

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE CITY CODE OF ORDINANCE TO CREATE A NEW SECTION 14-8.4 OF THE POLICE PENSION PLAN TO PROVIDE FOR COMPLIANCE WITH SECTION 414(h)(2) OF THE INTERNAL REVENUE CODE.

WHEREAS, the City Council of the City of Riviera Beach, Florida, deems that in the best interest of the City and the pension fund effected herein to provide compliance with Section 414(h)(2) of the Internal Revenue Code to provide that member contributions will not be taxed as income.

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

SECTION 1. That a new Section 14-8.4 of the City Code is hereby created to read as follows:

Effective date of program is January 1, following receipt of a favorable determination letter from the Internal Revenue Service, the City shall pick-up the member contributions required by subsection 14-6.2(3) of this Code. The contributions so picked up shall be treated as employer contributions in determining tax treatment under the United States Internal Revenue Code. The City shall pick-up the member contributions from funds established and available in the salaries account, which funds would have otherwise been designated as contributions and paid to the pension fund. Member contributions picked up by the City pursuant to this subsection shall be treated for purposes of making a refund of member's contributions, and for all other purposes of this and other laws, in the same manner and to the same extent as member contributions made prior to the effective date of this subsection. The intent of this subsection is to comply with Section 414(h)(2) of the Internal Revenue Code.

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 portions of this ordinance.

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or parts of ordinances, and all resolutions or parts of resolutions in conflict herewith, be and the same are hereby repealed to extent of such conflict.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

PASSED and APPROVED on first reading this 15TH day of
SEPTEMBER, 1993.

PASSED and ADOPTED on second and final reading this 6TH
day of OCTOBER, 1993.

APPROVED:

Clare K. Williams
MAYOR

Hypocinthia "Lillian" Becton
CHAIR

[Signature]
CHAIR PRO TEM

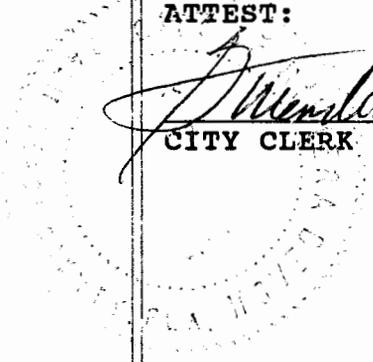
Bruce R. Guyton

Bertha Orange

Margaret Confrey
COUNCIL MEMBERS

ATTEST:

[Signature]
CITY CLERK



1st Reading

2nd & Final Reading

MOTIONED BY: B. GUYTON

B. RODRIGUEZ

SECONDED BY: B. ORANGE

M. CONFREY

C. BECTON AYE
B. ORANGE AYE
B. RODRIQUEZ AYE
B. GUYTON AYE
M. CONFREY AYE

AYE
AYE
AYE
OUT
AYE

AD/jtb/dpm
5.5.93/8.16.93

FOR LEGAL SUFFICIENCY
[Signature]
ASSISTANT CITY ATTORNEY
CITY OF RIVIERA BEACH
DATE: 9/9/93

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE CITY CODE OF ORDINANCE TO CREATE A NEW SECTION 14-4.7 OF THE FIRE PENSION PLAN TO PROVIDE FOR COMPLIANCE WITH SECTION 414(h)(2) OF THE INTERNAL REVENUE CODE.

WHEREAS, the City Council of the City of Riviera Beach, Florida deems that in the best interest of the City and the pension fund effected herein to provide compliance with Section 414(h)(2) of the Internal Revenue Code to provide that member contributions will not be taxed as income.

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

SECTION 1. That a new Section 14-4.7 of the City Code is hereby created to read as follows:

Effective date of program is January 1, following receipt of a favorable determination letter from the Internal Revenue Service, the City shall pick-up the member contributions required by subsection 14.2 of this Code. The contributions so picked up shall be treated as employer contributions in determining tax treatment under the United States Internal Revenue Code. The City shall pick-up the member contributions from funds established and available in the salaries account, which funds would have otherwise been designated as contributions and paid to the pension fund. Member contributions picked up by the City pursuant to this subsection shall be treated for purposes of making a refund of member's contributions, and for all other purposes of this and other laws, in the same manner and to the same extent as member contributions made prior to the effective date of this subsection. The intent of this subsection is to comply with Section 414(h)(2) of the Internal Revenue Code.

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 portions of this ordinance.

SECTION 4. That all sections or parts of sections of the Code or 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.

PASSED and APPROVED on first reading this 15TH day of
SEPTEMBER, 1993.

PASSED and ADOPTED on second and final reading this 6TH
day of OCTOBER, 1993.

APPROVED:

Colma K. Williams
MAYOR

Franciska "Cibola" Becton
CHAIR,

[Signature]
CHAIR PRO TEM

ATTEN:

[Signature]
CITY CLERK

Bruce A. Guyton

Bertha Orange

Margaret Confrey
COUNCIL MEMBERS

1st Reading

2nd & Final Reading

MOTIONED BY: B. ORANGE

B. RODRIGUEZ

SECONDED BY: B. RODRIGUEZ

B. ORANGE

C. BECTON AYE
B. ORANGE AYE
B. RODRIQUEZ AYE
B. GUYTON AYE
M. CONFREY AYE

AYE
AYE
AYE
OUT
AYE

AD/jtb/dpm
5.5.93/8.16.93

VERIFIED FOR LEGAL SUFFICIENCY
[Signature]
ASSISTANT CITY ATTORNEY
CITY OF BUNRA BEACH

9/9/93

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE CITY CODE OF ORDINANCE TO CREATE A NEW SUB-SECTION 2-120.5(6) OF THE GENERAL EMPLOYEES PENSION FUND TO PROVIDE FOR COMPLIANCE WITH SECTION 414(h)(2) OF THE INTERNAL REVENUE CODE.

WHEREAS, the City Council of the City of Riviera Beach, Florida, deems that in the best interest of the City and the pension fund effected herein to provide compliance with Section 414(h)(2) of the Internal Revenue Code to provide that member contributions will not be taxed as income.

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

SECTION 1. That a new Sub-Section 2-120.5(6) of the City Code is hereby created to read as follows:

Effective date of the program is January 1, following receipt of a favorable determination letter from the Internal Revenue Service, the City shall pick-up the member contributions required by Section 2-120.5(1) of this Code. The contributions so picked up shall be treated as employer contributions in determining tax treatment under the United States Internal Revenue Code. The City shall pick-up the member contributions from funds established and available in the salaries account, which funds would have otherwise been designated as contributions and paid to the pension fund. Member contributions picked up by the City pursuant to this subsection shall be treated for purposes of making a refund of member's contributions, and for all other purposes of this and other laws, in the same manner and to the same extent as member contributions made prior to the effective date of this subsection. The intent of this subsection is to comply with Section 414(h)(2) of the Internal Revenue Code.

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 portions of this ordinance.

SECTION 4. That all sections or parts of sections of the Code or 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.

PASSED and APPROVED on first reading this 15TH day of
SEPTEMBER, 1993.

PASSED and ADOPTED on second and final reading this 6TH
day of OCTOBER, 1993.

APPROVED:

Clara K. Williams
MAYOR

Hyacinthia "Cynthia" Becton
CHAIR

[Signature]
CHAIR PRO TEM

ATTEST:

[Signature]
CITY CLERK

Bruce A. Guyton
Bertha Orange
Margaret Confrey
COUNCIL MEMBERS

1st Reading

2nd & Final Reading

MOTIONED BY: M. CONFREY

B. RODRIGUEZ

SECONDED BY: B. ORANGE

B. ORANGE

C. BECTON AYE
B. ORANGE AYE
B. RODRIQUEZ AYE
B. GUYTON AYE
M. CONFREY AYE

AYE
AYE
AYE
OUT
AYE

AD/jtb/dpm
5.5.93/8.16.93

REVIEWED FOR LEGAL SUFFICIENCY
[Signature]
ASSISTANT CITY ATTORNEY
CITY OF RIVIERA BEACH
DATE: 9/9/93

ORDINANCE NO. 2604

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA AMENDING ORDINANCE NO. 854, PROVIDING FOR PAYMENT OF TRAVEL EXPENSES OF MAYOR, CITY COUNCIL AND CITY EMPLOYEES AND AUTHORIZED PERSONS, AUTHORIZING CERTAIN TYPES OF TRANSPORTATION, PROVIDING FOR INCIDENTAL TRAVEL AND EXPENSE REIMBURSEMENT, PROVIDING FOR PENALTY FOR FRAUDULENT CLAIMS, AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

BE AND IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, as follows:

1. Definitions. For the purposes of this section, the following words shall have the meaning indicated:

(a) EMPLOYEE, an individual who is filling a regular part time or full time authorized position. ~~and--is responsible-to-a-department-head-~~

(b) AUTHORIZED PERSON.

