One freestanding sign structure with up to two sign faces shall be permitted for each multi-family property, and shall not exceed 16 square feet in area per face, and shall not be higher than six feet above the adjacent finished grade. One additional sign per lot may be erected on a lot which borders a waterway or which is a corner lot, provided that the additional sign is located along the waterways or placed so there is only one sign per street frontage.
 - c. An additional "rider" sign of not greater than 1 square foot may be attached to or accompany a residential real estate sign.
9. Temporary non-commercial signs.

10. *Tenant panels.* The tenant panels in a directory sign, or a sign which accommodates a tenant, is exempt from needing a permit provided that the sign was permitted and there is no change in colors or letter style.
11. *Valet parking signs.* Valet parking signs shall be limited to 1 sandwich board. The sign area shall not exceed 6 square feet in area. The location of such sign shall be approved by the Building Director. The sign must be removed during hours when the approved valet parking queue is not in use. Traffic control cones may be used for queuing purposes and must be removed when the valet parking queue is not in use.
12. Any sign used by any emergency responders, law enforcement, or branch of the armed services in the execution or performance of their duties is exempt.
13. Any notices of a proposed future land use change, zoning change, development application or other notices required by law in connection with land use is exempt.

Sec. 4.707. – Notice; liens; appeals.

- A. *Notice.* Whenever notice is required under this ordinance, notice shall be by certified mail, email with a return receipt requested, facsimile transmission with a receipt of transmittal, or by hand-delivery with a return of service unless otherwise provided in this ordinance.
- B. *Lien for fines.* Whenever the Village assesses a fine as provided in this ordinance, the fines or costs shall be a lien on the real property or assets of the sign's owner if the owner fails to pay fine within 30 days after being duly notified of the fine.
- C. *Lien for costs.* Whenever the Village incurs costs in enforcing this ordinance, the costs shall be a lien on the real property or assets of the sign's owner if the owner fails to pay the Village for the fine or costs within 30 days after being duly notified.
- D. *Extensions of Time.* Extensions of time for any deadline provided by this ordinance may be granted for good cause shown.
- E. *Appeals.* An applicant whose sign permit has been denied or owner whose sign has been removed by the Village or the Building Director may appeal to the Village Council unless otherwise allowed or required by law. Nothing in this ordinance

shall act as a restraint imposed on an applicant for a final judicial determination on the merits of the application or removal in any court of competent jurisdiction and proper venue.

Sec. 4.708. – Enforcement; penalties.

Violation of this ordinance is punishable under said section by imprisonment for up to 60 days, or a fine for up to \$500.00, or both such imprisonment and fine. Alternatively, the Building Director may enforce this ordinance through the Village's code enforcement processes established pursuant to Chapter 162 Fla. Stat. and Village of Indiantown Code of Ordinances, or by appropriate action in the Circuit Court.

Secs. 4.709 – 4.760. - Reserved.

SECTION 3. SEVERABILITY. The provisions of this Ordinance are severable; and if any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or application hereof, is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion or application shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 4. CONFLICTS. All ordinances and parts of ordinances and all resolutions and parts of resolutions in conflict herewith, are hereby repealed.

SECTION 5. CODIFICATION. The provisions of this Ordinance shall become and be made a part of the Transitional Land Development Regulations of the Village of Indiantown, and the sections of this Ordinance may be re-numbered or re-lettered to accomplish such intention and the word "Ordinance", or similar words, may be changed to "Section," "Article", or other appropriate word; provided, however, that sections other

than Section 2 of this Ordinance shall not be codified. The codifier is granted liberal authority to codify the provisions of this Ordinance.

SECTION 6. EFFECTIVE DATE. This Ordinance shall take effect immediately upon adoption.

PASSED on First Reading on the ____ day of _____, 2018.

Council Member _____ offered the foregoing ordinance on second reading, and moved its adoption. The motion was seconded by Council Member _____, and upon being put to a vote, the vote was as follows:

VILLAGE COUNCIL	YES	NO	ABSENT	ABSTAIN
SUSAN GIBBS THOMAS, MAYOR				
GUYTON STONE, VICE MAYOR				
JACKIE GARY CLARKE, COUNCIL MEMBER				
ANTHONY J. DOWLING, COUNCIL MEMBER				
JANET HERNANDEZ, COUNCIL MEMBER				

ADOPTED on Second Reading this ____ day of _____, 2018.

ATTEST:

VILLAGE OF INDIANTOWN, FLORIDA

CHERIE WHITE
VILLAGE CLERK

SUSAN GIBBS THOMAS
MAYOR

REVIEWED FOR FORM
AND CORRECTNESS:

WADE C. VOSE
VILLAGE ATTORNEY

**VILLAGE OF INDIANTOWN, FLORIDA
AGENDA MEMORANDUM**

MEETINGDATE: November 8, 2018

MEETING TYPE:

AGENDA ITEM TITLE: ORDINANCE NO. 11 (2018) AN ORDINANCE OF THE VILLAGE OF INDIANTOWN, FLORIDA, ADOPTING PERSONNEL REGULATIONS; PROVIDING FOR FINDINGS, SEVERABILITY, CONFLICTS, NON-CODIFICATION, AND AN EFFECTIVE DATE.

SUMMARY OF ITEM: Whether the Village has one part-time employee or a few more, it is appropriate for a set of regulations to be in place for those employees to follow. Personnel regulations provide certainty for the employment process and expectations for the Village Manager and Village Council.

The regulations presented, though somewhat detailed, are nonetheless in keeping with the "government light" model that the Village Council has indicated that it wishes to implement.

RECOMMENDATION: Approve Ordinance No. 11 (2018) Adopting Personnel Regulations on First Reading

PREPARED BY: Wade Vose, Village Attorney

DATE: 10/24/2018

REVIEWED BY:

DATE:

APPROVED BY:

DATE:

ATTACHMENTS:

Description

Ordinance 11 (2018) - Adopting Personnel Regulations

Village of Indiantown Personnel Regulations



VILLAGE OF INDIANTOWN, FLORIDA

ORDINANCE NO. 11 (2018)

**AN ORDINANCE OF THE VILLAGE OF INDIANTOWN,
FLORIDA, ADOPTING PERSONNEL REGULATIONS;
PROVIDING FOR FINDINGS, SEVERABILITY,
CONFLICTS, NON-CODIFICATION, AND AN
EFFECTIVE DATE.**

WHEREAS, the Village of Indiantown was created by Ch. 195-2017, Laws of Florida, and duly approved by public referendum on November 8, 2017, for incorporation beginning December 31, 2017; and

WHEREAS, Section 6(2) of Ch. 195-2017, Laws of Florida, provides:

(2) **PERSONNEL**.—Consistent with all applicable state and federal laws, the council shall provide by ordinance for the establishment, regulation, and maintenance of a system governing personnel policies necessary for the effective administration of employees of the village's departments, boards, and agencies.

and

WHEREAS, as a public employer, it is appropriate that the Village promulgate personnel regulations to communicate the Village's personnel policies, procedures, and rules that will serve as a guide to administrative actions concerning typical employee issues that may arise; and

WHEREAS, after review of the personnel regulations prepared by Village staff and attached hereto, the Village Council desires to hereby approve and adopt the same.

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF INDIANTOWN, FLORIDA AS FOLLOWS:

SECTION 1. RECITALS. The above recitals and “Whereas” clauses are hereby included as findings by the Village Council of the Village of Indiantown, and are otherwise fully incorporated herein.

SECTION 2. ADOPTION OF PERSONNEL REGULATIONS. The Village of Indiantown Village Council hereby adopts the Village of Indiantown Personnel Regulations dated November 8, 2018 (“Personnel Regulations”), a copy of which is attached hereto, and such Personnel Regulations are hereby incorporated into this Ordinance as if fully set forth herein.

SECTION 3. SEVERABILITY. The provisions of this Ordinance are severable; and if any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or application hereof, is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion or application shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 4. CONFLICTS. All ordinances and parts of ordinances and all resolutions and parts of resolutions in conflict herewith, are hereby repealed.

SECTION 5. NON-CODIFICATION. The provisions of this Ordinance shall not be codified in the Village of Indiantown Code of Ordinances unless directed by subsequent ordinance, but the Personnel Regulations adopted hereby shall be maintained in electronic and printed form by the Village Clerk and made available to Village personnel and the public.

SECTION 6. EFFECTIVE DATE. This Ordinance shall take effect immediately upon adoption.

[This Space Intentionally Left Blank.]

PASSED on First Reading on the ____ day of _____, 2018.

Council Member _____ offered the foregoing ordinance on second reading, and moved its adoption. The motion was seconded by Council Member _____, and upon being put to a vote, the vote was as follows:

VILLAGE COUNCIL	YES	NO	ABSENT	ABSTAIN
SUSAN GIBBS THOMAS, MAYOR				
GUYTON STONE, VICE MAYOR				
JACKIE GARY CLARKE, COUNCIL MEMBER				
ANTHONY J. DOWLING, COUNCIL MEMBER				
JANET HERNANDEZ, COUNCIL MEMBER				

ADOPTED on Second Reading this ____ day of _____, 2018.

ATTEST:

VILLAGE OF INDIANTOWN, FLORIDA

CHERIE WHITE
VILLAGE CLERK

SUSAN GIBBS THOMAS
MAYOR

REVIEWED FOR FORM
AND CORRECTNESS:

WADE C. VOSE
VILLAGE ATTORNEY



Village of Indiantown

PERSONNEL

REGULATIONS

Adopted by Ordinance No. 11 (2018)
Effective November 8, 2018

SECTION 1 - GENERAL PROVISIONS

1.1 PURPOSE

The purpose of the Personnel Regulations is to communicate the Village's personnel policies, procedures, and rules which serve as a guide to administrative actions covering most employee issues which arise. These regulations are intended to indicate the customary methods of carrying out the aims of the Village's policies as set forth herein. Any actions not specifically covered, shall be interpreted or extrapolated by the Village Manager using the Personnel Regulations as a guide, but nonetheless all within the Village Manager's sole discretion.

The Personnel Regulations are not an employment contract. The Personnel Regulations of the latest date supersede all previously issued personnel policies, procedures and regulations, and any inconsistent verbal or written policy statements.

All Village employees are at-will employees. Accordingly, either the employee or the Village may terminate the relationship at will, with or without cause or notice, at any time. Therefore, termination is not a grievable or appealable event.

The responsibility for modification and/or interpretation of this Manual is delegated to the Village Manager in accordance with the provisions of the Village Charter and Village Ordinances.

Modification of any regulation which has a budgetary impact shall require the approval of the Village Council.

1.2 CODE OF ETHICS

All Village employees are bound to observe, in their official acts, the highest standards of ethics consistent with Chapter 112, Florida Statutes, and the advisory opinions rendered by the Florida Commission on Ethics, regardless of personal considerations, recognizing that promoting the public interest and maintaining the respect of the people of the Village must be of foremost concern. In addition, Village elected officials have adopted a separate policy, by resolution, governing their interactions.

1.3 POSITIONS COVERED

This Regulation covers all Village positions that are paid employees of the Village, including elected officials.

1.4 ADMINISTRATION

The Village Manager shall be responsible for the overall administration of these regulations, and may make minor exceptions and amendments when in the best interests of the Village. Routine matters pertaining to enforcement, administration, and implementation may be delegated by the Village Manager to other personnel.

SECTION 2 – EMPLOYMENT POLICIES

2.1 APPOINTMENT AND REMOVAL

The Village Manager has the authority to appoint, transfer, discipline, demote, and remove all Village employees, except the Village Attorney, and elected officials.

2.2 POSITION CONTROL

All fulltime positions in the Village are established through the annual budget each fiscal year. The establishment of new additional fulltime positions shall be subject to approval by the Village Council upon recommendation of the Village Manager. Position control for all part-time positions is by the Village Manager who is responsible to assure proper funding for each position.

2.3 TYPES OF APPOINTMENTS

1. Probationary – All employees, except the village manager, village attorney, and elected officials, must successfully complete a probationary period of at least 6 months, which is (6) months from the date of hire or date of completion of training, whichever is later. Departmental policies may supersede this requirement by extending but not reducing the time of probation. For unemployment compensation purposes, notice of these Regulations and a link with their availability shall serve as notice that the Village is not liable for unemployment benefits upon termination for failure to meet performance standards within the first ninety (90) days of employment.

2. Regular - Employees who work full or part-time on a continuous basis after completion of the applicable probationary period.

3. Full Time – Employees who are scheduled to work at least 40 or more hours per work week.

4. Student or Intern - Appointments which have the purpose of affording students of public administration and other professional areas an opportunity to gain actual work experience. Such appointments are for a specific period of time, and require the approval of the Village Manager.

5. Emergency - In order to prevent a disruption in the public business, or serious inconvenience to the public, appointment of employees on a temporary basis may be authorized by the Village Manager for up to one hundred eighty (180) days. Said appointments require proper funding, including any emergency funding. Said positions may be extended beyond 180 days by the Village Manager, with the consent of the Village Council.

6. Part-time - Employees who work fewer than 40 hours per week on a continuous basis throughout the year.

7. Temporary - Positions (whether part-time, full-time, hourly, or contractual) anticipated to be of relatively short or a defined and limited duration up to 180 days per calendar year unless extended by the Village Manager, for special projects, grants, or programs.

8. Trainee - Employees who do not meet the minimum qualifications of the position, and who work full or part-time on a continuous basis. The length of training is at the discretion of the Village Manager, as approved in writing.

2.4 RE-HIRES

All rehired employees are considered new employees, including without limitation, any and all required background checks, required licensing, screenings, and testing, and for all benefit purposes such as insurance, leave time, salary increases, if any, and other benefits. An exception to this policy is for retirement eligibility and constructive credit under the Florida Retirement System (FRS). In those cases where applicable, FRS regulations shall apply. Further exceptions to this policy can be made at the discretion of the Village Manager in the best interests of the Village; provided however, that no exception will be made to background checks, required licensing, or similar requirements.

2.5 HOURS OF WORK

The Village Manager, in consultation with the Village Council, shall establish the hours of work in accordance with the needs of the Village, and shall take into account the convenience and needs of the public served by each position.

2.6 EMERGENCY OVERTIME.

Declared Emergency

During a locally declared state of emergency, and at the discretion of the Village Manager, when there are emergency tasked employees who are required to work while other employees are released from duty, the following shall apply:

- a. Salaried employees, exempt from the federal Fair Labor Standards Act, will receive additional pay at the regular rate, times the number of hours worked over 40 in the work week.
- b. Non-exempt employees will receive overtime pay at the rate of one and one-half times the number of overtime hours worked.

2.7 ATTENDANCE

All employees are expected to report for duty at the scheduled time and place. The Village Manager shall be responsible for the punctual attendance of all persons employed under the authority of the Village Manager. If an employee is unable to work for any reason, that person must notify the Village Manager as soon as they are able. Insufficient notice is cause for disciplinary action, and may result in being charged with leave without pay for non-exempt employees, or an equivalent deduction from an employee's leave bank for exempt employees. Excessive absenteeism or lateness is a sufficient cause for disciplinary action, up to and including dismissal from employment. Continuing patterns of absences, early departures, tardiness, regardless of the exact number of hours or days, are causes for disciplinary action.

2.8 EMPLOYEE TRAINING

The Village Manager may establish and develop various educational and training programs for Village employees. Generally, the purpose of any such program is to provide general, educational job-related training, mandatory certification training to increase the operational efficiency of such employees, or to assist employees in preparing themselves for positions of increasing difficulty and responsibility. Attendance at any training program, does not guarantee advancement.

Generally, when the Village requires or permits a non-exempt employee to attend training during the employee's regular work hours, the time is compensable time. Non-exempt employee training time is paid unless all four of the following criteria are met:

- (a) attendance is outside of the employee's regular working hours;
- (b) attendance is completely voluntary on the part of the employee;
- (c) the course, lecture, or meeting is not directly related to the employee's job; and
- (d) the employee does not perform any productive work during such attendance.

Records of satisfactory training completion shall be placed in the employee's personnel file.

2.9 EMPLOYEE PERFORMANCE APPRAISAL

Appraisal of performance is a continuous process. Each employee's supervisor frequently reviews performance in an informal way. In order to avoid misinterpreted or incomplete evaluations, however, formal reviews will be conducted on a schedule approved by the Village Manager, but not less than once a year. Performance evaluations will include factors such as the quality and quantity of work, knowledge of the job, attendance, initiative, and attitude toward work and toward others, including the public. These evaluations provide an opportunity to discuss the employee's development, areas for improvement, future goals, and overall performance. After the review, the employee is required to sign the evaluation, as an acknowledgment that it has been presented to the employee.

A satisfactory performance appraisal does not mean that there will be an automatic increase in pay. Pay or salary increases are at the discretion of the Village Manager, and if paid, will be based on merit, market economic conditions, specific departmental conditions, and the annual budget.

SECTION 3 – POSITION COMPENSATION PLAN

3.1 PURPOSE.

The Position Compensation Plan (Pay Plan) provides the basis of compensation for employees of the Village. The Pay Plan is designed to support the following objectives:

1. Correlates pay to the duties and responsibilities of the position; and
2. Provides competitive pay in a relative labor market; and
3. Attracts and retains competent personnel; and
4. Is consistent with the economic conditions of the area; and
5. Standardizes pay for the various classifications of work; and
6. Establishes lines of promotion and career ladders; and
7. Meets financial policies of the Village.

3.2 SALARY INCREASES

Salary increases are not intended to be automatic. Salary increases are based upon many factors, including job performance, market and economic conditions, and the annual budget.

Employees shall become eligible for consideration for a salary increase to their base rate of pay annually concurrent with their Evaluation, up to the maximum salary of the pay-grade, whenever pay grades are established.

Approved salary increases shall be effective at the beginning of the next pay period following the merit increase effective date. The Village Manager may approve a merit salary increase sooner than at annual intervals, to reward extraordinary performance.

3.3 PROMOTION

An employee is promoted in accordance with the applicable Pay Plan approved for the employee's position by the Village Manager. Upon promotion, the employee shall receive an increase to the minimum of the pay-grade into which being promoted, but not less than a 5% increase in pay. An increase greater than provided above may be approved in writing by the Village Manager, not to exceed the maximum of the pay-grade.

SECTION 4 – HOLIDAYS

4.1 PURPOSE AND INTENT

It is the policy of the Village Council to recognize, encourage, and support multicultural diversity in our workforce, and to recognize the pluralism of American culture.

Therefore, employees will celebrate thirteen (13) holidays per calendar year.

The following eleven (11) holidays are observed by all employees:

- | | |
|-----------------------------------|-----------------------------------|
| 1. New Years Eve | December 31 |
| 2. New Year's Day: | January 1 |
| 3. Martin Luther King's Birthday: | January 19 |
| 4. Presidents Day | Third Monday in February |
| 5. Memorial Day | May 25 |
| 6. Independence Day | July 4 |
| 7. Labor Day | September 7 |
| 8. Columbus Day | October 14 |
| 9. Veteran's Day | November 11 |
| 10. Thanksgiving Day | Fourth Thursday in November |
| 11. Day after Thanksgiving | Fourth Friday in November |
| 12. Christmas Holiday | Varies Depending on Christmas Day |
| 13. Christmas Day | December 25 |

When a holiday falls on a Saturday, the preceding Friday shall be designated a substitute holiday and observed as the official holiday for that year. When a holiday falls on a Sunday, the following Monday shall be designated a substitute holiday and observed as the official holiday.

4.2 HOLIDAY ON SCHEDULED WORK DAY

All eligible employees who are regularly scheduled to work on the observed holiday in order to maintain essential services to the public shall be paid time and a half for all hours worked on the holiday in addition to the regular pay granted for the holiday, or shall be given compensatory time off, at the discretion of the Village Manager. Upon written agreement between the employee and the Village Manager, an employee may elect to receive accrued holiday pay in December.

4.3 REQUEST FOR LEAVE

Village Manager prior to or the time set for beginning the daily duties or within the time limit established by the department, whichever is earlier. The Village Manager may request a physician's certificate to verify the illness of any employee on sick leave.

4.4 BEREAVEMENT LEAVE

Employees may be granted, upon written request, and on approval of the Village Manager, up to three (3) working days off with pay in the event of a death in their immediate family or up to five (5) working days off with pay if the employee must travel greater than 200 miles one way or out of state. If additional days off are necessary, sick leave may be requested in the sole discretion of the Village Manager. For purposes of this section, the employee's immediate family shall include the following for either the employee or their spouse/domestic partner: parent, sister, brother, spouse/domestic partner, children, nieces, nephews, step-parent, step-children, step-brother, step-sister, half-brother, half-sister, daughter-in-law, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, aunts, uncles, grandchildren, and grandparents. The Village Manager may require satisfactory proof of death of the immediate family member, before compensation is approved.

