

ORDINANCE NO. 2026-03

AN ORDINANCE OF THE TOWN OF JUPITER INLET COLONY, FLORIDA; AMENDING ARTICLE I OF CHAPTER 4 OF THE CODE OF ORDINANCES RELATING TO BUILDINGS AND BUILDING REGULATIONS; PROVIDING FOR IMPLEMENTATION, PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Commission for the Town of Jupiter Inlet Colony (the “Town”) recognizes that changes to the Town’s Code of Ordinances (the “Code”) are periodically necessary to ensure that the Town’s regulations and policies are current and consistent with Florida statutory law, the Florida Building Code, Rules and Regulations promulgated by the Florida Department of Environmental Protection, amendments to the Town’s Charter, and in the interest of the Town’s planning and operational needs;

WHEREAS, in 2026, the Florida Legislature adopted HB 803, which served to amend numerous Florida statutes and which requires the amendment of certain provisions contained in Art. I of Chapter 4 of the Code;

WHEREAS, Section 125.572, Fla. Stat., and Florida Department of Environmental Protection Rule 62-308.100 adopt minimum standards for the installation of synthetic turf and provide limitations with respect to ordinances local governments may enact pertaining to synthetic turf;

WHEREAS, the Town desires to amend Art. I of Chapter 4 of the Town’s Code in order to comply with the amendments provided by HB 803, Section 125.572, Fla. Stat., Rule 62-308.100, amendments to the Town’s Charter, and in the best interest of the Town’s planning and operational needs;

WHEREAS, for the reasons set forth above, the Town has determined that the amendments to the Town’s Code contained in this ordinance conform with Florida law and are in the best interest of the public and the citizens of the Town;

NOW THEREFORE, BE IT ENACTED by the Town Commission of the Town of Jupiter Inlet Colony, Florida, as follows:

SECTION 1. Recitals. The foregoing recitals (“WHEREAS” clauses) are hereby incorporated herein by reference.

SECTION 2. Article I of Chapter 4 of the Code of Ordinances of the Town of Jupiter Inlet Colony, Florida, is amended to read as follows:

Sec. 4-1. Adoption of Florida Building Code; amendments.

- (a) The Florida Building Commission has adopted the Florida Building Code, which contains or incorporates by reference all laws and rules that pertain to and govern the design, construction, erection, alteration, modification, repair, and demolition of public and private buildings and structures, and the enforcement of such laws and rules. The initial adoption of, and any subsequent update or amendment to, the Florida Building Code by the Florida Building Commission, as amended, is hereby adopted for use without adoption by the ~~the~~ Town pursuant to F.S. § 553.73(6), and is incorporated into the Town Code as if fully set forth herein.
- (b) It is the intent of this section to maintain the highest standards for building and construction in the Town of Jupiter Inlet Colony. Therefore, in the event of a conflict between the standards and requirements of the several codes hereby adopted, the more stringent provision shall prevail.
- ~~(c) All flashing shall be copper metal unless copper metal is physically incompatible with the roofing material.~~

Sec. 4-1.1. Schedule of permit fees on all buildings, structures, or alterations requiring a building permit; other fees.

- (a) *Schedule of permit fees.* The permit fee for all buildings, structures or alterations requiring a building permit shall be established by resolution duly adopted by the ~~the~~ Town ~~Commission~~.
- (b) *Other fees.* Fees for plumbing and electrical permits for new construction or remodeling, repairs, installation, or other changes shall be established by resolution duly adopted by the ~~the~~ Town ~~Commission~~. Fees for moving a building, structural pest control and demolition shall be established by resolution duly adopted by the ~~the~~ Town ~~Commission~~.
- (c) ~~(1) A surcharge shall be assessed at the rate determined by the Florida Administrative Code and Florida Statutes, as amended. ~~of one and one-half (1.5) percent of all permit fees to be allocated equally to fund the Florida Homeowners' Construction Recovery Fund and the Building Code Administrators and Inspectors Board. The minimum amount collected on any permit issued shall be two dollars (\$2.00).~~~~
~~(2) A surcharge shall be assessed at the rate of one and one-half (1.5) percent of all permit fees to be allocated to the State of Florida Department of Community Affairs to administer and carry out the purposes of the Florida Building Code. The minimum amount collected on a permit issued shall be two dollars (\$2.00).~~

- ~~(3) The town shall retain ten percent of the surcharge(s) collected to fund participation in the national and state building code adoption processes and to provide education related to the enforcement of the Florida Building Code.~~
- (d) *Zoning review fee.* A zoning review fee in an amount established by resolution of the ~~†Town~~ ~~e~~Commission shall be collected on all submittals of plans for a building permit that require review by the building and zoning committee.