(1) A person who is authorized by the city council or city manager to incur traveling expenses in the performance of his duties, or

(2) A person who is called upon by the city manager or the city council to contribute time and services as consultant or advisor.

(c) TRAVELER. The Mayor, a councilman, an employee or authorized person when performing authorized travel.

(d) TRAVEL EXPENSE, TRAVELING EXPENSES, NECESSARY EXPENSES WHILE TRAVELING, OR WORDS OF SIMILAR NATURE. The usual ordinary and incidental expenditures necessarily incurred by a traveler.

(e) COMMON CARRIER. Train, bus, commercial airline operating scheduled flights, or rental cars of an established rental car firm.

2. Authority to incur traveling expenses

(a) All travel must be authorized and approved by the council or city manager by approved travel authorization form.

(b) Traveling expenses of travelers shall be limited to those expenses necessarily incurred by them in the performance of a city purpose authorized by law and must be within the limitations prescribed by this section.

3. The official headquarters of a traveler shall be the city.

4. Subsistence allowance. Except as herein limited, all travelers shall be allowed subsistence when traveling on city business or when traveling to a convention, conference, or training course which may serve a direct city purpose in the following manner:

(a) Lodging. Actual expense of lodging at a single occupancy rate not to exceed ~~\$16.00~~ \$75.00 per day exclusive of any hotel tax and porter tipping, except when local conditions dictate otherwise. When two or more employees of same sex, below the grade of department head, are traveling together, "twin-bed" rooms shall be used. All expenses for lodging will be substantiated by suitable receipts.

(b) Reimbursement for meals. The traveler shall be reimbursed for meals not to exceed ~~\$12.00~~ \$40.00 for each full day of travel. A traveler will not be reimbursed for meal eaten in lieu of an air flight meal unless properly justified.

(c) Employee may elect to receive a meal per diem in lieu of obtaining receipts for each meal. Per diem shall be in the amount of \$40 per day, broken down as follows:

<u>Breakfast</u>	<u>\$ 8.00</u>	<u>6:00 a.m. - 8:30 a.m.</u>
<u>Lunch</u>	<u>\$12.00</u>	<u>11:00 a.m. - 1:00 p.m.</u>
<u>Dinner</u>	<u>\$20.00</u>	<u>5:00 p.m. - 7:00 p.m.</u>

To be eligible for per diem rate, travel must begin prior to above stated times and end after indicated time. An employee electing to use per diem rate must use this method for complete trip.

5. Transportation

(a) All travel must be by a usually traveled route. In case a person travels by an indirect route for his own convenience any extra costs shall be borne by the traveler and reimbursement for expenses shall be based only on such charges as would have been incurred by a usually traveled route.

The municipal manager shall designate the most economical method of travel for each trip, keeping in mind the following conditions:

(1) The nature of the business.

(2) The most efficient and economical means of travel (considering time of the traveler, cost of transportation and per diem or subsistence required).

(3) The number of persons making the trip, and the amount of equipment or material to be transported.

(b) The city director of finance may provide any form he deems necessary to cover travel requests for traveling on official business and when paid by the city.

(c) Transportation by common carrier when traveling on official business and paid for personally by the traveler, shall be substantiated by a receipt therefore.

(d) (1) Travel will be by city owned vehicles when practical. The use of privately-owned vehicles for official travel in lieu of city-owned vehicles or common carrier may be authorized by the city manager if a city-owned vehicle is not available. Whenever travel is by privately-owned vehicle, the traveler shall be entitled to a mileage allowance at a fixed rate not to exceed ~~ten-cents~~ twenty-five cents per mile or the common carrier fare for such travel, to be determined by the city manager. Reimbursement for expenditures related to the operation, maintenance, and ownership of a vehicle shall not be allowed when privately-owned vehicles are used on city business and reimbursement is made pursuant to this paragraph, except as provided in subsection (6) of this section.

(2) All mileage shall be shown from point of origin to point of destination and when possible shall be computed on the basis of the current state road department map. Vicinity mileage necessary for conduct of official business is allowable but must be shown as a separate item on the expense voucher.

(e) Transportation by chartered vehicles when traveling on official business may be authorized by the city manager when necessary or where it is to the advantage of the department, provided the cost of such transportation does not exceed the cost of transportation by privately-owned vehicle pursuant to paragraph (d) of this subsection.

(f) No contracts may be entered into between an officer or employee, or any other person, and the city, in which a depreciation allowance is used in computing the amount due by the city to the individual for the use of a privately-owned vehicle on official business; provided, any such existing contract shall not be impaired.

(g) No traveler shall be allowed either mileage or transportation expense when he is gratuitously transported by another person, or when he is transported by another traveler who is entitled to mileage or transportation expense.

(h) All travelers shall use air coach, tourist or economy flights. All air travel shall be scheduled at times other than normal working hours whenever possible. Individuals will obtain special authorization to travel first class from the city manager if urgent travel is required and air coach, tourist or economy flights are not available.

(i) A standard model sedan will be used when renting an automobile unless unusual circumstances dictate otherwise.

(j) The cost of individually purchased travel insurance is not reimbursable. The cost of individually purchased collision insurance when traveling by rented automobile is not reimbursable.

6. Other expenses. The following incidental traveling expenses of the traveler may be reimbursed:

(a) Taxi fare.

(b) Ferry fares; and bridge, road and tunnel tolls.

(c) Storage or parking fees.

(d) Communication expense.

(e) Convention registration fee while attending a convention, conference or training course which will serve a direct city purpose with relation to the department served by the person attending such meetings.

(f) Reasonable laundry and dry cleaning expenses are reimbursable for trips in excess of six days duration.

(g) Reasonable tipping and baggage charges are reimbursable.

(h) Other reasonable and necessary expenses will be reimbursed provided full documentation is submitted. To be eligible for reimbursement, each individual expense exceeding \$15.00 must be fully substantiated by suitable receipts. Where practical, receipts for individual expenditures of under \$15.00 will also be obtained.

7. Rules and regulations.

(a) The city director of finance shall promulgate such rules and regulations and prescribe such forms as may be necessary to effectuate the purposes of this section.

8. Fraudulent claims. Claims submitted pursuant to this section shall not be required to be sworn to before a notary public or other officer authorized to administer oaths but any claim authorized or required to be made under any provision of this section shall contain a statement that the expenses were actually incurred by the traveler as necessary traveling expenses in the performance of his official duties and shall be verified by a written declaration that it is true and correct as to every material matter; and any person who willfully makes and subscribes any such claim which he does not believe to be true and correct as to every material matter, who willfully aids or assists in, or procures, counsels, or advises the preparation of presentation under the provisions of this section of a claim which is fraudulent or is false as to any material matter, whether or not such falsity or fraud is with the knowledge or consent of the person authorized or required to present such claim, shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished accordingly. Whoever shall receive an allowance or reimbursement by means of a

false claim shall be civilly liable in the amount of the overpayment for the reimbursement of the public funds from which the claim was paid.

8. Uniform travel voucher. The director of finance shall furnish a uniform travel voucher form which shall be used by all officers, employees, and authorized persons, when submitting traveling expense statements for approval and payment. No traveling expense statement shall be approved for payment by the director of finance unless made on the form prescribed and furnished by him.

10. Advances. Notwithstanding any of the foregoing restrictions and limitations, the finance director may make or authorize the making of advances to cover anticipated costs of travel to all travelers as defined herein. Such advances may be made only pursuant to regulations of the city requiring application for funds and account therefore when travel has been completed.

11. That should any section or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid.

12. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

PASSED AND APPROVED on first reading this 6th day of October, 1993.

