

ORDINANCE NO. 2751

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 "MULTIPLE FAMILY, UP TO 15 DWELLING UNITS PER ACRE" TO 2.3 ACRES OF LAND ON THE WEST SIDE OF MILITARY TRAIL APPROXIMATELY 1,300 FEET NORTH OF BLUE HERON BOULEVARD; 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 subject site is currently assigned the "Commercial" Future Land Use Map designation; and

WHEREAS, on March 13, 1997, 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, 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 "Multiple Family, up to 15 Dwelling Units Per Acre" future land use designation to the parcels of land legally described as follows:

A PARCEL OF LAND LYING IN THE NORTHWEST ONE-QUARTER OF SECTION 25, TOWNSHIP 42 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, LYING EASTERLY OF, AND CONTIGUOUS TO, PARCEL "F," WOODBINE PARTIAL RE-PLAT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 77, PAGE 143, PUBLIC RECORDS, PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID PARCEL "F"; THENCE, NORTH 01°45'20" EAST, ALONG THE EAST LINE OF SAID PARCEL "F," A DISTANCE OF 501.82 FEET TO THE NORTHEAST CORNER OF SAID PARCEL "F"; THENCE, SOUTH 88°14'40" EAST, ALONG THE SOUTH RIGHT-OF-WAY LINE OF WOODBINE TRAIL AS SHOWN ON THE PLAT OF WOODBINE, AS RECORDED IN PLAT BOOK 72, PAGE 46, PUBLIC RECORDS, PALM BEACH COUNTY, FLORIDA, A DISTANCE OF 175.00 FEET; THENCE, SOUTH 43°14'40" EAST, CONTINUING ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 35.36 FEET TO THE INTERSECTION THEREOF WITH THE WEST RIGHT-OF-WAY LINE OF MILITARY TRAIL (STATE ROAD NO. 809); THENCE, SOUTH 01°45'20" WEST, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 475.44 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 25; SAID POINT BEARS NORTH 88°38'25" WEST, A DISTANCE OF 60.00 FEET FROM THE SOUTHEAST CORNER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 25; THENCE, NORTH 88°38'25" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 200.00 FEET TO THE POINT OF BEGINNING. CONTAINING 2.3 ACRES, MORE OR LESS.

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 16^H day of JULY 1997.

PASSED AND ADOPTED on second reading this 6 day of August 1997.

APPROVED:

<u>Clara K. Williams</u> CLARA K. WILLIAMS, MAYOR	<u>Marge Confrey</u> MARGE CONFREY, CHAIRPERSON
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[MUNICIPAL SEAL]

Lenora B. Hurley
LENORA HURLEY
CHAIRPERSON PRO-TEM

ATTEST:

Hyacinthia "Cynthia" Becton
CINTHIA BECTON

Carrie E. Ward
CARRIE E. WARD, CMC/AAE
CITY CLERK

Marilyn S. Moffitt
MARILYN MOFFITT

William H. Burrs
WILLIAM BURRS
COUNCIL MEMBERS

MOTIONED BY: M. MOFFITT C. BECTON

SECONDED BY: C. BECTON L. HURLEY

1st Reading 2nd & Final Reading

C. BECTON AYE AYE

M. MOFFITT AYE AYE

M. CONFREY AYE AYE

L. HURLEY AYE AYE

W. BURRS AYE AYE

CERTIFICATION OF PUBLICATION

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

7/5/97
Date

Carrie E. Ward
Carrie E. Ward, CMC/AEE, City Clerk

REVIEWED AS TO LEGAL SUFFICIENCY

[Signature]
CITY ATTORNEY
CITY OF RIVIERA BEACH
7/7/97

6/2/97

ORDINANCE NO. 2752

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY FLORIDA, AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO PROVIDE MAYOR CLARA K. WILLIAMS IN THE AMOUNT OF \$8,881.80, AS COMPENSATION OF EXTRA OFFICIAL DUTIES PERFORMED BY THE MAYOR FROM THE PERIOD OF MAY 5, 1997 THROUGH JUNE 18, 1997; PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, the City of Riviera Beach has faced an emergency situation, relating to a vacancy in the office of the City Manager, and in the absence of administrative leadership the Mayor, as the head of City Government, on an emergency basis took control of the direction of the City; and

WHEREAS, on MAY 21, 1997 the City Council by majority vote, agreed the Mayor would continue the additional of duties assumed until such time, as the City Council appointed an Interim City Manager; and

WHEREAS, the City Council legislatively determined that it is appropriate and in the best interest of the City, as well as a public purpose to provide compensation to the Mayor for the extra services she performed within her official office as Mayor of the City of Riviera Beach;

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

SECTION 1. That the appropriate city officials are hereby directed to make compensation to the Mayor in the amount of \$8,881.80 for the extra services performed within her office, during the time period MAY 5, 1997 through JUNE 18, 1997.

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.

Ordinance No.: 2752

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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. Specific authority is hereby granted to codify this Ordinance.

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

Passed and adopted on first reading this 16TH day of JULY, 1997.

Passed and adopted on second and final reading this 12th day of August, 1997.

APPROVED:

Clara K. Williams
CLARA K. WILLIAMS, MAYOR

MARGE CONFREY, CHAIRPERSON

(MUNICIPAL SEAL)

Lenora B. Hurley
LENORA HURLEY, CHAIR PRO-TEM

ATTEST:

Hyacinthia "Cynthia" Becton
CINTHIA BECTON

Carrie E. Ward
CARRIE E. WARD, CMC/AEE
CITY CLERK

MARILYN MOFFITT

William H. Burrs
WILLIAM BURRS
COUNCILMEMBERS

MOTIONED BY: L. HURLEY

C. BECTON

SECONDED BY: C. BECTON

W. BURRS

Ordinance No.: 2752

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	1st Reading	2nd & Final Reading
C. BECTON	<u>AYE</u>	<u>AYE</u>
M. MOFFITT	<u>NAY</u>	<u>ABS</u>
M. CONFREY	<u>NAY</u>	<u>ABS</u>
L. HURLEY	<u>AYE</u>	<u>AYE</u>
W. BURRS	<u>AYE</u>	<u>AYE</u>

Reviewed as to legal sufficiency

By:



City Attorney
City of Miramar Beach

Date:

