

ORDINANCE NO. 38-10

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUPITER, FLORIDA, AMENDING CHAPTER 27, ARTICLE III, DIVISION 2, "ENTITLED APPLICATION PROCEDURES AND GENERAL REQUIREMENTS"; PERTAINING TO SECTION 27-132, ENTITLED "REVIEWING AUTHORITY", SECTION 27-135, ENTITLED "NOTICE REQUIREMENTS", AND SECTION 27-139 ENTITLED "CONTENT REQUIREMENTS FOR APPLICATIONS FOR DEVELOPMENT APPROVAL"; PROVIDING FOR THE AMENDMENT OF ARTICLE V, SECTION 27-352 AUTHORIZING THE ADMINISTRATIVE REVIEW OF SITE PLANS FOR INFILL PROJECTS, MINOR SITE PLAN AMENDMENTS AND SMALL SCALE PLANNED UNIT DEVELOPMENTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Jupiter, Florida has adopted a comprehensive plan which has been determined by the Department of Community Affairs to be in compliance with Chapter 163, Part II, Florida Statutes; and

WHEREAS, pursuant to Section 163.3202(2)(b), Florida Statutes, municipalities are required to provide specific and detailed land development regulations to regulate the use of land and water as part of the implementation of their adopted Comprehensive Plans; and

WHEREAS, the Town Council has enacted detailed land development regulations in Chapters 24 and 27 of the Town Code; and

NOW, THEREFORE, be it ordained by the Town Council of the Town of Jupiter, Florida that:

Section 1. The whereas clauses are incorporated herein as true and correct and as the legislative findings of the Town Council.

Section 2. Chapter 27, Section 27-132 of the Town Code is hereby amended to read as follows:

Section 27-132 of the Town Code, entitled “Reviewing authority”:

Development applications, unless otherwise provided by this chapter, shall be initially reviewed by the Planning and Zoning Commission or by the Zoning Board of Adjustment at a public meeting. The Planning and Zoning Commission shall make an advisory recommendation to the Town Council on the application. The Town Council shall review all applications over which it has final jurisdiction and decision-making authority in accordance with provisions of section 27-68.

(1) Applications requiring review at a public hearing before the Planning and Zoning Commission and the Town Council include:

- a. Text amendments to land development regulations;
- b. Zonings or rezonings;
- c. Special exceptions;
- d. Site plan reviews for large-scale development, including site plans for new businesses with outdoor venues, as defined per Chapter 13, master plans for large scale planned unit developments and certain small scale planned unit developments as provided for in Chapter 27, Article XIX;
- e. Amendments to the comprehensive plan, an element or a portion thereof;
- f. Abandonments of public property, including Town-owned roadways and rights-of-way;
and
- g. Modifications to any approved development order, except as provided in subsection (4)c.
below.

(2) Applications for variances shall be reviewed and final action taken thereon by the Zoning

Board of Adjustment at a public hearing.

(3) Applications for special permits as required by article IV of this chapter shall be reviewed by the Planning and Zoning Commission and/or the Town Council, as applicable, at a public meeting;

(4) Applications requiring administrative review only include:

a. The review of proposed site plans for ~~uses-by-right or~~ small-scale developments, infill, administrative small scale planned unit developments as provided for in Chapter 27, Article XIX, except for: (1) ~~properties located within the Indiantown Road Overlay Zoning District (IOZ);~~ (2) properties that have frontage on arterial roadways over 1 acre and up to 2 acres (i.e., U.S. Highway One, Alternate A-1-A, County Road A-1-A, Military Trail, Central Boulevard, Indian Creek Parkway, Center Street, and Indiantown Road), and (3) (2) properties located within the U.S. Highway One-Intracoastal Waterway Corridor, as depicted on the Future Land Use Map, which shall be reviewed by the Town Council as large scale developments.

b. All site plan applications for ~~uses-by-right or~~ small-scale development, infill, administrative small scale planned unit developments which conform to sections 27-96, 27-352 and the applicable provisions of the underlying zoning district, shall be reviewed and may be approved administratively by the Town staff, provided no other sections of this chapter require additional review and approval.

