

ORDINANCE NO. 4069

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, 2015 AND ENDING SEPTEMBER 30, 2016 FIXING THE MILLAGE RATE OF 8.4520 MILLS THEREON FOR SAID YEAR; THAT THE MILLAGE RATE OF 8.4520 IS 2.44% HIGHER THAN THE ROLLED BACK RATE OF 8.2944; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, during the budget workshops the city council stressed the importance of lowering the millage rate, and

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, 2015 and ending September 30, 2016, 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, \$4,552,561,967*

* Subject to final approval of the Value Adjustment Board

SECTION 2: That for the fiscal year beginning October 1, 2015 and ending September 30, 2016, a tax of 8.4520 mills, which is 2.44% more than the rolled-back rate of 8.2944 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 \$4,552,561,967 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 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 8.4520 mills which is more than the rolled-back rate of 8.2944 mills by 2.44%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, 2015 upon its passage and adoption.

PASSED AND APPROVED on the first reading this 3rd day of
SEPTEMBER, 2015.

PASSED AND ADOPTED on second and final reading this 16th day of
SEPTEMBER, 2015.

APPROVED:



THOMAS A. MASTERS
MAYOR



DAWN S. PARDO
CHAIRPERSON

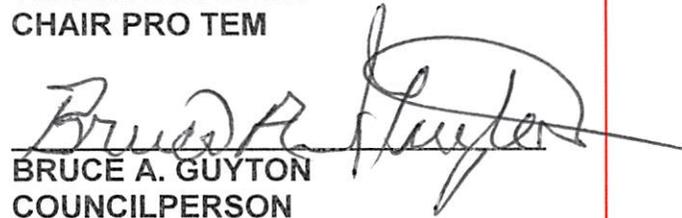
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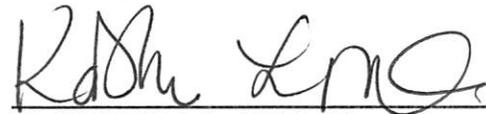
CLAUDENE L. ANTHONY
CERTIFIED MUNICIPAL CLERK
CITY CLERK



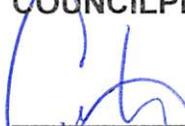
TERENCE D. DAVIS
CHAIR PRO TEM



BRUCE A. GUYTON
COUNCILPERSON



KASHAMBA L. MILLER
COUNCILPERSON



CEDRICK A. THOMAS
COUNCILPERSON

1ST READING

MOTIONED BY: C. THOMAS

SECONDED BY: B. GUYTON

B. GUYTON AYE

K. MILLER AYE

C. THOMAS AYE

D. PARDO AYE

T. DAVIS AYE

2ND & FINAL READING

MOTIONED BY: B. GUYTON

SECONDED BY: K. MILLER

B. GUYTON AYE

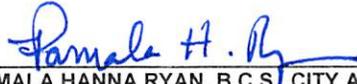
K. MILLER AYE

C. THOMAS AYE

D. PARDO AYE

T. DAVIS AYE

REVIEWED AS TO LEGAL SUFFICIENCY

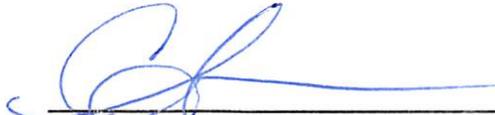

PAMALA HANNA RYAN, B.C.S., CITY ATTORNEY

DATE: 9/14/15

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.

9-16-15
DATE



Claudene L. Anthony, Certified Municipal Clerk
City Clerk

ORDINANCE NO. 4070

**AN ORDINANCE OF THE CITY OF RIVIERA BEACH,
PALM BEACH COUNTY, FLORIDA, MAKING
APPROPRIATIONS AND ESTABLISHING A BUDGET
FOR FISCAL YEAR ENDING SEPTEMBER 30, 2016;
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, 2015 and ending September 30, 2016; and

WHEREAS, the City Council has met in workshop sessions to ascertain the amount of money that must be raised to conduct the affairs of the municipality for the Fiscal Year 2015/2016 so that the business of the municipality may be conducted with 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 2015/2016.