PASSED AND ADOPTED on second and final reading this 17TH day of NOVEMBER, 1993.

APPROVED:

Sam K. Williams Hyoacinthia "Linethia" Becton
MAYOR CHAIRWOMAN

ATTEST:

[Signature] [Signature]
CITY CLERK CHAIR PRO TEM

[Signature]
COUNCILMEMBERS

[Signature]
COUNCILMEMBERS

[Signature]
COUNCILMEMBERS

APPROVED AS TO
FORM
[Signature]
CITY ATTORNEY

1st Reading

2nd & Final Reading

MOTIONED BY: B. RODRIGUEZ

B. RODRIGUEZ

SECONDED BY: B. ORANGE

M. CONFREY

B. Orange: AYE

AYE

B. Rodriguez: AYE

AYE

B. Guyton: OUT

AYE

M. Confrey: AYE

AYE

C. Becton: AYE

AYE

ORDINANCE NO. 2605

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 23 "ZONING" OF THE CODE OF ORDINANCES BY ASSIGNING RS-5 (SINGLE FAMILY DWELLING) ZONING FOR A PARCEL REFERENCED F DESCRIBED BELOW; DIRECTING THE CITY CLERK TO UPDATE THE CITY'S ZONING MAP; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 166.3194 of the Florida Statutes provides procedures to amend the Zoning Ordinance; and

WHEREAS, legal notice and review procedures were followed in accordance with Section 166.041 (3) (c), (FS), which provides procedures for amendments affecting less than 5% of the City's total land area; and

WHEREAS, on October 14, 1993, the Planning and Zoning Board sitting as the Local Planning Agency, reviewed Petitioner's request for proposed zoning at a Public Hearing, and forwarded recommendations to City Council; and

WHEREAS, on November 17, 1993, the City Council sitting as the Local Governing Body, reviewed the request and recommendations at a Public Hearing and voted to grant Petitioner's request.

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

Section 1. Chapter 23, "Zoning" of the Riviera Beach Code of Ordinances is amended by assigning RS-5 (Single Family Dwelling) zoning for the F referenced parcel of land, legally described as follows:

South half (S 1/2) of the Northwest Quarter (NW 1/4) of Section Township 42 South, Range 42 East, AND the South one-quarter of the North half (N 1/2) of the Northwest Quarter (NW 1/4) of Section 36, Township 42 South, Range 42 East, Palm Beach County, Florida.

Section 2. That the city Clerk is authorized and directed to reflect upon the Zoning Map designated as the "Zoning Map of Riviera Beach, Florida" by hatching or other appropriate means of designating the changes effected under this Ordinance.

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 the Ordinance.

Section 4. That this Ordinance shall be in full force and effect immediately upon its passage and adoption.

PASSED and APROVED on first reading on November 17, 1993.

PASSED and ADOPTED on second and final reading this
December 1, 1993

APPROVED:

[Signature]

CITY CLERK

[MUNICIPAL SEAL]

ATTEST:

[Signature]

MAYOR

[Signature]
CHAIRPERSON

[Signature]

CHAIRPERSON PRO TEM

[Signature]

[Signature]

COUNCIL MEMBERS

1st Reading

2nd and Final Reading

MOTIONED BY: B. RODRIGUEZ
SECONDED BY: M. CONFREY

B. GUYTON
B. ORANGE

M. Confrey AYE
B. Guyton OUT
C. Becton AYE
B. Rodriguez AYE
B. Orange AYE

AYE
AYE
AYE
AYE
AYE

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY
[Signature]
CITY ATTORNEY

AN ORDINANCE OF THE CITY OF RIVIERA BEACH,
PALM BEACH COUNTY, FLORIDA, AMENDING
CHAPTER 23 "ZONING" OF THE CODE OF ORDINANCES
BY ASSIGNING IL (LIMITED INDUSTRIAL) ZONING
FOR 4 PARCELS DESCRIBED IN ATTACHMENT A
DIRECTING THE CITY CLERK TO UPDATE THE CITY'S
ZONING MAP; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 166.3194 of the Florida Statutes provides
procedures to amend the Zoning Ordinance; and

WHEREAS, legal notice and review procedures were followed
in accordance with Section 166.041 (3) (c), (FS), which
provides procedures for amendments affecting less than 5% of
the City's total land area; and

WHEREAS, on October 14, 1993, the Planning and Zoning
Board sitting as the Local Planning Agency, reviewed
Petitioner's request for proposed zoning at a Public Hearing,
and forwarded recommendations to City Council; and

WHEREAS, on November 17, 1993, the City Council sitting as
the Local Governing Body, reviewed the request and
recommendations at a Public Hearing and voted to grant
Petitioner's request.

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

Section 1. Chapter 23, "Zoning" of the Riviera Beach
Code of Ordinances is amended by assigning IL (Limited
Industrial) zoning for the referenced parcels of land, legally
described in attachment A, and as follows:

PARCEL C: 1.28 ACRES
LOCATION: SOUTH SIDE OF DYER BLVD.

PARCEL D: 0.94 ACRES
LOCATION: SOUTH SIDE OF DYER BLVD.

PARCEL E: 1.91 ACRES
LOCATION: SOUTH SIDE OF DYER BLVD.

PARCEL G: 1.78 ACRES
LOCATION: SOUTH SIDE OF DYER BLVD.

Section 2. That the city Clerk is authorized and
directed to reflect upon the Zoning Map designated as the
"Zoning Map of Riviera Beach, Florida" by hatching or other
appropriate means of designating the changes effected under
this Ordinance.

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 the Ordinance.

Section 4. That this Ordinance shall be in full force and effect immediately upon its passage and adoption.

PASSED and APROVED on first reading on November 17, 1993.

PASSED and ADOPTED on second and final reading this December 1, 1993

APPROVED:

Olga K. Williams
MAYOR

Associa "Cynthia" Becton
CHAIRPERSON

[MUNICIPAL SEAL]

[Signature]
CHAIRPERSON PRO TEM

ATTEST:

[Signature]

Bruce A. Guyton
Margaret Confrey
Bertha Orange
COUNCIL MEMBERS

1st Reading

2nd and Final Reading

MOTIONED BY: B. RODRIGUEZ
SECONDED BY: M. CONFREY

B. ORANGE
B. RODRIGUEZ

M. Confrey AYE
B. Guyton OUT
C. Becton AYE
B. Rodriguez AYE
B. Orange AYE

AYE
AYE
AYE
AYE
AYE

APPROVED AS TO FORM AND LEGAL EFFECT
[Signature]
CITY ATTORNEY

ATTACHMENT "A"

LEGAL DESCRIPTIONS:

PARCEL C

THE WEST 190 FEET OF THE EAST 1440.96 FEET OF THE NORTH ONE HALF OF THE SOUTH ONE-HALF OF THE NORTH ONE-HALF OF THE NORTHWEST ONE-QUARTER OF SECTION 36, TOWNSHIP 42 SOUTH, RANGE 42 EAST, LESS THE NORTH 40 FEET FOR ROAD RIGHT OF WAY AS RECORDED IN O.R.B. 445, PAGE 315, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA. SUBJECT TO ALL EASEMENTS, RESERVATIONS, RESTRICTIONS AND RIGHTS OF WAY.

PARCEL D

THE WEST 140.00 OF THE EAST 725.96 FEET, OF THE NORTH 1/2 OF THE SOUTH 1/2, OF THE NORTH 1/2, OF THE NORTHWEST QUARTER OF SECTION 36, TOWNSHIP 42 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, LESS THE NORTH 40' THEREOF FOR ROAD RIGHT OF WAY.

PARCEL E

THE WEST 100 FEET OF THE EAST 1100.96 FEET; AND THE WEST 150 FEET OF THE EAST 1000.96 FEET OF THE NORTH 1/2 OF THE SOUTH 1/2 OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 36, TOWNSHIP 42 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA. LESS THE NORTH 40 FEET THEREOF FOR ROAD RIGHT-OF-WAY.

PARCEL G

36-42-42, N 1/2 OF S 1/2 OF N 1/2 OF NW 1/4 LESS E 2371.96 FT AND ROAD R-O-W AS IN ORB 2690 PG 189.

