

March 2013

Vol. 22 Issue 2

507 Ocean Avenue
Melbourne Beach
Florida 32951



TOWN OF MELBOURNE BEACH
BREVARD COUNTY'S OLDEST BEACH COMMUNITY • ESTABLISHED 1883

BEACH COMBER

Concerns regarding aggressive dogs

As many of you are aware, the Town has experienced a rash of incidents where aggressive dogs have attacked domesticated pets and harassed citizens. The Town Commission and staff have been working diligently with Brevard Animal Control curtail and prevent such attacks. It is imperative that anytime that a citizen feels threatened by a dog that it is reported to the Melbourne Beach Police Department, Brevard County Animal Control, or 911.

Contact information:

Emergency: 911
Melbourne Beach Police Department: Phone: (321) 723-4343
Brevard County Animal Services: Phone: (321) 633-2024

<http://www.brevardcounty.us/AnimalServices/>

Elected Officials

Mayor Tom Davis
Vice Mayor Rocco Maglio
Comm. Jean Marshall
Comm. Jay Gurecki
Comm. Lisa Farrall

Town Staff

Town Manager
Bill Hoskovec
**
Town Clerk
Rhonda Danielle
**
Police Chief
Dan Duncan
**
Public Works Director
Daniel Rocque
**
Town Accountant
Jennifer Howland
**
Fire Chief
Jim Hunter
**
Building Official
Vacant

Regulating Dangerous Animals

In Brevard County, there is a State statute and a County ordinance regulating dangerous dogs. The State law was adopted in part in 1901 and substantially expanded in 1990. The County ordinance was substantially revised in 1993 in an effort to implement the State law.

In the 1980s, Brevard municipalities and the County decided that the County would have the responsibility for animal control. The County could handle animal control countywide, since animal control problems know no political boundaries.

The State statute and the County ordinance provide that local animal control authorities are required to investigate claims of a dangerous dog. By law, a “dangerous dog” is defined as “any dog that according to the records of the appropriate authority:

* Has aggressively bitten, attacked, or endangered or has inflicted severe injury on a human being on public or private property; or

Continued on next page

Has more than once severely injured or killed a domestic animal while off the owner’s property; or

* Has, when unprovoked, chased or approached a person upon the streets, sidewalks, or any public grounds in a menacing fashion or apparent attitude of attack, provided that such actions are attested to in a sworn statement by one or more persons and dutifully investigated by the appropriate authority.

It is imperative that at any time a citizen feels threatened by an animal that they contact the authorities immediately so that appropriate action and documentation can be under taken.

MELBOURNE BEACH HISTORY CENTER

Please visit our History Center at 2373 Oak Street to learn about Melbourne Beach’s History. The Center is open on Saturdays from 11:00 until 3:00. We presently have the Kelly Slater exhibit up. This exhibit will run through the end of April. Kelly, the number one surfer in the world, is from Cocoa Beach but honed his skills in our backyard at Sebastian Inlet.

Volunteers are needed to man the History Center once per month on Saturdays for 4 hours, 11:00 until 3:00. Please call Chuck at 724-6173 to volunteer.

Meetings

Historic Center Bd-	03/07 @ 7:00	Parks Board-	04/10 @ 6:30
Planning & Zoning-	03/05 @ 7:00	Town Commission-	04/17 @ 6:30
Parks Board-	03/13 @ 6:30	Board of Adjustment	04/18 @ 6:30
Town Commission-	03/20 @ 6:30	Env. Adv. Board-	04/24 @ 6:30
Board of Adjustment-	03/21 @ 6:30		
Env. Adv. Board-	03/27 @ 6:30		
History Center Bd-	04/04 @ 7:00		
Planning & Zoning-	04/09 @ 7:00		

All times are PM unless otherwise noted



Vision Clearance at Corners

One of the primary obligations and goal of the Town is to ensure the safety and wellbeing of all who live, visit or work in our little slice of paradise. With this in mind I would like to bring to your attention a significant safety issue which you, the proprietor of a corner lot, can help to eliminate.

Vision Clearance at corners simply means when a driver, pedestrian or bicyclist approaches a street corner, there needs to be a well defined vision clearance in all directions. The person or persons navigating the intersection need to be able to clearly see traffic coming from different directions in order to navigate through the intersection in a safe manner. All too often, bushes, trees and the like, obscure a persons view to the left and right causing them to inch forward well beyond the stop point, putting themselves and others in jeopardy. As a resident, you have in all probability experienced this first hand and recognize the need to have a good field of view. The Town is asking for your attention and cooperation in this important matter.