SECTION 2: That the appropriations shown in the attached schedule are made based on the following anticipated sources of revenue for the Fiscal Year 2015/2016.

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 2015/2016, which shall be entitled "Annual Budget of the City of Riviera Beach, Fiscal Year October 1, 2015 through September 30, 2016".

SECTION 5: The Director of Finance & Administrative Services is authorized to increase these appropriations by amounts representing encumbrances properly budgeted for, and carried over from Fiscal Year 2014/2015.

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: The Fiscal Year 2016 (Tentative/Final) Budget is adopted upon approval by the City Council.

SECTION 9: This ordinance shall be effective October 1, 2015 and shall not be delivered to the Municipal Code Corporation for inclusion in the Code Book.

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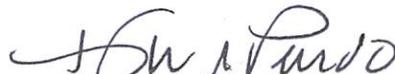
PASSED AND APPROVED on the first reading this 3rd day of
SEPTEMBER, 2015.

PASSED AND ADOPTED on second and final reading this 16th day of
SEPTEMBER, 2015.

APPROVED:



THOMAS A. MASTERS
MAYOR



DAWN S. PARDO
CHAIRPERSON

ATTEST:



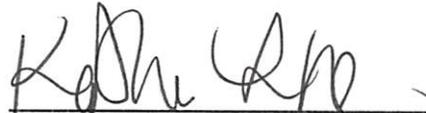
CLAUDENE L. ANTHONY
CERTIFIED MUNICIPAL CLERK
CITY CLERK



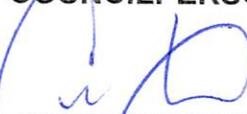
TERENCE D. DAVIS
CHAIR PRO TEM



BRUCE A. GUYTON
COUNCILPERSON



KaSHAMBA L. MILLER
COUNCILPERSON



CEDRICK A. THOMAS
COUNCILPERSON

1ST READING

MOTIONED BY: B. GUYTON

SECONDED BY: C. THOMAS

B. GUYTON AYE

K. MILLER NAY

C. THOMAS AYE

D. PARDO AYE

T. DAVIS NAY

2ND & FINAL READING

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SECONDED BY: C. THOMAS

B. GUYTON AYE

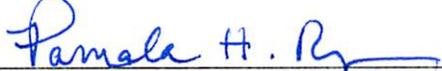
K. MILLER NAY

C. THOMAS AYE

D. PARDO AYE

T. DAVIS NAY

REVIEWED AS TO LEGAL SUFFICIENCY


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

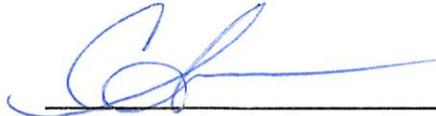
DATE: 9/24/15

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.

9-16-15

DATE



Claudene L. Anthony, Certified Municipal Clerk
City Clerk

ORDINANCE NO. 4071

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 2015-2016 THROUGH 2019-2020 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 State Statute 163.3177 is amended and attached as Exhibit "A".

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

SECTION 1: The City Council modifies and updates the City's Five Year Capital Projects Plan for Fiscal Years 2015-2016 through 2019-2020, attached hereto as Exhibit "A".

SECTION 2: Should any word, phrase, clause, subsection, section, part of provision of this Ordinance be declared by 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.

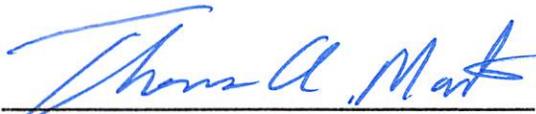
SECTION 3: All Ordinances or parts of Ordinances in conflict herewith or to the extent of such conflict shall be repealed.

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

PASSED AND APPROVED on the first reading this 3rd day of SEPTEMBER, 2015.

PASSED AND ADOPTED on second and final reading this 16th day of SEPTEMBER, 2015.

