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## MEMORANDUM

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**TO:** Mayor Jason Haselkorn  
Vice Mayor James Lyons  
Members of the Town Council

**FROM:** Leonard G. Rubin, Town Attorney

**RE:** Ordinance Regulating Installation of Storm Shutters

**DATE:** June 16, 2016

**CC:** Joseph Lo Bello, Town Manager  
Ruben Cruz, Planning and Zoning Director  
Vanessa Mutchnik, Town Clerk

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At its Goal Setting Workshop, the Town Council, by consensus, directed this office to prepare an ordinance regulating the installation of storm shutters. Local municipalities have taken different approaches to regulating storm shutters.

Generally, municipalities permit storm shutters to be installed and taken down a specified number of days before and after an anticipated storm event. By way of example, the City of Palm Beach Gardens allows hurricane shutters to be installed five (5) days prior to storm landfall in the event "any portion of Palm Beach County falls with the National Hurricane Center's five-day cone of probability for a named tropical storm event" and requires removal five (5) days after the storm passes. Others require removal up to fourteen (Tequesta) or twenty-eight (Lake Park) days after the storm event ends or the hurricane watch/warning has been lifted.

Other municipalities will allow hurricane shutters to remain installed for a longer period of time if the building is unoccupied, without or without additional conditions. By way of example, the Village of Royal Palm Beach allows shutters to be installed during hurricane season (June 1<sup>st</sup> to November 30<sup>th</sup>) provided that: (a) the resident notifies the code enforcement department of the precise duration the shutters will be installed through the submission of a "storm protection duration notice;" (b) the resident certifies that the residence will remain vacant; and (c) the shutters installed be manufactured from either a Florida Building Code approved, translucent plastic material, reinforced fabric or a metallic material which shall complement the color of the walls or trim of the building.

Based on the foregoing, this office is seeking the following additional guidance from the Town Council as to the nature of the requested regulation:



1. Does the Council wish to limit the installation of shutters to periods where the Town (or the County) is threatened by a storm event?
2. If not, does the Council wish to limit the installation of storm shutters to hurricane season and under what conditions?
  - Residence vacant?
  - Specific duration?
  - Registration with the Town?
  - Color compatible with the residence?
  - Allow manufactured panels or shutters made of aluminum, steel, polycarbonate or similar materials so long as they are properly maintained and uniform in appearance?

Once this office receives sufficient guidance, it will prepare the ordinance for presentation to the Planning and Zoning Board and Town Council. Should you have any questions relative to the foregoing, please do not hesitate to contact me.