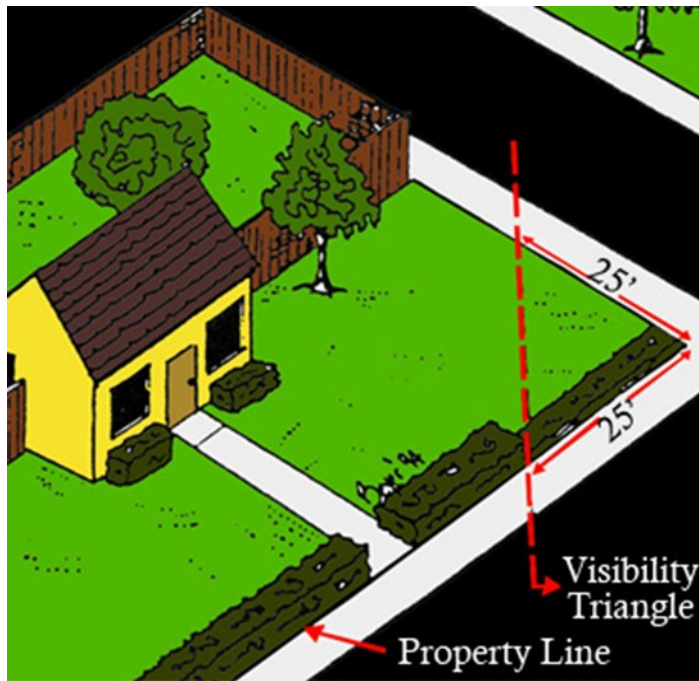
So what can you do? The first thing to do is look at the intersection area of your lot and using the attached guideline and drawings, determine a course of action. Will the work be done by you or a contractor? Hired landscaping, land clearing or tree trimming services must remove any material they generate and if you do the work yourself, DO NOT place trimmings in the roadway.

The development of a clear and unobstructed Vision Clearance Triangle on the property should be done as soon as possible. It is the responsibility of the homeowner/occupant to maintain their property **including the right-of-way (easement) from the curb to the property line.**

Again, we ask for your attention and full cooperation in this important matter in order to ensure the safety and wellbeing of all.

VISION CLEARANCE ENHANCES THE SAFETY AND WELLBEING FOR ALL WHO LIVE, VISIT OR WORK IN OUR LITTLE SLICE OF PARADISE.

MAKE IT HAPPEN, OPEN THE VIEW!



VISION CLEARANCE TRIANGLE

No visual obstructions shall be located in the vision clearance triangle including the area of the right-of-way (easement) in front of the triangle. This entire area is regulated to provide safe and adequate conditions for pedestrians and vehicles at intersections.

Vision Clearance Triangle Guidelines

Nothing within the vision clearance triangle shall be erected, placed, planted or allowed to grow in such a manner as to materially impede vision between the heights of three feet and ten feet above the centerline of grades of intersecting streets.

Trees located in the clearance triangle shall be trimmed to the trunk, between a height of three and 10 feet above the center line so as not to create a blind spot to vehicle, bicycle or pedestrian traffic.

Bushes shall be kept trimmed, with a maximum height of three feet above the centerline.

In some circumstances it may be necessary to remove trees or bushes that materially impede vision within the clearance triangle if they cannot be trimmed accordingly.

It shall be the responsibility of homeowner/occupant to maintain all trees, bushes and the like, year-round.

Little known fact:

§ 50-2. TREES AND SHRUBS NOT TO BE PLANTED ON RIGHTS-OF-WAY.

No trees or shrubs shall be planted on any right-of-way within the town without the written permission of the Public Works Director. This prohibition does not apply to grass or similar ground cover which can be cut by a mowing machine. Any application to plant trees or shrubs on a right-of-way shall be made in writing to the Public Works Director stating the type and proposed location of each tree or shrub.



Domestic Violence Safety Tips:

Personal Safety with an Abuser:

1. Identify your partner's use and level of force so that you can assess danger to you and your children before it occurs. If an abusive situation seems likely, try to diffuse your partner's anger. Swallow your pride, if necessary, and agree with your partner to avoid an episode of violence.
2. Try to avoid an abusive situation by leaving. Go for a walk, and let your partner cool down.
3. Identify safe areas of the house where there are no weapons and there are always ways of escape. If arguments occur, try to move to those areas.
4. Don't run to where the children are as your partner may hurt them as well.
5. If violence is unavoidable, make yourself a small target; dive into a corner and curl up into a ball with your face protected and arms around each side of your head, fingers entwined.
6. If possible, have a phone accessible at all times and know the numbers to call for help. Know your local battered women's shelter number. Don't be afraid to call the police.
7. Let trusted friends and neighbors know of your situation and develop a plan and visual signal for when you need help.
8. Teach your children how to get help. Instruct them not to get involved in the violence between you and your partner. Plan a code word to signal to them that they should get help.
9. Tell your children that violence is never right even when someone they love is being violent. Tell them that neither you nor they are at fault or cause the violence, and that whenever your partner is being violent, it is important for them to keep themselves safe.
10. Practice how to get out safely. Practice with your children.
11. Plan for what you will do if, for instance, your children somehow tell your partner of your plan or if your partner otherwise finds out about your plan.

