

ORDINANCE NO. 4022

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, MODIFYING THE CITY'S FIVE YEAR CAPITAL PROJECTS PLAN TO INCLUDE THE ACQUISITION OF REAL PROPERTY LOCATED AT 1481 WEST 15<sup>TH</sup> STREET FOR A FUTURE PUBLIC SERVICES COMPLEX (POLICE DEPARTMENT AND FIRE DEPARTMENT) AND PUBLIC WORKS FACILITY FOR FISCAL YEARS 2012/2013 THROUGH 2016/2017; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City's Comprehensive Plan contains a Capital Improvements Element designed to consider the need for and the location of public facilities in order to encourage the efficient use of such facilities; and

**WHEREAS**, Florida Statutes Section 163.3177 states that the Capital Improvements Element of the Comprehensive Plan must be reviewed by the local government on an annual basis; and

**WHEREAS**, the Capital Improvements Element was adopted by the City Council via Ordinance Number 4021 on October 3, 2012; and

**WHEREAS**, at the November 7, 2012 City Council meeting, the City Council agreed to purchase property located at 1481 West 15<sup>th</sup> Street in the amount of \$6,600,000; and therefore, the Five Year Capital Projects Plan must be modified per Florida Statute 163.3177 and the modification is attached as "Exhibit A".

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, THAT:**

**SECTION 1:** The City Council approves the modification of the City's adopted Five-Year Capital Projects Plan for Fiscal Years 2012/2013 to 2016/2017 to reflect the City's purchase of property located at 1481 West 15<sup>th</sup> Street in the amount of \$6,600,000 to accommodate the Public Services Complex, which includes Police, Fire and Public Works facilities.

**SECTION 2:** The City Council authorizes and directs the Director of Finance and Administrative Services to modify the City's Five-Year Capital Projects Plan for FY 2012/2013 to 2016/2017 by deleting projects approved for the two new buildings for the Police Department (Page 2) and the Public Works Department (Page 15) and adding a new project to acquire and renovate real property located at 1481 West 15<sup>th</sup> Street, Riviera Beach, for the Public Services and Public Works Facility under Executive Department and such budgeted amounts are transferred to the new project.

**SECTION 3:** Should any word, phrase, clause, subsection, section, part or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Ordinance as a whole, or any part thereof other than the part declared invalid.

**SECTION 4:** All Ordinances or parts of Ordinances in conflict herewith or to the extent of such conflict shall be repealed.

**SECTION 5:** This Ordinance shall take effect upon its final passage and adoption by the City Council.

ORDINANCE NO. 4022

PAGE 3

**PASSED AND APPROVED** on the first reading this 5<sup>TH</sup> day of  
DECEMBER, 2012

**PASSED AND ADOPTED** on second and final reading this 2<sup>ND</sup> day of  
JANUARY, 2013.



**THOMAS A. MASTERS**  
MAYOR

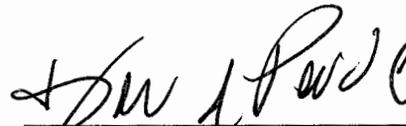


**BILLIE E. BROOKS**  
CHAIRPERSON

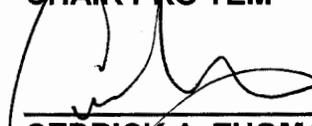
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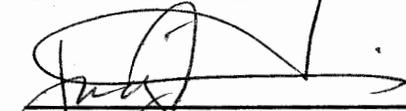
**CARRIE E. WARD**  
MASTER MUNICIPAL CLERK  
CITY CLERK



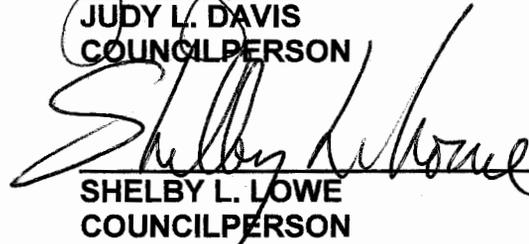
**DAWN S. PARDO**  
CHAIR PRO TEM



**CEDRICK A. THOMAS**  
COUNCILPERSON



**JUDY L. DAVIS**  
COUNCILPERSON



**SHELBY L. LOWE**  
COUNCILPERSON

ORDINANCE NO. 4022  
PAGE 4

1<sup>ST</sup> READING

MOTIONED BY: J. DAVIS

SECONDED BY: C. THOMAS

B. BROOKS	<u>AYE</u>
D. PARDO	<u>NAY</u>
C. THOMAS	<u>AYE</u>
J. DAVIS	<u>AYE</u>
S. LOWE	<u>AYE</u>

2<sup>ND</sup> & FINAL READING

MOTIONED BY: J. DAVIS

SECONDED BY: C. THOMAS

B. BROOKS	<u>AYE</u>
D. PARDO	<u>NAY</u>
C. THOMAS	<u>AYE</u>
J. DAVIS	<u>AYE</u>
S. LOWE	<u>AYE</u>

REVIEWED AS TO LEGAL SUFFICIENCY

Pamala H. Ryan  
PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 12/31/12

ORDINANCE NO. 4023

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, REPEALING CHAPTER 2 ENTITLED "ADMINISTRATION", ARTICLE V "PER DIEM AND TRAVEL EXPENSES" OF THE CITY'S CODE OF ORDINANCES; PROVIDING FOR REPEALER AND CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Riviera Beach Code of Ordinance Chapter 2 entitled "Administration, Article V entitled "Per Diem and Travel Expenses" has not been amended since 1999 and has been determined to be outdated; and,

WHEREAS, the City Council has determined that it is in the best interest of its citizens and serves a valid public purpose to repeal ordinance and replace it with a Travel Policy that can be amended from time to time.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA as follows:

**SECTION 1.** That Chapter 2, entitled "Administration", Article V entitled "Per Diem and Travel Expenses" of the Code of Ordinances, is hereby repealed in its entirety.

**SECTION 2.** That staff is authorized to draft a "Travel Policy" for adoption that may be amended from time to time by City Council.

**SECTION 3.** That all laws or parts of laws in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 4.** This Ordinance shall become effective immediately upon its final passage.

**PASSED and APPROVED** on first reading this 5TH day of JUNE, 2013.

**NOT APPROVED & ADOPTED**

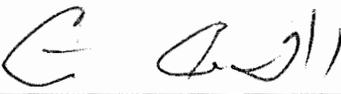
~~**PASSED and APPROVED**~~ on second and final reading this 17TH day of JULY, 2013.

APPROVED:

  
\_\_\_\_\_  
**THOMAS A. MASTERS**  
MAYOR

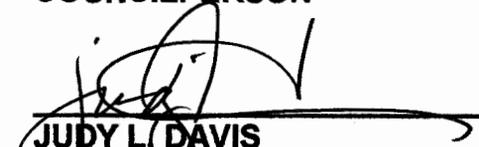
  
\_\_\_\_\_  
**CEDRICK A. THOMAS**  
CHAIRPERSON

ATTEST:

  
\_\_\_\_\_  
**CARRIE E. WARD**  
MASTER MUNICIPAL CLERK  
CITY CLERK

  
\_\_\_\_\_  
**DAWN S. PARDO**  
CHAIR PRO TEM

  
\_\_\_\_\_  
**BRUCE A. GUYTON**  
COUNCILPERSON

  
\_\_\_\_\_  
**JUDY L. DAVIS**  
COUNCILPERSON

  
\_\_\_\_\_  
**TERENCE D. DAVIS**  
COUNCILPERSON

ORDINANCE NO. 4023  
PAGE 3

1<sup>ST</sup> READING

2<sup>ND</sup> & FINAL READING

MOTIONED BY: J. DAVIS

MOTIONED BY: J. DAVIS

SECONDED BY: B. GUYTON

SECONDED BY: D. PARDO

C. THOMAS AYE

C. THOMAS NAY

D. PARDO AYE

D. PARDO NAY

J. DAVIS AYE

J. DAVIS AYE

B. GUYTON AYE

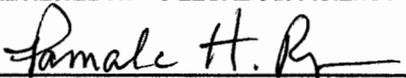
B. GUYTON AYE

T. DAVIS AYE

T. DAVIS NAY

NOT ADOPTED

REVIEWED AS TO LEGAL SUFFICIENCY

  
PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 7/12/13

**ORDINANCE NO. 4024**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 11, BY CREATING ARTICLE VI ENTITLED "REGISTRATION OF FORECLOSED AND MORTGAGED REAL PROPERTY" OF THE CITY'S CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY, CONFLICTS AND CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Riviera Beach has a vested interest in protecting the City against the decay caused by vacant and abandoned properties: and

**WHEREAS**, vacant and abandoned properties present a serious threat to the public health and safety of the community; and

**WHEREAS**, the presence of vacant and abandoned properties can lead to a decline in property value, create attractive nuisances, and lead to general decrease in neighborhood and community aesthetics; and

**WHEREAS**, the increase in foreclosures has caused many properties to become vacant and abandoned during the lengthy foreclosure process; and

**WHEREAS**, to assist the City in identifying properties that may become or are vacant and abandoned due to foreclosure, the City seeks to impose registration requirements on such properties located within the City; and

**WHEREAS**, the City Council of the City of Riviera Beach believes that imposing such a foreclosure registration requirement is necessary to protect the residents of the City from nuisances to the fullest extent permissible under state law and to be in the best interest of the health, safety and welfare of the residents of the City.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:**

**SECTION 1.** That Chapter 11, entitled "Nuisances" of the City's Code of Ordinances, is hereby amended by creating Article VI, entitled "Registration of Foreclosed and Mortgaged Real Property" to read as follows:

**Sec. 11-201. Purpose.**

It is the purpose and intent of this ordinance to establish a process to limit and reduce the deterioration of property located within the City of Riviera Beach, which property is in foreclosure, or where ownership has been transferred to lender or mortgagee by any legal method or where property is deemed vacant or abandoned. It is further intended to establish a registration program as a mechanism to protect neighborhoods from becoming blighted through the lack of inadequate maintenance of abandoned and/or vacated properties subject to a mortgage or properties subject to mortgages that are in default. The registration process will require mortgagees to provide the City with the most up to date accurate data and information for contacting a responsible party to bring the property into compliance with this ordinance.

**Sec. 11-202. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them, except where the context clearly indicates a different meaning. Where the context will permit and no definitions are provided herein, the definitions provided in the Florida Building Code or the City of Riviera Beach Code of Ordinances shall apply.

"Abandoned" means any real property that is vacant and/or is under a public notice of default, notice of mortgagee's sale, pending tax assessor's lien sale and/or properties that have been the subject of a foreclosure sale where title is retained by the mortgagee including, any properties transferred under a deed-in-lieu of foreclosure sale, a short sale or any other legal means to the mortgagee.

"Accessible" means a property, structure, or building that is unsecured and/or breached in such a way as to allow access by trespassers, criminals, or other unauthorized persons.

"Default" means that the mortgagee files a foreclosure action or public notice of default on the mortgage. A mortgage shall be considered in default at such time as the mortgagee declares said mortgage to be in default either in writing, by recording a lis pendens, or by its actions, or commences foreclosure proceedings.

"Enforcement officer" means any law enforcement officer, building inspector, building official, fire inspector or code enforcement officer employed by the City Riviera Beach.

"Evidence of vacancy" means any condition that on its own, or combined with other conditions present would lead a reasonable person to believe that the property is vacant. Such conditions may include, but are not limited to:

overgrown and/or dead vegetation; electricity, water or other utilities turned off; stagnant swimming pool; statements by neighbors, passers-by, delivery agents or government agents; accumulation of abandoned personal property; and/or readily accessible residence, structures and buildings on the property.

"Foreclosure" means the judicial process by which a property, placed as security for a mortgage loan, after a judicial process, is to be sold at an auction to satisfy a debt upon which the borrower has defaulted.

"Mortgage" means a lien on property conveyed by its owner to a mortgagee as security for an underlying debt or other obligation owed the mortgagee. The term includes all conveyances, conditioned or defensible obligations, bills of sale or other written instruments that convey or sell property for the purpose, or with the intention of, securing the payment of money

"Mortgagee" means the creditor, including, but not limited to, service companies, lenders in a mortgage agreement, and any agent, servant, or employee of the of the mortgagee, or any successor in interest and/or assignee of the mortgagee's rights, interests, or obligations under the mortgage agreement. For the purpose of this article, real estate brokers and agents, solely marketing and/or selling real property on behalf of a mortgagee, shall not be considered an agent, servant, or employee of the mortgagee.

"Nuisance" means any condition, including, but not limited to, an abandoned, unsafe, accessible residence, building, structure, or real property with code violations that constitute a menace to life, property, public health, or the public welfare, or create a fire hazard; any conditions which may be injurious to the health, safety, and welfare of the public; or any conditions that constitute and attractive nuisance or otherwise endanger the public's safety while in the vicinity thereof.

"Owner" means any person, persons, or entity having legal or equitable title, or any real or contingent interests in any real property; being shown to be the property owner in the records of the Palm Beach County Property Appraiser's Office; being identified on the abandoned/vacant real property registration form created pursuant to this article; or being a mortgagee in possession of real property. Any such person, persons, or entity shall have joint and several obligations for compliance with the provisions of this article.

"Property Management Company" means a local property manager, property maintenance company, or similar person or entity responsible for the maintenance and security of abandoned real property.

"Vacant" means any real property, including any building or structure thereon that is not lawfully occupied or inhabited by human beings as evidenced by the conditions set forth in the definition of "evidence of vacancy" above.

**Sec. 11-203. Public nuisance.**

All abandoned and vacant real property, which is unmaintained or unsecured, is hereby declared to be a public nuisance, the abatement of which pursuant to the police power is hereby declared to be necessary for the health, safety, and welfare of the residents of the City of Riviera Beach.

**Sec. 11-204. Applicability.**

This article applies to abandoned or real property, whether occupied or vacant, within the City of Riviera Beach.

**Sec. 11-205. Administration and enforcement.**

- (a) Failure of the mortgagee to properly register or to modify the registration from time to time to reflect a change of circumstances as required by this article is a violation of this article and shall be subject to enforcement by any of the enforcement means available to the City.
- (b) Pursuant to any judicial finding and determination, including any administrative proceeding that a property is in violation of this article, the City may take the necessary action to ensure compliance and may place a lien on the property for the cost of the work performed, including an administrative fee, to benefit the property and to bring it into compliance.
- (c) Failure of the mortgagee and/or property owner of record to properly inspect and secure a property subject to this article and other requirements of this code, and post and maintain the signage as required in this article, is a violation of this article and shall be subject to enforcement by any means available to the City. Pursuant to a finding and determination, the City may take the necessary action to ensure compliance with this article, and recover costs and expenses in support thereof.

**Sec. 11-206. Inspection and registration of real property by mortgagee holding mortgages in default.**

- (a) Within fourteen (14) days of the date any mortgagee declares its mortgage to be in default, the mortgagee shall register the real property with the City's Community Development Department, or its designee, or the City's authorized representative. At the time of registration, a local property manager shall be designated to inspect, maintain and secure the real property subject to the mortgage in default. A registration is required for each property.
- (b) Any mortgagee who holds a mortgage on real property located within the City of Riviera Beach shall perform an inspection of the property within five (5)

days of the registration pursuant to subsection (a) above.

- (c) Property inspected pursuant to subsection (b) above that is occupied but remains in default, shall be inspected quarterly by the mortgagee or mortgagee's designee.
- (d) Property which is found to be vacant, or which shows evidence of vacancy shall be inspected at least every thirty (30) days by the mortgagee or mortgagee's designee.
- (e) Registration pursuant to this section shall contain at a minimum the name of the mortgagee, the mailing address of the mortgagee, the e-mail address and telephone number of the mortgagee, the name of the local property manager and said person's address, e-mail address, and telephone number. The local property manager shall be responsible for inspecting, securing and maintaining the property. The property manager named in the registration shall be located within Palm Beach County and available to be contacted by the City, Monday through Friday between 9:00 a.m. and 5:00 p.m., holidays and lunch hours excepted.
- (f) This section shall also apply to properties that have been the subject of a foreclosure sale where title is transferred to the mortgagee as well as any properties transferred to the mortgagee under a deed in lieu of foreclosure.
- (g) Properties subject to this section shall remain under the registration requirement, and the inspection, security, and maintenance standards of this article as long as they remain vacant or subject to having been declared by a mortgagee to be in default.
- (h) Any person or other legal entity that has registered a property under this article must report any change of information contained in the registration within ten (10) day of the change

**Sec. 11-207. Annual registration fee.**

A nonrefundable annual registration fee in the amount of two hundred Dollars (\$200) per property shall accompany registration. The annual registration fee shall correspond to the fiscal year of the City and the renewal of the registration, along with the payment of the annual fee, shall be completed prior to October 1st of any year. The renewal of the registration with its accompanying fee, shall be the responsibility of the mortgagee and a failure to do so in a timely manner shall subject the mortgagee to code enforcement action pursuant to the City of Riviera Beach Code of Ordinances. The annual registration fee may subsequently be amended from time to time by resolution.

**Sec. 11-208. Maintenance requirements.**

- (a) Properties subject to this article shall be kept in conformance with all code requirements, including, but not limited to, being kept free of weeds, overgrown brush, dead vegetation, trash, junk, debris, building materials, any accumulation of newspapers, circulars, flyers, notices, except those required by federal, state, or local law, discarded personal items including, but not limited to, furniture, clothing, large and small appliances, printed materials, or any other items that give the appearance that the property is abandoned.
- (b) The properties shall be maintained free of graffiti or similar markings by removal or painting over with an exterior grade paint that matches the color of the exterior structure.
- (c) Front, side, and rear yard landscaping of properties subject to this article shall be maintained in accordance with the City's code, and in accordance with the following standards at all times.
  - (1) Landscaping shall include, but not be limited to, grass, ground cover, bushes, shrubs, hedges or similar plantings, decorative rock or bark or artificial turf/sod designed specifically for installation.
  - (2) Landscaping shall not show evidence of gravel, broken concrete, asphalt or similar material unless xeriscape plan incorporating same have been approved by the city.
  - (3) Landscaping maintenance shall include, but not be limited to, watering irrigation, cutting, and mowing of required landscaped and removal of all trimmings.
- (d) Pools and spas shall be maintained so that the water remains free and clear of pollutants and debris, and free of mosquito breeding or vermin infestation. Pools and spas shall comply with the enclosure requirements of the City's Code and the Florida Building Code, as they may be amended from time to time.
- (e) In the event that the National Weather Service, National Hurricane Center, or other appropriate weather agency declares a hurricane warning for any portion of Riviera Beach, all materials, furnishings, and equipment at the property shall be secured, stored, or removed so as to not create a safety hazard due to hurricane force winds.

