

**AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING ARTICLE II OF CHAPTER 22 ENTITLED BUILDINGS AND BUILDING REGULATIONS INCLUSIVE, AND THEREBY UPDATING AND REVISING THE TECHNICAL CODES INCLUSIVE, AND THEREBY UPDATING AND REVISING THE TECHNICAL CODE FOR THE CITY; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 166 Florida Statutes, empowers municipalities to provide for the health, safety and general welfare, including the enactment and enforcement of construction and related technical codes and regulations; and

**WHEREAS**, pursuant to Chapter 90-445, Laws of Florida 1994 Edition; as amended, Palm Beach County has adopted by Ordinance the Standard Building, Plumbing, Mechanical, and Gas Code; and

**WHEREAS**, pursuant to Chapter 90-445 Laws of Florida and Section 553.73 (a), Florida Statutes, and the Building Code Building Code Advisory Board of Palm Beach County has reviewed local conditions, and based on this review has recommended the adoption of these amendments; and

**WHEREAS**, it will be in the best interest of the public to strengthen the technical codes for the health, safety and general general welfare of citizens of the City of Riviera Beach, Florida.

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

**Section 1.** Article II. of Chapter 22 is hereby amended and reads as follows:

**ARTICLE II BUILDING AND TECHNICAL CODES**

**Sec.22-31. Codes Adopted.**

(a) The city hereby adopts as building codes for the city, the below-listed editions of the codes of the Southern Building Code Congress International, Inc., and the National Electrical Code:

- (1) Standard Building Code, 1991, 1994 Edition
- (2) Standard Mechanical Code, 1991, 1994 Edition

- (3) Standard Gas Code, 1991, 1994 Edition
- (4) Standard Plumbing Code, 1991, 1994 Edition
- (5) Standard Fire Prevention Code, 1991, 1994 Edition
- (6) Standard Existing Building Code, 1991, 1994 Edition
- (7) Standard Housing Code, 1991, 1994 Edition
- (8) National Electrical Code, 1990, 1996 Edition
- (9) Standard Swimming Pool Code, 1991, 1994 Edition
- (10) Standard Unsafe Building Abatement Code, 1985 Edition
- (11) Standard Excavation and Grading Code, 1975 Edition
- ~~(12) Model Countywide Administrative Code, 1991 Edition~~

(b) Three copies of the above referenced codes shall be kept on file in the building division's office of the city and shall be available for public inspection upon request. Such codes are herein incorporated by reference and made part of this Code, subject only to specific additions, deletions, or amendments set out within this Code (Code 1957 sEC. 6-1; Ord. No. 2621, Sec. 1(6-1), 12-15-93)

#### **Sec. 22-32 County Amendments Adopted.**

(a) The following model countywide amendments to the codes adopted in Section 22-31 are hereby adopted and incorporated herein as part of the minimum building standards for the City:

- (1) Amendments to the Standard Building Code, ~~1994~~, 1994 Edition
- (2) Amendments to the Standard Mechanical Code, ~~1994~~, 1994 Edition
- (3) Amendments to the Standard Gas Code, ~~1994~~, 1994 Edition
- (4) Amendments to the Standard Plumbing Code, ~~1994~~, 1994 Edition
- (5) Amendments to the National Electrical Code, ~~1990~~ 1996 Edition
- ~~(6) Standard Building Code, Appendices A and D~~
- ~~(7) Amendments to the Standard Building Code, Appendices 1, 2, and 3~~

(b) Three (3) copies of the above referenced amendments shall be kept on file in the Building Division's Office of the City and shall be available for public inspection upon request.

(Code 1957, Sec. 6-2; Ord. No. 2621, Sec. 1(6-2), 12-15-93)

#### **SECTION. 22-33. Schedule of Permit Fees.**

Permit fees shall be based on the estimated value as defined in subsection (b) of this section and multiplied by the following applicable percentage rates. Primary or Master permits will include the cost of all sub-permits, provided the necessary information is completely detailed on the plans and the total cost of such improvements is included in the estimated value. (Reference: Current Building Valuation Data as listed in the Southern Building Code publication, quarterly.)

2%	\$	0.00	-	\$	10,000.00	PLUS
1%	\$	10,001.00	-	\$	100,000.00	PLUS
.5%	\$	100,001.00	-	\$	500,000.00	PLUS
.25%	\$	500,001.00	-	\$	1,000,000.00	PLUS
.125%	\$	1,000,000.00	-		AND UP	

The minimum permit fee shall not be less than \$30.00

Moving Building.....	\$100.00
Building Demolition.....	100.00
Construction Trailers.....	30.00
Notary.....	1.00
Copies per page.....	.15
Microfilm per page.....	1.00
Building Board of Adjustment.....	100.00
Occupational License Inspection.....	30.00
Failure to call for final inspection each permit	30.00
Re-inspection Fee.....	30.00
Temporary Electrical Power Fee.....	30.00
City agents assigned as resident inspectors:	
Threshold buildings per hour.....	<del>20.00</del> ... \$ 24.00
Residential projects per hour.....	<del>16.00</del> ... \$ 20.00

**(b)** The estimated value shall include the total cost of construction. If, in the opinion of the building official, the valuation is underestimated on the application, the permit shall be denied, unless the applicant can provide a detailed cost estimate which meets the approval of the building official.

