

ORDINANCE NO. 2017-301

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF HILLSBORO BEACH, FLORIDA, AMENDING CHAPTER 4 ENTITLED "BUILDINGS AND BUILDING REGULATIONS" BY SPECIFICALLY AMENDING SECTION 4-7 ENTITLED "UNDERGROUND WIRING", SUBSECTION "A"; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Commission finds that to promote and protect the aesthetics of the Town, it is in the best interests of the residents of the Town to require the burying of utility lines on residential properties with a frontage exceeding 189' or more.

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

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

Section 2. Chapter 4 of the Code of Ordinances entitled "Buildings and Building Regulations" is amended to amend Section 4-7 (A) which shall read as follows:

Sec. 4-7. - Underground wiring.

(A) *Requirements and exceptions.* In new residential developments and any other land development projects, all utility lines, including but not limited to those required for electrical power distribution, telephone and telegraph communications, cable television, street lighting, electrical distribution system, including service lines to individual properties necessary to serve the development under consideration, shall be installed underground. Telephone and cable television utility lines may be attached to Florida Power and Light electrical transmission facilities when such are allowed by the provisions of this section. Appurtenances such as transformer boxes, pedestal-mounted terminal boxes and meter cabinets may be placed above ground on a level concrete slab and shall be located in such a manner as to minimize noise effects upon the surrounding residential properties. All underground wires shall be buried a minimum of 18 inches below the finished ground line. This requirement shall not apply to properties with either the west property line or east property line adjacent to SR A-1-A having a distance from South to North of 189' or less.

(B) *Easements.* Recorded easements shall be provided for the installation of all underground utilities facilities, in conformance with such size and location of easements as may be determined by the town to be compatible with the requirements of all utility companies involved with respect to a particular utility service.

(C) *Arrangements with persons furnishing utility services.*

(1) The owner or developer shall make the necessary financial compensation and other arrangements for the underground installation with each of the franchised utilities that are involved with respect to a particular development.

1 (2)The owner or developer shall submit written evidence of a satisfactory arrangement
2 with each of the franchised utilities involved with respect to a particular development
3 before the final site development plan of the project is submitted to the Planning Board
4 for its consideration.

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

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

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

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18 Section 6. This Ordinance shall be effective immediately upon passage and adoption by the
19 Town Commission of the Town of Hillsboro Beach.
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21 PASSED AND ADOPTED BY THE TOWN COMMISSION OF THE TOWN OF HILLSBORO
22 BEACH, FLORIDA, ON FIRST READING, THIS 14th DAY OF NOVEMBER, 2017.

PASSED ADOPTED BY THE TOWN COMMISSION OF THE TOWN OF HILLSBORO BEACH,
FLORIDA, ON SECOND AND FINAL READING, THIS 9 DAY OF JANUARY, 2018.

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26 JAN 09 2018

27 By: Deborah L. Tarrant
28 Deborah L. Tarrant, Mayor

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32 ATTEST:

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34 By: Sherry D. Henderson
35 Sherry D. Henderson, CMC Town Clerk
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