**Sec. 11-209. Security requirements.**

- (a) Properties subject to this article shall be maintained in a secure manner so as to not be accessible to unauthorized persons.

- (b) A "secure manner" shall include, but not be limited to, the closure and locking of windows, doors, gates, and any other openings of such size that may allow a child to access the interior of the property and/or structure. Broken windows shall be secured by replacement, reglazing, or boarding of the windows so as to meet all applicable laws, codes and regulations.
- (c) If the owner of the property is a corporation, partnership, and/or out-of-area mortgagee, a local property management company shall be contracted by the owner to perform monthly inspections to verify compliance and the requirements of this article, and any other applicable laws.
- (d) Properties subject to the provisions of this article shall be posted with the name, address, and 24-hour contact phone number of the local property management company. The posted sign shall be no less than eighteen (18) inches by twenty-four (24) inches, and shall be of a font that is legible from a distance of forty-five (45) feet. The posting shall contain, along with the name, address, and 24-hour contact phone number, the language "THIS PROPERTY IS MANAGED BY" and "TO REPORT PROBLEMS OR CONCERNS" with the applicable contact information. All information thereupon shall be clear, legible, and updated as required.

The posted sign shall be placed on the interior of a window facing the street to the front of the property so it is visible from the street; secured to the exterior of the building/structure facing the street to the front of the property so it is visible from the street; or, if no such area exists, on a stake of sufficient size to support the posting in a location that is visual from the street to the front of the property. Exterior posting shall be constructed of and printed with weather-resistant materials.

- (e) The local property management company shall inspect the property as required herein to ensure that the property is in compliance with this article and shall keep a log of the inspection results. Upon request of the City, the local property management company shall provide a copy of the inspection log to the City.

**Sec. 11-210. Responsibility for compliance.**

- (a) It is the responsibility of the owner to maintain the owner's property in accordance with the provisions of this article. A mortgagee of any mortgage agreement which exists on abandoned real property that is in violation of this article shall be a responsible party for compliance

with this article upon the filing of a lis pendens and/or action, the purpose of which is to foreclose upon the mortgage or similar instrument that secures debt upon the residential real property. The mortgagee's responsibility for compliance with the provisions of this article shall only be effective during periods of time that the property shall be vacant and in foreclosure. The responsibility of the mortgagee shall remain until such time as the subject property is sold or transferred to a new owner, or the foreclosure action described herein is dismissed.

**Sec. 11-211. Additional authority.**

- (a) If an appropriate enforcement officer has reason to believe that a property subject to the provisions of this article is posing a serious threat to the public health, safety and welfare, the enforcement officer may bring the violation before the code enforcement special magistrate, or a court of competent jurisdiction as soon as possible to address the conditions of the property.
- (b) If there is a finding that the condition of the property is posing a serious threat to the public health, safety and welfare, then the code enforcement special magistrate or a court of competent jurisdiction may direct the City to abate the violation and charge the mortgagee with the cost of abatement.
- (c) If the mortgagee does not reimburse the City for the cost of abatement within thirty (30) days of the City sending the mortgagee the invoice, then the City may lien the property with the cost of abatement, along with any and all administrative fees allowed by law to recover the administrative personnel services.

**Sec. 11-212. Adoption of rules and regulations.**

The City Manager, or designee, is authorized and empowered to adopt rules and regulations as may be reasonable necessary and available to carry out the terms of this article.

**Sec. 11-213. Provisions supplemental.**

Nothing contained in this article shall prohibit the City from enforcing its codes by any other means, including, but not limited to injunction, abatement or as otherwise provided by law or ordinance.

**SECTION 2.** It is the intention of the City Council and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances

of the City of Riviera Beach, and the sections of this Ordinance may be renumbered to accomplish such intentions.

**SECTION 3.** If any word, phrase, clause, subsection or section of this Ordinance is for any reason held invalid, the invalidity thereof shall not affect the validity of any remaining portions of this Ordinance.

**SECTION 4.** That all sections or parts of sections of the Code of Ordinances, all ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

**SECTION 5.** Specific authority is hereby granted to codify this Ordinance.

**SECTION 6.** That this Ordinance shall become effective immediately upon its passage on second and final reading.

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PASSED AND APPROVED on first reading this 5<sup>th</sup> day of  
JUNE, 2013.

PASSED AND ADOPTED on second and final reading this 17<sup>TH</sup> day of  
JULY, 2013.

APPROVED:

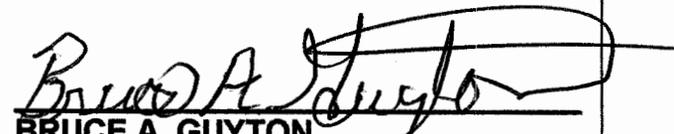
  
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THOMAS A. MASTERS  
MAYOR

  
\_\_\_\_\_  
CEDRICK A. THOMAS  
CHAIRPERSON

ATTEST:

  
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CARRIE E. WARD  
MASTER MUNICIPAL CLERK  
CITY CLERK

  
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DAWN S. PARDO  
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JUDY L. DAVIS  
COUNCILPERSON

  
\_\_\_\_\_  
TERENCE D. DAVIS  
COUNCILPERSON

1<sup>ST</sup> READING

2<sup>ND</sup> & FINAL READING

MOTIONED BY: D. PARDO

MOTIONED BY: D. PARDO

SECONDED BY: B. GUYTON

SECONDED BY: B. GUYTON

C. THOMAS AYE

C. THOMAS AYE

D. PARDO AYE

D. PARDO AYE

B. GUYTON AYE

B. GUYTON AYE

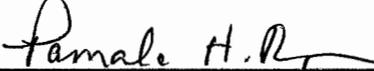
J. DAVIS AYE

J. DAVIS AYE

T. DAVIS AYE

T. DAVIS AYE

REVIEWED AS TO LEGAL SUFFICIENCY

  
PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 7/17/13

ORDINANCE NO. 4025

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 13 OF THE CODE OF ORDINANCES, ENTITLED "PARKS AND RECREATION", ARTICLE IV, ENTITLED "MARINA OPERATIONS," BY REVISING SECTION 13-76, ENTITLED "RENTAL RATES AND MISCELLANEOUS CHARGES"; PROVIDING FOR SEVERABILITY, CONFLICTS AND CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council last amended the municipal marina rates and charges by ordinance in 2003 via Ordinance No. 2941; and

WHEREAS, the City Council desires to amend Section 13-76 entitled "Rental rates and miscellaneous charges" to allow dockage fees to be changed by resolution instead of by ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

**SECTION 1.** That Section 13-76 "Rental rates and miscellaneous charges," Article IV "Marina Operations," Chapter 13 "Parks and Recreation," of the Riviera Beach Code of Ordinances, is hereby amended by deleting the ~~stricken through~~ and adding the underlined language, as follows.

**Sec. 13-76. Rental rates Dockage fees and miscellaneous charges.**

~~(a) The city marina dry and wet storage rate schedule is as follows:~~

- ~~1) The city marina dry storage rate schedule shall be \$8.20 per foot per month with a minimum length of 22 feet, taking effect on May 1, 2003.~~
- ~~2) The city marina wet storage rate schedule shall be \$15.20 regular, and \$16.70 live aboard and commercial, per foot per month with a minimum length of 32 feet and \$0.96 per foot per day, taking effect on May 1, 2003.~~

~~(a) It shall be the duty of the Marina Director to recommend to the City Manager, the dockage fees for all municipal docks controlled by the city, and to furnish to the City Council, by way of resolution, those fee recommendations with a list of prices so fixed, for the City Council's approval.~~

**ORDINANCE NO. 4025**  
**PAGE 2 of 4**

~~(3)~~ (b) *Miscellaneous and other charges.* Miscellaneous charges for services or merchandise may be established from time to time by the city manager or his designee, but final approval of such charges shall be the decision of the city manager.

(b) (c) All applicable federal, state and local taxes shall be added to the ~~above rate~~ schedule dockage fees.

**SECTION 2.** It is the intention of the City Council and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Riviera Beach, and the sections of this Ordinance may be renumbered to accomplish such intentions.

**SECTION 3.** If any word, phrase, clause, subsection or section of this Ordinance is for any reason held invalid, the invalidity thereof shall not affect the validity of any remaining portions of this Ordinance.

**SECTION 4.** That all sections or parts of sections of the Code of Ordinances, all ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

**SECTION 5.** Specific authority is hereby granted to codify this Ordinance.

**SECTION 6.** That this Ordinance shall become effective immediately upon its passage on second and final reading.

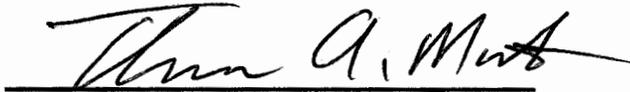
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ORDINANCE NO. 4025  
PAGE 3 of 4

PASSED AND APPROVED on the first reading this 17<sup>TH</sup> day of JULY, 2013.

PASSED AND ADOPTED on second and final reading this 7<sup>TH</sup> day of AUGUST, 2013.

APPROVED:



THOMAS A. MASTERS  
MAYOR



CEDRICK A. THOMAS  
CHAIRPERSON

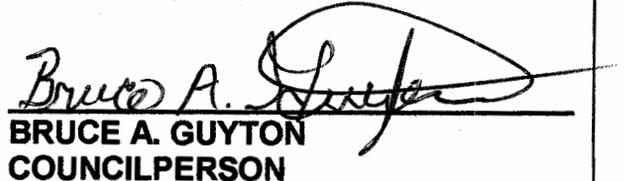
ATTEST:



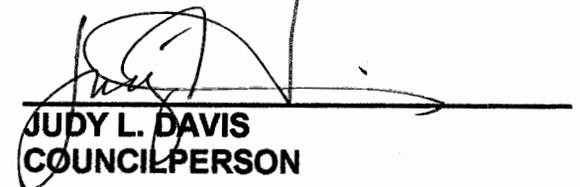
CARRIE E. WARD  
MASTER MUNICIPAL CLERK  
CITY CLERK



DAWN S. PARDO  
CHAIR PRO TEM



BRUCE A. GUYTON  
COUNCILPERSON



JUDY L. DAVIS  
COUNCILPERSON



TERENCE D. DAVIS  
COUNCILPERSON

1<sup>ST</sup> READING

MOTIONED BY: D. PARDO

SECONDED BY: J. DAVIS

C. THOMAS AYE

D. PARDO AYE

B. GUYTON AYE

J. DAVIS AYE

T. DAVIS AYE

2<sup>ND</sup> & FINAL READING

MOTIONED BY: D. PARDO

SECONDED BY: T. DAVIS

C. THOMAS AYE

D. PARDO AYE

B. GUYTON AYE

J. DAVIS AYE

T. DAVIS AYE

REVIEWED AS TO LEGAL SUFFICIENCY

PAMALA HANNA RYAN, CITY ATTORNEY

DATE: \_\_\_\_\_

**CERTIFICATION OF PUBLICATION**

**I hereby certify that the notice of the proposed enactment of this Ordinance was duly published in a newspaper of general circulation within the City of Riviera Beach as required by the applicable Florida Statutes.**



**Carrie E. Ward**  
**Master Municipal Clerk**  
**City Clerk**

**August 7, 2013**  
**Date**

**ORDINANCE NO. 4026**

**AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 10 OF THE CODE OF ORDINANCES, ENTITLED "LICENSES AND BUSINESS REGULATIONS", ARTICLE V, ENTITLED "BUSINESS TAX RECEIPT", SECTION 10-150, ENTITLED "CLASSIFICATIONS AND RATE STRUCTURE" BY INCREASING THE RATES BY 5%; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Florida Statutes Chapter 166, provides the City Council with the authority to collect fees necessary to conduct municipal government; and

**WHEREAS**, Florida Statutes Chapter 205, gives municipalities the authority to increase Business Tax Receipt (BTR) fees every other year up to five percent (5%); and

**WHEREAS**, the City Council last increased all BTR fees by five percent (5%) in 2009 via Ordinance No. 3061; and

**WHEREAS**, it is fiscally responsible for the City to increase all BTR fees by five percent (5%), as these fees have not been amended since June of 2009.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:**

**SECTION 1.** That Chapter 10 of the Code of Ordinances, entitled "Licenses and Business Regulations", Article V, entitled "Business Tax Receipt", Section 10-150, entitled "Classifications and rate structure" is hereby amended by increasing the schedule and fee structure by 5% as attached hereto as "Exhibit A" and as set out below:

The business tax receipt classifications and fee schedule are adopted to levy business taxes for the privilege of engaging or managing any business, profession or occupation within the ~~incorporation~~ incorporated limits of the city. The schedule and fee structure, adopted on August 7, 2013, due to the length and context of the section, will not be codified, being placed on reserve at the city clerk's office.

**SECTION 2.** If any word, phrase, clause, subsection or section of this Ordinance is for any reason held invalid, the invalidity thereof shall not affect the validity of any remaining portions of this Ordinance.

**ORDINANCE NO. 4026**  
**PAGE 2 of 4**

**SECTION 3.** That all sections or parts of sections of the Code of Ordinances, all ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict herewith, are hereby repealed to the extent of such conflict.

**SECTION 4.** This Ordinance shall become effective upon the passing and adoption of second and final reading.

**PASSED AND APPROVED** on the first reading this 17<sup>TH</sup> day of JULY, **2013.**

**PASSED AND ADOPTED** on second and final reading this 7<sup>TH</sup> day of AUGUST, 2013.

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APPROVED:



THOMAS A. MASTERS  
MAYOR

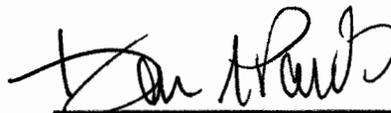


CEDRICK A. THOMAS  
CHAIRPERSON

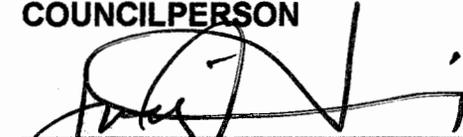
ATTEST:



CARRIE E. WARD  
MASTER MUNICIPAL CLERK  
CITY CLERK



DAWN S. PARDO  
CHAIR PRO TEM

  
BRUCE A. GUYTON  
COUNCILPERSON  
JUDY L. DAVIS  
COUNCILPERSON  
TERENCE D. DAVIS  
COUNCILPERSON

**ORDINANCE NO. 4026**  
**PAGE 4 of 4**

**1<sup>ST</sup> READING**

**MOTIONED BY: D. PARDO**

**SECONDED BY: B. GUYTON**

**C. THOMAS      AYE**

**D. PARDO        AYE**

**B. GUYTON       AYE**

**J. DAVIS         AYE**

**T. DAVIS         AYE**

**2<sup>ND</sup> & FINAL READING**

**MOTIONED BY: D. PARDO**

**SECONDED BY: B. GUYTON**

**C. THOMAS      AYE**

**D. PARDO        AYE**

**B. GUYTON       AYE**

**J. DAVIS         AYE**

**T. DAVIS         AYE**

**REVIEWED AS TO LEGAL SUFFICIENCY**

**PAMALA HANNA RYAN, CITY ATTORNEY**

**DATE: \_\_\_\_\_**

**CERTIFICATION OF PUBLICATION**

**I hereby certify that the notice of the proposed enactment of this Ordinance was duly published in a newspaper of general circulation within the City of Riviera Beach as required by the applicable Florida Statutes.**

  
\_\_\_\_\_  
**Carrie E. Ward**  
**Master Municipal Clerk**  
**City Clerk**

8-7-13  
**Date**

**City of Riviera Beach - Business Tax Receipt Fee Schedule - EXHIBIT A**

\*Multiple categories/fees may apply to the same business location depending on the use.  
 \*If a specific use is not listed below, staff has the authority to utilize a fee associated with a similar use.  
 (+) Denotes that the category is commonly combined with other classifications.