APPROVED:



THOMAS A. MASTERS
MAYOR



DAWN S. PARDO
CHAIRPERSON

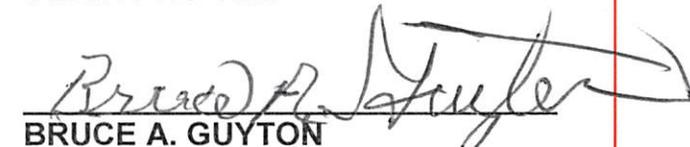
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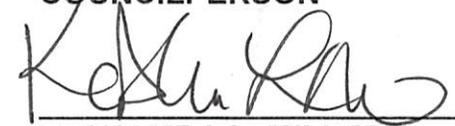
CLAUDENE L. ANTHONY
CERTIFIED MUNICIPAL CLERK
CITY CLERK



TERENCE D. DAVIS
CHAIR PRO TEM



BRUCE A. GUYTON
COUNCILPERSON



KaSHAMBA L. MILLER
COUNCILPERSON



CEDRICK A. THOMAS
COUNCILPERSON

1ST READING

2ND & FINAL READING

MOTIONED BY: B. GUYTON

MOTIONED BY: B. GUYTON

SECONDED BY: C. THOMAS

SECONDED BY: C. THOMAS

B. GUYTON AYE

B. GUYTON AYE

K. MILLER AYE

K. MILLER NAY

C. THOMAS AYE

C. THOMAS AYE

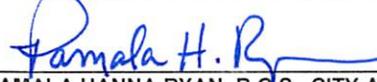
D. PARDO AYE

D. PARDO AYE

T. DAVIS AYE

T. DAVIS NAY

REVIEWED AS TO LEGAL SUFFICIENCY



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

DATE: 9/14/15

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.

9-16-15

DATE



Claudene L. Anthony, Certified Municipal Clerk
City Clerk

ORDINANCE NO. 4072

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 11, ARTICLE VI ENTITLED "REGISTRATION OF FORECLOSED AND MORTGAGED REAL PROPERTY" OF THE CODE OF ORDINANCES OF THE CITY OF RIVIERA BEACH, FLORIDA; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY AND CONFLICT CLAUSE; 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 registration shall be renewed 12 months from the initial registration date annually. ~~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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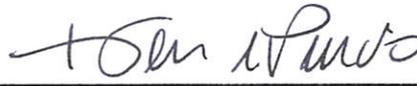
PASSED AND APPROVED on the first reading this 3rd day of SEPTEMBER, 2015.

PASSED AND ADOPTED on second and final reading this 16th day of SEPTEMBER, 2015.

APPROVED:



THOMAS A. MASTERS
MAYOR



DAWN S. PARDO
CHAIRPERSON

ATTEST:



CLAUDENE L. ANTHONY
CERTIFIED MUNICIPAL CLERK
CITY CLERK



TERENCE D. DAVIS
CHAIR PRO TEM



BRUCE A. GUYTON
COUNCILPERSON



KASHAMBA L. MILLER
COUNCILPERSON



CEDRICK A. THOMAS
COUNCILPERSON

1ST READING

2ND & FINAL READING

MOTIONED BY: B. GUYTON

MOTIONED BY: B. GUYTON

SECONDED BY: C. THOMAS

SECONDED BY: C. THOMAS

B. GUYTON AYE

B. GUYTON AYE

K. MILLER AYE

K. MILLER AYE

C. THOMAS AYE

C. THOMAS AYE

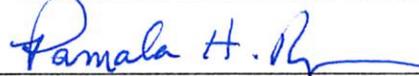
D. PARDO AYE

D. PARDO AYE

T. DAVIS AYE

T. DAVIS OUT

REVIEWED AS TO LEGAL SUFFICIENCY



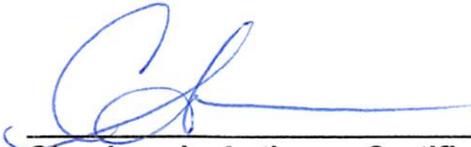
PAMALA HANNA RYAN, B.C.S., CITY ATTORNEY

DATE: 9/14/15

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.

9-16-15
DATE



Claudene L. Anthony, Certified Municipal Clerk
City Clerk