

ORDINANCE NO. 2622

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING SECTION 11-68 TO PROVIDE FOR CABLE TELEVISION RATE REGULATION CONSISTENT WITH FEDERAL COMMUNICATIONS COMMISSION REQUIREMENTS; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF RIVIERA BEACH, FLORIDA:

SECTION 1. That Section 11-68 of the City Code relating to rates and charges for cable television service, be and the same in hereby amended:

Sec. 11-68. Rates and charges for subscribers.

Existing subsections (a) and (b) are hereby deleted in its entirety and new subsections (a) and (b) are hereby created to read as follows:

A. Any rate or charge established for cable television service, equipment, repair and installation shall be reasonable to the public. In determining whether a rate or charge is reasonable, the City shall apply the cable television rate regulation criteria established by the Federal Communications Commission ("FCC").

B. Should a Franchisee desire to change any rate or charge, it shall submit a written proposal for the amounts and an effective date of such change to the City Manager who shall evaluate the proposal in a manner consistent with FCC cable television rate regulation standards and report this evaluation to the City Council. The City Manager's report shall be placed before the City Council at a duly noticed public hearing. The City will provide written notice of the public hearing to the Franchisee not later than 72 hours prior to the public hearing. The City may require the Franchisee to notify each subscriber, in writing and/or via the cable system, of the proposed rate change and the date and time of the public hearing. At such hearing, the cable operator and members of the public will be given an opportunity to present their respective views on the proposed rates. Upon conclusion of the public hearing, the City Council shall decide the matter by majority vote and adopt a resolution approving, disapproving or modifying the proposed rate changes and providing such further relief as is appropriate and authorized by FCC rate regulation standards. The resolution shall set forth complete findings of facts and conclusions regarding all of the basic elements considered in the City Council's determination.

SECTION 2. If any section, clause, sentence or phrase of this ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall in no way affect the validity of the remaining portions of this ordinance.

SECTION 3. All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

SECTION 4. This ordinance shall be effective immediately upon the time of its passage.

PASSED and APPROVED on first reading this 19TH day of JANUARY, 1994.

PASSED and ADOPTED on second and final reading this 2ND day of FEBRUARY, 1994.

APPROVED:

Clara K. Williams Hypocistia "India" Becton
MAYOR CHAIR

CHAIR

[Signature]

CHAIR PRO TEM

[Signature]

[Signature]

[Signature]
COUNCIL MEMBERS

ATTEST:

[Signature]
CITY CLERK



	1st Reading	2nd & Final Reading
MOTIONED BY:	<u>B. GUYTON</u>	<u>B. RODRIGUEZ</u>
SECONDED BY:	<u>M. CONFREY</u>	<u>B. ORANGE</u>
C. BECTON	<u>OUT</u>	<u>AYE</u>
B. ORANGE	<u>ABSENT</u>	<u>AYE</u>
B. RODRIGUEZ	<u>AYE</u>	<u>AYE</u>
B. GUYTON	<u>AYE</u>	<u>AYE</u>
M. CONFREY	<u>AYE</u>	<u>AYE</u>

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

ORDINANCE NO. 2623

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING SECTION 23.AA-23.5, "INLET HARBOR CENTER OVERLAY ZONING DISTRICT," OF THE RIVIERA BEACH LAND DEVELOPMENT CODE, ALLOWING TEMPORARY USES; PROVIDING FOR AUTHORITY TO CODIFY; A SEVERABILITY CLAUSE; A REPEALING CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, Section 166.041 of the Florida Statutes provides procedures to amend the Zoning Ordinance; and

WHEREAS, legal notice procedures were followed in accordance with the above and the Riviera Beach Code of Ordinances; and

WHEREAS, the Riviera Beach City Council has designated a Community Redevelopment Area based on slum and blighted conditions, in accordance with Chapter 163, Florida Statutes; and

WHEREAS, the Inlet Harbor Center Overlay Zoning District consists entirely of the Community Redevelopment Area; and

WHEREAS, the City of Riviera Beach business community is experiencing serious economic difficulties and there are numerous empty commercial buildings and vacant lots in the Community Redevelopment Area; and

WHEREAS, there is a need to provide for temporary uses prior to redevelopment in the Community Redevelopment Area; and

WHEREAS, property owners in the Community Redevelopment Area have requested consideration for certain uses not normally permitted in CG-General Commercial zoning districts; and

WHEREAS, the provision of such temporary uses is a desirable public purpose; and

WHEREAS, on December 15, 1993, the Riviera Beach Community Redevelopment Agency reviewed the amendments contained in this ordinance, and forwarded recommendations to City Council; and

WHEREAS, on January 13, 1994, the Planning and Zoning Board reviewed the amendments at a public hearing, and forwarded recommendations to City Council; and

WHEREAS, on February 2, 1994, the City Council reviewed the recommendations and the amendments at a public hearing.

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

SECTION 1. Section 23.AA-23.5., Inlet Harbor Center Overlay Zoning District, of the Riviera Beach Land Development Code is hereby amended as follows, using underlining to indicate text to be added and strikeout to indicate text to be deleted:

II. USE REGULATIONS

A. UNDERLYING ZONING DISTRICT REGULATIONS

The zoning regulations for the underlying zoning districts shall apply within the Inlet Harbor Center Overlay Zoning District. In addition to the review procedures provided for in the underlying zoning districts, the expansion of any existing use and the redevelopment of any existing structure shall be subject to project plan review by the Community Redevelopment Agency.

B. TEMPORARY USES ALLOWED IN UNDERLYING CG-GENERAL COMMERCIAL ZONING DISTRICTS

1. Permitted Temporary Uses.

The temporary uses listed below may be permitted in an underlying CG-General Commercial zoning district within the Inlet Harbor Center Overlay Zoning District, subject to the conditions specified. These uses may be established for a fixed period of time, with the intent to discontinue such uses upon the expiration of the designated time period.

- a. Amusement Arcades, Bingo.

- b. Auto or Boat Repair.
- c. Flea Markets - outdoor.
- d. Fruit/Farmers market - outdoor.
- e. Kennels.
- f. Light manufacture, with retail component awnings, upholstery, clothing, food products.
- g. Marine equipment repair.
- h. Plant nursery sales and greenhouses.
- i. Used auto dealerships.
- j. Used boat sales.
- k. Wholesale - food, clothing, consumer electronics.
- l. Any other uses and services similar to the above, if determined jointly by the CDEC Director and CRA Director to be appropriate as temporary uses.

2. Standards for Approval.

A temporary use may be permitted in an underlying CG-General Commercial zoning district upon a determination by CDEC Director and CRA Director that the use:

- a. Shall not adversely affect redevelopment efforts;
- b. Shall serve a public purpose as it relates to stabilizing the downtown;
- c. shall encourage economic activity and employment; and

- d. shall result in improved appearance or use of applicable sites.

3. Temporary Uses in Existing Buildings.

For temporary uses in existing buildings, the property owner shall make diligent efforts to meet current city standards of landscaping, parking and signage, as appropriate. A minimum requirement of painting, cleaning, and repair of structures and site works will be determined by CDEC Director.

4. Temporary Uses on Vacant Lots.

For temporary uses on vacant lots, temporary structures, such as trailers, market booths, or canopies may be allowed. Requirements for setbacks, landscaping, parking and signage will be determined by the CDEC Director.

5. Temporary Use Permit.

The property owner shall obtain a temporary use permit from the City which includes a commitment to the following:

- a. A temporary use permit shall be valid for two (2) years from approval, with an option for one (1) or more one (1) year extensions granted jointly by the CDEC Director and CRA Director.
- b. On termination of a temporary use permit, as provided above, any future permanent uses shall comply with current zoning regulations and the development specifications of the CRA Redevelopment Plan.
- c. The CDEC Director may require additional actions by the property owner to reinstate the appearance of the specific lot or building in a satisfactory manner, as appropriate.

6. Temporary Use Review.

Subsection II.B. entitled "Temporary Uses in Underlying CG General Commercial Districts" shall be reviewed after one (1) year by the City Council to determine if any adjustments or revisions are necessary.

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 Riviera Beach, Florida, 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 Ordinance, all ordinances or parts of ordinances, and all resolutions or parts of resolutions, in conflicts 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 passage and adoption.

PASSED on first reading this 2nd day of February, 1994.

PASSED AND ADOPTED on second reading this 16th day of February, 1994.

APPROVED:

Anna K. Williams-Hyacinthia "Cynthia" Becton
MAYOR

[Signature]
CHAIRPERSON

[MUNICIPAL SEAL]

[Signature]
CHAIRPERSON PRO-TEM

ATTEST:

[Signature]
CITY CLERK

[Signature]
COUNCIL MEMBERS

	<u>1st Reading</u>	<u>2nd & Final Reading</u>
MOTIONED BY:	<u>B. RODRIGUEZ</u>	<u>B. RODRIGUEZ</u>
SECONDED BY:	<u>B. GUYTON</u>	<u>B. GUYTON</u>
M. CONFREY	<u>AYE</u>	<u>AYE</u>
C. BECTON	<u>AYE</u>	<u>AYE</u>
B. ORANGE	<u>AYE</u>	<u>AYE</u>
B. RODRIGUEZ	<u>AYE</u>	<u>AYE</u>
B. GUYTON	<u>AYE</u>	<u>AYE</u>

APPROVED AS TO
AND LEGAL SUFFICIENCY
[Signature]
CITY ATTORNEY

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE ZONING REGULATIONS FOR "HOME OCCUPATIONS" IN CHAPTER 23 OF THE CODE OF ORDINANCES; PROVIDING FOR AUTHORITY TO CODIFY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 166.041 of the Florida Statutes provides procedures to amend the Zoning Ordinance; and

WHEREAS, legal notice procedures were followed in accordance with the above and the Riviera Beach Code of Ordinances; and

WHEREAS, the adoption of zoning regulations allowing home occupations in the City of Riviera Beach is a desirable public purpose; and

WHEREAS, on January 13, 1994, the Planning and Zoning Board conducted a public hearing and reviewed the amendments to the City's zoning regulations contained in this ordinance, and forwarded a recommendation to the City Council; and

WHEREAS, on FEBRUARY 2, 1994 and FEBRUARY 16, 1994, the City Council conducted public hearings in accordance with Section 166.041, Florida Statutes, and reviewed the recommendations of the City Staff and the Planning and Zoning Board.

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

SECTION 1. Section 23.AA-1, entitled Definitions, in Chapter 23 of the Code of Ordinances is hereby amended as indicated below, using underlining to indicate text to be added and strikeout to indicate text to be deleted.

~~HOME OCCUPATION:~~

~~Any occupation or activity carried on by a member of the immediate family residing on the premises, in connection with which there is used no sign, other than a name plate no more than one square foot in area, or no display that will indicate from the exterior that the building is being utilized in part for any purpose other than a dwelling; there is no commodity sold upon the premises; no person is employed other than a member of the immediate family residing on the premises; and no mechanical equipment is used except of a type that is similar in character to that normally used for purely domestic or household purposes. Home occupation shall include the use of the premises by a physician, surgeon, dentist, lawyer, clergyman or other professional person for consultation or emergency treatment, but not for the general practice of his profession.~~

HOME OCCUPATION:

A business activity which: (a) has its primary location in a residential dwelling unit, (b) is conducted entirely within the dwelling by the occupants, (c) is clearly incidental and secondary to the use of the dwelling for residential purposes, and (d) does not change the residential character of the dwelling.

SECTION 2. The subsections listed below, regarding "USE REGULATIONS" for the City's residential zoning districts, in Chapter 23 of the Code of Ordinances are hereby amended by adding "Home Occupations" under "A. USES PERMITTED," and by deleting "Home Occupations" under "B. USES PERMITTED BY SPECIAL EXCEPTION."

- 23.AA-5.II. (RS-5: SINGLE FAMILY DWELLING DISTRICT)
- 23.AA-6.II. (RS-6: SINGLE FAMILY DWELLING DISTRICT)
- 23.AA-7.II. (RS-8: SINGLE FAMILY DISTRICT)
- 23.AA-8.II. (RD-15: TWO-FAMILY DWELLING DISTRICT)
- 23.AA-8.1.II. (RML-12: LOW-DENSITY MULTIPLE FAMILY DWELLING DISTRICT)
- 23.AA-9.II. (RM-15: MULTIPLE FAMILY DWELLING DISTRICT)
- 23.AA-10.II. (RMH-15: MULTIFAMILY/HOTEL DISTRICT)

SECTION 3. The subsections listed below, regarding "USE REGULATIONS" for the City's residential zoning districts, in Chapter 23 of the Code of Ordinances are hereby amended by adding "Home Occupations" under "A. USES PERMITTED."