Reference No.	Description of Use	Quantity	Current Fee	5% Increase	Fee Increase	New Fee Amount
1	Adult Day Care (up to 6 persons)	1	\$132.30	5%	\$6.62	\$138.92
2	Adult Day Care	each person over 6	\$15.00	5%	\$0.75	\$15.75
3	Advertising Structure	each	\$241.50	5%	\$12.08	\$253.58
4	Alcohol Sales (+)	1	\$330.75	5%	\$16.54	\$347.29
5	Alterations / Tailor	up to 4 employees	\$71.66	5%	\$3.58	\$75.24
6	Alterations / Tailor	each additional employee	\$15.05	5%	\$0.75	\$15.80
7	Amusement Arcade Facility	1	\$289.28	5%	\$14.46	\$303.74
8	Amusement Park / Water Park	1	\$367.00	5%	\$18.35	\$385.35
9	Animal Grooming / Training	1	\$88.20	5%	\$4.41	\$92.61
10	Animal Hospital	1	\$173.75	5%	\$8.69	\$182.44
11	Animal Kennel	1	\$132.30	5%	\$6.62	\$138.92
12	Appraiser of Property / Real Estate	1	\$132.30	5%	\$6.62	\$138.92
13	Art Studio / Sales (Fine Art / Crafts)	1	\$95.92	5%	\$4.80	\$100.72
14	Art / Antiques, Restoration of	1	\$95.92	5%	\$4.80	\$100.72
15	Artisan or Craftsman	1	\$95.92	5%	\$4.80	\$100.72
16	Assisted Living Facility / ALF (up to 6 persons)	1	\$95.92	5%	\$4.80	\$100.72
17	Assisted Living Facility / ALF	each person over 6	\$15.00	5%	\$0.75	\$15.75
18	Automobile / Vehicle Detailing	1	\$191.84	5%	\$9.59	\$201.43
19	Automobile Glass Installation & Sales	1	\$227.06	5%	\$11.35	\$238.41
20	Automobile Paint & Body Shop	1	\$183.75	5%	\$9.19	\$192.94
21	Automobile Parts Dealer	1	\$227.06	5%	\$11.35	\$238.41
22	Automobile - Passenger Car / Truck Rental	1	\$357.00	5%	\$17.85	\$374.85
23	Automobile Wrecker Service Location	1	\$490.88	5%	\$24.54	\$515.42
24	Automobile Wrecker Service Vehicle	each vehicle	\$183.75	5%	\$9.19	\$192.94
25	Automobile - Window Tinting	1	\$95.92	5%	\$4.80	\$100.72
26	Automobile Sales Office - New and Used	1	\$374.85	5%	\$18.74	\$393.59
27	Bank - Automatic Teller Machine / ATM (+)	each	\$44.35	5%	\$2.22	\$46.57
28	Bank / Credit Union	1	\$393.59	5%	\$19.68	\$413.27
29	Barber Shop	1	\$88.20	5%	\$4.41	\$92.61
30	Bench Advertising	1	\$132.30	5%	\$6.62	\$138.92
31	Bicycle Sales, Service, Rental	1	\$71.66	5%	\$3.58	\$75.24
32	Billboard	each	\$241.50	5%	\$12.08	\$253.58
33	Billboard (Digital Sign)	each	\$760.74	5%	\$38.04	\$798.78
34	Billiard / Pool Hall	1	\$132.30	5%	\$6.62	\$138.92
35	Boat Slips	each	\$32.71	5%	\$1.64	\$34.35
36	Boat Yard	1	\$180.81	5%	\$9.04	\$189.85
37	Boating - Diving Excursions / Sightseeing	each	\$132.30	5%	\$6.62	\$138.92
38	Boating - For Hire (Charter)	each	\$132.30	5%	\$6.62	\$138.92
39	Body Piercing / Tattooist (Professional License)	each	\$132.30	5%	\$6.62	\$138.92
40	Bonds Broker	1	\$768.44	5%	\$38.42	\$806.86

41	Bookkeeping (Tax Service)			1	\$138.92	5%	\$6.95	\$145.87
42	Bottled Gas Dealer			1	\$490.88	5%	\$24.54	\$515.42
43	Bottling of Drinks	up to 4 employees			\$71.66	5%	\$3.58	\$75.24
44	Bottling of Drinks	up to 6 employees			\$76.55	5%	\$3.83	\$80.38
45	Bottling of Drinks	up to 10 employees			\$192.94	5%	\$9.65	\$202.59
46	Bottling of Drinks	up to 20 employees			\$238.41	5%	\$11.92	\$250.33
47	Bottling of Drinks	up to 30 employees			\$374.85	5%	\$18.74	\$393.59
48	Bottling of Drinks	each employee over 30			\$15.00	5%	\$0.75	\$15.75
49	Bowling - Per Lane	per lane			\$20.35	5%	\$1.02	\$21.37
50	Brewery / Distillery / Winery (see manufacturing)	(see manufacturing)						
51	Broadcasting Radio/Music			1	\$617.40	5%	\$30.87	\$648.27
52	Broker - Commodity Broker			1	\$806.86	5%	\$40.34	\$847.20
53	Broker - Export and/or Import			1	\$393.59	5%	\$19.68	\$413.27
54	Broker - Management Service			1	\$132.30	5%	\$6.62	\$138.92
55	Broker - Mortgage or Loan			1	\$132.30	5%	\$6.62	\$138.92
56	Budget Or Financial Management			1	\$132.30	5%	\$6.62	\$138.92
57	Building/Construction Material (Value of Inventory)	up to 30k			\$134.51	5%	\$6.73	\$141.24
58	Building/Construction Material (Value of Inventory)	up to 60k			\$519.28	5%	\$25.96	\$545.24
59	Building/Construction Material (Value of Inventory)	up to 100k			\$700.09	5%	\$35.00	\$735.09
60	Building/Construction Material (Value of Inventory)	up to 250k			\$1,212.50	5%	\$60.63	\$1,273.13
61	Building/Construction Material (Value of Inventory)	up to 500k			\$2,425.50	5%	\$121.28	\$2,546.78
62	Building/Construction Material (Value of Inventory)	each 10k over 500k			\$24.05	5%	\$1.20	\$25.25
63	Bulldozer, Cranes, Boom Service			1	\$132.30	5%	\$6.62	\$138.92
64	Business Franchise Broker			1	\$95.92	5%	\$4.80	\$100.72
65	Business Intercity Lines			1	\$132.30	5%	\$6.62	\$138.92
66	Business Management Service			1	\$132.30	5%	\$6.62	\$138.92
67	Business Office Security			1	\$132.30	5%	\$6.62	\$138.92
68	Butcher Shop			1	\$132.30	5%	\$6.62	\$138.92
69	Cable And Communication Service			1	\$617.40	5%	\$30.87	\$648.27
70	Carwash Facility			1	\$132.30	5%	\$6.62	\$138.92
71	Cemetery Lots / Sales			1	\$253.58	5%	\$12.68	\$266.26
72	Certified Public Accountant			1	\$132.30	5%	\$6.62	\$138.92
73	Charter Fishing Boat			1	\$132.30	5%	\$6.62	\$138.92
74	Check Cashing / Money Transfer			1	\$374.85	5%	\$18.74	\$393.59
75	Chef For Hire			1	\$95.92	5%	\$4.80	\$100.72
76	Child Care Facility (12 to 30 children)			1	\$132.30	5%	\$6.62	\$138.92
77	Child Care Facility (more than 30 children)	fee above + each over 30			\$3.50	5%	\$0.18	\$3.68
78	Cigarette / Tobacco Sales (+)			1	\$41.35	5%	\$2.07	\$43.42
79	Cleaning / Maintenance / Maid Service			1	\$95.92	5%	\$4.80	\$100.72
80	Club / Lounge / Entertainment Venue			1	\$283.90	5%	\$14.20	\$298.10
81	Commercial Cleaning Service (Residential/Commercial)			1	\$238.41	5%	\$11.92	\$250.33
82	Commercial Cleaner			1	\$132.30	5%	\$6.62	\$138.92
83	Commercial Dry Cleaner (+)			1	\$132.30	5%	\$6.62	\$138.92
84	Commercial Fuel Facility			1	\$617.40	5%	\$30.87	\$648.27
85	Communication Services / Tower Service			each	\$132.30	5%	\$6.62	\$138.92
86	Communication Systems - Wireless			each	\$132.30	5%	\$6.62	\$138.92
87	Concession Stands			1	\$132.30	5%	\$6.62	\$138.92
88	Construction - Labor / Cleaning / Demo			1	\$132.30	5%	\$6.62	\$138.92

89	Consultant - Website / Software			1	\$132.30	5%	\$6.62	\$138.92
90	Consultant - Environmental			1	\$132.30	5%	\$6.62	\$138.92
91	Consultant - Income Tax			1	\$132.30	5%	\$6.62	\$138.92
92	Consultant - Investment			1	\$132.30	5%	\$6.62	\$138.92
93	Consultant - Marketing			1	\$132.30	5%	\$6.62	\$138.92
94	Consultant - Misc. Services			1	\$132.30	5%	\$6.62	\$138.92
95	Contractor Storage (Value of Inventory)		up to 30k	5%	\$134.51	5%	\$6.73	\$141.24
96	Contractor Storage (Value of Inventory)		up to 60k	5%	\$519.28	5%	\$25.96	\$545.24
97	Contractor Storage (Value of Inventory)		up to 100k	5%	\$700.09	5%	\$35.00	\$735.09
98	Contractor Storage (Value of Inventory)		up to 250k	5%	\$1,212.75	5%	\$60.64	\$1,273.39
99	Contractor Storage (Value of Inventory)		over 250k	5%	\$2,425.50	5%	\$121.28	\$2,546.78
100	Contractors		up to 6 employees	5%	\$202.59	5%	\$10.13	\$212.72
101	Contractors		up to 10 employees	5%	\$250.05	5%	\$12.50	\$262.55
102	Contractors		up to 15 employees	5%	\$393.59	5%	\$19.68	\$413.27
103	Contractors		up to 20 employees	5%	\$489.10	5%	\$24.46	\$513.56
104	Contractors		up to 30 employees	5%	\$617.07	5%	\$30.85	\$647.92
105	Contractors		each employee over 30	5%	\$15.05	5%	\$0.75	\$15.80
106	Counseling - Drug Abuse			1	\$132.30	5%	\$6.62	\$138.92
107	Counseling - Family Counseling			1	\$132.30	5%	\$6.62	\$138.92
108	Counseling - Mediation			1	\$132.30	5%	\$6.62	\$138.92
109	Counseling - Other			1	\$132.30	5%	\$6.62	\$138.92
110	County Wide			1	\$2.10	5%	\$0.11	\$2.21
111	Courier / Delivery Service		up to 5 vehicles	5%	\$144.43	5%	\$7.22	\$151.65
112	Courier / Delivery Service		each vehicle over 5	5%	\$15.93	5%	\$0.80	\$16.73
113	Court Reporter			1	\$132.30	5%	\$6.62	\$138.92
114	Credit Bureau			1	\$132.30	5%	\$6.62	\$138.92
115	Credit Repair Services			1	\$270.38	5%	\$13.52	\$283.90
116	Crematorium			1	\$313.69	5%	\$15.68	\$329.37
117	Cruise Ships / Deep Sea Transport			1	\$330.75	5%	\$16.54	\$347.29
118	Dance Hall		per vessel	1	\$227.06	5%	\$11.35	\$238.41
119	Dance Studio			1	\$132.30	5%	\$6.62	\$138.92
120	Day Care, Family (6 Child Max)			1	\$95.92	5%	\$4.80	\$100.72
121	Day Care, Large Family (12 Child Max)			1	\$95.92	5%	\$4.80	\$100.72
122	Detective Agency			1	\$132.30	5%	\$6.62	\$138.92
123	Directory Services			1	\$241.50	5%	\$12.08	\$253.58
124	Disc Jockey (DJ)			1	\$95.92	5%	\$4.80	\$100.72
125	Distribution Service - Equipment / Supplies			1	\$617.40	5%	\$30.87	\$648.27
126	Document Storage			1	\$374.85	5%	\$18.74	\$393.59
127	Electric Company / Power Plant			1	\$656.25	5%	\$32.81	\$689.06
128	Electrolysis			1	\$95.93	5%	\$4.80	\$100.73
129	Electromagnetic Waves			1	\$443.63	5%	\$22.18	\$465.81
130	Employment Agency			1	\$183.75	5%	\$9.19	\$192.94
131	Engineer - Design			1	\$197.14	5%	\$9.86	\$207.00
132	Engineer - Consultant / Construction Mgmt			1	\$132.30	5%	\$6.62	\$138.92
133	Escort Agency - Motorcade			1	\$132.30	5%	\$6.62	\$138.92
134	Excavation			1	\$95.92	5%	\$4.80	\$100.72
135	Exemption - Age			1	\$0	5%	\$0.00	\$0.00
136	Exemption - Non Profit			1	\$0	5%	\$0.00	\$0.00

137	Exemption - Other			1	\$0	5%	\$0.00	\$0.00
138	Exemption - Veteran			1	\$0	5%	\$0.00	\$0.00
139	Express Company			1	\$357.00	5%	\$17.85	\$374.85
140	Extended Hours License Fee (two days only, S.E.)			1	\$262.50	5%	\$13.13	\$275.63
141	Extended Hours License Fee (week & weekend)			1	\$1,785.00	5%	\$89.25	\$1,874.25
142	Extended Hours License Fee (weekends only)			1	\$1,050.00	5%	\$52.50	\$1,102.50
143	Fabrication and/or Installation		up to 4 employees	1	\$71.66	5%	\$3.58	\$75.24
144	Fabrication and/or Installation		up to 6 employees	1	\$76.55	5%	\$3.83	\$80.38
145	Fabrication and/or Installation		up to 10 employees	1	\$192.94	5%	\$9.65	\$202.59
146	Fabrication and/or Installation		up to 20 employees	1	\$238.41	5%	\$11.92	\$250.33
147	Fabrication and/or Installation		over 20 employees	1	\$374.85	5%	\$18.74	\$393.59
148	Financial Services			1	\$132.30	5%	\$6.62	\$138.92
149	Fire Extinguisher Sales / Service			1	\$137.55	5%	\$6.88	\$144.43
150	Fire Extinguisher Sales / Service (+)		each vehicle	1	\$79.80	5%	\$3.99	\$83.79
151	Firearms / Gun Sales			1	\$241.50	5%	\$12.08	\$253.58
152	Flea Market - Exhibition Center			1	\$132.30	5%	\$6.62	\$138.92
153	Florist Shop			1	\$95.92	5%	\$4.80	\$100.72
154	Florist Shop Delivery Truck / Vehicle		1 vehicle	1	\$95.92	5%	\$4.80	\$100.72
155	Florist Shop Delivery Truck / Vehicle (+)		each additional vehicle	1	\$79.80	5%	\$3.99	\$83.79
156	Food Service Distribution			1	\$132.30	5%	\$6.62	\$138.92
157	Freight Company			1	\$805.93	5%	\$40.30	\$846.23
158	Fruit, Vegetable, Produce			1	\$95.92	5%	\$4.80	\$100.72
159	Fruit, Vegetable, Produce Delivery Vehicle		each vehicle	1	\$79.80	5%	\$3.99	\$83.79
160	Funeral Parlor			1	\$253.58	5%	\$12.68	\$266.26
161	Garbage / Waste Management		first vehicle	1	\$144.43	5%	\$7.22	\$151.65
162	Garbage / Waste Management		each additional vehicle	1	\$50.00	5%	\$2.50	\$52.50
163	Gasoline Distribution / Wholesale			1	\$617.40	5%	\$30.87	\$648.27
164	General Construction / Management			1	\$587.69	5%	\$29.38	\$617.07
165	General Warehouse Storage			1	\$95.92	5%	\$4.80	\$100.72
166	Golf - Driving Range			1	\$95.92	5%	\$4.80	\$100.72
167	Golf - Golf Carts		each	1	\$15.28	5%	\$0.76	\$16.04
168	Golf - Golf Course / Facility			1	\$241.50	5%	\$12.08	\$253.58
169	Golf - Miniature Golf Course			1	\$95.92	5%	\$4.80	\$100.72
170	Grading / Excavating			1	\$197.14	5%	\$9.86	\$207.00
171	Grading Service			1	\$132.30	5%	\$6.62	\$138.92
172	Group Home			1	\$132.30	5%	\$6.62	\$138.92
173	Gym / Training Facility			1	\$132.30	5%	\$6.62	\$138.92
174	Handyman Service			1	\$95.92	5%	\$4.80	\$100.72
175	Health Club			1	\$132.30	5%	\$6.62	\$138.92
176	Heavy Construction Equipment			1	\$144.43	5%	\$7.22	\$151.65
177	Hobby Shop (Coins, Stamps, Memorabilia)			1	\$95.92	5%	\$4.80	\$100.72
178	Home Health Provider			1	\$134.51	5%	\$6.73	\$141.24
179	Hospital, Clinic (out patient)			1	\$192.94	5%	\$9.65	\$202.59
180	Hospital, Private (overnight)			1	\$192.94	5%	\$9.65	\$202.59
181	Hotels & Motels		first 5 units	1	\$71.66	5%	\$3.58	\$75.24
182	Hotels & Motels (+)		each addl unit over 5	1	\$3.00	5%	\$0.15	\$3.15
183	Hypnotist			1	\$132.30	5%	\$6.62	\$138.92
184	Ice Cream Manufacturer			1	\$289.28	5%	\$14.46	\$303.74





281	Metal Fabrication	up to 10 employees	\$192.94	5%	\$9.65	\$202.59
282	Metal Fabrication	each employee over 10	\$11.05	5%	\$0.55	\$11.60
283	Mobile - Food Cart	each	\$95.92	5%	\$4.80	\$100.72
284	Mobile - Music Instructor	1	\$95.92	5%	\$4.80	\$100.72
285	Mobile - Paving & Sealcoating	first vehicle	\$108.05	5%	\$5.40	\$113.45
286	Mobile - Pest Control	first vehicle	\$95.92	5%	\$4.80	\$100.72
287	Mobile - Vehicle Detail / Wash Service	first vehicle	\$95.92	5%	\$4.80	\$100.72
288	Mobile A/C Maintenance / Repair	first vehicle	\$95.92	5%	\$4.80	\$100.72
289	Mobile Auto Repair	first vehicle	\$95.92	5%	\$4.80	\$100.72
290	Mobile Cabinet Installation	first vehicle	\$95.92	5%	\$4.80	\$100.72
291	Mobile Caterer	first vehicle	\$95.92	5%	\$4.80	\$100.72
292	Mobile Food Vendor	first vehicle	\$95.92	5%	\$4.80	\$100.72
293	Mobile Furniture Repairs	first vehicle	\$95.92	5%	\$4.80	\$100.72
294	Mobile Lawn Service	first vehicle	\$95.92	5%	\$4.80	\$100.72
295	Mobile License	first vehicle	\$95.92	5%	\$4.80	\$100.72
296	Mobile License - Retail Sales / Service	first vehicle	\$95.92	5%	\$4.80	\$100.72
297	Mobile License Tire Repair Service	first vehicle	\$95.92	5%	\$4.80	\$100.72
298	Mobile License Vehicle (each vehicle after the first) (+)	each additional vehicle	\$79.80	5%	\$3.99	\$83.79
299	Mobile License/Taxes Preparation	first vehicle	\$95.92	5%	\$4.80	\$100.72
300	Mobile Marine Services	first vehicle	\$95.92	5%	\$4.80	\$100.72
301	Mobile Sales Assistant	first vehicle	\$95.92	5%	\$4.80	\$100.72
302	Mobile Service	first vehicle	\$95.92	5%	\$4.80	\$100.72
303	Mobile Tax Services	first vehicle	\$95.92	5%	\$4.80	\$100.72
304	Mobile Tires/Repair Service	first vehicle	\$95.92	5%	\$4.80	\$100.72
305	Mobile Towing - Out of City	first vehicle	\$95.92	5%	\$4.80	\$100.72
306	Mobile/Boat Towing Service	first vehicle	\$143.85	5%	\$7.19	\$151.04
307	Mobile - Food Truck	first vehicle	\$183.75	5%	\$9.19	\$192.94
308	Mobile - Home Repairs/Maintenance	each	\$95.92	5%	\$4.80	\$100.72
309	Mobile License - (Uncategorized)	first vehicle	\$95.92	5%	\$4.80	\$100.72
310	Mobile License/Floor Refinish	first vehicle	\$95.92	5%	\$4.80	\$100.72
311	Mobile License/Maintenance Work	first vehicle	\$95.92	5%	\$4.80	\$100.72
312	Modeling Agency	first vehicle	\$95.92	5%	\$4.80	\$100.72
313	Mold Remediation/Cleanup	1	\$132.30	5%	\$6.62	\$138.92
314	Mortgage & Loan Company	1	\$143.85	5%	\$7.19	\$151.04
315	Mortgage Company - Home Mortgages	1	\$374.85	5%	\$18.74	\$393.59
316	Motor Carriers	1	\$289.28	5%	\$14.46	\$303.74
317	Moving Service	1	\$472.50	5%	\$23.63	\$496.13
318	Musician / Band	1	\$276.73	5%	\$13.84	\$290.57
319	Music Studio	1	\$71.66	5%	\$3.58	\$75.24
320	Mutual Fund Dealer	1	\$132.30	5%	\$6.62	\$138.92
321	New/Used Yacht Dealer	1	\$357.00	5%	\$17.85	\$374.85
322	Newspaper Company	1	\$374.85	5%	\$18.74	\$393.59
323	Newspaper Stands Or Sales (+)	1	\$329.37	5%	\$16.47	\$345.84
324	Office - Administrative (International / Regional)	1	\$35.28	5%	\$1.76	\$37.04
325	Office - Business Management	1	\$192.94	5%	\$9.65	\$202.59
326	Office - Consultant	1	\$132.30	5%	\$6.62	\$138.92
327	Office - Home Office (All Unspecified Occupations)	1	\$132.30	5%	\$6.62	\$138.92
328	Office - Home Office (Artisan)	1	\$95.92	5%	\$4.80	\$100.72

