



Vacation Rental Registration Package

Steps for Registering your Vacation Rental

As of October 1, 2018, you are required to register your vacation rental with the City if you rent your residential dwelling unit to transient occupants more than three (3) times in a calendar year, for periods of less than thirty (30) days, or one calendar month, whichever is less.

Section 98-106 of the Deerfield Beach Land Development Code requires vacation rentals to register with the City and also comply with certain vacation rental standards.

Before submitting your registration to the City, you must obtain the following documentation.

- City of Deerfield Beach - Business Tax Receipt
- Broward County - Tourist Development Tax Registration
- Florida Department of Business & Professional Regulation - Vacation Rental License
- Florida Department of Revenue - Certificate of Registration
- Postings required by Section 98-106(g) of the Deerfield Beach Land Development Code
- Notarized Vacation Rental Affidavit
- \$100 registration (payment by check, cash or credit card to the City of Deerfield Beach)

Contact details for the agencies responsible for providing the above documentation are included with this package. Copies of sections of the Deerfield Beach Land Development Code related to vacation rentals are also included with this package and must be reviewed prior to submitting your registration.

If you have questions related to the requirements for registration, you can contact the Planning & Zoning Division, Monday through Friday, 8:00 a.m. to 5:00pm.

City of Deerfield Beach – Planning & Zoning Division
150 NE 2nd Avenue Deerfield Beach, FL 33441
Phone: 954-480-4206

You can submit your registration in person to the Code Compliance Division, Monday through Friday, from 8:00 a.m. to 4:30 p.m. Incomplete applications will not be accepted.

City of Deerfield Beach - Code Compliance Division
150 NE 2nd Avenue Deerfield Beach, FL 33441
Phone: 954-480-4241

You will be provided with a copy of your registration once staff has determined your registration is complete.

Remember it is your responsibility to renew your registration annually, on October 1 of each year.



Vacation Rental Registration Form

Provide in Full the Following Information (Print or Type)
Submit to: City of Deerfield Beach - Code Compliance Division
150 NE 2nd Ave, Deerfield Beach, FL 33441

Section One: Type of Registration

New Registration Annual Renewal

Section Two: Property Owner Information and Vacation Rental Location

Owner Name: _____

Address: _____

Phone: _____ Email: _____

Owner Signature: _____ Date: _____

Registered Agent Name (if applicable): _____

Registered Agent Signature: _____ Date: _____

Section Three: Responsible Party Information (provide 24hr contact details)

Sections 98-106(e)(2) and (3) of the City of Deerfield Beach Land Development Code specify the requirements of the responsible party. The property owner may serve in this capacity or designate a responsible party on their behalf.

Name: _____

Address: _____

24hr Phone: _____ Email: _____

Section Four: Required Documentation - per Section 98-106(d) Deerfield Beach Land Development Code (submit copies of all current and active documents, unless noted otherwise)

- City of Deerfield Beach - Business Tax Receipt
- Broward County - Tourist Development Tax Registration
- Florida Department of Business & Professional Regulation - Vacation Rental License
- Florida Department of Revenue - Certificate of Registration
- Postings required by Section 98-106(g) of the City of Deerfield Beach Land Development Code
- Notarized Vacation Rental Affidavit (original)

OFFICE USE ONLY (to be completed for approved registrations only)

Registration Fee Paid (circle one): Yes / No

Staff Member Name: _____ Signature: _____

Registration Date: _____ Registration Number: _____



Vacation Rental Registration – Affidavit

Before me, the undersigned authority, personally appeared:

Print Name

Who after being duly sworn and cautioned, deposes and states: I intend to operate a vacation rental at the following location:

Street Address: _____

City _____ State _____ Zip _____

I have been provided a copy of Section 98-106 of the City Code, entitled VACATION RENTALS and have reviewed same. I intend to operate the vacation rental in compliance with Section 98-106 of the Deerfield Beach Land Development Code.

I the undersigned, fully understand the definition of “vacation rental” as defined in Section 98-3 of the Deerfield Beach Land Development Code.

I understand that I am obligated to renew the Vacation Rental Registration annually, by October 1 of each year, and that any change(s) to the information or submittals included within the initial or renewal registration must be reported to the city within 30 days of the occurrence of such change(s).

I understand and agree to inspections of the property by the City on reasonable notice in order for the City to assure compliance with Section 98-106 of the Deerfield Beach Land Development Code.

I understand that the Vacation Rental Registration may be revoked if there is a violation of the above referenced Code and I may be subject to fines up to \$250 per day for the first offense and \$500 for repeated offenses.

Print Name

Signature

Date

NOTARY: _____ Date: _____



Vacation Rental Contact Information

1. Code Compliance Division - City of Deerfield Beach
150 NE 2nd Ave, Deerfield Beach, FL 33441
Phone: 954-480-4241
Email: web.code@deerfield-beach.com
www.deerfield-beach.com
 2. Planning & Zoning Division - City of Deerfield Beach
150 NE 2nd Ave, Deerfield Beach, FL 33441
Phone: 954-480-4206
Email: web.planning@deerfield-beach.com
www.deerfield-beach.com
 3. Business Tax Office - City of Deerfield Beach
150 NE 2nd Ave, Deerfield Beach, FL 33441
Phone: 954-480-4333
Email: web.btr@deerfield-beach.com
www.deerfield-beach.com
 4. Broward County Tourist Development Tax Section
115 S. Andrews Avenue, Room A-110
Fort Lauderdale, FL 33301
Phone: 954-357-8455
Email touristtax@broward.org
www.broward.org
 5. Florida Department of Business & Professional Regulation
Division of Hotels & Restaurants
Suite A, 5080 Coconut Creek Parkway
Margate, FL 33063
Phone: 850-487-1395
Email: dhr.info@myfloridalicense.com
www.myfloridalicense.com
 6. Florida Department of Revenue
Suite 200, 3301 University Dr
Coral Springs, FL 33065
Phone: 954-346-3000
Email: DORGTA@floridarevenue.com
www.myflorida.com
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Deerfield Beach Land Development Code Sections