c. Minor amendments to approved site plans and special exceptions. Minor amendments to a site plan or special exception that was previously approved by the Town Council may be approved by the Director of the Department of Planning and Zoning in consultation with other Town staff, as appropriate. The following types of site plan amendments shall are not be considered to be minor, and shall require formal therefore are subject to review by the Town's Planning and Zoning Commission and the Town Council:

(1) Any proposed increases in:

- a. ~~The addition of~~ square footage to any building by more than 20 percent, excluding accessory structures, and maintenance/storage buildings that are 2,000 square feet or less. If the addition is on a lot with a non-conforming lot size, then the maximum increase of additional square footage to any building shall not exceed 30 percent;
- b. The number of structures, excluding accessory structures of 2,000 square feet or less;
- c. The number of residential dwelling units in a residential or mixed use zoning district, except an auxiliary dwelling unit, or more than one accessory residential unit in a non-residential district; or
- d. ~~An increase in~~ The building height of any building as specified by the adopted master site plan that results in increasing the number of stories, except if in conjunction with adding one accessory residential unit in a non-residential district above the ground floor;
- e. An existing building or buildings proposed to be removed and replaced with a new building or buildings of more than 15,000 square feet, regardless of the size of parcel; or
- f. New businesses requesting approval for an outdoor venue.

However, any proposed reductions in the total square footage of any building, or in the number of structures, stories, or units, as specified by the site plan, may be approved as minor amendments, subject to the provisions of subsection (4) of this section.

- (2) Significant changes to the approved site plan and/or special exception that create cumulative impacts, including but not limited to increases in traffic, parking, additions of square footage, changes in uses, recreation facilities and amenities, greenspace, and/or other similar modifications which have the potential for a negative, adverse, or

undesirable impact as determined by Town staff.

- (3) ~~Any increase in the average daily traffic impact above that established for the last approved site plan approved by the Town Council that exceeds ten percent or 100 trips, whichever is less.~~ Any increase in the project's traffic that is in excess of the higher of the following criteria: 1) 100 gross daily trips; or 2) ½ percent of the net two-way peak hour Level of Service "D" volume of the first directly accessed major thoroughfare, as defined in the Transportation Element of the Town's Comprehensive Plan.
- (4) Any amendments, which would significantly alter the character, and/or the appearance of the development, or result in a decrease in the amount or quality of the approved amenities. Such amenities shall include, but not be limited to, pools, clubhouses, common parking areas for large vehicles and boats, exercise trails, public access to waters or beaches, marinas, boat docks, tennis courts and racquetball courts.
- (5) Significant changes in architectural styles, colors or building materials that are inconsistent with the approved site plans.
- (6) Changes to such items as a phasing plan or developer control, that substantially impact the development.
- (7) For those resolutions and/or ordinances approved prior to August 19, 2008, any amendment that would modify any aspect or portion of the adopted site plan and/or special exception for which a specific condition was added at a public hearing by the Town Council. For resolutions and/or ordinances approved after September 9, 2008, any amendments that modify a specific portion of an adopted site plan for a condition(s) of approval that states it can only be amended by the Town Council.

d. Exempt redevelopment as described in Section 24-196.

Section 3. Section 27-135 of Article III, Division 2 of Chapter 27 of the Town Code is hereby amended to read as follows:

Section 27-135 of the Town Code, entitled "Notice requirements":

(a) The following notice requirements shall apply to variance applications, and all planned unit developments, site plan and special exception applications requiring public hearings. These notice requirements are supplemental to the notice requirements of F.S. § 166.041.

(1) Publication of notice. For public hearings on variance applications to be conducted by the Zoning Board of Adjustment, and for public hearings on planned unit developments, site plans and special exceptions to be conducted by the Town Council, a notice of the public hearing shall be published in a newspaper of general circulation in the Town, at least seven days prior to the date of the first public hearing by the Town Council. The published newspaper notice shall include the name of the property owner, the name of the project and/or applicant, a general written description of the request, and the location or specific street address of the subject property. Public hearings may be continued by the majority vote of the presiding body to a date specified without publication of further notice.