7-7-97



OFFICE OF
CITY CLERK

CITY OF RIVIERA BEACH

600 WEST BLUE HERON BLVD. • RIVIERA BEACH, FLORIDA 33404

PUBLICATION REQUEST FOR PALM BEACH POST TIMES

DATE: JULY 17, 1997

The below Bill described by title only will be placed on second and final reading at the **REGULAR MEETING** of the City Council of the City of Riviera Beach, FL, to be held on **JULY 16, 1997**, at City Hall, 600 West Blue Heron Blvd., at 7:30 P.M., and from time-to-time thereafter as may be necessary for the purposes of enactment of the following ordinances:

ORDINANCE NO. 2752 An ordinance of the City Council of the City of Riviera Beach, Palm Beach County, Florida, authorizing the appropriate city officials to provide Mayor Clara K. Williams in the amount of \$8,881.80, as compensation of extra official duties performed by the Mayor from the period of May 5, 1997, through June 18, 1997; providing a severability clause and an effective date.

SAID ORDINANCE MAY BE INSPECTED BY THE PUBLIC AT ANY TIME DURING REGULAR WORKING HOURS IN THE CITY CLERK'S OFFICE.

Publish: SATURDAY, JULY 19, 1997

Carrie E. Ward, CMC, AAE
City Clerk
City of Riviera Beach, FL

ORDINANCE NO. 2753

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 31 "ZONING" OF THE CODE OF ORDINANCES BY ASSIGNING RML-12: LOW DENSITY MULTIPLE FAMILY DWELLING DISTRICT TO 15.6 ACRES OF LAND AT THE SOUTHWEST CORNER OF CONGRESS AVENUE AND WEST 17TH 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 RS-6: Single Family Dwelling District on the City of Riviera Beach Zoning Map; and

WHEREAS, on August 14, 1997, 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 RML-12 (Low Density Multiple Family Dwelling District) zoning to the parcel of land legally described as follows: A parcel of land in the northeast one-quarter of Section 31, Township 42 south, Range 43 east, City of Riviera Beach, Palm Beach County, Florida, being more particularly described as follows:

Beginning at the north one quarter corner of said Section 31; thence run south 2° 32' 43" west, along the north - south one quarter section line and along the easterly right-of-way line of the Central and South Florida Flood Control District Canal No. C-17, a distance of 611.98 feet; thence, run south 87° 57' 28" east, parallel with the north line of said Section 31, a distance of 1216.32 feet to the easterly right-of-way line of Congress Avenue extension; thence run north 2° 42' 26" east, along the said easterly right-of-way line of Congress Avenue extension, a distance of 612.00 feet to the north line of said Section 31; thence, run north 87° 56' 28" west, along the north section line of said Section 31, a distance of 1218.05 feet to the point of beginning.

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 3RD day of SEPTEMBER 1997 .

PASSED AND ADOPTED on second reading this 17H day of SEPTEMBER 1997 .

APPROVED:

vacation
CLARA K. WILLIAMS, MAYOR

Marge Confrey
MARGE CONFREY, CHAIRPERSON

[MUNICIPAL SEAL]

Lenora Hurley
LENORA HURLEY
CHAIRPERSON PRO-TEM

ATTEST:

Cynthia Becton
CINTHIA BECTON

Carrie E. Ward
CARRIE E. WARD, CMC/AAE
CITY CLERK

Marilyn B. Moffitt
MARILYN MOFFITT

William H. Burrs
WILLIAM BURRS
COUNCIL MEMBERS

MOTIONED BY: W. BURRS

L. HURLEY

SECONDED BY: C. BECTON

W. BURRS

1st Reading

2nd & Final Reading

C. BECTON AYE
M. MOFFITT AYE
M. CONFREY AYE
L. HURLEY AYE
W. BURRS AYE

AYE
AYE
AYE
AYE
AYE

CERTIFICATION OF PUBLICATION

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

9/17/97
Date

Carrie E. Ward
Carrie E. Ward, CMC/AE, City Clerk

REVIEWED AS TO LEGAL SUFFICIENCY

[Signature]
CITY ATTORNEY
CITY OF RIVIERA BEACH
8/25/97

ivy.zc
8/22/97

ORDINANCE NO. 2754

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, 1997 AND ENDING SEPTEMBER 30, 1998; FIXING THE MILLAGE RATE THEREON FOR SAID YEAR; PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

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

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

SECTION ONE

That for the fiscal year beginning October 1, 1997 and ending September 30, 1998, 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, \$1,375,911,818. *

*** Subject to final approval of the County Equalization Board**

SECTION TWO

That for the fiscal year beginning October 1, 1997 and ending September 30, 1998, a tax of ~~eight point nine nine nine seven (8.9997)~~ eight point seven nine nine seven (8.7997) 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 I hereof and valued in the amount of \$1,375,911,818 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 ~~8.9997~~ 8.7997 represents a zero 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 3RD day of SEPTEMBER, 1997.

PASSED AND ADOPTED on second and final reading this 17TH day of SEPTEMBER, 1997

APPROVED:

vacation
CLARA K. WILLIAMS, MAYOR

(MUNICIPAL SEAL)

Marge Confrey
MARGE CONFREY, CHAIRPERSON

Lenora Hurley
LENORA HURLEY, CHAIRPERSON PROTEM

Hyacinthia "Cynthia" Becton
CYNTHIA BECTON

Marilyn B. Moffitt
MARILYN MOFFITT

Carrie E. Ward
CARRIE E. WARD, CMC/AE,
CITY CLERK

William H. Burrs
WILLIAM BURRS
COUNCIL PERSONS

ORDINANCE NO. 2754
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MOTIONED BY: M. MOFFITT

MOTIONED BY: W. BURRS

SECONDED BY: L. HURLEY

SECONDED BY: C. BECTON

	1 ST READING	2 ND & FINAL READING
C. BECTON	<u>AYE</u>	<u>AYE</u>
M. MOFFITT	<u>AYE</u>	<u>AYE</u>
M. CONFREY	<u>AYE</u>	<u>AYE</u>
L. HURLEY	<u>AYE</u>	<u>AYE</u>
W. BURRS	<u>AYE</u>	<u>AYE</u>

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.