4.5 MILITARY LEAVE.

The Village will supplement pay pursuant to Florida State Military Compensation Law adopted by Florida Statute 115.09 per active duty event.

4.6 LEAVE WITHOUT PAY

The village manager may grant a leave of absence for reasons of illness, injury, disability, family care, or valid personal reasons, not to exceed 12 months. All requests for leave must be made in writing and approved by the Village Manager. Employees must have exhausted all accrued paid leave before use of leave without pay. Any appointment made to a position vacated by an employee on leave without pay shall be conditional upon the pending return of the employee from leave. At the conclusion of the leave without pay, the employee must return to duty or be discharged.

4.7 WORKERS' COMPENSATION LEAVE

Payment of workers compensation to all employees who are disabled because of an illness or injury arising out of and in the course of performing their duties with the Village shall be governed by the Florida State Workers' Compensation Law. For purposes of this Section, "disability" is defined as in the workers' compensation laws and means an incapacity because of the injury to earn in the same or any other employment the wages which the employee was receiving at the time of the injury.

An employee sustaining a lost-time injury with sick and/or annual leave credited to his/her account may request to apply sick and/or annual leave hours in order to obtain pay while absent from duty due to an injury as provided in items 1 through 10 below (in no case shall the amount of workers' compensation and the amount of sick and/or annual leave be more than the employee's base pay for that period).

1. Full wages shall be paid for the day of the on-duty injury if disability results or for that part of the day is spent receiving medical treatment.
2. If the injured employee cannot return to work on his/her next workday, the injury shall be considered a disability, with the disability starting immediately following the day of the injury, whether it be a weekday, weekend, or holiday. Disability shall be counted by calendar days.

3. Because the statutory benefits of the Florida Workers' Compensation Law do not allow for compensation during the first seven days of disability, full wages shall be paid by the Village for those uncompensated days. However, if the injury results in disability of more than twenty-one (21) days, compensation shall be allowed from the commencement of the disability. Compensation for the disability will be made in accordance with state statutes.
4. Any employee who has experienced a disability resulting from a compensable injury may request the use of accrued sick and/or annual leave which, together with the payment of workers' compensation monies, shall provide the employee with a salary equivalent to his/her normal schedule of hours at his/her straight time rate of pay. The amount of such accrued leave granted an employee shall be based upon an employee receiving workers' compensation monies from the first day of disability. If the employee is unable to return to work prior to reaching his/her 22nd day of disability, the previously granted sick leave will be subtracted from the employee's accrued sick leave to offset the amount that was provided under the first seven days provision of the Workers' Compensation Law as explained above.
5. If the length of the employee's disability does not allow compensation from the first day of disability under state statutes, accrued leave may then be granted to the employee for the uncompensated period not covered by workers' compensation.
6. An employee on Workers' Compensation Leave shall continually report to the Village Manager regarding his/her health status and prognosis for return to work. In no event shall an employee fail to report less often than twice monthly.
7. An employee on Workers' Compensation Leave shall make himself/herself available for all doctor's appointments. Such an employee shall follow the doctor's orders and/or directions, and shall avoid any activity which may aggravate or exacerbate the illness or injury.
8. An employee who obtains any type of part-time or full-time employment, including without limitation an "off-duty detail" elsewhere while on a Workers' Compensation Leave, may be discharged unless specific approval by the Village Manager is received in writing in advance.
9. At the end of a leave of absence of less than six (6) months, an employee may be returned to his/her former position or to one of comparable pay and status within the Village if such a position is available. However, re-employment need not be offered to an employee if s/he is not then qualified by reason of disability, injury, or illness to perform the essential functions of employee's former position or one of comparable pay and status within the department.
10. Failure to return to work at the expiration of the leave (or upon determination of Maximum Medical Improvement ("MMI") with the ability to perform the essential functions of the position;

Filing a false or fraudulent workers' compensation claim is a violation of Village policy and the law, and will result in disciplinary action, up to and including dismissal.

SECTION 5 – RECORDS AND REPORTS

5.1 RESPONSIBILITY

The Village Clerk is responsible for establishing and maintaining comprehensive personnel records for all employees.

5.2 RECORDS

There shall be one official personnel file for each employee and maintained by the Village Clerk. Said file shall include the personnel records of employees and all official forms. All personnel records of employees shall be considered the property of the Village. The Village Clerk shall make all decisions relating to the use, maintenance and disposition of such records and material, and as to whether or not any information contained therein is exempt from disclosure or is confidential pursuant to Florida and Federal law.

Employees should be aware of the importance of keeping their personnel records current. This means immediately notifying the Village Clerk of any changes such as change of address (even if temporary), change of telephone number, driver's license status, change of beneficiary, number of dependents, divorce, marriage, or any change of previously provided information (not previously reported). This is the responsibility of the employee and failure to comply may result in employee discipline or delays in receiving employee benefits or even loss of such benefits.

SECTION 6 - SAFETY

6.1 ACCIDENT PREVENTION

The development of safe working conditions, practices, habits, and thinking are the objectives of the Village Safety Program. Reaching those objectives shall result in benefits to all employees and to the Village. Accidents, injuries, disabilities, damage, lost time and pay, claims and medical expenses are all problems, which can be improved by efforts of all employees.

6.2 ACCIDENT REPORTING

All employees are responsible to immediately report to their supervisor all injuries and accidents, no matter how minor, that occur on the job.

A written report of employee Injury/Incident must be submitted to the injured employee's supervisor within 24 hours after the date of the accident or the report of the injury. If the accident occurs over a holiday or weekend, the accident report should then be submitted within 24 hours from the time the work period starts after the weekend or holiday. This applies to industrial accidents and all other injuries, including those only requiring first aid injuries.

6.3 SAFETY EQUIPMENT

Village provided equipment must be used. Failure to utilize provided equipment shall be cause for disciplinary action.

6.4 DRUG-FREE WORKPLACE

The Village of Indiantown has a strong and legitimate interest in insuring that employees are fit to perform their duties and to promote a drug-free workplace. With a drug-free workplace, employees will be afforded the opportunity to maximize their levels of productivity, and reach their

desired levels of success without experiencing the costs, delays, and tragedies associated with work-related accidents resulting from drug abuse. It is the intent of the Village that the drug and alcohol testing conducted shall be in compliance with the Drug-Free Workplace Program contained in the Workers' Compensation Act, Florida Statutes Sections 440.101 and 440.102, the regulations adopted pursuant to the statute, and any amendments that may be made thereto.

It is further the intent of the Village that drug abuse be prohibited and those employees who choose to engage in drug abuse face the risk of unemployment and the forfeiture of workers' compensation benefits. The Village therefore strictly prohibits the illicit use, possession, sale, conveyance, distribution, or manufacture of illegal drugs, intoxicants, or controlled substances in any amount or in any manner. In addition, the Village strictly prohibits the abuse of alcohol or prescription drugs. Any violation of this policy will result in adverse employment action up to and including dismissal and referral for criminal prosecution.

The Village is committed to providing a safe work environment and to fostering the well-being and health of its employees. That commitment is jeopardized when any employee illegally uses drugs or alcohol on the job; reports to work under the influence of drugs or alcohol; possesses, distributes or sells drugs or alcohol in the workplace; or abuses alcohol on the job. Therefore, the Village has established the following policy:

1. POLICY STATEMENT

- a. It is a violation of this policy for any employee to use, possess, sell, trade, offer for sale, or offer to buy illegal drugs or otherwise engage in the illegal use of drugs on the job;
- b. It is a violation of this policy for anyone to report to work under the influence of illegal drugs or alcohol;
- c. It is a violation of this policy for anyone to use prescription drugs illegally. However, nothing in this policy precludes the appropriate use of legally prescribed medications;
- d. It is a violation of this policy to unlawfully manufacture, distribute, dispense, possess, or use controlled substances in the workplace;
- e. It is a condition of employment to abide by the Drug-Free Workplace Policy;
- f. Violations of this policy subject all employees to disciplinary action up to and including immediate termination.

The goal of this policy is to balance our respect for individuals with the need to maintain a safe, productive and drug-free environment. The intent of this policy is to send a clear message that the illegal use of drugs and the abuse of alcohol are incompatible with employment at the Village.

2. AUTHORITY FOR DRUG TESTING

The Village has implemented this policy in accordance with the program requirements outlined in Florida Statute Section 440.102.

3. DEFINITIONS

- a. Drug: alcohol, including a distilled spirit, wine, a malt beverage, or an intoxicating liquor; an amphetamine; a cannabinoid; cocaine; phencyclidine (PCP); a hallucinogen; methaqualone; an opiate; a barbiturate; a benzodiazepine; a synthetic narcotic; a designer drug; or a metabolite of any of the substances listed in this paragraph.

- b. Drug Test or Test: any chemical, biological, or physical instrumental analysis administered, by a laboratory certified by the United States Department of Health and Human Services or licensed by the Agency for Health Care Administration, for the purpose of determining the presence or absence of a drug or its metabolites.
- c. Job Applicant: a person who has applied for a Special-Risk or Mandatory Testing position with the Village and has been offered employment conditioned upon successfully passing a drug test, and may have begun work pending the results of the drug test.
- d. Mandatory Testing Position: a job assignment that requires the employee to carry a firearm, work closely with an employee who carries a firearm, perform life-threatening procedures, work with heavy or dangerous machinery, work as a safety inspector, work with children, work with detainees in the correctional system, work with confidential information or documents pertaining to criminal investigations, work with controlled substances; or a job assignment that requires an employee security background check pursuant to Florida Statute Section 110.1127; or a job assignment in which a momentary lapse in attention could result in injury or death to another person.
- e. Medical Review Officer or MRO: a licensed physician, employed with or contracted with the Village, who has knowledge of substance abuse disorders, laboratory testing procedures, and chain of custody collection procedures; who verifies positive, confirmed test results; and who has the necessary medical training to interpret and evaluate an employee's positive test result in relation to the employee's medical history or any other relevant biomedical information.
- f. Prescription or Nonprescription Medication: a drug or medication obtained pursuant to a prescription as defined by Florida Statute Section 893.02 or a medication that is authorized pursuant to federal or state law for general distribution and use without a prescription in the treatment of human diseases, ailments, or injuries.
- g. Special-Risk Position: a position that is required to be filled by a person who is certified under Chapter 633 or 943 of the Florida Statutes (generally, police officers and firefighters).

4. TYPES OF TESTING REQUIRED

- a. Job Applicant Drug Testing: Job applicants for mandatory testing and special risk positions must submit to a drug test. Refusal to submit to a drug test, or a positive confirmed drug test, shall be used as a basis for declining to offer employment to the applicant. Job applicants for other positions shall not be tested as part of the background/employment screening process.
- b. Reasonable Suspicion Drug Testing: Employees will be tested following any observed behavior creating "reasonable suspicion." These behaviors may include the following:
 - i. Direct observation of drug/alcohol use, or the symptoms of being under the influence of a drug or alcohol;
 - ii. Abnormal behavior while at work or a significant deterioration in work performance;
 - iii. A report of drug use, provided by a reliable and credible source;
 - iv. Evidence that an individual has tampered with a drug test while working for the Village;

- v. Information that an employee has caused, contributed to, or been involved in, an accident while at work;
- vi. Evidence that an employee has used, possessed, sold, or solicited drugs while working or while on the Village's premises or while operating the Village's vehicles, machinery or equipment; and
- vii. Post-Accident in Village-owned vehicles.

Where testing is based on reasonable suspicion, the Village shall promptly detail in writing the circumstances which formed the basis of the determination that reasonable suspicion existed. A copy shall be provided to the employee upon request. The Village shall retain the original as confidential for at least one year.

- c. **Follow-Up Testing:** If the Village requires an employee to enter an employee assistance program, or a drug rehabilitation program, as a condition of continued employment after a confirmed, positive drug test, the employee is required to submit to a random drug test, at least once per year for a two year period after completion of the program. Advance notice of the testing date will not be given to the employee being tested. If the employee voluntarily enters the program, the Village is not required by law to conduct follow-up testing, but may do so in its discretion.
- d. **Routine Fitness-For-Duty Testing:** Employees who ordinarily must submit to annual physical fitness for duty examination must also submit to drug testing at that time.
- e. **Random Testing of Mandatory Testing and Special Risk Positions:** employees with job assignments designated as mandatory testing and employees in special risk positions are subject to testing through the use of an unbiased selection procedure.

5. CONFIDENTIALITY

All information, interviews, reports, statements, memoranda, drug test results, written or otherwise, received or produced as a result of a drug-testing program are confidential and may not be used or received in evidence, obtained in discovery, or disclosed in any public or private proceedings, except in accordance with Florida's Drug Free Workplace Act or in determining compensability under the workers' compensation or unemployment benefits laws.

The Village, the laboratories, medical review officers, employee assistance programs, drug rehabilitation programs and their agents shall not release any information concerning drug test results obtained under this policy without first obtaining a release from the affected individual in accordance with Florida's Drug Free Workplace Act and other applicable laws or regulations.

All information, interviews, reports, statements, memoranda and drug test results, written or otherwise, received or produced as a result of the drug testing program are confidential and exempt from disclosure under Florida's public records laws.

Notwithstanding the foregoing, the Village may use such information and documents when consulting with legal counsel in connection with actions brought under the Florida Statute Section 440.102 or where the information is relevant to its defense in a civil or administrative matter.

6. DRUGS TO BE TESTED

The Village will test for the following drugs: ALCOHOL, AMPHETAMINES, CANNABINOIDS (MARIJUANA), COCAINE, OPIATES, PHENCYCLIDINE (PCP), METHAQUALONE, BARBITURATES, BENZODIAZEPINES, METHADONE AND PROPOXYPHENE.

7. TESTING LOCATION

The Village only uses laboratories for drug testing that are licensed by the Florida Agency for Health Care Administration or that are certified by the U.S. Department of Health and Human Services.

You may be tested at the following laboratory:

(To be directed by the Village Manager)

The Village's Medical Review Officer (MRO) is:

(To be directed by the Village Manager)

8. TESTING PROCEDURES

Employees or job applicants may confidentially report the legitimate use of prescription or non-prescription medications both before and after being tested to the testing laboratory and the Medical Review Officer.

Employees and job applicants have the right to consult the testing laboratory for technical information regarding prescription and non-prescription medication.

9. CHALLENGING TEST RESULTS

Within 5 working days after receiving notice of a positive confirmed test result, an employee or job applicant may contest or explain the result to the medical review officer who shall report a positive result to the Village if the explanation or challenge to the medical review officer is unsatisfactory.

Within 5 working days after the Village receives notice of the positive confirmed test result, the Village shall notify the employee in writing of the results, the consequences of the results, and any options available to the employee. The employee may request a copy of the test result at this time.

Within 5 working days after the employee receives notice from the Village of the positive test result, the employee may submit information to the Village explaining or contesting the test result, and explaining why the result should not constitute a violation of this policy. If the employee's or job applicant's explanation or challenge is unsatisfactory to the Village, the employee will be notified by the Village in writing within 15 days of the date the challenge was received and will be subject to discipline under this policy. At that time, the employee will be provided with a copy of the confirmed positive test result and the name and address of the laboratory.

The foregoing documentation shall be kept confidential and retained by the Village for at least one year.

Any employee or job applicant may contest the drug test result pursuant to law or to rules adopted by the Agency for Health Care Administration. All employees or job applicants must notify the laboratory of any administrative or civil action brought pursuant Florida's Drug Free Workplace Act.

Employees are solely responsible for all costs associated with any challenge.

10. CONSEQUENCES OF POSITIVE CONFIRMED TEST RESULT

Job applicants receiving a positive confirmed test result shall not be hired. Any employee receiving a positive confirmed test result shall be subject to immediate termination. Additionally, the employee may lose his or her right to workers' compensation, unemployment compensation benefits, medical and indemnity benefits.

An employee or job applicant has 180 days after receiving written notification of a positive confirmed test result to have the sample retested at his or her own expense at another licensed or certified laboratory chosen by the employee or job applicant.

11. CONSEQUENCES OF CONVICTION FOR VIOLATION OF CRIMINAL DRUG STATUTE OCCURRING IN THE WORKPLACE

All employees shall report any conviction for a violation of a criminal drug statute occurring in the workplace to the immediate supervisor in writing, no later than five calendar days after such conviction.

Within 30 calendar days of receiving such notice from a convicted employee, the Village shall take one of the following actions:

- Take appropriate disciplinary action against the employee, up to and including termination;
- Require the employee to participate satisfactorily in a drug abuse or assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency.

12. CONSEQUENCES OF REFUSING TO SUBMIT TO DRUG TESTING

An employee who refuses to submit to drug testing shall be subject to immediate termination. Additionally, the employee may lose his or her right to workers' compensation, unemployment compensation, medical and indemnity benefits. A job applicant who refuses to submit to drug testing will not be hired.

Refuse to submit (to an alcohol or controlled substances test) means that an employee:

- Failed to appear for any test within two hours of being directed to report by the Village. This includes the failure of an employee to appear for a test when called by a consortium or third-party administrator;
- Failed to remain at the testing site until the testing process is complete;
- Failed to provide a urine specimen for any drug test, or failed to provide a blood specimen for alcohol testing;
- In the case of a directly observed or monitored collection in a drug test, failed to permit the observation or monitoring of the employee's provision of a specimen;

- Failed to provide a sufficient amount of urine when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure;
- Failed or declined to take a second test that the Village or collector has directed the employee to take;
- Failed to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process, or as directed by the Village;
- Refused to allow collection of specimens for drug and/or alcohol testing by a treating medical facility during the course of treatment following an "accident", or refused to allow the Village access to medical records containing the results of such tests, or any attempt by an employee to block the release of such specimens or medical records;
- Failed to cooperate with any part of the testing process (e.g., refuse to empty pockets when so directed by the collector, behave in a confrontational way that disrupts the collection process); or
- Is reported by the MRO as having a submitted or attempted to submit a verified adulterated, diluted, or otherwise altered or substituted specimen.

13. MEDICATIONS THAT MAY ALTER OR AFFECT THE DRUG TEST

Some common medications may alter or affect a test result are listed below for your information. Due to the large number of obscure brand names and the marketing of new products, this list cannot, and is not intended to, be all-inclusive.

ALCOHOL - All liquid medications containing ethyl alcohol (ethanol). Please read the label for alcohol content. As an example, Vick's Nyquil is 25% (50 proof) ethyl alcohol, Comtrex is 20% (40 proof), Contact Severe Cold Formula Night Strength is 25% (50 proof) and Listerine is 26.9% (54 proof).

AMPHETAMINES - Obetrol, Biphetamine, Desoxyn, Dexedrine, Didrex, Ionamine, Fastin.

CANNABINOIDS - Marinol (Dronabinol, THC).

COCAINE - Cocaine HCl topical solution (Roxanne). **PHENCYCLIDINE** Not legal by prescription.

METHAQUALONE - Not legal by prescription.

OPIATES - Paregoric, Parepectolin, Donnagel PG, Morphine, Tylenol with Codeine, Empirin with Codeine, APAP with Codeine, Aspirin with Codeine, Robitussin AC, Guaiatuss AC, Novahistine DH, Novahistine Expectorant, Dilaudid (Hydromorphone), M-S Contin and Roxanol (morphine sulfate), Percodan, Vicodin, Tussi-organidin.

BARBITURATES - Phenobarbital, Tuinal, Amytal, Nembutal, Seconal, Lotusate, Fiorinal, Fioricet, Esgic, Butisol, Mebaral, Butabarbital, Butalbital, Phrenilin, Triad.

BENZODIAZEPINES - Ativan, Azene, Clonopin, Dalmane, Diazepam, Librium, Xanax, Serax, Tranxene, Valium, Verstran, Halcion, Paxipam, Restoril, Centrax.

METHADONE - Dolophine, Metadose. **PROPOXYPHENE** Darvocet, Darvon N, Dolene.

14. EMPLOYEE ASSISTANCE PROGRAMS (EAP)

Narcotics Anonymous Help-line: (772) 232-8676
Alcoholics Anonymous (Martin County): (772) 283-9337

The Village does not promote or recommend any specific program or organization for treatment. Other options for treatment can be located online or through various social service organizations.

15. MANDATORY TESTING AND SPECIAL RISK EMPLOYEES ENTERING INTO EAP OR REHABILITATION PROGRAMS

Mandatory Testing and Special Risk employees who enter an EAP or drug rehabilitation program must be assigned to a position other than a position classified as Mandatory Testing or Special Risk. If no such position is available, the employee must be placed on leave where the employee must use accumulated paid leave before the leave becomes unpaid.

16. EFFECTIVE DATE OF DRUG FREE WORKPLACE POLICY

This Drug-Free Workplace Policy is effective sixty (60) days after adoption and supersedes any prior policies.