1. Section 98-106 – Vacation Rentals
 2. Section 98-3 – Definitions (extract)
 3. Section 98-74 – Swimming pools and spas
 4. Section 34-35 – Specific noise prohibitions
 5. Section 58-69 – Preparation and storage of residential refuse
 6. Section 66-58 – Parking prohibited on certain streets / commercial vehicle restrictions
 7. Section 14-105 – Exterior building and structure standards
 8. Section 14-106 – Minimum standards for yards and landscape areas
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Sec. 98-106. - Vacation rentals.

(a) *Authority, Scope and Purpose.*

- (1) This section is enacted under the home rule power of the City of Deerfield Beach in the interest of the health, peace, safety and general welfare.
- (2) Section 509.013, Florida Statutes, provides a distinction between "transient public lodging establishments," which are rented, or advertised or held out for rental to guests more than three times in a calendar year for periods of less than 30 days or one calendar month, whichever is less; and "non-transient public lodging establishments," which are rented, or advertised or held out for rental to guests for periods of at least 30 days or one calendar month, whichever is less.
- (3) Section 509.242(1)(c), Florida Statutes, further provides for a subset of transient public lodging establishments, called "vacation rental," which is any unit or group of units in a condominium or cooperative or any individually or collectively owned single-family, two-family, three-family or four-family house or dwelling unit that is also a transient public lodging establishment, but that is not a timeshare project.
- (4) It is the intent of this section to regulate life safety requirements for vacation rentals, as defined by Florida Statutes, which are located in residential dwelling zoning districts of the City of Deerfield Beach.
- (5) In 2011, the Florida Legislature passed House Bill 883, (Chapter 2011-119, Laws of Florida), amending Florida Statutes, Section 509.032(b) to provide that "[a] local law, ordinance or regulation may not restrict the use of vacation rentals, prohibit vacation rentals or regulate vacation rentals based solely on their classification, use or occupancy. This paragraph does not apply to any local law, ordinance or regulation adopted on or before June 1, 2011."
- (6) In 2014, the Florida Legislature passed Senate Bill 356 (Chapter 2014-71, Laws of Florida), amending that same statute to read "[a] local law, ordinance or regulation may not prohibit vacation rentals, or regulate the duration or frequency of rental of vacation rentals. This paragraph does not apply to any local law, ordinance or regulation adopted on or before June 1, 2011.
- (7) This section does not prohibit vacation rentals, or regulate the duration or frequency of vacation rentals, nor is it the intention of the City of Deerfield Beach to do so, but rather this section is intended to address life safety and compatibility concerns and the secondary effects of vacation rentals in residential neighborhoods in the interests of health, peace, safety and general welfare.

(b) *Findings of fact.*

- (1) Residents residing within their residential dwellings are inherently familiar with the local surroundings, local weather disturbances, local hurricane evacuation plans, and means of egress from their residential dwellings, thereby minimizing potential risks to themselves and their families.
- (2) In contrast, transient occupants of vacation rentals, due to their transient nature, are typically not familiar with local surroundings, local weather disturbances, local hurricane evacuation plans, and means of egress from the vacation rentals in which they are staying, thereby increasing potential risks to themselves and their families, and putting an additional burden on, and potentially putting at risk, emergency personnel in the event of an emergency situation.
- (3) Certain vacation rentals are presently located within the city's residential dwelling zoning districts.
- (4) Vacation rentals, left unregulated, can create negative impacts within residential neighborhoods due to excessive noise, parking and traffic problems, excessive use and impact on public services and public works, extreme size and/or greater occupancy.
- (5) Vacation rentals situated within residential neighborhoods can disturb the quiet nature and atmosphere of such neighborhoods, and the quiet enjoyment of its residents.
- (6) Vacation rentals located within established residential neighborhoods can create negative compatibility