ORDINANCE NO. 2607

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 23 "ZONING" OF THE CODE OF ORDINANCES BY ASSIGNING IG (GENERAL INDUSTRIAL) ZONING FOR 2 PARCELS DESCRIBED IN ATTACHMENT A DIRECTING THE CITY CLERK TO UPDATE THE CITY'S ZONING MAP; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 166.3194 of the Florida Statutes provides procedures to amend the Zoning Ordinance; and

WHEREAS, legal notice and review procedures were followed in accordance with Section 166.041 (3) (c), (FS), which provides procedures for amendments affecting less than 5% of the City's total land area; and

WHEREAS, on October 14, 1993, the Planning and Zoning Board sitting as the Local Planning Agency, reviewed Petitioner's request for proposed zoning at a Public Hearing, and forwarded recommendations to City Council; and

WHEREAS, on November 17, 1993, the City Council sitting as the Local Governing Body, reviewed the request and recommendations at a Public Hearing and voted to grant Petitioner's request.

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

Section 1. Chapter 23, "Zoning" of the Riviera Beach Code of Ordinances is amended by assigning IG (General Industrial) zoning for the referenced parcels of land, legally described in attachment A, and as follows:

PARCEL A: 1.1 ACRES
LOCATION: EAST SIDE OF BARBOUR RD

PARCEL B: 6.02 ACRES
LOCATION: NORTH SIDE OF DYER BLVD AT MILITARY TRAIL

Section 2. That the city Clerk is authorized and directed to reflect upon the Zoning Map designated as the "Zoning Map of Riviera Beach, Florida" by hatching or other appropriate means of designating the changes effected under this Ordinance.

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 the Ordinance.

Section 4. That this Ordinance shall be in full force and effect immediately upon its passage and adoption.

PASSED and APROVED on first reading on November 17, 1993.

PASSED and ADOPTED on second and final reading this December 1, 1993

APPROVED:

Shirley C. Davis
CITY CLERK

Hacienda "Cindia" Becton
CHAIRPERSON

[MUNICIPAL SEAL]

[Signature]

CHAIRPERSON PRO TEM

ATTEST:

Sam K. Williams
MAYOR

Bruce A. Guyton
Margaret Confrey
Bertha Orange
COUNCIL MEMBERS

1st Reading

2nd and Final Reading

MOTIONED BY: B. RODRIGUEZ
SECONDED BY: M. CONFREY

B. GUYTON
B. ORANGE

M. Confrey AYE
B. Guyton OUT
C. Becton AYE
B. Rodriguez AYE
B. Orange AYE

AYE
AYE
AYE
AYE
AYE

APPROVED AS TO FORM AND LEGAL EFFECT
[Signature]
CITY ATTORNEY

ATTACHMENT "A"

Legal Descriptions:

PARCEL A

1.10 ACRES...25/36-42-42, PT OF W 240 FT OF ELY 1125.96
FT OF SW 1/4 LYG S & W OF FW & RY IN OR138P166 IN SEC. 25
& W 240 FT OF ELY 1125.96 FT OF N 1/4 OF NW 1/4 (LESS S 610
FT) IN SEC. 36.

PARCEL B

THAT PART OF THE NORTH QUARTER OF THE NORTHWEST QUARTER
OF SECTION 36 TOWNSHIP 42 SOUTH, RANGE 42 EAST, DESCRIBED AS
FOLLOWS:

COMMENCING AT THE QUARTER SECTION CORNER OF THE NORTH LINE OF
SAID SECTION 36, THENCE SOUTH 01° 53'30" WEST, ALONG THE
CENTERLINE OF MILITARY TRAIL (S.R. 809, A 100 FOOT RIGHT-OF-
WAY), BEING ALSO THE NORTH-SOUTH QUARTER - SECTION LINE IN
SECTION 36, A DISTANCE OF 361.72 FEET TO THE INTERSECTION OF
THE SOUTHERLY RIGHT-OF WAY LINE OF THE SEABOARD AIR LINE
RAILROAD (A 200 FOOT RIGHT-OF-WAY); THENCE NORTH 53° 41'47"
WEST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF THE SEABOARD
AIR LINE RAILROAD, A DISTANCE OF 60.63 FEET, MORE OR LESS, TO
A POINT IN THE WESTERLY RIGHT-OF-WAY LINE OF MILITARY TRAIL
AND THE POINT OF BEGINNING; THENCE SOUTH 01° 53'30" WEST,
ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF
301.95 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF DYER
ROAD (AN 80 FOOT RIGHT-OF-WAY, PER O.R.B. 445, PG, 315);
THENCE NORTH 88° 30'53" WEST, ALONG SAID NORTHERLY RIGHT-
OF-WAY LINE, A DISTANCE OF 786.08 FEET; THENCE NORTH 01°
53'30" EAST, DEPARTING SAID NORTHERLY RIGHT-OF-WAY LINE
AND PARALLEL TO THE NORTH-SOUTH QUARTER - SECTION LINE OF
SECTION 36 AND THE CENTERLINE OF MILITARY TRAIL, A
DISTANCE OF 321.17 FEET; THENCE SOUTH 88° 06'30" EAST,
PERPENDICULAR TO THE CENTERLINE OF MILITARY TRAIL, 550.00
FEET; THENCE NORTH 01° 53'30" EAST, PARALLEL TO THE
CENTERLINE OF MILITARY TRAIL, 73.05 FEET; THENCE SOUTH 88°
06'30" EAST, PERPENDICULAR TO THE CENTERLINE OF MILITARY
TRAIL, 109.49 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF
THE SEABOARD AIR LINE RAILROAD; THENCE SOUTH 53° 41'47"
EAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY, A DISTANCE OF
153.43 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF
MILITARY TRAIL AND THE POINT OF BEGINNING.

SAID LANDS CONTAIN 6.02 ACRES, MORE OR LESS.

AN ORDINANCE OF THE CITY OF RIVIERA
BEACH, PALM BEACH COUNTY, FLORIDA,
AMENDING SECTIONS 9-1 THROUGH 9-29 OF CHAPTER 9,
FIRE SAFETY REGULATIONS, OF THE CITY
CODE OF ORDINANCES, RELATING TO FIRE
SAFETY, PROVIDING AN EFFECTIVE DATE,
SEVERABILITY CLAUSE, CONFLICT CLAUSE,
AND CODIFICATION CLAUSE

WHEREAS, the City Council, desires to have local laws that reflect the highest National Standards of Fire Safety and Whereas the National Fire Prevention Code was revised in 1992 to include developments in fire safety; Chapter 9 Fire Safety Code is hereby amended as follows...

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 9-1 through 9-29 of Chapter 9, "Fire Safety Regulation" is hereby amended as follows:

Sec. 6-1. Purpose

This chapter shall provide the City of Riviera Beach with rules and regulations to improve public safety by:

- (1) Promoting the control of fire hazards;
- (2) Regulating the installation, use, and maintenance of equipment;
- (3) Regulating the use of structures, premises, and open areas;
- (4) Establishing the responsibilities and procedures for code enforcement; and
- (5) Setting forth the standards for compliance and achievement of these objectives.

Sec. 6.2 Codes Adopted.

(a) This chapter shall be known as the Fire Prevention Code of the City of Riviera Beach. This Code adopts NFPA 1, Fire Prevention Code, of the National Fire Protection Association, and its incorporated standards and codes as published in the National Fire Codes of the National Fire Protection Association and listed in Annex A of the NFPA Fire Prevention Code and being particularly the 1992 edition thereof, save and except those portions such as are hereinafter deleted, modified, or amended by Section 6-3. The same are hereby adopted and incorporated as fully as if set out at length herein. This Code references the Florida State Statutes, Sections 633.121, and 633.15; and the Florida State Fire Marshal's Rules and Regulations. Not less than one copy of the adopted issue of NFPA 1, Fire Prevention Code, of the National Fire Protection Association, the adopted standards and codes of the National Fire Codes, and the above referenced Florida State Statutes and Florida State Fire Marshal's Rules and Regulations shall be filed in the office of City Clerk of the City of Riviera Beach and the provisions thereof shall be controlling within the limits of the City.

(b) The Fire Chief or the Fire Marshal shall also recommend any amendments to the Fire Prevention Code of the City of Riviera Beach that shall be desirable.