Sec. 4-2. Term of building permits; ~~fill, removal or regrading plans required; plot plan, maximum height certification required.~~

- (a) All building permits issued by the Town expire 1 year after the issuance of the permit or on the effective date of the next edition of the Florida Building Code, whichever is later. ~~The term of a building permit for construction authorized by the town shall be as follows:~~
- ~~(1) Three-month term for change out or replacement of systems or improvements such as air conditioning, water heater, decks, walkways, beach cross-over, roofs, and driveways.~~
- ~~(2) Six-month term for seawalls, docks, or rip rap installations or repairs and for minor remodel work such as bathroom, kitchen, laundry and pool area remodeling.~~
- ~~(3) 12-month term for major remodel or construction such as changing the footprint or the exterior walls of a structure; replacing the roof structure and/or elevation where a certificate of completion is to be issued.~~
- ~~(4) The term of a permit for new construction of structures including garages, out buildings, and landscaping shall be as follows:~~
- ~~a. New residences with a lot size of eight thousand five hundred (8,500) square feet or less: Twelve (12) months.~~
- ~~b. New residences with a lot size between eight thousand five hundred and one (8,501) and eleven thousand (11,000) square feet: Fifteen (15) months.~~
- ~~c. New residences with a lot size of greater than eleven thousand (11,000) square feet: Twenty (20) months.~~
- ~~d. The term of a permit issued for the installation of pilings shall not be included in the time frames referenced in a—c above.~~

~~(be-)~~ Prior to the issuance of a building permit under this section 4-2, the property owner(s) and contractor obtaining a building permit shall sign an affidavit certifying that they reviewed this section and the ~~town's~~ permit fee schedule and will abide by their terms.

- (c) A permit may be renewed or extended two (2) times for a term of ~~twelve six~~ (126) months for each renewal upon payment of the fee as established by resolution. In the event a third renewal or extension permit is necessary in order to complete construction, a full re-submittal of building plans shall be required which shall include, at a minimum:

1. a The submittal of a new building permit application, modification of existing construction plans and documents in accordance with the current version of the Florida Building Code in effect at the time of the re-submittal and payment of all fees.

~~b. Full re-submittal includes reevaluation and reappraisal of all construction costs and estimates based on the full value of the work necessary to complete the project.~~

2. e. A stop work order will be placed on the project until all updated plans and documents are submitted, reviewed and approved by the building official, all fees are paid and the project has been reviewed by the building and zoning committee. Applicants are encouraged to initiate the building and zoning review process with the ~~town~~ in sufficient time to ensure no lapse in construction activity.

~~d. The term of a third renewal permit shall be based on the square footage of the residence at the time of re-submittal.~~

3.6 Each application for new construction or a major remodel shall include a construction schedule in written or chart format. At a minimum, the construction schedule shall include critical dates, milestones, and inspections from the start of the project until its completion. The construction schedule shall be subject to review and approval by the building and zoning committee. Minor modifications to the schedule (a total of thirty (30) days or less) may be made by the planning and zoning administrator during the course of construction due to emergencies or unforeseen circumstances.

~~(b) In the event of emergency construction, the town commission, by majority vote, may shorten or extend these time periods.~~

~~(c) If a period of six (6) months elapses between the date of inspections on any construction authorized by a building permit, then said permit shall automatically become void. If a construction permit becomes void pursuant~~

~~to the terms of this provision, the holder thereof may have the same reinstated upon payment of one half (0.5) of the fee provided for by resolution for a new construction permit. Nothing in this section shall be construed to extend the permissible period for completion of construction as set forth above in subsection (a), and any permit reinstated pursuant to this section shall be for the term of the prior existing permit.~~

Sec. 4-3. Times for construction restricted.

- (a) No person or persons shall conduct the erection (including excavation), demolition, alteration, or repair of any building or conduct any contracted labor or maintenance services such as painting or lawn or shrubbery maintenance services, or the delivery of construction, maintenance, or similar materials and equipment on Sundays or legal Town established holidays or declared emergencies. ~~For purposes of this section, legal holidays shall mean New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day.~~
- (b) No person or persons shall conduct the erection (including excavation), demolition, alteration, or repair of any building or conduct any contracted labor or maintenance services such as painting or lawn or shrubbery maintenance services on weekdays, including Saturdays, nor shall any such person or persons be present at the job site, other than between the hours of 8:00 a.m. and 5:00 p.m. on weekdays, and between the hours of 9:00 a.m. and 5:00 p.m. on Saturdays. Any person or persons who violates this section shall be subject to a fine not to exceed five hundred (\$500.00) dollars for each day such violation occurs.
- (c) No person or persons shall deliver building supplies or materials during the hours when the erection (including excavation), demolition, alteration, or repair or maintenance is prohibited as set forth in subsection (a) and (b) above. Any person or persons who violates this section shall be subject to a fine not to exceed five hundred (\$500.00) dollars for each day such violation occurs.
- (d) ~~If the building official~~ Town Manager, or his/her designee, determines that the public health and safety will not be impaired and that loss or inconvenience will result to any party in interest, he/she may grant permission for the erection (including excavation), demolition, alteration, repair or maintenance of any building or property, including the excavation of streets and highways, within the hours of ~~6~~5:00 p.m. and 8:00 a.m., upon application being made at the time the permit for work is issued or during the progress of the work.