- 23.AA-11.II. (RM-20: HIGH-DENSITY MULTIPLE FAMILY DISTRICT)
- 23.AA-12.II. (RMH-20: HIGH-DENSITY MULTIPLE FAMILY/MOTEL DISTRICT)

SECTION 4. The supplemental zoning regulations in Subsection 23.AA-24.IV, "Home Occupations," in Chapter 23 of the Code of Ordinances is hereby repealed in its entirety, and replaced with the text indicated below.

IV. HOME OCCUPATIONS

A. Purpose.

The supplemental zoning regulations in this subsection are intended to allow the use of a residential dwelling unit for a secondary or small-scale occupation, such that the dwelling unit is not changed nor the residential character of the neighborhood adversely impacted.

B. Where permitted.

Home occupations, as regulated by this code, are permitted uses in all of the City's residential zoning districts. However, a home occupation shall not be in conflict with a restrictive covenant of a home owner association or property owner association.

C. Prohibited uses.

The following uses are specifically prohibited as home occupations:

1. Retail or wholesale sales on the premises, including food sales.

2. Personal services, such as barber or beauty shops.
3. Nursing home.
4. Vehicle or boat repair.

D. Standards for approval.

In accordance with the purpose of this subsection, a home occupation:

1. shall not necessitate any physical changes to a dwelling unit, such as separate doorways or extra parking spaces;
2. shall not generate vehicular or pedestrian traffic which adversely impacts the residential character of the neighborhood; or
3. shall not create any other adverse impacts on adjacent neighbors or the neighborhood.

E. Requirements.

1. Location. A home occupation must be conducted entirely within a dwelling unit or garage, but not in an open porch or carport. This restriction shall not prohibit off-premise sales or services involved in a home occupation.
2. Incidental Nature. The area devoted to a home occupation shall not be the dominant use of a dwelling, and shall not exceed ten percent of the total square footage of living area, or 200 square feet, whichever is least.
3. No change to character of dwelling. There shall be no external evidence, sign, noise or odor indicating that a dwelling is being used for a home occupation.
4. Employee restrictions. A home occupation must be conducted only by family members or other persons residing on the premises.
5. Occupational license. A City of Riviera Beach Occupational License is required for any home occupation.
6. Number. Only one home occupation shall be permitted at a dwelling unit.
7. Advertising restrictions. No external evidence or sign shall advertise, display or otherwise indicate the presence of a home occupation, nor shall the street address of the home occupation be advertised through signs, television, radio or newspapers.
8. On-premise sales. A home occupation shall not involve the sale of any stock in trade, supplies, products or services on the premises, if such activity creates adverse traffic impacts on the area. Only occasional outside visitation shall be allowed. "Occasional visitation" is considered to be no more than two separate visits per day.

9. No outside storage. No equipment or materials involved in a home occupation shall be stored or displayed outside of the dwelling unit, including driveways.
10. Nuisances prohibited. A home occupation shall not involve the use of any mechanical, electrical or other equipment, materials or items which produce noise, electrical or magnetic interference, vibration, heat, glare, smoke, dust, odor or other nuisance outside the dwelling unit. There shall be no storage of hazardous or noxious materials at the site of the home occupation.
11. Violations. The Department of Community Development and Environmental Control may issue a citation for a violation of the regulations in this subsection. The City's Code Enforcement Board shall make a determination regarding the citation, and shall take appropriate action. This action may include the revocation of the occupational license for the home occupation.

SECTION 5. 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 Riviera Beach, Florida, and the sections of this ordinance may be renumbered to accomplish such intentions.

SECTION 6. 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 7. That all sections or parts of sections of the Code of Ordinance, all ordinances or parts of ordinances, and all resolutions or parts of resolutions, in conflicts herewith, be and the same are hereby repealed to extent of such conflict.

SECTION 8. This ordinance shall be effective immediately upon adoption by the City Council.

PASSED on first reading this 2ND day of FEBRUARY 1994.

PASSED AND ADOPTED on second reading this 16th day of FEBRUARY 1994.

APPROVED:

Clara K. Williams
MAYOR

Hyacintha "Cynthia" Becton
CHAIRMAN

[Signature]
CHAIRMAN PRO TEM

ATTEST

[Signature]
CITY CLERK

Bruce R. Guyton
Margaret Confrey
Bertha Orange
COUNCIL MEMBERS

1st Reading

2nd and Final Reading

Motioned By: B. RODRIGUEZ
Seconded By: B. GUYTON

B. RODRIGUEZ
B. ORANGE

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

AYE
AYE
AYE
AYE
AYE

a:\homeocc.ord
1-24-94

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

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA AMENDING SECTIONS 2-120.3 AND 2-120.1 OF THE CITY CODES BY CHANGING THE DEFINITION OF AVERAGE MONTHLY EARNINGS AND ADDING OPTIONS FOR NORMAL RETIREMENT DATES, PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. That **Section 2.120.1 Definitions** of the Code of Ordinances is hereby amended to as follows:

- (12) Average monthly earnings means one-twelfth of the arithmetic average of annual earnings for the highest ~~five-(5)~~ two (2) consecutive years of the last 10 (ten) years preceding the actual retirement or termination date of a member.

SECTION 2. That **Section 2.120.3 Retirement Dates** of the Code of Ordinances of the City of Riviera Beach is amended by adding to Section 2-120.3 the following paragraph:

- 1(c) Any Member who completes ten (10) or more years creditable service and attains age fifty-five (55) years, completes fifteen (15) or more years of creditable service and attains age fifty-two and one half (52 1/2), or completes twenty (20) years of creditable service and attains age fifty (50) years, and for such period has been a member of the pension fund is eligible for normal retirement benefits.

SECTION 3. 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, and the sections of this ordinance may be renumbered to accomplish such intentions.

SECTION 4. 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 5. That all sections or parts of sections of the Code of Ordinances, all ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict herewith, be and the same are hereby repealed to extent of such conflict.

SECTION 6. That this Ordinance shall be in full force and effect immediately upon its final passage and adoption.

PASSED AND APPROVED on first reading this 2ND day of FEBRUARY, 1994.

PASSED AND ADOPTED on second and final reading this 6th day of APRIL, 1994.

APPROVED:

Dana K. Williams MAYOR *Berita Orange* CHAIRWOMAN

ATTEST:

Jwendolyn E...
CITY CLERK

Margaret Confrey
CHAIR PRO TEM

Bruce A. Guyton

Marilyn S. Goff

[Signature]
COUNCIL MEMBERS

1st Reading

2nd & Final Reading

MOTIONED BY: B. RODRIGUEZ

B. GUYTON

SECONDED BY: B. GUYTON

M. CONFREY

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

AYE
AYE
AYE
AYE
AYE

[Signature]
CITY CLERK

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, FLORIDA, AMENDING ORDINANCE 2143 RELATING TO THE ESTABLISHMENT OF WATER RATES BY AMENDING ARTICLE I THEREOF AS IT RELATES TO CAPITAL IMPROVEMENT CHARGES ADDING A NEW SUBSECTION 6 TO THE EXCEPTIONS TO WATER AND SEWER CAPITAL IMPROVEMENT CHARGES AS SET FORTH HEREINBELOW.

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

SECTION 1. That Article I of Chapter 2 of City Code of Ordinances is hereby amended to provide as follows:

* * *

(6) With respect to periodic reviews of commercial users for additional impact fees as called for hereinabove, when the city council has legislatively found and determined that:

(1) the commercial user employs a minimum work force of at least 150 employees;

(2) that the commercial users can empirically demonstrate that a minimum of 60% of those employees are in fact residents of the City of Riviera Beach;

(3) the commercial user can empirically demonstrate that the average salary of those persons employed who are residents of the City of Riviera Beach is at least \$18,000 per year; and

(4) where the city council legislatively declares and finds that the waiver of such additional impact fees would in fact constitute a public purpose, additional impact fees due by the city from a change in use or expansion of use by a commercial user may be waived.

* * *

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.

ORDINANCE NO. 2626

PASSED and APPROVED on first reading this 16th day of February, 1994.

PASSED and ADOPTED on second and final reading this 2ND day of MARCH, 1994.

APPROVED:

Alma K. Williams
MAYOR

Francinda "Cittia" Becton
CHAIR

[Signature]
CHAIR PRO TEM

ATTEST:

[Signature]
CITY CLERK

Bruce A. Guyton

Margaret Confrey

COUNCIL MEMBERS

	1st Reading
MOTIONED BY:	<u>B. RODRIGUEZ</u>
SECONDED BY:	<u>B. GUYTON</u>
C. BECTON	<u>AYE</u>
B. ORANGE	<u>AYE</u>
B. RODRIGUEZ	<u>AYE</u>
B. GUYTON	<u>AYE</u>
M. CONFREY	<u>AYE</u>

	2nd & Final Reading
	<u>B. GUYTON</u>
	<u>B. RODRIGUEZ</u>
	<u>AYE</u>
	<u>ABSENT</u>
	<u>DISSENTED</u>
	<u>AYE</u>
	<u>AYE</u>

[Signature]
CONFREY

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA; AMENDING SECTION 22-3 PARAGRAPH (p)(2) RELATING TO WATER SERVICE ENTITLED DEPOSITS, PROVIDING A PENALTY CLAUSE, REPEALING CLAUSE, SAVING CLAUSE, AUTHORITY TO CODIFY, AND EFFECTIVE DATE AND FOR OTHER PURPOSES.

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

SECTION 1.

Chapter 22 - WATER RATES AND ADMINISTRATIVE PROCEDURES

That Chapter 22, Article I of the Code of Ordinances is amended by changing Section 22-3 paragraph (p) subparagraph (2) as follows:

"Any customer new or old not paying the previous balance before the turn-off date ~~will~~ may be subject to updating their deposit to the new applicable minimum deposit or an amount equal to their last three (3) month's active billing, whichever is greater."

PASSED AND ADOPTED on first reading this 2ND day of MARCH, 1994.

PASSED AND ADOPTED this 16TH day of MARCH, 1994.

APPROVED:

Clara K. Williams Bertha Orange
MAYOR CHAIR

ATTEST:

[Signature] Margaret Confrey
CITY CLERK CHAIR PRO TEM
[Signature]
[Signature]
COUNCIL MEMBERS

MOTIONED BY: B. GUYTON

SECONDED BY: M. CONFREY

- B. Rodriguez: DISSENTED
- B. Guyton: AYE
- B. Orange: ABSENT
- M. Confrey: AYE
- C. Becton: AYE

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

MOTIONED BY: B. RODRIGUEZ

SECONDED BY: M. CONFREY

B. ORANGE: AYE

M. CONFREY: AYE

B. RODRIGUEZ: AYE

M. MOFFITT: AYE

B. GUYTON: AYE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA; AMENDING SECTION 22-3 PARAGRAPH (r)(3) RELATING TO WATER SERVICE ENTITLED CAPITAL IMPROVEMENTS CHARGE, AND SECTION 22-37 PARAGRAPH (h)(3) RELATED TO SEWER SERVICE ENTITLED CAPITAL IMPROVEMENTS CHARGE; PROVIDING A PENALTY CLAUSE, REPEALING CLAUSE, SAVING CLAUSE, AUTHORITY TO CODIFY, AND EFFECTIVE DATE AND FOR OTHER PURPOSES.

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

SECTION 1.

Chapter 22 - WATER RATES AND ADMINISTRATIVE PROCEDURES

That Chapter 22, Article I of the Code of Ordinances is amended by adding to Section 22-3 paragraph (r) subparagraph (3) the following:

For purposes of periodic reviews of commercial and industrial users; to establish an equitable base usage level for those commercial users operating prior to the establishment of these review requirements; Equivalent Residential Units (Units) credited due to past usage and payments (capacity utilization) shall be the greater of (1.) the Units paid; or (2.) the number of Units calculated from the last five (5) year's average monthly usage.

SECTION 2.

That Chapter 22, Article II: SEWER RATES AND ADMINISTRATIVE PROCEDURES: of the Code of Ordinances is amended by adding to Section 22-37 paragraph (h) subparagraph (3) the following:

For purposes of periodic reviews of commercial and industrial users; to establish an equitable base usage level for those commercial users operating prior to the establishment of these review requirements; Equivalent Residential Units (Units) credited due to past usage and payments (capacity utilization) shall be the greater of (1.) the Units paid; or (2.) the number of Units calculated from the last five (5) years' average monthly usage.