- impacts relating to extreme noise levels, late night activities, on-street parking issues and traffic congestion.
- (7) A residential dwelling is typically the single largest investment a family will make, with the residents of the residential dwelling desiring the tranquility and peaceful enjoyment of their neighborhood without excessive noise and increased parking issues and traffic congestion caused by transient occupants of vacation rentals.
- (c) *Vacation rental standards.* Vacation rentals shall be permitted in all residential dwellings provided they are in compliance with this section and the applicable zoning district regulations. No person shall rent or lease all or any portion of a "dwelling unit" as a "vacation rental," as those terms are defined in section 98-3, without complying with the following standards governing the use of any vacation rental as a permitted use:
- (1) *Minimum life/safety requirements:*
 - a. *Swimming pool, spa and hot tub safety.* A swimming pool, spa or hot tub shall comply with the current standards of the Residential Swimming Pool Safety Act, Chapter 515, Florida Statutes.
 - b. *Smoke and carbon monoxide (CO) detection and notification system.* If an interconnected and hard-wired smoke and carbon monoxide (CO) detection and notification system is not in place within the vacation rental, then one such system shall be required to be installed and maintained on a continuing basis consistent with the requirements of Section R314, Smoke Alarms, and Section R315, Carbon Monoxide Alarms, of the Florida Building Code-Residential.
 - c. *Fire extinguisher.* A portable, multi-purpose dry chemical 2A:10B:C fire extinguisher shall be installed, inspected and maintained in accordance with NFPA 10 on each floor/level of the dwelling unit. The extinguisher(s) shall be installed on the wall in an open common area or in an enclosed space with appropriate markings visibly showing the location.
 - d. *Battery powered emergency lighting of primary exit.* Battery powered emergency lighting which provides illumination automatically in the event of any interruption of normal lighting shall be provided for a period of not less than one hour to illuminate the primary exit.
 - e. *Emergency egress and maintenance.* Halls, entrances and stairways within a vacation rental shall be clean and ventilated. Hall and stair runners shall be kept in good condition. Rails shall be installed on all stairways and around all porches and steps.
 - (2) *Maximum occupancy.* Each vacation rental dwelling unit shall be occupied by no more than one "family", as defined in section 98-3 of this Code, and in no event shall maximum occupancy of such dwelling unit exceed two persons per bedroom plus two additional persons.
 - (3) *Minimum vacation rental lease wording.* The vacation rental lease agreement shall contain the minimum information as provided for in subsection 98-106(f).
 - (4) *Minimum vacation rental information required postings.* The vacation rental shall be provided with posted material as prescribed in subsection 98-106(g).
 - (5) *Responsible party.* Designation of a vacation rental responsible party capable of meeting the duties provided in subsection 98-106(e).
 - (6) *Other standards.* Any other applicable standards contained within the City of Deerfield Beach Land Development Code and the City of Deerfield Beach Code of Ordinances including but not limited to, section 14-105 (Exterior building and structure standards), section 14-106 (Minimum standards for yard and landscape areas), section 58-69 (Preparation and storage of residential refuse), section 66-58 (Parking prohibitions on certain streets) and section 98-74 (Swimming pool enclosure requirements).
- (d) *Registration required.* It shall be unlawful for any person to operate a vacation rental within the corporate limits of the city without first registering the vacation rental with the planning and development services department in accordance with the requirements in this subsection. All vacation rentals shall be registered no later than October 1, 2018, or a date up to 90 days later if such later date is approved by resolution of the city commission.
- (1) *Initial registration.* Every vacation rental owner, either personally or through an authorized agent, shall first

register with the city by submitting to the planning and development services department a properly completed registration form, utilizing a form approved by the city, together with a registration fee in an amount established by resolution of the city commission. A separate registration form shall be required for each vacation rental. The registration form shall include the following submittals:

- a. A copy of the business tax receipt from the City of Deerfield Beach pursuant to Chapter 38, Article VII, Division 5 of the Code of Ordinances.
 - b. A copy of the vacation rental's current registration with the Broward County Tourist Development Tax Section for purposes of collecting and remitting tourist development taxes.
 - c. A copy of the Florida Department of Business and Professional Regulation license as a transient public lodging establishment/vacation rental.
 - d. A copy of the vacation rental's current and active certificate of registration with the Florida Department of Revenue for the purposes of collecting and remitting sales surtaxes, transient rental taxes and any other taxes required by law to be remitted to the Florida Department of Revenue, if the registrant has such certificate of registration.
 - e. Copies of the postings required by subsection 98-106(g) shall be provided.
 - f. A completed vacation rental responsible party application, in a form approved by the city, which includes the name, address and 24-hour telephone number(s) of the vacation rental responsible party who satisfies the requirements in subsection 98-106(e)(2) and (3).
 - g. A properly executed and notarized affidavit, in a form approved by the city, acknowledging and agreeing to compliance with all of the vacation rental requirements set forth in this section.
- (2) *Registration renewal.* After a vacation rental is initially registered, the registration shall be renewed by October 1 of each year in the following manner:
- a. *Renewal affidavit.* The registrant shall submit to the city a properly executed and notarized affidavit, in a form approved by the city, attesting that there have been no changes to the information in the initial registration form and accompanying documents, including all updates pursuant to subsection 98-106(3) or, alternatively, identifying and attesting to specific changes to the registration information with any applicable supporting documents to be submitted to the city.
 - b. *Renewal fee.* The registrant shall pay a renewal fee in an amount established by resolution of the city commission.
- (3) *Registration updates.* Any change(s) to the information or submittals included with the initial or renewal registration must be reported to the city within 30 days of the occurrence of such change(s) via a form approved by the city. The registrant shall sign the form and attest to the truth and accuracy of the changes.
- (4) *Incomplete registration/renewal affidavit.* If a registration form or renewal affidavit submitted pursuant to this subsection is incomplete, the registrant shall be notified of the deficiency and shall have ten days from notification to correct the deficiency.
- (5) *Evidence of vacation rental operation.* Advertising, listing or posting a property on the internet, in a newspaper advertisement or other similar publication as being available for use as a vacation rental creates a rebuttable presumption that the property owner is operating it as a vacation rental. Nothing in this paragraph precludes the city from presenting other forms of evidence.
- (6) *False information.* It shall be unlawful for any person to give any false or misleading information in connection with the vacation rental obligations under this section.
- (e) *Vacation rental responsible party.*
- (1) The purpose of the responsible party is to respond to routine inspections as well as non-routine complaints and other more immediate problems related to a vacation rental.
 - (2) The property owner may serve in this capacity or shall otherwise designate a vacation rental responsible party