- (e) All contractor vehicle(s), truck(s), heavy equipment, and the like shall be removed from the job site at the end of each work day; provided, heavy by the owner or contractor agreeing to remove the heavy construction equipment from the job site prior to the expiration of the permit. Any fine levied by a citation issued pursuant to Chapter 2 of this Code shall be paid prior to final inspections or issuance of a certificate of occupancy. For purposes of this section, heavy construction equipment means cranes, bulldozers, track vehicles, or other similar heavy equipment or vehicles used in the construction or demolition process.

Sec. 4-4. Residential swimming pool and spa code.

The Florida Building Code shall govern the construction of all swimming pools and spas. Separate permits shall be required for all swimming pool and spa construction as set forth in the applicable permit fee schedule.

Sec. 4-5. Coastal building zone.

- (a) There is hereby established as the coastal building zone for the ~~the~~ Town an area five thousand (5,000) feet landward from the coastal construction control line as established by Florida Law, which area includes all areas within the ~~the~~ Town. In the event that the coastal construction control line is rescinded, the coastal building zone will be that area five thousand (5,000) feet inward from the mean high water line.
- (b) The Coastal Construction Code which is being adopted simultaneously herewith by a separate ordinance shall apply to all construction within the coastal building zone.

Sec. 4-6. Adoption of International Property Maintenance Code.

The International Property Maintenance Code, as amended ~~2015 Edition~~, be and the same is hereby adopted and incorporated herein by reference, which adoption shall include any and all additions and amendments to such Code, and when passed, shall be deemed to be incorporated in this Code.

Sec. 4-7. Landscaping and landscape plans; ~~synthetic artificial—turf.~~

- (a) *Landscaping and landscape plans:*
 - (1) At the time that application is made for a building permit for new construction, a building repair or renovation that has the effect of relocating exterior walls of a structure or a repair or renovation to an existing structure the cost of which exceeds the amounts set forth in Section 9(D)(2) or (4) of Appendix A - Zoning Code, there shall be submitted additionally two (2) copies of landscape plans for the

premises. Such landscape plans shall provide for sodding, shrubs, trees or ornamental landscaping conforming generally with that displayed in the community. All plantings will be defined on the landscape plan by both common and scientific name. The applicant shall use native species in landscaping and native dune vegetation when restoring dune systems. South Florida Water Management District Xeriscape practices shall be used in connection with these landscape regulations when considering proposals for development and/or redevelopment. No landscaping shall be installed prior to issuance of a landscape permit by the planning and zoning administrator upon review and approval of the building and zoning committee. No certificate of occupancy shall be issued until all landscaping is in place as set forth on the approved plan and permit.

- (2) Necessary access ways from public rights-of-way through all required landscaped areas shall be permitted to service the open land use.
 - (3) All landscaped areas and plantings shall be provided with automatic irrigation facilities.
 - (4) In cases where hedges or continuous screening, or a structure already exist on the front property line to a height of at least four (4) feet, no planting strip nor trees shall be required.
 - (5) The ~~town~~ Town shall require the use of native vegetation in landscaping and native dune vegetation in dune areas. South Florida Water Management District Xeriscape practices shall be used in connection with these landscape regulations when considering proposals for development and/or redevelopment.
 - (6) Whenever appropriate, existing trees shall be conserved and integrated into the landscaping design plan.
- (b) ~~Artificial~~ Synthetic turf:
- (1) The Town adopts and incorporates into the Code the definition of the term "synthetic turf" as used in Section 125.572, Florida Statutes.
 - (24) The installation, use and location of synthetic ~~artificial~~ turf within the Town shall be governed limited to by all applicable Florida Statutes and the regulations established by Florida Statute and by the Florida Department of Environmental Protection, following:

- ~~a. Driveways, per subsection 10(J)(4) of Appendix A, Zoning Code;~~
 - ~~b. On residential lots in the rear yard and side yard areas only, behind the front façade of the adjacent home or structure; or~~
 - ~~c. As part of a municipal-owned recreation or amenity area.~~
- ~~(32) An application for a building permit for the installation of synthetic turf and a completed Town Synthetic Turf checklist shall be submitted by the property owner or applicant to the Town prior to the installation of synthetic turf on any property within the Town.~~
- (2) Artificial turf proposed under the provision of subsection (1)(a) above shall be installed only pursuant to the procedures and standards set forth in this Chapter. In addition, a property owner or applicant shall obtain a duly authorized building permit prior to the installation of any artificial turf.
- (4) Synthetic turf shall not be installed on any property until a building permit has been issued by the Town.
- (5) All installed synthetic turf must be maintained by the property owner so that it complies with all applicable Florida Statutes and the regulations established by the Florida Department of Environmental Protection. All installed synthetic turf which falls into disrepair such that it no longer complies with applicable Florida Statutes and the regulations established by the Florida Department of Environmental Protection, must be replaced or repaired by the property
- ~~(3) In all areas of installation, artificial turf shall be treated as pervious surface area. A minimum two and one half foot landscape buffer shall be retained along all rear and side property lines for the installation of landscape material.~~
- ~~(4) With the exception of those circumstances in which artificial turf is installed pursuant to subsection (1)(a) above, artificial turf shall not be:~~
 - ~~a. A part of any front yard, measured from the front property line to the front façades of the adjacent home or structure;~~
 - ~~b. Visible from a road or street, if necessary, artificial turf in a side or rear yard shall be screened from view by a gate, wall, fence, hedge, or combination;~~
 - ~~c. Installed within permanent drainage features or the coastal construction control line (e.g. retention areas, swales).~~

(5) ~~Minimum material standards. Artificial turf shall comply with each of the following minimum standards:~~

- a. ~~Artificial turf shall consist of green lifelike individual blades of grass that emulate natural turf in look and color.~~
- b. ~~Artificial turf installation systems shall have a minimum water permeability rate of fifteen (15) inches of water per hour per square foot. In addition, all artificial turf systems shall meet the minimum following manufacturers specifications at~~ installation:

Manufacturer Specifications		
Specifications Provide Minimum Allowable Requirements¹		
Product Properties		
Property	Unit	Description
Standard color	—	Green life like grass colors
Fiber type	—	100% polyethylene or 100% nylon
Fiber mass	—	TXT thatch, Wave 3D Monofilament, green/tan thatch, or equivalent
Tufted pile height	1½ to 3 inches, unless recreation or pet turf, which shall have a minimum of 1½ inches	Finished pile height
Tufting gauge	¼ inch to ½ inch	ATSM D418
Tufted face weight	60—120 oz./yd. ²	ATSM D418
Primary backing	7 oz./yd. ²	Stabilized dual layered or multi-layered woven polypropylene
Secondary backing	20 oz./yd. ²	Urethane
Total weight	87—147 oz./yd. ²	ATSM D418
Warranty	15 years	Manufacturer's warranty
Performance Properties		
Property	Minimum	Description
Permeability	15 inches of water per hour per sq. ft.	Water permeability rate
Installation Requirements – per Manufacturers Specifications²		
Property	Minimum	Description
Infill	2—4 lbs per sq. ft.	Sand/silica, Zeolit, Walnut Shell, Coconut iCoir, or any combination

Aggregate base	2½ inches of ¾ inch aggregate	Leveling layer per local requirements
Geotextile	Optional fabric layer	Per manufacturers specifications
Natural subgrade	Compacted	Per local requirements
Grading and drainage	Grading and drainage plan prepared by a licensed engineer for areas in excess of 500 sq. ft.	Subject to approval by the town engineer
¹ —The manufacturers specifications in the table are the minimum allowable requirements for artificial turf in the town. The minimum requirements allow a range in the specifications to provide a variety of selections based on the application of the material.		
² —All grading, drainage, storm water management, aggregate base, and subgrade requirements are per local requirements. Subgrade design and engineering requirements are separate and apart from the manufacturers specifications, which are for the turf components only.		

c. ~~All artificial turf shall have a minimum fifteen-year manufacturer's warranty that protects against color fading and a decrease in pile height.~~

d. ~~Artificial turf shall be lead and pesticide free.~~

e. ~~All materials must include test documentation that declares all artificial turf yarn and backing materials are disposable under normal conditions, at any U.S. landfill station (Total Content Leach Protocol (TCLP) test). Documentation must also be provided that identifies all components are 100 percent recyclable.~~

f. ~~The use of indoor or outdoor plastic or nylon carpeting as a replacement for artificial turf or natural turf shall be prohibited.~~

(6) ~~Installation, maintenance and repair.~~

a. ~~All artificial turf shall, at a minimum, be installed according to the manufacturer's specifications.~~

b. ~~All artificial turf installations shall be anchored to ensure the turf will withstand the effects of high wind(s).~~

c. ~~All seams shall be secured and edges shall be trimmed to fit against all regular and irregular edges to resemble a natural look.~~