(Code 1957, Sec. 6-3; Ord. No. 2621, Sec. 1(6-3), 12-15-93)

**SECTION 22-34. Construction Not in Compliance with Codes Prohibited.**

**(a)** No Construction shall be done within the corporate limits of the City except in accordance with the codes adopted in Section 22-31 and the applicable provisions of this Code.

**(b)** Any person whose construction, or building-related work and work practices, do not conform with the provisions of this Code shall, upon written notice from the building official, make required changes or corrections for conformity with this Code. If such changes or corrections have not been made within ten calendar days after notice from the building official, no more building permits shall be issued to such person unless and until compliance with the Code occurs.

(Code 1957, Sec. 6-5; Ord. No. 2621, Sec. 1(6-5), 12-5-15-93)

**SECTION 22-35. Use of Aluminum Conductors.**

(a) The electrical code as refernced herein is amended to omit the use of aluminum conductors in all structures, commercial or residential, in the city, other than U.L.-approved bus ways, switch gears and temporary services for construction sites only. This omission of the use of aluminum conductors sites applies to new construction, fire-damaged existing structures major repairs, and remodeling of existing structures requiring a change of service.  
(Code 1957, Sec. 6-6; Ord. No. 2621, Sec. 1 (6-6),12-15-93)

**Section 2.** This ordinance shall take effect immediately upon its approval.

**PASSED AND APPROVED** this 6TH day of NOVEMBER, 1996.

**PASSED and ADOPTED** this 20TH day of NOVEMBER, 1996.

**APPROVED:**

Clara K. Williams  
MAYOR

Marantha Becton  
CHAIRPERSON

[MUNICIPAL SEAL]

Christell Ward  
CHAIRPERSON PRO-TEM

**ATTEST:**

Marilyn S. Moffitt

[Signature]  
CITY CLERK

Margaret Confrey

**COUNCIL MEMBERS**

**1st Reading**

**2nd & Final Reading**

**MOTIONED BY:** M. MOFFITT  
**SECONDED BY:** E. WADE

M. MOFFITT  
E. WADE

**C. BECTON** AYE  
**E. WADE** AYE  
**M. CONFREY** AYE  
**M. MOFFITT** AYE  
**E. JORDAN-WESTON** AYE

AYE  
AYE  
AYE  
AYE  
ABS

[Handwritten notes]  
DATE 10/25/96

ORDINANCE NO. 2723

**AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE FUTURE LAND USE MAP IN THE CITY OF RIVIERA BEACH COMPREHENSIVE PLAN BY ASSIGNING THE FUTURE LAND USE DESIGNATION OF "COMMUNITY FACILITIES" TO A PARCEL OF LAND LOCATED ON THE EAST SIDE OF BROADWAY APPROXIMATELY 220' FEET SOUTH OF EAST 20TH STREET; DIRECTING THE CITY CLERK TO UPDATE THE FUTURE LAND USE MAP; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the State of Florida "Local Government Comprehensive Planning and Land Development Regulation Act" of 1985 provides procedures to amend the adopted Comprehensive Plan; and

**WHEREAS**, the entire Plat of Light Harbor, according to the Plat thereof on file in the Office of the Clerk of the Circuit Court in and for Palm Beach County, Florida, recorded in Plat Book 68, Pages 28 and 29, is currently assigned a Downtown Mixed Use designation; and

**WHEREAS**, on August 8, 1996, the Planning and Zoning Board, sitting as the Local Planning Agency, reviewed the proposed change at a Public Hearing, and forwarded a recommendation to the City Council; and

**WHEREAS**, the City Council sitting as the Local Governing Body, reviewed the request and recommendations and conducted a Public Hearing and second reading of this ordinance; and

**WHEREAS**, the City, on August 8, 1996, forwarded the applicant's request for a small-scale comprehensive land use amendment to the Palm Beach County Intergovernmental Plan Amendment Review Committee Clearinghouse for interjurisdictional compatibility review and no objections have been received; and

**WHEREAS**, pursuant to Florida Statutes 163.3187 (c), entitled "small scale amendments," the City shall transmit this amendment to the Florida Department of Community Affairs for review and comment.

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

**SECTION 1.** The Future Land Use Map in the Riviera Beach Comprehensive Plan is hereby amended to assign the Riviera Beach "Community Facility" future land use designation to the parcels of land legally described as follows:

ALL OF THE PLAT OF LIGHT HARBOR MARINA, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, RECORDED IN PLAT BOOK 68, PAGES 28 AND 29.

**SECTION 2.** The Director of the Department of Community Development and Environmental Control is hereby authorized and directed to reflect these amendments on the City's Future Land Use Map by the appropriate means of designating all changes described 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 any remaining portions of the Ordinance.

**SECTION 4.** The effective date of this ordinance shall be following the successful completion of the State Land Planning Agency review and compliance procedures for small scale amendments in accordance with Section 163.3187 (c)(4), Florida Statutes.

