ORDINANCE NO. 2080

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 2, ARTICLE VI DIVISION 3, OF SECTION 2-100 OF THE CODE OF ORDINANCES OF RIVIERA BEACH, FLORIDA, RELATING TO RATES OF PAY AND SALARY SCHEDULE BY CHANGING THE PAY GRADE OF UTILITY BILLING CLERK I AND UTILITY BILLING CLERK II THEREFROM UNDER FINANCE & ACCOUNTING, AND CREATING THE POSITION OF UTILITY BILLING CLERK III; PROVIDING A REPEALING CLAUSE, SAVING CLAUSE, AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

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

SECTION 1. That Chapter 2, Article VI Division 3, of Section 2-100 of the Code of Ordinances of Riviera Beach, Florida relating to rates of pay and salary schedule is amended by changing the pay grade of various classifications therefrom for the following:

CLASS TITLE	CLASSIFICATION	PAY GRADE/RANGE	
		From	To
Finance & Accounting	Utility Billing Clerk I	15	13
	Utility Billing Clerk II	16	15

SECTION 2. That Chapter 2, Article VI Division 3, of Section 2-100 of the Code of Ordinances of Riviera Beach, Florida relating to rates of pay and salary schedule is amended by creating therefrom the following:

CLASS TITLE	CLASSIFICATION	PAY GRADE/RANGE
Finance & Accounting	Utility Billing Clerk III	16

SECTION 3. All ordinances or parts of Ordinances of Charter provisions in conflict herewith are to the extent of such conflict repealed.

SECTION 4. In the event that any provisions or applications of this Ordinance shall be held to be invalid, it is the legislative intent that the other provision and applications hereof shall not be thereby affected.

SECTION 5. This Ordinance shall take effect upon its final passage and adoption by the City Council.

PASSED AND ADOPTED on first reading this 7th day of May 1980.

PASSED AND ADOPTED on second and final reading this 21 day of May, 1980.

Mayor

Chairman

Chairman Pro Tem

(MUNICIPAL SEAL)

Councilmen

ATTEST:

Betty J. Butler
City Clerk

CITY OF RIVIERA BEACH

600 WEST BLUE HERON BLVD • RIVIERA BEACH, FLORIDA 33404

OFFICE OF
CITY CLERK

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, Florida to be held on Wednesday May 21, 1980 at 7:30 P.M. at the City Hall 600 West Blue Heron Boulevard and from time to time thereafter as may be necessary for the purpose of considering the enactment of the following Ordinance:

ORDINANCE NO. 2080

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 2, ARTICLE VI DIVISION 3, OF SECTION 2-130 OF THE CODE OF ORDINANCES OF RIVIERA BEACH, FLORIDA, RELATING TO RATES OF PAY AND SALARY SCHEDULE BY CHANGING THE PAY GRADE OF UTILITY BILLING CLERK I AND UTILITY BILLING CLERK II THEREFROM UNDER FINANCE & ACCOUNTING, AND CREATING THE POSITION OF UTILITY BILLING CLERK III; PROVIDING A REPEALING CLAUSE, SAVING CLAUSE, AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

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

Interested parties may appear at said meeting and be heard with respect to the Ordinance.

BY ORDER OF CITY CLERK

PUBLISH: MAY 14, 1980

ORDINANCE NO. 2081

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING PARAGRAPH (f) OF SECTION 4-24. ENTITLED "RESTRICTIONS ON ISSUANCE OF LICENSES IN CERTAIN AREAS; HOURS OF SALE" OF ARTICLE II ENTITLED "MISCELLANEOUS RESTRICTIONS" OF CHAPTER 4 ENTITLED "ALCOHOLIC BEVERAGES" OF THE CODE OF ORDINANCES BY SPECIFYING THE HOURS OF SALE OF ALCOHOLIC BEVERAGES WITHIN THE CITY; PROVIDING A PENALTY CLAUSE, REPEALING CLAUSE, SAVING CLAUSE, AUTHORITY TO CODIFY, AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

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

SECTION 1. That paragraph (f) of Section 4-24. entitled "Restrictions on issuance of licenses in certain areas; hours of sale" of Article II entitled "Miscellaneous Restrictions" of Chapter 4 entitled "Alcoholic Beverages" of the Code of Ordinances is amended to read:

> (f) Anything in this chapter to the contrary notwithstanding, no alcoholic beverages (i.e. all beverages containing more than one per cent (1%) of alcohol by weight) may be sold, consumed, served or permitted to be sold, served or consumed in any place in the ~~town~~ city holding a beverage license under the ~~State Beverage Department of Florida~~ Division of Alcoholic Beverages and Tobacco of the Department of Business Regulation between the hours of ~~five o'clock (5:00) a.m.~~ two o'clock (2:00) a.m. and seven o'clock (7:00) of the same day and on New Years' eve, between the hours of five o'clock (5:00) a.m. and seven o'clock (7:00) a.m. of the same day; provided, however, vendors holding package store licenses may not sell alcoholic beverages between the hours of five o'clock (5:00) a.m. and nine o'clock (9:00) a.m. of the same day on Sunday.