Continued on next page

12. Keep weapons like guns and knives locked up and as inaccessible as possible.
13. Make a habit of backing the car into the driveway and keep it fueled.
14. Develop the habit of not wearing scarves or long necklaces that could be used to strangle you.
15. Have several plausible reasons for leaving the house at different times of the day or night.

Getting Ready to Leave:

1. Keep any evidence of physical abuse, such as pictures, etc., in a safe place that is accessible for you.
2. Know where you can go to get help; tell someone you trust what is happening to you.
3. If you are injured, go to a doctor or an emergency room and report what happened to you. Ask that they document your visit.
4. Plan with your children and identify a safe place for them (for example, a room within your home that has a lock or a friend's house where they can go for help). Reassure them that their job is to stay safe, not to protect you.
5. Contact your local battered women's shelter and find out about laws and other resources available to you before you have to use them during a crisis.
6. Keep a journal of all violent incidences involving your abuser those aimed at yourself and those aimed at others.
7. Acquire job skills as you can, such as learning to type or taking courses at a community college.

General Guidelines for Leaving an Abusive Relationship:

1. You may request a police stand-by or escort while you leave.
2. If you need to sneak away, be prepared:
 - Make a plan for how and where you will escape, and include a plan for a quick escape;
 - Put aside emergency money as you can;
 - Hide an extra set of car keys; and

Pack an extra set of clothes for yourself and your children and store them at a trusted friend or neighbor's house. Try to avoid using next-door neighbors, close family members and mutual friends, if at all possible.

3. Take with you a list of important phone numbers of friends, relatives, doctors, schools, etc., as well as other important items, including:

Driver's license;

Continued on next page

- Regularly needed medication;
- Checkbooks and information about bank accounts and other assets;
- List of credit cards held by self or jointly, or the credit cards themselves if you have access to them; and Pay stubs.

If time is available, also take:

- Copy of marriage license, birth certificates, will and other legal documents;
- Verification of social security numbers;
- Citizenship documents (passport, green card, etc.);
- Titles, deeds and other property information;
- Welfare identification;
- Medical records;
- Children's school records and immunization records;
- Insurance information; and

Valued pictures, jewelry, or personal possessions.

4. Create a false trail. Call motels, real estate agencies, schools in a town at least six hours away from where you actually are located. Ask questions that require a call back to your current house in order to leave numbers on record with your abuser.

After Leaving the Abusive Relationship

1. If getting a restraining order and your abuser is leaving:

- Change residence locks and phone number as soon as possible;
- Change your work hours and the route you take to work;
- Change regular route you use to take your children to school;
- Keep your copy of the restraining order in a safe place;
- Inform friends, neighbors and employers that you have a restraining order in effect; and

Always call the police to enforce the order even for the slightest violation.

2. If you leave:

- Consider renting a post office box for your mail or using the address of a friend;
- Be aware that addresses are on restraining orders and police reports and can be accessed by your abuser;
- Be careful to whom you give your new address and phone number; and

Change your work hours if possible.

3. Alert school authorities of the situation, and the fact that a restraining order is in place.

4. Consider changing your children's schools.

Continued on next page

5. After you leave, reschedule any appointments that your abuser was aware of before you left.
6. Shop at different stores and frequent different social spots than you previously frequented so your abuser will be less likely to find you.
7. Alert neighbors of your situation and request that they call the police if they feel you may be in danger.
8. Talk to trusted people about the violence.
9. Replace doors with solid-core wood, steel or metal doors. Install security systems, if possible.
10. Install a lighting system that lights up when a person is coming close to the house (motion sensitive lights).
11. Tell your co-workers about the situation; ask their assistance in screening all calls you receive during office hours.
12. Explicitly inform your children's caretakers about children who are allowed to pick up the children and that your partner is not allowed to do so.
13. Call your telephone company about "Caller ID." Ask that your phone be blocked, so that if you make the phone call, your partner nor anyone else will be able to get your new, unlisted phone number.