9/17/97
DATE

Carrie E. Ward
CARRIE E. WARD, CMC/AE, CITY CLERK

REVIEWED AS TO LEGAL SUFFICIENCY

[Signature]
CITY ATTORNEY
CITY OF RIVIERA BEACH

DATE: _____



CITY OF RIVIERA BEACH

600 WEST BLUE HERON BLVD. • RIVIERA BEACH, FLORIDA 33404

OFFICE OF
CITY CLERK

PUBLICATION REQUEST FOR PALM BEACH POST TIMES

DATE: SEPTEMBER 4, 1997

The below Bill described by title only will be placed on second and final reading at the **REGULAR MEETING** of the City Council of the City of Riviera Beach, FL, to be held on **SEPTEMBER 17, 1997**, at City Hall, 600 West Blue Heron Blvd., at 7:30 P.M., and from time-to-time thereafter as may be necessary for the purposes of enactment of the following ordinances:

ORDINANCE NO. 2754 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, 1997, and ending September 30, 1998; fixing the millage rate thereon for said year; providing a severability clause and an effective date.

ORDINANCE NO. 2755 Making appropriations for fiscal year ending September 30, 1998; providing a severability clause and an effective date.

ORDINANCE NO. 2756 Amending Chapter 2, Article III, of the Code of Ordinances by modifying procedures for quasi-judicial proceedings relating to ex-parte communications; providing a severability clause and an effective date.

ORDINANCE NO. 2757 Creating an ordinance under Chapter 19, Section 19.72.1, authorizing the Clerk of the Court to furnish the Department of Motor Vehicles, with a list of any persons who have three or more outstanding parking violations, including violations of Section 316.1955 or Section 316.1956 (Handicapped) of the Florida Statutes, providing a severability clause and an effective date.

PUBLISH: SATURDAY, SEPTEMBER 6, 1997

Carrie E. Ward, CMC/AAE
City Clerk
City of Riviera Beach, FL

CEW/clf

ORDINANCE NO. 2755

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, MAKING APPROPRIATIONS FOR FISCAL YEAR ENDING SEPTEMBER 30, 1998; PROVIDING A SEVERABILITY CLAUSE AND 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, 1997 and ending September 30, 1998, 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 workshop sessions and held public hearings to ascertain the amount of money that must be raised to conduct the affairs of the municipality for the 1997-98 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 HEREBY ORDAINED 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 1997-98.

DEPARTMENTS, DIVISIONS AND OFFICES

GENERAL FUND

APPROPRIATIONS

Legislative

\$ 147,881

ORDINANCE NO. 2755

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Executive:

Office of the City Manager	278,093	
General Administration	2,263,777	2,019,449
Finance	1,010,757	
City Clerk	297,402	318,393
Human Resources	375,003	
Legal	326,358	
Community Development and Environmental Control	4,236,580	1,291,494

Police	7,497,195	
Fire	4,611,486	
Public Works	1,878,164	
Recreation & Parks	1,439,462	
Library	353,700	
Civil Court	59,242	
Purchasing	249,087	

TOTAL GENERAL FUND **~~22,024,187~~ 21,855,764**

ENTERPRISE FUND

Water and Sewer	\$ 8,548,720	
Water and Sewer Renewal and Replacement	429,789	
Water and Sewer Construction	250,000	
Water and Sewer Debt Service	1,503,994	
Bond Construction Fund-Restricted	6,882,200	
Marina	1,514,036	
Marina Debt Service	642,861	
Marina Renewal and Replacement	83,000	
Marina Construction Fund	700,000	
Refuse	75,000	

TOTAL ENTERPRISE FUNDS **\$ 20,629,600**

OTHER FUNDS

Sales Tax	1,675,000	
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ORDINANCE NO. 2755

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Community Development Block Grant	30,000
Advance Police Training	2,000
Universal/Cops Fast Grant	526,252
Crime Prevention	2,100
Beach Renourishment	5,000
Police Contracts	304,204
Donations Fund	5,500
Special Events Fund	50,000
Dare Program	2,000
Law Enforcement Trust	80,000
Paving and Drainage Construction	254,800
Street Improvement Program	1,000,000
Street Improvement Program Debt Service Fund	400,000
Street Renewal & Replacement Fund	35,000
Lot Cleaning Fund	40,000
Liability Insurance Trust	2,700,000
Special Assessment Fund	9,000
TOTAL OTHER FUNDS	\$ 7,120,856

SECTION TWO

That the above appropriations are made based on the following anticipated sources of revenue for the 1997-98 fiscal year:

<u>GENERAL FUND</u>	<u>REVENUE</u>	
Taxes	\$14,887,139	14,660,716
Franchise Fees	1,511,575	
Other Fees, Licenses and Permits	1,013,520	1,051,520
Grants and Other Government Shared Revenues	1,028,250	
Fines and Forfeitures	149,000	
Rents and Leases	60,400	
Other Revenues	459,750	479,750
Interfund Transfers	2,714,553	
Fund Balance Allocation	200,000	
TOTAL GENERAL FUND	\$ 22,024,187	21,855,764

ENTERPRISE FUNDS

Water and Sewer	\$8,548,720
Water and Sewer Renewal and Replacement	429,789
Water and Sewer Construction	250,000
Water and Sewer Debt Service	1,503,994
Bond Construction Restricted Fund	6,882,200
Marina	1,514,036
Marina Debt Service	642,861
Marina Renewal and Replacement	83,000
Marina Construction Fund	700,000
Refuse	75,000

TOTAL ENTERPRISE FUNDS **\$20,629,600**

OTHER FUNDS

Sales Tax	1,675,000
Community Development Block Grant	30,000
Advance Police Training	2,000
Universal/Cops Fast Grant	526,252
Crime Prevention	2,100
Beach Renourishment	5,000
Police Contracts	304,204
Donations Fund	5,500
Special Events Fund	50,000
Dare Program	2,000
Law Enforcement Trust	80,000
Paving and Drainage Construction	254,800
Street Improvement Program	1,000,000
Street Improvement Program Debt Service Fund	400,000
Street Renewal and Replacement	35,000
Lot Cleaning Fund	40,000
Liability Insurance Trust	2,700,000
Special Assessment Fund	9,000

TOTAL OTHER FUNDS **\$ 7,120,856**

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 1997-98, which shall be entitled "Annual Budget of the City of Riviera Beach, Fiscal Year October 1, 1997 through September 30, 1998".