Sec. 3. Amendments to adopted code.

The NFPA 1 Fire Prevention Code of the National Fire Protection Association adopted in section 6-2 is amended and changed in the following respects:

(1) NFPA 1 3-5.1 Required Access for Fire Apparatus. All premises that the Fire Department may be called upon to protect in case of fire and that are not readily accessible from public roads shall be provided with suitable gates, access roads, and fire lanes so that all portions of buildings on the premises are accessible to fire apparatus within 150 feet for unsprinkled buildings and 350 feet for sprinkled buildings.

(1a) NFPA 1 3-5.2 Fire lanes shall be provided for all buildings that are set back more than 150 feet from a public road; or exceed 30 feet in height and are set back more than 50 feet from a public road.

Fire lanes shall be at least twenty (20) feet in clear, unobstructed width with the road edge closest to the building at least 10 feet from the building. Any dead-end road or fire lane more than 200 feet long shall be provided with a turn-around according to Section 17A-1.1 subsection 13(d) of the Platting and Subdivision Ordinance. There shall be no overhead canopies, roof, extensions, or projections above a fire lane that would impede access to that fire lane, and in no case less than 13 feet, 6 inches above the grade height.

(1b) NFPA 1 3-6.1 Each building for which permit is drawn after January 1, 1988, and which is greater than 5000 square feet shall be provided with a lock box approved by the Fire Department (containing the necessary keys for fire department access, the location of which will be coordinated with the Fire Marshal.

(2) NFPA 1 3-4.7 Restrictions on Outdoor Grills. No barbecue grills of any kind shall be located above ground level, including on balconies or terraces.

(2a) NFPA 1 3-4.1 Restrictions on burning. No bonfires, camp fires, or any other type fires allowed on the municipal beach.

(3) NFPA 1 7-1 Automatic Sprinkler System Required. Automatic sprinkler systems shall be required as set forth in the applicable NFPA codes and standards or as may otherwise be required by this jurisdiction.

Automatic *Sprinkler* System in compliance with all applicable adopted codes shall be required for:

- A. All new buildings totaling five thousand square feet or more gross floor area.
- B. All new buildings with three or more floor levels.
- C. All new buildings thirty or more feet in height, measured to the highest point of the structure.

This requirement is independent of the type of construction or type of occupancy of the building. Gross floor area shall be computed by

determining the entire square footage under roofs, coverings, or permanent awnings, regardless of any separations. The square footage of each floor level shall be counted separately and combined to achieve a total gross floor area.

Automatic *Sprinkler* System in compliance with all applicable adopted codes shall be required for:

A. All existing buildings totaling five thousand square feet or more gross floor area for which there is a change of occupancy as defined by NFPA 101, 1991 ed., or alterations or renovations causing an increase in gross floor area.

B. All existing buildings with three or more floor levels for which there is a change of occupancy as defined by NFPA 101, 1991 ed., or alterations or renovations causing an increase in gross floor area.

C. All existing buildings thirty or more feet in height, measured to the highest point of the structure for which there is a change of occupancy as defined by NFPA 101, 1991 ed., or alterations or renovations causing an increase in gross floor area.

This requirement is independent of the type of construction or type of occupancy of the building. Gross floor area shall be computed by determining the entire square footage under roofs, coverings, or permanent awnings, regardless of any separations. The square footage of each floor level shall be counted separately and combined to achieve a total gross floor area.

Automatic *Sprinkler* System in compliance with all applicable adopted codes shall be required for:

A. All existing buildings totaling less than five thousand square feet or more gross floor area for which alterations or renovations occur causing an increase in gross floor area to five thousand square feet or greater.

B. All existing buildings with less than three floor levels for which alterations or renovations occur causing an increase in gross floor area to five thousand square feet or greater or an increase in floor levels to three or more.

C. All existing buildings less than thirty feet in height, measured to the highest point of the structure for which alterations or renovations occur causing an increase in gross floor area to five thousand square feet or greater or an increase in height to thirty or more feet.

This requirement is independent of the type of construction or type of occupancy of the building. Gross floor area shall be computed by determining the entire square footage under roofs, coverings, or permanent awnings, regardless of any separations. The square footage of each floor level shall be counted separately and combined to achieve a total gross floor area.

Automatic *Sprinkler* System in compliance with all applicable adopted codes shall be required for all portions or sections of buildings and structures which are below grade or which constitute the basement area of a building or structure, including underground storage, parking areas or garages, regardless of floor area or type of construction.

Automatic *sprinkler* systems shall be required for all buildings which are utilized for storage where said storage is in excess of fifteen feet in height, herein after referred to as high pile storage. Such automatic

sprinkler system requirement shall exist regardless of building height, separation, or gross square footage. (Ordinance No. 2372)

All Automatic *Sprinkler* Systems shall be monitored by an approved, Underwriters Laboratories certified Central Station and in compliance with all applicable adopted codes.

(4) NFPA 1 6-2.2.1 Standpipes Required. All buildings more than two stories in height, or over 30 feet in height above grade and containing intermediate stories or balconies shall be equipped with a standpipe system in accordance with the provisions of NFPA 14, Standard for the Installation of Standpipe and Hose Systems. Location of the hose valves on each floor is subject to the approval of the Fire Marshal. In buildings completely protected by automatic sprinkler systems, the required standpipe system can be installed as part of a combined system in accordance with the provisions of NFPA 14, Standard for the Installation of Standpipe and Hose Systems.

Exception: This paragraph shall not apply to industrial process structures where life or property is not imperiled by fire or explosion.

(5) NFPA 1 6-5.1 Water Supply and Fire Hydrants. The Fire Marshal may require that all premises where buildings or portions of buildings, other than one- and two-family dwellings, are constructed and located in such a manner that access to public fire hydrants is minimal or of a distance such that the Fire Marshal can demonstrate that fire fighting operations would be impaired, be provided with a water supply system installed in accordance with the provisions of NFPA 24, Standard for the Installation of Private Fire Service Mains and Their Appurtenances.

Fire hydrants shall be supplied so that all portions of all buildings for which permit is drawn after the adoption of this code shall be located within 350 feet of a hydrant. The installation of all fire hydrants and private fire service mains shall be in accordance with the provisions of NFPA 24, Standard for the Installation of Private Fire Service Mains and Their Appurtenances.

Where Automatic Fire Sprinkler Systems and/or Standpipe Systems are required by some other section of this code, their fire department connection shall be located within 150 feet of a public fire hydrant or be provided with a private hydrant and a water supply system installed in accordance with the provisions of NFPA 24, Standard for the Installation of Private Fire Service Mains and Their Appurtenances.

Sec. 6.4 Appendices adopted.

The following Appendixes of NFPA 1, Fire Prevention Code of the National Fire Protection Association adopted in Section 6-3 are hereby included as a part of this Jurisdiction's Fire Prevention Code save and except those portions that are deleted, modified, or amended by this Section. The same are hereby adopted and incorporated as fully as if set out at length herein.

Appendix A Explanatory Notes

Appendix B Oxidizers and Organic Peroxides

Appendix C Referenced Publications

Sec. 6-5. Fees.

The fees established for permits, certificates, approvals, and other functions performed under this Code and shall be payable to the City. Such fees shall accompany each application for such permit, approval, certificate, or other related fee-related Code provision. A permit fee for a hotel barbecue fire at a grill not located with a four (4) wall enclosure shall be established by the City Manager.

Sec. 6-6 Application of code.

The provisions of the Fire Prevention Code of the City of Riviera Beach shall apply equally to both public and private property, and it shall apply to all structures and their occupancies, except as otherwise specified.

Sec. 6.7 Construction of code.

This act shall be deemed in exercise of the police powers of the City of Riviera Beach for the preservation and protection of the public health, peace, safety, and welfare, and all provisions of the Fire Prevention Code of the City of Riviera Beach shall be liberally construed for that purpose.

Sec. 6-8 Violations, penalty.

(a) It shall be unlawful for any person to violate this chapter, to permit or maintain such a violation, to refuse to obey any provision thereof or to fail or refuse to comply with any such provision of regulation except as variation may be allowed by the action of the fire marshal in writing. Proof of such unlawful act or failure shall be deemed prima facie evidence that such act is that of the owner or other person in control of that premises. Prosecution or lack thereof of either the owner, occupant, or the person in charge shall not be deemed to relieve any of the others.