PASSED AND ADOPTED on first reading this 2ND day of MARCH, 1994.

PASSED AND ADOPTED this 16TH day of MARCH, 1994

APPROVED:

Clara K. Williams
MAYOR

Bertha Orange
CHAIR

ATTEST:

Shirley E. Davis
CITY CLERK

Margaret Confrey
CHAIR PRO TEM

Bruce A. Guyton

Monty S. Moffitt
COUNCIL MEMBERS

MOTIONED BY: B. GUYTON

SECONDED BY: M. CONFREY

B. Rodriguez: DISSENTED
B. Guyton: AYE
B. Orange: ABSENT
M. Confrey: AYE
C. Becton: AYE

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

MOTIONED BY: B. GUYTON

SECONDED BY: B. RODRIGUEZ

B. ORANGE: AYE

M. CONFREY: AYE

B. RODRIGUEZ: AYE

M. MOFFITT: AYE

B. GUYTON: AYE

ORDINANCE NO. 2629

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, FLORIDA, AMENDING SECTION 23.AA-25 OF THE RIVIERA BEACH LAND DEVELOPMENT CODE, RELATING TO OFF-STREET PARKING AND LOADING; PROVIDING FOR AUTHORITY TO CODIFY, A SEVERABILITY CLAUSE, A REPEALING CLAUSE, AND AN EFFECTIVE DATE.

WHEREAS, Section 166.041, Florida Statutes, provides procedures to amend the Zoning Ordinance (Land Development Code); and

WHEREAS, legal notice procedures were followed in accordance with the above and the Riviera Beach Code of Ordinances; and

WHEREAS, there is a need to regulate the parking of trucks, boats, trailers, and recreation vehicles in the City of Riviera Beach so as to maintain the quality and viability of the City, particularly residential areas, by minimizing the impact of parking of vehicles other than the typical family vehicle; and

WHEREAS, the Planning and Zoning Board has reviewed the amendments in this ordinance at a public hearing, and forwarded recommendations to the City Council; and

WHEREAS, the City Council, acting as the Local Governing Body, has reviewed the recommendations and the amendments in this ordinance at one or more public hearings.

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

SECTION 1. Section 23.AA-25 of the Riviera Beach Land Development Code is hereby amended by deleting Subsection "V" in its entirety, and adding a new Subsection "V" as follows:

V. SUPPLEMENTAL PARKING REGULATIONS

A. Intent and Purpose

1. This subsection shall regulate the parking of all vehicles and equipment in order to maintain the quality and viability of the City, particularly residential areas, by minimizing the impact of parking of vehicles other than the family vehicle.
2. This subsection shall not: (1) limit any deed restrictions, condominium regulations, or similar private limitations on land use imposing more stringent requirements or limitations than are provided herein; nor (2) create an obligation for the City to enforce private limitations on land use imposing more stringent requirements or limitations than are provided herein.

B. All Zoning Districts: General Provisions

1. All vehicles which can be viewed from an abutting property or a public right-of-way shall be maintained in an operable condition, unless temporarily parked or stored at a licensed vehicle repair facility or specifically allowed in an industrial zoning district.

2. A vehicle or boat shall not park closer than three feet from any lot line. This restriction shall not apply to:
 - a. vehicles parked in driveways constructed in accordance with a valid building permit before the adoption of this ordinance; or
 - b. boats parked or stored next to a seawall.
3. A vehicle or boat shall not be used for habitation while parked or stored on a public right-of-way, canal or any property in a residential or nonresidential zoning district, unless specifically zoned or licensed for such purpose.
4. A vehicle or boat shall not be parked or stored on a vacant, unimproved lot, except as allowed by this paragraph. In single-family residential areas, a vehicle or boat may be parked on a vacant, unimproved lot next to a single-family residence if the lot is owned by the owner of the abutting single-family residence. Access to the vacant lot shall be restricted to the same driveway used for the abutting single-family residence.
5. A camper or recreational vehicle may be parked in a licensed mobile home park, recreation vehicle park or designated parking area for recreational vehicles.

C. Residential Zoning Districts: Parking & Storage

1. Permitted Parking

A vehicle, boat or trailer may be parked or stored in a front, side or rear yard, as specified in the applicable zoning district regulations, in accordance with the following requirements:

- a. Any family vehicle, panel or pick-up truck, van, jeep or similar type truck, not exceeding a carrying capacity of one ton, shall be parked only in a garage, on a paved driveway, or on a legal driveway that is unpaved.
- b. A boat, trailer or recreational vehicle shall only be parked in: (1) a garage; or (2) in a rear or side yard if screened from adjacent properties and the public right-of-way.
- c. Major vehicle repairs, including repairs of the engine, body or chassis, may be performed on residential property if the following requirements are met:
 - (1) the vehicle must be registered to the property owner or tenant; and
 - (2) the repairs must be made in an enclosed building (e.g., garage) or, if the vehicle is not in an enclosed building, the repairs must be completed within seven calendar days.

- d. In multifamily zoning districts, storage of recreational vehicles or boats shall only be in designated areas and shall be screened from adjacent properties and the public right-of-way.
- e. Any new multifamily projects submitted after the adoption date of this ordinance may be required to provide a storage area for vehicles and boats, depending upon project location and anticipated life-style of occupants.

2. Prohibited Parking

- a. The use of parking spaces required by this code for parking vehicles other than family vehicles is prohibited.
- b. Commercial boats or barges may not be used from a private residence for commercial purposes or a home occupation allowed by subsection 23.AA-24.IV.
- c. Barges may not be moored in any residential zoning district, unless engaged in a bona fide construction or repair activity.

3. Temporary and Emergency Parking and Repair

The following are permitted on a temporary and emergency basis in residential zoning districts:

- a. The temporary parking of a commercial vehicle on private property or in the adjoining swale of a public street in a residential district where construction is underway. Such construction shall have a valid City building permit properly displayed on the premises.
- b. Deliveries by tradesmen or the use of commercial vehicles or trailers in making service calls.
- c. The emergency parking of a disabled vehicle. However, a disabled vehicle shall be removed from a public right-of-way within 24 hours.
- d. The loading or unloading of a recreational vehicle or trailer before or after an off-premises trip. However, in no case shall the loading or unloading period exceed 24 hours.

D. Nonresidential Zoning Districts: Parking & Storage

The following regulations apply to all nonresidential zoning districts including, but not limited to, commercial, industrial and utility districts:

1. Any vehicle, boat or trailer that is abandoned or junked shall not be placed in a parking space required by this code.

2. The storage of recreational vehicles and boats shall only be permitted when allowed by the applicable zoning district regulations as a primary use or accessory use, and if not stored in a parking space required by this code.

E. Exemptions

1. Government, Utility and Towing Vehicles

A commercial vehicle or vehicles operated by one of the following entities is exempt from the supplemental parking regulations in this subsection if the vehicle is being used to perform a public service:

- a. any governmental agency;
- b. a contractor or subcontractor working for the City; or
- c. a utility operating in the City, or a contractor or subcontractor working for such a utility for the installation, maintenance, adjustment or repair of a utility facility.

However, a towing company or other business entity shall not be exempt solely because it is employed by the City to provide towing or other services.

2. Churches, Day Care, Nursing Homes and Adult Care Living Facilities

Buses and other vehicles operated by a church, day care, nursing home or adult care living facility to transport people are exempt from the off-street parking regulations in this subsection when parked on the property of the church, day care, nursing home or adult day care facility which operates the bus or vehicle.

F. Waivers

1. The Director of Community Development and Environmental Control (CDEC) may waive one or more regulations in this subsection, if the criteria in paragraph (3) below are met.
2. Any administrative determination made by the Director of CDEC regarding a waiver request may be appealed to the Code Enforcement Board. Each appeal shall be made in writing and shall clearly indicate the nature of the appeal.
3. The Director of CDEC and the Code Enforcement Board shall determine that the following criteria are met in order to grant a waiver:
 - a. Existence of special conditions or circumstances. That a special condition or circumstance exists which is peculiar to the lands, structures, or building involved in the application, and that the special condition or circumstance was in existence at the time this ordinance was adopted.

- b. Conditions not created by applicant. That the special conditions or circumstances did not result from the action or inaction of the applicant.
- c. Special privileges not conferred. That granting the requested waiver will not confer on the applicant any special privilege that is denied to other lands, buildings or structures.
- d. Hardship conditions exist. That literal enforcement of the provisions of the ordinance would work unnecessary and undue hardship on the applicant, and would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of existing ordinances.

G. Penalties and Special Provisions

- 1. A person in violation of this subsection shall be punished in accordance with the procedures for the Code Enforcement Board, as per Chapter "2" of the Code of Ordinances.
- 2. A person in compliance with the existing zoning regulations but in violation with this ordinance shall be given a reasonable time, up to 30 days, in which to comply with this ordinance.

H. Definitions

The definitions of the following terms shall apply when used in this subsection:

BOAT: Any vessel, as defined by Florida Statutes, including barges and airboats, designed, used or capable of being used as a means of transportation on water.

CAMPER: A structure designed or used for human habitation, which can be attached to or detached from a pickup truck, and has sufficient headroom for an adult six feet in height to stand upright.

EQUIPMENT: Any motor vehicle, trailer or implement used in agriculture, construction or industry, and only incidentally operated or moved over public highways. The term includes, but is not limited to, farm tractors and implements, bulldozers, cranes, excavators, forklifts, motor graders, road rollers, tow trucks, mixers, earth movers, compressors, generators and lot-clearing equipment. The term shall not include lawn mowers, edgers, wheelbarrows and other lawn maintenance equipment for primary use on the premises.

PICKUP TRUCK: Any motor vehicle designed primarily for the transportation of property within a permanently-attached, open cargo bed.

PROPERTY OWNER: When used in relation to private property, the term shall mean the recorded owner of the property appearing in the records of Palm Beach County, Florida. This shall include, if under lease, rental agreement or on loan under any

arrangement, gratuitous or otherwise, the individual or firm having possession or control of the premises.

SCREENING: Screening shall mean a visual barrier consisting of an opaque fence or wall, dense vegetation or other permitted structure which does not exceed the maximum height limitation set forth by the applicable zoning district regulations.

SWALE: That area of a public street between the pavement and the limiting property line of the right-of-way.

TRAILER: A vehicle, without motor power, designed for carrying property and to be drawn by another motor vehicle.

TRUCK: Any motor vehicle, including buses and vans, with a carrying capacity over one ton and which is designed, used and maintained primarily for the transportation of property or persons.

VACANT LOT: Any parcel of land without structures or other physical improvements.

VEHICLE, FAMILY: Typical family car, panel or pick up truck, van, jeep or similar type. Truck or van types not to exceed one ton of carrying capacity.

VEHICLE, OFF-ROAD: Any motor vehicle designed primarily for operation on land other than improved roads.

VEHICLE, OPERABLE: A vehicle which can move under its own power in a legal and safe manner, and which has a current license tag properly displayed.

VEHICLE OWNER: An individual or firm to which a vehicle is registered, and whose name appears on the motor vehicle certificate of title. This shall include the individual or firm having possession or control of the vehicle, if under lease or rental agreement, or on loan under any type of arrangement, gratuitous or otherwise.

VEHICLE, RECREATIONAL: Any vehicle designed for off-road recreation or as temporary living quarters for recreation, camping or travel which either has its own power or is mounted on or drawn by another vehicle, specifically including a travel trailer, camping trailer, truck camper and motor home.

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, Florida, 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 conflicts herewith, be and the same are hereby repealed to extent of such conflict.

SECTION 5. Any ordinances of this City or laws of this State regulating motor vehicles are in addition to this ordinance. Wherever any provision of some other ordinance of the City or applicable statute, whether primarily for the regulating of motor vehicles or for purposes of zoning, imposes more stringent requirements or limitations than are imposed or required by the provision of this section, then the more stringent requirements or limitations shall apply.

SECTION 6. That this Ordinance shall be in full force and effect immediately upon its passage and adoption.

PASSED on first reading this 18TH day of MAY 1994.

PASSED AND ADOPTED on second reading this 21st day of September 1994.

APPROVED:

Oliver K. Williams
MAYOR

CHAIRPERSON

[MUNICIPAL SEAL]

Margaret Confrey
CHAIRPERSON PRO-TEM

ATTEST:

Gwendolyn E. Davis
CITY CLERK

Bruce A. Guyton

Marvin S. Moffitt

[Signature]
COUNCIL MEMBERS

	<u>1st Reading</u>	<u>2nd & Final Reading</u>
MOTIONED BY:	B. GUYTON	B. RODRIGUEZ
SECONDED BY:	B. RODRIGUEZ	B. GUYTON
M. CONFREY	AYE	AYE
M. MOFFITT	AYE	AYE
B. ORANGE	AYE	ABS
B. RODRIGUEZ	AYE	AYE
B. GUYTON	AYE	AYE

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 Statute.