Message from Chief Dan Duncan

Stormwater Management Reminders:

As we, transition into springtime once again; please consider the subsequent regulations regarding yard rubbish:

- Please abstain from placing lawn debris on stormwater access ports—storm drains.
- Landscape contractors are required to remove any waste that they prune or cut; it is not a portion of the Waste Pro contract to remove waste that has been placed on the side of the road by private contractors.
- Everyone is reminded not to blow or distribute lawn clippings into the roadway or in the stormwater sewer. These continue to the lagoon and cause additional pollutants.

REMINDER: Ordinance Number 2010-03 expressly states: “No Applicator shall apply Fertilizers containing nitrogen and/or phosphorus to turf and/or landscape plants during the Prohibited Application Period.” Typically, that period is from June 01 – September 30, the rainy season. Fertilizers applied to turf and/or landscape plants with the Town shall be formulated and applied in accordance with Rule 5E-1.003 (2), of the Florida Administrative Code.” In other words, the fertilizers should be Eco-friendly.

Taking these concerns in hand will reduce the Town’s pollution load on the Indian River Lagoon and continue to enhance the splendor of what we know as beautiful Melbourne Beach. Being good stewards of one of the Town’s most valuable assets, it is incumbent upon all of us to bear in mind the impact that we can leave for the future generations.

SEA TURTLE NESTING SEASON

Early sea turtle nesting season is in effect from March 1 - April 30 each year followed by main turtle nesting season from May 1 - October 31. During early sea turtle nesting season, Leatherback sea turtles come ashore and lay their eggs. Leatherbacks, the largest living turtles, are listed as an endangered species, which means they are in danger of extinction in the foreseeable future. Lights from beachfront structures that shine or reflect onto the beach disrupt the instinctive nesting process. Melbourne Beach has a local lighting ordinance to protect sea turtles however, it does not take effect until May 1 when main sea turtle nesting season begins and hundreds of Loggerhead sea turtles nest each night. To help protect Leatherback sea turtle nesting early on Brevard’s beaches, it is important for residents to take action beginning March 1.

Some of the ways residents can help are:

Do not touch or disturb nesting sea turtles, hatchlings, or sea turtle nests.

Avoid walking on the beach late at night and refrain from using flashlights or flash photography.

Shield, reposition, replace, or turn off outdoor lights that are visible from the beach.

Keep curtains or blinds closed after dark when interior lights are on. In 2012, interior light sources were the most frequently documented lights visible from the beach. Dining room chandeliers, ceiling fanlights, and fluorescent fixtures can be especially bright. When interior lights are on and curtains or blinds are open, the interior of your residence is illuminated and clearly visible from the beach. To protect your privacy and help protect sea turtles, keep your curtains and blinds closed after dark.

Environmental Advisory Board Sea Oat Planting

The Environmental Advisory Board had a sea oat planting on February 9, 2013 and below are some pictures to show you how hard this board works for the Town.



Marine Debris on Your Beach

Marine debris is defined by the National Oceanic and Atmospheric Administration (NOAA) as any man-made object that is discarded, disposed or abandoned into the coastal or marine environment. The most common types of marine debris are cigarette filters, beverage bottles and cans, food wrappers, fishing lines and gear. All debris has one thing in common, they share a common origin: people. Humans are responsible for mishandling or improper disposal of materials, which eventually enter into the marine environment.

Marine debris can have many impacts on the marine environment. Debris, such as fishing nets and gear, can smother, crush and damage both coral reefs and bottom-dwelling species. Wildlife (birds, seals, manatees, and sea turtles) can become entangled in fishing line, nets, rope, and plastic soda can rings. Several marine species also mistake plastic debris for food, and once ingested the debris can lead to choking or starvation. Medical and personal hygiene debris can cause human health issues.

How can you help prevent marine debris?

- Reduce, Reuse, and Recycle.
- Properly dispose of fishing line, net, or other litter.
- Pick up your trash when you leave the beach, park, or playground.
- Get Involved: Keep Brevard Beautiful organizes two Beach Clean-up events every year (September and April). For more information visit www.keepbrevardbeautiful.com or contact the Melbourne Beach Environmental Advisory Board.

For more information about marine debris, visit www.marinedebris.noaa.gov.

Please Help Keep our Sea Free of Debris!

The Beach Gardeners of Melbourne Beach will be meeting on Tuesday, March 19th at 6:30 PM at the Melbourne Beach Community Center at 509 Ocean Ave. The speaker for this meeting will be an Ikebana Society instructor presenting " Ikebana for the Beginner"

Refreshments will be served. New Members and guests are welcome.

For information call 723-4180

Thank You, Carolyn Lavrack

Publicity for Beach Gardeners of Melbourne Beach