SECTION 2. Any person violating any of the provisions of this Ordinance, shall upon conviction, be subject to the Provisions of the uniform maximum penalty Ordinance, Ordinance No. 1123, enacted on October 6, 1976.

SECTION 3. All Ordinances or parts of Ordinances or Charter provisions in conflict herewith are to the extent of such conflict repealed.

SECTION 4. In the event that any provision or application of this Ordinance shall be held to be invalid, it is the legislative intent that the other provisions and applications hereof shall not be thereby affected.

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

SECTION 6. This Ordinance shall take effect upon its final passage and adoption by the City Council.

PASSED and APPROVED on first reading this 7th day of May, 1980.

PASSED and ADOPTED on second and final reading this 21 day of May, 1980.

APPROVED:

Mayor

(MUNICIPAL SEAL)

Chairman

Chairman Pro Tem

Councilmen

ATTEST:

City Clerk

	1ST READING	2ND READING
MOTIONED BY:	Lawrence	Guider
SECONDED BY:	Dodd	Dodd
G. NIKOLITS	Aye	Aye
C. GUIDER	Aye	Aye
P. BATES	Aye	Aye
R. DODD	Aye	Aye
C. LAWRENCE	Aye	Aye

r.

CITY OF RIVIERA BEACH

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

OFFICE OF
CITY CLERK

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, Florida to be held on Wednesday May 21, 1980 at 7:30 P.M. at the City Hall 600 West Blue Heron Boulevard and from time to time thereafter as may be necessary for the purpose of considering the enactment of the following Ordinance:

ORDINANCE NO. 2081

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING PARAGRAPH (f) OF SECTION 4-24. ENTITLED "RESTRICTIONS ON ISSUANCE OF LICENSES IN CERTAIN AREAS; HOURS OF SALE" OF ARTICLE II ENTITLED "MISCELLANEOUS RESTRICTIONS" OF CHAPTER 4 ENTITLED "ALCOHOLIC BEVERAGES" OF THE CODE OF ORDINANCES BY SPECIFYING THE HOURS OF SALE OF ALCOHOLIC BEVERAGES WITHIN THE CITY; PROVIDING A PENALTY CLAUSE, REPEALING CLAUSE, SAVING CLAUSE, AUTHORITY TO CODIFY, AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

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

Interested parties may appear at said meeting and be heard with respect to the Ordinance.

BY ORDER OF CITY CLERK

PUBLISH: MAY 14, 1980

ORDINANCE NO. 2082

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING SUBPARAGRAPH (b) OF PARAGRAPH (1) ENTITLED "CONDITIONS OF ELIGIBILITY" OF SECTION 2-120.2. ENTITLED "ELIGIBILITY." OF DIVISION 4 ENTITLED "GENERAL PENSION PLAN" OF ARTICLE VI ENTITLED "CITY EMPLOYEES" OF CHAPTER 2 ENTITLED "ADMINISTRATION" OF THE CODE OF ORDINANCES BY PROVIDING THAT ANY FUTURE EMPLOYEE MUST BECOME A MEMBER UPON THE COMPLETION OF SIX MONTHS OF CONTINUOUS SERVICE; PROVIDING A PENALTY CLAUSE, REPEALING CLAUSE, SAVING CLAUSE, AUTHORITY TO CODIFY, AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

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

SECTION 1. That subparagraph (b) of paragraph (1) entitled "Conditions of eligibility" of Section 2-120.2. entitled "Eligibility" of Division 4 entitled "General Pension Plan" of Article VI entitled "City Employees" of Chapter 2 entitled "Administration" of the Code of Ordinances is amended to read:

> "Any future employee must become a member upon the completion of ~~one-year~~ six months of continuous service if not more than sixty-three (63) years of age and provided that:
>
> (1) Such employee satisfactorily completes all required medical examinations for an employee of his classification, and,
>
> (2) Such employee meets all personnel administrative requirements of the city, and
>
> (3) The employee makes required contributions as provided herein for members of the general employees system.
>
> The methods and procedures to be followed with regard to the above shall be determined by the board but subject to approval of the city council."