(b) It is unlawful for any person to violate any of the provisions of the fire prevention code hereby adopted or to fail to comply therewith or fail to comply with any order made thereunder. It is unlawful for any person to build in violation of any detail, statement, specification, or plan submitted or approved thereunder or to operate not in accordance with the provisions of any certificate, permit, or approval issued thereunder, and from which no appeal has been taken. It is unlawful for any person to fail to comply with such an order as affirmed or modified by the Fire Marshal or by an order as affirmed by a court of competent jurisdiction within the time fixed herein. The imposition of a penalty for any violation shall not excuse the violation nor shall the violation be permitted to continue. All such persons shall be required to correct or remedy such violations or defects within a reasonable time, but in no case more than forty-five (45) days unless specified from the issuance of a written warning, and when not otherwise specified, the application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

(c) Any owner and or occupant, who after a minimum of forty-five days from receipt of a written warning in accordance with Sec. 6-13 of this Code, shall continue to violate any of the provisions of the Code cited in the written warning; or shall fail to comply therewith; or shall continue to violate or fail to comply with any order made thereunder; or shall continue

to build in violation of any detail, statement, specification, or plans submitted or approved thereunder; or shall continue to operate not in accordance with the provisions of any certificate, permit, or approval issued thereunder, or who shall fail to comply with such a written warning, severally for each and every violation and noncompliance, respectively, shall be guilty of a code infraction in violation of a duly enacted ordinance of the City of Riviera Beach and shall receive a notice attesting to the facts constituting probable cause of such violation. Each day that such violation or violations exist shall be a separate violation.

(d) The applicable penalty, should the person correct the violation and not contest the violation, shall be fifty dollars, payable within a period of thirty days from its issuance. The applicable penalty, should the person contest the violation at the code enforcement hearing and be found in violation of an enacted fire code ordinance of the city, shall be five hundred dollars. Should the person fail to pay the penalty within the fifteen day time period allowed, or fail to appear at the hearing to contest his warning violation, then he shall be deemed to have waived his right to contest the warning violation and, in such case, judgment may be entered against the person for an amount up to the maximum penalty of five hundred dollars.

The imposition of a penalty for any violation shall not excuse the violation, nor shall the violation be permitted to continue. All such persons shall be required to correct or remedy such violations or defects within a reasonable time, and when not otherwise specified, the application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions by injunction or as otherwise permitted by law.

(e) Any person who willfully refuses to sign and accept a warning violation issued by a fire safety inspector shall be guilty of a misdemeanor of the second degree as provided in s. 633.052, and punishable as provided in s. 775.082, s. 775.083, or s. 775.084, Florida Statutes.

Sec. 6-9. Enforcement.

(a) The Fire Chief of the City Fire Department shall be responsible for the enforcement of the Fire Prevention Code of the City. The Fire Chief may detail qualified members, as established in Florida Statutes, of the Fire Department as inspectors as shall from time to time be necessary. To assist in the performance of the responsibilities and duties placed upon the Fire Chief, a Bureau of Fire Prevention in the Fire Department is hereby created.

(b) This Bureau shall operate under the supervision of the Fire Chief. The Fire Chief shall designate a fire official of the Riviera Beach Fire Department as Fire Marshal. The Fire Marshal shall be the administrator of the Bureau Division of Fire Prevention. The Fire Marshal shall be responsible for the direct administration and enforcement of the Fire Prevention Code as may be set forth by the Fire Chief. The Fire Marshal shall be appointed on the basis of examination or other methods for determining qualifications. The Fire Chief may also designate such number of Technical Inspectors as from time to time shall be authorized by the City Manager. Such Technical Inspectors shall be selected through an examination to determine their fitness for the position.

Sec. 6-10 Fire chief.

The Fire Chief shall prepare instructions for the Fire Marshal and the Fire Marshal's assistants, and forms for their use in the reports required by this chapter.

Sec. 6-11. Bureau of fire prevention.

(a) It shall be the duty of the officers of the Bureau of Fire Prevention to enforce all laws and ordinances covering the following:

1. The prevention of fires;
2. The storage, sale, and use of combustible, flammable or explosive materials;
3. The installation and maintenance of automatic and other fire alarm systems and fire extinguishing systems and equipment;
4. The maintenance and regulation of fire escapes;
5. The means and adequacy of exit in case of fire, from factories, schools, hotels, lodging houses, asylums, hospitals, churches, halls, theaters, amphitheaters, and all other places in which numbers of persons work, live, or congregate, from time to time, for any purpose;
6. The investigation of the cause, origin, and circumstances of fires;
7. The maintenance of fire cause and loss records;

(b) They shall have such powers and perform such other duties as are set forth in other sections of this ordinance, and as may be conferred and imposed from time to time by law. The Fire Chief may delegate any powers or duties under this ordinance to the Fire Marshal.

(c) The Bureau of Fire Prevention shall investigate the cause, origin, and circumstances of every fire occurring in the City of by which property has been destroyed or damaged and, so far as possible, shall determine whether the fire is the result of carelessness or design. Such investigations shall begin immediately upon the occurrence of such a fire. The Fire Marshal shall take charge immediately of the physical evidence, shall notify the proper authorities designated by law to pursue the investigation of such matters, and shall further cooperate with the authorities in the collection of evidence and in the prosecution of the case. Every fire shall be reported in writing to the Bureau of Fire Prevention within five days after the occurrence of the same by the Fire Department officer in whose jurisdiction such a fire has occurred. Such report shall be in such form as shall be prescribed by the Fire Marshal of the City, and shall contain a statement of all the facts relating to the cause, origin, and circumstances of such fire, and the extent of the damage thereof, and the insurance upon such property, and such other information as may be required, including the injury, death, or rescue of persons.

Sec. 6-12. Permits. Before permits may be issued as required by this Code, the Fire Marshal or the Fire Marshal's assistants shall inspect and approve the receptacles, processes, vehicles, buildings, or storage places to be used for any such purpose.

Sec. 6-13. Inspections.

(a) The Fire Marshal shall inspect or cause to be inspected all premises on a periodic basis, and shall make such orders as may be necessary for the enforcement of the laws and ordinances governing the same and for safeguarding of life and property from fire.

(b) Whenever any inspector, as defined above, shall find any building, or upon any premises or other places, combustibles or explosive matter or dangerous accumulations of rubbish or unnecessary accumulations of waste paper, boxes, pallets, shavings, or any highly flammable materials especially liable to fire, and to which is so situated as to endanger property; or shall find obstructions to or on fire escapes, stairs, passageways, doors, or windows, liable to interfere with the operations of the fire department or egress of the occupants in case of fire, the inspector shall order the same to be removed or remedied. Such order shall forthwith be complied with by the owner or occupant of such premises or buildings, subject to the appeals procedure provided for in the fire prevention code of the city.

(c) Any owner or occupant failing to correct fire code violations with a period of forty-five days after issuance of a written warning, or a period of time longer than forty-five days if so specified in the written warning, shall be issued a citation in accordance 6-8 of this code and 633.052, F.S., and shall be liable to any penalties as hereinafter provided.

(d) The service of any such written warning may be made upon the occupant of the premises to whom it is directed, either by delivering a copy of the same to such occupant personally, or leaving it with any adult person in charge of the premises, or, in the case no such person is found upon the premises, by affixing a copy thereof in a conspicuous place on the door to the entrance of said premises, and/or by mailing a copy by certified mail, return receipt requested. Whenever it may be necessary to serve such a written warning upon the owner of a premises, such a written warning may be served either by delivering to and leaving with the said person a copy of the said written warning, or by mailing such copy by certified mail, return receipt requested, to the owner's last known post office address.

Sec. 6-14

CODIFICATION

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 Ordinance of the City of Riviera Beach, Florida, and the sections of this Ordinance may be re-numbered to accomplish such intentions.

Sec. 6-15

SEVERABILITY

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.

Sec. 6-16

CONFLICT CLAUSE

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.

This Ordinance shall take effect upon its final passage and adoption by the City Council at its second reading.

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 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 extent of such conflict.

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

PASSED AND APPROVED on first reading this 17TH day of NOVEMBER, 1993.