- to act on their behalf. Any person 18 years of age or older may be designated by the owner provided they can perform the duties listed in subsection 98-106(e)(3) below.
- (3) The duties of the vacation rental responsible party whether the property owner or an agent are to:
- a. Be available by mobile telephone at the listed phone number 24 hours a day, seven days a week and capable of handling any issues arising from the vacation rental use; and
 - b. If necessary, be willing and able to come to the vacation rental dwelling unit within two hours following notification from an occupant, the owner, or the city to address issues related to the vacation rental; and
 - c. Authorized to receive service of any legal notice on behalf of the owner for violations of this section; and
 - d. Otherwise monitor the vacation rental dwelling unit at least once weekly to assure continued compliance with the requirements of this section.
- (4) A property owner may change his or her designation of a vacation rental responsible party temporarily or permanently; however, there shall only be one vacation rental agent for each vacation rental at any given time. To change the designated agent, the property owner shall notify the city pursuant to subsection 98-106(d)(3).
- (f) *Vacation rental/lease agreements minimum provisions* . The rental agreement must contain the following information at a minimum:
- (1) A copy of the language in subsection 98-106(c)(2) regarding maximum occupancy.
 - (2) A statement regarding the total number of parking spaces allowed for the vacation rental dwelling unit; and
 - (3) A statement that all transient occupants must evacuate from the vacation rental following any evacuation order issued by local, state or federal authorities.
- (g) *Required posting of the following vacation rental information* .
- (1) On the back of or next to the main entrance door or on the refrigerator there shall be provided as a single page the following information:
 - a. The name, address and mobile telephone number of the vacation rental responsible party;
 - b. Notice that quiet hours are to be observed between 9:00 p.m. and 7:00 a.m. daily or as superseded by any subsequent city noise regulation—Chapter 34, Article II, Noise Control;
 - c. The maximum number of vehicles that can be parked at the vacation rental dwelling unit, along with a sketch of the location of the off-street parking spaces;
 - d. The days of trash pickup and recycling pickup;
 - e. If the vacation rental is located on the barrier island, notice of sea turtle nesting season restrictions and sea turtle lighting usage; and
 - f. The location of the nearest hospital.
 - (2) If the vacation rental includes three or more occupied floors, on the third floor above ground level and higher floors there shall be posted, next to the interior door of each bedroom a legible copy of the building evacuation map—Minimum 8 1/2" by 11" in size.
- (h) *Offenses/violations* .
- (1) Non-compliance with any provisions of this section shall constitute a violation of this section.
 - (2) *Separate violations* . Each day a violation exists shall constitute a separate and distinct violation.
- (i) *Remedies/enforcement* . Any violation of the provisions of this section may be enforced either pursuant to section 1-15 of the City of Deerfield Beach Code of Ordinances or through the code enforcement process set forth within Chapter 2, Article VI of the City of Deerfield Beach Code of Ordinances, or in any other manner authorized by applicable law. Nothing contained herein shall prevent the city from seeking all other available remedies which may include, but not be limited to, injunctive relief, liens and other civil and criminal penalties as provided by law, as well as referral to other enforcing agencies.
- (j) *Additional time to comply with minimum life safety standards* . Some existing vacation rentals may not meet the

minimum life safety standards required in this section. Correcting these measures may take some time to secure a licensed contractor, obtain the necessary permits and complete the work. A vacation rental in operation on or before February 20, 2018 shall have until October 1, 2018 to come into compliance with the minimum life safety standards, provided that the vacation rental is in compliance with all other requirements contained in this section.

- (k) *No waiver*. An effective vacation rental registration shall not be construed as a waiver of any requirements contained within the City of Deerfield Beach Code of Ordinances or Comprehensive Plan. The effective registration of a vacation rental shall not be construed as an approval of a use or activity that would otherwise be illegal under Florida law, the Florida Building Code, the Florida Fire Code or Life Safety Code.

(Ord. No. 2017/014, § 2, 6-19-17; Ord. No. 2018/011, § 2, 2-20-18)

Sec. 98-3. - Definitions.

For the purpose of enforcing and administering this Code, the following words shall have the definition and meanings (and regulations related thereto) as herein set forth.

....

Dwelling unit (d.u.) means a single unit providing complete, independent living facilities for one family, including permanent provisions for living, sleeping, eating, cooking and sanitation, but not including recreation vehicles, tents, hotels, motels, boarding houses, or boats.

....

Transient occupants means any person, or guest or invitee of such person, who occupies or is in actual or apparent control or possession of residential property registered as a vacation rental. It shall be a rebuttable presumption that any person who holds themselves out as being an occupant or guest of an occupant of the vacation rental is a transient occupant.

....

Vacation rental means any unit or group of units in a condominium or cooperative or any individually or collectively owned single-family, two-family, three-family or four-family house or dwelling unit that is rented to transient occupants more than three (3) times in a calendar year but for periods of less than thirty (30) days or one (1) calendar month, whichever is less, or which is advertised or held out to the public as a place regularly rented to transient occupants, but that is not a timeshare project.

Sec. 98-74. - Swimming pools and spas.

- (a) This section shall only refer to inground pools. This shall include swimming pools, jacuzzis, hot tubs, spas or other whirlpool type devices so constructed that they may not be readily disassembled for storage and reassembled to the original integrity. These restrictions shall apply to swimming pools located in all zoning districts.
- (b) All swimming pools, jacuzzis, hot tubs and spas as described above shall be protected by a screened enclosure or fence, not less than four feet, which shall secure the area in which the pool is located from access except through the principal dwelling structure located on the property, a screen door or a fence gate. All screening or fencing shall be constructed in a manner consistent with this Code.
- (c) In-ground pools shall comply with the following requirements (measurements for determining setbacks are taken from the water's edge of the pool).
 - (1) Front yard setbacks shall be the same as for the principal building.
 - (2) Street side (corner) setbacks shall be 15 feet from the property line.
 - (3) Side, rear and waterfront setbacks shall be seven and one-half feet from the property line(s).
- (d) Screen enclosures over pools shall be considered accessory structures and shall be five feet back from the side and rear property lines and not allowed in the front or street side (corner) setbacks.
- (e) The provisions of this section shall be binding upon those swimming pools constructed subsequent to August 5, 1986. Swimming pools constructed before August 6, 1986 are exempt unless such swimming pools are subsequently brought into compliance with the terms of this section. Once a swimming pool is brought into compliance with this section, the exemption shall no longer apply to that swimming pool.
- (f) Notwithstanding the provisions of subsection (d) above, all swimming pools in the City of Deerfield Beach shall be brought into compliance with the provisions of this section prior to January 1, 2012.