SECTION 2. Any person violating any of the provisions of this Ordinance, shall upon conviction, be subject to the provisions of the uniform maximum penalty Ordinance, Ordinance No. 1123, enacted on October 6, 1976.

SECTION 3. All Ordinances or parts of Ordinances or Charter provisions in conflict herewith are to the extent of such conflict repealed.

SECTION 4. In the event that any provision or application of this Ordinance shall be held to be invalid, it is the legislative intent that the other provisions and applications hereof shall not be thereby affected.

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

SECTION 6. This Ordinance shall take effect upon its final passage and adoption by the City Council.

PASSED and APPROVED on first reading this 21st day of May, 1980.

PASSED and ADOPTED on second and final reading this 4th day of June, 1980.

APPROVED:

Mayor

Chairman

Chairman Pro Tem

(MUNICIPAL SEAL)

ATTEST:

City Clerk

Councilmen

	1ST READING	2ND READING
MOTIONED BY:	Lawrence	Guider
SECONDED BY:	Guider	Lawrence
G. NIKOLITS	Aye	Aye
C. GUIDER	Aye	Aye
R. DODD	Aye	Aye
C. LAWRENCE	Aye	Aye
P. BATES	Aye	Aye

r.

ORDINANCE NO. 2082

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, Florida to be held on Wednesday June 4, 1980 at 7:30 P.M. at the City Hall 600 West Blue Heron Boulevard and from time to time thereafter as may be necessary for the purpose of considering the enactment of the following Ordinance:

ORDINANCE NO. 2082

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING SUBPARAGRAPH (b) OF PARAGRAPH (1) ENTITLED "CONDITIONS OF ELIGIBILITY" OF SECTION 2-120.2, ENTITLED "ELIGIBILITY," OF DIVISION 4 ENTITLED "GENERAL PENSION PLAN" OF ARTICLE VI ENTITLED "CITY EMPLOYEES" OF CHAPTER 2 ENTITLED "ADMINISTRATION" OF THE CODE OF ORDINANCES BY PROVIDING THAT ANY FUTURE EMPLOYEE MUST BECOME A MEMBER UPON THE COMPLETION OF SIX MONTHS OF CONTINUOUS SERVICE; PROVIDING A PENALTY CLAUSE, REPEALING CLAUSE, SAVING CLAUSE, AUTHORITY TO CODIFY, AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

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

Interested parties may appear at said meeting and be heard with respect to the Ordinance.

BY ORDER OF CITY CLERK

PUBLISH: 5/28/80

ORDINANCE NO. 2083

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, FLORIDA, REDEFINING THE MUNICIPAL BOUNDARIES TO INCLUDE CERTAIN PARCELS OF LAND PREVIOUSLY INCORPORATED THROUGH VOLUNTARY PETITIONS FOR ANNEXATION IN ACCORDANCE WITH CHAPTER 171,SECTION 171.044 FLORIDA STATUTES 1979, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING AN EFFECTIVE DATE THEREOF, AND FOR OTHER PURPOSES.

WHEREAS, in June 1970, the Legislature of the STATE OF FLORIDA by House Bill No. 5263 designated the "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 1977, the Area Planning Board of Palm Beach County acting as agent for the Florida Department of Pollution Control, designated the City of Riviera Beach as the sole agent to provide water distribution and sewage collection and/or treatment in the "Greater Riviera Beach Area" (also known as Reserve Annexation Area), and

WHEREAS, several owners of real property in the designated "Greater Riviera Beach Area" of Palm Beach County, Florida, said parcels being contiguous to the present municipal boundaries of Riviera Beach, Florida, have seperately executed Voluntary Petitions for Annexation into the City of Riviera Beach, Florida, and

WHEREAS, the governing body of the City of Riviera Beach has determined that the petitions presented bear the signatures of all owners of properties in the area to be annexed, and

WHEREAS, the City Council of the City of Riviera Beach has passed Ordinance Numbers 2068, 2069, 2070, 2071, 2072, and 2073, said ordinances accepting petitions for Voluntary Annexation of certain unincorporate parcels of land in Palm Beach County, and have caused notice of said ordinances to be published in their entirety once a week for four (4) consecutive weeks in a newspaper of general circulation in Palm Beach County, Florida, and