SECTION FIVE

The Finance Director is authorized to increase these appropriations by amounts representing encumbrances properly budgeted for, and carried over from fiscal year 1996-97.

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 3RD day of SEPTEMBER, 1997.

PASSED AND ADOPTED on second and final reading this 17TH day of SEPTEMBER, 1997.

APPROVED:

vacation
CLARA K. WILLIAMS, MAYOR

Marge Confrey
MARGE CONFREY, CHAIRPERSON

(MUNICIPAL SEAL)

Lenora Hurley
LENORA HURLEY, CHAIRPERSON PRO TEM

Hyacinthia "Cynthia" Becton
CINTHIA BECTON

Marilyn S. Moffitt
MARILYN MOFFITT

Carie E. Ward
CARRIE E. WARD, CMC/AAE

William W. Burrs
WILLIAM BURRS

CITY CLERK
ORDINANCE NO. 2755
PAGE 7

COUNCILPERSONS

MOTIONED BY: M. MOFFITT

MOTIONED BY: W. BURRS

SECONDED BY: L. HURLEY

SECONDED BY: C. BECTON

	1st Reading	2nd & Final Reading
C. BECTON	<u>AYE</u>	<u>AYE</u>
M. MOFFITT	<u>AYE</u>	<u>AYE</u>
M. CONFREY	<u>AYE</u>	<u>AYE</u>
L. HURLEY	<u>AYE</u>	<u>AYE</u>
W. BURRS	<u>AYE</u>	<u>AYE</u>

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.

9/17/97
Date

Carrie E. Ward
Carrie E. Ward, CMC/AAE, City Clerk

ORDINANCE NO. 2755
PAGE 8

REVIEWED AS TO LEGAL SUFFICIENCY



CITY ATTORNEY
CITY OF RIVIERA BEACH
8-25-97

APPROVED AS TO FIGURES:



Gwendolyn Herbert, Interim Asst. City Manager
for Finance & Administrative Services



CITY OF RIVIERA BEACH

600 WEST BLUE HERON BLVD. • RIVIERA BEACH, FLORIDA 33404

OFFICE OF
CITY CLERK

PUBLICATION REQUEST FOR PALM BEACH POST TIMES

DATE: SEPTEMBER 4, 1997

The below Bill described by title only will be placed on second and final reading at the **REGULAR MEETING** of the City Council of the City of Riviera Beach, FL, to be held on **SEPTEMBER 17, 1997**, at City Hall, 600 West Blue Heron Blvd., at 7:30 P.M., and from time-to-time thereafter as may be necessary for the purposes of enactment of the following ordinances:

ORDINANCE NO. 2754 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, 1997, and ending September 30, 1998; fixing the millage rate thereon for said year; providing a severability clause and an effective date.

ORDINANCE NO. 2755 Making appropriations for fiscal year ending September 30, 1998; providing a severability clause and an effective date.

ORDINANCE NO. 2756 Amending Chapter 2, Article III, of the Code of Ordinances by modifying procedures for quasi-judicial proceedings relating to ex-parte communications; providing a severability clause and an effective date.

ORDINANCE NO. 2757 Creating an ordinance under Chapter 19, Section 19.72.1, authorizing the Clerk of the Court to furnish the Department of Motor Vehicles, with a list of any persons who have three or more outstanding parking violations, including violations of Section 316.1955 or Section 316.1956 (Handicapped) of the Florida Statutes, providing a severability clause and an effective date.

PUBLISH: SATURDAY, SEPTEMBER 6, 1997

Carrie E. Ward, CMC/AE
City Clerk
City of Riviera Beach, FL

CEW/clf

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY FLORIDA, AMENDING CHAPTER 2, ARTICLE III, OF THE CODE OF ORDINANCES BY MODIFYING PROCEDURES FOR QUASI-JUDICIAL PROCEEDINGS RELATING TO EX-PARTE COMMUNICATIONS; PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, the City of Riviera Beach currently has in place a procedure for handling ex-parte communications in quasi-judicial proceedings that is consistent with the Florida Supreme Court's and Legislature's mandate; and

WHEREAS, the Florida Legislature recently amended section 286.0115, Florida Statutes (96-324), relating to ex-parte communications in quasi-judicial proceedings on local government land use matters; and

WHEREAS, it is the intention of the City of Riviera Beach to modify its procedures dealing with ex-parte communications in quasi-judicial proceedings;

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

SECTION 1. That Chapter 2, Article III, of the Code of Ordinances be amended to state:

Section 2-44. Definitions.

As used in this Chapter, the terms listed below shall be defined as follows:

Affected person means a person (or persons), natural or corporate, who is the owner of the subject property or who owns property within three hundred (300) feet of the subject property as listed in the records of the county property appraiser, or who resides in or operates a business within three hundred (300) feet of the subject property.

Board or decisionmaking body means ~~the City Council sitting in its capacity~~ as the board of adjustment, planning and zoning board, and the City Council.

City Council means the City Council of the City of Riviera Beach, Florida.

Party or parties mean the petitioner, City, and any Affected Person who has requested to be heard at the proceeding.

Party Intervenor means a person who voluntarily interposes in a quasi-judicial proceeding with the permission of the Board.

Quasi-judicial in nature means the application of a general rule or policy to specific individuals, interests, or activities.

Quasi-judicial proceeding means a hearing held by a Board or the City Council to adjudicate private rights of a particular person after a hearing which comports with due process requirements, and makes findings of fact and conclusions of law on the issue.

Site specific means an individual piece of real estate which can be clearly defined by street address, legal description or similar means at a single identifiable location.

* * * *

Section 2-46. Procedures for Quasi-Judicial Proceedings.