329	Office - Home Office (Caterer)	1	\$95.92	5%	\$4.80	\$100.72
330	Office - Home Office (Cleaning Services)	1	\$95.92	5%	\$4.80	\$100.72
331	Office - Home Office (Financial Services)	1	\$95.92	5%	\$4.80	\$100.72
332	Office - Home Office (Landscaping Services)	1	\$95.92	5%	\$4.80	\$100.72
333	Office - Home Office (Internet Based Business)	1	\$95.92	5%	\$4.80	\$100.72
334	Office - Home Office (Real Estate)	1	\$95.92	5%	\$4.80	\$100.72
335	Office - Home Office (Repair / Maintenance Services)	1	\$95.92	5%	\$4.80	\$100.72
336	Office - Home Office (Teaching / Home Instruction)	1	\$95.92	5%	\$4.80	\$100.72
337	Office - Law Office (Professional)	1	\$132.30	5%	\$6.62	\$138.92
338	Office - Mail Order	1	\$132.30	5%	\$6.62	\$138.92
339	Office - Medical / Dental Office (Professional)	1	\$132.30	5%	\$6.62	\$138.92
340	Office - Political / Public Service	1	\$132.30	5%	\$6.62	\$138.92
341	Office - Professional (Other)	1	\$132.30	5%	\$6.62	\$138.92
342	Office - Property Management	1	\$132.30	5%	\$6.62	\$138.92
343	Office - Real Estate	1	\$132.30	5%	\$6.62	\$138.92
344	Office - Staffing Services	1	\$183.75	5%	\$9.19	\$192.94
345	Office - Telemarketing	1	\$132.30	5%	\$6.62	\$138.92
346	Oil Delivery - First Vehicle	each	\$95.92	5%	\$4.80	\$100.72
347	Oil Delivery - Each addl Vehicle	each	\$79.80	5%	\$3.99	\$83.79
348	Organ & Piano (musical instrument) Repair	1	\$95.92	5%	\$4.80	\$100.72
349	Orthopedic Shoe Technician	1	\$95.92	5%	\$4.80	\$100.72
350	Out Of City Registration	1	\$95.92	5%	\$4.80	\$100.72
351	Packing & Distribution	1	\$132.30	5%	\$6.62	\$138.92
352	Packing/Repair/Ship Tomat	1	\$47.41	5%	\$2.37	\$49.78
353	Painting Service	1	\$132.30	5%	\$6.62	\$138.92
354	Palm Reader / Psychic / Fortune Teller - Office	1	\$192.15	5%	\$9.61	\$201.76
355	Parcel Delivery Service (first vehicle)	1	\$95.92	5%	\$4.80	\$100.72
356	Parcel Delivery Service (each additional vehicle) (+)	1	\$79.80	5%	\$3.99	\$83.79
357	Parks & Recreation (City) - Vendor Only	1	\$95.92	5%	\$4.80	\$100.72
358	Party - Entertainment / Face Painting	1	\$95.92	5%	\$4.80	\$100.72
359	Patent Development Agency	1	\$132.30	5%	\$6.62	\$138.92
360	Patrol Service / Merchant Police	1	\$95.92	5%	\$4.80	\$100.72
361	Pawn Broker	1	\$289.28	5%	\$14.46	\$303.74
362	Pawn Shop	1	\$283.90	5%	\$14.20	\$298.10
363	Peddlers	1	\$132.30	5%	\$6.62	\$138.92
364	Personal Fitness Trainer	1	\$95.92	5%	\$4.80	\$100.72
365	Personal Loan Company	1	\$289.28	5%	\$14.46	\$303.74
366	Pest Control (+)	1 vehicle	\$91.35	5%	\$4.57	\$95.92
367	Pest Control (+)	each additional vehicle	\$79.80	5%	\$3.99	\$83.79
368	Pest Control Company	1	\$144.43	5%	\$7.22	\$151.65
369	Pet Shop	1	\$95.92	5%	\$4.80	\$100.72
370	Photo Aerial Service	1	\$253.58	5%	\$12.68	\$266.26
371	Photo Refinishing Service	1	\$95.92	5%	\$4.80	\$100.72
372	Photography Studio	1	\$253.58	5%	\$12.68	\$266.26
373	Photography & Digital Imaging (photographer)	1	\$95.92	5%	\$4.80	\$100.72
374	Physical Fitness/Trainer	1	\$132.30	5%	\$6.62	\$138.92
375	Physical Therapy	1	\$132.30	5%	\$6.62	\$138.92
376	Polygraph Operator	1	\$95.92	5%	\$4.80	\$100.72

377	Pool Cleaning Service	1	\$132.30	5%	\$6.62	\$138.92
378	Pool Service / Repair / Remodeling	1	\$95.92	5%	\$4.80	\$100.72
379	Power / Electric Company	1	\$617.40	5%	\$30.87	\$648.27
380	Power Coating & Sand Blasting	1	\$134.51	5%	\$6.73	\$141.24
381	Pressure Cleaning Only	1	\$95.92	5%	\$4.80	\$100.72
382	Printing (Screen)	1	\$95.92	5%	\$4.80	\$100.72
383	Private Investigation Agency	1	\$132.30	5%	\$6.62	\$138.92
384	Private Social Club	1	\$132.30	5%	\$6.62	\$138.92
385	Production / Graphic Design/Advertise	1	\$132.30	5%	\$6.62	\$138.92
386	Professional License - Architect	each	\$132.30	5%	\$6.62	\$138.92
387	Professional License - Bondsman	each	\$132.30	5%	\$6.62	\$138.92
388	Professional License - Chiropractor	each	\$132.30	5%	\$6.62	\$138.92
389	Professional License - Dentist	each	\$132.30	5%	\$6.62	\$138.92
390	Professional License - Doctor	each	\$132.30	5%	\$6.62	\$138.92
391	Professional License - Drafting	each	\$132.30	5%	\$6.62	\$138.92
392	Professional License - Engineer	each	\$132.30	5%	\$6.62	\$138.92
393	Professional License - Engineer	each	\$132.30	5%	\$6.62	\$138.92
394	Professional License - Lawyer	each	\$132.30	5%	\$6.62	\$138.92
395	Professional License - Optician	each	\$132.30	5%	\$6.62	\$138.92
396	Professional License - Optometrist	each	\$132.30	5%	\$6.62	\$138.92
397	Professional License - Osteopath	each	\$132.30	5%	\$6.62	\$138.92
398	Professional License - Physician	each	\$132.30	5%	\$6.62	\$138.92
399	Professional License - Podiatrist	each	\$132.30	5%	\$6.62	\$138.92
400	Professional License - Psychologist	each	\$132.30	5%	\$6.62	\$138.92
401	Professional License - Real Estate Broker	each	\$132.30	5%	\$6.62	\$138.92
402	Professional License - Surveyor	each	\$132.30	5%	\$6.62	\$138.92
403	Professional License - Tattoo Artist	each	\$132.30	5%	\$6.62	\$138.92
404	Professional License - Therapist	each	\$132.30	5%	\$6.62	\$138.92
405	Professional License (All Unspecified Occupations)	each	\$132.30	5%	\$6.62	\$138.92
406	Professional Services	each	\$132.30	5%	\$6.62	\$138.92
407	Professional License - Broker	each	\$132.30	5%	\$6.62	\$138.92
408	Promotions Agency	1	\$168.11	5%	\$8.41	\$176.52
409	Property Management / Maintenance Company	1	\$374.85	5%	\$18.74	\$393.59
410	Public Services	1	\$132.30	5%	\$6.62	\$138.92
411	Publisher / Advertisement Agency	1	\$329.37	5%	\$16.47	\$345.84
412	Railroad Station	1	\$489.00	5%	\$24.45	\$513.45
413	Real Estate Auctioneer	1	\$132.30	5%	\$6.62	\$138.92
414	Real Estate Branch	1	\$138.92	5%	\$6.95	\$145.87
415	Real Estate Broker	1	\$132.30	5%	\$6.62	\$138.92
416	Real Estate Listing Bureau	1	\$132.30	5%	\$6.62	\$138.92
417	Record Searchers	1	\$95.92	5%	\$4.80	\$100.72
418	Recycling of Materials (Metal, Rubber, Paper, etc)	1	\$144.43	5%	\$7.22	\$151.65
419	Registration Out Of City	1	\$95.92	5%	\$4.80	\$100.72
420	Remove & Install Wallpaper	1	\$132.30	5%	\$6.62	\$138.92
421	Renovation/Remolding/Handyman	1	\$95.92	5%	\$4.80	\$100.72
422	Rental - Boats (Watercraft) Rental	1	\$314.06	5%	\$15.70	\$329.76
423	Rental - Commercial Unit Rental	1	\$95.92	5%	\$4.80	\$100.72
424	Rental - Commercial Rental Space	1	\$55.13	5%	\$2.76	\$57.89

up to 5 rooms

425	Rental - Commercial Rental Space	up to 10 rooms	\$99.23	5%	\$4.96	\$104.19
426	Rental - Commercial Rental Space	up to 20 rooms	\$330.75	5%	\$16.54	\$347.29
427	Rental Service - Equipment (Value of Inventory)	up to 30k	\$134.51	5%	\$6.73	\$141.24
428	Rental Service - Equipment (Value of Inventory)	up to 60k	\$519.28	5%	\$25.96	\$545.24
429	Rental Service - Equipment (Value of Inventory)	up to 100k	\$700.09	5%	\$35.00	\$735.09
430	Rental Service - Equipment (Value of Inventory)	up to 250k	\$1,213.00	5%	\$60.65	\$1,273.65
431	Rental Service - Equipment (Value of Inventory)	over 250k	\$2,425.50	5%	\$121.28	\$2,546.78
432	Rental Units	1	\$75.24	5%	\$3.76	\$79.00
433	Rentals - Beach Chairs	1	\$95.92	5%	\$4.80	\$100.72
434	Rentals - Bicycles	1	\$71.66	5%	\$3.58	\$75.24
435	Repair - Small Engine Boat Repair	up to 4 employees	\$71.66	5%	\$3.58	\$75.24
436	Repair - Small Engine Boat Repair	up to 6 employees	\$76.55	5%	\$3.83	\$80.38
437	Repair - Small Engine Boat Repair	up to 10 employees	\$192.94	5%	\$9.65	\$202.59
438	Repair - Small Engine Boat Repair	up to 20 employees	\$238.41	5%	\$11.92	\$250.33
439	Repair - Small Engine Boat Repair	over 20 employees	\$374.85	5%	\$18.74	\$393.59
440	Repair and Service - Electronics	1	\$132.30	5%	\$6.62	\$138.92
441	Repair Shop - Automobile	up to 5 employees	\$132.30	5%	\$6.62	\$138.92
442	Repair Shop - Automobile	up to 10 employees	\$192.94	5%	\$9.65	\$202.59
443	Repair Shop - Automobile	up to 20 employees	\$238.41	5%	\$11.92	\$250.33
444	Repair Shop - Automobile	over 20 employees	\$374.85	5%	\$18.74	\$393.59
445	Repair Shop - Commercial Truck	up to 5 employees	\$68.25	5%	\$3.41	\$71.66
446	Repair Shop - Commercial Truck	up to 10 employees	\$102.90	5%	\$5.15	\$108.05
447	Repair Shop - Commercial Truck	up to 20 employees	\$227.06	5%	\$11.35	\$238.41
448	Repair Shop - Commercial Truck	over 20 employees	\$357.00	5%	\$17.85	\$374.85
449	Replace Windows, Doors, Rescreen	1	\$132.30	5%	\$6.62	\$138.92
450	Restaurant w/Bar (Bar & Grill)	1	\$283.50	5%	\$14.18	\$297.68
451	Restaurant w/o Bar	up to 30 seats	\$83.79	5%	\$4.19	\$87.98
452	Restaurant w/o Bar	up to 60 seats	\$156.56	5%	\$7.83	\$164.39
453	Restaurant w/o Bar	up to 90 seats	\$229.32	5%	\$11.47	\$240.79
454	Restaurant w/o Bar	each seat over 90	\$3.00	5%	\$0.15	\$3.15
455	Resturant - Drive-in (+)	if applicable	\$95.92	5%	\$4.80	\$100.72
456	Rug / Carpet Cleaning Service	1	\$132.30	5%	\$6.62	\$138.92
457	Rug Cleaning Service	each vehicle	\$79.80	5%	\$3.99	\$83.79
458	Sales - Christmas Tree Sales	1	\$134.51	5%	\$6.73	\$141.24
459	Sales of Medical Equipment	1	\$134.51	5%	\$6.73	\$141.24
460	Salon / Spa	1	\$88.20	5%	\$4.41	\$92.61
461	Sanitary Services	1	\$132.30	5%	\$6.62	\$138.92
462	School	1	\$132.30	5%	\$6.62	\$138.92
463	School - Auto / Driving School	1	\$132.30	5%	\$6.62	\$138.92
464	School - Educational Services	1	\$132.30	5%	\$6.62	\$138.92
465	School - Instruction & Training	1	\$132.30	5%	\$6.62	\$138.92
466	School - Nursery School	1	\$132.30	5%	\$6.62	\$138.92
467	School - Private School	1	\$132.30	5%	\$6.62	\$138.92
468	Scooter / Moped Rental	1	\$95.92	5%	\$4.80	\$100.72
469	Secretarial Services	1	\$95.92	5%	\$4.80	\$100.72
470	Self Storage Rental Units	# of units, up to 5	\$55.13	5%	\$2.76	\$57.89
471	Self Storage Rental Units	up to 15	\$99.23	5%	\$4.96	\$104.19
472	Self Storage Rental Units	up to 30	\$165.38	5%	\$8.27	\$173.65

473	Self Storage Rental Units	over 30	\$330.76	5%	\$16.54	\$347.30
474	Service Broker	1	\$132.30	5%	\$6.62	\$138.92
475	Service of Motorcycles	up to 4 employees	\$71.66	5%	\$3.58	\$75.24
476	Service of Motorcycles	up to 6 employees	\$76.55	5%	\$3.83	\$80.38
477	Service of Motorcycles	up to 10 employees	\$192.94	5%	\$9.65	\$202.59
478	Service of Motorcycles	up to 20 employees	\$238.41	5%	\$11.92	\$250.33
479	Service of Motorcycles	over 20 employees	\$374.85	5%	\$18.74	\$393.59
480	Service Rigging / Hydraulics	1	\$132.30	5%	\$6.62	\$138.92
481	Services - Inspection Services	1	\$144.43	5%	\$7.22	\$151.65
482	Services - Installation Services	1	\$132.30	5%	\$6.62	\$138.92
483	Shipping / Receiving	up to 10 employees	\$212.23	5%	\$10.61	\$222.84
484	Shipping / Receiving	up to 20 employees	\$424.46	5%	\$21.22	\$445.68
485	Shipping / Receiving	up to 30 employees	\$636.96	5%	\$31.85	\$668.81
486	Shipping / Receiving	each employee over 30	\$15.05	5%	\$0.75	\$15.80
487	Shoe Repair	up to 4 employees	\$71.66	5%	\$3.58	\$75.24
488	Shoe Repair	up to 6 employees	\$76.55	5%	\$3.83	\$80.38
489	Shoe Repair	each employee over 6	\$12.00	5%	\$0.60	\$12.60
490	Sign Shop (Commercial)	1	\$132.30	5%	\$6.62	\$138.92
491	Single Family Residential Rental	1	\$28.94	5%	\$1.45	\$30.39
492	Skating Rinks	1	\$189.28	5%	\$9.46	\$198.74
493	Solar Water Heater Service	1	\$95.92	5%	\$4.80	\$100.72
494	Solicitor By Telephone	1	\$183.75	5%	\$9.19	\$192.94
495	Solicitor / School Recruiter	1	\$357.00	5%	\$17.85	\$374.85
496	Sound System & Testing Equipment	1	\$132.30	5%	\$6.62	\$138.92
497	Specialty Trade / Carpet Installation	1	\$132.30	5%	\$6.62	\$138.92
498	Specialty Trade / Carpet Installation	1	\$108.05	5%	\$5.40	\$113.45
499	Specialty Trade / Painter	1	\$108.05	5%	\$5.40	\$113.45
500	Specialty Contractor / Irrigation	1	\$108.05	5%	\$5.40	\$113.45
501	Specialty Contractor / Security Service	1	\$108.05	5%	\$5.40	\$113.45
502	Specialty Contractor / Computer Consulting	1	\$108.05	5%	\$5.40	\$113.45
503	Stenographer, Public	1	\$27.83	5%	\$1.39	\$29.22
504	Stereo / Audio Installation	1	\$132.30	5%	\$6.62	\$138.92
505	Surveying Services	1	\$132.30	5%	\$6.62	\$138.92
506	Swap Shop / Flea Market - Individual Sales	1	\$47.41	5%	\$2.37	\$49.78
507	Swimming Pools - For Profit	1	\$95.92	5%	\$4.80	\$100.72
508	Swimming Pool Construction	1	\$197.14	5%	\$9.86	\$207.00
509	Tax Services	1	\$132.30	5%	\$6.62	\$138.92
510	Telephone Company	1	\$617.40	5%	\$30.87	\$648.27
511	Tile Granite Show Room	1	\$132.30	5%	\$6.62	\$138.92
512	Tile Layer/Subtractor	1	\$102.90	5%	\$5.15	\$108.05
513	Tobacco Shop	1	\$132.30	5%	\$6.62	\$138.92
514	Tourist Camp Space/Sites	1	\$71.66	5%	\$3.58	\$75.24
515	Towing Service (one truck)	1	\$183.75	5%	\$9.19	\$192.94
516	Towing Service (adtl trucks) (+)	each adtl vehicle	\$144.43	5%	\$7.22	\$151.65
517	Training School Security	1	\$132.30	5%	\$6.62	\$138.92
518	Transfer/Trucks Service	1	\$515.42	5%	\$25.77	\$541.19
519	Transportation / Truck Service (one vehicle)	1	\$144.43	5%	\$7.22	\$151.65
520	Transportation / Truck Service (each adtl vehicle)	each adtl vehicle	\$85.93	5%	\$4.30	\$90.23