WHEREAS, copies of said ordinances shall be filed with the Clerk of the Circuit Court of Palm Beach County, Florida, and with the Department of State, and

WHEREAS, in 1976, City of Riviera Beach, after holding a Referendum, annexed certain contiguous properties by Ordinance 1101 which extended City Corporate Limits to the westerly Right-of-Way line

of I-95. Said Ordinance 1101 was later declared null and void by Court action and the subject areas were ordered de-annexed, and

WHEREAS, the City of Riviera Beach provided municipal services e.g. water, sewer, police and fire protection in the de-annexed area from January 1, 1977 to April 1, 1980 at the same rate and level of services as the rest of the City. City of Riviera Beach also controlled planning, zoning, subdivision platting, building permits, engineering review and occupational licenses in the de-annexed area.

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

SECTION 1: Pursuant to Chapter 171, Section 171.044 Voluntary Annexation, Florida Statutes, 1979, City of Riviera Beach, does hereby redefine the Corporate Limits of the City of Riviera Beach to include those parcels of land accepted through Voluntary Petitions, by passage of Ordinances 2068, 2069, 2070, 2071, 2072 and 2073, as follows:

"Beginning at the North West 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 of the Intracoastal Waterway to the point of intersection with a line parallel to and 1,294 feet 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 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 feet South of, the North line of Section 10, of said Township and Range; thence easterly along said parallel line to the water's edge of the Atlantic Ocean; thence southerly along the water's edge of the Atlantic Ocean to a point in the easterly extension of a line parallel and 998.96 feet South of the South line of a tract of land in Palm Beach County known as Replat of 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 center line 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 North Right-of-Way line of State Road 710; thence westerly along the North line of State Road 710 to it's point of intersection with the proposed centerline of Congress Avenue Right-of-Way; thence southerly along said centerline to it's point of intersection with the Southern Right-of-Way line of the Seaboard Coast Line Rail Road Right-of-Way as now established; thence southeasterly along said Southern Right-of-Way line to it's 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 to the point of intersection with the westerly Right-of-Way of the North Palm Beach County Water Control District Canal as now established; thence North easterly and northerly along said westerly Right-of-Way, and it's northerly extension to a point 230 feet North of the North West corner of said North Palm Beach County Water Control District Canal Right-of-Way; thence easterly along a line parallel to and 230 feet North of the northern most Right-of-Way of said canal to a point 1527.09 feet West of the East line of Section 36, Township 42 South, Range 42 East; thence northerly along a line parallel to and 1527.09 feet West of the East line of said Section 36 a distance of 330 feet to a point; thence westerly along a line bearing North 88°-07'-21" West to the westerly Right-of-Way line of Military Trail(State Road 809); thence southerly along the westerly Right-of-Way line of said Military Trail to the South line of said Section 36; thence westerly along said South line of Section 36 to the Southwest corner of Section 36, Township 42 South, Range 42 East; thence northerly along the West line of said Section 36 to a point 52.5 feet South of the East-West center section line of said Section 36; thence easterly along a line parallel to and 52.5 feet southeasterly of the East-West Center Section line of said Section 36 to the East Right-of-Way line of Military Trail(State Road 809); thence northerly along the East Right-of-Way line of Military Trail to the East-West Center Section line of said Section 36; thence easterly along said East-West Center Section line to the East line of said Section 36; thence northerly along said East line of said Section 36 to a point