(Ord. No. 2006/031, §§ 1, 2, 9-19-06; Ord. No. 2017/013, § 7, 6-19-17)

Sec. 34-35. - Specific noise prohibitions.

The following specific standards and restrictions shall apply to specific uses and/or activities in the City of Deerfield Beach except for such exemptions as are enumerated herein. The following acts are declared to be loud, disturbing, and/or excessive noise in violation of this chapter, but said acts shall not be deemed to be exclusive.

- (1) *Radios, television sets, exterior loudspeakers, musical instruments, and similar devices.* Operating or permitting the use or operation of any radio receiving set, exterior loudspeaker, musical instrument, phonograph, television set, or other machine or device for the production or reproduction of sound between the hours of 9:00 p.m. and 7:00 a.m. in such a manner as to be plainly audible at a distance of 50 feet or more from the source of the sound. Radios, cassette players, disk players and similar devices associated with motor vehicles or motorboats, shall not be operated in such a manner as to be plainly audible at a distance of 100 feet or more from such device, when operated on a public right-of-way or public space.
- (2) *Construction equipment and activity.* Operating or causing to be operated any equipment or performing any outside activity in furtherance of construction, repair, alteration or demolition work on buildings, structures, roads, or projects within the city except between the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday and between the hours of 9:00 a.m. and 5:00 p.m. on Saturday. No such activity shall be permitted on Sunday or on any holiday when the U.S. Post Office is closed. A variance may be obtained as set forth herein from the City of Deerfield Beach on the basis of good cause shown for such construction or repair work between such hours.
- (3) *Engine mufflers.* Operating any internal combustion engine, including such an engine associated with a motor boat, or motor vehicle without a muffler or other device at least as effective as that installed as original equipment by the manufacturer, which will effectively prevent loud or explosive noises therefrom.
- (4) *Motor vehicle, motorcycle or motorboat repair in residential areas.* Repairing, rebuilding, modifying or testing any motor vehicle, off-road vehicle, or motorboat within or abutting any residential land use designation in such a manner as to create noise across a real property boundary between the hours of 9:00 p.m. and 7:00 a.m.
- (5) *Activities in the vicinity of schools, courts, churches, and hospitals.* Creating any excessive noise on any street adjacent to any school, court, church, or hospital which unreasonably interferes with the workings of such institution, or which disturbs or unduly annoys patients in a hospital.
- (6) *Peddlers, hawkers, or vendors.* It shall be unlawful for peddlers, hawkers, or vendors to shout or cry along or on a roadway to the disturbance of the peace or quiet of a neighborhood.
- (7) *Drums, cymbals, and loudspeakers.* Creating, making, or maintaining any noise by the use of any drum, cymbals, loudspeaker, or other similar instruments in the City for the purpose of attracting attention to any performance, show, sale, or display of merchandise, or place of business. This provision shall not apply to ice cream trucks or approved public events.
- (8) *Bells or sirens on vehicles.* Using, in connection with an unauthorized vehicle, any bell or siren similar to that used on ambulances or vehicles of the sheriff, fire departments, and other public safety agencies.
- (9) *Skateboard ramps.* Using any skateboard ramp or similar configuration for skateboarding or rollerblading between 9:00 p.m. and 7:00 a.m. in a residential land use designation in such a manner that would result in noise across a real property boundary.
- (10) *Air blow or vacuum cleaners.* Operating any air-blow or vacuum cleaning equipment or similar devices

for the cleaning of parking lots, walkways, driveways, or similar areas between the hours of 9:00 p.m. and 7:00 a.m. that would result in noise across a real property boundary.

- (11) *Places of public entertainment.* It shall be unlawful for any public entertainment establishment or person associated with or working for said establishment to operate, play or permit the operation or playing of any radio, television, phonograph, drum, musical instrument, sound amplifier, or similar device between the hours of 11:00 p.m. and 7:00 a.m. in such a manner as to create noise across a real property boundary.
- (12) *Landscape maintenance.* Undertaking landscape maintenance activities in such a manner as to create noise across a real property boundary between the hours of 9:00 p.m. and 7:00 a.m. Golf courses engaged in the regular maintenance of greens, fairways, practice areas, etc. are exempt from this provision.
- (13) *Powered model vehicles.* Operating or permitting the operation of powered model vehicles in such a manner as to create noise across a real property boundary between the hours of 9:00 p.m. and 7:00 a.m.
- (14) *Animal noises.* It shall be unlawful for the owner or custodian of any animal to permit such animal to habitually bark, whine, howl, squawk, screech, crow or cause any other noise which is objectionable due to pitch, frequency, timing, or any combination thereof.
- (15) *City parks.* It shall be unlawful for any person to operate or permit the use of any exterior loudspeaker or amplifier for any entertainment purpose in any city park without first obtaining a special event permit to permit such uses. The special event permit shall state the allowable time frame for such use. The noise from the exterior loudspeaker or amplifier shall not be plainly audible at a distance of 50 feet or more from the source of the sound.

(Ord. No. 2000/013, § 5, 5-2-00; Ord. No. 2001/008, § 1, 2-19-02; Ord. No. 2013/028, § 1(c), 9-16-13; Ord. No. 2017/001, § 3, 1-17-17; Ord. No. 2018/009, § 2, 2-6-18)

Sec. 58-69. - Preparation and storage of residential refuse.