(a) *Ex parte (oral) communications.*

~~Board and City Council members should avoid ex-parte communications where they are identifiable. However, it is recognized that in reality, council members are elected officials which may unavoidably be recipients of unsolicited ex-parte communications regarding quasi-judicial matters for which the Board or City Council will be required to decide. The affected Board or City Council member shall report the substance of any ex-parte (oral) communications which are made to them with regards to any quasi-judicial matter by any person who has a direct or indirect interest in the proceeding, or by any authorized representative or counsel, shall be reported to the Board or City Council at the beginning of the proceedings and such report shall become part of the record of the proceedings. The report of the incident shall include the identification of the person(s) involved in any ex-parte communication/At the proceeding, the party(ies) responsible for the ex-parte communications shall have the opportunity to contest the accuracy of the communication and may be required to prove absence of prejudice.~~

In a quasi-judicial proceeding on local government land use matters, a person may not be precluded from communicating directly with a member of the

decisionmaking body by application of ex-parte communication prohibitions. Disclosure of such communications by a member of the decisionmaking body is not required, and such nondisclosure shall not be presumed prejudicial to the decision of the decisionmaking body. All decisions of the decisionmaking body in a quasi-judicial proceeding on local government land use matters must be supported by substantial, competent evidence in the record pertinent to the proceeding, irrespective of such communications.

* * * *

(c) *Presentation of evidence.*

(1) In a quasi-judicial proceeding on local government land use matters, a person who appears before the decisionmaking body who is not a party or party-intervenor shall be allowed to testify before the decisionmaking body, subject to control by the decisionmaking body, and may be requested to respond to questions from the decisionmaking body, but need not be sworn as a witness, is not required to be subject to cross-examination, and is not required to be qualified as an expert witness. The decisionmaking body shall assign weight and credibility to such testimony as it deems appropriate.

(2) A party or party-intervenor in a quasi-judicial proceeding on local government land use matters, upon request by another party or party-intervenor, shall be sworn as a witness, shall be subject to cross-examination by other parties or party-intervenors, and shall be required to be qualified as an expert witness, as appropriate.

~~(1)(3)~~ All persons testifying before a Board or the City Council must be sworn in. The petitioner, members of a Board or the City Council and any Affected Person who has provided notice that it intends to appear at the proceeding shall be given the opportunity to present evidence, bring forth witnesses, and cross-examine any witnesses.

~~(2)(4)~~ All evidence relied upon by reasonably prudent persons in the conduct of their business shall be admissible, whether or not such evidence would be admissible in a court of law. However, immaterial or unduly repetitious evidence shall be excluded.

~~(3)(5)~~ Hearsay evidence may be used for the purpose of supplementing or explaining other evidence, but it shall not be sufficient by itself to support a finding.

~~(4)(6)~~ Documentary evidence may be presented in the form of a copy or the

ORDINANCE NO.: 2756

original, if available. Upon request, parties shall be given an opportunity to compare the copy with the original.

~~(5)~~(7) A party shall be entitled to conduct cross-examination when testimony is provided or documents are made a part of the record.

~~(6)~~(8) The Office of the City Attorney shall represent the Board or the City Council. Any questions as to the propriety and admissibility of evidence shall be presented to the City Attorney's Office in a timely fashion.

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

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

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

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

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 3RD day of SEPTEMBER, 1997.

PASSED and ADOPTED on second and final reading this 17H day of SEPTEMBER, 1997.

ORDINANCE NO.: 2756

APPROVED:

vacation
CLARA K. WILLIAMS, MAYOR
(MUNICIPAL SEAL)

Marge Confrey
MARGE CONFREY, CHAIRPERSON
Lenora Hurley
LENORA HURLEY, CHAIR PRO-TEM

ATTEST:

Carrie E. Ward
CARRIE E. WARD, CMC/AAE
CITY CLERK

Cynthia "Citra" Becton
CINTHIA BECTON
Marilyn S. Moffitt
MARILYN MOFFITT
William K. Burrs
WILLIAM BURRS
COUNCILMEMBERS

MOTIONED BY: M. MOFFITT C. BECTON

SECONDED BY: L. HURLEY W. BURRS

	1st Reading	2nd & Final Reading
C. BECTON	<u>AYE</u>	<u>AYE</u>
M. MOFFITT	<u>AYE</u>	<u>AYE</u>
M. CONFREY	<u>AYE</u>	<u>AYE</u>
L. HURLEY	<u>AYE</u>	<u>AYE</u>
W. BURRS	<u>AYE</u>	<u>AYE</u>

Reviewed as to legal sufficiency

By: [Signature]
City Attorney
City of Riviera Beach

Date: 8-21-97



CITY OF RIVIERA BEACH

600 WEST BLUE HERON BLVD. • RIVIERA BEACH, FLORIDA 33404

OFFICE OF
CITY CLERK

PUBLICATION REQUEST FOR PALM BEACH POST TIMES

DATE: SEPTEMBER 4, 1997

The below Bill described by title only will be placed on second and final reading at the **REGULAR MEETING** of the City Council of the City of Riviera Beach, FL, to be held on **SEPTEMBER 17, 1997**, at City Hall, 600 West Blue Heron Blvd., at 7:30 P.M., and from time-to-time thereafter as may be necessary for the purposes of enactment of the following ordinances:

ORDINANCE NO. 2754 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, 1997, and ending September 30, 1998; fixing the millage rate thereon for said year; providing a severability clause and an effective date.

ORDINANCE NO. 2755 Making appropriations for fiscal year ending September 30, 1998; providing a severability clause and an effective date.

ORDINANCE NO. 2756 Amending Chapter 2, Article III, of the Code of Ordinances by modifying procedures for quasi-judicial proceedings relating to ex-parte communications; providing a severability clause and an effective date.

ORDINANCE NO. 2757 Creating an ordinance under Chapter 19, Section 19.72.1, authorizing the Clerk of the Court to furnish the Department of Motor Vehicles, with a list of any persons who have three or more outstanding parking violations, including violations of Section 316.1955 or Section 316.1956 (Handicapped) of the Florida Statutes, providing a severability clause and an effective date.

PUBLISH: SATURDAY, SEPTEMBER 6, 1997

Carrie E. Ward, CMC/AE
City Clerk
City of Riviera Beach, FL

CEW/clf

ORDINANCE 2757

ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY FLORIDA, CREATING AN ORDINANCE UNDER CHAPTER 19, SECTION 19.72.1, AUTHORIZING THE CLERK OF THE COURT TO FURNISH THE DEPARTMENT OF MOTOR VEHICLE WITH A LIST OF ANY PERSONS WHO HAVE THREE OR MORE OUTSTANDING PARKING VIOLATIONS, INCLUDING VIOLATIONS OF SECTION 316.1955 OR SECTION 316.1956 (HANDICAPPED) OF THE FLORIDA STATUTES. PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, Florida State Statutes allows counties and municipalities to adopt an ordinance providing for the Clerk of the Court to furnish the State of Florida Department of Highway Safety and Motor vehicles, a list of persons who have 3 or more outstanding parking violations including violations of section 316.1955 and 316.1956 of the Florida State Statutes for the purpose of withholding license plates and/or revalidation stickers until such parking fines and charges are paid.