149.19 feet South of the South Right-of-Way line of Seaboard Coast Line Railroad as now established,(as measured along said East line of said Section 36); thence North 87°-52'-34" West, a distance of 380 feet to the beginning of a curve concave to the Southwest having a radius of 50 feet and a central angle of 138°-11'-23"; thence northwesterly along the arc of said curve, a distance of 100.60 feet to a point; thence North 2°-20'-11" East a distance of 415.20 feet to the southerly Right-of-Way of the Seaboard Coast Line Railroad as now established thence southeasterly along said southern Right-of-Way to the point of intersection with the western Right-of-Way of Central and Southern Florida Flood Control District Canal C-17; thence northerly along said western Right-of-Way of C-17, to the point of intersection with the easterly extension of the South line of an area of land in Palm Beach County known as Plat no. 2, Interstate Industrial Park as same is recorded in Plat Book 39, pages 131 & 132 Public Records of Palm Beach County; thence North 87°-35'-17" West to the easterly Right-of-Way line of I-95 (State Road No. 9); thence northwesterly along the easterly Right-of-Way of I-95 to a point 50 feet South of the North line of Section 31, Township 42 South, Range 43 East; thence North 87°-56'-50" West a distance of 61.57 feet to a point; thence southeasterly along a line parallel to and 60 feet East of the easterly Right-of-Way line of I-95 a distance of 953.39 feet to a point; thence North 70°-39'-58" East a distance of 340 feet to a point; thence South 19°-20'-02" East a distance of 308.67 feet to a point; thence South 87°-56'-50" East a distance 742.74 feet to a point; thence South 2°-03'-10" West a distance of 350 feet to a point; thence South 87°-56'-50" East to the Western Right-of-Way line of Central and Southern Florida Flood Control District Canal C-17; thence northerly along said Western Right-of-Way line of said Canal C-17, to it's point of intersection with the South line of Section 30, Township 42 South, Range 43 East, Palm Beach County, Florida; thence continuing northerly along said western Right-of-Way line of C-17, a distance of 815.18 feet to a point; thence North 87°-40'-36" West a distance of 1210.66 feet to a point; thence North 2°-19'-24" East a distance of 200 feet to a point; thence South 87°-40'-36" East a distance of 200 feet to a point; thence North 2°-19'-24" East a distance of 200 feet to a point on the southerly Right-of-Way line of Blue Heron Boulevard as recorded in Road Plat Book 2, page 171, Public Records, Palm Beach County, Florida; thence easterly along said southerly Right-of-Way line to it's point of intersection with the westerly Right-of-Way line of Central and

Southern Florida Flood Control District Canal C-17; thence northerly along said westerly Right-of-Way line to it's point of intersection with the East-West center line of Section 30, said Township and Range; thence easterly along said East-West center line to a point 668 feet West of the East line of said Section 30; thence northerly along a line parallel to and 668 feet West of the East line of said Section 30, a distance of 653.15 feet to a point; thence easterly at a right angle to the preceeding course to the East line of said Section 30; thence northerly along said East line of the Northwest corner of Section 29, Range 43 East, Township 42 South, said point being the point of Beginning."

SECTION 2: This ordinance shall be read by title only on first reading, and shall be published in it's entirely once a week for four (4) consecutive weeks in a newspaper of general circulation in Palm Beach County, Florida. There upon after second reading by Title only, this ordinance shall become effective immediately upon it's passage and adoption, and the annexation shall become effective ten (10) days thereafter.

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 it's charter, the Clerk of the Circuit Court of Palm Beach County, and other agencies as required by law.

SECTION 4: All Ordinance 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 other than the part declared to be invalid.

PASSED AND APPROVED on first reading this 21 day of May 1980.

PASSED AND ADOPTED on second and final reading this 4th of June, 1980.

APPROVED:

Mayor

Chairman

Chairman Pro Tem

ATTEST:

City Clerk

Council Members

	1ST READING	2ND READING
MOTIONED BY:	Dodd	Guider
SECONDED BY:	Lawrence	Dodd
G. Nikolits	Aye	Aye
C. Guider	Aye	Aye
R. Dodd	Aye	Aye
C. Lawrence	Aye	Aye
P. Bates	Aye	Aye

ORDINANCE NO. 2083

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, Florida to be held on Wednesday June 4, 1980 at 7:30 P.M. at the City Hall 600 West Blue Heron Boulevard and from time to time therafter as may be necessary for the purpose of considering the enactment of the following Ordinance:

ORDINANCE NO. 2083

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, FLORIDA, REDEFINING THE MUNICIPAL BOUNDARIES TO INCLUDE CERTAIN PARCELS OF LAND PREVIOUSLY INCORPORATED THROUGH VOLUNTARY PETITIONS FOR ANNEXATION IN ACCORDANCE WITH CHAPTER 171, SECTION 171.044 FLORIDA STATUTES 1979, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING AN EFFECTIVE DATE THEREOF, AND FOR OTHER PURPOSES.

SAID ORDINANCE MAY BE INSPECTED BY THE PUBLIC AT ANY TIME DURING WORKING HOURS IN THE OFFICE OF THE CI TY CLERK.

Interested parties may appear at said meeting and be heard with respect to the Ordinance.