Gwendolyn E. Davis
Gwendolyn E. Davis, City Clerk

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING ORDINANCE NO. 2143 RELATING TO WATER RATES AND PROCEDURES, TO COMPLY WITH CHAPTER 180.135 OF THE FLORIDA STATUTES PROHIBITING THE IMPOSITION OF TENANTS CHARGES AGAINST THE LANDLORD'S PROPERTY PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, Section 180.135 of the Florida Statutes prohibits municipalities from refusing or discontinuing utility services including water because of charges by former occupants of rental units, and prohibits imposing liens or fines against the property owner because of unpaid service charges incurred by persons other than the property owner;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, that Article I of Ordinance 2143 is hereby amended to read as follows:

SECTION I. ARTICLE 1 - WATER RATES AND PROCEDURES
* * * * *

~~The City will not be responsible for water usage after termination of service. All water that flows through the meter will be billed to the customer. The owner is responsible for the bill after a tenant's account is terminated by the City. The City can only guarantee no usage if the request in writing from the owner is made to the Water Department for the service to be removed. Upon requesting the service to be resumed, there will a new connection charge.~~

* * * * *

TERMS OF PAYMENT:

* * * * *

If the deposits do not satisfy the payment of a delinquent account, such account shall run against the recorded ~~owner~~ customer requesting water or sewer service from the dates the ~~owner~~ customer is billed and the lien imposed against the said property for the amount of the bill. Stand-by charges plus all usage will be billed to the current account while there is service provided or a structure existing on the property. If no deposit is held by the City, the current account is the responsibility of the property owner.

The date a deposit is accepted is the date that the current account commences in the name of the customer placing

the deposit. The customer placing the deposit is responsible for all charges on that account incurred from that date to the date that their account is closed, as well as any interest and penalty incurred until the account balance is satisfied. The customer shall close an account in writing with at least two working days notice to the City. The City may close an account for non-payment as described herein, under TERMS OF PAYMENT.

Following the closing of an account by the City or a customer other than the property owner, a new current account shall be established in the property owner's name and all charges incurred shall be the responsibility of the property owner until the date a new deposit is accepted on that account by a customer other than the property owner.

The property owner shall notify the City of any address change so that the City may forward invoices for any charges.

* * * * *

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.

ORDINANCE NO. 2630

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 16TH day of MARCH, 199~~XX~~⁴

PASSED and ADOPTED on second and final reading this 6th day of APRIL, 1993.

APPROVED:

Joe K. Williams
MAYOR

Bereta Orange
CHAIR

Margaret Confrey
CHAIR PRO TEM

ATTEST:

Therese Davis
CITY CLERK

Bruce A. Guyton
Marilyn S. Moffitt
COUNCIL MEMBERS

	1st Reading	2nd & Final Reading
MOTIONED BY:	<u>B. RODRIGUEZ</u>	<u>B. GUYTON</u>
SECONDED BY:	<u>M. CONFREY</u>	<u>M. CONFREY</u>
C. BECTON	<u> </u>	<u> </u>
B. ORANGE	<u>AYE</u>	<u>AYE</u>
B. RODRIGUEZ	<u>AYE</u>	<u>AYE</u>
B. GUYTON	<u>AYE</u>	<u>AYE</u>
M. CONFREY	<u>AYE</u>	<u>AYE</u>
M. MOFFITT	<u>AYE</u>	<u>AYE</u>

REVIEWED FOR LEGAL SUFFICIENCY

[Signature]
CITY CLERK
CITY OF BROWARD COUNTY
DATE: 3/19/94

ORDINANCE NO. 2631

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 ORDINANCES OF RIVIERA BEACH, FL, RELATING TO RATES OF PAY AND SALARY SCHEDULE BE AMENDED BY CREATING THE CLASSIFIED POSITION OF ATHLETIC SUPERINTENDENT UNDER CLASS TITLE OF PARKS AND RECREATION AND 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, Article VI, Division 3, of the Code of Ordinances of Riviera Beach, relating to Rates of Pay and Salary Schedule be amended by creating the classified position as follows:

<u>CLASS TITLE</u>	<u>CLASSIFICATION</u>	<u>PAY GRADE</u>	<u>SALARY</u>
Parks and Recreation	Athletic Superintendent	G-31	\$24,766- \$38,864

Section 2. This ordinance shall take effect as provided by law.

PASSED and APPROVED on first reading this 6TH day of APRIL, 1994.

PASSED AND ADOPTED on second and final reading this 20TH day of APRIL, 1994.

APPROVED:

Coker K. Williams
MAYOR

Bonita Orange
CHAIRPERSON

ATTEST:

Annalyse E. Davis
CITY CLERK

Margaret Conway
CHAIRPERSON PRO TEAM

Bonnie A. Lewis

Warilyn P. Woffitt

[Signature]
COUNCIL MEMBERS

ORDINANCE NO. 2631

1ST READING

MOTION BY: B. GUYTON

SECONDED BY: M. CONFREY

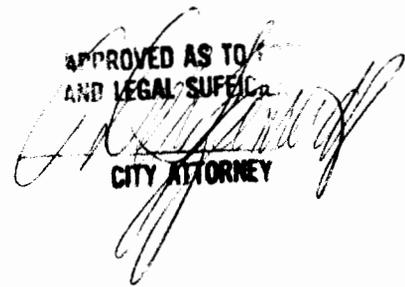
M. MOFFITT: AYE
B. RODRIGUEZ: AYE
B. ORANGE: AYE
B. GUYTON: AYE
M. CONFREY: AYE

2ND READING

MOTION BY: B. GUYTON

SECONDED BY: B. RODRIGUEZ

M. MOFFITT: AYE
B. RODRIGUEZ: AYE
B. ORANGE: AYE
M. CONFREY: AYE
B. GUYTON: AYE

APPROVED AS TO
AND LEGAL SUFFICIENCY

CITY ATTORNEY

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 23, ZONING, OF THE CODE OF ORDINANCES BY REZONING FROM CF: COMMUNITY FACILITIES TO RS-6: SINGLE FAMILY RESIDENTIAL AN 0.8 ACRE PARCEL OF LAND LOCATED AT THE SOUTHEAST CORNER OF AVENUE "F" AND 20TH STREET; DIRECTING THE CITY CLERK TO UPDATE THE CITY'S ZONING MAP; AND 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), Florida Statutes, which provides procedures for rezonings affecting less than 5% of the City's total land area; and

WHEREAS, on March 24, 1994, the Planning and Zoning Board, sitting as the Local Planning Agency, reviewed the applicant's rezoning application at a public hearing, and forwarded recommendations to the City Council.

WHEREAS, on _____, the City Council, sitting as the Local Governing Body, reviewed the request and recommendations at a public hearing, and voted to grant the applicant's request.

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

Section 1. Chapter 23, "Zoning," of the Riviera Beach Code of Ordinances is amended by changing the zoning from CF: Community Facilities to RS-6: Single Family Residential for a parcel of land located at the southeast corner of Avenue "F" and 20th Street, which is legally described as follows:

LOTS 1 AND 2, BLOCK 8, PLAT 1 OF PARK MANOR, LOTS 1, 2, 3, WEST 8.59 FEET OF LOT 4, WEST 8.62 FEET OF LOT 41 (LESS SOUTH 5.0 FEET, BLOCK 10 REPLAT OF NORTHVIEW PLATS 1 AND 2); TOGETHER WITH THE 25-FOOT-WIDE ALLEY BETWEEN THE ABOVE DESCRIBED LOTS 1 AND 2, BLOCK 8, PLAT 1 OF PARK MANOR, AND LOTS 1 AND 44, REPLAT OF NORTHVIEW 1 AND 2.

Section 2. The City Clerk is authorized and directed to amend the "Zoning Map of the City of Riviera Beach, Florida," to reflect the changes adopted by 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 the remaining portions of the ordinance.

Section 4. This ordinance shall take effect immediately upon its adoption.

PASSED AND APPROVED on First Reading on APRIL 6, 1994.

PASSED AND ADOPTED on second and final reading on APRIL 20, 1994.

APPROVED:

Clara L. Williams
MAYOR

Bertha Orange
CHAIRMAN

Margaret Confrey
CHAIRMAN PRO TEM

ATTEST

[Signature]
CITY CLERK

Bruce A. Guyton
Wanda P. Moffitt
COUNCIL MEMBERS

1st Reading

2nd and Final Reading

Motioned By: M. CONFREY
Seconded By: B. RODRIGUEZ

B. RODRIGUEZ
B. GUYTON

M. Confrey AYE
B. Guyton AYE
M. Moffitt AYE
B. Rodriguez AYE
B. Orange AYE

AYE
AYE
AYE
AYE
AYE

rezonord.394
3-30-94

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

ORDINANCE NO. 2633

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, VACATING AND ABANDONING AN ALLEY PORTION OF AVENUE "F" LOCATED BETWEEN WEST 19TH STREET AND WEST 20TH STREET IN THE PARK MANOR SUBDIVISION MORE PARTICULARLY DESCRIBED BELOW; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the owners of the Original Tabernacle of Prayer for All People, Inc. requests the alley right-of-way be abandoned to facilitate a proposed church site; and

WHEREAS, the City of Riviera Beach, Florida, has no further interest in this particular property for street purposes and such street is not needed for necessary public purposes; and

WHEREAS, the City Council deems, it fair and equitable and to be the best interest of all parties concerned that this said street, which is the subject matter of this ordinance, should be abandoned and vacated as a public street.

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

SECTION 1. That the portion of Avenue "F" more particularly described hereinafter be and the same is vacated, closed and abandoned and the City of Riviera Beach hereby relinquishes all of its claim and right, title and interest in and to said property for public street purposes. Said segment is more particularly described as follows:

THAT PORTION OF AVENUE "F" SHOWN ON THE REPLAT OF BLOCKS 6, 7, 8, 9, 10, NORTHVIEW PLAT 2 AND BLOCK 4, NORTHVIEW PLAT NO. 1, AS RECORDED IN PLAT BOOK 20, PAGE 88, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING EAST OF THE EAST LINE OF BLOCK 8, ACCORDING TO PLAT NO. 1, PARK MANOR, AS RECORDED IN PLAT BOOK 26, PAGE 72, LYING NORTH OF THE NORTH LINE

OF THE SOUTH 25 FEET OF SECTION 33, TOWNSHIP 42,
SOUTH, RANGE 43 EAST, AND SOUTH OF WEST 20TH STREET.

Containing 0.1 of an acre of land, more or less.

SECTION 2. If this Ordinance is passed after the public hearing, it shall be effective upon the sale of the parcel of property for use as church. This Ordinance shall not be codified.

PASSED AND ADOPTED on first reading this 6TH day of APRIL,
1994.

PASSED AND ADOPTED on second reading this 20TH day of APRIL,
1994.

APPROVED:

Selma K. Williams
MAYOR

Bertha Orange
CHAIRPERSON

[MUNICIPAL SEAL]

Margaret Conkey
CHAIRPERSON PRO-TEM

ATTEST:

Bruce H. Greer

Priscilla L. Evans
CITY CLERK

Charles Moffitt

[Signature]
COUNCILMEMBERS

APPROVED AS TO FORM
AND LEGAL EFFECT

[Signature]
CITY ATTORNEY

1st Reading

2nd & Final Reading

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

B. GUYTON
B. RODRIGUEZ

M. CONFREY AYE
M. MOFFITT AYE
B. ORANGE AYE
B. RODRIGUEZ AYE
B. GUYTON AYE

AYE
AYE
AYE
AYE
AYE

ORDINANCE NO. 2634

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING PETITIONS FOR VOLUNTARY ANNEXATION FOR THREE PARCELS OF LAND IN THE UNINCORPORATED AREA OF PALM BEACH COUNTY, FLORIDA, CONTIGUOUS TO THE PRESENT BOUNDARIES OF THE CITY OF RIVIERA BEACH; PROVIDING FOR REDEFINING OF THE MUNICIPAL BOUNDARIES TO INCLUDE SAID PARCELS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING AN EFFECTIVE DATE THEREOF; AND FOR OTHER PURPOSES IN ACCORDANCE WITH SECTION 171.046, FLORIDA STATUTES.