PASSED AND ADOPTED on second and final reading this 1ST day of DECEMBER, 1993.

APPROVED:

Alan K. Williams
MAYOR

Hyacinthia "Cynthia" Becton
CHAIR

CHAIR PRO TEM

ORDINANCE NO. 2608

ATTEST:

Bruce A. Guyton
Margaret Cuffey
Bertha Orange

CITY CLERK

Frederick J. Davis

COUNCIL MEMBERS

REVIEWED FOR LEGAL SUFFICIENCY

Matthew S. Pines
ASSISTANT CITY ATTORNEY
CITY OF RIVIERA BEACH

DATE: 10/25/93

1st Reading

2nd & Final reading

MOTIONED BY: B. RODRIGUEZ

B. GUYTON

SECONDED BY: M. CONFREY

B. ORANGE

C. BECTON AYE

AYE

M. CONFREY AYE

AYE

B GUYTON AYE

AYE

B. ORANGE AYE

AYE

B RODRIQUEZ AYE

AYE

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING SECTIONS 9-32 THROUGH 9-35 OF CHAPTER 9, FIRE SAFETY REGULATIONS, OF THE CITY CODE OF ORDINANCES, RELATING TO FIRE SAFETY, PROVIDING AN EFFECTIVE DATE, SEVERABILITY CLAUSE, CONFLICT CLAUSE, AND CODIFICATION CLAUSE

WHEREAS, the City Council, desires to have local laws that reflect the highest National Standards of Fire Safety and Whereas the National Fire Prevention Code was revised in 1992 to include developments in fire safety; Chapter 9 Fire Safety Code is hereby amended as follows...

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 9-32 through 9-35 of Chapter 9, "Fire Safety Regulation" is hereby amended as follows:

ARTICLE III. FIRE ALARM SYSTEMS

SEC. 17-51. Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Alarm user shall mean any person occupying or controlling the premises of an occupancy which is protected by an automatic fire detection system.

Automatic fire detection system shall mean any system employing heat detectors, smoke detectors, flame detectors, pull stations, or waterflow alarm elements for the purpose of detecting or reporting and automatically transmitting an alarm of fire.

Central station system shall mean a system or group of systems in which the operation of circuits and devices are signaled automatically to, recorded in, maintained and supervised from an approved central station having competent and experienced observers and operators who, upon receipt of a signal, notify the fire department and take such other action as is required by the fire prevention code of the city.

Central station systems contractor shall mean a person, firm, or corporation whose principle business is the furnishing and maintaining of a supervised signaling service known as a central station system.

False alarm signal shall mean the transmission of a fire alarm signal indicating a fire emergency requiring the immediate response of a fire department, engine company or companies when a fire

emergency does not exist and no evidence thereof is apparent to the senior fire department officer arriving on the scene.

Occupancy shall mean any building or complex of buildings which because of the nature of the occupancy or size of the building is regulated by the fire prevention code of the city.

SEC. 17-52. Exemptions.

This article shall not apply to burglar alarms or to any alarms attached to motor vehicles or attached to any publicly owned property.

Sec. 17-53. Excessive false alarm signals declared a public nuisance.

The transmission of more than three (3) false alarm signals by an automatic fire detection system protecting any occupancy within any twelve-month period of time is excessive and constitutes a serious public nuisance and is hereby declared to be unlawful and a violation of this section. No person shall allow, permit, cause or fail to prevent the transmission, for any reason, by an automatic fire detection system used by him, or any such system serving a premises or a building occupied and controlled by such a person, of more than three (3) false alarm signals within any twelve-month period of time.

SEC. 17-54 False alarm signal service charge collection.

(a). For response to excessive false alarm signals by the fire department, the alarm user shall be charged a service fee by the City of one hundred dollars (\$100.00) for each false alarm up to and including eight in number in excess of three in any twelve month period. The twelve month period is from January 1, of the calendar year to December 31, of the same year.

(b). Upon receipt of the ninth false alarm the service fee shall be two hundred and fifty dollars up to and including the eleventh false call in excess of three in any twelve month period.

(c). Upon the receipt of the twelve and thirteenth false alarm, the service fee shall be five hundred dollars in excess of three in any twelve month period.

(d). If after the thirteenth false call the fire alarm company shall meet with the fire officials for suspension of all new work for ninety days and if the corrections are not made on the said system with the designated time, said company will have their license revoked in the City.

(e). For response to any false alarm signals by the fire department to alarms caused by, or erroneously reported by the central systems contractor or his agents or sprinkler system contractors in the performance of his work, the contractors shall be charged a service fee by the city one hundred dollars for each and every such false alarm signal, as he is a licensed professional in this field and procedures have been set up to avoid this problem.

(f). If the Central Station does not respond a runner on fire alarms as required by NFPA #72 it shall be fined two hundred and fifty dollars (\$250.00) for each and every incident, as he is a

professional in this field and procedures haven been set up to avoid this problem.

(g). The provisions of this subsection shall not apply for a period of three months from the date a permit is issued by the City for the installation of an automatic fire detection system.

(h). The senior fire official present shall determine whether a false alarm signal has been transmitted and whether the alarm user or the central station system contractor is responsible. The Fire Marshal or his designee shall keep up to date and current records of all violations.

(i). The City shall notify the parties involved of amounts owed to the City and shall make demand thereof, pursuant to the provisions of this subsection.

(j). The city attorney may proceed by a suit in a court of competent jurisdiction to collect said charge after demand therefor has been made by the city and payment is refused.

SEC. 17-55. Enforcement.

The city prosecutor may initiate action to obtain compliance with this article and payment of service charges assessed by the city as provided in section 17-54.

SEC. 17-56. Lien.

The city shall have the authority to place a lien against the property serviced by an automatic fire detection system in the amount of all assessed service charges.

SEC. 17-57 Responsibility of central station system contractor to report fire alarm signals.

Nothing in this article shall be deemed to relieve a central station systems contractor of the responsibility of promptly reporting all automatic fire detection signals signaling a fire alarm from an occupancy supervised by them to the Riviera Beach Fire Department.

SEC. 17-58 Disposition of Signals

Alarm signals initiated by manual fire alarm boxes, automatic fire detectors, waterflow from automatic sprinkler systems, or actuation of other fire extinguishing systems or equipment shall be treated as fire alarms.

The central station shall:

(a.) Immediately retransmit the alarm signal to the fire department communications center.

(b.) Promptly dispatch a runner or technician (travel time not to exceed one hour) to the protected premises, when equipment must be manually reset.

(c.) Notify the subscriber by the quickest available method.

(d.) Provide written notice to the subscriber and the authority having jurisdiction.

(e.) Notify such other parties as the authority having jurisdiction may require.

SEC. 17-59. Automatic fire detection system to be supervised as required by the fire department.

It shall be unlawful and a violation of this article for any person to supervise an automatic fire detection system in a manner other than that manner prescribed for a central station system and in a manner approved by the fire department.

SEC. 17-60 CODIFICATION

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 Ordinance of the City of Riviera Beach, Florida, and the sections of this Ordinance may be re-numbered to accomplish such intentions.

SEC. 17-61 SEVERABILITY

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.

SEC. 17-62 CONFLICT CLAUSE

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.

SEC. 17-63 EFFECTIVE DATE

This Ordinance shall take effect upon its final passage and adoption by the City Council at its second reading.

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 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 extent of such conflict.

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

PASSED AND APPROVED on first reading this 17TH day of NOVEMBER, 1993.

PASSED AND ADOPTED on second and final reading this 1ST day of DECEMBER, 1993.