- d. ~~If artificial turf is planned to be installed immediately adjacent to a seawall, the artificial turf shall be pinned or staked behind the seawall. No artificial turf or installation mechanism shall be attached directly to or placed on a seawall or seawall cap.~~
- e. ~~Proper drainage shall be provided for all artificial turf installations to prevent excess runoff or pooling of water.~~
- f. ~~Artificial turf shall be visually level, with the grain pointing in a single direction.~~
- g. ~~An appropriate solid barrier device (e.g. concrete mow strip, bender board) is required to separate artificial turf from soil and live vegetation.~~
- h. ~~Precautions for installation around existing trees shall be monitored and may be restricted to ensure tree roots are not damaged with the installation of the base material and that the overall health of the tree will not be compromised.~~
- i. ~~All artificial turf shall be maintained in a green fadeless condition and shall be maintained free of dirt, mud, stains, weeds, debris, tears, holes, and impressions. Maintenance shall include, but not be limited to, cleaning, brushing, debris removal; repairing of depressions and ruts to maintain a visually level surface; elimination of any odors, flat or matted areas, weeds, and invasive roots; and all edges of the artificial turf shall not be loose and must be maintained with appropriate edging or stakes.~~
- j. ~~All artificial turf must be replaced by the property owner if it falls into disrepair with fading, holes, or loose areas. Replacement and/or repairs shall be done with like for like materials and in a manner that results in a repair that blends in with the existing artificial turf.~~

Sec. 4-8. Landscaping or regrading in the Town right-of-way.

- (a) ~~The town recommends the installation of sod within the swale areas of the Town right-of-way shall be required and accordingly no permit shall be required for the installation of sod within such areas consistent with Florida Administrative Code Rule 62-308.100.~~
- (b) ~~No person shall grade or regrade any lands within the the Town right-of-way without first obtaining a permit from the planning and zoning administrator upon consultation with the building and zoning committee or town engineer as appropriate.~~
- (c) ~~Landscaping in the swale areas of the the Town right-of-way shall be installed permitted only following issuance of a permit by the planning and zoning~~

~~administrator upon consultation with the building and zoning committee or town engineer as appropriate.~~ Landscaping may include vegetative material, ground cover and non-floatable mulch only. Applicants for a permit shall submit a landscape plan depicting all vegetative and other materials proposed to be placed in the right-of-way. In determining whether a permit should be issued, the ~~planning and zoning administrator~~ following shall be considered ~~whether the proposed installation:~~

- (1) Interferes with or impairs the ~~the~~ Town storm-water drainage system;
 - (2) Creates a safety hazard to vehicular or pedestrian traffic;
 - (3) Otherwise impairs the health, safety or welfare of the citizens and visitors to the ~~the~~ Town.
- (d) It shall be unlawful for any individual to place or have placed any pervious or impervious material, including, but not limited to, asphalt, concrete, crushed rock, landscape stone, bricks, pavers or other similar materials within the ~~the~~ Town right-of-way that is not shown on an approved landscape plan. This subsection shall not preclude the installation of driveways extending from a public roadway to abutting privately-owned property; provided, the width of any one such entry driveway(s) shall not exceed thirty-two (32) feet in width, including flare areas, at the location of where the driveway abuts the public roadway. The total width of more than one (1) driveway for any lot or combination of lots improved with a two-story residential structure shall not exceed a total of thirty-two (32) feet in width, including flare areas, at the location where said driveways abut a public roadway. The total width of more than one (1) driveway for any lot or combination of lots improved with a one-story residential structure shall not exceed a total of forty (40) feet in width, including flare areas, at the location where said driveways abut a public road.

Sec. 4-9. Certificates of occupancy.

- (a) In addition to the requirements of all applicable codes, no certificate of occupancy shall be issued by the ~~the~~ Town for any structure or dwelling until the owner, or his representative, submits for approval by the building official an "as-built" drawing certified by a licensed or registered architect, engineer or surveyor demonstrating compliance with all building, structural, floor plan, plumbing, electrical, including all building set-back requirements, building height restrictions as determined by ~~Section 13 of the Zoning Code~~ and percentage of lot occupancy requirements as set forth in ~~Section 10(C) of the Zoning Code~~. Said certification shall verify that all construction was completed in accordance with the approved building plans and any changes thereto as approved by the building official.
- (b) In addition to the requirements of all applicable codes, no certificate of occupancy shall be issued by the ~~the~~ Town until the street number for the

structure is prominently displayed so as to be visible from the public street at the front of the property.

Sec. 4-10. Issuance of building permits.