6.6 SMOKE-FREE AND TOBACCO-FREE WORKPLACE

The Village of Indiantown is dedicated to providing a comfortable, productive, and healthy work environment for its employees. As a further step to ensure conformity to Florida's Clean Indoor Air Act, all Village owned/leased buildings, parks and vehicles are entirely smoke-free and tobacco-free. Smoking and tobacco use is strictly prohibited in all areas, including without limitation, vehicles, hallways, restrooms, private offices, open indoor work spaces, waiting/reception rooms, conference/meeting rooms, lobby, lunch rooms, and all indoor community areas under the Village's ownership or control or in any circumstance when the employee is in view of the public in their capacity as a Village employee. Under this policy, smoking means inhaling, exhaling, burning, carrying or possessing any lighted tobacco product or any simulated smoking device including without limitation nicotine vapor, and related products or the use of tobacco, including smokeless tobacco, in any manner whatsoever.

SECTION 7 - SEPARATIONS

7.1 TYPES OF SEPARATIONS

Separations from employment with the Village are designated as one of the following types, with, applicable Human Resource documents showing the reason for the separation, and the last day and hour worked as determined by the Village Manager.

1. Resignation
2. Retirement
3. Death
4. Reduction in force
5. Dismissal
6. End of Temporary Assignment

7.2 RESIGNATION

Resignation is defined as an action whereby an employee voluntarily leaves Village of Indiantown employment with or without giving notice. An employee wishing to leave the Village in good

standing shall file a written resignation, stating the date and reasons for leaving. Such notice must be given two weeks prior to the date of separation. Failure to comply with this courtesy may be cause for denying such employee re-employment with the Village.

Unauthorized absences from work for a period of three consecutive days or more constitute the abandonment of a position and shall be considered a resignation.

7.3 RETIREMENT

Retirement is defined as a procedure whereby an employee separates from the Village for reasons of length of service or disability.

7.4 DEATH

When an active employee is terminated due to death, the date of termination (date of separation) will be the date of death. All compensation and benefits due to the employee as of the effective date of separation shall be paid to the spouse and, if no spouse, to the adult child or children, and if no adult children over the age of 18, to the father or mother. If there is no father or mother, then payment shall be made in accordance with orders or letters of administration received through the estate or probate process.

7.5 REDUCTION IN FORCE

When it becomes necessary to reduce the number of employees within a department because of lack of funds, shortage of work, the abolishment of a position, reorganization, or other causes which do not reflect discredit on the service of the employees, the following steps will be considered:

1. First, consideration will be given to the Village budget and required staffing levels to meet the Village needs.
2. Once positions have been identified for reduction, employees within a position shall be separated from employment using the following criteria:
 - a. Individual performance (past and current performance, including any disciplinary issues)
 - b. Required skills and qualifications to meet future needs.

Employees who have been laid-off may apply for future job openings.

7.6 EXIT INTERVIEWS

Upon the Village's request, an employee who resigns or retires shall complete an exit interview upon leaving Village employment. Such interviews allow the Village to understand the employee's reasons for leaving and to resolve any questions regarding compensation, insurance continuation, return of Village property, or other related matters.

7.7 RETURN OF PROPERTY AND FINANCIAL OBLIGATIONS

At the time of separation, all records, books, assets, uniforms, keys, tools, and other items of Village property in the employee's custody shall be returned to the department. Certification of

such return shall be made by the employee's supervisor. Any monies due because of shortages shall be deducted from the final paycheck due or collected through appropriate action in accordance with applicable wage and hour laws.

Any outstanding debts incurred by an employee, such as shortages in leave accounts, deductions for the loss or abuse of Village property or other financial obligations which are due the Village may be deducted from the employee's final pay check and/or termination leave pay in accordance with applicable wage and hour laws. This rule shall be excepted only when other appropriate arrangements have been made and approved in writing by the Village Manager.

SECTION 8 – STANDARDS OF CONDUCT

8.1 POLICY ON ETHICS

To avoid misunderstandings and conflicts of interest which could arise, all employees are bound by the standards set forth in Florida Statutes Chapter 112, Code of Ethics for Public Officers and Employees.

8.2 CONFLICT OF INTEREST

Employees who may be in a position to influence actions and decisions of the Village shall refrain from relationships which may adversely affect the exercise of their independent judgment in dealing with suppliers of goods or services.

8.3 EMPLOYMENT OF FAMILY MEMBERS

Family members of a Village employee may not regularly work in a position where a direct or indirect reporting relationship exists, which could cause a conflict of interest.

Family members are defined as: parent, sister, brother, spouse, children, nieces, nephews, step-parent, step-children, step-brother, step-sister, half-brother, half-sister, daughter-in-law, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, aunts, uncles, first cousins, grandchildren, and grandparents of the employee or spouse.

No employee may participate in, either directly or indirectly, employment decisions that may involve a direct benefit (such as work assignments, performance reviews, job classifications, hiring, or discipline) to a domestic partner or a romantic partner.

8.4 OUTSIDE EMPLOYMENT

Subject to Departmental rules, employees are not prohibited from engaging in other employment during their off-duty hours. However, Village employment shall be considered the primary employment and no employee may engage in outside employment which would interfere with the interest of the Village.

Any employee who obtains full-time or part-time employment elsewhere while on authorized leave of absence without pay is subject to termination of his or her position with the Village unless the employee obtained prior approval from the Village Manager.

8.5 SOLICITATION AND DISTRIBUTION

Employee contributions to recognized charitable organizations are purely voluntary. No coercion of an employee to make contributions shall be permitted.

Employees of the Village are prohibited from engaging in selling merchandise or soliciting while the employee is on working time or the employee to be solicited is on working time. Work time does not include authorized break periods, meal times, or before or after work.

E-mail, facsimile machines, voice mail, and any other Village provided communication method may not be used to advertise or solicit employees for non-work related or non-official Village events.

8.6 DRESS AND APPEARANCE

Village employees are expected to maintain high personal standards. One of the most noticeable expressions of these personal standards is dress and appearance. No attempt is made to set specific standards. The important factor is the overall impression created. What is appropriate for employees in one department may not be appropriate for another. Adopted Departmental policies must be adhered to.

8.7 GENERAL PROHIBITIONS

Employees are expected to be aware that they are public employees and to conduct themselves in a manner which shall in no way discredit the Village, public officials, fellow employees, or themselves.

No employee shall make any false statement, certificate, mark, rating or report concerning any test, certification, or appointment made under the provisions of these rules or in any manner commit or attempt to commit any fraud preventing the impartial execution of these rules.

No employee shall, directly or indirectly, give, pay, offer, solicit, or accept any money, service or other valuable consideration for any appointment, proposed appointment, promotion, or proposed promotion to, or any advantage in, a position in the Village.

No employee shall deceive or obstruct any person in their right to examination, eligibility, certification, or appointment under these rules, or furnish to any person any special or confidential information for the purpose of affecting the rights or prospects of any person with respect to employment with the Village.

No employee whose duties involve the use of a badge, card, or clothing insignia as evidence of authority or for identification shall permit such badges, cards, or insignia to be used or worn by anyone who is not authorized to use or wear them nor permit them to be out of his/her possession without good cause or approval of the Village Manager. Such badges, cards, and insignia shall be used only in the performance of the official duties of the positions to which they are related.

8.8 EQUAL EMPLOYMENT OPPORTUNITY PROGRAM

It is the express policy of the Village of Indiantown to engage in a program of compliance with all applicable Federal, State, and local laws regarding recruitment, hiring, and promoting people on the basis of demonstrated ability, experience, and training without regard to race, color, religion, sex, age, national origin, ancestry, marital, veteran or military status, disability, genetic information, sexual orientation, gender identity or expression, pregnancy, or any other protected

status in accordance with applicable law. This subject requires continuous action at all levels to assure legal and moral compliance with the spirit of the policy.

Any employee of the Village of Indiantown who feels that s/he or another employee has been the victim of discrimination must notify the Village Manager immediately. Employees may also notify their Village Manager or supervisor regarding a complaint.

Employees have an obligation to bring complaints forward under the Equal Employment Opportunity policy and procedure, if they experience or witness conduct contrary to the policy. Employees will not be retaliated against for bringing a complaint forward in good faith. Every effort will be made to keep the employee names confidential, to the extent possible consistent with the need to conduct an adequate investigation and compliance with applicable laws and regulations. Any employee found to have violated this policy of EEO is subject to appropriate disciplinary action, up to and including dismissal from employment. In this manner, the Village strives to ensure a work environment that provides equal opportunity to all.

8.9 CIVILITY IN THE WORKPLACE

The Village encourages a workplace environment that respects the dignity of all employees. For this reason, all employees should maintain a high degree of civility and respect with co-workers, subordinates, and superiors. Verbal, psychological, or physically abusive behavior or harassment is counterproductive to the desire for teamwork among all employees, levels of management, and in relationships with elected officials, and the public. Use of abusive language and behavior is disruptive to these goals and will be subject to disciplinary action and will not be tolerated by the Village.

8.10 POLICY AGAINST HARASSMENT

The Village does not tolerate unlawful harassment of any of our employees, customers, vendors, suppliers, or independent contractors. Any form of harassment which violates applicable federal, state, or local law, including, but not limited to harassment related to same sex harassment or an individual's race, color, religion, sex, age, national origin, ancestry, marital, veterans or military status, disability, genetic information, sexual orientation, gender identity or expression, pregnancy, or any other protected status in accordance with applicable law is a violation of this policy and will be treated as a disciplinary matter. For these purposes the term "harassment" is based upon a protected category and includes (without limitation) slurs and any other offensive remarks; jokes, other verbal, graphic, or physical conduct; leering, making offensive gestures, displaying of sexually suggestive or other offensive objects or pictures, cartoons, or posters; sexual advances, propositions, or requests; verbal abuse, graphic verbal commentaries about an individual's body or other protected category, sexually degrading words used to describe an individual, suggestive or obscene letters, notes, or invitations; or physical conduct, such as touching, assault, battery, impeding, or blocking movements. Questions about what constitutes harassing behavior should be directed to a supervisor.

Violation of this policy will subject an employee to disciplinary action, up to and including discharge.

If you feel that you are being harassed by another employee, you must immediately contact your Supervisor or the Village Manager. You may be assured that you will not be penalized in any way for reporting a harassment problem in good faith.

All complaints of unlawful harassment which are reported to management will be investigated as promptly as possible and corrective action will be taken where warranted. The Village prohibits employees from hindering internal investigations and internal complaint procedure. All complaints of unlawful harassment which are reported as provided herein will be treated with as much confidentiality as possible, consistent with the need to conduct an adequate investigation.

Harassment of employees in connection with their work by non-employees may also be a violation of this policy. Any employee who experiences harassment by a non-employee, or who observes harassment of an employee by a non-employee must immediately report such harassment to their Supervisor or the Village Manager. Appropriate action will be taken against violation of this policy by any non-employee.

Harassment of our customers or employees of our customers, vendors, suppliers, or independent contractors, by our employees is also strictly prohibited. Such harassment includes sexual advances, offensive verbal or physical conduct based on a protected category, inappropriate comments based on a protected category, and insults based on a protected category. Any such harassment will subject an employee to disciplinary action, up to and including immediate discharge.

Your notification of the problem is essential. The Village cannot resolve a harassment problem without becoming aware of the situation. Therefore, it is your responsibility to bring those kinds of problems to our attention immediately so that the Village can take appropriate steps to correct the problem.

If the Village finds that an employee has violated the Village policy, appropriate disciplinary action will be taken, up to and including termination of employment.

8.11 SEARCHES AND INSPECTIONS

Employees should understand that there is no expectation of privacy on Village premises. In order to protect the safety and property of all employees, the Village reserves the right to inspect all areas and all items brought into Village's physical premises (even if locked with an employee owned locking device) including, but not limited to, work areas, desks, computers, cabinets, personal articles, clothes, lockers, packages, containers, bags, purses, briefcases, vehicles, and other items on Village property in furtherance of this policy except as explicitly prohibited by law. Refusal to cooperate with the Village in any lawful search or investigation may result in discipline, up to and including immediate dismissal.

8.12 DISCIPLINARY ACTION

It is the intent of the Village that effective supervision and employee relations shall avoid most matters which necessitate disciplinary action.

Infractions of any Village policies (including Departmental policies) shall subject the employee to disciplinary actions, up to and including immediate dismissal. Without limiting the generality of the foregoing, the list below includes circumstances for which employees may be disciplined, up to and including dismissal:

1. Inefficient use of time, e.g.
 - a. wasting time, loitering, spending time on other than assigned duties, quitting work, or leaving assigned work area during working hours without permission;

- b. poor performance, incompetency, inefficiency, or negligence in the performance of duty;
 - c. abuse of leave privileges, e.g., taking more than the specified time for meals or break periods, unauthorized leave/absences, being absent without permission or leave, and repeated tardiness or absenteeism;
- 2. Safety issues, e.g.
 - a. violating a safety rule or safety practice;
 - b. failing to immediately report an accident or personal injury in which the employee was involved while on the job;
 - c. creating or contributing to unsafe or unsanitary conditions;
 - d. carelessness which affects the safety of the public, Village personnel, equipment, tools, or property.
- 3. Inappropriate Behavior, e.g.
 - a. Violation of the Ethics Policy, including without limitation receiving or soliciting from any person, or participating in any fee, gift, or other valuable thing in the course of work, when such fee, gift, or other valuable thing is given in the hope or expectation of receiving a favor of better treatment than that accorded other persons;
 - b. failure to comply with requirements set forth in approved departmental rules, regulations, policies, standard operating procedures, general guidelines and Standards of Conduct;
 - c. threatening, intimidating, coercing, or interfering with fellow employees or supervisors at any time, including using abusive language;
 - d. falsifying personal or Village records, including employment applications, accident records, work records, purchase orders, time sheets, or any other report, record, application, or claim;
 - e. insubordination, including refusal to perform work assigned, or to comply with written or verbal instructions of his/her supervisor, except that which is deemed illegal, unsafe, or contrary to Village policy;
 - f. unauthorized use or display of firearms, explosives, or weapons on Village property;
 - g. unlawful or improper conduct, or indecency, either on or off the job, which would tend to affect the employee's relationships to the job, fellow workers, reputation, or goodwill in the community or Village;
 - h. possession of alcoholic beverages in or on Village property (excluding unopened containers in personal vehicles); reporting for work having alcohol present in one's system;
 - i. abuse or misuse of controlled substances or of any chemical substance or medication during the work day or reporting for work having controlled substances present in one's system, excluding prescription drugs prescribed by a licensed medical professional;
 - j. showing discourtesy to persons with whom the employee comes in contact while in the performance of duties;
 - k. permitting another person to use an employee's identification card, unauthorized use of another person's card, or altering an identification card;
 - l. being convicted of a misdemeanor of the first degree, as defined by Florida Statutes, being convicted of a felony, or any violation involving moral turpitude while either on or off the job, which directly impairs employee's ability to perform the functions of his/her position;
 - m. violation of any rules, policies, or procedures.

All disciplinary actions shall be documented in writing; all disciplinary actions involving a police officer shall comply with applicable standards and regulations. In all cases, the Village Manager shall notify the employee of the action taken, and a copy of such notice shall be included in the employee's personnel folder, with a copy to the Village Manager and Village Clerk

The Village Manager must approve a suspension or dismissal of an employee.

SECTION 9 – GRIEVANCE PROCEDURE

While all Village employees are classified as at-will, remain at-will and nothing herein changes the at-will nature of employment, this grievance procedure is available and may be used without fear of retaliation or discrimination for evaluation of personnel issues. Performance evaluations and ratings are not subject to the grievance procedure.

Step 1: If an employee feels s/he has a grievance, s/he shall, within ten working days after the employee had knowledge, or reasonably should have had knowledge of its occurrence, present the grievance in writing to his/her Village Manager, or the grievance shall be considered waived. The written grievance shall name the employee involved, shall state the facts giving rise to the grievance, the remedy requested, and shall be signed and dated by the aggrieved employee. The Village Manager shall submit his/her answer in writing within ten working days after receiving the employee's written grievance. The grievance may be resolved at that point if the adjustment is not inconsistent with the rules and regulations of this Personnel Policy Manual. If the grievance is not satisfactorily addressed, the employee may submit the written grievance at Step Two.

Step 2: If the grievance is not resolved in Step 1, the employee may present the grievance within ten working days to the Village Manager. If the grievance is not submitted to the Village Manager within the time limit stated above, it shall be considered waived. The Village Manager will conduct a meeting among the employee(s) and supervisor(s) and give the Village's answer within ten working days following the Step 2 grievance meeting. The Village Manager's response shall be final and binding on the employees involved.

SECTION 10 - MISCELLANEOUS

10.1 SEVERE WEATHER/ EMERGENCY DECLARATION POLICY

In the event that a local Declaration of Emergency is declared, such as in the case of severe weather that affects The Village of Indiantown, the Village will make every effort to notify all staff regarding the Village's decision to close offices or to remain open. The Village will also make the determination as to which employees are required to report to work during the Declaration of Emergency. In the event that Village offices are closed, all employees who are not required to report to work shall be paid their normal rates of pay/salary for the day. Only personnel designated for emergency status or receiving a specific request from their supervisors shall report for work. If Village offices remain open, a "liberal leave" policy shall be in effect, whereby those employees who choose not to report for work may utilize whatever options of paid leave are available to them for the day.

**VILLAGE OF INDIANTOWN, FLORIDA
AGENDA MEMORANDUM**

MEETING DATE: November 8, 2018

MEETING TYPE:

AGENDA ITEM TITLE: ORDINANCE NO. 12 (2018) AN ORDINANCE OF THE VILLAGE OF INDIANTOWN, FLORIDA, ESTABLISHING A TEMPORARY MORATORIUM ON THE RECEIPT, ACCEPTANCE, PROCESSING, AND CONSIDERATION OF APPLICATIONS FOR ANNEXATION INTO THE VILLAGE OF INDIANTOWN; PROVIDING THE DURATION OF THE MORATORIUM; PROVIDING FOR FINDINGS, SEVERABILITY, CONFLICTS, NON- CODIFICATION, AND AN EFFECTIVE DATE.

SUMMARY OF ITEM: This ordinance establishes a temporary moratorium on the receipt, acceptance, processing, and consideration of applications for voluntary annexation pursuant to Section 171.044, Fla. Stat. for a period of 365 days, or less if expressly repealed in an ordinance adopted to adopt a comprehensive plan.

RECOMMENDATION: Adopt Ordinance No. 12 (2018) - Establishing a Temporary Moratorium on the Acceptance and Processing of Annexation Applications - First Reading.

PREPARED BY: Wade Vose, Village Attorney DATE: 10/25/2018

REVIEWED BY: Teresa Lamar-Sarno, Village Manager DATE: 10/30/2018

APPROVED BY: DATE:

ATTACHMENTS:

Description

Ordinance 12 (2018) - Establishing a Temporary Moratorium on the Acceptance and Processing of Annexation Applications



VILLAGE OF INDIANTOWN, FLORIDA

ORDINANCE NO. 12 (2018)

AN ORDINANCE OF THE VILLAGE OF INDIANTOWN, FLORIDA, ESTABLISHING A TEMPORARY MORATORIUM ON THE RECEIPT, ACCEPTANCE, PROCESSING, AND CONSIDERATION OF APPLICATIONS FOR ANNEXATION INTO THE VILLAGE OF INDIANTOWN; PROVIDING THE DURATION OF THE MORATORIUM; PROVIDING FOR FINDINGS, SEVERABILITY, CONFLICTS, NON-CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the Village of Indiantown was created by Ch. 195-2017, Laws of Florida, and duly approved by public referendum on November 8, 2017, for incorporation beginning December 31, 2017; and

WHEREAS, pursuant to Florida law and Section 6(3)(b) of Ch. 195-2017, Laws of Florida, the Village of Indiantown is actively working on developing the Village's first comprehensive plan, with a statutory deadline for the adoption thereof approaching; and

WHEREAS, pursuant to Florida law, the choice of whether to refuse to annex property into the Village of Indiantown lies in the sound discretion of the Village Council; and

WHEREAS, the Village Council finds that it is most appropriate to focus the Village's limited planning resources first on the development of the Village's new comprehensive plan, rather than on the consideration of applications for annexation; and

WHEREAS, the Village Council finds that it is most appropriate to finalize the comprehensive planning of the property within the present Village boundaries prior to adding new property to the Village; and

WHEREAS, the Village Council finds that it would be appropriate to establish a temporary moratorium on the receipt, acceptance, processing, and consideration of applications for voluntary annexation pursuant to Section 171.044, Fla. Stat. for a period of 365 days, or less if expressly repealed in an ordinance adopted to adopt a comprehensive plan.

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF INDIANTOWN, FLORIDA AS FOLLOWS:

SECTION 1. RECITALS. The above recitals and “Whereas” clauses are hereby included as findings by the Village Council of the Village of Indiantown, and are otherwise fully incorporated herein.

