

**CITY OF POMPANO BEACH**  
**Broward County, Florida**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 152, "BUILDINGS," BY AMENDING SECTION 152.06, "CONSTRUCTION DEBRIS MITIGATION AND SCREENING," TO MODIFY REQUIREMENTS AND CONDITIONS FOR TEMPORARY CONSTRUCTION FENCING; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to law, ten (10) days' notice has been given by publication in a paper of general circulation in the City, notifying the public of this proposed ordinance and of a public hearing in the Commission Meeting Room of the City of Pompano Beach, Florida; and

**WHEREAS**, a public hearing before the City Commission was held pursuant to the public notice described above at which hearing the parties in interest and all other citizens so desiring had an opportunity to be, and were in fact heard; now, therefore,

**BE IT ENACTED BY THE CITY OF POMPANO BEACH, FLORIDA:**

**SECTION 1.** That Section 152.06, "Construction Debris Mitigation and Screening," of the City of Pompano Beach Code of Ordinances is hereby amended to read as follows:

**§152.06 CONSTRUCTION DEBRIS MITIGATION AND SCREENING.**

...

(B) Temporary perimeter site fencing shall be required for construction sites pursuant to the following guidelines:

(1) The fence shall be six feet high, with approved 90% opaque wind screening material outside and securely and tightly attached to the fence to prevent dust and debris intrusion upon adjacent properties. The barrier or screening must be kept secure from any wind damage, free of rips, tears, graffiti and discoloration. Except where specified otherwise, the barrier must cover the entire construction site. Approval of the screening material shall be part of the permitting process in subsection (B)(3) below, and all applicants shall provide samples or

photos or other information with regard to the desired screening material depicting the type and nature of such materials.

...

~~(4) Approved wind screening material shall contain no advertising. No signs shall be allowed to be hung on either the fence or screening material with the sole exception of the permit information sign which must be in full view on the street side of the fence and screening and must be hung on said fence and screening. The screening material shall cover the entire fence, and shall be maintained and kept in good repair. Temporary construction screening may include the following graphics:~~

(a) Project renderings may cover the entire length of the fence but shall not extend above the top of the required fence.

(b) The canvas or mesh fence panel covering may provide identification of the name and intended use of the project, project rendering, project website address and owner or agent, the contact information for the owner or agent, and the name and emergency contact information of the general contractor. Optional information may include the names of the developer, architect, engineer, lending institution, general contractor, and their corporate logos.

(c) The city logo, aerial images of the project location and/or city, photographic images of city owned land, buildings or structures, may be included in the barrier and/or the city's adopted screening graphics as approved by the city's Development Services Department.

(d) Murals or other public art are encouraged to be placed on plywood or incorporated as part of the screening material (subject to City Commission approval). Artwork will be selected based on the appropriateness of the artwork to the site and site environmental conditions, the quality of the artwork and general consistency with the standards for "artwork qualities" listed in the 2016-2025 Ten Year Public Art Master Plan & Public Art Guidelines.

(e) No part of the fence covering may contain advertising or sales information.

(f) Screening may not be political in nature and cannot include nudity or profanity. With exception of the project information described in Section 152.06 (B)(4), (a) & (b), screening may not be commercial in nature.

(g) Any letters and logos included in the screening are limited to 24" and may not exceed up to 1/3 of the total fence screening surface.

...

(D) The permit applicant and the property owner shall be jointly and severally responsible for compliance with this section. ~~For any violation of this section, the Building Official or his/her designee may issue a stop work order, which shall be valid until such time as compliance with the section is achieved.~~

...

(G) Failure to comply with any requirement contained within this section shall constitute a violation punishable before the Special Magistrate for Code Enforcement pursuant to the provisions of Chapter 37 of this Code, and of F.S. Chapter 162. Each day a violation of this section occurs shall be considered a separate violation. When the Building Official or his/her designee deems there to be a public safety concern, the Building Official or his/her designee may issue a stop work order, which may remain valid until such time as compliance with the section is achieved.

**SECTION 2.** If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

**SECTION 3.** This Ordinance shall become effective upon passage.

**PASSED FIRST READING** this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

**PASSED SECOND READING** this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

---

**REX HARDIN, MAYOR**

**ATTEST:**

---

**ASCELETA HAMMOND, CITY CLERK**

MEB/jrm  
6/10/21  
L:ord/ch152/2021-197