**PASSED AND APPROVED** on first reading this 4TH day of DECEMBER, 1996.

**PASSED AND ADOPTED** on second reading this 18TH day of DECEMBER, 1996.

APPROVED:

Clare K. Williams  
MAYOR

Marionna Becton  
CHAIRPERSON

[MUNICIPAL SEAL]

Christine Wood  
CHAIRPERSON PRO-TEM

ATTEST:

Carrin E. Nord  
CITY CLERK

Carole Weston

\_\_\_\_\_  
COUNCIL MEMBERS

1st Reading

2nd & Final Reading

MOTIONED BY: E. WADE  
SECONDED BY: E. WESTON

E. WADE  
E. WESTON

E. WESTON AYE  
M. MOFFITT NAY  
C. BECTON AYE  
M. CONFREY NAY  
E. WADE AYE

AYE  
ABS  
ABS  
AYE  
AYE

lghthrbr.cpa  
11/4/96

REVIEWED FOR LEGAL SUFFICIENCY  
[Signature]  
12/5/96

ORDINANCE NO. 2724

**AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 31 "ZONING" OF THE CODE OF ORDINANCES BY ASSIGNING CF: COMMUNITY FACILITY ZONING TO 6.7 ACRES OF LAND LOCATED ON THE EAST SIDE OF BROADWAY APPROXIMATELY 220' FEET SOUTH OF EAST 20TH STREET; DIRECTING THE CITY CLERK TO UPDATE THE CITY'S ZONING MAP; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Section 166.041 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 amendments affecting less than 5% of the City's total land area; and

**WHEREAS**, the subject property is currently zoned CG: General Commercial District and CM: Marine/Commercial District on the City of Riviera Beach Zoning Map; and

**WHEREAS**, on August 8, 1996, the Planning and Zoning Board, sitting as the Local Planning Agency, reviewed the proposed zoning change at a Public Hearing, and forwarded recommendations to the City Council.

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

**SECTION 1.** Chapter 31, "Zoning" of the Riviera Beach Code of Ordinances is amended by assigning CF (Community Facility) zoning to the parcel of land legally described as follows:

ALL OF THE PLAT OF LIGHT HARBOR MARINA, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, RECORDED IN PLAT BOOK 68, PAGES 28 AND 29.

**SECTION 2.** The City Clerk is authorized and directed to amend the City's official Zoning Map in accordance with the changes effected under this Ordinance.

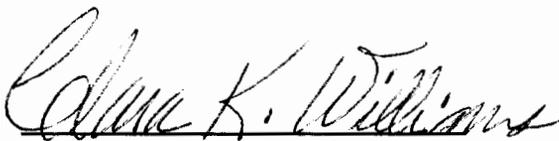
**SECTION 3.** If any word, phrase, clause, subsection or section of this Ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of the Ordinance.

**SECTION 4.** That this Ordinance shall be in full force and effective immediately upon its passage and adoption.

**PASSED AND APPROVED** on first reading this 4TH day of DECEMBER, 1996.

**PASSED AND ADOPTED** on second reading this 18TH day of DECEMBER 1996.

**APPROVED:**



MAYOR



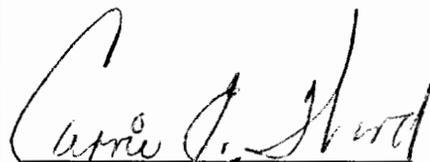
CHAIRPERSON

[MUNICIPAL SEAL]

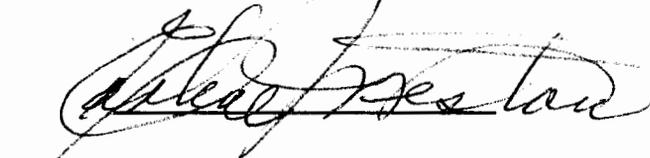


CHAIRPERSON PRO-TEM

**ATTEST:**



CITY CLERK



COUNCIL MEMBERS

1st Reading

2nd & Final Reading

MOTIONED BY: E. WADE

E. WADE

SECONDED BY: E. WESTON

E. WESTON

E. WESTON AYE

AYE

M. MOFFITT NAY

ABS

C. BECTON AYE

AYE

M. CONFREY NAY

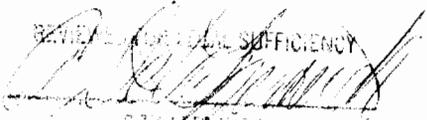
ABS

E. WADE AYE

AYE

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11/4/96

  
 REVIEWED FOR LEGAL SUFFICIENCY  
 CITY CLERK  
 DATE: 12/5/96

ORDINANCE NO. 2725

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, FLORIDA AMENDING CHAPTER 14, ARTICLE II OF THE CODE OF ORDINANCES OF THE CITY OF RIVIERA BEACH, RELATING TO THE RETIREMENT SYSTEM FOR GENERAL EMPLOYEES, TO PROVIDE FOR THREE YEAR TERMS OF OFFICE FOR MEMBERS OF THE BOARD OF TRUSTEES; PROVIDING FOR STAGGERED ELECTIONS AND APPOINTMENTS TO THE BOARD OF TRUSTEES; PROVIDING FOR A REPEALER; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Code of Ordinances of the City of Riviera Beach provides for the governance of the City of Riviera Beach General Employees Retirement System by a Board of Trustees, and

WHEREAS, the Code of Ordinances presently provides that all members of the Board of Trustees of the General Employees Retirement System shall serve coterminous, annual terms of office, and

WHEREAS, the City Council of the City of Riviera Beach has found that coincidental election and appointment of all members of the Board of Trustees may cause undue disruption of the orderly functioning and administration of Retirement System, and

WHEREAS, the City Council of the City of Riviera Beach has determined that staggered elections and appointments to three year terms of office would ensure a more stable administration of the Retirement System, and would promote thereby the interests of the beneficiaries thereof,

NOW, THEREFORE, THE CITY OF RIVIERA BEACH HEREBY ORDAINS:

Section 1. That Section 14-27 of the Code of Ordinances of the City of Riviera Beach, Florida be and the same is hereby amended to read as follows:

**Sec. 14-27. Administration.**

The general administration and responsibility for the proper operation of the retirement system and for making effective the provisions of this article are hereby vested in an administration board consisting of seven persons, as follows: four members other than general employees to be appointed as provided in this section; and three general employee members to be elected as provided in this section.