(2) Posting of public notice signage on the subject property. Public notice of requests for approval of planned unit developments, variances, site plans, and special exceptions to be considered by the Town Council or the Zoning Board of Adjustment, shall be posted by the applicant, agent or property owner, in a conspicuous place(s) clearly visible from accessible public property on or around the property which is/are the subject of the application. Failure to post and maintain such notice may result in a postponement of the the application at the advertised public hearing. The applicant shall provide photographs of the public notice posting(s) to the Department of Planning and Zoning no later than ten calendar days prior to the first public hearing. The applicant shall bear any costs that

may be required to re-advertise the public hearing. The requirements listed below shall be followed in the posting of all public notices:

a. A minimum of one public notice sign shall be posted along each property frontage abutting each public right-of-way; however, the Department of Planning and Zoning may require the posting of additional signs depending upon the size and location of the property, which is the subject of the application. The required sign or signs shall be posted by the applicant in a conspicuous manner within 25 feet of the nearest public right-of-way.

b. The required sign or signs shall be posted no later than 14 calendar days prior to the public hearing. The sign or signs shall be maintained and if necessary shall be replaced by the applicant, and shall remain posted on the property until final action is taken on the application by the Town, or until the application has been officially withdrawn. The signs shall be removed by the applicant within ten calendar days after final action is taken on the application by the Town, or the application is officially withdrawn by the applicant.

c. All required public notice signs shall be provided to the applicant or the applicant's authorized agent by the Department of Planning and Zoning. Only signs provided by the Department of Planning and Zoning may be utilized. The Department of Planning and Zoning shall provide the applicant or applicant's authorized agent with directions for posting the sign. ~~All required public notice signs shall be paid for in advance by the applicant, and the cost of each sign shall be in addition to the application fee.~~ In the event the Town incurs any administrative, professional, legal or other costs, expenses, or fees due to the applicant's failure to either post or maintain posted signs, the applicant shall reimburse the Town for all such fees or costs within 30 calendar days from the date of the issuance of any invoice to the applicant by the Town for payment of the additional costs, fees, and expenses. The failure of an applicant to reimburse the Town for such costs, fees, and expenses within the 30-day period, shall result in the creation of a lien in

favor of the Town against the applicant and any real and personal property owned by the applicant in the state of Florida. Interest on the unpaid amount shall accrue at the rate of 18 percent per annum. The Town may record a claim of lien for the unpaid amounts due, including interest in the public records of Palm Beach County Florida and any other county in which the applicant owns real property.

(3) Mailing of courtesy notice to adjacent property owners for variance applications. A courtesy notice containing the same information set forth in subsection (1) above shall be mailed by the Town at the applicant's expense to the owners of record abutting the property ten days prior to the 1st public hearing. Failure to receive such courtesy notice, however, shall not affect any action or proceedings taken hereunder, nor is it intended to supplement the required notice provisions of law for due process or any other purposes.

(b) The Town shall follow the applicable statutory notice and advertising requirements for all applications governed by state law including comprehensive plan amendments, text changes to the Town's land development regulations, or changes in zoning. In addition to the statutory requirements, the following additional notice requirements shall be followed for future land use map amendments and change in zoning applications:

(1) Posting of public notice signage on the subject property. Public notice of all applications in (b) above shall be posted by the applicant, agent or property owner, in a conspicuous place(s) on or around the property which is/are the subject of the application. Failure to post and maintain such notice may result in a postponement of the advertised public hearing. The applicant shall provide photographs of the public notice posting(s) to the Department of Planning and Zoning no later than ten calendar days prior to the first public hearing. The applicant shall bear any costs that may be required to re-advertise the public hearing. The requirements listed below shall be followed in the posting of all public notices:

a. A minimum of one public notice sign shall be posted along each property frontage abutting each public right-of-way; however, the Department of Planning and Zoning may require the posting of additional signs depending upon the size and location of the property, which is the subject of the application. The required sign or signs shall be posted by the applicant in a conspicuous manner within 25 feet of the public right-of-way.

b. The required sign or signs shall be posted no later than 14 calendar days prior to the public hearing. The sign or signs shall be maintained and if necessary shall be replaced by the applicant, and shall remain posted on the property until final action is taken on the application by the Town, or until the application has been officially withdrawn. The signs shall be removed by the applicant within ten calendar days after final action is taken on the application by the Town, or the application is officially withdrawn by the applicant.