521	Travel Agency				1	\$132.30	5%	\$6.62	\$138.92
522	Truck and Welding Service				1	\$144.38	5%	\$7.22	\$151.60
523	Tutoring - Classroom				1	\$132.30	5%	\$6.62	\$138.92
524	Uniform / Garment Rental		up to 4 employees			\$65.36	5%	\$3.27	\$68.63
525	Uniform / Garment Rental		up to 15 employees			\$192.94	5%	\$9.65	\$202.59
526	Uniform / Garment Rental		up to 30 employees			\$238.41	5%	\$11.92	\$250.33
527	Uniform / Garment Rental		each employee over 30			\$10.05	5%	\$0.50	\$10.55
528	Upholstery Shop				1	\$95.92	5%	\$4.80	\$100.72
529	Utility/Recreational/Trailer Park		up to 10 units			\$126.00	5%	\$6.30	\$132.30
530	Utility/Recreational/Trailer Park		up to 20 units			\$241.50	5%	\$12.08	\$253.58
531	Utility/Recreational/Trailer Park		each unit over 20			\$10.05	5%	\$0.50	\$10.55
532	Vacuum / Air Machine				each	\$25.05	5%	\$1.25	\$26.30
533	Vehicle Parking Facility / Garage				1	\$132.30	5%	\$6.62	\$138.92
534	Vehicle Parking Facility (each parking space)				each space	\$2.00	5%	\$0.10	\$2.10
535	Vending Machine Distributor				1	\$303.74	5%	\$15.19	\$318.93
536	Vending Machine - Amusement/Arcade				each	\$41.35	5%	\$2.07	\$43.42
537	Vending Machine - Food				each	\$41.35	5%	\$2.07	\$43.42
538	Vending Machine - Ice				each	\$41.35	5%	\$2.07	\$43.42
539	Vending Machine - Music (Jukebox)				each	\$41.35	5%	\$2.07	\$43.42
540	Vending Machines (Other)				each	\$41.35	5%	\$2.07	\$43.42
541	Vending Machines - Movie Rental				each	\$71.66	5%	\$3.58	\$75.24
542	Warehouse (Value of Inventory)		up to 30k			\$134.51	5%	\$6.73	\$141.24
543	Warehouse (Value of Inventory)		up to 60k			\$519.28	5%	\$25.96	\$545.24
544	Warehouse (Value of Inventory)		up to 100k			\$700.09	5%	\$35.00	\$735.09
545	Warehouse (Value of Inventory)		up to 250k			\$1,562.50	5%	\$78.13	\$1,640.63
546	Warehouse (Value of Inventory)		up to 500k			\$2,425.50	5%	\$121.28	\$2,546.78
547	Warehouse (Value of Inventory - Over 500k)		per each \$1000 over 500k			\$2.50	5%	\$0.13	\$2.63
548	Water Restoration Service				1	\$132.30	5%	\$6.62	\$138.92
549	Water Utility Company				1	\$617.40	5%	\$30.87	\$648.27

ORDINANCE NO. 4027

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE CITY'S CODE OF ORDINANCES, CHAPTER 17, ENTITLED "SECURITY AND FIRE WARNING SYSTEMS", ARTICLE II, ENTITLED "BURGLAR ALARMS" BY REPEALING THE EXISTING ARTICLE II AND REPLACING IT WITH A NEW ARTICLE II, ENTITLED "POLICE ALARM SYSTEMS"; PROVIDING FOR A REPEALER, FORSEVERABILITY AND CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the City of Riviera Beach Police Department has been operating under the existing Burglar Alarms ordinance since 1957; and,

**WHEREAS**, based on an analysis of other municipal Burglar Alarms ordinances and changes in alarm technology and industry, the City of Riviera Beach Police Department desires to repeal the existing Burglar Alarms ordinance and replace it with a new ordinance consistent with other similar municipalities and changes in alarm technology; and,

**WHEREAS**, excessive false alarms unduly burden the City of Riviera Beach Police Department's limited law enforcement resources; and,

**WHEREAS**, an updated police alarm systems ordinance is necessary in order to establish reasonable expectations of alarm users and to ensure that alarm companies and alarm users are held responsible for their alarm systems; and,

**WHEREAS**, the City Council of the City of Riviera Beach has determined that it is in the best interest of its citizens and serves a valid public purpose to repeal the existing Burglar Alarm ordinance and replace it with this Ordinance.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA** as follows:

**SECTION 1.** The foregoing recitals are hereby incorporated into and made a part of this Ordinance as true and correct statements.

**SECTION 2.** That Chapter 17, entitled "Security and Fire Warning Systems", Article II, entitled "Burglar Alarms", is hereby REPEALED in its entirety and replaced with the following:

**POLICE ALARM SYSTEMS**

**Section 17-21. Definitions.**

The following words, terms and phrases, when used in this ordinance, shall have the

**ORDINANCE NO. 4027**

**PAGE 2**

meanings ascribed to them, except where the context clearly indicates a different meaning or a meaning is otherwise provided in section 1-2 of this code:

*Alarm company* means a person engaged in selling, leasing, installing, servicing or monitoring alarm systems utilized in the City.

*Alarm permit* means a permit issued annually by the City or its designee allowing the operation of an alarm system within the City.

*Alarm signal* means a detectable signal; audible or visual, generated by an alarm system, to which the City's police department is requested to respond.

*Alarm system* means any single device or assembly of equipment designed to signal the occurrence of an illegal or unauthorized entry or other activity requiring immediate attention and to which the City's police department is requested to respond, but does not include motor vehicle or boat alarms, fire alarms, domestic violence alarms, or alarms designed to elicit a medical response.

*Alarm user* means any person owning, leasing, or operating an alarm system in the City, or on whose premises in the City an alarm system is maintained for the protection of such premises.

*Automatic dial protection device* means an automatic dialing device or an automatic telephone dialing alarm system and shall include any system which, upon being activated, automatically initiates a recorded message or code signal indicating a need for police response.

*Cancellation* means the process where police response is terminated when the alarm company or alarm user notifies the City's police department that there is not an existing situation at the alarm site requiring police response. If cancellation occurs prior to police arriving at the alarm site, a false alarm has not occurred and no civil penalty will be assessed.

*False alarm* means the activation of an alarm system through mechanical or electronic failure, malfunction, improper installation, or the negligence of the alarm user, his/her employees or agents, which summons the City's police department. An alarm is false within the meaning of this article when, upon inspection by the City's police department, evidence indicates that no unauthorized entry, robbery, or other such crime was committed or attempted in or on the premises which would have activated a properly functioning alarm system. Notwithstanding the foregoing, a false alarm shall not include an alarm which can reasonably be determined to have been caused or activated by unusually violent conditions of nature nor does it include other extraordinary circumstances not reasonably subject to control by the alarm user. Further, a false alarm has not occurred for purposes of this article in the event of a cancellation prior to the police arriving at the alarm site.

*Hearing Officer* means the Chief of Police or his or her designee or a special magistrate. If a special magistrate is used as the Hearing Officer, the Special

Magistrate shall be an attorney admitted to the Florida Bar who possesses experience in administrative law. The Special Magistrate shall not be an employee of the City.

*Permit year* means a 12-month period beginning on the day and month on which an alarm permit is issued by the City or the City's designee.

*SIA Control Panel Standard CP-01* means the American National Standard Institute (ANSI) approved Security Industry Association (SIA) CP-01 Control Panel Standard, as may be updated from time to time, that details recommended design features for security system control panels and their associated arming and disarming devices to reduce false alarms. Control panels built and tested to this standard by a nationally recognized testing organization, will be marked to state: "Design evaluated in accordance with SIA CP-01 Control Panel Standard Features for False Alarm Reduction."

*Verify* means an attempt by the alarm company, or its representative, to contact the alarm site and/or alarm user by telephone and/or other electronic means, whether or not actual contact is made, to attempt to determine whether an alarm signal is valid before requesting the City's police department response. For the purpose of this ordinance, telephone verification shall require, at a minimum that a second call, also known as Enhanced Call Verification, be made to a different number if the first attempt fails to reach a person who can properly identify themselves in an attempt to determine whether an alarm signal is valid before requesting the City's police department to respond.

**Section 17-22. Alarm permit required.**

(a) *Permit required.* No person shall use an alarm system without first obtaining an annual permit for such alarm system from the City or its designee and paying the applicable permit fee as set by City resolution. Each alarm permit shall be assigned a unique permit number, and the alarm user shall provide the permit number to the alarm company to facilitate dispatch and response by the City's police department. Prior to the expiration of the permit year, each alarm user shall apply to the City or its designee to have the alarm permit renewed.

(b) *Application.* The alarm permit or permit renewal shall be requested on an application form provided by the City or its designee. The application will be denied if all requested information is not provided or the alarm system, alarm user or alarm company is otherwise in violation of this article including without limitation failing to pay any assessed fees or civil penalty(ies) under this article.

(c) *Transfer of possession.* When the possession of the premises at which an alarm system is maintained is sold, assigned or otherwise transferred, the new alarm user obtaining possession of the premises shall file an application with the City for an alarm permit transfer within 30 days of obtaining possession of the property and pay the alarm permit transfer fee set by City resolution. Failure to timely apply for an alarm permit transfer may result in a late fee as set by City resolution. If transferred,

the original term of an alarm permit shall remain the same.

(d) *Reporting updated information.* Whenever the information provided on the alarm permit application changes, the alarm user shall provide correct information to the City or its designee within 30 days of the change. There shall be no fee to report updated information.

(e) *Multiple alarm systems.* If an alarm user has one or more alarm systems protecting two or more separate structures or units having different addresses and/or tenants, a separate permit shall be required for each structure and/or tenant.

(f) *Term.* An alarm permit shall have a term of one year.

(g) *Fee.* A fee in the amount established by City resolution shall be charged to the alarm user by the City for each permit issued and each annual renewal to defray the cost of alarm system regulation. If an alarm permit expires for an existing alarm system prior to the submission of an application to renew, the City may charge the alarm user a late fee along with the annual renewal fee as set by City resolution.

(h) *Implementation.* The police chief or designee is authorized to create a policy to facilitate the implementation of this article and its enforcement.

**Section 17-23. Duties of the alarm user and alarm company.**

(a) All alarm users shall comply with the following requirements:

- (1) Maintain the premises and the alarm system in a manner that will reduce or eliminate false alarms; and
- (2) Provide the alarm company with the permit number (the number must be provided to the City's dispatch center by the alarm company to insure proper response by the City's police department).
- (3) Respond or cause a representative to respond to the alarm system's location within a reasonable amount of time when notified by the City's police department.
- (4) Not manually activate an alarm for any reason other than an occurrence of an event that the alarm system was intended to report.
- (5) Pay all applicable fees under this article including without limitation permit fees, late fees, annual renewal fees, and any civil penalties.

(b) All alarm companies shall comply with the following requirements:

- (1) Chapter 489, Florida Statutes.
- (2) Obtain and maintain the required state, county and/or city license(s).

(3) Provide name, address, and telephone number of the alarm company license holder or a designee, who can be called in an emergency, 24 hours a day; and be able to respond to an alarm call, when notified, within a reasonable amount of time.

(4) Possess and be able to provide the most current contact information for the alarm user.

(5) On all new installations ninety (90) days after enactment of this Ordinance, use only alarm control panel(s) which meet SIA Control Panel Standard CP-01.

(6) Provide instructions explaining the proper operation of the alarm system to the alarm user.

(7) Provide written information on how to obtain service from the alarm company for the alarm system.

(c) An alarm company performing monitoring services shall:

(1) Attempt to verify whether an alarm signal is valid before requesting the City's police department to respond including without limitation initiating an Enhanced Call Verification, if the first attempt fails EXCEPT in the case of a panic or robbery-in-progress alarm, or in cases where a crime-in-progress has been verified by video and/or audible means.

(2) Provide alarm user registration number to the City's dispatch center to facilitate City's police department response and/or cancellations.

(3) Communicate any available information about the location of the alarm to the City's dispatch center.

(4) Communicate a cancellation to the City's dispatch center as soon as possible following a determination that response is unnecessary.

**Section 17-24. Prohibited Acts.**

In addition to any other violation of this article, it shall be a violation of this article to:

(a) Activate an alarm system for the purpose of summoning the City's police department when no burglary, robbery, or other crime dangerous to life or property is being committed or attempted on the premises, or otherwise to cause a false alarm;

(b) Install, maintain, or use an audible alarm system which can sound continually for more than 15 minutes; and/or,

(c) Install, maintain, or use an automatic dial protection device that reports, or causes

to be reported, any recorded message to the City's police department.

**Section 17-25. Enforcement and Appeal.**

(a) Excessive false alarms. It is hereby found and determined that three (3) or more false alarms within a permit year is excessive, constitutes a public nuisance, and shall be unlawful. The City shall establish by resolution the civil penalties for three (3) or more false alarms within a permit year. Notice of the first and second false alarm shall be provide to the alarm user by regular U.S. mail to the most recent address on the alarm permit; and, if no alarm permit has been obtained, to the alarm site. If the regular U.S. mail is returned, the notice of the first and second false alarm shall be posted at the alarm site. Notice of a third or subsequent false alarms will be provided in accordance with the notice requirement set forth below.

(b) Other violations of this article. The City shall establish by resolution the civil penalties for other violations of this article including without limitation failure to register an alarm system for an alarm permit; failure to update permit information; and failure to pay any delinquent fee or penalty(ies) assessed under this article. For these other violations, the City will provide the alleged violator with notice of the violation and provide the alleged violator with ten (10) days to correct the violation or the applicable civil penalty(ies) will be assessed. It will be the responsibility of the alleged violator to notify the City that the violation has been corrected. Notice of such other violations will be provided in accordance with the notice requirement set forth below.

(c) Notice. Notice to persons in violation of this article and the assessment of civil penalty(ies) shall be provided as follows:

(1) If to the alarm user, by certified mail and regular U.S. mail, to the address listed in the most recent permit, permit renewal application or in a notice of a change of address. If both the certified mail and regular U.S. mailings are returned unclaimed or undeliverable, notice shall be by posting the alarm site. Alternatively, notice may be provided by hand-delivery by the City's police department or designee to the alarm user.

(2) If to an alarm company, by certified mail and regular U.S. mail, to the address listed in the most recent state, county and/or city license(s) for the alarm company. If both the certified mail and regular U.S. mailings are returned unclaimed or undeliverable, notice shall be by posting at the address listed in the most recent state, county and/or city license(s) for the alarm company. Alternatively, notice may be provided by hand-delivery by the City's Police department or designee to the manager or other person in charge at the address listed in the most recent state, county and/or city license(s) for the alarm company.

(3) Evidence that an attempt(s) has been made to comply with the foregoing by mailing and posting or by hand-delivery shall be sufficient to show that the notice requirements of this part have been met, without regard

to whether or not the alarm user or alarm company actually received such notice.

(4) All notices to persons in violation of this article and the assessment of civil penalty(ies) shall include a statement regarding the appeals procedure as set forth herein.

(d) Payment of Civil Penalty(ies). Civil penalty(ies) shall be paid within (30) days from the date of the notice of the civil penalty(ies) unless an appeal is timely filed or if the violation is timely corrected as set forth in subsection (b) above.

(e) Appeals procedure. The following procedure shall apply to all appeals filed under this article:

(1) A notice of violation and assessment of civil penalty(ies) under this article may be appealed by filing a written notice of appeal with the City's police department within twenty (20) days after the date of the notice of violation and assessment of civil penalty(ies). The written notice of appeal shall provide the name and address of the person appealing; the grounds for the appeal; and, provide copies of any evidence supporting the grounds for the appeal. The failure to file a written notice of appeal within this time period shall constitute a waiver of the right to contest the notice of violation and assessment of civil penalty(ies).

(2) Timely appeals shall be set for a hearing before the Hearing Officer. Notice of the appeal hearing shall be provided to the person filing the appeal by regular U.S. mail or hand-delivery to the address provided in the notice of appeal. Notice of the appeal hearing shall be provided at least ten (10) days before the date of the appeal hearing. At the appeal hearing, the burden shall be on the City's police department to establish a violation(s) of this article by substantial competent evidence. The standard of proof shall be a preponderance of the evidence. The person appealing may present evidence to contradict or refute the police department's evidence. While strict rules of evidence shall not be required of the appeal hearing, fundamentals of due process shall be followed.

(3) Due to the confidential nature of the records associated with alarm permits, the appeal hearing shall be closed to the public and the only attendees shall be the Hearing Officer; the applicable police department personnel and/or their legal counsel; the person appealing and/or his or her representative; and, any other person requested to appear as a witness. A court reporter may also be authorized to attend.