- (a) *Use of containers by other persons.* It shall be unlawful for persons to use cans, residential refuse containers or roll-out carts owned or assigned to other persons without the express permission of that person.
- (b) *Dumping on property owned by others prohibited.* It shall be unlawful to dispose of or discard any garbage, recyclable materials, trash, vegetative waste or litter on property owned or controlled by someone else.
- (c) *Residential refuse containers to be covered.* All garbage and residential refuse containers shall be kept tightly covered at all times, except as it is necessary to remove the cover for the purpose of depositing garbage or refuse in the residential refuse container or when collection is being made.
- (d) *Containers.* Residential refuse shall be placed in containers for collection except:
 - (1) Bulk yard waste and bulk trash too big to fit into the container and close the lid.
 - (2) Type of containers approved. Only city-issued refuse containers shall be used for collection purposes.
 - (3) Type of containers prohibited. The following type containers shall be prohibited:
 - a. 55-gallon metal, plastic or paper drums; cardboard drums; and
 - b. Any refuse container not defined in section 58-1.
- (e) *Contents of residential refuse containers.*
 - (1) Hazardous wastes shall not be placed in residential refuse containers for collection. Substances in this class shall be disposed of as prescribed by the city manager or designee with the cost of the disposal to be borne by the person disposing of the waste.
 - (2) Dead animals shall not be placed in residential refuse containers for regularly scheduled collections, but shall be disposed of in a manner prescribed by the city manager or designee.
 - (3) Residential refuse shall be drained of all liquid before being placed for collection.
 - (4) In no case shall any residential refuse roll-out cart and its contents weigh more than 50 pounds when placed for collection.
- (f) *Maintenance of residential refuse containers.*
 - (1) All residential refuse containers shall be maintained in good condition by the owner thereof.
 - (2) Any residential refuse container having ragged sharp edges or holes, being unable to support the weight of its contents, having any other defect likely to cause bodily injury and in any manner hamper collection of its contents shall not be emptied by city. Materials, such as glass windows, doors or mirrors shall be broken down and placed in a box. Upon notification by the city manager or designee, such defects shall be

corrected or the container replaced at the expense of the owner. If the owner of a defective residential refuse container does not comply with the provisions of this section, and after the passage of three consecutive collection days, the container shall be deemed abandoned by its owner and shall be removed by city employees.

- (g) *Storage of refuse containers.* When not placed for collection of refuse, all residential refuse containers shall be stored in an enclosed structure, or screened from view from the street in a location which is further back from the street than the setback for the residence. The screening may be either a fence or wall; or if no such location exists, the residential refuse container shall be placed flush against the front or side wall of the residence.

(Ord. No. 2008/004, § 2, 2-19-08; Ord. No. 2011/004, § 2, 2-1-11; Ord. No. 2015/021, § 6, 6-16-15; Ord. No. 2017/008, § 2, 5-16-17)

Sec. 66-58. - Parking prohibited on certain streets and commercial vehicle parking restrictions.

- (a) Except in compliance with law or the directions of a police officer, no person shall stop, stand or park a vehicle upon certain swale areas of the following streets of the city:
- (1) The unpaved swale areas of N.E. Third Street between N.E. 19th Avenue and N.E. 20th Avenue.
 - (2) The unpaved swale area of N.E. 20th Avenue between N.E. Second Street and N.E. Seventh Street.
 - (3) On the south side of N.E. 20th Terrace from the point of intersection of N.E. 20th Terrace with the paved area of N.E. 21st Avenue to a point 100 feet west of such point of intersection.
 - (4) The unpaved swale areas on the south side of S.E. Fourth Street from a point 230 feet east of the east right-of-way line of A1A eastward to S.E. 21st Avenue.
 - (5) The unpaved swale area of the north side of S.E. Fifth Street between S.E. 21st Avenue and a point 160 feet west of S.E. 21st Avenue.
 - (6) S.E. Ninth Street east of S.E. 21st Avenue.
 - (7) The unpaved swale area on the west side of S.W. 28th Avenue between S.W. Tenth Street and S.W. 13th Court.
 - (8) The unpaved swale area on both the north and south sides of S.E. Eighth Street between S.E. Second Avenue and S.E. Sixth Avenue.
 - (9) The unpaved swale area on the south side of S.E. 15th Street between S.E. Tenth Terrace and S.E. 12th Avenue.
 - (10) The north side and the south side of N.E. Fourth Street between N.E. Eighth Avenue and North Federal Highway (U.S. 1).
 - (11) The unpaved swale area on either side of S.W. Natura Boulevard from Hillsboro Boulevard to S.W. Tenth Street.
 - (12) The unpaved swale area of either side of Natura Avenue south of Natura Boulevard to and including the cul-de-sac area at the southern terminus of Natura Avenue.
 - (13) The unpaved swale area on the north side of N.E. Second Street from N.E. Sixth Avenue eastward to a point 100 feet east of the east right-of-way line of N.E. Sixth Avenue.
 - (14) The unpaved swale area on the north side of Hillsboro Boulevard between N.E. 20th Avenue (A1A) and N.E. 21st Avenue.
 - (15) Swale area on the west side of N.E. 8 Avenue, starting at N.E. 2 Street and ending at N.E. 5 Street.
 - (16) The unpaved swale area on the north side of S.E. First Street between S.E. 20th Avenue (A1A) and S.E. 21st Avenue.
 - (17) The south side of S.E. First Street between S.E. 20th Avenue (A1A) and S.E. 21st Avenue.
 - (18) Dixie Highway from Hillsboro Boulevard to S.E./S.W. Fourth Street.
 - (19) The west side of S.E. Second Avenue from S.E. Fourth Street to S.E. Seventh Street.
 - (20) The unpaved swale area on the west side of S.E. Sixth Avenue from S.E. Fourth Street to S.E. Tenth Street.
 - (21) The north side of N.E. Sixth Street westward from N.E. 20th Avenue for a distance of 140 feet.
 - (22) The south side of N.E. Sixth Street westward from N.E. 20th Avenue for a distance of 135 feet.
 - (23) The south side of N.E. Seventh Street westward from N.E. 20th Avenue for a distance of 475 feet.
 - (24) The east side of S.E. Second Avenue from S.E. Eighth Street to S.E. Tenth Street.
 - (25) The east side of S.E. 1st Way from S.E. 7th Street through S.E. 10th Street.
 - (26) Both the east and west sides of S.E. 19th Avenue from S.E. 1st Street to S.E. 4th Street.