APPROVED:

Clara K. Williams
MAYOR

Aracintia "Cynthia" Becton
CHAIR

[Signature]

CHAIR PRO TEM

ORDINANCE NO. 2609

ATTEST:

Brecond R. Guyton
Margaret Confrey
Bertha Orange

CITY CLERK

[Signature]

COUNCIL MEMBERS

1st Reading

2nd & Final reading

MOTIONED BY: B. ORANGE

B. GUYTON

SECONDED BY: B. RODRIGUEZ

M. CONFREY

C. BECTON AYE

AYE

M. CONFREY AYE

AYE

B GUYTON AYE

AYE

B. ORANGE AYE

AYE

B RODRIQUEZ AYE

AYE

REVIEWED FOR LEGAL SUFFICIENCY

[Signature]
ASSISTANT CITY ATTORNEY
CITY OF RIVIERA BEACH

DATE: 10/28/93

CITY OF RIVIERA BEACH

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EFFECTIVE: 07/01/93

POLICE DEPARTMENT EMPLOYEES

	MINIMUM	MAXIMUM
P-28		
HOUR	11.7982	16.7937
WEEK	471.9313	671.7516
ANNUAL	24,540.6305	34,931.0696
P-29		
HOUR	12.3669	17.6123
WEEK	494.6741	704.4889
ANNUAL	25,723.0519	36,633.2831
P-30		
HOUR	12.9639	18.4714
WEEK	518.5529	738.8556
ANNUAL	26,964.7401	38,420.2144
P-31		
HOUR	13.5286	19.2821
WEEK	541.1466	771.2831
ANNUAL	28,139.4734	40,106.6847
P-32		
HOUR		20.2444
WEEK		809.7781
ANNUAL		42,108.4596
P-34		
HOUR		22.2787
WEEK		891.1481
ANNUAL		46,339.6996

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 2, ARTICLE VI, DIVISION 3, OF SECTION 2-100 OF THE CODE OR ORDINANCE OF RIVIERA BEACH, FLORIDA RELATING TO RATES OF PAY AND SALARY SCHEDULE BY INCREASING THE SALARY OF ADMINISTRATIVE PERSONNEL.

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

SECTION 1. That Section 2-100 of Chapter 2, of Article VI, Division 3 of the Code of Ordinances of Riviera Beach, relating to rates of pay and salary schedule be amended by increasing the salary of Administrative Personnel as follows:

(A) For the 92-93 and 1993-1994 fiscal year effective July 1, 1993 each employee's wages will increase by three (3%) percent. There will be no further wage adjustments during the 1993/94 fiscal year.

SECTION 2. This Ordinance shall take effect upon its final passage and adoption by the City Council.

PASSED and APPROVED on first reading this 17TH day of NOVEMBER 1993.

PASSED and ADOPTED on the second and final reading this 1ST day of DECEMBER, 1993.

APPROVED:

Olivia K. Williams
MAYOR

Hyacinthia "Cynthia" Becton
CHAIRPERSON

ATTEST:

Armando L. Davis
CITY CLERK

[Signature]
CHAIRPERSON PRO TEM

Bruce A. Guyton
Margaret Confrey
Cynthia Orange
COUNCIL MEMBERS

	1ST	2ND
Motioned by:	<u>B. RODRIGUEZ</u>	M. CONFREY
Seconded by:	<u>B. GUYTON</u>	B. ORANGE
C. Becton	<u>AYE</u>	AYE
B. Rodriguez	<u>AYE</u>	AYE
B. Guyton	<u>AYE</u>	OUT
B. Orange	<u>AYE</u>	AYE
M. Confrey	<u>AYE</u>	AYE

[Signature]
CITY ATTORNEY

ADMINISTRATIVE SALARY SCHEDULE
1993-94

RANGE	CLASSIFICATION	SALARY	
A	-----	18,126 -	23,565
B	Legislative Aide Program Coordinator	20,844 -	27,098
C	Grant Writer	23,970 -	31,164
D	Administrative Assistant to the Police Chief	27,567 -	35,837
E	Deputy City Clerk Emergency Communications Manager Housing & Community Development Coordinator Senior Planner	31,701 -	41,212
F	Assistant Building Official Budget & Management Specialist Code Administrator Director of Marina Director of Purchasing Risk Manager	36,455 -	47,391
G	Assistant Director of Finance Building Official City Clerk Director of Personnel/Labor Relations & Risk Mgmt. Director of Planning & Zoning Director of Recreation & Parks Library Director	41,924 -	54,501
H	Assistant Director of Utilities Assistant Police Chief City Engineer Deputy Fire Chief	48,213 -	62,678

CITY OF RIVIERA BEACH
CLASSIFICATION PLAN 1993-94
PAGE 2

GE	CLASSIFICATION	SALARY
I	Assistant City Manager for Finance and Administrative Services Chief of Police Deputy City Manager Director of Community Development & Environmental Control Director of Utilities Fire Chief	55,445 - 72,079
	CONTRACTUAL Assistant City Attorney/Prosecutor City Attorney City Manager	

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 2, ARTICLE VI, DIVISION 3, OF SECTION 2-100 OF THE CODE OF ORDINANCE OF RIVIERA BEACH, FLORIDA RELATING TO RATES OF PAY AND SALARY SCHEDULE BY INCREASING THE SALARY OF UNIFORM FIRE PERSONNEL REPRESENTED BY THE RIVIERA BEACH ASSOCIATION OF FIREFIGHTERS COLLECTIVE BARGAINING AGREEMENT; PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. That Section 2-100 of Chapter 2, of Article VI, Division 3, of the Code or Ordinances of Riviera Beach, relating to rates of pay and salary schedule be amended by increasing the salary of uniform fire personnel represented by the Riviera Beach Association of Firefighters Collective Bargaining Agreement as follows, providing an effective date:

(A) For the 92-93 and 1993-1994 fiscal year effective July 1, 1993 each employee's wages will increase by three (3%) percent. There will be no further wage adjustments during the 1993/94 fiscal year.

SECTION 2. This Ordinance shall take effect upon its final passage and adoption by the City Council.

PASSED and APPROVED on first reading this 17TH day of NOVEMBER, 1993.

PASSED and ADOPTED on the second and final reading this 1ST day of DECEMBER, 1993.

APPROVED:

Clara K. Williams
MAYOR

Hyacinthia "Cynthia" Becton
CHAIRPERSON

ATTEST:

Amanda P. Davis
CITY CLERK

[Signature]
CHAIRPERSON PRO TEM

Motioned by:	B. GUYTON	M. CONFREY
Seconded by:	B. ORANGE	B. ORANGE
C. Becton	AYE	AYE
B. Rodriguez	AYE	AYE
B. Guyton	AYE	OUT
B. Orange	AYE	AYE
M. Confrey	AYE	AYE

Bruce D. Taylor
Margaret Confrey
Debra Orange
COUNCIL MEMBERS

[Signature]
CITY ATTORNEY

FIRE DEPARTMENT EMPLOYEES

	MINIMUM	MAXIMUM
F-26		
HOUR	7.6241	11.9693
WEEK	404.0699	634.3784
ANNUAL	21,011.6801	32,987.8875
F-27		
HOUR	8.0094	12.5795
WEEK	424.4948	666.7142
ANNUAL	22,073.5942	34,669.0908
F-28		
HOUR	8.3938	13.1896
WEEK	444.8625	699.0499
ANNUAL	23,132.7199	36,350.3286
F-29		
HOUR	8.7768	13.7998
WEEK	465.1726	731.3856
ANNUAL	24,189.0575	38,031.9452
F-30		
HOUR	9.2118	14.4899
WEEK	488.2253	767.9669
ANNUAL	25,387.9679	39,934.2888
F-31		
HOUR	9.6458	15.1801
WEEK	511.2321	804.5482
ANNUAL	26,583.7687	41,836.6325

CITY OF RIVIERA BEACH
PAGE 10
EFFECTIVE 07/01/93

FIRE DEPARTMENT EMPLOYEES

	MINIMUM	MAXIMUM
F-32		
HOUR	10.1265	15.9420
WEEK	536.7059	844.9276
ANNUAL	27,908.5451	43,936.4787
F-33		
HOUR	10.6046	16.7037
WEEK	562.0421	885.2956
ANNUAL	29,226.3335	46,035.2003
F-34		
HOUR	14.7364	23.8941
WEEK	589.4551	928.7159
ANNUAL	30,651.4446	48,293.0644
F-35		
HOUR	15.4538	24.3605
WEEK	618.1533	974.4196
ANNUAL	32,143.8319	50,669.5654
F-36		
HOUR	16.2224	25.7721
WEEK	648.8939	1,030.8865
ANNUAL	33,742.2453	53,605.8135
F-37		
HOUR	17.0378	27.0602
WEEK	681.5165	1,082.4079
ANNUAL	35,438.8019	56,285.3038