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

SECTION 1: Section 19-72.1 Failure to comply with Section 19-72 or 19-60

(a) The Clerk of the Court shall supply the Department of Highway Safety and Motor vehicles with a computer tape or cartridge which is machine readable by the computer system installed at the DHSMV listing persons who have three (3) or more outstanding parking violations, including violations of Section 316.1955 or Section 316.1956 of the Florida Statutes.

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

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

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

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

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 3 day of SEPTEMBER, 1997.

PASSED AND APPROVED on second and final reading this 17^H day of SEPT., 1997.

APPROVED:

vacation
CLARA K. WILLIAMS, MAYOR

Marge Confrey
MARGE CONFREY, CHAIRPERSON

Lenora Hurley
LENORA HURLEY, CHAIRPERSON PRO-TEM

(MUNICIPAL SEAL)

Cynthia Becton
CINTHIA BECTON

Marilyn S. Moffitt
MARILYN MOFFITT

Carrie E. Ward
CARRIE E. WARD, CMC/AE
CITY CLERK

William H. Burrs
WILLIAM BURRS
COUNCIL MEMBERS

MOTIONED BY: M. MOFFITT

MOTIONED BY: M. MOFFITT

SECONDED BY: L. HURLEY

SECONDED BY: W. BURRS

	1ST READING	2ND & FINAL READING
C. BECTON	<u>AYE</u>	<u>AYE</u>
M. MOFFITT	<u>AYE</u>	<u>AYE</u>
M. CONFREY	<u>AYE</u>	<u>AYE</u>

ORDINANCE NO. 2757

PAGE 3

L. HURLEY AYE AYE

W. BURRS AYE AYE

CERTIFICATION OF PUBLICATION

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

9/17/97

Date

Carrie E. Ward

Carrie E. Ward, CMC/AE, City Clerk

REVIEWED AS TO LEGAL SUFFICIENCY

[Signature]
CITY ATTORNEY
CITY OF RIVIERA BEACH

DATE: 8/21/97

CEW/BYW/8-19-97



CITY OF RIVIERA BEACH

600 WEST BLUE HERON BLVD. • RIVIERA BEACH, FLORIDA 33404

OFFICE OF
CITY CLERK

PUBLICATION REQUEST FOR PALM BEACH POST TIMES

DATE: SEPTEMBER 4, 1997

The below Bill described by title only will be placed on second and final reading at the **REGULAR MEETING** of the City Council of the City of Riviera Beach, FL, to be held on **SEPTEMBER 17, 1997**, at City Hall, 600 West Blue Heron Blvd., at 7:30 P.M., and from time-to-time thereafter as may be necessary for the purposes of enactment of the following ordinances:

ORDINANCE NO. 2758 Amending Chapter 19 entitled "Traffic", Section 19-60 entitled "Handicapped Parking" by amending this section to provide that the fine for violation of the handicapped parking ordinance shall be two hundred & fifty (\$250) in accordance with recently amended state law; providing a severability clause and an effective date.

ORDINANCE NO. 2759 Amending Chapter 19, Section 19-72 of the City of Riviera Beach Code of Ordinances by changing the word "Penalty" to "Citation"; by amending this section to allow for a late fee if citations are not paid in a timely manner; providing a severability clause and an effective date.

SAID ORDINANCE MAY BE INSPECTED BY THE PUBLIC AT ANY TIME DURING REGULAR WORKING HOURS IN THE CITY CLERK'S OFFICE.

PUBLISH: SATURDAY, SEPTEMBER 6, 1997

Carrie E. Ward, CMC/AE
City Clerk
City of Riviera Beach, FL

CEW/clf



CITY OF RIVIERA BEACH

600 WEST BLUE HERON BLVD. • RIVIERA BEACH, FLORIDA 33404

OFFICE OF
CITY CLERK

PUBLICATION REQUEST FOR PALM BEACH POST TIMES

DATE: SEPTEMBER 4, 1997

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ORDINANCE NO. 2755 Making appropriations for fiscal year ending September 30, 1998; providing a severability clause and an effective date.

ORDINANCE NO. 2756 Amending Chapter 2, Article III, of the Code of Ordinances by modifying procedures for quasi-judicial proceedings relating to ex-parte communications; providing a severability clause and an effective date.

ORDINANCE NO. 2757 Creating an ordinance under Chapter 19, Section 19.72.1, authorizing the Clerk of the Court to furnish the Department of Motor Vehicles, with a list of any persons who have three or more outstanding parking violations, including violations of Section 316.1955 or Section 316.1956 (Handicapped) of the Florida Statutes, providing a severability clause and an effective date.

PUBLISH: SATURDAY, SEPTEMBER 6, 1997

Carrie E. Ward, CMC/AE
City Clerk
City of Riviera Beach, FL

CEW/clf

ORDINANCE 2758

ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 19 ENTITLED "TRAFFIC", SECTION 19-60 ENTITLED "HANDICAPPED PARKING" BY AMENDING THIS SECTION TO PROVIDE THAT THE FINE FOR VIOLATION OF THE HANDICAPPED PARKING ORDINANCE SHALL BE TWO HUNDRED AND FIFTY DOLLARS (\$250.00) IN ACCORDANCE WITH RECENTLY AMENDED STATE LAW; PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE,

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

SECTION 1: Section 19-60 Handicapped Parking to be amended as follows:

(a) It is prohibited for any person to park a vehicle in a properly designate handicapped parking space in violation of the provisions of F.S. §316.1955 or 316.1956. It shall be prima facie evidence that the vehicle was parked and left in the space by the person in whose name the vehicle is registered and licensed according to the records of the division of motor vehicles. Persons violating this section shall be fined \$150.00 any provisions of this section shall be guilty of an infraction, for which the fine shall be two hundred and fifty dollars (\$250.00).