SECTION 2. TEMPORARY MORATORIUM ESTABLISHED. Beginning on the effective date of this ordinance and continuing for a period of 365 days, or terminating sooner if expressly repealed in an ordinance adopted to adopt a comprehensive plan, a temporary moratorium is hereby adopted on the receipt, acceptance, processing, and consideration of applications for voluntary annexation pursuant to Section 171.044, Fla. Stat. The scope and duration of the moratorium shall be subject to modification by subsequent ordinance of the Village Council of the Village of Indiantown.

SECTION 3. SEVERABILITY. The provisions of this Ordinance are severable; and if any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or application hereof, is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion or application shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 4. CONFLICTS. All ordinances and parts of ordinances and all resolutions and parts of resolutions in conflict herewith, are hereby repealed.

SECTION 5. NON-CODIFICATION. The provisions of this Ordinance shall not be codified in the Village of Indiantown Code of Ordinances.

SECTION 6. EFFECTIVE DATE. This Ordinance shall take effect immediately upon adoption.

PASSED on First Reading on the ____ day of _____, 2018.

Council Member _____ offered the foregoing ordinance on second reading, and moved its adoption. The motion was seconded by Council Member _____, and upon being put to a vote, the vote was as follows:

VILLAGE COUNCIL	YES	NO	ABSENT	ABSTAIN
SUSAN GIBBS THOMAS, MAYOR				
GUYTON STONE, VICE MAYOR				
JACKIE GARY CLARKE, COUNCIL MEMBER				
ANTHONY J. DOWLING, COUNCIL MEMBER				
JANET HERNANDEZ, COUNCIL MEMBER				

ADOPTED on Second Reading this ____ day of _____, 2018.

ATTEST:

VILLAGE OF INDIANTOWN, FLORIDA

CHERIE WHITE
VILLAGE CLERK

SUSAN GIBBS THOMAS
MAYOR

REVIEWED FOR FORM
AND CORRECTNESS:

WADE C. VOSE
VILLAGE ATTORNEY

VILLAGE OF INDIANTOWN, FLORIDA AGENDA MEMORANDUM

MEETINGDATE: November 8, 2018

MEETING TYPE: DISCUSSION

AGENDA ITEM TITLE: Results from Code Enforcement Public Input Session

SUMMARY OF ITEM: On Monday, October 22nd, 2018 the Village Council held two Open House and Code Enforcement Public Input Session. Staff prepared a presentation with survey questions for the public to answer at both the English and Spanish version of the meetings. Both meetings were well attended. The public was able to answer the survey questions with the Villages' polling equipment regarding general Code Enforcement violations.

The objective of the meeting was to gather input from the public regarding Code Enforcement that would guide the Village's efforts with Code Enforcement.

Attached is the presentation and survey with results. In summary the results of both meetings identified as the top three areas the Village should focus its Code Enforcement efforts on should be the following:

Abandoned and inoperable vehicles
Trash and debris
High grass and weeds

It was suggested that grass height should be kept to no more than 10 inches in height. If the Village desires to adopt this change, the Village would need to amend the Martin County Code of Ordinances which today requires grass height to be maintained at no more than 18 inches.

The Martin County code definition for commercial vehicles should be maintained as the definition for the Village of Indiantown.

Finally, the majority did not want any barnyard animals (unless allowed by zoning code) in the Village.

RECOMMENDATION: Recommend staff prepare an agenda item amending the Martin County Code of Ordinances to reflect the October 22nd, 2018 Code Enforcement Public Input Session as an agenda item.

PREPARED BY: Teresa Lamar-Sarno, Village Manager

DATE: 10/30/2018

REVIEWED BY: Wade Vose, Village Attorney

DATE: 10/31/2018

APPROVED BY:

DATE:

ATTACHMENTS:

Description

Code Enforcement English Survey Results

Code Enforcement Spanish Results

Village of Indiantown Code Enforcement

WORKSHOP

OCTOBER 22, 2018

Why a Code Enforcement Program?

To help create and maintain a safe and healthy environment

To prevent physical and aesthetic deterioration of the community

To protect property values of residents and businesses

To reduce vandalism and deter crime

To publish standards for compliance that are based on reasonable and consistent enforcement of state and local laws and ordinances

To establish a framework for community involvement to resolve public nuisances

What is Code Enforcement?

The process of preventing, inspecting and mitigating nuisances on public and private premises relating to health, safety and general welfare.

- Defined by federal/state law and local ordinances

Code enforcement does not regulate taste, civil disputes, or HOA violations.

Code Enforcement Program Goal

To encourage both residential and commercial property owners to voluntarily resolve code violations on their property in order to ensure that Indiantown remains a community that is a clean and safe place to live, work, and play.



Program Overview

Three pronged comprehensive program:

1. Education and Communication
2. Organization-wide and Community-wide Support
3. Traditional Code Enforcement Program Enhancements

Typical Enforcement Process

1. Community education
2. Verbal/education warning
3. Door tags/written warning
4. City Ordinance Citation – Instant penalty
5. Notice of Violation
6. Code Enforcement Board Hearing/Magistrates Hearing
7. Daily Fines – Penalties accumulate

Public Education

Community Interactions

Website

Brochures

Town Hall Meetings

Neighborhood Meetings

Media Releases

We want to hear from you!

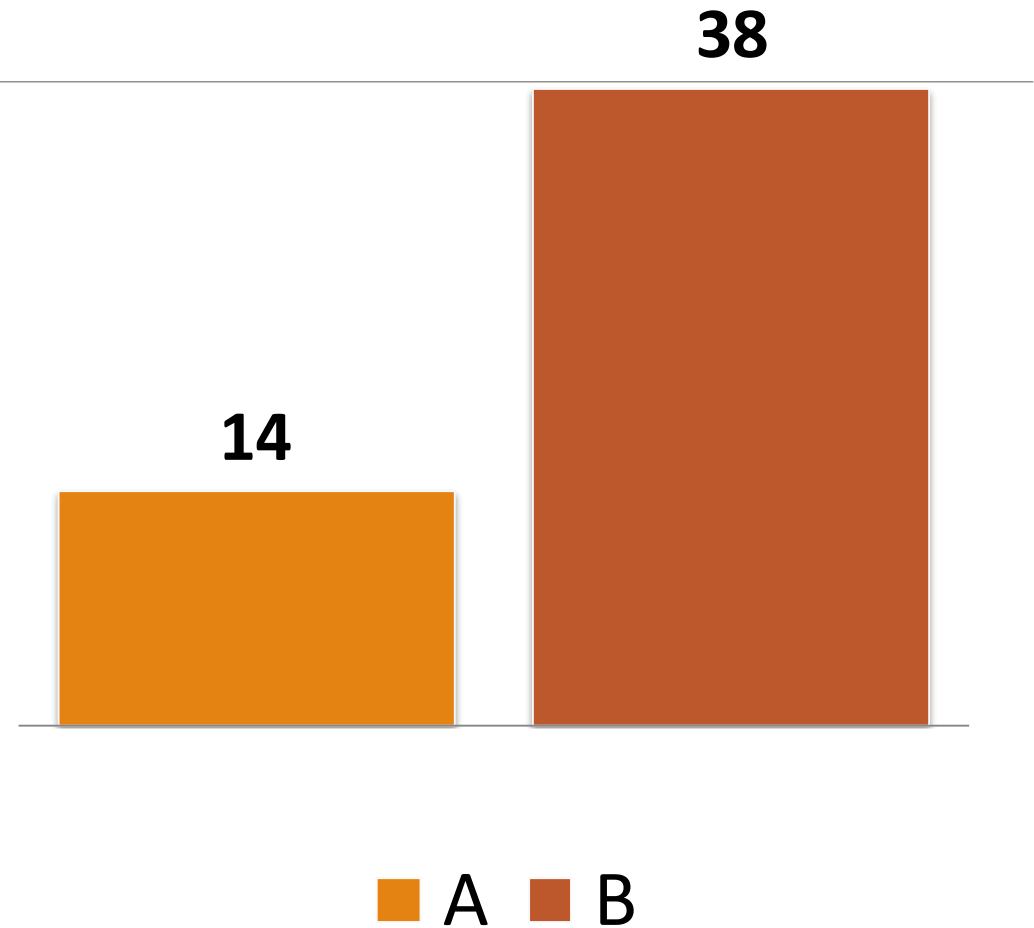
- Polling to determine the desires of the community
- Prioritize neighborhood nuisances
- Feedback from today's polling will be presented to Council in November

CURRENTLY THE VILLAGE ENFORCES THE MARTIN
COUNTY CODE OF ORDINANCES

Are unicorns real?

A) Yes

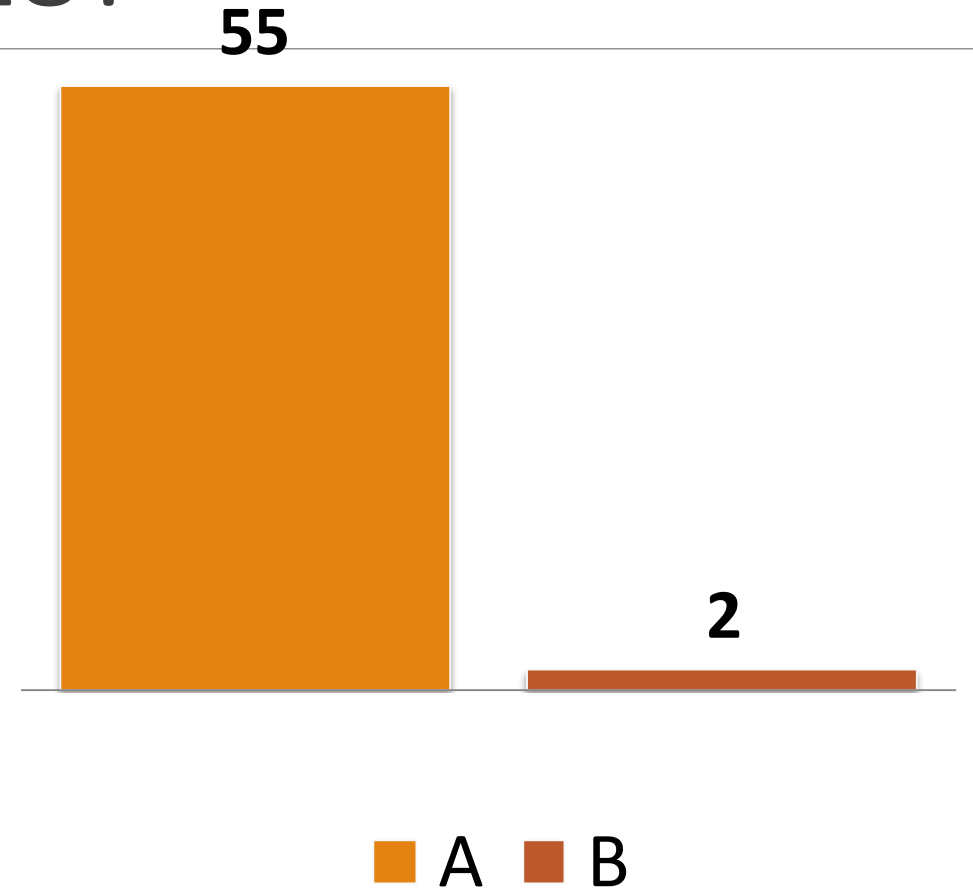
B) No



Are we in the year 2018?

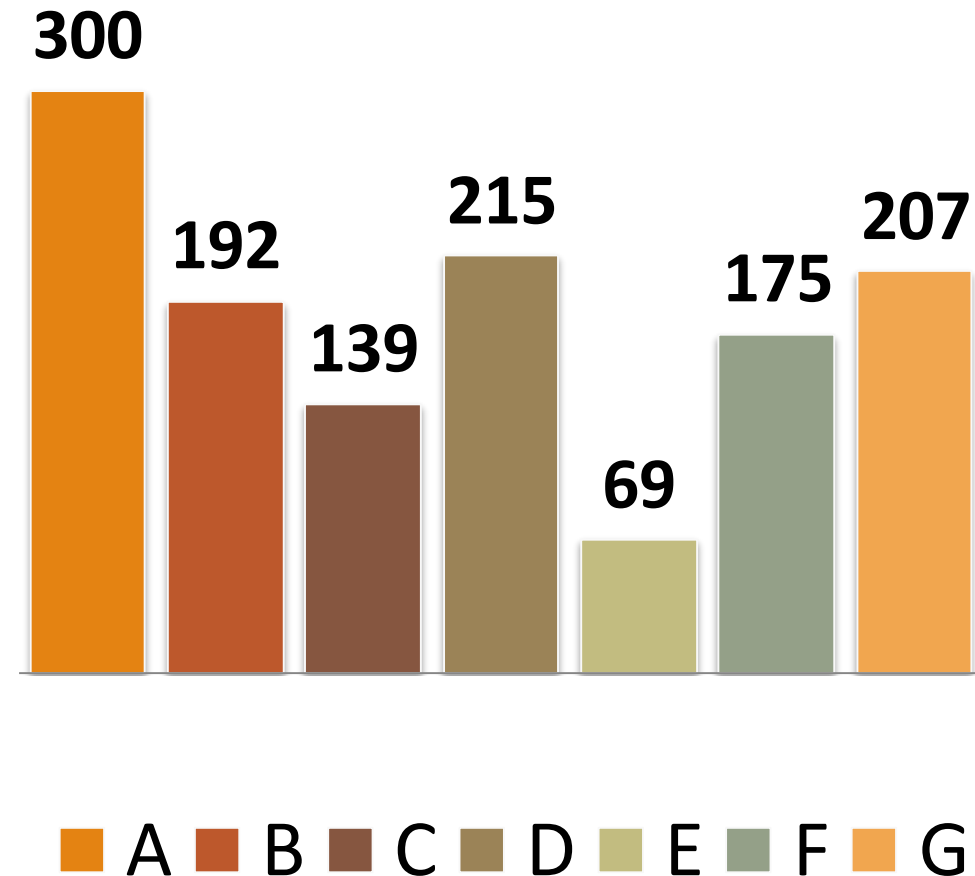
A) Yes

B) No



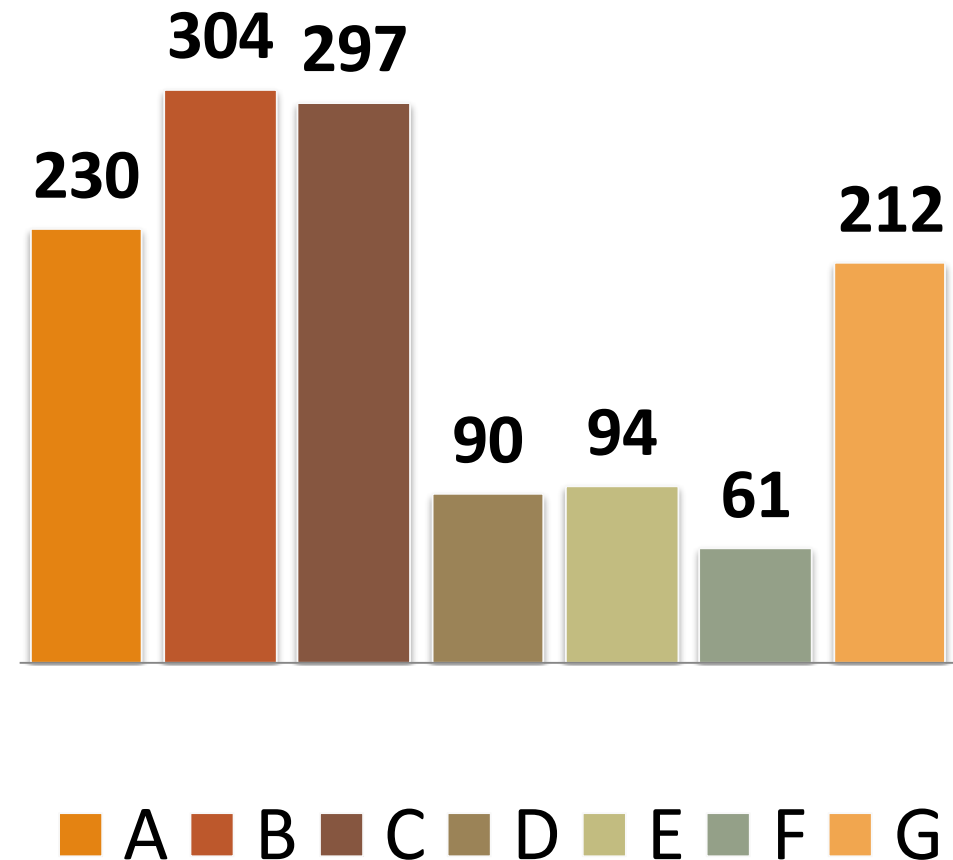
Pick three desserts you like the most from the list below? (Pick three in any order)

- A) Vanilla ice cream
- B) Chocolate ice cream
- C) Cherry Pie
- D) Apple Pie
- E) Pumpkin Pie
- F) Chocolate Chip Cookie
- G) Brownie



What code requirements should be the Village of Indiantown's prioritize? (Pick three from the list below)

- A) High grass and weeds
- B) Inoperable and Abandoned Vehicles
- C) Accumulation of trash and debris
- D) Commercial Vehicles parked in residential areas
- E) Barnyard Animals
- F) Signage Clutter
- G) Maintenance of Structures

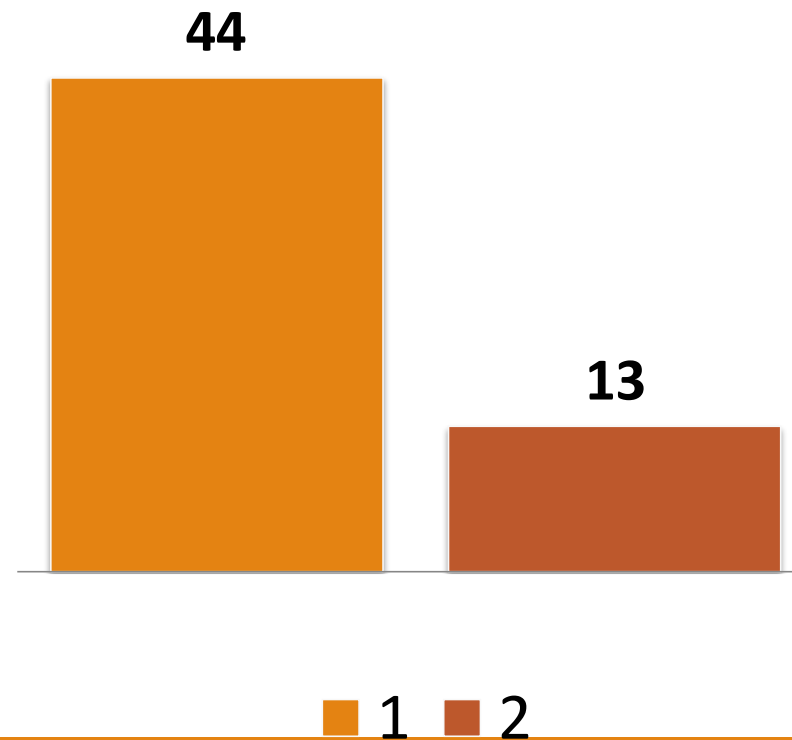


Inoperable and Abandoned Vehicles



Are inoperable and abandoned vehicles an issue in the Village of Indiantown?

1. YES
2. NO



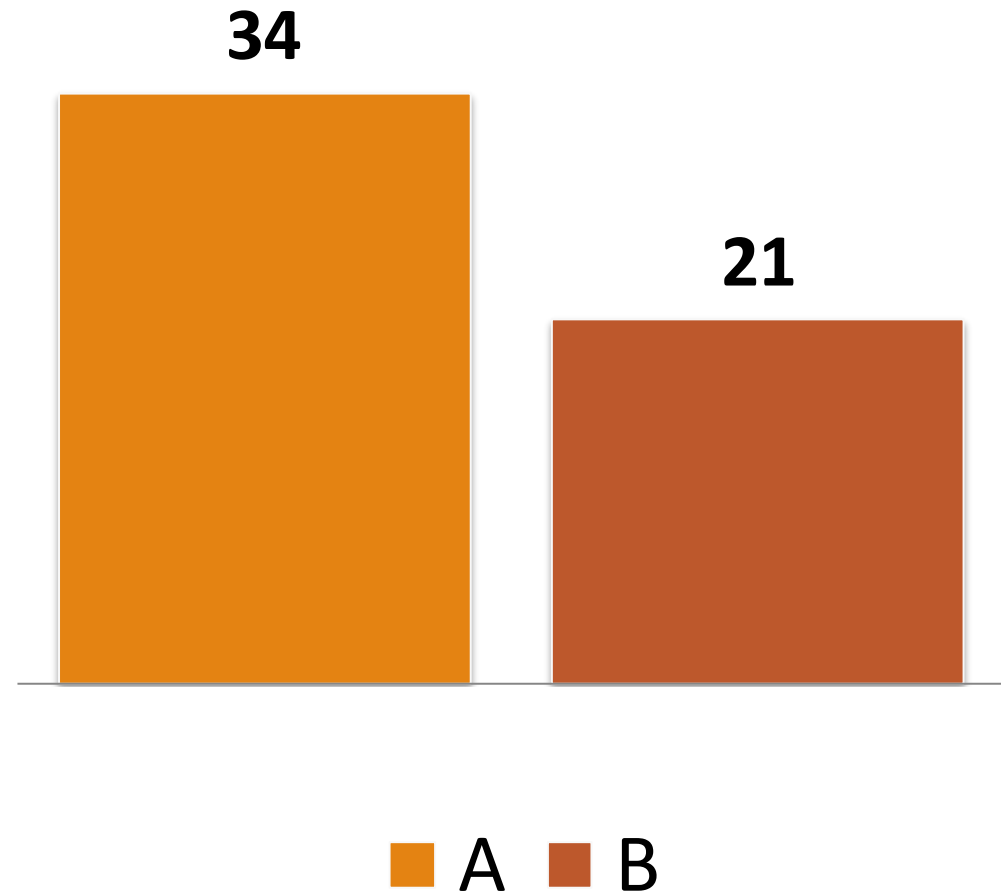
High Grass and Weeds



High grass and weeds are an issue in the Village of Indiantown.

