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AGENDA ITEM SUMMARY

MEETING DATE: December 9, 2024

AGENDA ITEM NO.: 8

FOR:

City of Weston Indian Trace Development District Bonaventure Development District

TITLE:

An Ordinance of the City of Weston, Florida, amending the Code of Ordinances of the City, creating Section 95.07, "Homeowners' Association Construction Staging Areas;" and providing for an effective date.

Public Hearing and First Reading

SUMMARY EXPLANATION & BACKGROUND:

Amending the City Code by creating Section 95.07 to allow a Homeowners' Association to temporarily utilize a designated portion of Association property as a staging area during periods of approved construction.

REQUESTED ACTION: Approval

EXHIBITS (LIST): (i) Ordinance, and (ii) Business Impact Estimate

PREPARED BY:

Jamie Alan Cole, City Attorney

PETITIONER/REPRESENTATIVE:

Not Applicable

RECOMMENDED FOR CONSIDERATION BY:

Donald P. Decker, City Manager
Karl C. Thompson, P.E.,
Assistant City Manager/COO
Jamie Alan Cole, City Attorney

FUNDING SOURCE:

Not Applicable

VOTING REQUIRED FOR PASSAGE:

Majority Majority Plus One Unanimous

COMMISSION ACTION:

	M	2	Y	N		
					Approved as presented	
Commissioner Andrade					Approved as amended	
Vice Mayor Mead					Approved with conditions	
Commissioner Molina-Macfie					Continued to	
Commissioner Jaffe					Deferred to	
Mayor Brown					To deny	

**CITY OF WESTON, FLORIDA
ORDINANCE NO. 2024-__**

AN ORDINANCE OF THE CITY OF WESTON, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY, CREATING SECTION 95.07, TO BE ENTITLED "HOMEOWNERS' ASSOCIATION CONSTRUCTION STAGING AREAS;" AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, First, the City Commission desires to revise the City Code by creating Section 95.07 to allow a Homeowners' Association to temporarily utilize a designated portion of Association property as a staging area during periods of approved construction; and

WHEREAS, Second, the City Commission finds that it is in the best interest of the City to adopt this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Weston, Florida:

Section 1. The foregoing Whereas clauses are ratified and incorporated as the legislative intent and factual findings underlying this Ordinance.

Section 2. Amendment to Chapter 95.

Chapter 95, "Property Maintenance" of the Code of Ordinances of the City of Weston, is amended to read as follows:

§ 95.07 HOMEOWNERS' ASSOCIATION CONSTRUCTION STAGING AREAS.

Notwithstanding any other provisions in the City Code to the contrary, the City Manager may, in his or her sole discretion, allow a Homeowners' Association to temporarily utilize a designated portion of Association Property as a staging area during periods of approved Construction for which the Homeowners' Association has been issued a permit by the City, subject to any time, location and other restrictions as determined by the City Manager.

Section 3. Codification.

It is the intention of the City Commission that the provisions of this Ordinance become and be made part of the City Code, and that the Sections of this Ordinance and Code may be renumbered or relettered and the word "ordinance" may be changed to "section" or such other appropriate word or phrase to accomplish such intentions.

Section 4. Severability.

Should any section, paragraph, sentence, clause, phrase or other part of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole or any portion thereof, other than the part so declared to be invalid.

Coding: underlined words are additions to existing text, ~~struck through~~ words are deletions from existing text, **shaded** text reflects changes made from First Reading.

1 **Section 5. Conflict.**

2
3 That all Sections or parts of Sections of the Code of Ordinances, all Ordinances or parts of
4 Ordinances, and all Resolutions, or parts of Resolutions, in conflict with this Ordinance are repealed
5 to the extent of such conflict.

6
7 **Section 6. Effective Date.**

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9 This Ordinance shall become effective upon passage and adoption.

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11 PASSED ON FIRST READING _____

12
13 PASSED AND ADOPTED ON SECOND READING _____

14
15
16 CITY COMMISSION
17 CITY OF WESTON, FLORIDA

18
19
20 By _____
21 Margaret Brown, Mayor

22 ATTEST:

23
24
25 _____
26 Patricia A. Bates, City Clerk

27
28 Approved as to form and legality
29 for the use of and reliance by the
30 City of Weston only:

31
32 _____
33 Jamie Alan Cole, City Attorney

Roll Call:
Commissioner Andrade _____
Vice Mayor Mead _____
Commissioner Molina-Macfie _____
Commissioner Jaffe _____
Mayor Brown _____

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BUSINESS IMPACT ESTIMATE¹

Meeting Date: 12/09/2024

Agenda Item No. 8

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

An Ordinance of the City of Weston, Florida, amending the Code of Ordinances of the City, creating Section 95.07, to be entitled "Homeowners' Association Construction Staging Areas;" and providing for an effective date.

Public Hearing and First Reading

Estimate of Direct Economic Impact on Private/For Profit Businesses

a. Estimate of Direct Business Compliance Costs:

None

b. New Charges/Fees on Businesses Impacted:

None

c. Estimate of Regulatory Costs:

None

Good Faith Estimate of Number of Businesses Likely Impacted:

None

Any Additional Information:

N/A

¹ Business Impact Estimate does not apply to the following:

1. Ordinances required for compliance with federal or state law or regulation;
2. Ordinances related to the issuance or refinancing of debt;
3. Ordinances relating to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
4. Ordinances required to implement a contract/agreement;
5. Emergency ordinances;
6. Ordinances relating to procurement;
7. Ordinances enacted to implement the following:
 - a. Part II of Chapter 163, F.S.;
 - b. Sec. 190.005, F.S. and Sec. 190.046, F.S.;
 - c. Sec. 553.73, F.S. (Fla. Building Code);
 - d. Sec. 633.202, F.S. (Fla. Fire Prevention Code).