BY ORDER OF THE CITY CLERK

Publish: 5/28/80

ORDINANCE NO. 2084

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 13 ENTITLED "OFFENSES" OF THE CODE OF ORDINANCES BY PROVIDING A SECTION DEFINING "AIRCRAFT" AND REGULATING THE LANDING OF AIRCRAFT, PARACHUTE OR SKYDIVING WITHIN THE CITY; PROVIDING A PENALTY CLAUSE, REPEALING CLAUSE, SAVING CLAUSE, AUTHORITY TO CODIFY, AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

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

That Chapter 13 entitled "Offenses" of the Code of Ordinances is amended to read:

SECTION 1. "Aircraft" defined. The term "aircraft" as used in this ordinance means any airplane, gas bag, flying machine, balloon, helicopter, glider, any contrivance known or hereafter invented, used or designed for navigation of or flight in the air, except a parachute or other contrivance used primarily as safety equipment.

SECTION 2. Except in case of emergency, police or other governmental agencies, no person shall land any aircraft, parachute or skydive within the corporate limits of the city or to park at any dock, beach, shore, seawall or other place along the lake or ocean shores in the limits of the city, or to take on or discharge passengers at any dock or wharf or along the shores within the city limits without prior written approval of the City Council, which permission, however, shall be granted when the City Council has determined that such permission will not endanger the public peace, health, safety or property of any inhabitants of the city.

SECTION 3. Any person violating any of the provisions of this ordinance, shall upon conviction, be subject to the provisions of the uniform maximum Penalty Ordinance No. 1123, enacted on October 6, 1976.

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

SECTION 5. In the event that any provision or application of this Ordinance shall be held to be invalid, it is the legislative intent that the other provisions and applications hereof shall not be thereby affected.

SECTION 6. Specific authority is hereby granted to codify this Ordinance.

SECTION 7. This Ordinance shall take effect upon its final passage and adoption by the City Council.

PASSED and APPROVED on first reading this 4th day of June, 1980.

PASSED and ADOPTED on second and final reading this 18th day of June, 1980.

APPROVED:

Mayor

~~Chairman~~

Chairman Pro Tem

MUNICIPAL SEAL

Councilmen

ATTEST:

City Clerk

	1ST READING	2ND READING
MOTIONED BY:	Lawrence	Lawrence
SECONDED BY:	Guider	Guider
G. NIKOLITS	Aye	Aye
C.GUIDER	Aye	Aye
P. BATES	Aye	Aye
R. DODD	Aye	Aye
C. LAWRENCE	Aye	Aye

r

CITY OF RIVIERA BEACH

600 WEST BLUE HERON BLVD • RIVIERA BEACH, FLORIDA 33404

OFFICE OF
CITY CLERK

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, Florida to be held on Wednesday JUNE 18, 1980 at 7:30 P.M. at the City Hall 600 West Blue Heron Boulevard and from time to time thereafter as may be necessary for the purpose of considering the enactment of the following Ordinance:

ORDINANCE NO. 2084

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 13 ENTITLED "OFFENSES" OF THE CODE OF ORDINANCES BY PROVIDING A SECTION DEFINING "AIRCRAFT" AND REGULATING THE LANDING OF AIRCRAFT, PARACHUTE OR SKYDIVING WITHIN THE CITY; PROVIDING A PENALTY CLAUSE, REPEALING CLAUSE, SAVING CLAUSE, AUTHORITY TO CODIFY, AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

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

Interested parties may appear at said meeting and be heard with respect to the Ordinance.

BY ORDER OF CITY CLERK

PUBLISH: 6/12, 1980

Cw

ORDINANCE NO. 2085

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, FLORIDA, ACCEPTING PETITIONS FOR VOLUNTARY ANNEXATION OF CERTAIN 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 CHAPTER 171, SECTION 171.044 FLORIDA STATUTES 1979.

WHEREAS, in June 1970, the Legislature of the State of Florida by House Bill No. 5263 designated "Greater Riviera Beach Area" and specified that the City of Riviera Beach may annex the "Greater Riviera Beach Area" or any part therof 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, in 1976, City of Riviera Beach, after holding referendum, annexed certain contiguous properties by Ordinance 1101 which extended City corporate limits to westerly right-of-way lineof I-95. Said Ordinance 1101 was later declared null and void by court action and the subject area was ordered de-annexed, and

WHEREAS, the City of Riviera Beach provided municipal services e.g. water, sewer, police and fire in the de-annexed area from January 1, 1977 to April 1, 1980 at same rate and level of services as rest of the City. City of Riviera Beach also controlled Planning, zoning, subdivision platting, building permits and occupational licenses in the de-annexed area.