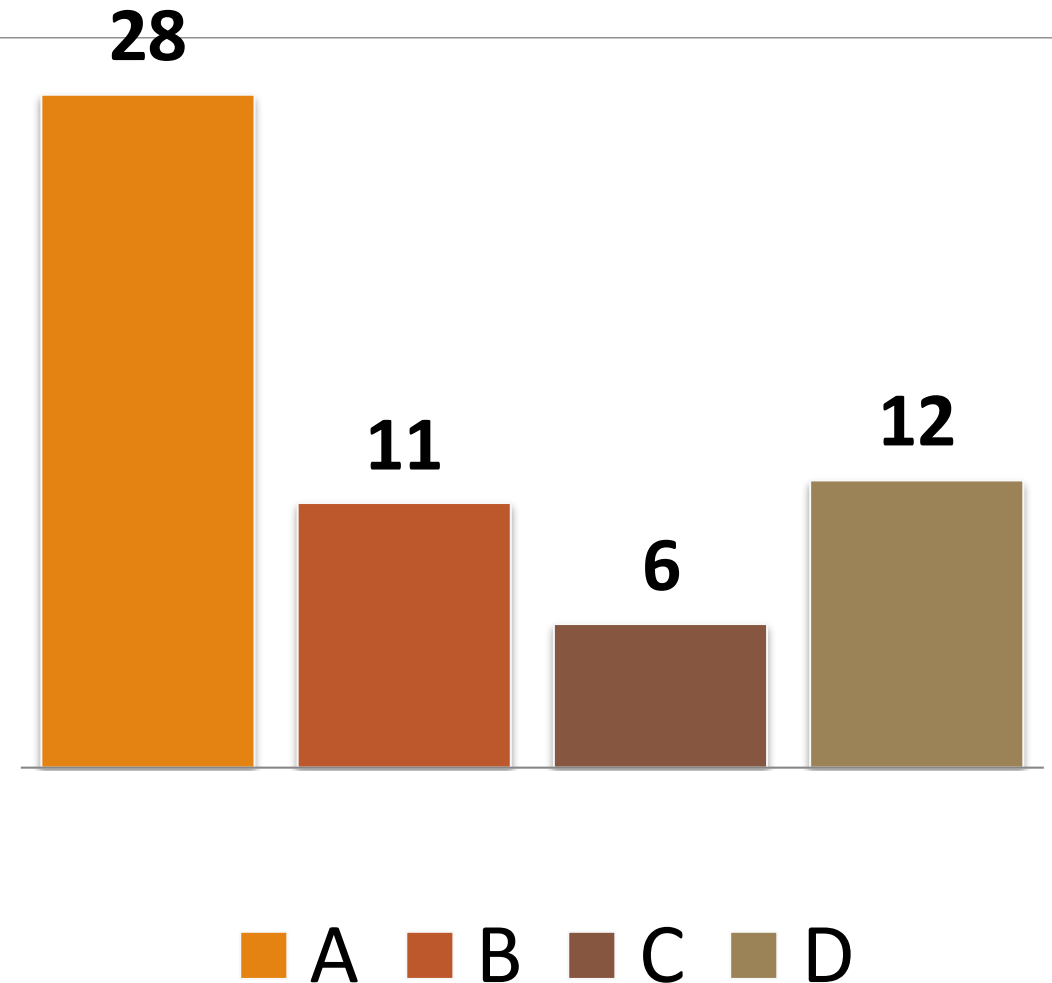
A) YES

B) NO



Property grass height should be no more than...

- A) 10 inches in height (long)
- B) 14 inches in height (long)
- C) 18 inches in height (long)
- D) Not concerned about grass height



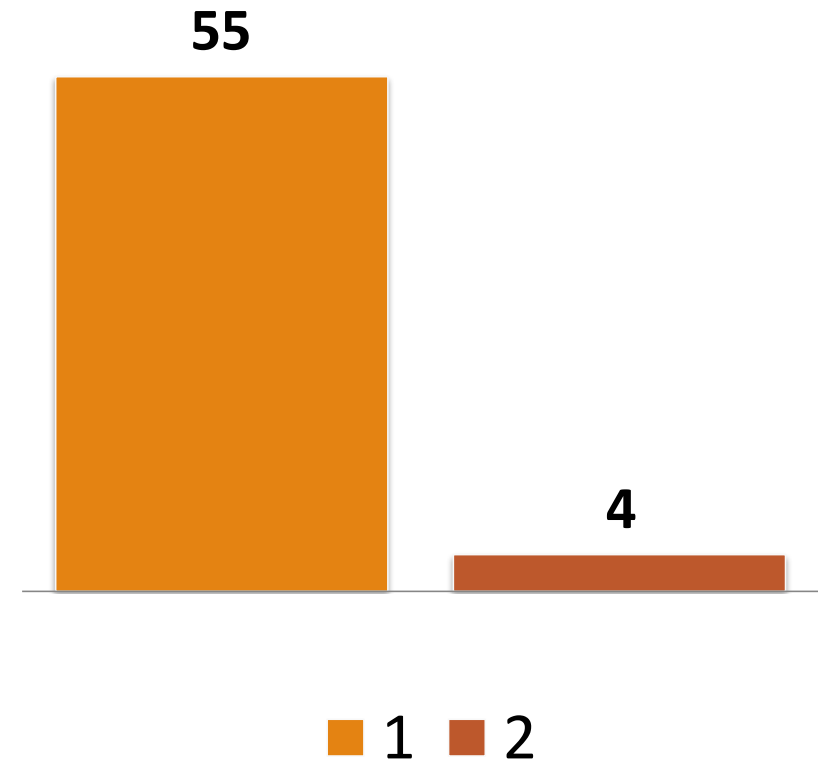


Accumulation of trash and debris



Is there an issue with trash and debris in the Village of Indiantown?

1. YES
2. NO



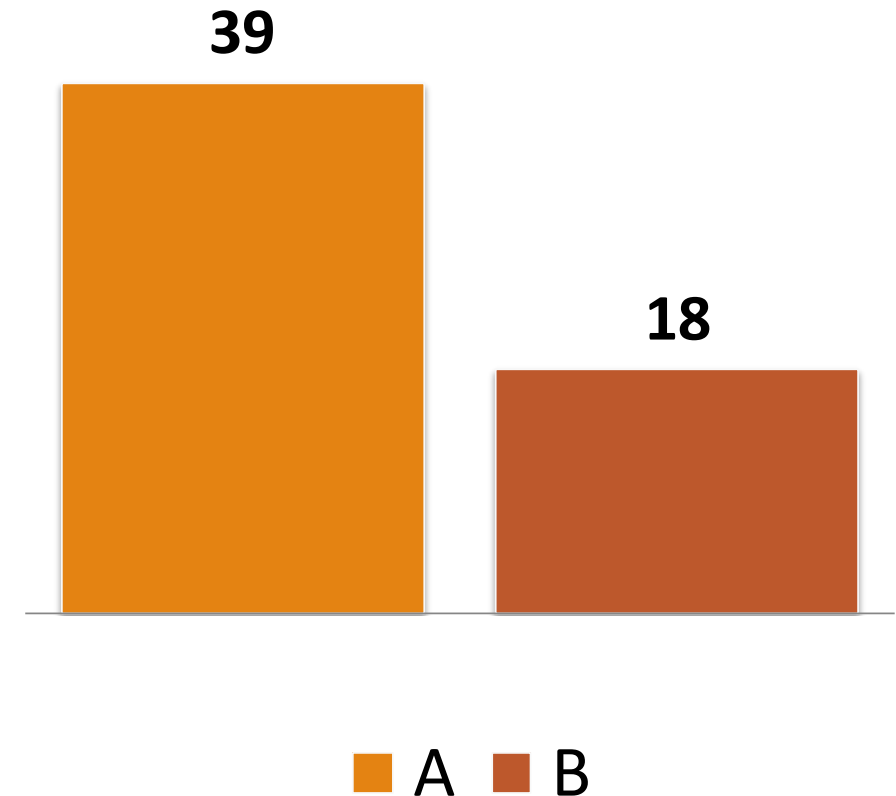
COMMERCIAL VEHICLES



Are commercial vehicles parked in residential areas a concern in the Village of Indiantown?

A) YES

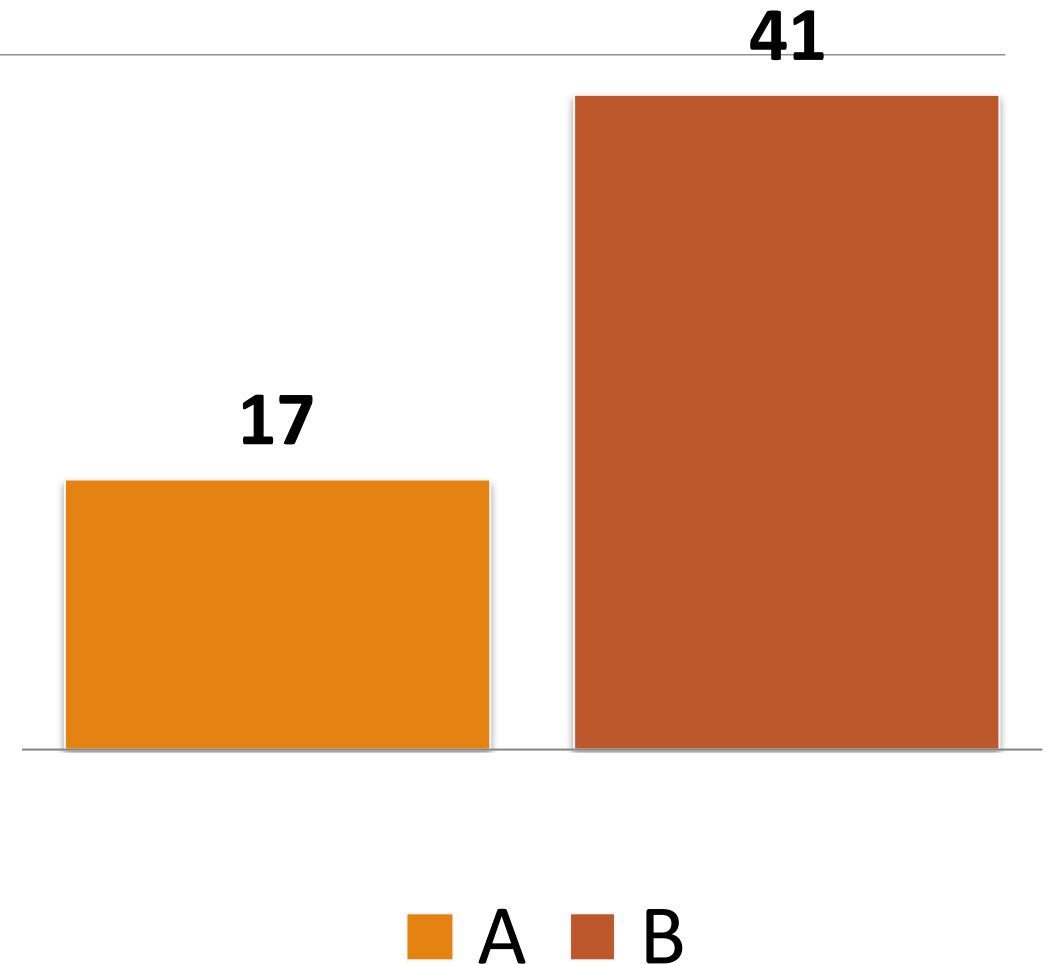
B) NO



Should commercial vehicles park in residential areas?

A) YES

B) NO



Truck Weight

Class One: 6,000 lbs. or less



Full Size Pickup



Mini Pickup



Minivan



SUV



Utility Van

Class Two: 6,001 to 10,000 lbs.



Crew Size Pickup



Full Size Pickup



Mini Bus



Minivan



Step Van



Utility Van

Class Three: 10,001 to 14,000 lbs.



City Delivery



Mini Bus



Walk In

Class Four: 14,001 to 16,000 lbs.



City Delivery



Conventional Van



Landscape Utility



Large Walk In

Class Five: 16,001 to 19,500 lbs.



Bucket



City Delivery



Large Walk In

Class Six: 19,501 to 26,000 lbs.



Beverage



Rack



School Bus



Single Axle Van



Stake Body

Cargo Capacity

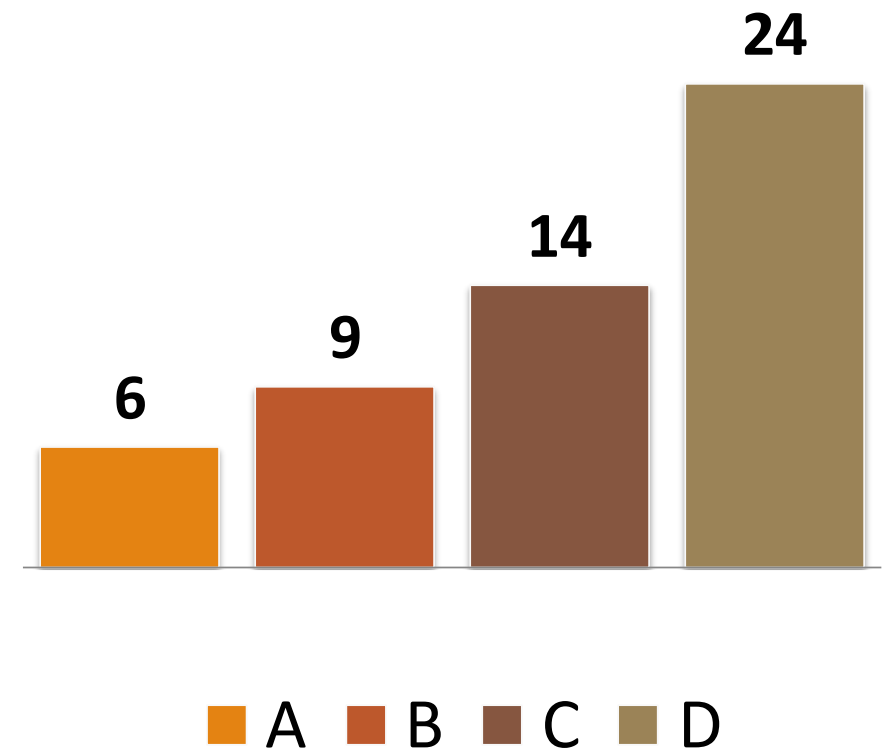
Half-ton examples- Ford F-150, Ram 1500 and Chevrolet Silverado 1500

Three-quarter-ton examples- Ford Super Duty F-250, Ram 2500 and Chevrolet Silverado 2500

One-ton examples- Ford Super Duty F-350, Ram 3500 and Chevrolet Silverado 3500

If the Village prohibits commercial vehicles parked in residential areas, how should “commercial vehicle” be defined? (Choose one)

- A) “A commercial vehicle is defined as a vehicle having more than four wheels, OR more than two axles, OR over eight feet in height OR more than 22 feet in length.”
- B) “A commercial vehicle is defined as a vehicle over 11,000 lbs.”
- C) “Commercial vehicle is any vehicle designed, intended or used for transportation of goods or things, other than private passenger vehicles and recreational vehicles.”
- D) “Commercial vehicles are defined as; one or more commercial vehicle or commercial trailer, not to exceed a one-ton (2204 pounds) cargo capacity”*

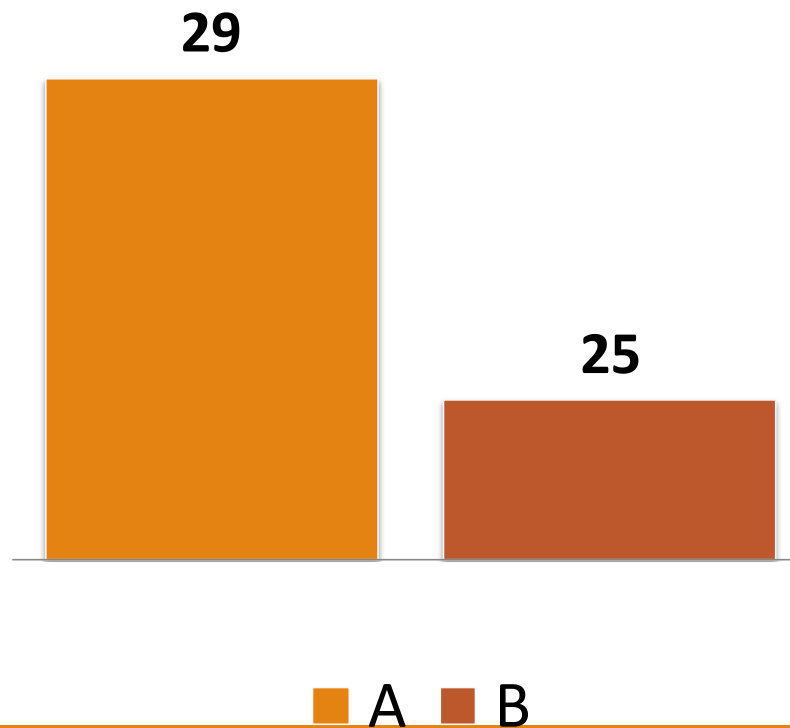




Are barnyard animals (for example; poultry, pigs, sheep) in residential areas an issue in the Village of Indiantown?

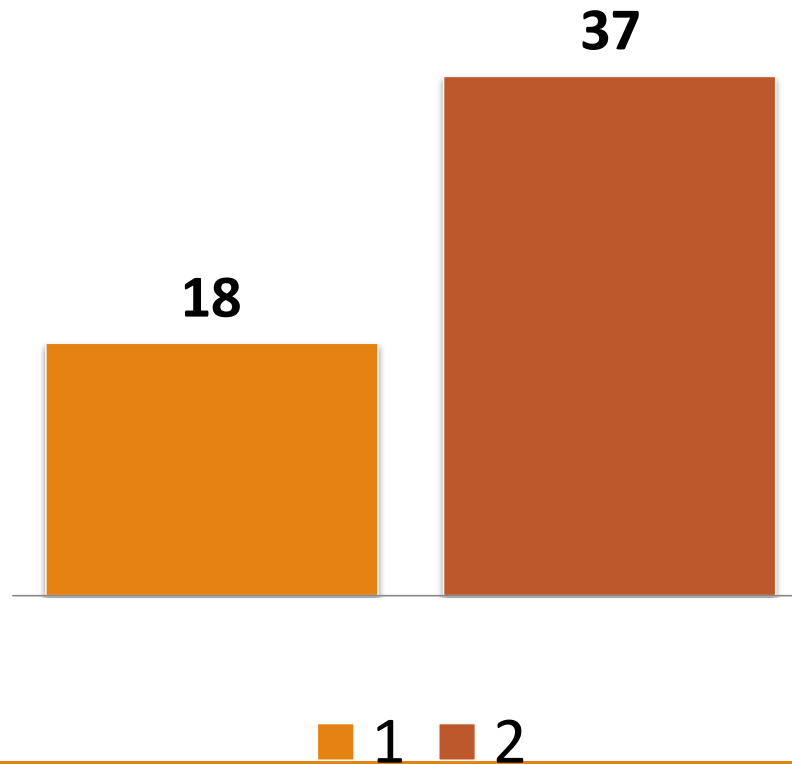
A) YES

B) NO



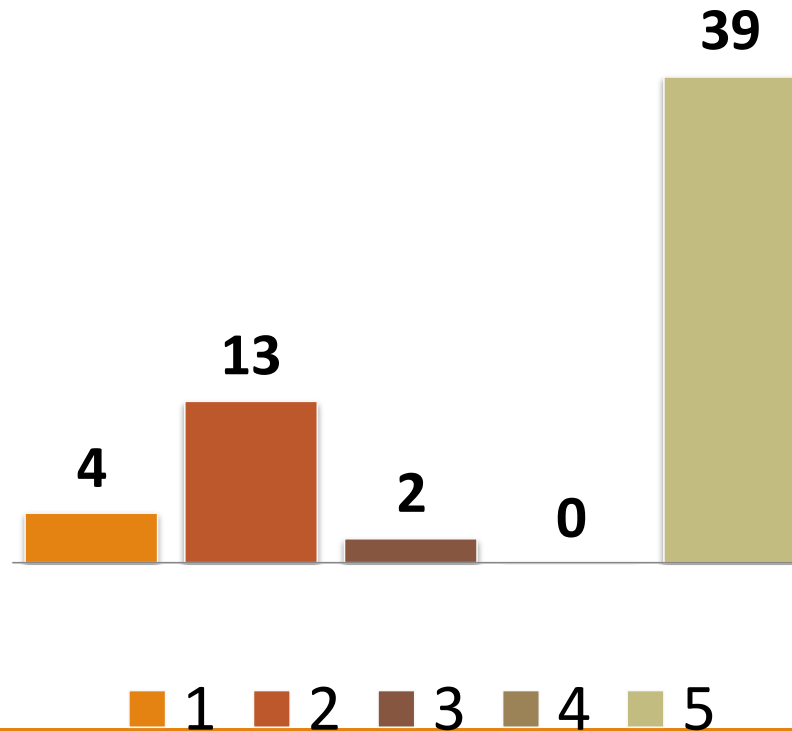
Should the Village allow certain types of barn yard animals in residentially zoned areas?