(1) The term of office of each board member shall be for ~~one year~~ three years, except that the initial term following the effective date of this Section of the members of each category shall be as set forth ~~in this section~~ herein.

(2) The appointed members shall be appointed by the mayor with the approval of a majority of the city council. They may be residents of the city and shall not be employees of the city. ~~On the initial appointment for terms starting on November 1, 1974, the Mayor shall designate which appointees shall serve a one-year term, a two-year term and a three-year term. Following the effective date of this Section, each appointed position shall be appointed for a three year term of office upon the respective expirations of the terms of office then in effect.~~

(3) The elective members shall be participants in the plan and elected in the following manner: One member shall be elected from the participants and by the participants in the plan from the city manager, finance, city clerk, ~~personnel~~, human resources, ~~police~~, recreation, marina, community development and environmental control, and library departments, ~~as well as from and by non-sworn participants of the police and fire departments~~; one member shall be elected from the participants and by the participants in the public works department and one member shall be elected from the participants and by the participants in the water and sewer department. ~~On the initial election the participant receiving the highest number of votes shall be elected for a three-year term starting November 1, 1974. The participant receiving the second highest number of votes shall be elected for a two-year term starting November 1, 1974. The other participant shall serve initially for a one-year term starting November 1, 1974. The initial term following the effective date of this Section for the board member representing the participants of the water and~~

sewer department shall be a two year term beginning on November 1, 1997. The initial term following the effective date of this Section for the board member representing the participants of the public works department shall be a three year term beginning November 1, 1997. The initial term following the effective date of this Section for the board member representing participants from the city manager, finance, city clerk, human resources, recreation, marina, community development and environmental control, and library departments, as well as the non-sworn participants from the police and fire departments, shall be a two year term beginning November 1, 1997. The elections shall be held in such time and place as designated by the city manager, at which meeting all participants of the plan shall be entitled to vote for nominees of their respective department. All participants shall be notified of the meeting at least ten days in advance of the meeting, either in writing or by the posting of notices on departmental bulletin boards. The candidates receiving the highest number of votes shall be declared elected and shall take office as soon thereafter as qualified. The election shall be held each year not more than 30 days prior to November 1.

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Section 2. That all sections or parts of sections of the Code of Ordinances, all ordinances or parts of ordinances, all charter sections or parts of sections, and all resolutions or parts of resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

Section 3. If any word, phrase, clause, subsection or sections of this ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not effect the validity of any remaining portions of this ordinance.

Section 4. Codification of this ordinance in the City Code of Ordinances is hereby authorized and directed.

Section 5. The provisions of this ordinance shall take effect immediately upon adoption.

PASSED AND APPROVED on first reading this 20 day of NOVEMBER, 1996.

PASSED AND ADOPTED on second and final reading this 4TH day of DECEMBER, 1996.

APPROVED:

Clara K. Williams  
Mayor  
(Municipal Seal)

Hyacinthia Becton  
Chairperson

Elizabeth Wood  
Chairperson Pro Tem

Warilyn L. Moffitt

Carlene Weston

Margaret Confrey  
Councilperson

ATTEST

[Signature]  
City Clerk

1ST READING

2ND READING

MOTIONED BY: E. WADE

M. MOFFITT

SECONDED BY: M. MOFFITT

E. WADE

C. Becton AYE  
E. Wade AYE  
M. Moffitt AYE  
E. Weston ABS  
M. Confrey AYE

AYE  
AYE  
AYE  
AYE  
AYE

[Signature]  
DESIGNED FOR LEGAL SUFFICIENCY  
CITY ATTORNEY  
CITY OF DANFORTH BEACH  
DATE: 11-8-96

ORDINANCE NO. 2726

**AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING PETITIONS FOR VOLUNTARY ANNEXATION FOR FOUR PETITIONERS WITH 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 Riviera 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); and

**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, 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**

Edward Meagher  
Property Control No. 00-42-42-25-00-000-1280

**Petition #2**

Church of Christ West Palm Beach, Inc.  
Property Control No. 00-42-42-25-00-000-1270  
00-42-42-25-00-000-1271