WHEREAS, Mr. Lewis McKay, Vice President, Dolphin Tire Co., Palm Beach (Petition #1) and Richard Caudill, President, The Pepsi Cola Bottling Co., Ft. Lauderdale and Palm Beach, Inc. (Petition #2) as property owners in the de-annexed area have submitted Voluntary Petitions for Annexation of their respective properties as per copies attached to the City of Riviera Beach; and

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

(a) The petitioner(s) are the owner(s) of the property described therein.
(b) The petitions bear the notarized signatures of owners of property in the area 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 are 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 parcels at same level of services as such services are provided within the rest of the municipality.
(f) Subject parcels are presently zoned IL (Light Industries) and are being developed as such.
(g) This ordinance is being initiated by the City of Riviera Beach, Florida, under Section 171.044 Voluntary Petition, F.S. 1979.

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

SECTION 1. Pursuant to Chapter 171, Section 171.044 Voluntary Annexation, Florida Statutes, 1979, City of Riviera Beach Florida, hereby declares its intent and desire to extend its municipal boundaries to include following described lands after the approval of this ordinance on second and final reading.

Petition #1:

A portion of the SW¼ of Section 30, Township 42 South, Range 43 East, Palm Beach County, Florida, more particularly described as follows: Commence at the SW corner of Section 30, Township 42 South, Range 43 East, Palm Beach County, Florida; thence run North 1 degree 34 minutes 06 seconds East along the west line of Section 30 for 1345.31 feet to a point on the Center line of Blue Heron Boulevard; thence run South 87 degrees 40 minutes 36 seconds East along the center line of Blue Heron Boulevard for 1143.81 feet; thence run South 2 degrees 19 minutes 24 seconds West for 119 feet to the point of beginning of tract of land herein described: thence run South 87 degrees 40 minutes 36 seconds East parallel to the center line of Blue Heron Boulevard for 200 feet to a point; thence run South 2 degrees 19 minutes 24 seconds West for 200 feet to a point; thence run North 87 degrees 40 minutes 36 seconds West parallel to the center line of Blue Heron Boulevard for 200 feet to a point; thence run North 2 degrees 19 minutes 24 seconds East for 200 feet to the point of beginning.

Petition #2:

A parcel of land in the west one-half of Section 30, Township 42, South, Range 43 East, Palm Beach County, State of Florida and more particularly described as follows; Commencing at the north west corner of said Section 30; thence South 86° 53' 37" East along the north line of said section a distance of 2,259.91 feet to the West R/W line of Garden Road as said road is shown on Plat #1 Central Industrial Park as filed in Plat Book 30, page 37 of the Public Records of said county; thence South 1° 28' 43" West along said West R/W line of Garden Road a distance of 2,059.91 feet to the South line of the 60 foot drainage easement as said easement is shown on said Plat #1 of Central Industrial Park and also being the Point Of Beginning of this description, thence North 87° 40' 36" West a distance of 705.40 feet; thence South 2° 19' 24" West a distance of 533.52 feet; thence South 87°40' 36" East a distance of 30 feet, thence South 2°19' 24" East a distance of 281.00 feet, thence South 87°40' 36" East a distance of 367.00 feet; thence North 2° 19'24" East a distance of 135.00 feet, thence South 87° 40' 36" East a distance of 318.42 feet to the West R/W line of said Garden Road; thence N 1° 28' 43" East along said West R/W line a distance of 679.63 feet to the Point of Beginning.

SECTION 2: This Ordinance shall be read by title on first reading, and shall be published in its entirety once a week for four (4) 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 its passage and adoption, and the annexation shall become effective ten (10) days thereafter.

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 Ordinance or parts of Ordinances in conflict herwith 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 other 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: Palm Beach County Zoning classification IL (Light Industries) shall remain applicable to subject parcel upon effective date of the annexation until two (2) year limitation has expired.

SECTION 8: The corporate limits of the City of Riviera Beach are hereby redefined to include subject petition as follows: "Beginning at the North West 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 of the Intracoastal Waterway to the point of intersection with a line parallel to and 1,294 feet 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 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 feet South of, the North line of Section 10, of said Township and Range; thence easterly along said parallel line to the water's edge of the Atlantic Ocean; thence southerly along the water's edge of the Atlantic Ocean to a point in the easterly extension of a line parallel and 998.96 feet South of the South line of a tract of land in Palm Beach County known as Replat of 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 center line 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 North Right-of-Way line of State Road 710; thence westerly along the North line of State Road 710 to it's point of intersection with the proposed centerline of Congress Avenue Right-of-Way; thence southerly along said centerline to it's point of intersection with the Southern Right-of-Way line of the Seaboard Coast Line Rail Road Right-of-Way as now established; thence southeasterly along said Southern Right-of-Way line to it's 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 to the point of intersection with the westerly Right-of-Way of the North Palm Beach County Water Control