1. YES
2. NO



If the Village permits barnyard animals in the residential areas in Indiantown, what animals would be reasonable? Pick one

1. PIGS
2. HENS
3. GOATS
4. SHEEP
5. NONE

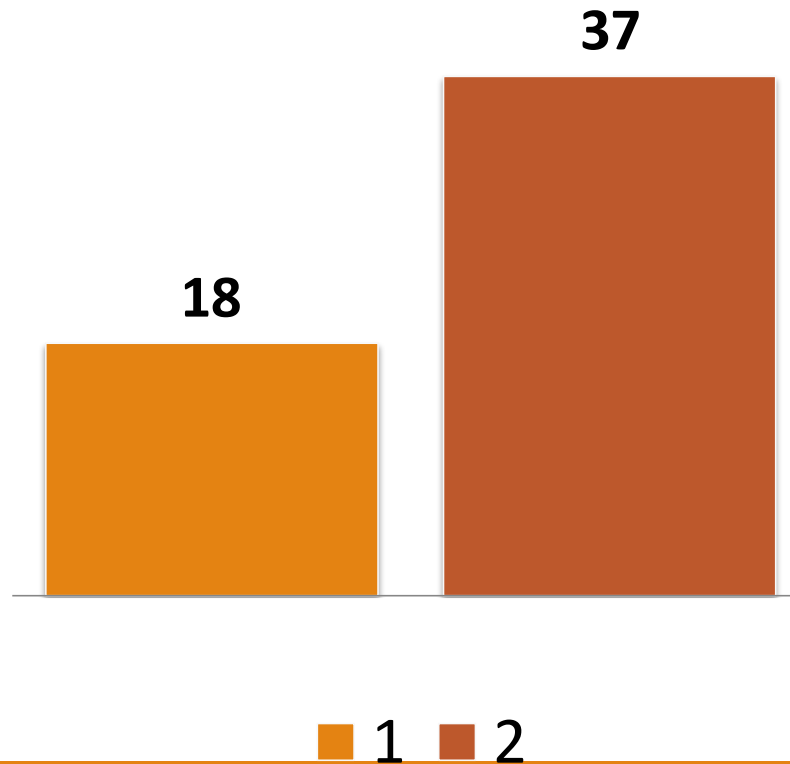


SIGN CLUTTER



Does the Village of Indiantown have an issue with sign clutter?

1. YES
2. NO



Dilapidated homes (homes in need of repairs)





Broken window and damaged fences



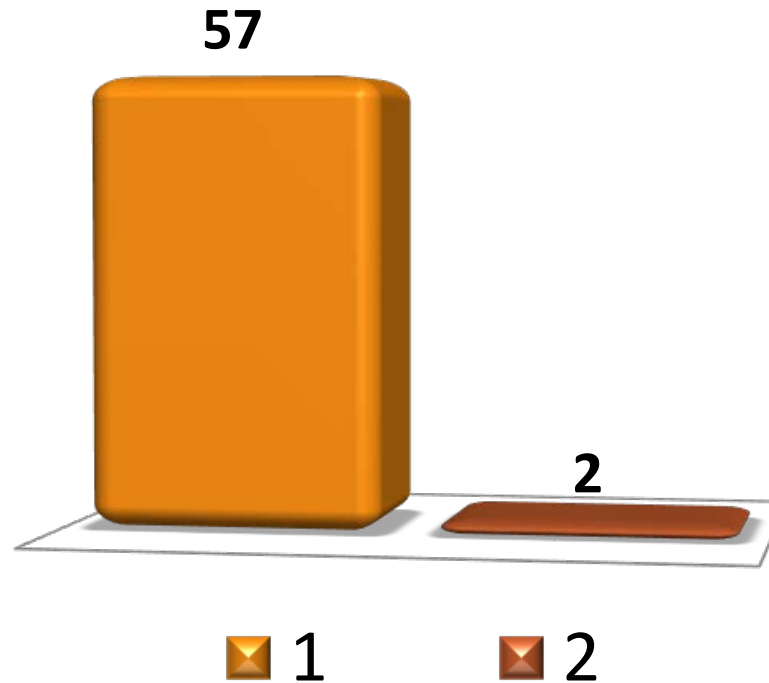


Hurricane Shutters



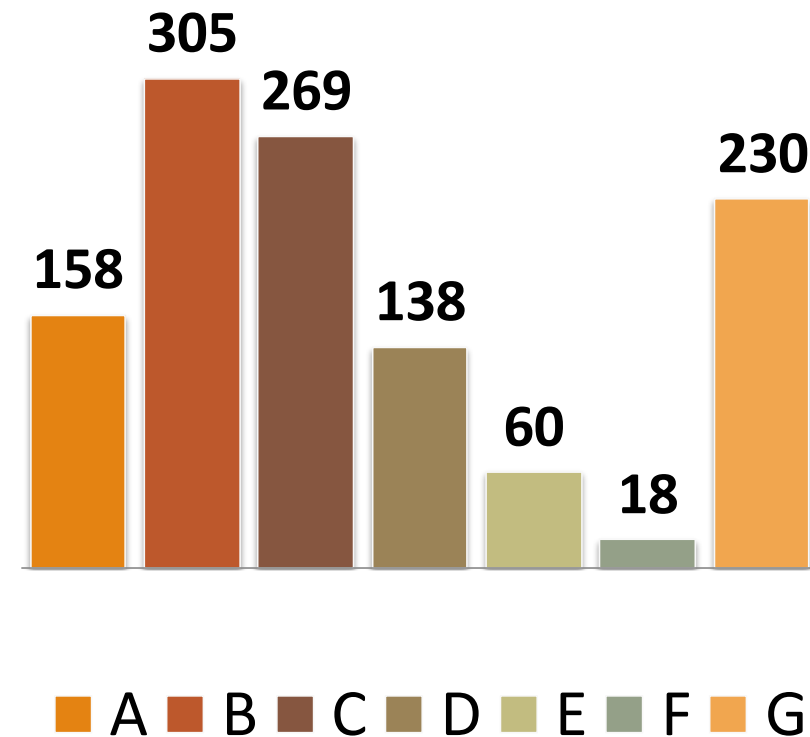
Structures should have functioning roofs, fences, exterior walls, windows, foundation, doors, sanitary drainage, electrical and running water.

1. AGREE
2. DISAGREE



What code violations should the Village of Indiantown prioritize? (Pick your top three)

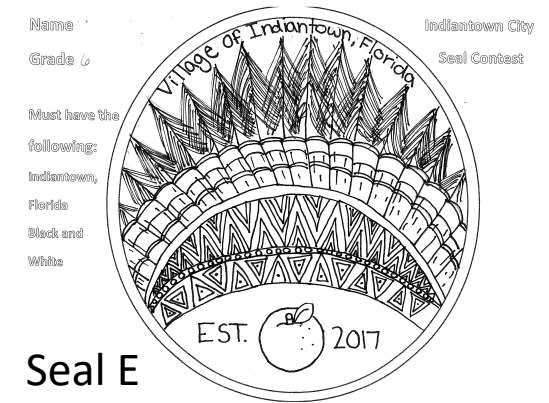
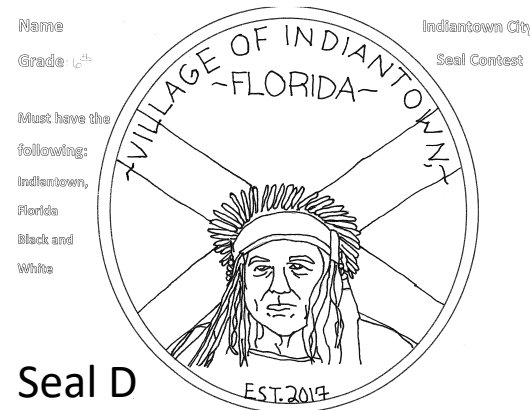
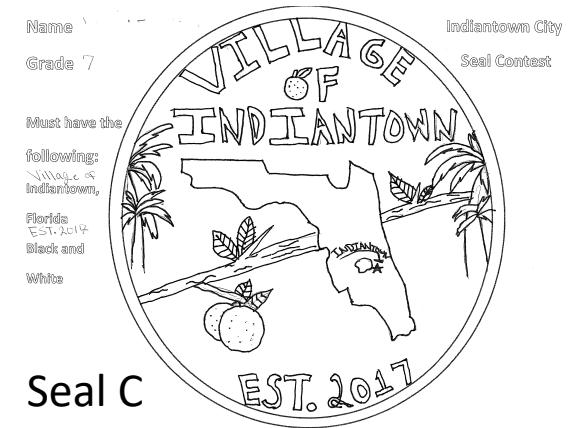
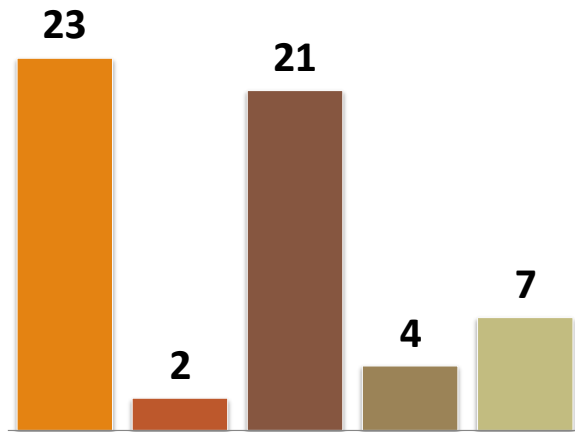
- A) High grass and weeds
- B) Inoperable and Abandoned Vehicles
- C) Accumulation of trash and debris
- D) Commercial Vehicles parked in residential areas
- E) Barnyard Animals
- F) Signage Clutter
- G) Maintenance of Structures



0

Please choose the Village seal that symbolizes the uniqueness and spirit of Indiantown.

- A) Seal A
- B) Seal B
- C) Seal C
- D) Seal D
- E) Seal E



Pueblo de Indiantown

Leyes y Normas del Pueblo

SEMINARIO/FORO
22 DE OCTUBRE, 2018

Porque un Programa de Leyes y Normas?

Ayudar a crear y mantener un ambiente seguro y sano

Prevenir empeoramiento físico y estético de la comunidad

Proteger valores de la propiedad de residentes y negocios

Reducir vandalismo y disuadir el crimen

Para publicar normas de cumplimiento que se basan en la aplicación razonable y consistente de las leyes y ordenanzas estatales y locales

Establecer un marco para la participación de la comunidad para resolver fastidios públicos

Que Es Una Aplicación De Código?

El proceso de prevención, inspección y mitigación de las molestias en las instalaciones públicas y privadas relacionadas con la salud, la seguridad y el bienestar general.

Definidos por la ley Federal/Estatal y las Ordenanzas Locales

La aplicación del código no regula el gusto, las disputas civiles, o las violaciones de HOA

Meta del Programa de la Aplicación De Códigos

Para animar tanto a propietarios residenciales y comerciales a resolver voluntariamente las violaciones de código en su propiedad con el fin de asegurarse de que Indiantown siga siendo una comunidad que sea un lugar limpio y seguro para vivir, trabajar y jugar.



DESCRIPCIÓN DEL PROGRAMA

PROGRAMA INTEGRAL DE TRES PUNTOS:

1. EDUCACIÓN Y COMUNICACIÓN
2. APOYO A TODA LA ORGANIZACIÓN Y A TODA LA COMUNIDAD
3. MEJORAR EL PROGRAMA DE APLICACIÓN DE CÓDIGO TRADICIONAL

Proceso de aplicación de Códigos

1. Educación Comunitaria
2. Verbal/Educación Advertencia
3. Volantes De Puerta/Advertencia Escrita
4. Infracción Ordenanza – Penalización Instantánea
5. Aviso De Violación
6. Código De Aplicación De La Junta Audiencia/Magistrados Audiencia
7. Multas Diarias – Las Sanciones Se Acumulan

Educación Publica

1. Interacciones De La Comunidad
2. La Pagina De La Red
3. Folletos
4. Reuniones Del Ayuntamiento Reuniones Del Vecindario
Comunicados/Comunicación De Prensa

¡ QUEREMOS SABER DE TI! TE QUEREMOS ESCUCHAR!

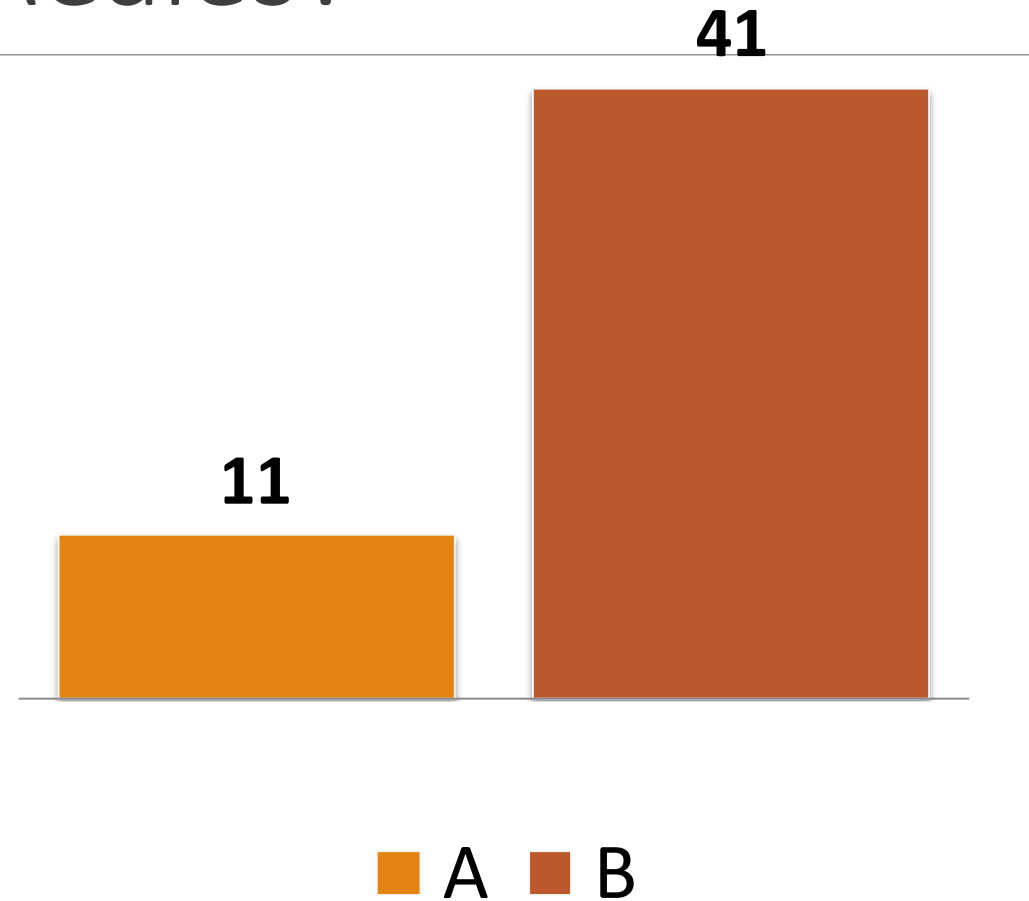
- La Votación Para Determinar Los Deseos de la Comunidad
- Priorizar las Molestias del Vecindario
- La Reacción de la Votación de Hoy Será Presentada al Consejo en Noviembre

ACTUALMENTE EL PUEBLO IMPONE EL CÓDIGO DE ORDENANZAS
DEL CONDADO DE MARTIN

¿Los Unicornios Son Reales?

A) SI

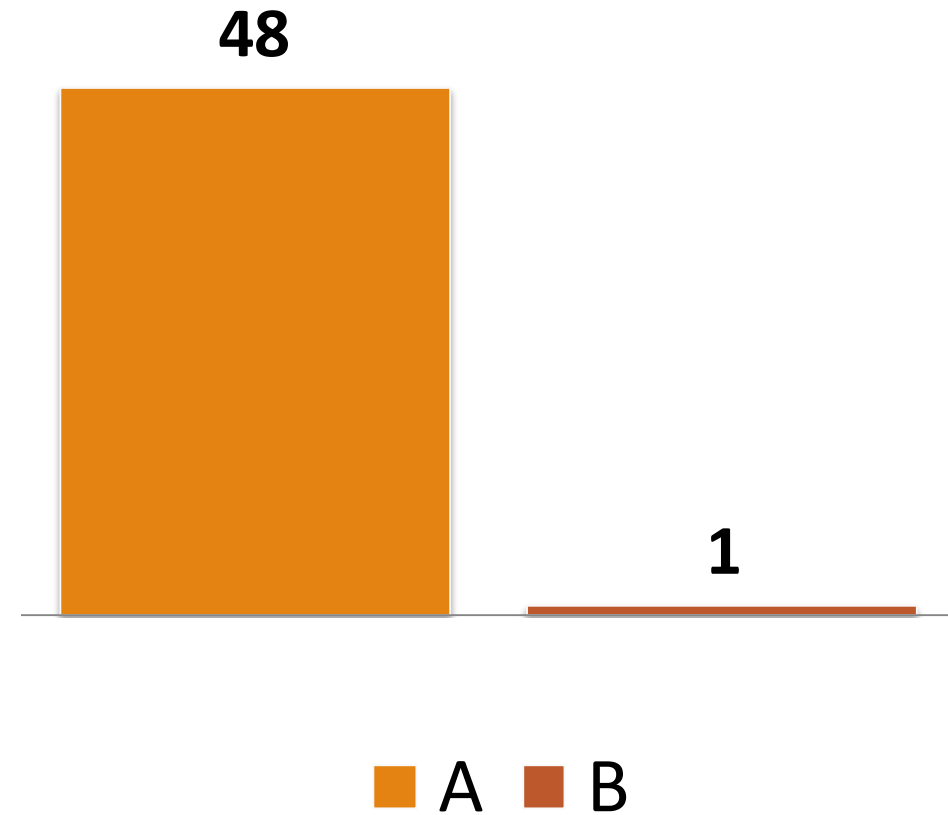
B) NO



¿Estamos en el Año 2018?