WHEREAS, in June 1970, the Legislature of the State of Florida by House Bill No. 5236 designated "Greater Riviera Beach Area: and specified that the City of Riviera Beach may annex the "Greater Riviera Beach Area" or any part thereof at any time in any manner then allowed by the constitution and general laws of the State of Florida; and as provided by the City Charter; provided however, that any area thus annexed must be adjacent to and contiguous to the existing limits of the City of Riviera Beach; and

WHEREAS, in July 1972, Area Planning Board of Palm Beach County acting as agent for the Florida Department of Pollution Control designated City of Rivera Beach as the sole agent to provide water distribution and sewage collection and or treatment in Greater Riviera Beach Area (also known as Reserve Annexation Area); and

WHEREAS, the City Council of the City of Riviera Beach, Florida, has examined the attached petition and finds the following to be true:

- (a) The petitioners are the owners of the properties described therein.
- (b) The petitions bear the notarized signatures of the owners of the properties proposed to be annexed.
- (c) The properties proposed to be annexed are in the unincorporated area of Palm Beach County, contiguous to the present boundaries of the City of Riviera Beach, Florida.

- (d) No parts of the properties proposed to be annexed is included within the boundary of another incorporated municipality.
- (e) The City has the capability to provide municipal services, e.g.; fire and police protection, water and sewer services, garbage and trash collection to the subject parcel at the same level of services as such services are provided within the rest of the municipality.
- (f) This ordinance is being initiated by the City of Riviera Beach, Florida, pursuant to Section 171.044, Voluntary Annexation, F.S. (1985).

WHEREAS, the City of Riviera Beach has agreed to furnish the municipal utilities, e.g., water and sewer, to the subject property for development purposes upon receipt of the Voluntary Petitions for Annexation; and subject to conditions set forth in the petition.

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

SECTION 1. Pursuant to Section 171, Florida Statutes (1992), the City of Riviera Beach, Florida, hereby declares its intent and desire to extend its municipal boundaries to include the properties described below after the approval of this Ordinance on second and final reading:

Petition #1

Shell Oil Company

Property Control #00-43-42-30-13-000-0030

Petition #2

American Lighting Maintenance, Inc.

Property Control #00-43-42-30-13-000-0010

Petition #3

Edward & Jeanne Meagher

Property Control #00-42-42-25-00-000-1120

SECTION 2. This Ordinance shall be read by Title on first reading, and shall be published in its entirety once a week for two (2) consecutive weeks in a newspaper

of general circulation in Palm Beach County, Florida. Thereupon after second reading by Title only, this ordinance shall become effective immediately upon passage and adoption, and the annexation shall become effective May 30, 1994.

SECTION 3. Within thirty (30) days after final passage and publication, a certified copy of this Ordinance shall be filed by the City Clerk with the Secretary of State of the State of Florida as a revision of its Charter, the Clerk of the Circuit Court, Palm Beach County and other agencies as required by Law.

SECTION 4. All Ordinances or parts of Ordinances in conflict herewith are to the extent of such conflict repealed.

SECTION 5. Should any part of provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Ordinance as a whole, or any part thereof than the part declared to be invalid.

SECTION 6. All Ordinances of the City of Riviera Beach, Florida, shall apply to the property proposed to be annexed when the annexation is final.

SECTION 7. The City Clerk is hereby directed to update City's Land Use and Zoning Maps to include the above named parcels within the municipal boundaries.

SECTION 8. Upon annexation, the City shall assign the herein referenced land use and zoning designations to said parcels, in accordance with Chapter 163, Florida Statutes.

SECTION 9. The corporate limits of the City of Riviera Beach are hereby redefined to include subject Petitions as follows:

"Beginning at the Northwest corner of Section 29, Range 43 East, Township 42 South, of the Tallahassee Meridian, Palm Beach County, Florida; thence Easterly along the North lines of said Section 29, Section 28, and Section 27, of said Township and range, to the point of intersection with the centerline of the Intracoastal Waterway,

thence northerly along said centerline to the point of intersection with a line parallel to and 1,294.00 ft. South of the North line of Section 22, of said Township and Range; thence Easterly along said parallel line to a point in the Westerly boundary of the submerged land area conveyed by the trustees of the Internal Improvement Trust Fund of the State of Florida, to the Lake Worth Realty Company, (a Florida Corporation by the Trustee's Deed No. 17146, recorded in Deed Book 205, Page 82, Public Records of Palm Beach County, Florida); thence Northerly along said Westerly boundary to the point of intersection with a line parallel to and 8,000.00 ft. South of the North line of Section 10, of said Township and Range; thence Easterly along said parallel line to the Westerly edge of Gulfstream or a distance of three geographical miles, whichever is the greater distance to the common boundary of the State of Florida and that of Palm Beach County; thence Southerly along the edge of the Gulfstream or along a line three geographical miles from the Atlantic Coast Line as described in The Constitution of the State of Florida (as revised in 1968 and subsequently amended by Article III, Section 1, Paragraph (a) to a point in the Easterly extension of a line parallel and 998.96 ft. South of the South line a tract of land in Palm Beach County known as Replat Yacht Harbor, (as is recorded in Plat Book 23, Page 57, of the Public Records of Palm Beach County, Florida); thence Westerly along said parallel line to the point of intersection with the centerline of the channel of the Intracoastal Waterway, as now established; thence Southwesterly and Southerly along said centerline of channel to the South line of Township 42 South, Range 43 East; thence Westerly along said South line of Township 42 South to the Southeast corner of Section 31, of said Township and Range; thence Northerly along the East line of said Section 31, to the South Right-of-Way line of State Road 710; thence Westerly along the South line of State Road 710 to its point of intersection with the proposed centerline of Congress Avenue Right-of-Way; thence Southerly along said centerline to its point of intersection with the South Right-of-Way line of the Seaboard Coast Line Railroad Right-of-Way as now established; thence Southeasterly along said Right-of-Way line to its point of intersection with the South line of said Section 31, Township 42 South, Range 43 East; thence Westerly along said South line of Section 31, to the Southeast corner of Section 36, Township 42 South, Range 42 East; thence continuing Westerly along said South line of Section 36, 2710.00 ft.± to its point of intersection with the East

Right-of-Way line of Military Trail; thence Southerly along the Westerly Right-of-Way line of Military Trail, to the intersection with the south right of way of Upthegrove Lane; thence easterly along said right of way line a distance of 707.58 ft.; thence southerly a distance of 306.81 ft.; thence westerly to the point of intersection with the east right of way of Military Trail, thence southerly along said right of way line to a point 1,336.23 ft. South of the south section line of section 36, said line having a bearing of North 03°-41'-15" East; thence North 87°-46'-43" West 880.55 ft.; thence North 51°-46'-38" East 677.08 ft.; thence North 38°-13'-22" West 108.88 ft.; thence North 51°-46'-38" East 85.46 ft.; thence along a curve of 110 ft. radius 96.60 ft.; thence North 01°-27'-35" East a distance of 385.46 ft.; thence along a curve of 85 ft. radius 108.14 ft.; thence North 01°-27'-35" East 203.71 ft. to the South section line of section 36; thence Westerly along said South line of section 36, to the Southwest corner of section 36, Township 42 South, Range 42 East, and the East Right-of-Way line of Haverhill Road, thence Northerly along the west section line of Section 36 to the point of intersection with the south Right-of-Way line of Dyer Blvd; thence easterly along said Right-of-Way line a distance of 340.00 ft.; thence southerly a distance of 292.00 ft.; thence easterly a distance of 2,276.00+/- ft. to a point on the west Right-of-Way line of Military Trail; thence Southerly along said Right-of-Way to the point of intersection with the South Right-of-Way line of the Northern Palm Beach County Water Control District Canal; thence Easterly along said canal Right-of-Way to the point of intersection with the East Right-of-Way line of Military Trail 52.50 feet to the East-West Center Section 36; thence Easterly along said East-West Center Section line also the South Right-of-Way line of Northern Palm Beach Canal a distance of 10.00 feet to a point designated as a Point of Beginning as shown on Plat 1 WESTROADS BUSINESS and INDUSTRIAL PARK (and recorded in Plat Book 29, Page 137, public Records of Palm Beach County); thence North 02°-20'-11" East along the East Right-of-Way line of Military Trail, 270.09 feet to a point of curvature; thence Northeasterly also a 25 foot radius curve an arc distance of 39.18 feet to a point of tangency in the South Right-of-Way line of Westroads Drive; thence South 87°-42'-34" East along said South Right-of-Way line of Westroads Drive 355.09 ft. to a point on the said South Right-of-Way line; thence Southerly 250.09 ft. +/- to a point on the South Right-of-Way line of the Northern Palm Beach Water Canal which is the

same as the East-West center Section line; thence South $87^{\circ}-52'-34''$ East along said canal Right-of-Way line and center section line 580.01 ft. to a point designated as a Point of beginning as shown in Plat No. 2 WESTROADS BUSINESS and INDUSTRIAL PARK (and recorded in Plat Book 29, Page 193, Public Records of Palm Beach County); thence North $02^{\circ}-20'-11''$ East along the West Boundary line of Tract "B" of said Plat No. 2 a distance of 345.00 ft. to a point in the North Right-of-Way line of Westroads Drive; thence South $87^{\circ}-52'-34''$ East along the North Right-of-Way of Westroads Drive, a distance of 38.00 ft. to a point; thence North $02^{\circ}-20'-11''$ East a distance of 460.00 ft. to a point in the Westerly Plat line of Plat No. 3 WESTROADS BUSINESS and INDUSTRIAL PARK (and recorded in Plat Book 30, Pages 145 and 146, Public Records of Palm Beach County); thence North $87^{\circ}-52'-34''$ West 353.00 ft. to a point on West Right-of-Way line of White Drive; thence South $02^{\circ}-20'-11''$ West along said West Right-of-Way line a distance of 110.00 ft.; thence North $87^{\circ}-52'-34''$ West a distance of 265.00 ft.; thence South $02^{\circ}-20'-11''$ West a distance of 52.00 ft.; thence North $87^{\circ}-52'-34''$ West a distance of 390.00 ft. to a point on the East Right-of-Way of Military Trail as laid out and now in use; thence North $02^{\circ}-20'-11''$ East along East Right-of-Way of Military Trail, a distance of 1508.04 ft. to a point; thence South $53^{\circ}-14'-59''$ East a distance of 472.73 ft.; thence North $02^{\circ}-20'-11''$ East a distance of 111.92 ft. to the point of intersection with the Right-of-Way line of Seaboard Coast Line Railroad; thence continue Northwesterly along said railroad Right-of-Way to the point of intersection with the West Right-of-Way line of Military Trail; thence Southerly along the West Right-of-Way line of Military Trail to the point of intersection with the North Right-of-Way line of Dyer Boulevard; thence continue Westerly along said North Right-of-Way line of Dyer Boulevard, said line having a bearing of South $88^{\circ}-28'-12''$ East a distance of 525.95 ft.; thence South $01^{\circ}-53'-30''$ West 372.73 ft.; thence North $88^{\circ}-26'-41''$ West a distance of 1153.0 ft.; thence northerly and parallel with the West Right-of-Way line of Military Trail a distance of 372.00 ft. to the North Right-of-Way line of Dyer Boulevard; thence Westerly along the north Right-of-Way of Dyer Boulevard to the point of intersection with the East Right-of-Way line of Haverhill Road as established and now in use; thence Northerly along the West section line of Section 36 to the Southwest corner of Section 25; thence Westerly along the South Section line of Section 26 to the point of

intersection with the East Right-of-Way of Haverhill Road; thence Northwesterly along said Right-of-Way line to a point 150 ft. West of the West section line of Section 25; thence northerly along a line parallel and 150 ft. west of said section line a distance of 455.40 ft.; thence North $85^{\circ}-06'-49''$ West a distance of 354.34 ft. to a point on the East Right-of-Way of Haverhill Road; thence Northwesterly along said Right-of-Way to the point of intersection with the Seaboard Coast Railroad South Right-of-Way line; thence Southeasterly along said Right-of-Way to the point of intersection with the West section line of Section 25; thence Northerly along said section line to the Northwest corner of section 25; thence Easterly along North section line of said section 25 to a point on said North line being 1543.17 ft. east of the Northwest corner of the Northwest 1/4 of Section 25 Range 42, Township 42; thence Southerly at a right angle from the previous bearing a distance of 686 ft. to a point on the South Right-of-Way line of Leo Lane, thence Easterly along said Right-of-Way \pm -349.52 ft. to a point, thence Southerly at a right angle to the Right-of-Way line a distance of 638 ft. to the south line of north one half of the northeast quarter of section 25; thence easterly along said line to the point of intersection with the West Right-of-Way of a drainage canal, said line being 80 ft. west of the West Right-of-Way line of S.R. 9 (I-95); thence southerly along said west canal right-of-way to the North Right-of-Way line of a drainage canal; thence westerly along said north canal Right-of-Way line to the point of intersection with the East Right-of-Way line of Military Trail; thence southerly along said right of way line 915 ft.; thence westerly to the West Right of Way line of Military Trail; thence southerly to a point on the West Right-of-Way line of Military Trail ,said point is 200 ft. north of the North Right-of-Way line of Blue Heron Blvd; thence westerly a distance of 200 ft; thence southerly to Right-of-Way line of Military Trail; thence northerly following the said Right-of-Way line to a point 190 ft. north of the North Right-of-Way line of Blue Heron Boulevard; thence Easterly, parallel with and 190.00 ft. north of North Right-of-Way of Blue Heron Boulevard a distance of 190.00 ft.; thence Southerly and parallel with and 190.00 ft. east of East Right-of-Way of Military Trail to the point of intersection with South Right-of-Way of Blue Heron Boulevard; thence South $88^{\circ}-11'-59''$ East along the said Right-of-Way a distance of 275.01 ft.; thence South $02^{\circ}-10'-17''$ West a distance of 1509.60 ft. to a point in the North Right-of-Way of State Road 710; thence South 53° -