(b) In accordance with section 316.008(4)(a)(b) of the Florida Statutes, one-third of the fines collected shall be used to defray expenses for the administration of this ordinance and the provisions of the Florida Statutes regarding disabled parking violations. Two-thirds of the fines collected shall be used to provide funds to improve accessibility and equal opportunity to qualified physically disabled persons in the City and to provide funds to conduct public awareness programs in the City concerning physically disabled persons.

SECTION 2: It is the intention of the City Council and its 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 accomplished 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 sections or part of sections of the Code of Ordinances, all ordinances or part 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: Specific authority is hereby granted to codify this ordinance.

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 3RD day of SEPTEMBER, 1997.

PASSED AND APPROVED on second and final reading this 17th day of SEPTEMBER, 1997.

APPROVED:

vacation
CLARA K. WILLIAMS, MAYOR

Marge Confrey
MARGE CONFREY, CHAIRPERSON

Lenora Hurley
LENORA HURLEY, CHAIRPERSON PRO-TEM

(MUNICIPAL SEAL)

Hypocynthia "Cynthia" Becton
CINTHIA BECTON

ATTEST:

Carrie E. Ward
**CARRIE E. WARD, CMC/AE
CITY CLERK**

Marilyn S. Moffitt
MARILYN MOFFITT

William W. Burrs
**WILLIAMS BURRS
COUNCIL MEMBERS**

MOTIONED BY: C. BECTON

MOTIONED BY: M. MOFFITT

SECONDED BY: M. MOFFITT

SECONDED BY: W. BURRS

	1ST READING	2ND & FINAL READING
C. BECTON	<u>AYE</u>	<u>AYE</u>
M. MOFFITT	<u>AYE</u>	<u>AYE</u>
M. CONFREY	<u>AYE</u>	<u>AYE</u>
L. HURLEY	<u>AYE</u>	<u>AYE</u>
W. BURRS	<u>AYE</u>	<u>AYE</u>

CERTIFICATION OF PUBLICATION

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

9/17/97
Date

Carrie E. Ward
Carrie E. Ward, CMC/AEE, City Clerk

REVIEWED AS TO LEGAL SUFFICIENCY
[Signature]
CITY ATTORNEY
CITY OF RIVIERA BEACH

DATE: 8/21/97

CEW/BYW/8-19-97



CITY OF RIVIERA BEACH

600 WEST BLUE HERON BLVD. • RIVIERA BEACH, FLORIDA 33404

OFFICE OF
CITY CLERK

PUBLICATION REQUEST FOR PALM BEACH POST TIMES

DATE: SEPTEMBER 4, 1997

The below Bill described by title only will be placed on second and final reading at the **REGULAR MEETING** of the City Council of the City of Riviera Beach, FL, to be held on **SEPTEMBER 17, 1997**, at City Hall, 600 West Blue Heron Blvd., at 7:30 P.M., and from time-to-time thereafter as may be necessary for the purposes of enactment of the following ordinances:

ORDINANCE NO. 2758 Amending Chapter 19 entitled "Traffic", Section 19-60 entitled "Handicapped Parking" by amending this section to provide that the fine for violation of the handicapped parking ordinance shall be two hundred & fifty (\$250) in accordance with recently amended state law; providing a severability clause and an effective date.

ORDINANCE NO. 2759 Amending Chapter 19, Section 19-72 of the City of Riviera Beach Code of Ordinances by changing the word "Penalty" to "Citation"; by amending this section to allow for a late fee if citations are not paid in a timely manner; providing a severability clause and an effective date.

SAID ORDINANCE MAY BE INSPECTED BY THE PUBLIC AT ANY TIME DURING REGULAR WORKING HOURS IN THE CITY CLERK'S OFFICE.

PUBLISH: SATURDAY, SEPTEMBER 6, 1997

Carrie E. Ward, CMC/AAE
City Clerk
City of Riviera Beach, FL

CEW/clf

ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 19, SECTION 19-72 OF THE CITY OF RIVIERA BEACH CODE OF ORDINANCES BY CHANGING THE WORD PENALTY TO CITATION; BY AMENDING THIS SECTION TO ALLOW FOR A LATE FEE IF CITATIONS ARE NOT PAID IN A TIMELY MANNER; PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

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

SECTION 1: That Section 19-72 entitled "Failure to comply with affixed citation follow-up notification imposed" of Division 1 entitled "In General" of Article III entitled "Stopping, Standing and Parking" of Chapter 19 entitled "Traffic" of the Code of Ordinances be amended to read:

(a) A user or owner who violates any of the restrictions on stopping, standing or parking imposed by ordinance or Code, in response to such notice or citation affixed to such motor vehicle may pay to the city clerk, ~~as a penalty for and in full satisfaction of such violation~~ the sum of ten dollars (\$10.00) within five (5) business days to avoid a late fee.

(b) ~~If such user or owner shall fail to pay such penalty citation within five (5) business days after such notice or citation was attached to such vehicle, the city clerk shall send such user or owner of such vehicle to which the notice or citation was affixed a follow-up notice on a form by the city clerk informing such user or owner of the violation, and warning such user or owner that if such follow-up notice is disregarded and the penalty continues unpaid for a period of ten days from the date thereof, such non-payment shall permit the city prosecutor or state attorney to institute proceedings in the county court against the nonpaying violator; and that a summons shall be issued, ordering and directing the nonpaying violator's appearance at the county court. excluding weekends and holidays, the following~~

late fee shall be imposed: If payment is postmarked after 96 hours of due date add \$10.00, after 30 days add \$25.00, plus original payment affixed to citation. Such violator(s) shall have the right to appeal or request a court hearing and if such user or owner is found guilty of such violation in county court, such user or owner shall be fined a minimum of \$50.00 per violation plus court costs.

(c) The violator, upon satisfactorily complying with the applicable code, shall be issued a parking violation payment verification by the "City of Riviera Beach Parking Citation Division" in the City Clerk's Office.

(d) If persons fail to pay three or more fines in accordance with the aforementioned sections, or in accordance with section 19-60, the city will report such failure to the Clerk of the Court who in turn will furnish the Department of Motor Vehicles a list of violators for the purpose of withholding license plates or revalidation stickers until all fines have been paid.

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 accomplished 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 sections or part of sections of the Code of Ordinances, all ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict herewith, be an the same are hereby repealed to extent of such conflict.

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

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 3RD day of SEPTEMBER, 1997.