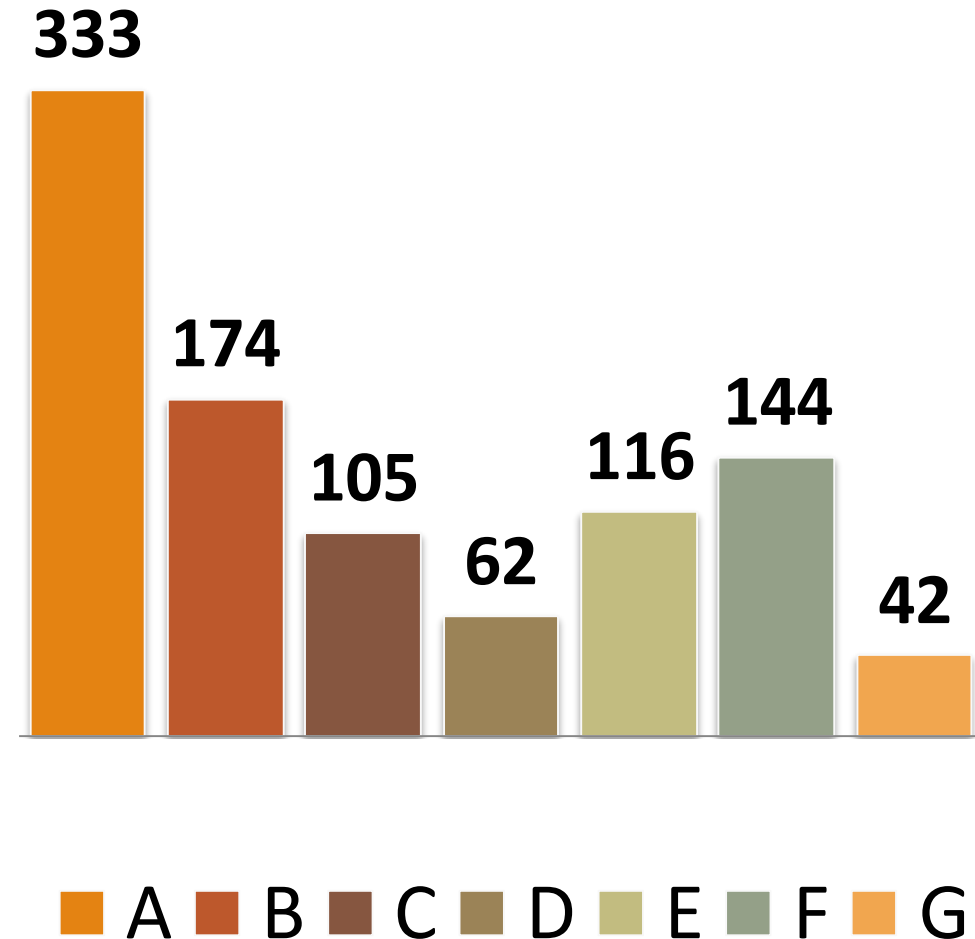
A) Si

B) No



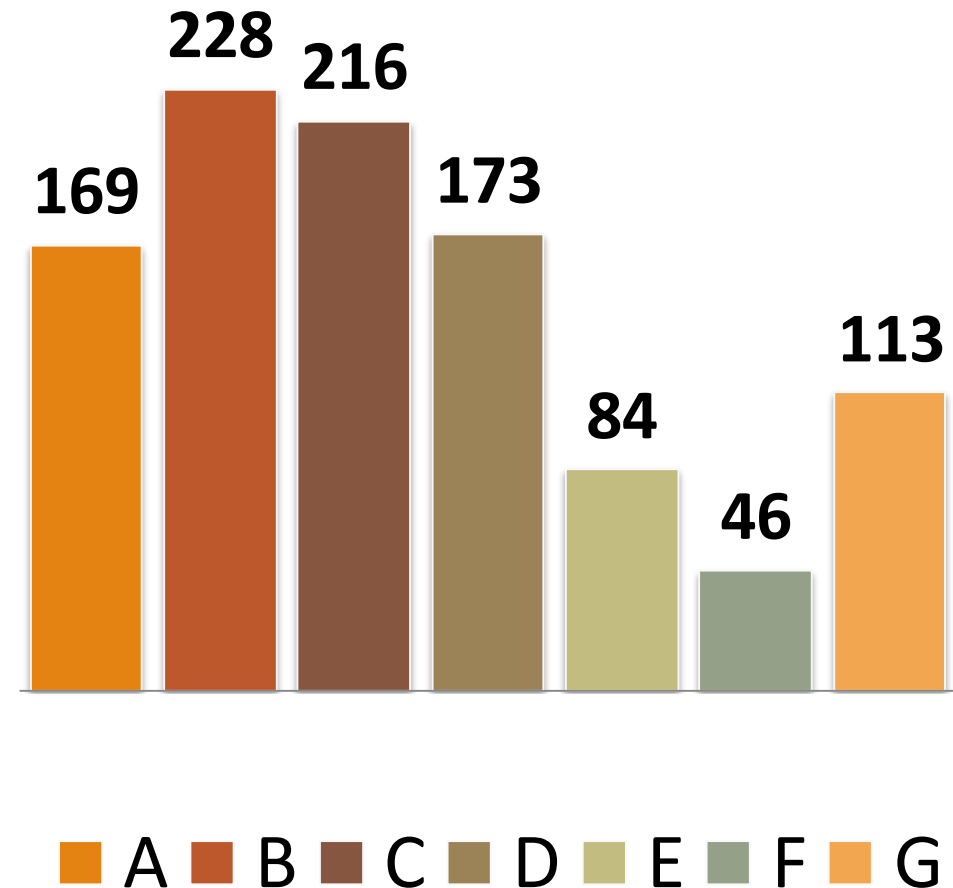
Elija tres de los postres que te gustan mas (de la lista de abajo)

- A. Helado de vainilla
- B. Helado de chocolate
- C. Tarta de cerezas
- D. Tarta de manzana
- E. Pastel de calabaza
- F. Galleta de chocolate
- G. Brownie



¿Qué estipulaciones del código deberían darle prioridad en el Pueblo de Indiantown? (Elijan tres de la lista abajo)

- A. El Césped alto y las hierbas malas
- B. Vehículos inoperables y abandonados
- C. Acumulación de basura y escombros
- D. Vehículos comerciales estacionados en zonas residenciales
- E. Animales de corral
- F. El desorden de carteles
- G. Mantenimiento de estructuras



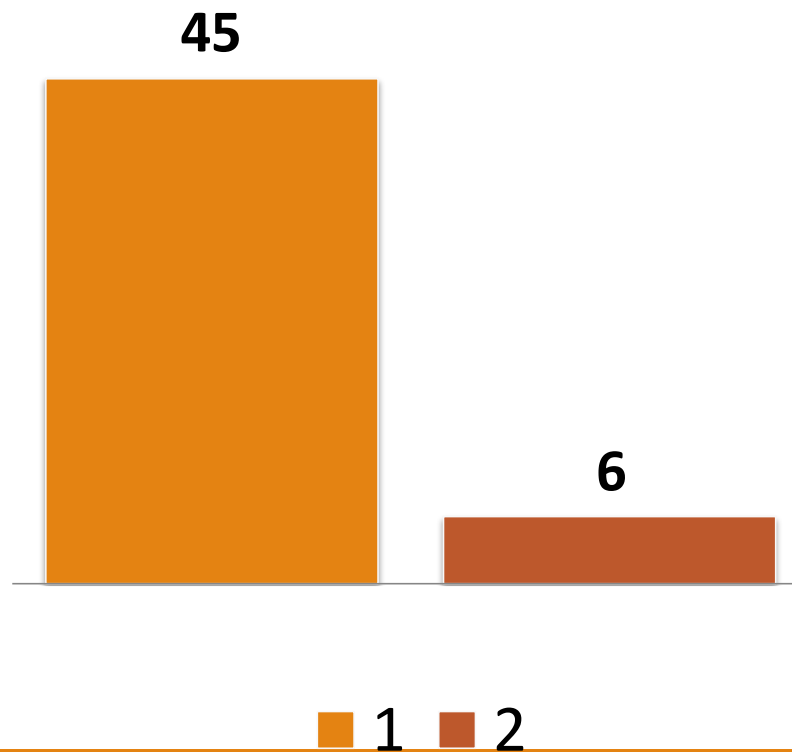


Vehículos Inoperables y Abandonados



¿Son un problema los vehículos inoperables y abandonados en el pueblo de Indiantown?

1. SI
2. NO



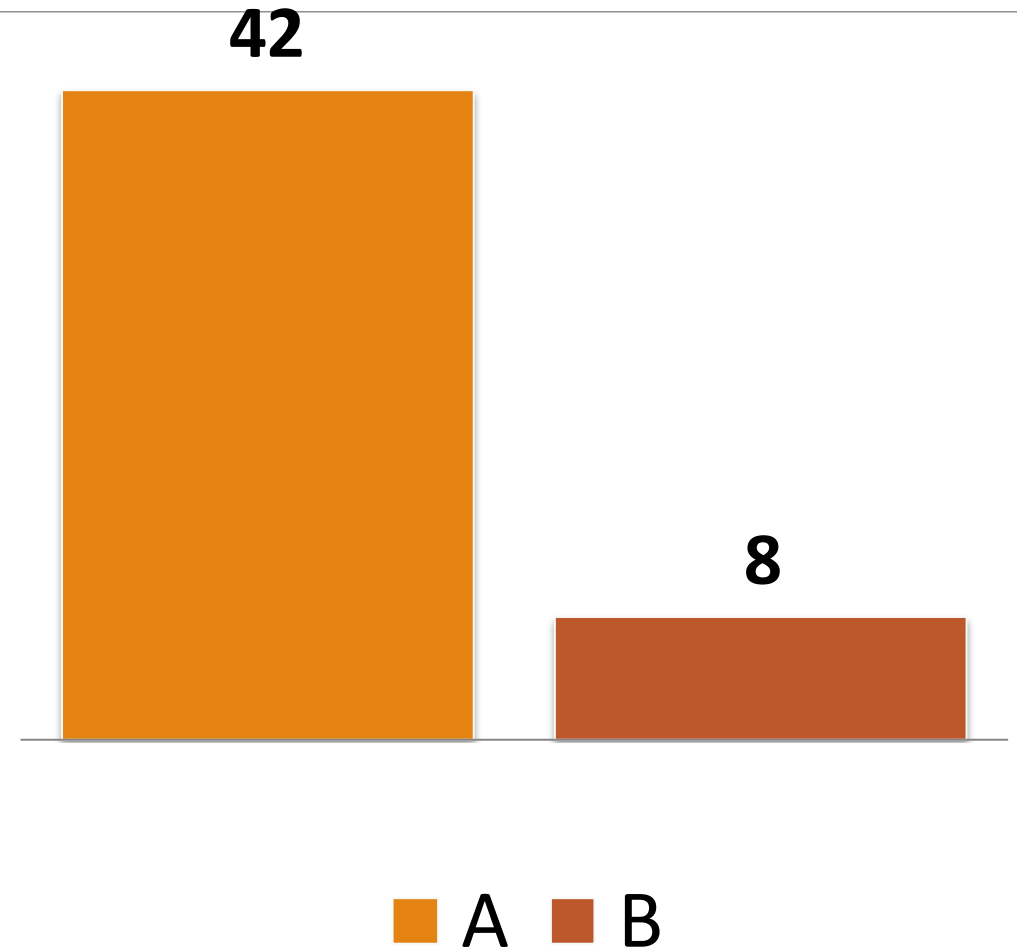
Las Hierbas Malas y el Césped Alto



El césped alto y las malas hierbas son un problema en el Pueblo de Indiantown.

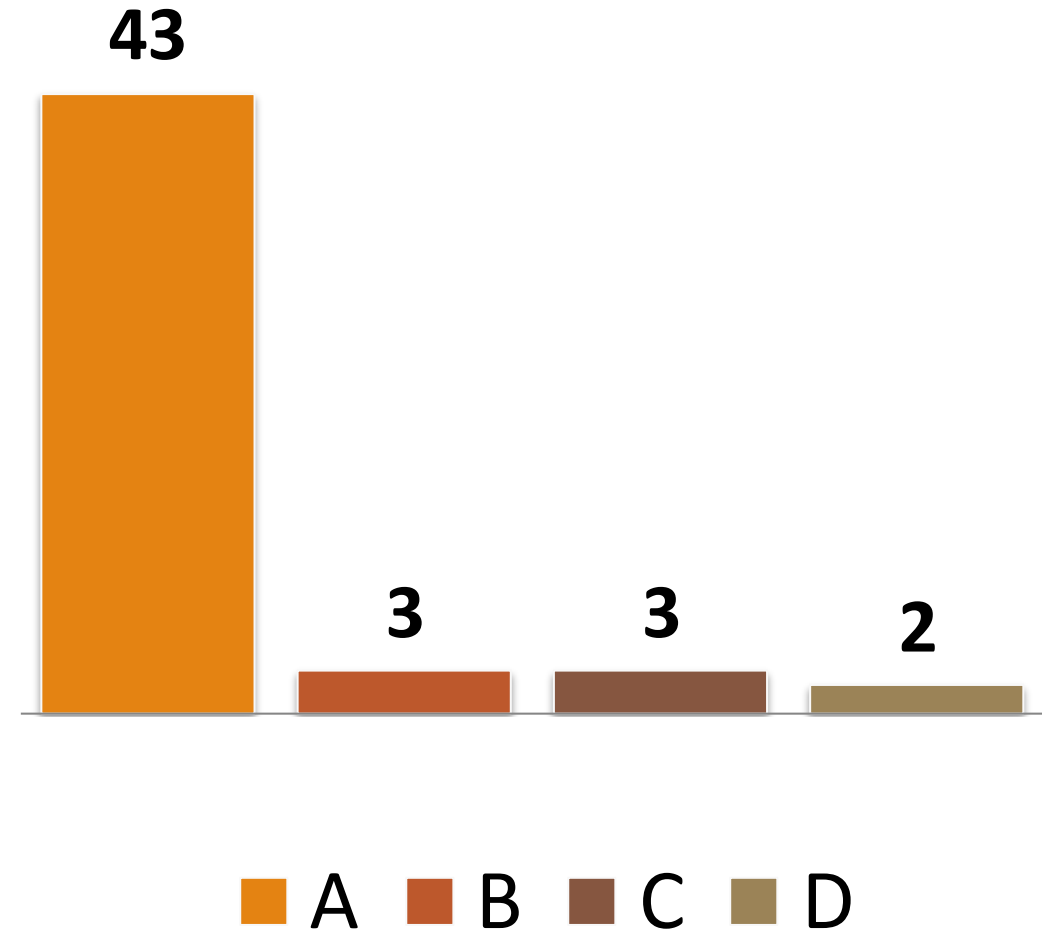
A) SI

B) NO



La altura del césped de la propiedad debe medir no mas de...

- A. 10 pulgadas en altura (largo)
- B. 14 pulgadas en altura (largo)
- C. 18 pulgadas de altura (largo)
- D. No está preocupado por la altura del césped

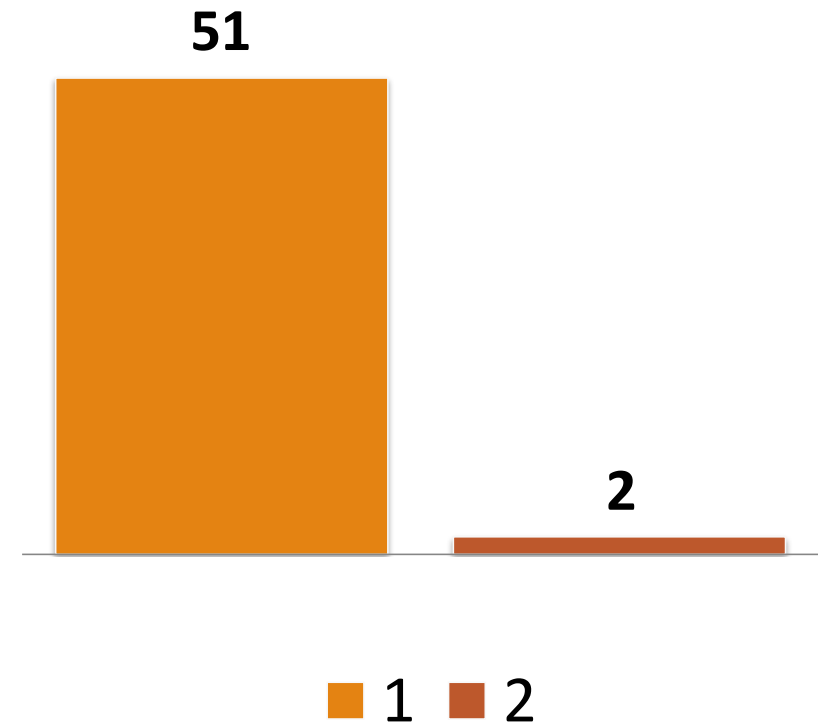


LA ACUMULACIÓN DE BASURA Y DESECHOS



¿Hay un problema con la basura y los desechos en el Pueblo de Indiantown?

1. SI
2. NO



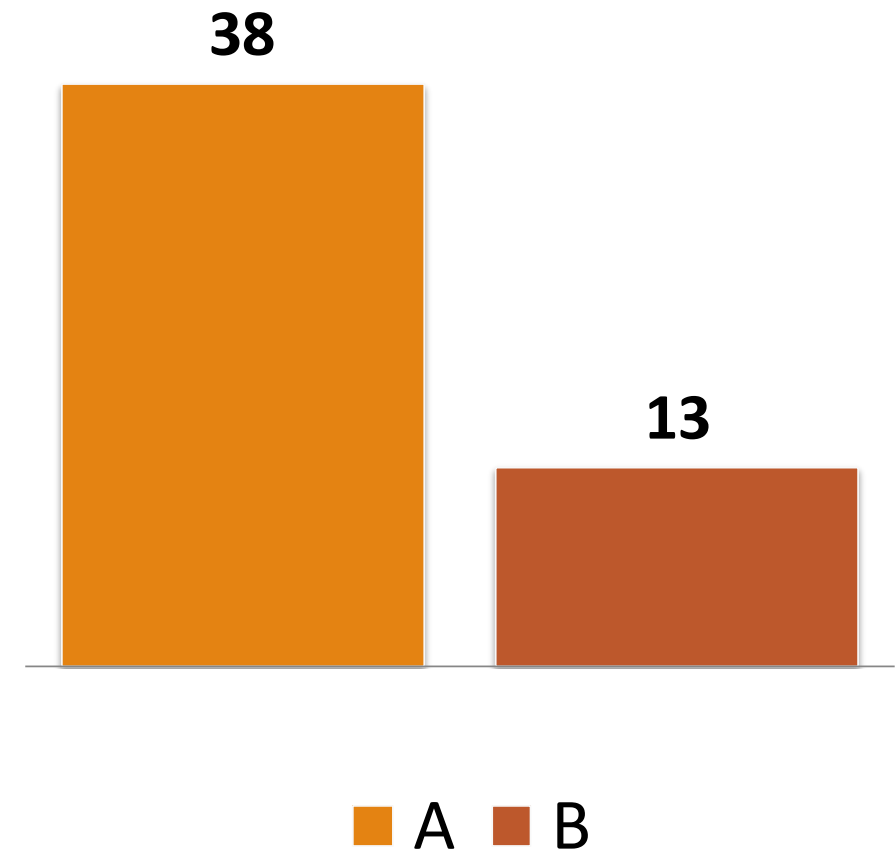
VEHÍCULOS COMERCIALES



¿Son un problema los vehículos comerciales estacionados en las zonas residenciales en el pueblo de Indiantown?

A) SI

B) NO

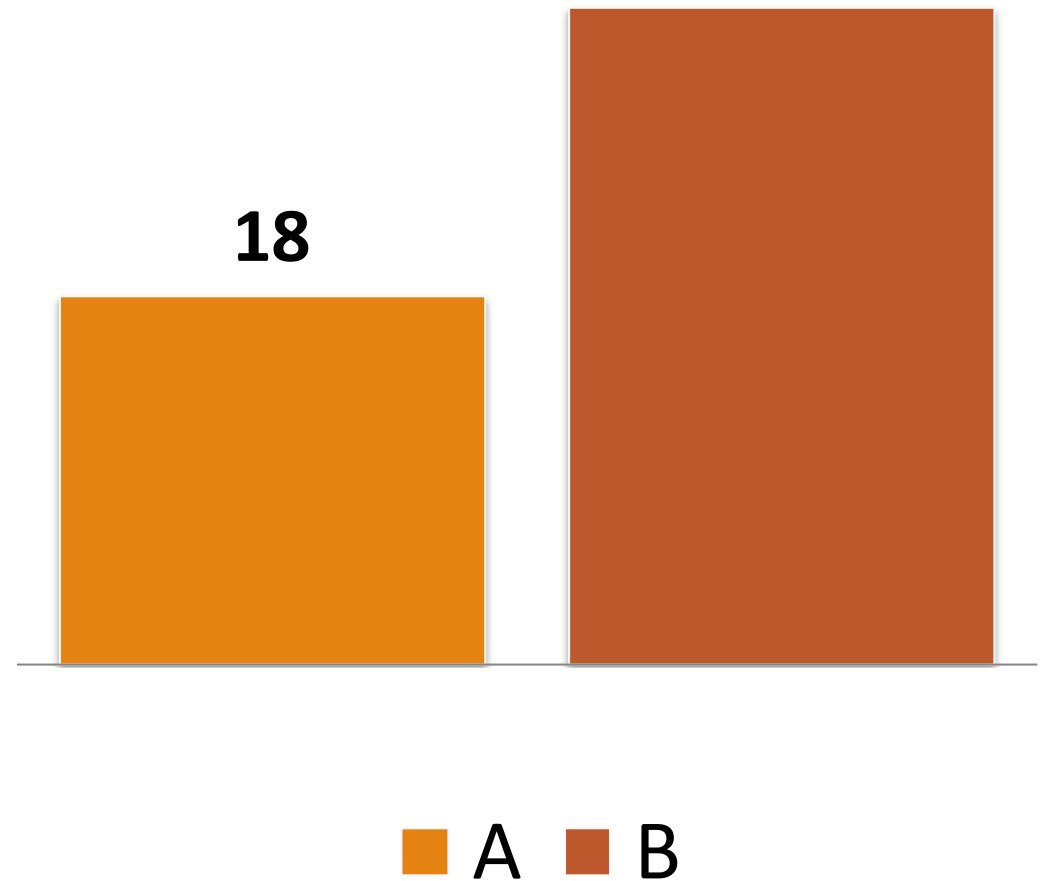


¿Deberían estacionar los vehículos comerciales en barrios residenciales?