**Petition #3**

McGehee Realty  
Property Control No. 00-43-42-30-24-000-0010

**Petition #4**

Palm Beach Bedding Company  
Property Control No. 00-43-42-31-00-000-3031

**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 annexations shall become effective.

**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°-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°-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 the Northeast corner of Section 25; thence Easterly along the north section line of Section 30 to a point 421.06 ft. East of the Northwest corner of Section 30; thence South  $02^{\circ}19'24''$  West to a point on the North right-of-way of Central Industrial Drive North; thence Westerly along said right-of-way and the westerly extension of said North right-of-way to a point on the west right-of-way line of S.R. 9 (I-95); thence Southerly along said right-of-way of S.R. 9 (I-95) to a point intersecting with the easterly extension of the north right-of-way of Leo Lane; thence westerly along the north right-of-way line of Leo Lane to a point  $\pm$  735.48ft. West of the east section line of Section 25; thence southerly at a right angle to the right-of-way of Leo Lane a distance of  $\pm$ 688 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 the Right-of-Way line of Blue Heron Blvd, thence easterly to the point of intersection with the northeast corner of Military Trail and Blue Heron Blvd. 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°-11'-59" East along the said Right-of-Way a distance of 275.01 ft.; thence South 02°-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 a point on the South line of Section 30, Township 42 South, Range 43 East, Palm Beach County, Florida; thence westerly along the south section line of section 30 to a point of intersection with the east right of way line of I-95; thence southerly along said right of way to a point 50ft. south of the south section line of section 30; thence easterly end parallel to the south section line of section 30 a distance of  $\pm 1440.71$ ft. thence south  $02^{\circ}-03'-10''$  west a distance of 500.00ft. to a point; thence north  $87^{\circ}-56'-50''$  west, a distance of 781.78 ft. to a point on the westerly right-of-way line of state road no.9 (I-95); thence northerly along said right-of-way to the point of intersection with the south section line of section 35; said point also being a point of intersection with the west right-of-way line of state road no.9 (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  $87^{\circ}-40'-36''$  West a distance of 318.42 ft. to a point; thence South  $02^{\circ}-19'-24''$  West a distance of 135.00 ft. to a point; thence North  $87^{\circ}-40'-36''$  West a distance of 367.00 to a point; thence South  $02^{\circ}-19'-24''$  West a distance of 165.00 ft. to a point; thence North  $87^{\circ}-40'-36''$  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 APPROVED on first reading this 4TH day of DECEMBER, 1996.

PASSED AND ADOPTED on second reading this 18th day of DECEMBER, 1996.

APPROVED:

[Signature]  
MAYOR

[Signature]  
CHAIRPERSON

[MUNICIPAL SEAL]

[Signature]  
CHAIRPERSON PRO-TEM

ATTEST:

[Signature]  
CITY CLERK

[Signature]

\_\_\_\_\_  
COUNCIL MEMBERS

**1st Reading**

**2nd & Final Reading**

MOTIONED BY: E. WADE  
SECONDED BY: M. CONFREY

E. WADE  
E. WESTON

C. BECTON AYE  
E. WADE AYE  
M. CONFREY AYE  
B. MOFFITT AYE  
E. WESTON AYE

AYE  
AYE  
ABS  
ABS  
AYE

REVIEWED FOR LEGAL COUNSEL

[Signature]  
DATE: 11-21-96

ORDINANCE NO. 2727

**AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE FUTURE LAND USE MAP IN THE CITY OF RIVIERA BEACH COMPREHENSIVE PLAN (1989) BY ASSIGNING FUTURE LAND USE DESIGNATIONS TO FIVE (5) PARCELS OF LAND DESCRIBED HEREIN; TRANSMITTING THE CHANGES TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS FOR REVIEW; DIRECTING THE CITY CLERK TO UPDATE THE CITY'S FUTURE LAND USE MAP; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the State of Florida "Local Government Comprehensive Planning and Land Development Regulation Act" of 1985 provides procedures to amend the adopted Comprehensive Plan; and

**WHEREAS**, five (5) parcels were annexed into the City of Riviera Beach and thereby became eligible for a City of Riviera Beach Future Land Use Map designation; and

**WHEREAS**, the City has initiated proposed changes to the Future Land Use Map designations for the four (4) parcels; and

**WHEREAS**, one (1) of the proposed Future Land Use Map designation changes is proposed by the property owner.

**WHEREAS**, the Planning and Zoning Board, sitting as the Local Planning Agency, reviewed the proposed changes at a Public Hearing, and forwarded recommendations to the City Council; and

**WHEREAS**, the City Council, sitting as the Local Governing Body, reviewed the request and recommendations and conducted a Public Hearing, first and second reading for this ordinance; and

**WHEREAS**, pursuant to Florida Statutes 163.3187(c), entitled "small-scale amendments," the City shall transmit these amendments to the Florida Department of Community Affairs for review.

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

**SECTION 1.** The Future Land Use Map in the Riviera Beach

Comprehensive Plan is hereby amended to incorporate five (5) parcels of land annexed from Palm Beach County and assign the Riviera Beach Future Land Use Map designations specified in Exhibit "A" to those parcels. All five (5) parcels are legally described in Exhibit "B" (in sequence corresponding with Exhibit "A"). Both Exhibit "A" and Exhibit "B" are hereby made a part of this Ordinance.

**SECTION 2.** The Director of the Department of Community Development and Environmental Control (CDEC) is hereby authorized and directed to reflect these amendments on the City's Future Land Use Map by the appropriate means of designating all changes described 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 any remaining portions of the Ordinance.

**SECTION 4.** The effective date of this ordinance shall be following the successful completion of the State Land Planning Agency review and compliance procedures for small-scale amendments in accordance with Section 163.3187 (c)(4), Florida Statutes.