15'-51" East along said Right-of-Way line a distance of 321.80 ft.; thence South 2°-10'-17" West parallel with East Right-of-Way of Military Trail to a point on the South Right-of-Way of Seaboard Coast Line Railroad; thence Southeasterly along said South Right-of-Way line to the point of intersection with the Westerly Right-of-Way line of South Florida Water Management District Canal C-17; thence Northerly along said Westerly Right-of-Way line of Canal-17 a distance of 770.00 ft.+/- to a point on the North Right-of-Way line of State Road 710 which is on a curve having a radius of 2159.03 ft. and concave to the Northeast; thence proceeding Northwesterly on the arc of said curve a distance of 629.00 ft.+/- to a point on the curve being the Southwest corner of a property (as Recorded in Official Record Book 2992 Page 562 Public Records of Palm Beach County); thence North 01°-56'-54" East a distance of 353.98 ft. to a point; thence North 87°-37'-23" West along the South line of said Northwest quarter (NW 1/4) 800.74 ft. to Southeast corner of Parcel A-1 as shown on Adair and Brady, Inc., Drawing 599; thence North 2°-22'-37" East along East line of the said Parcel perpendicular to the previous course 350.00 ft.; thence North 87°-37'-23" West a distance of 400.00 ft. to the intersection of the East Right-of-Way line of State Road 9; thence North 19°-20'-02" West along said Easterly Right-of-Way line of I-95, 187.57 ft. to a point in the Southeasterly Right-of-Way line of a drainage canal; thence South 70°-39'-58" West along said Canal Right-of-Way line 50.00 ft. to a point in said Easterly Right-of-Way line of I-95; thence North 19°-29'-02" West along said Right-of-Way line of I-95 and West Right-of-Way line of said Canal 1015.15 ft.; thence North 70°-39'-58" East along a line between said Plat No. 2 and Plat No. 1, Interstate Industrial Park (recorded in Plat Book 34, Page 158), a distance of 365.00 ft. to a point in the Southwesterly Right-of-Way line of Interstate Park Road West; thence South 19°-20'-02" East along said Right-of-Way line a distance of 308.67 ft. to a point in the extended Southerly Right-of-Way line of Interstate Parkway thence south 87°-56'-50" East along said Right-of-Way line to a point on the South Right-of-Way of Interstate Parkway, said point being 301.87' from the West Right-of-Way of Garden Road; thence Northerly at right angle with previous course to the South Right-of-Way of Interstate Park Road North; thence Easterly along the said South Right-of-Way to the West Right-of-Way line of Garden Road; thence North along said Right-of-Way line to its point of intersection with the South line of Section 30, Township 42 South,

Range 43 East, Palm Beach County, Florida; thence Westerly along said Section line to the point of intersection with the West Right-of-Way line of I-95 (State Road #9); thence Northwesterly along said Right-of-Way to a point 298.72 ft. South of the centerline of Blue Heron Boulevard and said the point being on the West Right-of-Way of I-95; thence North $88^{\circ}-11'-19''$ West a distance of 700.13 ft.; thence North $01^{\circ}-48'-41''$ West a distance of 400 ft. to the North Right-of-Way line of Blue Heron Boulevard; thence westerly along said right-of-way to the southwest corner of the Plat of Super 8 Center; thence Northerly parallel with East Section line a distance of 600 ft.; thence Easterly a distance of 975.32 ft. to a point on the West Right-of-Way line of State Road #9; thence continue Easterly to the East Right-of-Way of State Road #9 (I-95); thence continue Northwesterly along said Right-of-Way to a point 649.00 ft. North of the North Right-of-Way line of Blue Heron Boulevard; thence South $87^{\circ}-40'-36''$ East 853.30 ft.; thence South $02^{\circ}-19'-24'$ West 749.00 ft. to a point on the North Right-of-Way line of said Blue Heron Boulevard; thence continue Westerly along the North Right-of-Way line of Blue Heron Boulevard to the point of intersection with the East Right-of-Way line of State Road #9 (I-95); thence Southerly a distance of 200.00 ft. on the South Right-of-Way of Blue Heron Boulevard; thence Southwesterly to the point of intersection with East Right-of-Way line of I-95, thence continue along said East Right-of-Way line to a permanent reference monument as shown on Plat No. 1 of Florida-Georgia; thence South $87^{\circ}-40'-36''$ East along North property line of said Plat of Florida-Georgia a distance of 460.99 ft.; thence North $02^{\circ}-19'-42''$ East a distance of 200.00 ft. to a point being on the South Right-of-Way line of Blue Heron Boulevard; thence easterly along said Right-of-Way to the point of intersection with the southerly extension of the east Right-of-Way of Central Industrial Drive; thence northerly along said Right-of-Way to the Northwest corner of Hunt Clement Replat (PB 47, PG 104), thence easterly along the north line of said plat to the northeast corner of said plat, thence southerly along the east line of said plat to the point of intersection with the north Right-of-Way line of Blue Heron Blvd.; thence easterly along said north Right-of-Way to the point of intersection with the West Right-of-Way line of South Florida Water Management District Canal C-17; thence Northerly along said Right-of-Way line a distance of 1158 ft. to a point 2,739.84 ft. South of the North line of Section 30, said Township and Range; thence

North 87°-40'-36" West a distance of 318.42 ft. to a point; thence South 02°-19'-24" West a distance of 135.00 ft. to a point; thence North 87°-40'-36" West a distance of 367.00 to a point; thence South 02°-19'-24" West a distance of 165.00 ft. to a point; thence North 87°-40'-36" West a distance of 370 ft. to a point; thence North 02°-19'-24" East a distance of 261.00 ft. to a point; thence South 87°-40'-36" East a distance of 370.00 ft.; thence North 02°-19'-24" East a distance of 185.00 ft. to a point; thence North 87°-40'-36" West a distance of 30.00 ft.; thence North 02°-19'-24" East a distance of 313.00 ft.; thence North 87°-40'-36" West a distance of 340.0 ft. to a point of East Right-of-Way line of Central Industrial Drive; thence Northerly along said East Right-of-Way a distance of 220.52 ft.; thence South 87°-40'-36" East a distance of 1445.40 ft. to the East Right-of-Way line of Garden Road thence Northerly along said Right-of-Way to the point of intersection with the North section line of section 30; thence Easterly along said North section line to the Northwest corner of section 29, Range 43 East, Township 42 South, said point being the point of beginning.

PASSED AND ADOPTED on first reading this 4TH day of MAY, 1994.

PASSED AND ADOPTED on second reading this 18TH day of MAY, 1994.

APPROVED:

Edna K. Williams
MAYOR

Bertha Orange
CHAIRPERSON

[MUNICIPAL SEAL]

Margaret Confrey
CHAIRPERSON PRO-TEM

ATTEST:

Amanda Lynn Williams
CITY CLERK

[Signatures]
COUNCILMEMBERS

1st Reading

2nd & Final Reading

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

B. RODRIGUEZ
B. GUYTON

M. CONFREY AYE
M. MOFFITT AYE
B. ORANGE AYE
B. RODRIGUEZ AYE
B. GUYTON AYE

AYE
AYE
AYE
AYE
AYE

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

[Signature]
CITY ATTORNEY

ORDINANCE NO. 2635

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 12 OF THE CITY'S CODE BY AMENDING SECTION 12-108 RELATING TO EXEMPTIONS AND SECTION 12-128(17) RELATING TO PUBLIC ENTERTAINMENT ESTABLISHMENTS.

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 12.108 of the City Code relating to exemptions therefrom is hereby amended to create a new subsection 12-108(8) to read as follows:

(8) Noise resulting from activities of a temporary duration permitted by law and for which a permit has been approved pursuant to the special events regulations contained in Chapter 11 of the City Code.

SECTION 2. Section 12-128(17)(a) is hereby amended as follows:

* * *

Public entertainment facilities shall be permitted to conduct outdoor entertainment activities such as live performances, live bands and the playing of recorded music and dancing as an ancillary activity of their normal operations, between the hours of 5:00 p.m. to 10:00 p.m., on Fridays and Saturdays, between the hours of 4:00 p.m. and 9:00 p.m. on Sundays, and between the hours of 5:00 p.m. and 10:00 p.m. on Holidays, provided that any noises generated by such activities do not exceed 60 dBA.

SECTION 3. 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 4. 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 5. 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 6. That this ordinance shall be in full force and effect immediately upon its final passage and adoption.

PASSED and APPROVED on first reading this 18th day of May, 1994.

PASSED and ADOPTED on second and final reading this 15TH day of JUNE, 1994.

APPROVED:

Alan K. Williams

MAYOR

Bertha Orange

CHAIR

Margaret Couper

CHAIR, PRO TEM

Marilyn S. Moffitt

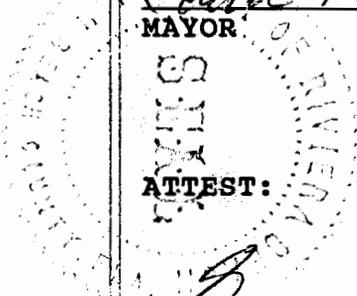
Bruce A. Guyton

[Signature]

COUNCIL MEMBERS

Frederick Davis

CITY CLERK



1st Reading

2nd & Final Reading

MOTIONED BY: B. GUYTON

B. GUYTON

SECONDED BY: B. RODRIGUEZ

B. RODRIGUEZ

B. ORANGE	<u>AYE</u>
M. CONFREY	<u>NAY</u>
B. RODRIGUEZ	<u>AYE</u>
B. GUYTON	<u>AYE</u>
M. MOFFITT	<u>NAY</u>

<u>AYE</u>
<u>NAY</u>
<u>AYE</u>
<u>AYE</u>
<u>NAY</u>

[Signature]
CITY ATTORNEY

ORDINANCE NO. 2636

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 23, ZONING, OF THE CODE OF ORDINANCES BY ASSIGNING THE ZONING CLASSIFICATION OF RML-12: LOW DENSITY MULTIPLE FAMILY DWELLING DISTRICT TO A 4.86 ACRE PARCEL OF LAND LOCATED ON THE SOUTH SIDE OF LEO LANE, APPROXIMATELY 1,025 FEET EAST OF MILITARY TRAIL; DIRECTING THE CITY CLERK TO UPDATE THE CITY'S ZONING MAP; AND 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), Florida Statutes, which provides procedures for rezonings affecting less than 5% of the City's total land area; and

WHEREAS, the Planning and Zoning Board, sitting as the Local Planning Agency, reviewed the applicant's rezoning application at a public hearing, and forwarded recommendations to the City Council.

WHEREAS, the City Council, sitting as the Local Governing Body, reviewed the request and recommendations at a public hearing, and voted to grant the applicant's request.

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

Section 1. Chapter 23, "Zoning," of the Riviera Beach Code of Ordinances is amended by assigning the zoning classification of RML-12: Low Density Multiple Family Dwelling District to a parcel of land located on the south side of Leo Lane, approximately 1,025 feet east of Military Trail, which is legally described as follows:

SECTION 25, RANGE 42, TOWNSHIP 42, WEST 330 FT. OF EAST
1560.48 FT. OF SOUTHERLY 637 FT. OF NORTH ½ OF NORTHEAST ¼.