c. All required public notice signs shall be provided to the applicant or the applicant's authorized agent by the Department of Planning and Zoning. Only signs provided by the Department of Planning and Zoning may be utilized. The Department of Planning and Zoning shall provide the applicant or applicant's authorized agent with directions for posting the sign. ~~All required public notice signs shall be paid for in advance by the applicant, and the cost of each sign shall be in addition to the application fee.~~ In the event the Town incurs any administrative, professional, legal or other costs, expenses, or fees due to the applicant's failure to either post or maintain posted signs, the applicant shall reimburse the Town for all such fees or costs within 30 calendar days from the date of the issuance of any invoice to the applicant by the Town for payment of the additional costs, fees, and expenses. The failure of an applicant to reimburse the Town for such costs, fees, and expenses within the 30-day period shall result in the creation of a lien in favor of the Town against the applicant and any real and personal property owned by the applicant in the State of Florida. Interest on the unpaid amount shall accrue at the rate of

18 percent per annum. The Town may record a claim of lien for the unpaid amounts due, including interest in the public records of Palm Beach County Florida and any other county in which the applicant owns real property.

d. The Director of the Department of Planning and Zoning may determine that a Town-initiated application is not required to post public notice signs, if:

1. The proposed land use designation is substantially equivalent to the existing designation;
2. The proposed zoning district is substantially equivalent to the existing district and use; or
3. The change in zoning is necessary to comply with F.S. § 163.3194.

(2) Mailing of courtesy notice to adjacent property owners. A courtesy notice containing the name of the owner of the property, the name of the project and/or applicant, a general written description of the request and the location, or specific street address, of the property, shall be mailed by the Town, at the applicant's expense, to the owners of record of property within a radius of 300 feet of the property described in the application no later than ten calendar days prior to the first public hearing. In addition, for all large scale Comprehensive Plan map amendment applications, a second courtesy notice containing the name of the project and/or applicant, and a general written description of the location, or specific street address of the property, shall be mailed by the Town, at the applicant's expense, to the owners of record of property within a radius of 300 feet of the property described in the application no later than ten calendar days prior to the adoption public hearing meeting. Failure to receive such courtesy notice, however, shall not affect any action or proceedings taken hereunder, nor is it intended to supplement the required notice provisions of law for due process or any other purposes. The Director

of the Department of Planning and Zoning may determine that a Town-initiated application is not required to provide this courtesy notice if:

- a. The proposed land use designation is substantially equivalent to the existing designation;
- b. The proposed zoning district is substantially equivalent to the existing district and use; or
- c. The change in zoning is necessary to comply with F.S. § 163.3194.

(c) Applicants shall post and maintain a public notice for applications for the administrative approval of a small scale planned unit development and administrative special exception expansions in a conspicuous place such that the notice is clearly visible from each public road(s) the property fronts. The failure to post and maintain the public notice may result in a delay of the consideration of the application. Applicants shall provide photographs of the public notice posting(s) to the Department of Planning and Zoning no later than 10 calendar days after the submission of the application. The requirements for posting of public notices are:

- (1) At least one public notice sign shall be posted along each property frontage within 25 feet of each abutting public street or right-of-way; however, the Department of Planning and Zoning may require that additional signs be posted depending upon the size and location of the property.
- (2) Signs shall be conspicuous and shall be maintained so as to be legible until final action is taken on the application or until the application is withdrawn. The signs shall be removed by the applicant within 10 calendar days after final action is taken on the application, or the application is withdrawn.
- (3) All public notice signs shall be obtained from the Department of Planning and Zoning.

Section 4. Chapter 27, Sec. 27-139 is hereby amended to read as follows:

Section 27-139 "Content requirements for applications for development approval":

- (a) *Application requirements.* The requirements for ~~each specific~~ the types of development application recognized allowed by this chapter are indicated enumerated in Table 1.
- (b) *Number of copies required.* The number of copies required for each specific type of application shall be as indicated on the official Town application form provided by the Department of ~~Community Development~~ Planning and Zoning.
- (c) *Required scale and size of site plans and landscape plans.* All required site plans and landscape plans shall be drawn at a scale of not less than one inch equals 20 feet and have a minimum sheet size of 24 inches × 36 inches unless otherwise approved by the Department of Planning and Zoning. Electronic copies of plans may be required by the Department of Planning and Zoning.
- (d) *Market analysis required for certain commercial uses.* In accordance with policy 1.1.6 of the "Future land use element" ~~in~~ of the Town's comprehensive plan, a professional market analysis ~~is required~~ shall be submitted for all a proposed shopping centers which ~~are~~ is:
- (1) In excess of 100,000 square feet of gross floor area; ~~or~~
 - (2) Less than 100,000 square feet of gross floor area, when it is the opinion of Town staff that the existing shopping centers of that size in the Town exhibit vacancy rates in excess of 20 percent;
 - (3) A small scale planned unit development application that is over 20,000 square feet.