**PASSED AND APPROVED** on first reading this 4TH day of DECEMBER, 1996.

**PASSED AND ADOPTED** on second reading this 18TH day of DECEMBER 1996.

**APPROVED:**

*Alan K. Williams*  
MAYOR

*Hyacinthia Becton*  
CHAIRPERSON

**[MUNICIPAL SEAL]**

*Christy Wood*  
CHAIRPERSON PRO-TEM

*[Signature]*

**ATTEST:**

*Carré E. Wood*

CITY CLERK

\_\_\_\_\_

COUNCIL MEMBERS

1st Reading

2nd & Final Reading

MOTIONED BY:  
SECONDED BY:

M. MOFFITT  
E. WADE

E. WADE  
E. WESTON

E. WESTON  
M. MOFFITT  
C. BECTON  
M. CONFREY  
E. WADE

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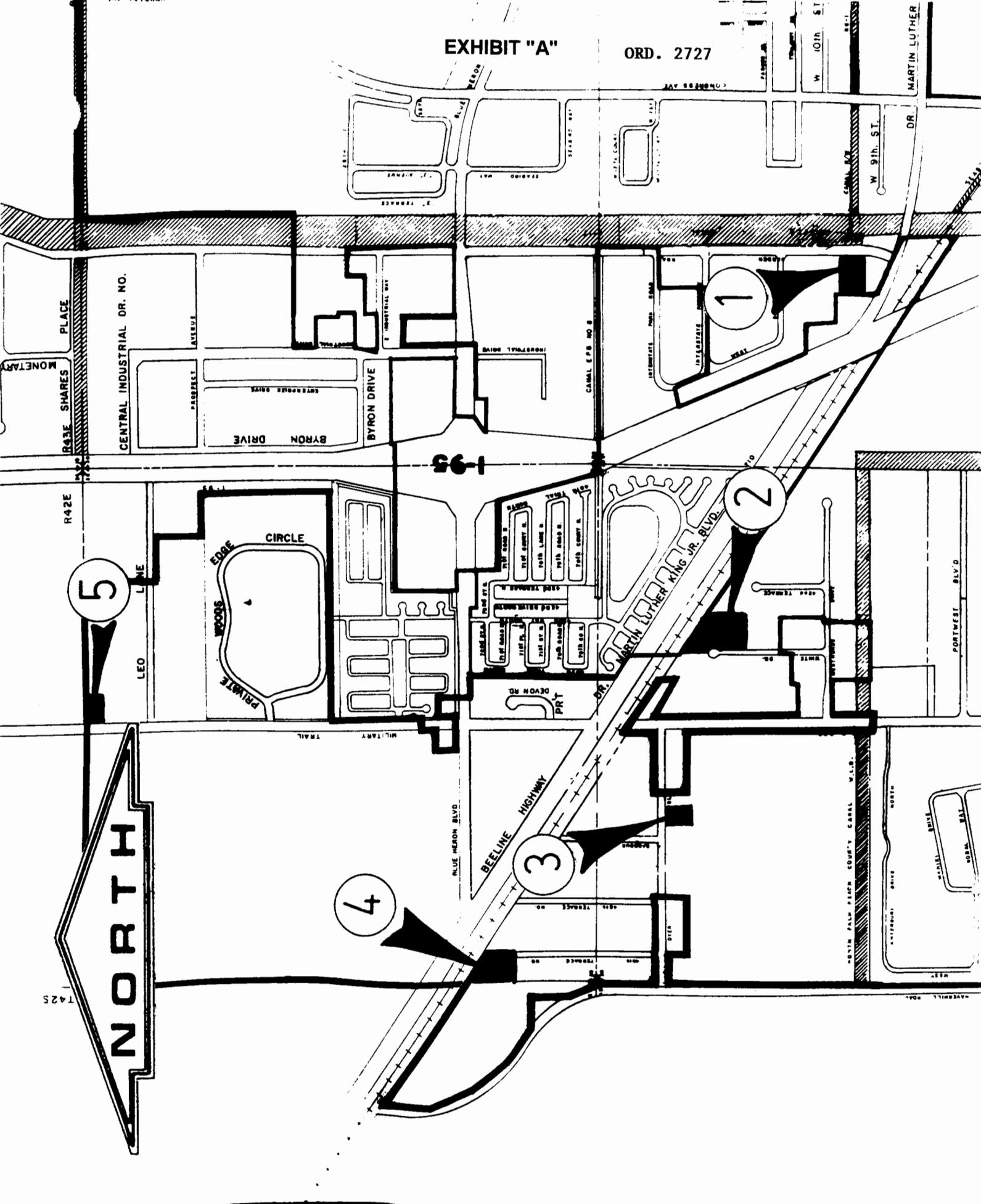
REVIEWED FOR LEGAL SUFFICIENCY  
*[Signature]*  
CITY ATTORNEY  
CITY OF HOUSTON, TEXAS  
3431 *[Signature]* 12/5/96

## EXHIBIT "A"

PROPOSED FUTURE LAND USE MAP AMENDMENTS

<u>Property Number</u>	<u>Property Owner</u>	<u>Property Description</u>	<u>Land Use Designation</u>
1	Planned Land Development Corp.	2.1 acres north of the northwest corner of Garden Rd. and Dr. Martin Luther King Jr. Blvd.	From: Industrial (County) To: Industrial
2	National G Dist. Center, Diamagnetics	2.9 acres on White Drive	From: Industrial (County) To: Industrial
3	Richard E. Hydro	0.8 acres on south side of Dyer Blvd., west of Military Trail	From: Industrial (County) To: Industrial
4	Public Gas Co.	3 acres on 49th Terrace North	From: Industrial (County) To: Industrial
5	William & Jacqueline Cox Cox	0.7 acres along Military Trail	From: Low Residential-1 (County) To: Commercial

Note: A location map for these properties is provided on the next page.