Section 2. The City Clerk is authorized and directed to amend the "Zoning Map of the City of Riviera Beach, Florida," to reflect the changes adopted by 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 the remaining portions of the ordinance.

Section 4. This ordinance shall take effect immediately upon its adoption.

PASSED AND APPROVED on first reading this 3rd day of August, 1994.

PASSED AND ADOPTED on second and final reading this 17th day of August, 1994.

APPROVED:

Alan K. Williams
MAYOR

Bertha Orange
CHAIRPERSON

[MUNICIPAL SEAL]

Margaret Confrey
CHAIRPERSON PRO-TEM

ATTEST:

Bruce D. Guyton

Aracelis E. Pineda
CITY CLERK

Marilyn B. Wynn
COUNCILMEMBERS

1st Reading

2nd & Final Reading

MOTIONED BY: B. RODRIGUEZ
SECONDED BY: B. ORANGE

B. RODRIGUEZ
B. GUYTON

M. CONFREY NAY
M. MOFFITT AYE
B. ORANGE AYE
B. RODRIGUEZ AYE
B. GUYTON ABSENT

NAY
AYE
AYE
AYE
AYE

7.26.94

REVIEWED FOR LEGAL SUFFICIENCY
[Signature]
CITY ATTORNEY
CITY OF RIVERSIDE
DATE: 7/27/94

ORDINANCE NO. 2637

AN ORDINANCE 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, 1994 AND ENDING SEPTEMBER 30, 1995; FIXING THE MILLAGE RATE THEREON FOR SAID YEAR; CONTAINING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

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

SECTION ONE

That for the fiscal year beginning October 1, 1994 and ending September 30, 1995, 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 homestead property, \$1,358,091,923. *
* Subject to final approval of the County Equalization Board

SECTION TWO

That for the fiscal year beginning October 1, 1994 and ending September 30, 1995, a tax of eight point ninety-eight(8.98) 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 \$1,358,091,923 subject to final approval of the County Equalization Board.

SECTION THREE

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 FOUR

The proposed millage of 8.98 represents a 2.77 percent increase over the rolled-back millage rate.

SECTION FIVE

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 SIX

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 SEVEN

This ordinance shall be in full force and effect immediately upon its passage and adoption.

PASSED AND APPROVED on first reading this 7th day of September, 1994.

PASSED AND ADOPTED on second and final reading this 21st day of September, 1994

APPROVED:

Chas. K. Williams

MAYOR

CHAIRPERSON

ATTEST:

[Signature]
CITY CLERK

Margaret Confrey
CHAIRPERSON PRO TEM

Bruce A. Guyton

[Signature]
8-21-94

[Signature]
COUNCILMEMBERS

1st Reading

2nd & Final Reading

MOTIONED BY: B. GUYTON

MOTIONED BY: B. GUYTON

SECONDED BY: B. RODRIGUEZ

SECONDED BY: B. RODRIGUEZ

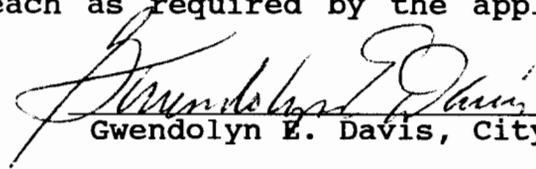
B. Orange: ABS
M. Confrey: AYE
B. Guyton: AYE
B. Rodriguez: AYE
M. Moffitt: AYE

B. Orange: ABS
M. Confrey: AYE
B. Guyton: AYE
B. Rodriguez: AYE
M. Moffitt: AYE

PAGE 3
ORDINANCE NO. 2637

CERTIFICATE 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 Statute.


Gwendolyn E. Davis, City Clerk

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM COUNTY, FLORIDA, MAKING APPROPRIATIONS FOR FISCAL YEAR ENDING SEPTEMBER 30, 1995; Containing REPEALER PROVISION AND A SEVERABILITY CLAUSE: PROVIDING 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, 1994 and ending September 30, 1995, copies of such estimates having been made available to the newspapers in the city and to the municipal library that is open to the public; and

WHEREAS, the City Council has met in a workshop session and held public hearings to ascertain the amount of money that must be raised to conduct the affairs of the municipality for the 1994-95 fiscal year so that the business of the municipality may be conducted on a balanced budget and on sound business principles and has also determined 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.

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

SECTION ONE

The following appropriations are made for the municipal operations of the City of Riviera Beach, Florida for the fiscal year 1994-95.

DEPARTMENTS, DIVISIONS AND OFFICES

<u>GENERAL FUND</u>	<u>APPROPRIATIONS</u>	
Legislative	\$	154,678
Executive:		
Office of the City Manager		190,827
General Administration	1,569,473	1,526,599
Finance		894,500
City Clerk		316,285
Personnel		330,700
Legal		328,400
Community Development and Environmental Control	1,138,640	1,163,685
Police	6,919,513	7,050,840
Fire		3,841,221
Public Works		1,604,409
Recreation & Parks		1,380,000
Library		297,775
Civil Court	40,576	38,423
Purchasing		228,000
TOTAL GENERAL FUND	19,234,997	19,346,342
 <u>ENTERPRISE FUND</u>		
Water and Sewer		8,268,005
Water and Sewer Renewal and Replacement		371,708
Water and Sewer Construction		1,950,000
Water and Sewer Debt Service		961,685
Water and Sewer Bond Reserve		400,000
New Bond Construction Fund		15,000,000
Marina		1,586,000
Marina Debt Service		550,176
Marina Renewal and Replacement		103,000
Refuse		3,610,500
TOTAL ENTERPRISE FUNDS		32,801,074

OTHER FUNDS

Excise Tax	\$	3,426,000	
Sales Tax		1,600,000	
Advance Police Training		2,000	
Community Development Block Grant		412,980	
Crime Prevention		3,450	
Beach Renourishment		24,701	
Dare Program		5,000	
Law Enforcement Trust		54,274	
Public Improvement Bond Debt Service		706,228	
Public Improvement Bond Debt Service Reserve		28,000	
Paving and Drainage Construction		577,700	
Street Renewal and Replacement		137,322	
Liability Insurance Trust		2,900,000	
Special Assessment Fund		6,200	
Donations Special Projects		5,500	
TOTAL OTHER FUNDS		9,883,855	9,889,355

SECTION TWO

That the above appropriations are made based on the following anticipated sources of revenue for the 1994-95 fiscal year:

<u>GENERAL FUND</u>	<u>REVENUE</u>		
Taxes	\$	12,135,882	
Franchise Fees		308,000	
Other Fees, Licenses and Permits		353,500	
Grants and Other Government Shared Revenues		95,240	256,585
Fines and Forfeitures		99,000	
Rents and Leases		64,400	
Other Revenues		357,000	307,000
Interfund Transfers		5,821,975	
TOTAL GENERAL FUND		19,234,997	19,346,342

ENTERPRISE FUNDS

Water and Sewer	\$	8,268,005	
Water and Sewer Renewal and Replacement		371,708	
Water and Sewer Construction		1,950,000	
Water and Sewer Debt Service		961,685	
Water and Sewer Bond Reserve		400,000	
New Bond Construction Fund		15,000,000	
Marina		1,586,000	
Marina Debt Service		550,176	
Marina Renewal and Replacement		103,000	
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TOTAL ENTERPRISE FUNDS		32,801,074	

OTHER FUNDS

Excise Tax	\$	3,426,000	
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Street Renewal and Replacement	137,322	
Liability Insurance Trust	2,900,000	
Special Assessment Fund	6,200	
Donations Special Projects	5,500	
TOTAL OTHER FUNDS	9,883,855	9,889,355

SECTION THREE

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 FOUR

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 1994-95, which shall be entitled "Annual Budget of the City of Riviera Beach, Fiscal Year October 1, 1994 through September 30, 1995".

SECTION FIVE

The Finance Director is authorized to increase these appropriations by amounts representing encumbrances properly budgeted for, and carried over from fiscal year 1993-94.

SECTION SIX

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 SEVEN

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 EIGHT

This ordinance shall be effective upon its passage by the City Council and shall not be delivered to the Municipal Code Corporation for inclusion in the Code Book.

PASSED AND APPROVED on first reading this 7th day of September, 1994

PASSED AND ADOPTED on second and final reading this 21st day of September, 1994.

APPROVED:

Oliver K. Williams
MAYOR

CHAIRPERSON

ATTEST:

Gwendolyn E. Davis
CITY CLERK

Margaret Confrey
CHAIRPERSON PRO TEM

Bruce A. Guyton

Walter S. Moffitt

ABS
COUNCILPERSONS

AS TO FIGURES
9/12/94

1st Reading

2nd & Final Reading

MOTIONED BY: B. RODRIGUEZ

MOTIONED BY: B. RODRIGUEZ

SECONDED BY: M. MOFFITT

SECONDED BY: B. GUYTON

B. Orange: ABS
M. Confrey: AYE
B. Guyton: AYE
B. Rodriguez: AYE
M. Moffitt: AYE

B. Orange: ABS
M. Confrey: AYE
B. Guyton: AYE
B. Rodriguez: AYE
M. Moffitt: AYE

CERTIFICATE 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 Statute.

Gwendolyn E. Davis
Gwendolyn E. Davis, City Clerk

APPROVED AS TO FIGURES:

Dennis Widlansky, Asst. City Manager
for Finance & Administrative Services

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY FLORIDA, AMENDING CHAPTER 22 ENTITLED "WATER RATE SCHEDULES" RELATING TO WATER SERVICE; SECTION 22-3, 22-4, 22-37 ENTITLED "SCHEDULE OF RATES" RELATING TO SEWER SERVICE; PROVIDING A PENALTY CLAUSE, REPEALING CLAUSE, SAVING CLAUSE, CREATING A NEW SECTION ENTITLED SECTION 22-14, PROVIDING AN AUTOMATIC 4.2% INCREASE, EFFECTIVE OCTOBER 1, 1994, AND EACH OCTOBER 1 HEREAFTER FOR FOUR CONSECUTIVE YEARS, AND AUTHORITY TO CODIFY, AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

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

SECTION ONE: ARTICLE I - WATER RATES AND PROCEDURES

That Chapter 22 of the Code of Ordinances is amended by revising Sections 22-3, 22-4, and 22-37 as follows:

22-3 (d) Readiness-to-serve Charge, Residential:

<u>READINESS TO SERVE</u>	<u>SINGLE FAMILY</u>		<u>MULTI-FAMILY</u>	
First Unit	\$4.08	\$4.25	\$4.08	\$4.25
Additional Units	\$4.08	\$4.25	\$4.08	\$4.25

USAGE

First 3,000 Gallons	\$0.52	\$0.54	\$0.52	\$0.54
Next 3,000 Gallons	0.92	\$0.96	0.92	\$0.96
Next 4,000 Gallons	1.27	\$1.32	1.27	\$1.32
Next 5,000 Gallons	1.50	\$1.56	1.50	\$1.56
Next 5,000 Gallons	1.73	\$1.80	1.73	\$1.80
Over 20,000 Gallons	1.96	\$2.04	1.96	\$2.04

COMMERCIAL

3/4" METER

READINESS TO SERVE: ~~\$4.08~~ 4.25

USAGE

First 10,000 Gals.	\$1.09	\$1.14
Next 20,000 Gals.	1.32	1.38
Over 30,000 Gals.	1.55	1.62

1-1/2" METER

READINESS TO SERVE: ~~\$24.73~~ 25.77

USAGE

First 60,000 Gals.	\$1.09	\$1.14
Next 120,000 Gals.	\$1.32	\$1.38
Over 180,000 Gals.	\$1.55	\$1.62

3" METER

READINESS TO SERVE: ~~\$81.65~~ \$85.08

USAGE

First 600,000 Gals.	\$1.09	\$1.14
Next 1,200,000 Gals.	\$1.32	\$1.38
Over 1,800,000 Gals.	\$1.55	\$1.62

6" METER

READINESS TO SERVE: ~~\$316.25~~ \$329.53

1" METER

READINESS TO SERVE: ~~\$12.36~~ \$12.88

USAGE

First 30,000 Gals.	\$1.09	\$1.14
Next 60,000 Gals.	1.32	\$1.38
Over 90,000 Gals.	1.55	\$1.62

2" METER

READINESS TO SERVE: ~~\$49.45~~ 51.53

USAGE

First 120,000 Gals.	\$0.95	\$1.14
Next 240,000 Gals.	\$1.15	\$1.38
Over 360,000 Gals.	\$1.55	\$1.62