Each market analysis shall ~~indicate~~ demonstrate, ~~at a minimum~~, the need for the commercial development at the proposed location, the types of commercial activities uses that are marketable there, and the projected market area ~~of the proposed development~~ shopping center is expected to serve. If deemed necessary, additional information may be required by the Town, ~~as deemed necessary~~ for each an individual project.

- (e) *Waiver of application requirements.* The ~~Town Council, Town Manager or~~ Director of Community Development Planning and Zoning may waive certain application requirements upon a determination if it is determined that the Town has sufficient information required application information is already on file with the Town or is not necessary in order to evaluate the application.
- (f) *Supplemental application information.* The Director of ~~Community Development~~ Planning and Zoning or the Director's designee may request any additional factual or evidentiary information that might reasonably be required to review an application for development or use approval.
- (g) Population projection. An analysis of the projected population is required for all large scale PUDs or mixed use developments. The methodology for the population projections shall be based on the assumptions for average household size and related factors in the "Population Report" in the Town's Comprehensive Plan.

Table 1: Town of Jupiter requirements for development related applications

Application Requirements	Abandonment	Annexation	Land Use Plan amendment	Nonconforming Lot or building	Large scale PUD	Rezoning	Site Plan Review	Small Scale PUD	Special Exception	Special permit	Text Amendment	Variance
Analysis of projected population		X	X		X							
Annexation Affidavit		X										
Architectural elevations				X	X		X	X	X			X
Architectural details				X	X		X	X	X			X
Descriptive narrative											X	
Drainage statement	X				X		X	X	X			
Environmental Assessment study			X		X		X	X	X			
Land use map	X	X	X		X	X	X	X	X	X		X
Landscape plan				X	X		X	X	X	X		X
Location map	X	X	X		X	X	X	X	X	X	X	X
Market study analysis					X		X					

Nonconforming Lot or building plan				X								
Photographs of property	X	X	X			X	X		X	X		X
Proof of ownership	X	X	X	X	X	X	X	X	X	X		X
Property appraisal	X											
Property owner list	X	X	X	X	X	X	X	X	X	X		X*
Recorded plat	X	X			X		X	X				
Site or master plan				X	X		X	X	X	X		X
Statement of authority	X	X	X	X	X	X	X	X	X	X		X
Statement of use plan and use plan	X	X	X	X	X	X	X	X	X	X		X
Traffic statement/study			X	X	X	X	X	X	X	X		X
Unity of title	X		X			X	X					
Variance justification												X

* Per Section 27-135(a)(3), a property owner list for a variance shall include abutting properties to the subject variance, including properties across a right-of-way.

Section 5. Chapter 27, Section 27-352 of the Town Code is hereby amended to read as follows:

Section 27-352 “Site plan review for use-by-right, minor site plan amendment, infill, administrative small scale planned unit development and small-scale development”:

(a) As defined in section 27-1, small-scale development is all residential development of 20 units or less, all new subdivisions of 20 lots or less, and all nonresidential development on two acres or less.

(b) All applications for a small-scale development, infill, minor site plans amendments, administrative small scale planned unit development (PUD) or a use-by-right shall require only be subject to administrative review and approval by Town staff the Planning and Zoning Department. ~~except for properties located within the Indiantown road Overlay Zoning District~~

~~(IOZ), properties that have frontage on arterial roadways (i.e., U.S. Highway One, Alternate A-1-A, County Road A-1-A, Military Trail, Central Boulevard, Indian Creek Parkway, Center Street, and Indiantown Road) or~~ Properties located within the U.S. Highway One/Intracoastal Waterway Corridor, as depicted on the Future Land Use Map, ~~which shall not be eligible for administrative review, except for minor site plan amendments.~~ be reviewed as large scale developments.