## EXHIBIT "B"

<u>Property Number</u>	<u>Property Owner</u>	<u>Legal Description</u>
1	Planned Land Development Corp.	Northerly 193.09 feet of the southerly 353.98 feet of the easterly 422.86 feet of that part of the southwest quarter of Range 43, Township, Section 31 lying north of State Road No. 710 and west of Garden Road.
2	National G Distribution Center, and Diamagnetics	The south 1050 feet of Tract D (less the south 850 feet) of the Westroads Business and Industrial Park Plat 2.
3	Richard E. Hydro	The west 125 feet of the east 850.96 feet of the north half of the south half of the north half of the northwest quarter of Range 42, Township 42, Section 36, less the north 40-foot road right-of-way.
4	Public Gas Company	The west 370 feet of the southwest quarter of Range 42, Section 42, Section 25 lying south of the S.C.L. Railroad right-of-way and west of the 49th Terrace North right-of-way, less the southerly 1012.76 feet.
5	William & Jacqueline Cox	The south 120 feet of the north 160 feet of the east 256 feet of the west 316 feet of the northeast quarter of Range 42, Township 42, Section 25.

ORDINANCE NO. 2728

**AN ORDINANCE OF THE CITY OF RIVIERA BEACH, FLORIDA, AMENDING CHAPTER 31, ZONING, OF THE CODE OF ORDINANCES BY AMENDING THE CITY'S LAND DEVELOPMENT REGULATIONS FOR MINIMUM PARKING STALL DIMENSIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Section 166.041 of the Florida Statutes provides procedures to amend the City's zoning regulations; and

**WHEREAS**, the City considers the minimum parking stall dimensions in the City's zoning regulations to be no longer appropriate because of the trend toward smaller, gas-efficient vehicles; and

**WHEREAS**, the City considers the parking stall dimensions noted below to reflect the current standards of the automobile industry; and

**WHEREAS**, legal notice and review procedures were followed in accordance with Section 166.041 (3) (a), Florida Statutes, which provides procedures for municipal ordinances; and

**WHEREAS**, 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**, the City Council reviewed the request and recommendations of City Staff and the Planning and Zoning Board at a public hearing held in accordance with Section 166.041, Florida Statutes.

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

**SECTION 1.** Section 31-576, entitled "Design standards," in Chapter 31 of the Code of Ordinances is hereby amended by adding the following underlined text:

- (a) *Parking lots.* The regulations governing parking lots shall be as follows:
  - (1) *Parking bays.*

- a. Minimum dimensions are ten feet by 20 feet, except for parallel parking which shall have a minimum bay of ten feet by 24 feet and single and double-car garages which shall have a minimum bay of nine feet by 19 feet.
- b. Handicapped spaces shall be 12 feet by 20 feet.
- c. All stalls shall have a wheel stop placed 2 1/2 feet from the edge of the stall. This 2 1/2-foot strip may be used for additional landscaping and drainage for the parking lot, so long as it does not interfere with the overhangs of the parked auto.
- d. The minimum parking bay dimensions may be reduced, as indicated below, if a minimum of 30 square feet of landscaped area is added for each parking space with these reduced dimensions. The developer must also demonstrate to the satisfaction of the Department Director or designee that the maximum floor area of new development is based on paragraph "a" above.

Standard parking spaces - nine feet by 19 feet.

Handicap parking spaces - 12 feet by 19 feet.

Parallel parking spaces - nine feet by 24 feet.

Existing parking spaces may be restriped to these reduced dimensions if the overall parking area is not increased in size.

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

**SECTION 5.** This Ordinance shall be effective immediately upon adoption.

**PASSED AND APPROVED** on First Reading this 18TH day of DECEMBER 1996.

**PASSED AND ADOPTED** on Second Reading this 15TH day of JANUARY 1997.

**APPROVED:**

*Clara K. Williams*  
MAYOR

*Hyacinthia Becton*  
CHAIRPERSON

[MUNICIPAL SEAL]

*Elizabeth West*  
CHAIRPERSON PRO-TEM

*Marilyn S. Moffitt*

**ATTEST:**

*Carrie J. Ward*  
CITY CLERK

*Margaret Confrey*  
COUNCIL MEMBERS

	<u>1st Reading</u>	<u>2nd &amp; Final Reading</u>
<b>MOTIONED BY:</b>	<u>E. WADE</u>	<u>M. MOFFITT</u>
<b>SECONDED BY:</b>	<u>E. WESTON</u>	<u>E. WADE</u>
<b>C. BECTON</b>	<u>AYE</u>	<u>AYE</u>
<b>E. WADE</b>	<u>AYE</u>	<u>AYE</u>
<b>M. CONFREY</b>	<u>ABS</u>	<u>AYE</u>
<b>M. MOFFITT</b>	<u>ABS</u>	<u>AYE</u>
<b>E. WESTON</b>	<u>AYE</u>	<u>AYE</u>

c:\parking.zta  
12/23/96

REVIEWED FOR LEGAL SUFFICIENCY  
*[Signature]*  
CITY ATTORNEY  
CITY OF RIVERA BEACH  
DATE: 12-31-96

ORDINANCE NO. 2729

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, EXEMPTING QUALIFIED BUSINESSES IN THE RIVIERA BEACH ENTERPRISE ZONE FROM PAYING EITHER ONE-HALF OR ALL OF THE CITY'S TEN PERCENT UTILITY TAX ON ELECTRICITY FOR A FIVE-YEAR PERIOD; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Riviera Beach, Florida, has established that economic development of distressed areas is a public purpose and that local residents and the private sector should be encouraged and assisted to revitalize such areas; and