32

A) SI

B) NO



Peso del Vehículo

Class One: 6,000 lbs. or less



Full Size Pickup



Mini Pickup



Minivan



SUV



Utility Van

Class Two: 6,001 to 10,000 lbs.



Crew Size Pickup



Full Size Pickup



Mini Bus



Minivan



Step Van



Utility Van

Class Three: 10,001 to 14,000 lbs.



City Delivery



Mini Bus



Walk In

Class Four: 14,001 to 16,000 lbs.



City Delivery



Conventional Van



Landscape Utility



Large Walk In

Class Five: 16,001 to 19,500 lbs.



Bucket



City Delivery



Large Walk In

Class Six: 19,501 to 26,000 lbs.



Beverage



Rack



School Bus



Single Axle Van



Stake Body

Capacidad de Carga

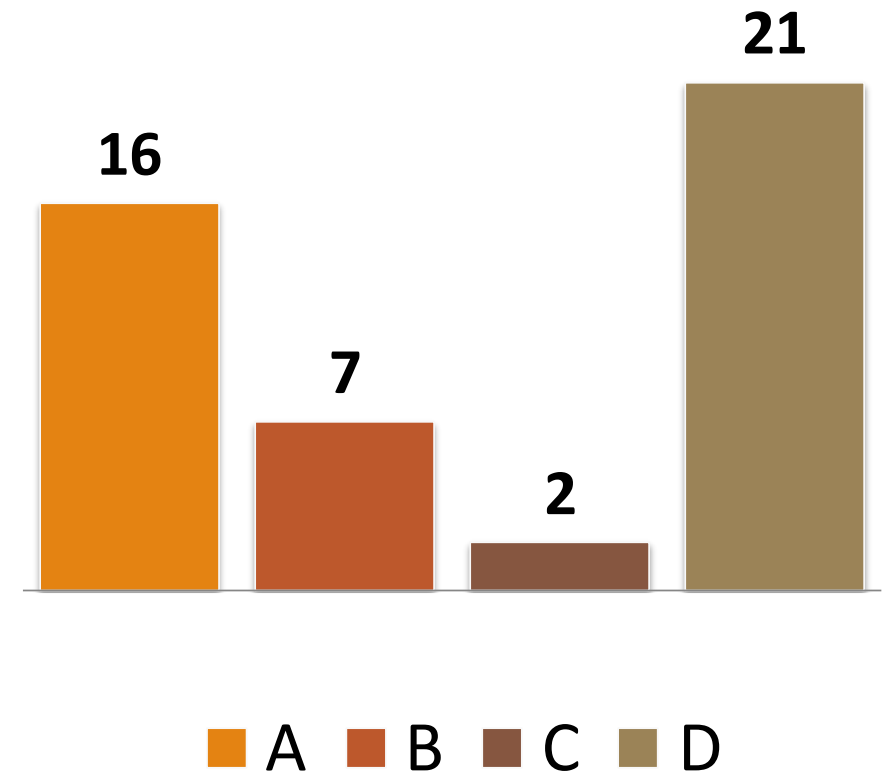
Media tonelada ejemplos- Ford F-150, Ram 1500 y Chevrolet Silverado 1500

Tres-cuarto de tonelada ejemplos- Ford Super Duty F-250, Ram 2500 y Chevrolet Silverado 2500

Uno-tonelada ejemplos- Ford Super Duty F-350, Ram 3500 y Chevrolet Silverado 3500.

Si el pueblo prohíbe estacionar a los vehículos comerciales en zonas residenciales, ¿Cómo se debe definir el "vehículo comercial"? (Elija uno)

- A) "Un vehículo commercial se define como un vehículo que tiene más de cuatro ruedas, o más de dos ejes, o más de ocho pies de altura o más de 22 pies de largo."
- B) "Un vehículo commercial se define como un vehículo de más de 11.000 lbs."
- C) "El vehículo commercial es cualquier vehículo diseñado, previsto o utilizado para el transporte de mercancías o de cosas, con excepción de vehículos de pasajero privados y de vehículos de recreación."
- D) "Los vehículos comerciales se definen como; uno o más vehículos comerciales o remolques comerciales, no exceder una capacidad de carga de una tonelada (2204 libras)"*

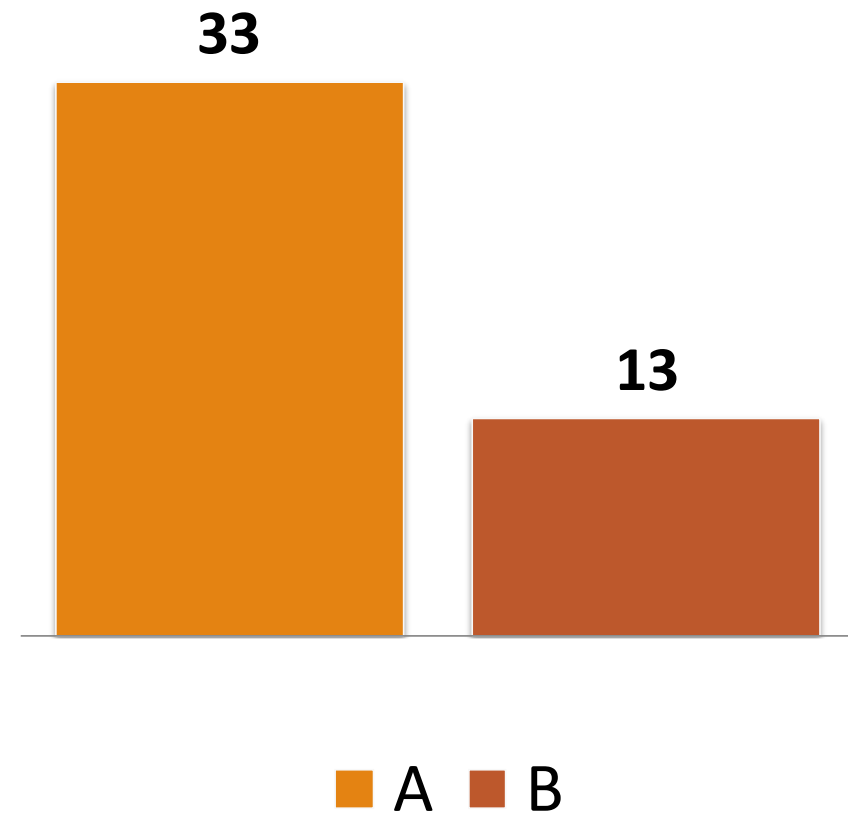




¿Los animales de corral son un problema en áreas residenciales en el pueblo de Indiantown?(Por ejemplo; aves de corral, cerdos, y ovejas)

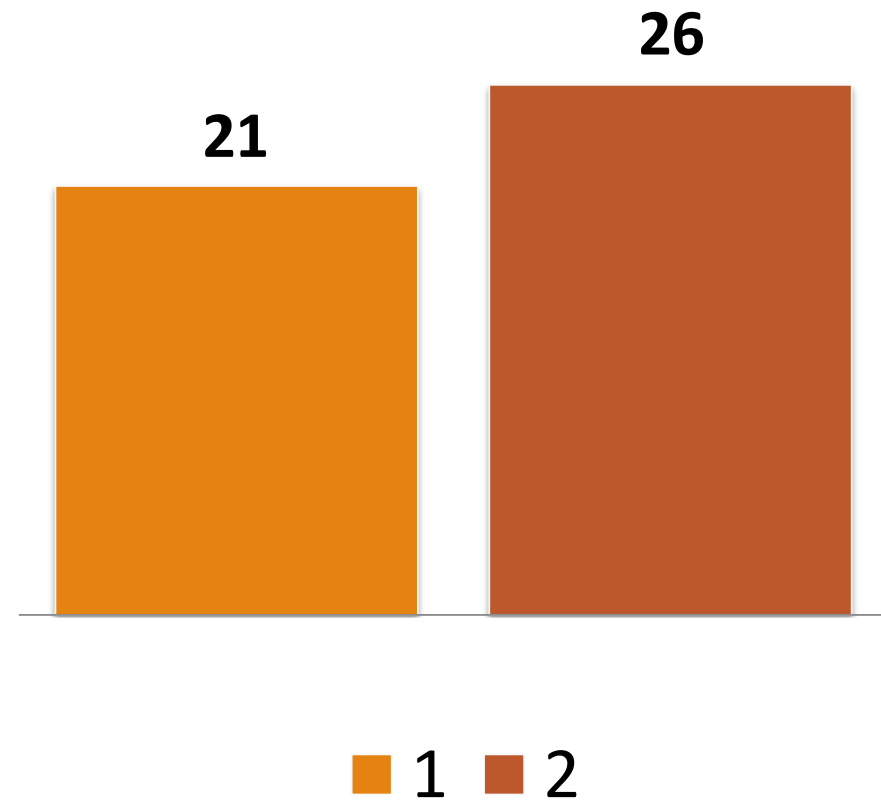
A) SI

B) NO



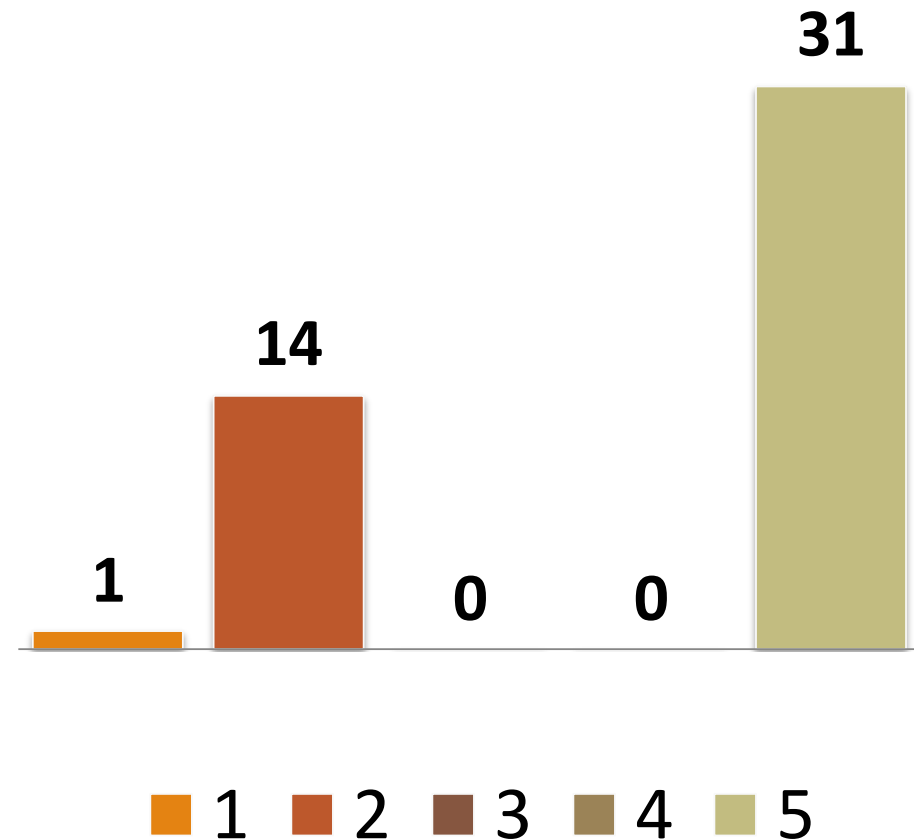
¿ El pueblo debería permitir ciertos tipos de animales de corral en zonas residenciales?

1. SI
2. NO



¿Si el Pueblo permite animales de corral en los barrios residenciales en Indiantown, qué animales serían razonables? Elija uno

1. Los cerdos
2. Las gallinas
3. Las cabras
4. Ovejas
5. Ninguno

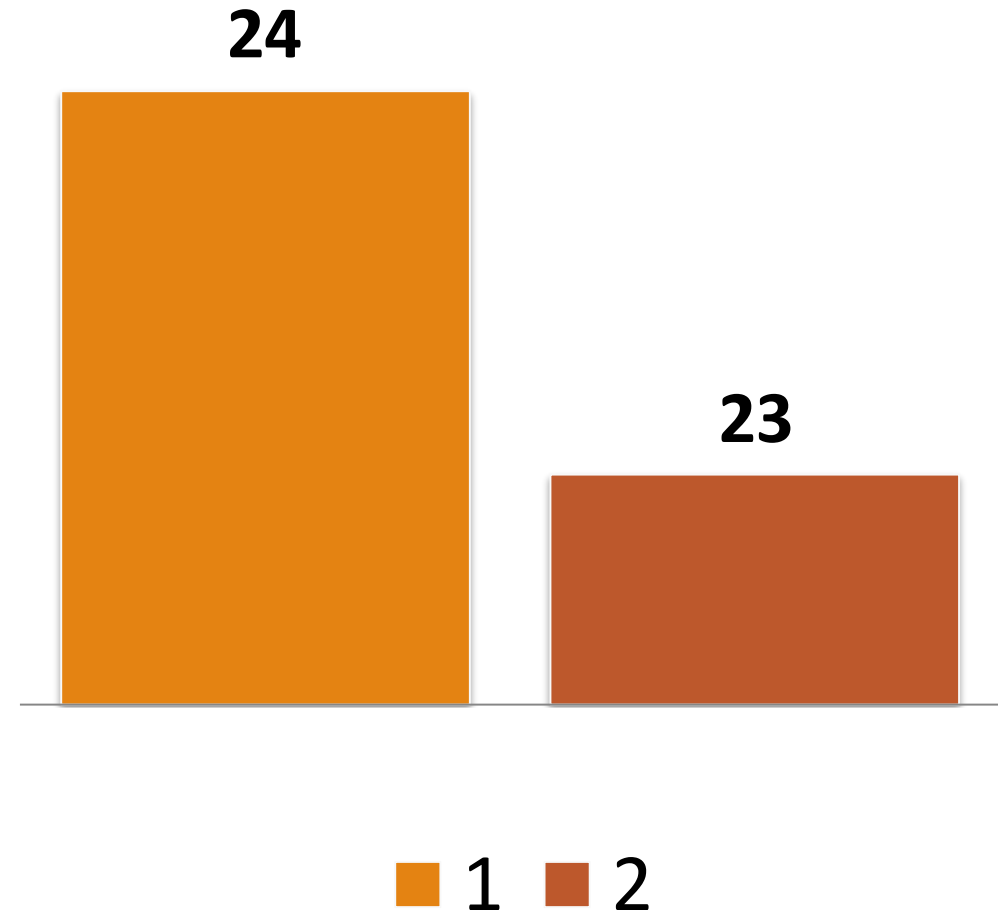


Desorden de Carteles



¿El Pueblo de Indiantown tiene un problema con el desorden de carteles?

1. SI
2. NO



Casas En Ruinas/Deterioradas (Casas Con Necesidad De Reparaciones)





Ventana Rota y Vallas Dañadas



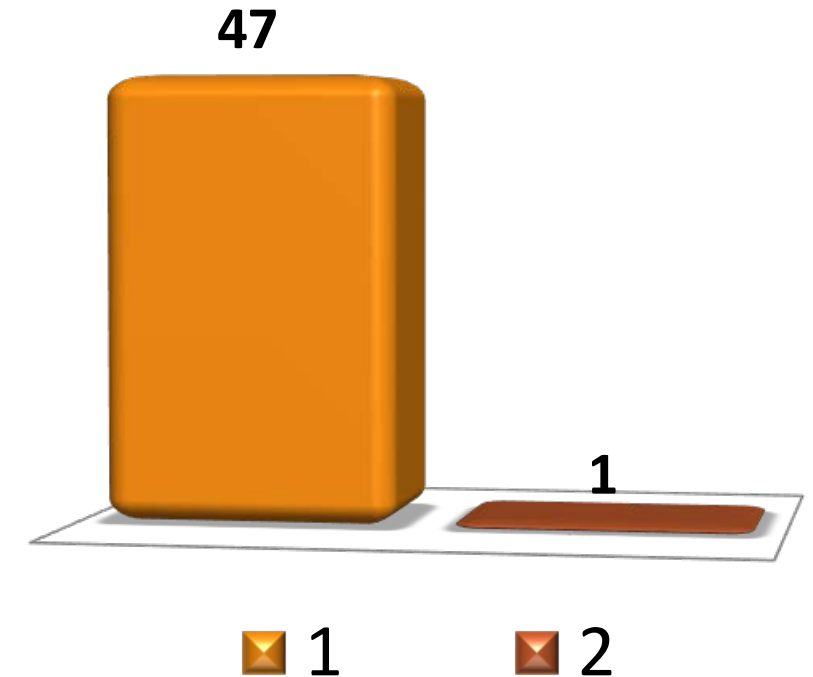


Contraventanas Para Huracanes



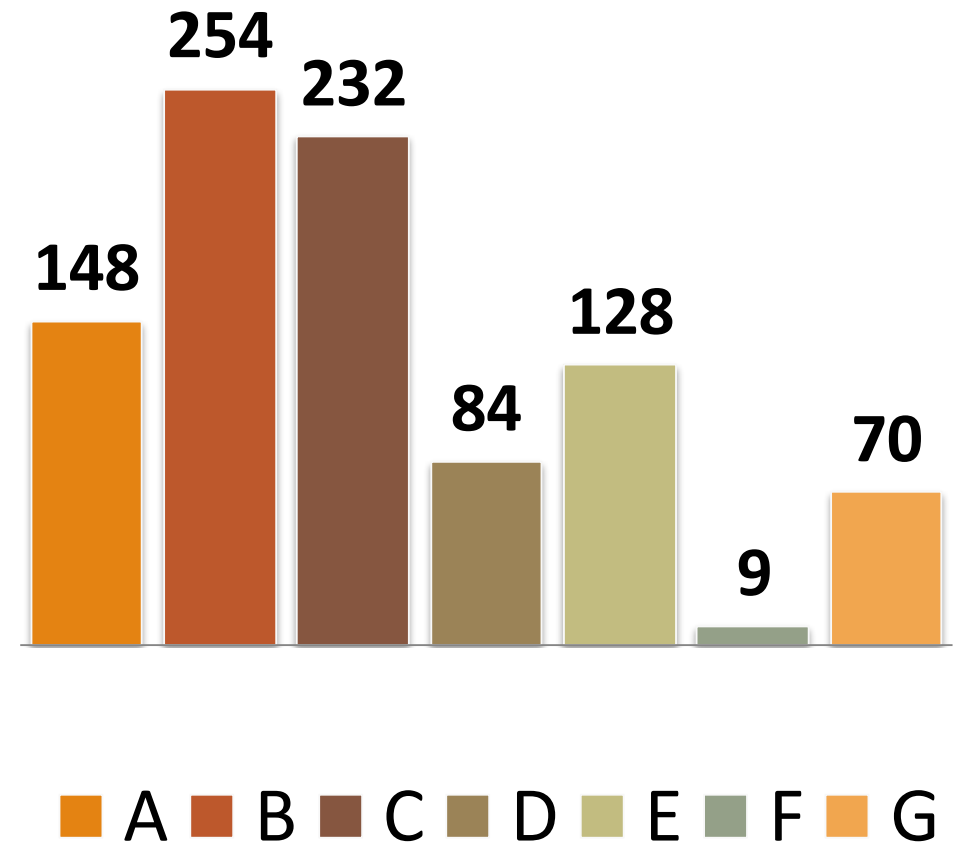
Las estructuras deben tener techos que funcionan, vallas, paredes exteriores, ventanas, fundación, puertas, drenaje sanitario, electricidad y agua corriente.

1. Estar De Acuerdo
2. No Esta de Acuerdo



¿Qué violaciones de código deberían priorizar en el Pueblo de Indiantown? (Elija sus primeros tres)

- A) Césped Alto Y Hierbas/Plantas Malas
- B) Vehículos Inoperables Y Abandonados
- C) Acumulación De Basura Y Escombros/Desechos
- D) Vehículos Comerciales Estacionados En Zonas Residenciales
- E) Animales De Corral
- F) Desorden De Carteles
- G) Mantenimiento De Estructuras



Por favor elija el sello del Pueblo que simboliza la singularidad y el espíritu de Indiantown.

- A) Sello A
- B) Sello B
- C) Sello C
- D) Sello D
- E) Sello E