- (c) An application for a small-scale development, infill, minor site plans amendments, and administrative small scale PUDs or for a use-by-right shall be submitted to the Department of ~~Community Development Planning and Zoning~~. The Department of ~~Community Development Planning and Zoning~~ shall provide copies of the proposed development plan to ~~other Town staff, including the Directors of the Departments of Utilities, Public Services Engineering and Public Works, and Building Official, Director of Water System, Town Engineer or consultants, as appropriate.~~
- (d) A building permit shall not be issued until the application has been approved by the Town staff, ~~the Town Council or a court of law~~. When only administrative approval is required, a ~~written decision by the Town staff~~ approval letter shall be rendered by the Director of Planning and Zoning. ~~It shall include any reasons for denial and any recommendations for gaining approval. A copy of the written decision shall be furnished to the applicant.~~
- (e) An site plan application for a ~~site plan review for small-scale~~ development shall include the information listed below, in addition to the application requirements for a site plan review application listed in Table 1 in of section 27-139. ~~The Town Council action~~ may require additional information to facilitate its review of an application ~~a site plan to include additional information.~~
- (1) A site plan. If the plan requires more than one sheet, a key diagram showing relative location of the several sections shall be drawn on each sheet. The A site plan shall include the information-listed below following.

- a. ~~The~~ Location map and size of the site.
 - b. ~~in relation to t~~ The land property owner's interest in the land proposed to be for development or redevelopment, with information showing all legal and equitable ownership of the land.
 - ~~b.c.~~ Existing public streets, easements or other reservations of land within the proposed site.
 - ~~e.d.~~ The approximate location of all existing structures on the site, as well as those on adjacent properties within 100 feet of the outside boundaries of the site.
 - ~~d.e.~~ The use and approximate dimensions and location of all proposed buildings and other structures.
 - ~~e.f.~~ All existing and proposed means of vehicular access to and from the site, and the location and width of proposed streets, walkways and off-street parking facilities for the various buildings and uses.
 - ~~f.g.~~ Plans for disposing of sanitary waste, stormwater, solid waste and for providing public water facilities, emergency services and other public improvements, as may be required by the development.
- (2) A landscape plan.
- (3) An environmental assessment study pertaining to the existing vegetation and wildlife per section 26-35(5)(b), if required by the Director of ~~Community Development~~ Planning and Zoning based upon the environmental character of the subject property.
- (4) Typical exterior elevations or schematic illustrations.

Section 6. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 7. Conflicts. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 8. Codification. The Sections of the Ordinance may be renumbered or relettered to accomplish such, and the word "Ordinance" may be changed to "section", "article", or any other appropriate word.

Section 9. Effective Date. This Ordinance shall take effect immediately upon adoption.

February 10, 2011

Upon First Reading this 9th day of September, 2010, the foregoing Ordinance was offered by Councilor Robert M. Friedman, who moved its adoption. The motion was seconded by Councilor Todd R. Wodraska, and upon being put to a roll call vote, the vote was as follows:

	AYE	NAY
MAYOR KAREN J. GOLONKA	Absent	
VICE-MAYOR WENDY HARRISON	X	
COUNCILOR ROBERT M. FRIEDMAN	X	
COUNCILOR JIM KURETSKI		X
COUNCILOR TODD R. WODRASKA	X	

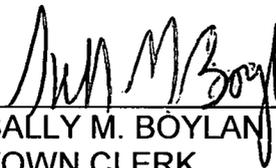
Upon Second Reading this 1st day of February, 2011, the foregoing Ordinance was offered by Councilor Robert M. Friedman, who moved its adoption. The motion was seconded by Councilor Todd R. Wodraska, and upon being put to a roll call vote, the vote was as follows:

	AYE	NAY
MAYOR KAREN J. GOLONKA	X	
VICE-MAYOR WENDY HARRISON	X	
COUNCILOR ROBERT M. FRIEDMAN	X	
COUNCILOR JIM KURETSKI		X
COUNCILOR TODD R. WODRASKA	X	

The Mayor thereupon declared Ordinance 38-10 duly passed and adopted this 1st day of February, 2011.

TOWN OF JUPITER, FLORIDA

ATTEST:


 SALLY M. BOYLAN MMC
 TOWN CLERK



BY:


 KAREN J. GOLONKA
 MAYOR

(TOWN SEAL)


 THOMAS J. BAIRD, ESQ.
 Approved as to form and legal sufficiency