**WHEREAS**, in July 1995, the State of Florida designated a portion of the City of Riviera Beach as a state enterprise zone in order to provide various state tax incentives to encourage economic development in the enterprise zone; and

**WHEREAS**, the City of Riviera Beach has determined that to increase the potential of employment of the residents in the enterprise zone, it is necessary to maximize the tax incentives for business development in the enterprise zone; and

**WHEREAS**, Section 166.231(8)(a), Florida Statutes, provide that a municipality may adopt an ordinance exempting qualified businesses in a state enterprise zone from paying either 50 % or 100 % of the municipal utility tax on electricity used by such businesses.

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

**Section 1.** The City Council hereby exempts qualified businesses in the Riviera Beach Enterprise Zone from paying 50% of the City utility tax on electricity, pursuant to Section 212.08(15), Florida Statutes. The Riviera Beach Enterprise Zone is illustrated in Exhibit "A," and may be amended from time to time.

**Section 2.** The City Council hereby exempts qualified businesses in the Riviera Beach Enterprise Zone, that have 20% or more of their employees residing in an enterprise zone, from paying 100% of the City utility tax on electricity, pursuant to Section 212.08(15), Florida Statutes.

**Section 3.** The City Council commits to implement the utility tax exemption for electrical energy used in the enterprise zone according to Section 212.08, Florida Statutes, and the following restrictions:

1. The utility tax credit will only be available to qualified businesses located in the enterprise zone;
2. The term "qualified business" is defined in Section 212.08(15)(f), Florida Statutes;
3. The utility tax credit may only be carried forwarded by a qualified business for a period of five years;
4. Proof of compliance concerning the employment requirements must be forwarded to the State Department of Revenue. Upon approval, the State Department of Revenue is responsible for notifying the Florida Power and Light Company to exempt the business from payment of 50 % of the utility sales tax.

**Section 4.** The City of Riviera Beach Department of Community Development and Environmental Control shall forward a certified copy of this adopted ordinance to the State of Florida Department of Revenue in Tallahassee, Florida, in accordance with Section 166.231(8)(a), Florida Statutes.

**Section 5.** This ordinance shall take effect on ~~November 1, 1996~~ <sup>MARCH 15, 1997</sup>.

PASSED AND APPROVED this 15TH day of JANUARY, 1996

PASSED and ADOPTED this 5 day of February, 1997.

APPROVED:

*Alan K. Williams*  
MAYOR

*Hyacintha Becton*  
CHAIRPERSON

[MUNICIPAL SEAL]

*Elizabeth Wood*  
CHAIRPERSON PRO-TEM

ATTEST:

*Carrie J. Ward*  
CITY CLERK

*Marilyn S. Hoff*  
*Patricia M. Wood*  
*Margaret Conroy*  
COUNCIL MEMBERS

1st Reading

2nd & Final Reading

MOTIONED BY:  
SECONDED BY:

E. WADE  
M. MOFFITT

E. WADE  
M. MOFFITT

E. JORDAN-WESTON  
M. MOFFITT  
C. BECTON  
E. WADE  
M. CONFREY

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AYE

9-6-96

REVIEWED FOR LEGAL SUFFICIENCY  
  
CITY ATTORNEY  
CITY OF RIVIERA BEACH  
DATE: 12-31-96

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 RELATING TO RATES OF PAY AND SALARY SCHEDULE CREATING THE CLASSIFIED POSITION OF EMS LIEUTENANT UNDER CLASS TITLE PUBLIC SAFETY & SERVICE 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 the classified position of:

CLASS TITLE	CLASSIFICATION	PAY GRADE	SALARY
PUBLIC SAFETY & SERVICE	EMS LIEUTENANT	F-32	\$28,746- \$46,612

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

PASSED and APPROVED on first reading this 5TH day of FEBRUARY, 1997.

PASSED and ADOPTED on second and final reading this 19TH of FEBRUARY, 1997.

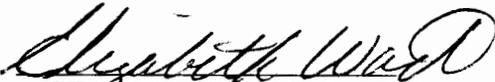
APPROVED:

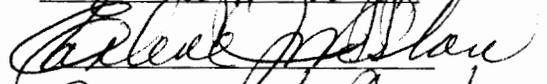
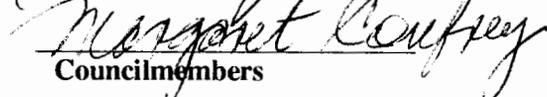
  
MAYOR

  
CHAIRPERSON

ATTEST:

  
CITY CLERK

  
CHAIRPERSON PRO TEM

  
  
  
Councilmembers

MOTIONED BY: E. WADE  
SECONDED BY: M. MOFFITT

M. MOFFITT  
E. WADE

1st Reading

C. Becton AYE  
E. Wade AYE  
M. Moffitt AYE  
E. Weston AYE  
M. Confrey AYE

2nd Reading

AYE  
AYE  
AYE  
AYE  
AYE

REVIEWED FOR LEGAL SUFFICIENCY

Pamela A. ...

CITY ATTORNEY

CITY OF RIVIERA BEACH

DATE: 01/23/97