- (a) Approval by the Building and Zoning Committee shall be required prior to the issuance of a ~~No building permit for construction that has an impact on zoning issues such as setbacks, building height, building mass, sight lines, finished grade, or lot occupancy. shall be issued until the planning and zoning administrator or designee has approved all plans submitted thereby certifying compliance with the provisions of the Zoning Code. Confirmation of approval shall be evidenced by signatures on the blueprint or approval form adopted by the Town Commission.~~
- (b) ~~Applications for building permits for work specified in a Town Policy and Procedure Memorandum as not requiring zoning review and that have~~ has no effect or impact on zoning issues such as setbacks, building height or elevation, grade or lot coverage shall only be reviewed by the building official, Town planner, and Town engineer, as applicable, through the building permit process. ~~and no consent for the issuance of a permit shall be required by the building and zoning committee.~~
- (c) ~~If, in the opinion of the building official, the value-size or type of the building, alteration, structure, electrical, gas, mechanical or plumbing systems appears to be underestimated to be inaccurate on the application, the permit shall be denied, unless the applicant can provide additional documentation show detailed estimates which meets the approval of the building official. Permit valuations shall include total cost to owner such as electrical, gas, mechanical, plumbing equipment and other systems. Valuations must be maintained and current throughout the construction process to completion and shall be provided to the building official upon request. At the completion of construction, upon request of the building official, the permit holder shall provide documentation such as contracts, invoices and affidavits pertaining to the total cost of work performed under the permit. The building official may deny issuance of a certificate of occupancy until adequate documentation of valuation of all work under the permit is provided and an amended the increased permit fee, if any, levied on the original permit and any renewal permit(s) is paid.~~
- (d) Within ten (10) days of issuance of a building or demolition permit and before construction or demolition is commenced, a contractor or owner/builder, at it own expense, at the request of the owner(s) of a property neighboring the construction site, shall install a temporary fence barrier in the swale area(s) of properties neighboring the construction site in order to prevent or impair vehicles from parking in the swale area(s). A neighboring property owner may request that no barrier be installed in the swale area abutting his/her neighboring property. The barrier(s) shall consist of a series of green posts approximately two (2) feet in height connected by yellow chain. The barrier(s) shall be installed at such locations as required by the

~~building official~~ Town Manager. In the event of problems with vehicles parking in swale areas near the construction site following the commencement of construction or demolition, the ~~building official~~ Town Manager may require additional barrier(s) to be installed by the contractor or owner/builder. Any such temporary barrier(s) shall be removed by the contractor or owner/builder within ten (10) days of issuance of a certificate of occupancy or conclusion of the demolition activities at the construction site. Other than barriers permitted in this section, no barriers, fences or obstructions of any type shall be installed by any individuals in the swale area(s) of the ~~the~~ Town.

Sec. 4-11. Contractor's responsibilities; owner/builder requirements.

- (a) *License required.* Applications for permits will be accepted only from contractors currently licensed in their respective field and for whom no revocation or suspension of license exists.
- (b) *Supervision.* There shall be only one primary contractor per job site; all other contractors shall be required to become subcontractors to the primary contractor unless otherwise approved by the building official. ~~Electrical and plumbing work shall have full time supervision by a certified journeyman on site where such work of any nature is in progress.~~
- (c) *Single-family owner acting as contractor.* An individual who owns real residential property may make application for permit and supervise the work in connection with the construction, maintenance, alternations, or repairs of a single-family residence for their own use and occupancy and not intended for sale or lease. The construction or renovation of more than one residence by an individual owner in any twelve-month period or the offering of the site for sale or lease within twelve (12) months of issuance of the certificate of occupancy shall be construed as contracting, and such owner shall be required to be licensed as a contractor in order to obtain any subsequent permits. Such owner/builder shall be held responsible to the building official for the proper supervision and conduct of all work covered thereby. The owner/builder may not delegate the owner's responsibility to directly supervise all work to any other person unless that person is duly registered or licensed and the work being performed is within the scope of that person's license. All subpermits shall be applied for by contractors licensed in their respective field.

Sec. 4-12. Violation of stop work order.

- (a) It shall be unlawful for any contractor, sub-contractor, owner-builder, laborer or other individual to continue to perform or allow to be performed work at a construction site following the issuance of a stop-work order.
- (b) The contractor, sub-contractor or owner-builder who obtained the building permit under which the stop-work order is issued shall be responsible to insure that no work is performed by any individual in violation of the stop-work order.

- (c) Each day that work is performed in violation of a stop work order shall constitute a separate offense. The violation of this section of the Code shall be punished by a fine not to exceed five hundred (\$500.00) dollars for each violation or separate offense.
- (d) Nothing in this section shall prohibit or preclude the ~~the~~ Town from pursuing injunctive, administrative, alternate or such other relief as may be permitted by law or equity.
- (e) It shall be unlawful for any person to remove, deface, cover or obstruct the visibility of, or move or relocate a stop work order duly posted by the ~~the~~ Town. Each such removal, defacement, covering, obstructing or moving of a stop work order shall constitute a separate offense. The violation of this section of the Code shall be punished by a fine not to exceed five hundred (\$500.00) dollars for each violation or separate offense.

Sec. 4-13. Generators.