- (27) The south side of S.E. 1st Street between S.E. 18th and S.E. 19th Avenues.
- (28) The north side of S.E. 2nd Street between A1A and S.E. 19th Avenue.
- (29) The north and south sides of S.E. 3rd Street between A1A and S.E. 19th Avenue.
- (30) The north side of S.E. 4th Street between S.E. 18th and S.E. 19th Avenues.
- (31) The north and south sides of S.E. 2nd Street from S.E. 19th Avenue to the end of and including the cul-de-sac.
- (32) The southeast corner of S.E. 19th Avenue and S.E. 6th Street.
- (33) S.E. 17th Avenue covering S.E. 4th Court and S.E. 4th Street (only on Friday and Saturday between the hours of 5:00 p.m. through 9:00 p.m.).
- (34) The unpaved swale area of the north and south ends of property on A1A at 513 No. Ocean Blvd.
- (35) Along the west side of S.E. 1st Way, a distance from the south right-of-way line of S.E. 7th Street to the south limits of Vista Gardens, a total of 978 feet.
- (36) The west side of S.E. 7th Avenue from S.E. 9th Street to S.E. 8th Street.
- (37) The north side of N.W. 2nd Street between N.W. 2nd Court and N.W. 2nd Terrace.
- (38) The southeast corner of the S.E. 18th Avenue/S.E. 4th Street intersection along the north property adjacent to Lot 1, Block 2, Pirates Cove Plat.
- (39) The unpaved portion of the swale area along S.W. 34th Avenue.
- (40) On the unpaved portion of the swale area along Goolsby Boulevard.
- (41) The south side of S.E. 2 Court from the west side of an alley contiguous to the property located at 261—289 South Federal Highway eastward to the west right-of-way line of South Federal Highway.
- (42) Northeast Second Street between Sixth Avenue and Federal Highway.
- (43) Swale area on the west side of N.W. Martin Luther King, Jr. Avenue (N.W. Third Avenue) from Hillsboro Boulevard to N.W. 2 Street.
- (44) N.E. 4 Avenue from Hillsboro Boulevard to N.E. 2 Street and south side of N.E. 2 Street between N.E. 3 Avenue and N.E. 4 Avenue.
- (45) Swale area in front of 56 N.W. 2 Street.
- (46) 961 S.E. 20th Avenue.
- (47) Median of S.E. 19th Avenue from S.E. 8th Street to 10th Street.
- (48) Property of Florida Power and Light Substation on 10th Street at S.E. 1st Way.
- (49) The west side of Military Trail adjacent to Deercreek Development.
- (50) S.E. 4th Street at Sequoia Gardens Condominium.
- (51) The west end of 54th Street in Highland Meadows from N.W. 4th Terrace to the edge of the CSX Railroad right-of-way, including the swale area and the roadway surface.
- (52) The swale areas of N.E. 2nd Street between the N.E. 20th Avenue and N.E. 19th Avenue.
- (53) The swale areas of N.E. 1st Street between N.E. 20th Avenue and N.E. 19th Avenue.
- (54) [Reserved.]
- (55) The swale areas of 4th Court between N.E. 20th Avenue and N.E. 21st Avenue.
- (56) The north side of 11th Street between 4th Avenue and 6th Avenue.
- (57) The north side of S.W. 15th Street between S.W. 11th Way and S.W. 9th Avenue.
- (58) The swale areas of Robinson Road between S.E. Second Avenue and the terminus of the roadway just past S.E. 7th Court.

- (59) The east side of S.W. 24th Avenue from Military Trail to the intersection of S.W. 12th Court.
 - (60) The swale areas of S.W. 12th Avenue from S.W. 10th Street to West Newport Center Drive.
 - (61) The east side of Military Trail from the north side of Sample Road north to NW 42nd Place.
 - (62) Frontage Roadway on south side of S.W. 10th Street between S.W. 24th Avenue and Military Trail.
 - (63) A portion of the north side of S.E. 10th Street between S.E. 9th Avenue and S.E. 10th Terrace.
 - (64) A portion of the swale area on the north side of S.E. 7th Street between A1A and Ocean Boulevard.
- (b) Commercial vehicles as defined in section 66-61 of this Code are prohibited from parking in the following areas:
- (1) On the swale area on the east and west sides of S.W. 11th Way (FAU Research Park Boulevard) between S.W. 10th Street and N.E. 48th Street except where the commercial vehicle is delivering or loading products or goods or actively providing a service.
 - (2) In any parking area of a City of Deerfield Beach public park without the express prior consent of the staff person in charge of the park except where the commercial vehicle is delivering or loading products or goods or actively providing a service.

