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**ORDINANCE NO. 2018-05**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF HILLSBORO BEACH, FLORIDA, AMENDING THE TOWN'S CODE OF ORDINANCES BY AMENDING CHAPTER 12 ENTITLED THE "LAND DEVELOPMENT CODE", BY SPECIFICALLY AMENDING SECTION 12-267 ENTITLED "SWIMMING POOLS, POOL PATIOS AND DECKS"; PROVIDING FOR REMEDIATION TO ADDRESS ISSUES THAT ADVERSELY AFFECT THE QUALITY OF LIFE ENJOYED BY THE TOWN'S RESIDENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town Commission has determined that it is in the Town's best interest to address issues that adversely affect the quality of life enjoyed by the Town's residents; and

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF HILLSBORO BEACH, FLORIDA THAT:**

**Section 1.** The foregoing "Whereas" clause is hereby ratified and confirmed as being true and correct and is hereby made a part of this Ordinance.

**Section 2.** Chapter 12 of the Code of Ordinances is hereby amended by specifically amending Section 12-264 entitled "*Swimming pools, pool patios and decks*" which shall read as follows:

**Section 12-264 Swimming pools, pool patios and decks.**

(A) Location.

(1) Swimming pools (including, but not limited to jacuzzis, spas, hot tubs and the like) shall be permitted in all districts. They shall be constructed no closer than 15 feet to any side property line, or 45 feet to the center line of State Highway A1A.

(2) They shall not extend east of the easterly building line or closer than 15 feet to the easterly right-of-way line of the Intracoastal Waterway, or 15 feet east of any seawall erected east of this line.

(3) All measurements are to be made horizontally from the water's edge of the swimming pool to the specific reference point listed above.

(B) Fuel storage. Fuel for pool heaters, heating systems and generators may be stored either above the ground or underground. Fuel storage units installed above the ground shall be subject to the setback requirements otherwise set forth in the town's Code of Ordinances.

(C) Pool inspection. No pools shall be filled with water prior to approval, unless required by the building department for testing purposes. Pools shall be inspected, approved and filled prior to issuance of certificate of occupancy.

(D) Patios. Flat and open patios with no footings may extend 15 feet east of the easterly building line and to the easterly right-of-way line of the Intracoastal Waterway.

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2 (E) All swimming pools, jacuzzis, hot tubs, spas and fountains shall be maintained in such a manner  
3 that the operating equipment, such as pumps and filters shall be fully operational at all times.

4  
5 (F) All swimming pools, jacuzzis, hot tubs, spas and fountains shall be properly maintained and not  
6 allow for the accumulation of vegetative matter and/or debris. All swimming pools shall be maintained to  
7 provide for clarity of the water such that the bottom of the pool at the deepest point is clearly visible from  
8 the edge of the pool.

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10 **Section 3.** If any section, subsection, sentence, clause or provision of this Ordinance is held  
11 invalid, the remainder of this Ordinance shall not be affected by such invalidity.

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13 **Section 4.** That all ordinances or parts of ordinances and all resolutions or parts of resolutions  
14 in conflict with this Ordinance are repealed to the extent of such conflict.

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16 **Section 5.** It is the intention of the Town Commission of the Town of Hillsboro Beach, that  
17 the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of Town of  
18 Hillsboro Beach, Florida, and the Sections of this ordinance may be renumbered, re-lettered and the word  
19 "Ordinance" may be changed to "Section," "Article," or such other word or phrase in order to accomplish  
20 such intention.

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22 **Section 6.** This Ordinance shall be effective fifteen (15) days after its passage and adoption  
23 by the Town Commission of the Town of Hillsboro Beach.

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25 PASSED AND ADOPTED BY THE TOWN COMMISSION OF THE TOWN OF HILLSBORO  
26 BEACH, FLORIDA, ON FIRST READING, THIS 2<sup>nd</sup> DAY OF OCTOBER, 2018.

PASSED ADOPTED BY THE TOWN COMMISSION OF THE TOWN OF HILLSBORO BEACH,  
FLORIDA, ON SECOND AND FINAL READING, THIS 13 DAY OF NOVEMBER 2018.

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30 By: Deborah L. Tarrant  
31 Deborah L. Tarrant, Mayor

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33 ATTEST:

34  
35 By:

Sherry D. Henderson  
36 Sherry D. Henderson, CMC Town Clerk

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38  
39 APPROVED AS TO FORM:

40  
41  
42 Donald J. Doody  
43 Donald J. Doody, Town Attorney



Order ID: 5951000

\* Agency Commission not included

**GROSS PRICE \* :** \$103.05

**PACKAGE NAME: SSC Notice of Public Meeting**

**Product(s):** Sun Sentinel, Affidavit, Floridapublicnotices.com, Classified.ss.com\_Legal

**AdSize(s):** 1 Column

**Run Date(s):** Monday, October 29, 2018

**Color Spec.** B/W

**Preview**

**TOWN OF HILLSBORO BEACH  
PUBLIC HEARING**

Swimming Pools Amendment  
Tuesday, November 13, 2018 at 9:00am

Notice is hereby given that prior to the Town of Hillsboro Beach Commission's consideration of the Second Reading of Ordinance 2018-05, a Public Hearing will be held on Tuesday, November 13, 2018 at 9:00 a.m. in the Town Hall, located at 1210 Hillsboro Mile, Hillsboro Beach, FL 33062.

TOWN OF HILLSBORO BEACH, FLORIDA

ORDINANCE NO. 2018-05

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF HILLSBORO BEACH, FLORIDA, AMENDING THE TOWN'S CODE OF ORDINANCES BY AMENDING CHAPTER 12 ENTITLED THE "LAND DEVELOPMENT CODE", BY SPECIFICALLY AMENDING SECTION 12-267 ENTITLED "SWIMMING POOLS, POOL PATIOS AND DECKS"; PROVIDING FOR REMEDIATION TO ADDRESS ISSUES THAT ADVERSELY AFFECT THE QUALITY OF LIFE ENJOYED BY THE TOWN'S RESIDENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

All interested parties may appear at said meeting and be heard with respect to the proposed Ordinance, which may be inspected by the public in the Office of The Town Clerk, Town Hall, 1210 Hillsboro Mile, Hillsboro Beach, FL 33062

Sherry D. Henderson, CMC Town Clerk  
10/29/2018