- (a) These regulations shall apply to all portable or permanent generators temporarily or permanently placed on the ground, on a stand or on a trailer.
- (b) All permanent generators shall be permitted as required by the Florida Building Code.
- (c) There shall be no more than one such generator on any privately-owned property.
- (d) The generator shall be set back a minimum of five (5) feet from the side or rear property line.
- (e) The generators exhaust shall be, as much as practically feasible, vented upwards or directed away from neighboring properties.
- (f) The generator shall be used only during periods of power outages or for periodic testing and necessary maintenance operation and shall not be used to sell power back to a power company or for use by power customers during periods of peak demand.
- (g) A generator may be operated for manufacturer recommended testing or maintenance. Such operation shall not occur more than one (1) time in any seven-day period and for no longer than thirty (30) minutes for each operation. The operation of a generator pursuant to this paragraph shall be conducted only on Monday through Friday (excluding holidays) between the hours of ~~9~~8:00 a.m. and 5:00 p.m.
- (h) Testing may be conducted when the unit is being repaired provided that such testing shall not exceed thirty (30) minutes and shall be conducted only between the hours of ~~9~~8:00 a.m. and 5:00 p.m. Monday through ~~Saturday~~ Friday and Saturday 9:00 a.m. and 5:00 p.m., excluding holidays.
- (i) Generators shall not be permitted in the required front yard area or on the roof of a building.

- (j) All permanent generators shall be screened from the street and the neighboring property owner's view by a wing wall (three-sided wall) at least four (4) feet high or at the same height as the generator, including the height of the exhaust, whichever is greater. Landscape material shall be installed along the exterior of each face of the wing wall.
- (k) This code section shall not apply to generators owned and operated by the ~~€~~Town or another governmental entity.
- (l) The building official may issue a permit for the use of a portable generator for a period not to exceed four (4) days provided the permit applicant provides proof that either permanent or temporary electrical power is not available at the work location. The portable generator shall be operated 8:00 a.m. and 5:00 p.m. Monday through Friday and Saturday 9:00 a.m. and 5:00 p.m., excluding holidays. ~~only during the times for permissible construction activities as set forth in section 4-3 of this Code.~~ No fee shall be required for the issuance of such a permit.

**Sec. 4-14. — ~~Administrative amendments to Florida Building Code.~~
Preconstruction and construction standards for sites.**

- (a) All construction sites shall be maintained free of debris and scrap materials.
- (b) All construction sites not already providing site conditions that fence or wall off the site, shall be enclosed with a temporary six-foot fence which shall be installed prior to starting the construction activity, unless exempt by the Town. Construction shall be defined to include new construction of structures, additions to existing structures, renovation of existing structures, and any construction that shall include excavation or exposure of the interior of an existing structure.
 - 1. The fence permit is to be issued, and the fence installed, inspected, and permit closed-out by the building department prior to initiating construction.
 - 2. The required perimeter fence shall be chain link, covered with green or black nylon or synthetic plant material screening the construction from view, and installed on the front, side and rear lot lines. The fence shall be installed so as not to create a public hazard and the fence gate shall be locked during nonworking hours.
 - 3. The fence shall remain in place through completion of construction, unless exempt by the Town. Additional protective safeguards may be required where the Town identifies an attractive nuisance.
- (c) All construction sites shall be controlled for dust, dirt, and particulate matter by hosing of debris with water. The construction site shall be required to provide a water disbursal system with sufficient water pressure and volume of water to ensure prompt and efficient hosing of the site to ensure control of the dust, dirt and particulate matter.

- (d) All pavement, surfacing, driveways, curbs, walks, buildings, utility poles fences, and other surface structures affected by the construction operations, together with all sod and shrubs in yards and swales, shall be restored to their original conditions, whether within or outside the easement right-of-way. All replacements shall be made with new materials.

The following administrative amendments to the Florida Building Code, Building are hereby adopted:

Add a new Section 104.10.1 as follows:

~~104.10.1 Modifications of the strict application of the requirements of the Florida Building Code. The building official shall coordinate with the floodplain administrator to review requests submitted to the building official that seek approval to modify the strict application of the flood resistant construction requirements of the Florida Building Code to determine whether such requests require the granting of a variance pursuant to section 117.~~

Add a new Section 105.4.1.5 as follows:

~~Section 105.4.1.5. Construction authorized by a building permit issued by the town shall be completed within eighteen (18) months from the date of the initial permit. If the holder of the building permit shall have not completed the requirements for issuance of a certificate of occupancy as to the residence only, and not with regard to any landscaping, in the eighteen (18) months allowed by the initial permit, then it shall be necessary to make application for and obtain a renewal permit to continue such construction. The renewal permit shall be for the period of six (6) months and may be renewed as is necessary to complete construction through the date of issuance of the certificate of occupancy. The fee payable for issuance of the initial and each renewal permit shall be established by resolution of the town commission.~~

Section 105.5 Expiration is amended to read as follows:

~~105.5 Expiration. Permits issued by the town shall expire as set forth in section 105.4.1.5.~~

Add a new Section 107.6.1 as follows:

~~107.6.1 Building permits issued on the basis of an affidavit. Pursuant to the requirements of federal regulation for participation in the National Flood Insurance Program (44 CFR sections 59 and 60), the authority granted to the Building Official to issue permits, to rely on inspections, and to accept plans and construction documents on the basis of affidavits and plans submitted pursuant to 105.14 and section 107.6, shall not extend to the flood load and flood resistance construction requirements of the Florida Building Code.~~

Add a new Section 117 as follows:

~~117 VARIANCES IN FLOOD HAZARD AREAS~~

~~117.1 Flood hazard areas. Pursuant to F.S. § 553.73(5), the variance procedures~~

~~adopted in the local floodplain management ordinance shall apply to requests submitted to the Building Official for variances to the provisions of section 1612.4 of the *Florida Building Code, Building* or, as applicable, the provisions of R322 of the *Florida Building Code, Residential*. This section shall not apply to section 3109 of the *Florida Building Code, Building*.~~

Sec. 4-15. On-job toilet facilities required.

It shall be the duty of the owner or contractor on any construction work in the ~~the~~ Town requiring a building permit to provide and have available on the premises where such construction is taking place such toilet facilities for all workers during the entire construction period as are deemed adequate by the building official. If a temporary building is used for that purpose, its construction, location and operation shall be approved by the building official. If practicable, such temporary building shall not be placed in the public right-of-way. Such temporary toilet facilities shall be effectively site screened from all roads, streets and adjoining properties by walls, hedges, building, fences or other methods as approved by the building official.

Sec. 4-16. Storm panels; hurricane shutters.

- (a) Beginning December 1 of each year through June 1 of the following year, the installation, use or closure of storm panels or hurricane shutters, of any type whatsoever, to cover building or structure openings shall be strictly prohibited. Storm panels or hurricane shutters may be installed, used or closed at a property only between June 1 and November 30 of each year. However, in the event that any portion of Palm Beach or Martin County falls within the National Hurricane Center's five-day cone of probability for a named tropical storm event, storm panels or hurricane shutters may be installed, used or closed to protect building or structure openings up to five (5) days prior to anticipated storm landfall and may remain in place for no more than five (5) days following storm passage. Nothing in this section shall preclude the issuance of building permits for the installation of various hurricane shutter systems.
- (b) For seasonal residents who will be leaving their dwellings prior to June 1 or returning later than November 30, such residents may apply to the ~~the~~ Town for a permit authorizing storm panels or hurricane shutters to be installed or remain in place at a time other than as permitted in subsection (a) above, provided, however, in no event shall such storm panels or hurricane shutters be installed, used or closed prior to May 21 nor remain later than December 10. The ~~the~~ Town shall promulgate an application form for such a permit which shall include, but not be limited to, the following information:
 - (1) Contact information for the owner(s) and a telephone number, and email address where the owner(s) may be contacted; and
 - (2) The dates the resident(s) will be away from the ~~the~~ Town; and
 - (3) Any other information deemed appropriate by the ~~the~~ Town.

In order to obtain such a permit, the owner shall provide the ~~t~~Town ~~p~~Police ~~d~~Department with a house key and key to the storm panels or hurricane shutters.

- (c) All storm panels or hurricane shutters shall be architecturally and aesthetically compatible with the dwelling, specifically manufactured for use as a shutter, meet ~~Miami-Dade County~~ Florida Building Code standards, be custom fit for each window and door to which they are attached, and in good condition.

SECTION 3. Conflicts. All ordinances or parts of ordinances, resolutions or parts of resolutions, in conflict herewith, are repealed to the extent of such conflict.

SECTION 4. Corrections. Conforming language or the correction of scrivener's errors may be made by the Town Attorney and incorporated into the final ordinance for signature.

SECTION 5. Severability. The provisions of this ordinance are declared to be severable, and, if any section, sentence, clause, and/or phrase of this ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this ordinance, which shall remain in effect, it being the intent of the Town Commission that this ordinance shall stand despite the invalidity of any part.

SECTION 6. Interpretation. In interpreting this Ordinance, underlined words indicate additions to existing text, and ~~stricken through~~ words include deletions from existing text.

SECTION 7. Effective Date. This ordinance shall become effective immediately upon final adoption on second reading.

PASSED by the Town Commission of the Town of Jupiter Inlet Colony, Florida on the first reading on this ____ day of August, 2026, and PASSED AND ADOPTED by the Town Commission of the Town of Jupiter Inlet Colony, Florida on the second and final reading on the ____ day of _____, 2026.

TOWN OF JUPITER INLET COLONY, FLORIDA

Mayor William "Bill" Muir

Vice Mayor David "Dave" Shula

Commissioner Mark Ciarfella

Commissioner Janet Saura

Commissioner Anna Nemes

ATTEST:

APPROVED AS TO FORM AND LEGALITY

Jacqueline Milo
Town Clerk

Matthew T. Ramenda
Town Attorney