(Code 1979, § 31020; Ord. No. 1993/014, § 1, 3-2-93; Ord. No. 1993/015, § 1, 3-2-93; Ord. No. 1993/018, § 1, 4-6-93; Ord. No. 1993/025, § 1, 6-1-93; Ord. No. 1993/028, § 1, 6-15-93; Ord. No. 1993/029, § 1, 6-15-93; Ord. No. 1993/050, § 1, 9-21-93; Ord. No. 1993/052, § 1, 10-21-93; Res. No. C-1993/145, 11-2-93; Ord. No. 1994/021, § 1, 8-2-94; Res. No. C-1994/074, § 1, 5-17-94; Ord. No. 1995/004, § 1, 1-10-95; Ord. No. 1995/015, § 1, 3-21-95; Ord. No. 1995/044, § 1, 9-5-95; Ord. No. 1995/048, § 1, 10-2-95; Ord. No. 1996/021, § 1, 6-18-96; Ord. No. 1996/039, § 1, 12-3-96; Ord. No. 1996/040, § 1, 12-3-96; Ord. No. 1997/004, § 1, 3-18-97; Ord. No. 1997/040, § 1, 11-18-97; Ord. No. 1998/002, § 1, 2-17-98; Ord. No. 1998/004, § 1, 3-3-98; Ord. No. 2003/011, § 1, 2-18-03; Ord. No. 2003/045, § 1, 11-4-03; Ord. No. 2004/034, § 1, 11-3-04; Ord. No. 2005/012, § 1, 4-5-05; Ord. No. 2006/006, § 1, 2-21-06; Ord. No. 2006/012, § 1, 5-16-06; Ord. No. 2006/026, § 1, 8-1-06; Ord. No. 2007/027, § 1, 8-21-07; Ord. No. 2007/034, § 1, 9-4-07; Ord. No. 2007/044, § 1, 10-16-07; Ord. No. 2013/032, § 2, 11-5-13; Ord. No. 2014/018, § 5, 6-17-14; Ord. No. 2014/029, § 2, 10-7-14; Ord. No. 2015/008, § 1, 4-7-15; Ord. No. 2015/014, § 1, 5-5-15; Ord. No. 2016/011, § 1, 6-7-16)

Sec. 14-105. - Exterior building and structure standards.

Every residential or nonresidential building and structure shall comply with the following requirements:

- (1) Foundations, floors, walls, ceilings, roofs, windows, doors and all other exterior building parts shall be structurally sound, weatherproof, watertight and rodent proof, and shall be kept in a good state of repair. Roof surfaces shall be weathertight and watertight to prevent rainwater from entering or causing dampness in any portion of the building or structure. Roofs shall be maintained to minimize discoloration of the surface that is caused by mildew or mold. Where water is permitted to stand on a roof for cooling purposes, the roof must be designed for that purpose and proper precautionary measures taken to prevent breeding of mosquitoes and other similar insects.
- (2) Gutters and downspouts, where in existence, shall be kept clear of debris and be maintained in a good state of repair and working condition.
- (3) Every outside stairway, porch, balcony, corridor and every appurtenance to such places shall be maintained in a safe and sanitary condition.
- (4) Every accessory structure shall be kept in a clean and sanitary condition, free from rodents, vermin and infestations. Fences, garden walls, sheds, docks and similar enclosures shall be maintained in a good state of repair.
- (5) Screen enclosures and awnings (both residential and commercial) shall be kept in a good state of repair.
- (6) All exterior surfaces of buildings or sheds, excluding roofs, shall be properly maintained and protected from the elements by paint or other protective coating applied in a workmanlike fashion.
- (7) Each exterior wall surface of buildings and structures shall be kept free of faded or chipped paint, and shall be maintained in a good state of repair and good condition to prevent deterioration, and must be cleaned (pressure and/or chemical), repainted or recovered with like material(s) when 25 percent or more any exposed surface becomes discolored or is peeling.
- (8) Outside storage of materials and equipment shall be restricted to the rear yard area and screened by an opaque fence or hedge so that such materials are not visible from any public right-of-way or adjoining lot.

(Ord. No. 2011/055, § 1, 12-6-11)

Sec. 14-106. - Minimum standards for yard and landscape areas.

- (a) No yard, landscape area, or growth of landscape material shall so encroach upon the public right-of-way as to hinder safe and convenient vehicular or pedestrian movement in the public right-of-way.
- (b) The owner, tenant and their agent, if any, shall be jointly and severally responsible for the proper maintenance and protection of landscaping and irrigation systems existing or hereafter installed. Maintenance shall include watering, weeding, mowing, treating, mulching, trimming, removal or replacement of dead or diseased plants, removal of refuse, debris and garbage on a regular basis so as to continue a healthy growing condition and present a neat and well-kept appearance at all times.
- (c) Landscaping shall be inspected periodically by the enforcing agency to ensure proper maintenance. The owner, tenant or agent shall be notified, in writing, of any areas which are not being properly maintained and shall, within 30 calendar days from the time of notification, restore the landscaping to a healthy condition. It shall be a violation of this section to fail to maintain landscaping.
- (d) The existence of a nuisance as defined in section 14-101 is prohibited.
- (e) Storage of any derelict or partially dismantled motor vehicle, trailer, boat, machinery, refrigerator, washing machine, plumbing fixture, furniture, storage container or similar article is prohibited unless the above is stored in a fully enclosed structure. Storage containers do not include refuse containers. As set forth within section 58-69(g) of this Code all residential refuse containers shall be stored in an enclosed structure, or screened from view from the street in a location which is further back from the street than the setback for the residence when not placed for collection of refuse. The screening may be either opaque landscaping or a fence or wall; or if no such location exists, the residential refuse container shall be placed flush against the front or side wall of the residence.

(Ord. No. 2011/055, § 1, 12-6-11)