

ORDINANCE NO. 05-2020

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF JUPITER INLET COLONY, FLORIDA AMENDING CHAPTER 10 OFFENSES, SECTION 10-4 *PERMIT REQUIRED FOR FIRES* OF THE CODE OF ORDINANCES OF THE TOWN OF JUPITER INLET COLONY, FLORIDA IN ORDER TO PROVIDE ADDITIONAL RULES AND REGULATIONS PERTAINING TO PERMITS FOR FIRES AND BONFIRES WITHIN THE TOWN; PROVIDING AUTHORITY TO CODIFY; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF JUPITER INLET COLONY, FLORIDA, AS FOLLOWS:

SECTION 1. Chapter 10. OFFENSES, Section 10-4. *Permit required for fires* of the Code of Ordinances of the Town of Jupiter Inlet Colony, Florida is hereby amended to read as follows:

Section 10-4. *Permit required for fires.*

It shall be unlawful for any person to set a fire or bonfire on any lot, street, alley, beach or other public or private place within the corporate limits of the municipality without first receiving a permit to do so from the ~~mayor or police chief~~ Town Administrator, or designee. The following requirements shall be met in order for a permit to be issued:

- A. Permits shall be issued only for fires or bonfires at the beach, for waterfront lots or for properties in excess of 19,000 square feet in area; and
- B. Except for fires or bonfires at the beach, all fires or bonfires shall be placed in a firepit or other contained area and shall not be allowed to burn on the open ground or yard area; and
- C. Except for fires or bonfires at the beach, all fires or bonfires on waterfront lots shall be permitted only within fifty (50') feet of the abutting water; and
- D. Except for fires or bonfires at the beach, the permittee or property owner shall have water present in the immediate vicinity of the fire by virtue of a hose with direct access to the water supply or a five (5) gallon container of water in order to control or contain the fire and flames; and
- E. Fires or bonfires shall be permitted only in the rear yards of a residential property; and
- F. No pretreated wood or lumber shall be used in any fire or bonfire.

SECTION 2. Specific authority is hereby granted to codify and incorporate this Ordinance into the existing Code of Ordinances of the Town of Jupiter Inlet Colony, Florida.

SECTION 3. That all Ordinances or parts or Ordinances, in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

SECTION 4. If any clause, section or other part of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way affecting the validity of the other provisions of this Ordinance.

SECTION 5. This Ordinance shall become effective immediately upon its passage and adoption.

FIRST READING this 13th day of July, 2020.

SECOND READING and FINAL PASSAGE this 10th day of August, 2020.

TOWN OF JUPITER INLET COLONY, FLORIDA

Mayor Daniel J. Comerford, III

Vice-Mayor Milton J. Block

Commissioner Michael A. Armato

Commissioner Cynthia Keim

Commissioner Richard D. Busto

ATTEST:

Town Clerk Jude M. Goudreau