4" METER

READINESS TO SERVE: ~~\$163.30~~ \$170.16

USAGE

First 900,000 Gals.	\$1.09	\$1.14
Next 1,200,000 Gals.	\$1.32	\$1.38
Over 2,700,000 Gals.	\$1.55	\$1.62

8" METER

READINESS TO SERVE: ~~\$549.70~~ \$572.79

USAGE

First 1,200,000 Gals. ~~\$1.09~~ \$1.14
Next 2,400,000 Gals. ~~\$1.32~~ 1.38
Over 3,600,000 Gals. ~~\$1.55~~ 1.62

USAGE

First 1,500,000 Gals. ~~\$1.09~~ \$1.14
Next 3,000,000 Gals. ~~\$1.32~~ 1.38
Over 4,500,000 Gals. ~~\$1.55~~ 1.62

10" METER

READINESS TO SERVE: ~~\$933.80~~ \$973.02

USAGE

First 1,800,000 Gallons: ~~\$1.09~~ \$1.14
Next 3,600,000 Gallons: ~~\$1.32~~ \$1.38
Over 5,400,000 Gallons: ~~\$1.55~~ \$1.62

MOTELS AND HOTELS

READINESS TO SERVE

First Unit ~~\$4.08~~ \$4.25
Next Unit ~~\$4.08~~ \$4.25

IRRIGATION METERS

READINESS TO SERVE ~~\$5.75~~ \$5.99

USAGE

First 10,000 Gal. ~~\$1.09~~ \$1.14
Next 30,000 Gal. ~~\$1.32~~ \$1.38
Over 40,000 Gal. ~~\$1.55~~ \$1.62

USAGE

First 10,000 Gals. ~~\$1.15~~ \$1.20
Next 10,000 Gals. ~~\$1.50~~ \$1.56
Next 10,000 Gals. ~~\$1.73~~ \$1.80
Next 10,000 Gals. ~~\$1.96~~ \$2.04
Next 40,000 Gals. ~~\$2.01~~ \$2.09
Next 70,000 Gals. ~~\$2.13~~ \$2.22
Next 150,000 Gals. ~~\$2.24~~ \$2.33
Next 150,000 Gals. ~~\$2.36~~ \$2.46
Next 150,000 Gals. ~~\$2.47~~ \$2.57
Next 150,000 Gals. ~~\$2.59~~ \$2.70
Over 750,000 Gals. ~~\$2.70~~ \$2.81

* * * *

SECTION 22-3 WATER RATE SCHEDULES

(j) Basis for motel and hotel schedule. A separate classification is for motels and hotels. The schedule of rates presents the motel/hotel rate structure. The readiness-to-serve charge is four dollars and twenty-five cents per unit, with no distinction between the first and next units. Consumption will be billed at the inverse use rate table. The billings for the motel and hotel classification will be on the average consumption per unit.

* * * *

Hydrant Rentals. * This rate will apply to all hydrants the City maintains. The rate will be fourteen dollars and ~~nine~~ sixty-eight cents (~~\$14.09~~) (\$14.68) per hydrant per month.

* Cross Reference - Hydrant Specifications; 22-86

(n) **Standby private fire protection systems.** This will include service to private hydrants, sprinkler systems, hose cabinets, standpipes or any other device used exclusively for fire protection. The annual charge for unmetered private fire protection shall be:

Service Diameter (Inches) Annual Amount

2	-----	\$ 76.00	79.00
4	-----	114.00	119.00
6	-----	166.00	173.00
8	-----	353.00	368.00
10	-----	635.00	662.00

* * * *

(p) **Billing Deposits*** For each residential unit and each commercial unit the minimum billing security deposit shall be as follows:

METER SIZE <u>(INCHES)</u>	MINIMUM <u>RESIDENTIAL</u>	MINIMUM <u>COMMERCIAL</u>
$\frac{3}{4}$ or smaller	46.00	86.00
1	92.00	128.00
1 $\frac{1}{2}$	127.00	359.00
2	167.00	465.00
3	253.00	1150.00
4	621.00	1725.00
6	805.00	2300.00
8	920.00	3450.00
10	1035.00	4600.00

* * * *

(q) **Connection Charges.**

METER SIZE <u>(Inches)</u>	<u>Charge</u>
$\frac{3}{4}$ or smaller	----- \$ 138.00 144.00
1	----- 219.00 228.00
1 $\frac{1}{2}$	----- 345.00 359.00
2	----- 489.00 510.00
3	----- cost
4	----- cost
6	----- cost
8	----- cost
10	----- cost

(r) **Capital Improvements Charge.**

(1) Except as otherwise provided by law, every property owner or developer whose property receives water service and/or sewer service from systems owned, supplied or served by the City of Riviera Beach shall pay to the city a water and sewer capital improvement charge prior to the issuance of a service or a building permit on each dwelling unit or equivalent residential unit as follows:

Water service per equivalent residential unit -\$889.00

* * * *

(s) **Standby Service.** The regular minimum charge (readiness to serve) remains the same for water and sewer service while the water is turned off, plus a five-dollar and ninety-nine cents (\$5.99) turn-off charge. When service is resumed, there is a turn-on charge of five dollars and ninety-nine cents (\$5.99). Standby charges for the full number of units effective upon requesting water and/or service.

* * * *

SECTION 2. THAT CHAPTER 22, ARTICLE I, SECTION 22-4 OF THE CITY CODE IS HEREBY AMENDED TO READ AS FOLLOWS:

SECTION 22-4. ADDITIONAL FEES AND CHARGES.

Construction Meter Deposit:

2" Fire Hydrant Meter -----\$ 250.00

3" Fire Hydrant Meter -----\$ 500.00

* * * *

SECTION 3. THAT CHAPTER 22, ARTICLE II, SECTION 22-37 OF THE CITY CODE IS HEREBY AMENDED TO READ AS FOLLOWS:

SECTION 22-37. Schedule of Rates.

* * * *

(b) **Residential Single and Multiple Unit Sewer Service.**

(1) **Availability.**

(The rates listed below are available to) all residences, apartments, condominiums and mobile home parks within the territory served by the City of Riviera Beach, Florida.

(2) **Readiness-to-serve Charge:**

All single unit accounts shall pay a monthly rate

of-----~~\$4.08~~ \$4.25

All multiple units shall pay a monthly rate for the first unit in each building of -----~~\$4.08~~ \$4.25

Each additional unit within each building shall pay a monthly rate of -----~~\$4.08~~ \$4.25

Each unit where no water is furnished or metered shall pay a flat monthly rate of-----~~\$8.45~~-\$8.80

The readiness-to-serve charge does not include any usage.

Each unit of any building having separate units which are used for the housing of two (2) or more families or for commercial purposes, or for both such purposes, and each trailer space of any trailer park shall be considered a unit. As in the case of storage bays, the number of units will be based on the number of water closets required under the Southern Building Code (sic) in relation to the number of bays. One water closet equals one unit. Where more than one meter serves a property, the rate is computed on the basis of each meter.

(3) Usage.

All sewer service will be charged on the basis of monthly metered usage at the rate of one dollar and ~~seven~~ eleven cents (~~\$1.07~~ (\$1.11) per one thousand (1,000) gallons monthly metered water usage up to a maximum usage of ten thousand (10,000) gallons, per unit.

* * * *

(h) Capital Improvements Charge.

(1) Except as otherwise provided by law, every property owner or developer whose property receives water service and/or sewer service from system owned, supplied or serviced by the City of Riviera Beach shall pay to the city a water and sewer capital improvement charge prior to the issuance of a building permit on each dwelling unit, or equivalent residential unit as follows:

Sewer service per equivalent residential unit----- \$696.00

* * * *

(i) **Standby Service.** The regular minimum charge, readiness-to-serve, remains the same for water and sewer service while the water is turned off, plus a five-dollar and ninety-nine cents (\$5.99) turn-off charge. When service is resumed, there is a turn-on charge of five dollars and ninety-nine cents (\$5.99). Standby charges for the full number of units become effective upon requesting water and/or sewer services.

(j) **Commercial Single and Multiple Unit Sewer Rate.**

(1) **Availability.**

(The rates listed below are available to) all commercial and motel/hotel entities within the territory served by the City of Riviera Beach, Florida.

(2) **Monthly Rate; readiness-to-serve charge:**

All Single unit Accounts shall pay a monthly rate of -----~~\$4.31~~ \$4.49

All multiple units shall pay a monthly rate for the first unit in each building of -----~~\$4.31~~ \$4.49

Each additional unit within each building shall pay a monthly rate of -----~~\$4.31~~ \$4.49

(3) **Usage.** All sewer service will be charged on the basis of monthly metered water usage at the rate of one dollar and thirty-four cents (~~\$1.29~~) \$1.34 per thousand (1,000) gallons.

SECTION 22-14 - AUTOMATIC RATE INCREASE

Beginning October 1, 1994, and each fiscal year thereafter through the fiscal year beginning October 1, 1998, the Water & Sewer rates set forth in Sections 22-3, 22-4 and 22-37 respectively herein, shall be automatically increased by 4.2 percent each year.

PASSED and APPROVED on first reading this 7th day of September, 1994.

PASSED AND ADOPTED this 21st day of September, 1994.

APPROVED:

Edna K. Williams
MAYOR

ATTEST:

Therese Davis
CITY CLERK

CHAIRPERSON

Margaret Conkey
CHAIRPERSON PRO TEM
Bruce A. Gump
Marilyn S. Wofford

FIRST READING MOTIONED BY: B. GUYTON

SECONDED BY: B. RODRIGUEZ

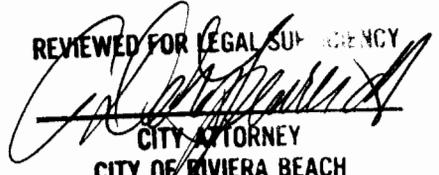

COUNCIL MEMBERS

M. CONFREY AYE
B. GUYTON AYE
M. MOFFIT AYE
B. ORANGE ABS
B. RODRIGUEZ AYE

LDP/dh/sb

SECOND READING: MOTIONED BY: B. RODRIGUEZ
SECONDED BY: M. MOFFITT

M. CONFREY AYE
G. GUYTON AYE
M. MOFFITT AYE
B. ORANGE ABS
B. RODRIGUEZ AYE

REVIEWED FOR LEGAL SUFFICIENCY

CITY ATTORNEY
CITY OF RIVIERA BEACH
DATE: _____

ATTACHMENT #3

ORDINANCE SECOND SUBMITTAL - CORRECTIONS ARE AS FOLLOWS:

PAGE 2 - SECTION 22-3 WATER RATE SCHEDULES. Hydrant Rentals \$14.09 increased to \$14.68

PAGE 3 - Service Diameter the annual amount column was reduced

"p" - Billing Deposits will remain the same, therefore it was reduced

"q" - Connection Charges were reduced

PAGE 4 - SECTION 22-4 Construction Meter Deposit will remain the same, therefore it was reduced

PAGE 5 - (3) Usage was increased from \$1.07 to \$1.11

PAGE 6 - CREATED NEW SECTION ENTITLED - SECTION 22-14 AUTOMATIC RATE INCREASE

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 CREATING VARIOUS CLASSIFIED AND UNCLASSIFIED POSITIONS UNDER CLASS TITLE POLICE (NON-SWORN) AND 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, Article VI, Division 3, of the Code of Ordinance of Riviera Beach relating to rates of pay and salary schedule be amended by creating various classified positions:

<u>CLASS TITLE</u>	<u>CLASSIFICATION</u>	<u>PAY GRADE</u>	<u>SALARY</u>
POLICE (Non Sworn)	Information Manager	ADM D	\$ 27,567-
			\$ 35,837
	Crime Analyst	G24	\$ 18,254-
			\$ 28,497
	Asset Technician	G11	\$ 13,529-
			\$ 21,028

SECTION 2. This Ordinance shall take effect as provided by law.

PASSED AND APPROVED on first reading this 7th day of September, 1994.

PASSED AND ADOPTED on second and final reading this 21st day of September, 1994.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

CHAIRPERSON

CHAIRPERSON PRO TEM

COUNCIL MEMBERS

1ST READING

2ND READING

Motioned by: M. MOFFITT
 Seconded by: B. GUYTON

B. RODRIGUEZ
B. GUYTON

B. Orange ABS
 M. Confrey AYE
 B. Rodriguez AYE
 B. Guyton AYE
 M. Moffitt AYE

ABS
AYE
AYE
AYE
AYE

[Handwritten signature]
 8/31/94