PASSED AND APPROVED on second and final reading this 17th day of SEPTEMBER, 1997.

APPROVED:

vacation
CLARA K. WILLIAMS, MAYOR

Marge Confrey
MARGE CONFREY, CHAIRPERSON

Lenora Hurley
LENORA HURLEY, CHAIRPERSON PRO-TEM

(MUNICIPAL SEAL)

Hyacinthia "Cynthia" Becton
CINTHIA BECTON

ATTEST:

Carrie E. Ward
CARRIE E. WARD, CMC/AE
CITY CLERK

Marilyn S. Moffitt
MARILYN MOFFITT

William H. Burrs
WILLIAMS BURRS
COUNCIL MEMBERS

MOTIONED BY: M. MOFFITT

MOTIONED BY: C. BECTON

SECONDED BY: L. HURLEY

SECONDED BY: W. BURRS

	1ST READING	2ND & FINAL READING
C. BECTON	<u>AYE</u>	<u>AYE</u>
M. MOFFITT	<u>AYE</u>	<u>AYE</u>
M. CONFREY	<u>AYE</u>	<u>AYE</u>
L. HURLEY	<u>AYE</u>	<u>AYE</u>
W. BURRS	<u>AYE</u>	<u>AYE</u>

ORDINANCE NO. 2759

PAGE 4

CERTIFICATION OF PUBLICATION

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

9/19/97

Date

Carrie E. Ward

Carrie E. Ward, CMC/AE, City Clerk

REVIEWED AS TO LEGAL SUFFICIENCY

[Signature]
CITY ATTORNEY
CITY OF RIVIERA BEACH

DATE:

8/21/97

CEW/BYW/8-19-97

ORDINANCE NO. 2760

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 RESIDENTIAL PLANNED UNIT DEVELOPMENTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR ENFORCEMENT; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the front setback requirements for residential dwellings in the R-PUD(1): Residential Planned Unit Development are not currently consistent; and

WHEREAS, the front setbacks for single family, cluster homes, and townhouse/duplex dwellings in the R-PUD(1): Residential Planned Unit Development duplex should be consistent; 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 amendment 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 31-495, entitled "Property development standards for the R-PUD(1) residential planned unit developments," in Chapter 31 of the Code of Ordinances is hereby amended as follows, wherein the underlined text represents new text to added and text that is struck through represents text to be deleted:

1. Section 31-495. Property development standards for the R-PUD(1) residential planned unit developments.

- (1) Single-family detached:

- e. Minimum building setbacks:

- Front: ~~20~~ 15 feet (for non-garage portion).

- 20 feet (for front-loaded garage portion).

- 10 feet (for side-loaded garage portion).

- (2) Cluster housing (patio and zero lot line only):

- e. Minimum building setbacks:

- Front: ~~20~~ 15 feet (for non-garage portion).

- 20 feet (for front-loaded garage portion).

- 10 feet (for side-loaded garage portion when lot width is 48 feet minimum).

- (3) Townhouses or duplexes:

- e. Minimum building setbacks:

- Front:

- Townhomes: ~~20~~ 15 feet (for non-garage portion).

- 20 feet (for front-loaded garage portion).

- 10 feet (for side-loaded garage portion).

- Duplexes: ~~20~~ 15 feet (for non-garage portion).

- 20 feet (for front-loaded garage portion).

- 10 feet (for side-loaded garage portion).

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.

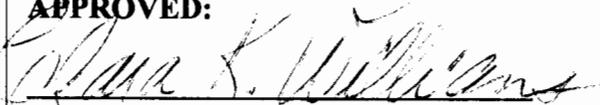
SECTION 4. That all sections or parts of sections of the Code of Ordinances, all ordinances or parts of ordinances, and all resolutions or parts of resolutions, in conflict herewith, be and the same are hereby repealed to extent of such conflict.

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

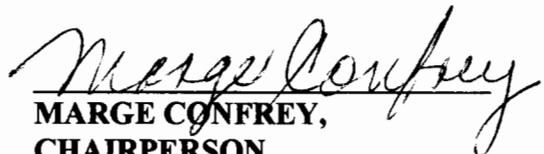
PASSED AND APPROVED on First Reading this 1ST day of OCTOBER, 1997.

PASSED AND ADOPTED on Second Reading this 15TH day of OCTOBER, 1997.

APPROVED:

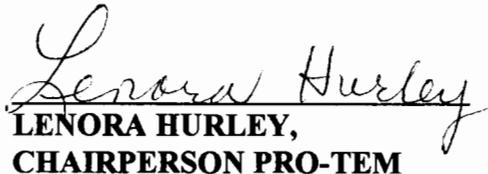


CLARA K. WILLIAMS, MAYOR



**MARGE CONFREY,
CHAIRPERSON**

[MUNICIPAL SEAL]



**LENORA HURLEY,
CHAIRPERSON PRO-TEM**



CINTHIA BECTON

ATTEST:



MARILYN MOFFITT



**CARRIE E. WARD, CMC/AAE
CITY CLERK**



**WILLIAM BURRS
COUNCIL MEMBERS**

1st Reading

2nd & Final Reading

MOTIONED BY:

C. BECTON

M. MOFFITT

SECONDED BY:

M. MOFFITT

C. BECTON

C. BECTON

AYE

AYE

M. MOFFITT

AYE

AYE

M. CONFREY

AYE

AYE

L. HURLEY

AYE

AYE

W. BURRS

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AYE

CERTIFICATION OF PUBLICATION

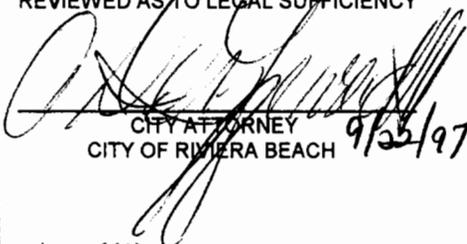
I hereby certify that notice of the proposed enactment of this ordinance was duly published in a newspaper of general circulation within the City of Riviera Beach as required by the applicable Florida Statutes.

8/27 + 9/16/97
Date



Carrie E. Ward, CMC/AE, City Clerk

REVIEWED AS TO LEGAL SUFFICIENCY



CITY ATTORNEY
CITY OF RIVIERA BEACH

9/23/97

c:\rpud(1).zta

9/18/97