(4) After all evidence is presented at the appeal hearing, the Hearing Officer shall have the authority to uphold or dismiss the violation(s). If the violation(s) is upheld, the Hearing Officer may reduce the assessed civil penalty(ies) when circumstances are presented to support said reduction including a lack of any prior violation(s) at the alarm site or by the alarm

company or alarm user; prompt efforts to remedy the violation; and, other extenuating circumstances supporting a reduction. The decision of the Hearing Officer shall be final and in written order. The written order shall be promptly provided to the person appealing by regular U.S. mail to the address provided in the written appeal. Any civil penalty(ies) assessed as a result of the appeal hearing shall be paid within thirty (30) days unless such time is extended by the Hearing Officer.

(f) *Non-exclusive remedy.* In lieu of or in addition to the enforcement procedure herein, the City reserves the right to pursue all remedies available at law and/or equity to enforce this article including, but not limited to, a suit to recover damages or obtain equitable relief or code enforcement.

(g) Discontinuance of the City's police department response. The failure of an alarm user or the alarm user's alarm company to timely pay any civil penalty(ies) assessed under this ordinance may result in discontinuance of the City's police department response to alarm signals that may occur at the applicable alarm site. In addition, failure to register, obtain a permit or renew a permit may result in no response to an alarm.

**Section 17-26. Alarm user awareness class.**

The City may create and implement an Alarm User Awareness Class and may request the assistance of the area alarm companies to assist in developing and implementing the class. The class shall inform alarm users of the problems created by false alarms and instruct alarm users how to help reduce false alarms. If implemented, the police department may grant the option of attending a class in lieu of paying a civil penalty(ies).

**Section 17-27. Confidentiality.**

Consistent with Florida Statutes and in the interest of public safety, all information contained in and gathered through the alarm permit application process, no response records, and any other alarm records created under this article are confidential and exempt from public disclosure.

**Section 17-28. Limitation of Liability.**

The City shall be under no obligation or duty to an alarm user or to any other person under this article by reason of this article. The City specifically disclaims liability for any damages which may be caused by failure to respond to an alarm. The police chief or his or her designee may without notice cancel any alarm dispatch caused by power or weather related causes or other emergencies based upon priority, or alarms considered to be a nuisance.

**SECTION 3.** If any word, phrase, clause, subsection or section of this ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this ordinance.

**SECTION 4.** That all laws or parts of laws in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 5.** Specific authority is hereby granted to codify this ordinance.

**SECTION 6.** This Ordinance shall become effective immediately upon its final passage and adoption.

**PASSED AND APPROVED** on the first reading this 5<sup>th</sup> day of June,  
2013.

**PASSED AND ADOPTED** on second and final reading this 7<sup>TH</sup> day of  
AUGUST, 2013.

**APPROVED:**



**THOMAS A. MASTERS**  
MAYOR

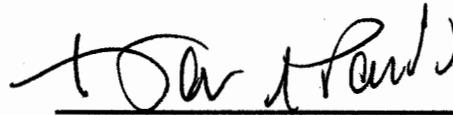


**CEDRICK A. THOMAS**  
CHAIRPERSON

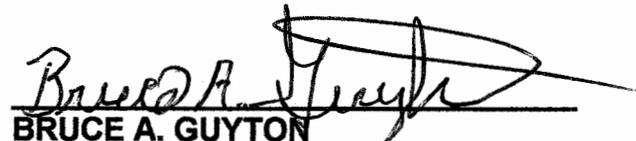
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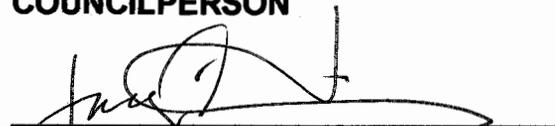
**CARRIE E. WARD**  
MASTER MUNICIPAL CLERK  
CITY CLERK



**DAWN S. PARDO**  
CHAIR PRO TEM



**BRUCE A. GUYTON**  
COUNCILPERSON



**JUDY L. DAVIS**  
COUNCILPERSON



**TERENCE D. DAVIS**  
COUNCILPERSON

1<sup>ST</sup> READING

MOTIONED BY: J. Davis

SECONDED BY: B. Guyton

B. GUYTON AYE

J. DAVIS AYE

C. THOMAS OUT

D. PARDO AYE

T. DAVIS AYE

2<sup>ND</sup> & FINAL READING

MOTIONED BY: D. PARDO

SECONDED BY: B. GUYTON

B. GUYTON AYE

J. DAVIS AYE

C. THOMAS AYE

D. PARDO AYE

T. DAVIS AYE

REVIEWED AS TO LEGAL SUFFICIENCY

PAMALA HANNA RYAN, CITY ATTORNEY

DATE: \_\_\_\_\_

**CERTIFICATION OF PUBLICATION**

**I hereby certify that the notice of the proposed enactment of this Ordinance was duly published in a newspaper of general circulation within the City of Riviera Beach as required by the applicable Florida Statutes.**



**Carrie E. Ward**  
**Master Municipal Clerk**  
**City Clerk**

**August 7, 2013**  
**Date**

ORDINANCE NO. 4028

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 31 OF THE CODE OF ORDINANCES, ENTITLED "ZONING", ARTICLE III, ENTITLED "SITE PLAN REVIEW", SECTION 31-61, ENTITLED "STANDARDS FOR GRANTING SPECIAL EXCEPTIONS" BY PROVIDING AN INCREMENTAL PAYMENT PROCESS OPTION FOR REQUIRED SPECIAL EXCEPTION FEES, SITE PLAN FEES AND ADVERTISING FEES FOR LARGE FAMILY CHILD CARE HOMES, COMMUNITY RESIDENTIAL HOMES AND PLACES OF WORSHIP; AMENDING CHAPTER 31 OF THE CODE OF ORDINANCES, ENTITLED "ZONING", ARTICLE I, ENTITLED "IN GENERAL", SECTION 31-1, ENTITLED "DEFINITIONS" BY PROVIDING DEFINITION OF COMMUNITY RESIDENTIAL HOME; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the City wishes to expand job options and business opportunities for our citizenry; and

**WHEREAS**, during the July 17, 2013, City Council Meeting, the City Council provided staff directive to create an incremental payment plan option for frequently proposed micro-enterprise uses within the City that require approval via the special exception process; and

**WHEREAS**, staff has determined that Large Family Child Care Homes, Community Residential Homes, and Places of Worship are uses requiring special exception process approval that would most frequently benefit from a incremental payment plan option; and

**WHEREAS**, the City Council desires to implement an incremental payment plan option for these uses, in order to promote the overall health, safety and welfare of the community.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:**

**SECTION 1.** That Chapter 31 of the Code of Ordinances, entitled "Zoning", Article III, entitled "Site Plan Review", Section 31-61, entitled "Standards for Granting Special Exceptions" is hereby amended as follows with additions underlined and deletions in strikethrough format ( addition / ~~deletion~~ ) as set out below:

**ORDINANCE NO. 4028**  
**PAGE 2 OF 6**

Sec. 31-61. Review procedures for special exceptions.

- (a) *Purpose.* This section is intended to address the review procedures for those uses which have been designated as special exceptions within the permitted uses of the applicable zoning district. The city council shall decide only upon such special exceptions that are specifically authorized by the terms of this chapter, i.e., to grant special exceptions with such conditions and safeguards as are appropriate under this chapter or to deny special exceptions when not in harmony with the purpose, intent and requirements of this chapter.
- (b) *Public hearings required.* A public hearing shall be held by the planning and zoning board and city council in accordance with the public hearing procedures and notice requirements in section 31-4, prior to any decision regarding a request for special exception.
- (c) *Submission.* A site plan shall be submitted concurrently with the special exception. For ~~both standard special exceptions and PUD special exceptions~~, the grant of the special exception shall expire if a building permit is not issued within two years from the date the special exception was granted by the city council.
- (d) ~~*Filing fee.* Payment of a filing fee to cover the cost of legal notice is required. The minimum fee is \$75.00 and shall be nonrefundable. For application fee, see section 31-692~~
- Fees.* The fees for special exceptions are set out in section 31-691 of this code, which references the land development application fee schedule.
- (d) *Payment Plan Option.* A payment plan option is available for the three following special exception uses: Community Residential Home, Large Family Child Care Home, and Place of Worship. The aforementioned uses may choose to utilize the payment plan option as follows:

- (1) Half of the required fees due to apply for a special exception use approval (including special exception fees, site plan fees and advertising fees) may be submitted in lieu of full payment when a complete special exception application packet is officially submitted to staff. This payment will provide for review by both staff and the planning and zoning board. The remainder of fees due shall be provided by the applicant prior to application review by the city council within one year of planning and zoning board review or the application shall expire and officially be considered withdrawn.
- (2) Partial payment of fees submitted through this payment plan option are non-refundable and does not guarantee a final use approval.

**SECTION 2.** That Chapter 31 of the Code of Ordinances, entitled "Zoning", Article I, entitled "In General", Section 31-1, entitled "Definitions" is hereby amended by providing a definition for Community Residential Home, as set out below:

"Community Residential Home" means a dwelling unit licensed to serve residents who are clients of the Department of Elderly Affairs, the Agency for Persons with Disabilities, the Department of Juvenile Justice, or the Department of Children and Family Services or licensed by the Agency for Health Care Administration which provides a living environment for 7 to 14 unrelated residents who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents.

**SECTION 3.** If any word, phrase, clause, subsection or section of this Ordinance is for any reason held invalid, the invalidity thereof shall not affect the validity of any remaining portions of this Ordinance.

**SECTION 4.** It is the intention of the City Council and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Riviera Beach, and the sections of the Ordinance may be renumbered to accomplish such intentions.

**SECTION 5.** That all sections or parts of sections of the Code of Ordinances, all ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict herewith, are hereby repealed to the extent of such conflict.

**SECTION 6.** This Ordinance shall become effective upon the passing and adoption of second and final reading.

**SECTION 7.** Specific authority is hereby granted to codify this Ordinance.

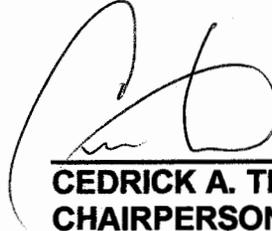
**PASSED AND APPROVED** on the first reading this 7TH day of AUGUST,  
2013.

**PASSED AND ADOPTED** on second and final reading this 4TH day of  
SEPTEMBER, 2013.

APPROVED:



THOMAS A. MASTERS  
MAYOR

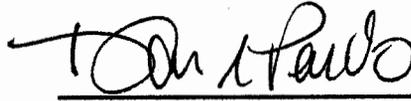


CEDRICK A. THOMAS  
CHAIRPERSON

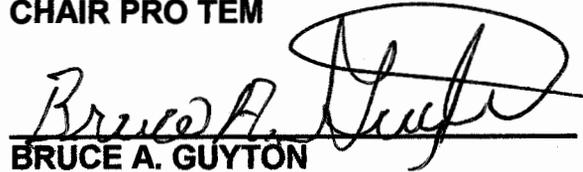
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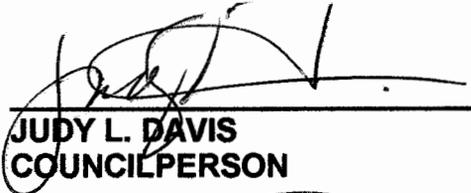
CARRIE E. WARD  
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CHAIR PRO TEM



BRUCE A. GUYTON  
COUNCILPERSON



JUDY L. DAVIS  
COUNCILPERSON



TERENCE D. DAVIS  
COUNCILPERSON

1<sup>ST</sup> READING

MOTIONED BY: B. GUYTON

SECONDED BY: T. DAVIS

C. THOMAS            AYE

D. PARDO            AYE

B. GUYTON           AYE

J. DAVIS             AYE

T. DAVIS             AYE

2<sup>ND</sup> & FINAL READING

MOTIONED BY: B. GUYTON

SECONDED BY: J. DAVIS

C. THOMAS           AYE

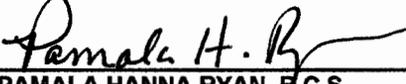
D. PARDO            AYE

B. GUYTON           AYE

J. DAVIS             AYE

T. DAVIS             AYE

REVIEWED AS TO LEGAL SUFFICIENCY

  
\_\_\_\_\_  
PAMALA HANNA RYAN, B.C.S.  
CITY ATTORNEY

DATE: 9/4/13

**CERTIFICATION OF PUBLICATION**

**I hereby certify that the notice of the proposed enactment of this Ordinance was duly published in a newspaper of general circulation within the City of Riviera Beach as required by the applicable Florida Statutes.**

  
\_\_\_\_\_  
**Garrie E. Ward**  
**Master Municipal Clerk**  
**City Clerk**

9-4-13  
\_\_\_\_\_  
**Date**

**ORDINANCE NO. 4029**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 31 OF THE CODE OF ORDINANCES, ENTITLED "ZONING", ARTICLE IX, ENTITLED "LAND DEVELOPMENT APPLICATION FEES", SECTION 31-691, ENTITLED "PURPOSE"; BY PROVIDING FOR THE WAIVER OF FEES ASSOCIATED WITH PROCESSING LARGE FAMILY CHILD CARE HOME APPLICATIONS, INCLUDING SITE PLAN APPLICATION FEES, SPECIAL EXCEPTION FEES AND ADVERTISING FEES, TO BE ADDED TO THE LAND DEVELOPMENT APPLICATION FEE SCHEDULE FOR A ONE YEAR PERIOD, REFERENCED UNDER SECTION 31-691; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, on November 3, 2010, the City Council passed Resolution No. 138-10, directing staff to develop new land development regulations for Daycare uses for consistency with House Bill 1045; and

**WHEREAS**, the definition of a Large Family Child Care Home and conditions of approval were established via Ordinance No. 3092 on May 18, 2011; and

**WHEREAS**, any request to establish a new Large Family Child Care Home requires approval through the special exception process, which entails staff analysis, review by the Planning and Zoning Board and final review by the City Council; and

**WHEREAS**, section 8 of Ordinance No. 3092 allowed for application fees for Large Family Child Care Homes to be waived for a one year period after the adoption of the Ordinance, from May 18, 2011, to May 18, 2012; and

**WHEREAS**, on July 17, 2013, the City Council passed Resolution No. 89-13, directing staff to provide for the waiver of fees for an additional one year period; and

**WHEREAS**, the City Council wishes to waive the established site plan application fee (\$1,500), the special exception application fee (\$2,000) and the advertising fee (\$1,000) for a period of one year for all Large Family Child Care Home applications.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:**

**SECTION 1.** That the Land Development Application Fees Schedule referenced in Chapter 31 of the Code of Ordinances, entitled "Zoning", Article IX, entitled "Land

**ORDINANCE NO. 4029**  
**PAGE 2 OF 5**

Development Application Fees", Section 31-691, entitled "Purpose" is hereby amended as follows:

All fees associated with processing Large Family Child Care Home applications, including site plan application fees, special exception fees, and advertising fees are hereby waived for a period of one year effective upon the adoption of this ordinance. This ordinance shall automatically sunset at the end of the one year period.

**SECTION 2.** If any word, phrase, clause, subsection or section of this Ordinance is for any reason held invalid, the invalidity thereof shall not affect the validity of any remaining portions of this Ordinance.

**SECTION 3.** That all sections or parts of sections of the Code of Ordinances, all ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict herewith, are hereby repealed to the extent of such conflict.

**SECTION 4.** This Ordinance shall become effective upon the passing and adoption of second and final reading.

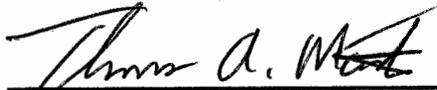
**SECTION 5.** This Ordinance shall NOT be codified.

**PASSED AND APPROVED** on the first reading this 7TH day of AUGUST, 2013.

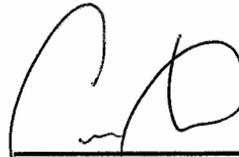
**PASSED AND ADOPTED** on second and final reading this 4TH day of SEPTEMBER, 2013.

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APPROVED:



THOMAS A. MASTERS  
MAYOR



CEDRICK A. THOMAS  
CHAIRPERSON

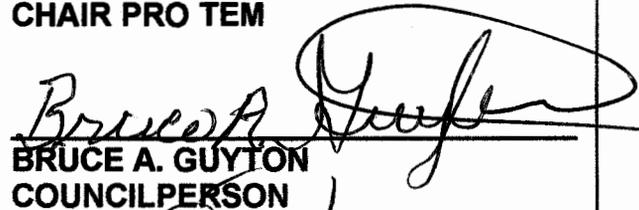
ATTEST:



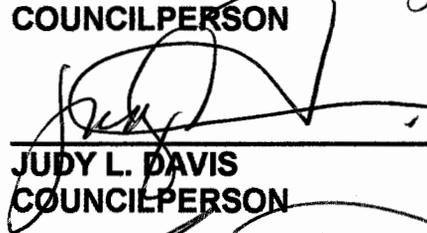
CARRIE E. WARD  
MASTER MUNICIPAL CLERK  
CITY CLERK



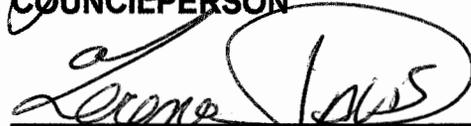
DAWN S. PARDO  
CHAIR PRO TEM



BRUCE A. GUYTON  
COUNCILPERSON



JUDY L. DAVIS  
COUNCILPERSON



TERENCE D. DAVIS  
COUNCILPERSON

1<sup>ST</sup> READING

MOTIONED BY: B. GUYTON

SECONDED BY: D. PARDO

C. THOMAS      AYE

D. PARDO        AYE

B. GUYTON       AYE

J. DAVIS         AYE

T. DAVIS         AYE

2<sup>ND</sup> & FINAL READING

MOTIONED BY: J. DAVIS

SECONDED BY: B. GUYTON

C. THOMAS      AYE

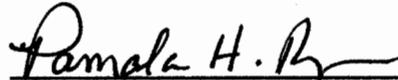
D. PARDO        AYE

B. GUYTON       AYE

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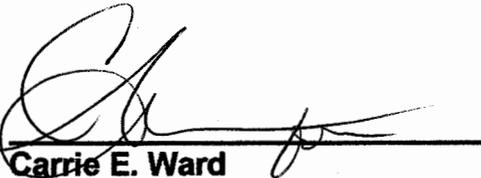
REVIEWED AS TO LEGAL SUFFICIENCY

  
\_\_\_\_\_  
PAMALA HANNA RYAN, B.C.S.  
CITY ATTORNEY

DATE: 9/4/13

**CERTIFICATION OF PUBLICATION**

**I hereby certify that the notice of the proposed enactment of this Ordinance was duly published in a newspaper of general circulation within the City of Riviera Beach as required by the applicable Florida Statutes.**



**Carrie E. Ward**  
**Master Municipal Clerk**  
**City Clerk**

9-4-13  
**Date**

**ORDINANCE NO. 4030**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA; AMENDING ARTICLE III ENTITLED "FIREFIGHTERS' PENSION PLAN", SECTION 14-47 ENTITLED "BOARD OF TRUSTEES, CREATED, POWERS, DUTIES" OF THE CITY OF RIVIERA BEACH CODE OF ORDINANCES RELATING TO THE FIRE PENSION PLAN BY PROVIDING FOR AN INCREASE IN TRUSTEE TERMS; PROVIDING FOR CODIFICATION, SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Board of Trustees of the Firefighters' Pension Fund has recommended and approved amendments to the existing Code of Ordinances to allow for the length of the terms of trustees to change from two (2) years to four (4) years; and

**WHEREAS**, the Board of Trustees of the Firefighters Pension Fund has recommended and approved amendments to the existing Code of Ordinances to allow for Trustees terms to be staggered; and

**WHEREAS**, the Board of Trustees of the Firefighters Pension Fund has recommended and approved amendments to the existing Code of Ordinances to correct scrivener's errors.

**NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA:**

**SECTION 1.** That Chapter 14, Article III, Section 14-47, "Board of Trustees"; created, powers, duties" of the Riviera Beach Code of Ordinances is hereby amended as follows:

There is hereby created a Board of Trustees of the City Firefighters' Pension Trust Fund. The Board of Trustees shall consist of five (5) members, two (2) of whom shall be legal residents of the City who shall be appointed by the City Council, and two (2) of whom shall be full-time firefighters as defined in F.S. § 175.032(1), who shall be elected by a majority of the firefighters who are members of the plan. The fifth (5<sup>th</sup>) member shall be chosen by majority of the previous four (4) members as provided for in this section, and such person's name shall be submitted to the City Council. Upon receipt of the fifth (5<sup>th</sup>) person's name, the City Council shall, as a ministerial duty, appoint such person to the Board of Trustees as its fifth (5<sup>th</sup>) member. The fifth (5<sup>th</sup>) member shall have the same rights as each of the other four (4) members appointed or elected as provided in this section and may be succeeded in office succeed him or herself in office. ~~Each resident member shall serve as trustee for a period of two~~

~~(2) years from October 1, 1986, unless sooner replaced by the City Council, at whose pleasure the resident member shall serve, and may be succeeded as a trustee. Each firefighter member shall serve as a trustee for a period of two (2) years from October 1, 1986, unless the firefighter sooner leaves the employment of the City as a firefighter, where upon the City Council shall choose a successor in the same manner as an original appointment. Each firefighter may be succeeded in office. Each new term subsequent to the effective date of this ordinance, the term of the fifth (5<sup>th</sup>) member shall be for a period of four (4) years, subject to the limitations below.~~

Each new term subsequent to the effective date of this ordinance, a City resident member shall serve as a trustee for four (4) years, provided however, the seat in which the person sits, whose term shall end first, of the two (2) City resident board members, shall have an initial term of three (3) two (2) years. All successive terms thereafter for all City resident board members will be for four (4) years unless the person is sooner replaced by the City Council, at whose pleasure the resident member shall serve. Each City resident trustee may succeed him or herself in office.

Each new term subsequent to the effective date of this ordinance, a full-time firefighter shall serve as a trustee for four (4) years, provided however, the person whose term occupies Seat 2, of the two (2) full-time firefighter board members, shall have an initial term of three (3) two (2) years. All successive terms thereafter for all full-time firefighter board members will be for four (4) years unless the full-time firefighter sooner leaves the employment of the City as a firefighter, where upon a successor shall be chosen in the same manner as the original appointment. Each full-time firefighter trustee may succeed him or herself in office.

\*\*\*\*\*

**SECTION 2.** It is the intention of the City Council and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of the City of Riviera Beach, and the sections of this ordinance may be renumbered to accomplish such intentions.

**SECTION 3.** If any word, phrase, clause, subsection or section of this ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining parts of this ordinance.

**SECTION 4.** That all sections or parts of sections of the Code of Ordinances, all ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict herewith, be and the same are hereby repealed to extent of such conflict.

**SECTION 5.** That this ordinance shall be in full force and effect immediately upon its final passage and adoption.

**SECTION 6.** Specific authority is hereby granted to codify this ordinance.

**PASSED AND APPROVED** on first reading this 7<sup>th</sup> day of August, 2013.

**PASSED AND ADOPTED** on second and final reading this 4<sup>TH</sup> day of SEPTEMBER, 2013.

**APPROVED:**

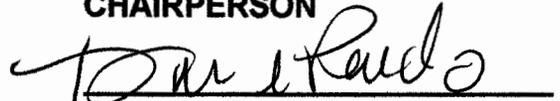
  
\_\_\_\_\_  
**THOMAS MASTERS**  
MAYOR

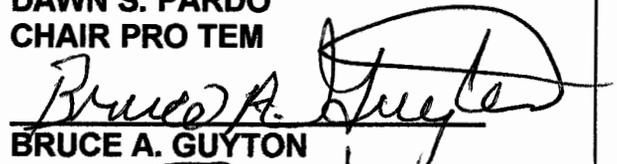
**MUNICIPAL SEAL**

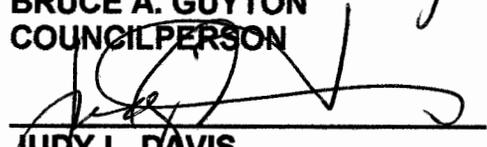
**ATTEST:**

  
\_\_\_\_\_  
**CARRIE E. WARD, MMC**  
CITY CLERK

  
\_\_\_\_\_  
**CEDRICK A. THOMAS**  
CHAIRPERSON

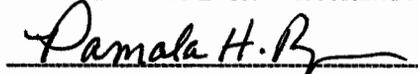
  
\_\_\_\_\_  
**DAWN S. PARDO**  
CHAIR PRO TEM

  
\_\_\_\_\_  
**BRUCE A. GUYTON**  
COUNCILPERSON

  
\_\_\_\_\_  
**JUDY L. DAVIS**  
COUNCILPERSON

  
\_\_\_\_\_  
**TERENCE D. DAVIS**  
COUNCILPERSON

REVIEWED AS TO LEGAL SUFFICIENCY

  
\_\_\_\_\_  
**PAMALA HANNA RYAN, ESQ., B.C.S.**  
CITY ATTORNEY

DATE: 9/4/13

ORDINANCE NO. 4030

PAGE - 4 -

1<sup>st</sup> READING

MOTIONED BY: D. PARDO

SECONDED BY: B. GUYTON

C. THOMAS AYE

D. PARDO AYE

B. GUYTON AYE

J. DAVIS AYE

T. DAVIS AYE

2<sup>nd</sup> & FINAL READING

MOTIONED BY: D. PARDO

SECONDED BY: B. GUYTON

C. THOMAS AYE

D. PARDO AYE

B. GUYTON AYE

J. DAVIS AYE

T. DAVIS AYE

ORDINANCE NO. 4030

PAGE - 5 -

**CERTIFICATION OF PUBLICATION**

I hereby certify that notice of the proposed enactment of this Ordinance was duly published in a newspaper of general circulation within the City of Riviera Beach as required by the applicable Florida Statutes.

9-4-13

DATE

  
Carrie E. Ward, MMC, City Clerk

**ORDINANCE NO. 4031**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 11, ARTICLE III ENTITLED "JUNKED, WRECKED, ABANDONED PROPERTY" OF THE CITY'S CODE OF ORDINANCES BY CREATING A NEW DIVISION FOR THE REGULATION OF SHOPPING CARTS; PROVIDING FOR SEVERABILITY, CONFLICTS AND CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, protecting the integrity of the City's neighborhoods is vital to the future growth of the City of Riviera Beach; and

**WHEREAS**, regular maintenance of properties throughout the City enhances the appearance of the City and makes it more attractive for businesses to remain and thrive in the City of Riviera Beach; and

**WHEREAS**, Chapter 11, Entitled "Nuisances" currently regulates nuisances and their abatement; and

**WHEREAS**, the abandonment of shopping carts within neighborhoods and along major traffic corridors constitutes a nuisance to the health, safety and welfare of City residents; and

**WHEREAS**, the City of Riviera Beach seeks a partnership with local business to prevent the misuse, theft, and abandonment of shopping carts consistent with the requirements of section 506.5131, Florida Statutes, which governs the return of shopping carts to the rightful owner; and

**WHEREAS**, the City Council of the City of Riviera Beach believes that amending Chapter 11 is necessary to protect the residents of the City from nuisances to the fullest extent permissible under state law and serves a public purpose.

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:**

**SECTION 1.** That Chapter 11, Article III, entitled "JUNKED, WRECKED, ABANDONED PROPERTY" of the City's Code of Ordinances is hereby amended by creating a new division entitled "DIVISION 4. SHOPPING CARTS" as follows:

**DIVISION 4. SHOPPING CARTS**

**Sec. 11-141 Findings and declaration.**

The City Council makes the following findings and declarations:

- (a) The accumulation of wrecked, dismantled or abandoned shopping carts, or parts thereof, on public property is found to create a condition tending to reduce property values; to promote blight and deterioration; to be aesthetically detrimental to the community; and to be injurious to the health, safety and general welfare of the City.
- (b) Responsibility for minimizing or eliminating this condition rests with individuals who use shopping carts and the businesses which provide shopping carts for their patrons. Therefore, effective signage and identification on shopping carts shall be mandated, and the presence of wrecked, dismantled or abandoned shopping carts, or parts thereof, on public property is declared to constitute a public nuisance which may be abated as such in accordance with the provisions of this division.

**Sec. 11-142 Definitions.**

The following words, terms and phrases shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning or unless otherwise noted:

"Shopping cart" means a basket mounted on wheels or a similar device which is generally used in a retail establishment by a customer for the purpose of transporting goods of any kind.

"Shopping cart owner" or "owner" means any person or entity that owns a shopping cart(s) and/or furnishes a shopping cart(s) for use.

**Sec. 11-143 Administration and enforcement.**

Except as otherwise provided, the provisions of this article shall be administered and enforced by the City's Code Enforcement Division of the Police Department. However, in enforcing the provisions of this article, any employee of the city may remove, or cause the removal of a shopping cart, or parts thereof, from public property.

**Sec. 11-144 Shopping cart identification.**

- (a) Every shopping cart owner shall affix an identification sign on the shopping cart providing the name, address and phone number of the owner. If a shopping cart is only marked with a Florida Department of State registered name or mark, the shopping cart owner shall provide the city annually with the name, address and telephone number of the owner for such registered name or mark.

(b) Any shopping cart owner desiring an exemption from the identification sign requirements of subsection (a), of this section, shall file a petition for exemption with the Code Enforcement Administrator or his or her designee.

1. Upon such filing, the Code Enforcement Administrator or designee shall issue the shopping cart owner an exemption from the requirements of subsection (a) if:

- a. Physical barriers exist to prevent the removal of the shopping cart(s) from the establishment or the parking lot where utilized, which conform to all applicable building code requirements. ;
- b. Alarm mechanisms or other security devices (such as wheel locking mechanisms to be used in conjunction with an electronic barrier, or protruding arms or similar devices prohibiting the cart from being removed from the interior of the establishment) are attached to the shopping cart(s) to prevent its removal from the establishment or the parking lot where utilized;
- c. A system has been established, which may be mechanical in nature, requiring a deposit (in an amount which would not deter the use of the cart but would encourage the return of the cart) to use the shopping cart(s); or
- d. Similar methods have been adopted that would prevent the removal of its shopping cart(s) from the establishment or its parking lot where utilized.

2. Any exemption granted under subsection (a) shall expire if the grounds for the exemption cease to be maintained or used.

**Sec. 11-145 Removal, storage and disposal of shopping carts found on public property.**

- (a) The City may remove and place into storage all shopping carts found on public property.
- (b) After the City has removed identifiable shopping carts from public property, the Code Enforcement Administrator or his or her designee shall promptly provide written notice by regular mail to the shopping cart owner at the address designated on the shopping cart's identification sign. If the cart has no identification sign but the owner can otherwise be readily determined by other distinguishing characteristics or notice to the city, the Code Enforcement Administrator or designee shall mail the notice to the determined shopping cart owner. In addition to the notice sent by mail, the Code Enforcement Administrator or designee shall post a copy of the notice at the police department. The notice shall be deemed complete upon mailing and posting by the Code Enforcement Administrator or

designee, and receipt of the notice by the shopping cart owner is not required.

(1) The shopping cart owner shall have twenty (20) calendar days from the date of the notice to retrieve the shopping cart.

(2) If the shopping cart is not retrieved by its owner within said twenty (20) days, title to the shopping cart shall vest in city and may be disposed of in any manner (including discarded) as determined by the Code Enforcement Administrator or designee.

(c) *Procedures for handling unidentifiable shopping carts found on public property.* Any unidentifiable shopping carts found on public property, where the owner of the shopping cart cannot be readily determined, shall be handled as abandoned property pursuant to this code. Notwithstanding any provision or subsections to the contrary, no retrieval, storage or similar fee may be charged to the shopping cart owner except to the extent permitted by Florida Law.

**SECTION 2.** It is the intention of the City Council and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Riviera Beach, and the sections of this Ordinance may be renumbered to accomplish such intentions.

**SECTION 3.** If any word, phrase, clause, subsection or section of this Ordinance is for any reason held invalid, the invalidity thereof shall not affect the validity of any remaining portions of this Ordinance.

**SECTION 4.** That all sections or parts of sections of the Code of Ordinances, all ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

**SECTION 5.** Specific authority is hereby granted to codify this Ordinance.

**SECTION 6.** That this Ordinance shall become effective immediately upon its passage on second and final reading.

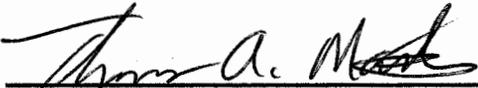
ORDINANCE NO. 4031

PAGE 5

PASSED AND APPROVED on the first reading this 5TH day of JUNE,  
2013.

PASSED AND ADOPTED on second and final reading this 4TH day of  
SEPTEMBER, 2013.

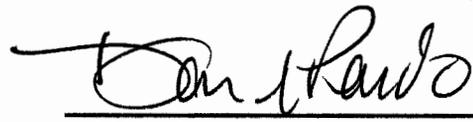
APPROVED:

  
\_\_\_\_\_  
THOMAS A. MASTERS  
MAYOR

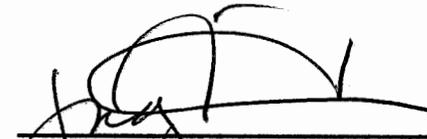
  
\_\_\_\_\_  
CEDRICK A. THOMAS  
CHAIRPERSON

ATTEST:

  
\_\_\_\_\_  
CARRIE E. WARD  
MASTER MUNICIPAL CLERK  
CITY CLERK

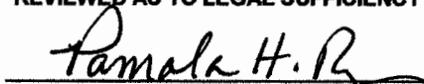
  
\_\_\_\_\_  
DAWN S. PARDO  
CHAIR PRO TEM

  
\_\_\_\_\_  
BRUCE A. GUYTON  
COUNCILPERSON

  
\_\_\_\_\_  
JUDY L. DAVIS  
COUNCILPERSON

  
\_\_\_\_\_  
TERENCE D. DAVIS  
COUNCILPERSON

REVIEWED AS TO LEGAL SUFFICIENCY

  
\_\_\_\_\_  
PAMALA HANNA RYAN, B.C.S.  
CITY ATTORNEY

DATE: 9/4/13

ORDINANCE NO. 4031

PAGE 6

1<sup>ST</sup> READING

2<sup>ND</sup> & FINAL READING

MOTIONED BY: B. GUYTON

MOTIONED BY: D. PARDO

SECONDED BY: T. DAVIS

SECONDED BY: B. GUYTON

C. THOMAS AYE

C. THOMAS AYE

D. PARDO AYE

D. PARDO AYE

B. GUYTON AYE

B. GUYTON AYE

J. DAVIS AYE

J. DAVIS AYE

T. DAVIS AYE

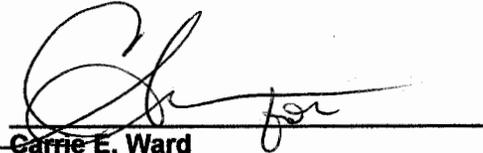
T. DAVIS AYE

ORDINANCE NO. 4031

PAGE 7

CERTIFICATION OF PUBLICATION

I hereby certify that the notice of the proposed enactment of this Ordinance was duly published in a newspaper of general circulation within the City of Riviera Beach as required by the applicable Florida Statutes.



Carrie E. Ward  
Master Municipal Clerk  
City Clerk

9-4-13

Date

**ORDINANCE NO. 4032**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, FIXING THE ADJUSTED TAX VALUATION OF REAL PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY; LEVYING A TAX ON REAL PROPERTY AND TANGIBLE BUSINESS PERSONAL PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY, FOR FISCAL YEAR BEGINNING OCTOBER 1, 2013 AND ENDING SEPTEMBER 30, 2014 FIXING THE MILLAGE RATE OF 8.9980 MILLS THEREON FOR SAID YEAR; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the assessment of ad valorem taxes requires the establishment of a rate of taxation.

**NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA:**

**SECTION 1:** That for the fiscal year beginning October 1, 2013 and ending September 30, 2014, the adjusted valuation on all real property and tangible business personal property within the City of Riviera Beach is hereby determined to be and is fixed as follows:

(a) Real Property and Tangible Business Personal Property on which tax can be extended, exclusive of exempt homestead property, \$3,178,758,390\*

\* Subject to final approval of the Value Adjustment Board

**SECTION 2:** That for the fiscal year beginning October 1, 2013 and ending September 30, 2014, a tax of 8.9980 mills, which is 4.55% more than the rolled-back rate of 8.6064 mills, on the dollar shall be, and is levied and shall be collected on all real property and tangible business personal property within the City of Riviera Beach, Florida, not specifically designated as homestead property or owned by the municipality and/or expressly exempted by the laws of the Constitution of the State of Florida for the purpose of raising funds for the improvements and government of the City, and for the payment of its obligations and expenses, and for the purpose of carrying out the purpose and duties granted and imposed by the City Charter and Code. Said real property and tangible business personal property being specifically set forth as Items A in Section 1 hereof and valued in the amount of \$3,178,758,390 subject to final approval of the Value Adjustment Board.

**SECTION 3:** As provided by Section 200.065 (5) Florida Statutes, upon notification from the Property Appraiser of any aggregate change in the certified

**ORDINANCE NO. 4032**  
**PAGE 2**

assessment roll, the City Manager is hereby authorized to certify to the Property Appraiser, within three (3) days of notification, an adjusted millage rate which shall be such that taxes computed by applying the adopted rate against the certified taxable value are equal to the taxable value on the roll to be extended.

**SECTION 4:** The millage rate is 8.9980 mills which is more than the rolled-back rate of 8.6064 mills by 4.55 percent.

**SECTION 5:** If any word, phrase, clause, subsection or section of this ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portion of this ordinance.

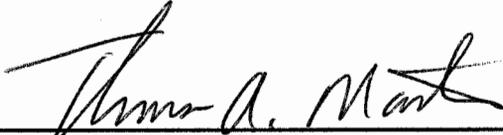
**SECTION 6:** That all sections or parts of sections of the Code of Ordinances, all ordinances or parts of ordinances and all resolutions or parts of resolutions, in conflict herewith are and the same are hereby repealed to extent of such conflict.

**SECTION 7:** This ordinance shall be in full force and effective October 1, 2013 upon its passage and adoption.

**PASSED AND APPROVED** on the first reading this 4TH day of SEPTEMBER, 2013.

**PASSED AND ADOPTED** on second and final reading this 18TH day of SEPTEMBER, 2013.

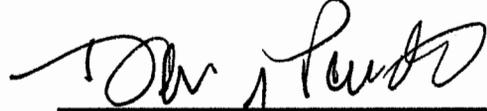
APPROVED:



**THOMAS A. MASTERS**  
MAYOR



**CEDRICK A. THOMAS**  
CHAIRPERSON



**DAWN S. PARDO**  
CHAIR PRO TEM

ATTEST:



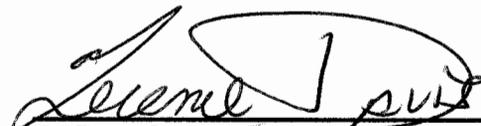
**CARRIE E. WARD,**  
MASTER MUNICIPAL CLERK  
CITY CLERK



**BRUCE A. GUYTON**  
COUNCILPERSON

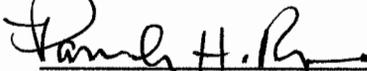


**JUDY L. DAVIS**  
COUNCILPERSON



**TERENCE D. DAVIS**  
COUNCILPERSON

REVIEWED AS TO LEGAL SUFFICIENCY



**PAMALA HANNA RYAN, B.C.S., CITY ATTORNEY**

DATE: 9/18/13

1<sup>ST</sup> READING

MOTIONED BY: B. GUYTON

SECONDED BY: J. DAVIS

C. THOMAS            AYE

D. PARDO            AYE

B. GUYTON           AYE

J. DAVIS             AYE

T. DAVIS             AYE

2<sup>ND</sup> & FINAL READING

MOTIONED BY: T. DAVIS

SECONDED BY: D. PARDO

C. THOMAS           AYE

D. PARDO            AYE

B. GUYTON           ABSENT

J. DAVIS             AYE

T. DAVIS             AYE

ORDINANCE NO. 4032

PAGE 5

CERTIFICATION OF PUBLICATION

I hereby certify that notice of the proposed enactment of this Ordinance was duly published in a newspaper of general circulation within the City of Riviera Beach as required by the applicable Florida Statutes.

9-18-13

DATE

  
CARRIE E. WARD, MMC, CITY CLERK

**ORDINANCE NO. 4033**

**AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, MAKING APPROPRIATIONS AND ESTABLISHING A BUDGET FOR FISCAL YEAR ENDING SEPTEMBER 30, 2014; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Manager has prepared and submitted to the City Council a Budget Estimate of the expenditures and revenues of all City departments, divisions, and offices for the fiscal year commencing October 1, 2013 and ending September 30, 2014; and

**WHEREAS**, the City Council has met in workshop sessions and held public hearings to ascertain the amount of money that must be raised to conduct the affairs of the municipality for the Fiscal Year 2013/2014 so that the business of the municipality may be conducted on a balanced budget and on sound business principles; and

**WHEREAS**, it has been determined that the amount necessary to be raised by ad valorem taxes and other taxes upon all of the property, real and personal, within the corporate limits of the City of Riviera Beach will be sufficient to run the operations of the City.

**NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA as follows:**

**SECTION 1:** The attached schedule shows the appropriations made for the municipal operations of the City of Riviera Beach, Florida for Fiscal Year 2013/2014.

**SECTION 2:** That the appropriations shown in the attached schedule are made based on the following anticipated sources of revenue for the Fiscal Year 2013/2014.

**SECTION 3:** This ordinance is an ordinance of precedence and all other ordinances in conflict with it are held null and void insofar as they pertain to these appropriations. The appropriations are the anticipated expenditure requirements for the City, but are not mandatory should efficient administration of City departments, divisions and offices or altered economic conditions indicate that a curtailment in certain expenditures is necessary or desirable for the general welfare of the City.

**SECTION 4:** The City Manager is directed to prepare and file with the City Clerk a statement of the proposed expenditures and estimated revenues for the Fiscal Year 2013/2014, which shall be entitled "Annual Budget of the City of Riviera Beach, Fiscal Year October 1, 2013 through September 30, 2014".

**ORDINANCE NO. 4033**  
**PAGE 2**

**SECTION 5:** The Finance Director is authorized to increase these appropriations by amounts representing encumbrances properly budgeted for, and carried over from Fiscal Year 2012/2013.

**SECTION 6:** The City Manager is hereby authorized to invite or advertise for bids for the purchase of any material, equipment, or service provided by the budget for which formal bidding is required; such bids to be returnable to the City Council or City Manager in accordance with Charter or Code provisions.

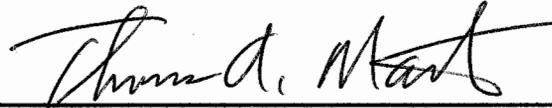
**SECTION 7:** If any word, phrase, clause, subsection or section of this ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portion of this ordinance.

**SECTION 8:** This ordinance shall be effective October 1, 2013 and shall not be delivered to the Municipal Code Corporation for inclusion in the Code Book.

**PASSED AND APPROVED** on the first reading this 4TH day of SEPTEMBER, **2013**.

**PASSED AND ADOPTED** on second and final reading this 18TH day of SEPTEMBER, **2013**.

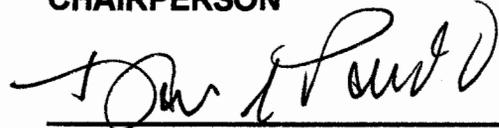
APPROVED:



THOMAS A. MASTERS  
MAYOR



CEDRICK A. THOMAS  
CHAIRPERSON



DAWN S. PARDO  
CHAIR PRO TEM

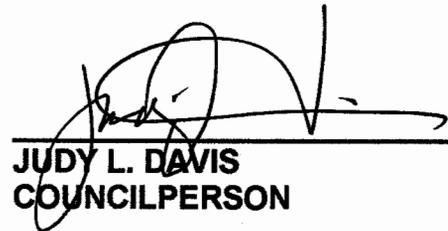
ATTEST:



CARRIE E. WARD,  
MASTER MUNICIPAL CLERK  
CITY CLERK



BRUCE A. GUYTON  
COUNCILPERSON



JUDY L. DAVIS  
COUNCILPERSON



TERENCE D. DAVIS  
COUNCILPERSON

1<sup>ST</sup> READING

MOTIONED BY: D. PARDO

SECONDED BY: B. GUYTON

C. THOMAS            AYE

D. PARDO            AYE

T. DAVIS            AYE

J. DAVIS            AYE

B. GUYTON           AYE

2<sup>ND</sup> & FINAL READING

MOTIONED BY: J. DAVIS

SECONDED BY: D. PARDO

C. THOMAS           AYE

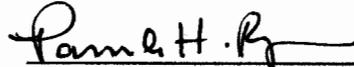
D. PARDO            AYE

T. DAVIS            AYE

J. DAVIS            AYE

B. GUYTON           ABSENT

REVIEWED AS TO LEGAL SUFFICIENCY

  
PAMALA HANNA RYAN, B.C.S.

DATE: 9/18/13

**CERTIFICATION OF PUBLICATION**

I hereby certify that notice of the proposed enactment of this Ordinance was duly published in a newspaper of general circulation within the City of Riviera Beach as required by the applicable Florida Statutes.

9-18-13

DATE

  
\_\_\_\_\_  
CARRIE E. WARD, MMC, CITY CLERK

**ORDINANCE NO. 4034**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA; AMENDING CHAPTER 14, ENTITLED PENSIONS AND RETIREMENT PROGRAMS, ARTICLE IV ENTITLED "POLICE OFFICERS PENSION PLAN", SEC. 14-75 ENTITLED "BOARD OF TRUSTEES, CREATED, POWERS, DUTIES", SUBSECTION (a) OF THE CITY OF RIVIERA BEACH CODE OF ORDINANCES RELATING TO THE POLICE PENSION PLAN BY PROVIDING A PROCEDURE TO STAGGER TRUSTEE TERMS AND BY CREATING NEW SECTIONS (iii) AND (iv); PROVIDING FOR CODIFICATION, SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, City Council has approved an ordinance to extend the Police Pension Board Member of office from two (2) years to four (4) years; and

**WHEREAS**, to prevent all member's terms from expiring at the same time; and

**WHEREAS**, this ordinance is created to stagger the Trustee terms of office.

**NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA:**

**SECTION 1.** That Chapter 14, Article IV Section 14-75(a), of the Riviera Beach Code of Ordinances is hereby amended as follows:

Sec. 14-75. – Board of trustees; created, powers, duties.

\*\*\*

Each new term subsequent to the effective date of this ordinance, the term of the fifth member shall be for period of four (4) years subject to the limitation listed below:

\*\*\*

(iii) Each new term subsequent to the effective date of this ordinance, both City resident member shall serve as a trustee for four (4) years, provided that the initial appointment after the effective date of this ordinance shall be for a period of two (2) years. All successive terms thereafter for all City resident members shall be for four (4) years unless the member is sooner replaced by the City Council, at whose pleasure the City resident member shall serve. Each City resident member may succeed him or herself in office.

(iv) Each new term subsequent to the effective date of this ordinance, both, Police Officer members shall serve as a trustee for four (4) yrs.

\*\*\*

**SECTION 2.** It is the intention of the City Council and it is hereby ordained. That the provisions of this ordinance shall become and be made a part of the Code of Ordinances of the City of Riviera Beach, and the sections of this ordinance may be renumbered to accomplish such intentions.

**SECTION 3.** If any word, phrase, clause, subsection or section of this ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining parts of this ordinance.

**SECTION 4.** That all sections or parts of sections of the Code of Ordinances, all ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict herewith, be and the same are hereby repealed to extent of such conflict.

**SECTION 5.** That this ordinance shall be in full force and effect immediately upon its final passage and adoption.

**SECTION 6.** Specific authority is hereby granted to codify this ordinance.

**PASSED AND APPROVED on first reading this 4<sup>TH</sup> day of SEPTEMBER, 2013.**

**PASSED AND ADOPTED on second and final reading this 18<sup>TH</sup> day of SEPTEMBER, 2013.**

APPROVED:

  
THOMAS A. MASTERS  
MAYOR

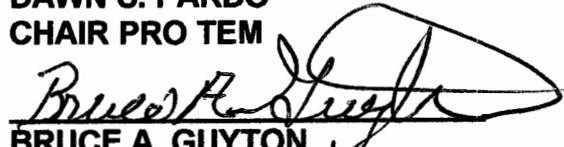
  
CEDRICK A. THOMAS  
CHAIRPERSON

MUNICIPAL SEAL

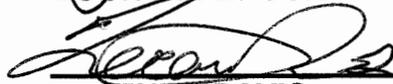
  
DAWN S. PARDO  
CHAIR PRO TEM

ATTEST:

  
CARRIE E. WARD, MMC  
CITY CLERK

  
BRUCE A. GUYTON  
COUNCILPERSON

  
JUDY L. DAVIS  
COUNCILPERSON

  
TERENCE DAVIS  
COUNCILPERSON

1<sup>st</sup> READING

2<sup>nd</sup> & FINAL READING

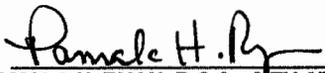
MOTIONED BY: D. PARDO  
SECONDED BY: B. GUYTON

MOTIONED BY: D. PARDO  
SECONDED BY: J. DAVIS

C. THOMAS AYE  
D. PARDO AYE  
B. GUYTON AYE  
J. DAVIS AYE  
T. DAVIS AYE

C. THOMAS AYE  
D. PARDO AYE  
B. GUYTON AYE  
J. DAVIS AYE  
T. DAVIS AYE

APPROVED FOR LEGAL SUFFICIENCY

  
PAMALA H. RYAN, B.C.S., CITY ATTORNEY

DATE: 9/19/13

ORDINANCE NO. 4034

PAGE 4

CERTIFICATION OF PUBLICATION

I hereby certify that notice of the proposed enactment of this Ordinance was duly published in a newspaper of general circulation within the City of Riviera Beach as required by the applicable Florida Statutes.

9-18-13  
DATE

  
CARRIE E. WARD, MMC, CITY CLERK

ORDINANCE NO. 4035

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, MODIFYING AND UPDATING THE CITY'S FIVE YEAR CAPITAL PROJECTS PLAN FOR FISCAL YEARS 2013/2014 THROUGH 2017/2018; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, The City's Comprehensive Plan shall contain a Capital Improvements Element designed to consider the need for and the location of public facilities in order to encourage the efficient use of such facilities; and

**WHEREAS**, Florida Statutes Section 163.3177 states that the Capital Improvement Element of the Comprehensive Plan must be reviewed by the local government on an annual basis; and

**WHEREAS**, a summary of the Five Year Capital Projects Plan which complies with Florida Statute 163.3177 is amended and attached as "Exhibit A".

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, THAT:**

**SECTION 1:** The City Council modifies and updates the City's Five Year Capital Projects Plan for Fiscal Years 2013/2014 through 2017/2018 (Exhibit A).

**SECTION 2:** Should any word, phrase, clause, subsection, section, part or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Ordinance as a whole, or any part thereof other than the part declared invalid.

**SECTION 3:** All Ordinances or parts of Ordinances in conflict herewith or to the extent of such conflict shall be repealed.

**SECTION 4:** This Ordinance shall take effect upon its final passage and approval by the City Council.

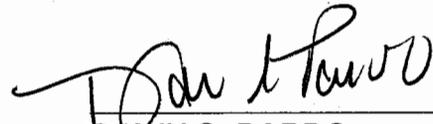
**PASSED AND APPROVED** on the first reading this 18<sup>th</sup> day of September, 2013.

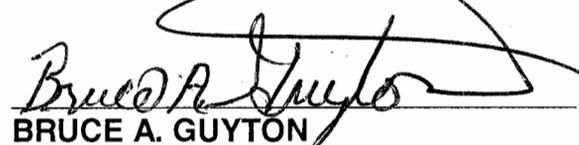
**PASSED AND ADOPTED** on second and final reading this 2ND day of OCTOBER, 2013.

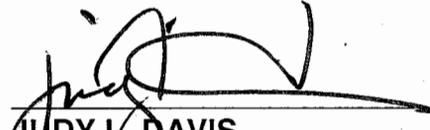
  
THOMAS A. MASTERS  
MAYOR

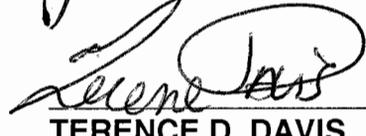
  
CEDRICK A. THOMAS  
CHAIRPERSON

ATTEST:  
  
CARRIE E. WARD  
MASTER MUNICIPAL CLERK  
CITY CLERK

  
DAWN S. PARDO  
CHAIR PRO TEM

  
BRUCE A. GUYTON  
COUNCILPERSON

  
JUDY L. DAVIS  
COUNCILPERSON

  
TERENCE D. DAVIS  
COUNCILPERSON

1<sup>ST</sup> READING

MOTIONED BY: D. PARDO

SECONDED BY: T. DAVIS

B. GUYTON            AYE  
J. DAVIS              AYE  
C. THOMAS           AYE  
D. PARDO             AYE  
T. DAVIS               AYE

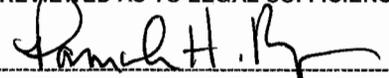
2<sup>ND</sup> & FINAL READING

MOTIONED BY: D. PARDO

SECONDED BY: B. GUYTON

B. GUYTON            AYE  
J. DAVIS              AYE  
C. THOMAS           AYE  
D. PARDO             AYE  
T. DAVIS               AYE

REVIEWED AS TO LEGAL SUFFICIENCY

  
PAMALA HANNA RYAN, CITY ATTORNEY

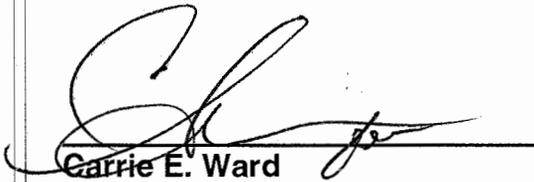
DATE: 10/2/13

ORDINANCE NO. 4035

PAGE 3

CERTIFICATION OF PUBLICATION

I hereby certify that the notice of the proposed enactment of this Ordinance was duly published in a newspaper of general circulation within the City of Riviera Beach as required by the applicable Florida Statutes.



Carrie E. Ward  
Master Municipal Clerk  
City Clerk

10-2-13  
Date