District Canal as now established; thence North easterly and northerly along said westerly Right-of-Way, and it's northerly extension to a point 230 feet North of the North West corner of said North Palm Beach County Water Control District Canal Right-of-Way; thence easterly along a line parallel to and 230 feet North of the northern most Right-of-Way of said canal to a point 1527.09 feet West of the East line of Section 36, Township 42 South, Range 42 East; thence northerly along a line parallel to and 1527.09 feet West of the East line of said Section 36 a distance of 330 feet to a point; thence westerly along a line bearing North 88°-07'-21" West to the westerly Right-of-Way line of Military Trail(State Road 809); thence southerly along the westerly Right-of-Way line of said Military Trail to the South 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; thence northerly along the West line of said Section 36 to a point 52.5 feet South of the East-West center section line of said Section 36; thence easterly along a line parallel to and 52.5 feet southeasterly of the East-West Center Section line of said Section 36 to the East Right-of-Way line of Military Trail(State Road 809); thence northerly along the East Right-of-Way line of Military Trail to the East-West Center Section line of said Section 36; thence easterly along said East-West Center Section line to the East line of said Section 36; thence northerly along said East line of said Section 36 to a point 149.19 feet South of the South Right-of-Way line of Seaboard Coast Line Railroad as now established, (as measured along said East line of said Section 36); thence North 87°-52'-34" West, a distance of 380 feet to the beginning of a curve concave to the Southwest having a radius of 50 feet and a central angle of 138°-11'-23"; thence northwesterly along the arc of said curve, a distance of 100.60 feet to a point; thence North 2°-20'-11" East a distance of 415.20 feet to the southerly Right-of-Way of the Seaboard Coast Line Railroad as now established thence southeasterly along said southern Right-of-Way to the point of intersection with the western Right-of-Way of Central and Southern Florida Flood Control District Canal C-17; thence northerly along said western Right-of-Way of C-17, to the point of intersection with the easterly extension of the South line of an area of land in Palm Beach County known as Plat No. 2, Interstate Industrial Park as same is recorded in Plat Book 39, pages 131 & 132 Public Records of Palm Beach County; thence North 87°-35"-17" West to the easterly Right-of-Way line of I-95(State Road No. 9); thence northwesterly along the easterly Right-of-Way of I-95 to a point 50 feet South of the North line of Section 31, Township 42 South, Range 43 East; thence North 87°-56'-50" West a distance of 61.57 feet to a point; thence southeasterly along a line parallel to and 60 feet East of the easterly Right-of-Way line of I-95 a distance of 953.39 feet to a point; thence North 70°-39'-58" East a distance of 308.67 feet to a point; thence South 87°-56'-50"

East a distance 742.74 feet to a point; thence South 2°-03'-10" West a distance of 350 feet to a point; thence South 87°-56'-50" East to the Western Right-of-Way line of Central and Southern Florida Flood Control District Canal C-17; thence northerly along said Western Right-of-Way line of said Canal C-17, to it's point of intersection with the South line of Section 30, Township 42 South, Range 43 East, Palm Beach County, Florida; thence continuing northerly along said western Right-of-Way line of C-17, a distance of 815.18 feet to a point; thence North 87°-40'-36" West a distance of 1210.66 feet to a point; thence North 2°-19'-24" East a distance of 400 feet to a point; on the southerly Right-of-Way line of Blue Heron Boulevard as recorded in Road Plat Book 2, page 171, Public Records, Palm Beach County, Florida; thence easterly along said southerly Right-of-Way line to it's point of intersection with the westerly Right-of-Way line of Central and Southern Florida Flood Control District Canal C-17; thence northerly along said westerly Right-of-Way line to a point 2,739.84 feet south of the North line of Section 30, said Township and Range; thence North 87°-40'-36" West a distance of 398.42 feet to a point; thence South 2°-19'-24" West a distance of 135.0 feet to a point; thence North 87°-40'-36" West a distance 367.00 feet to apoint; thence North 2°-19'-24" East a distance of 281.00 feet to a point; thence North 87°-40'-36" West a distance of 30 feet to a point; thence North 2°-19"-24" East a distance of 533.52 feet to a point; thence South 87°-40'-36" East to the easterly Right-of-Way line of Central and Southern Florida Flood Control District Canal C-17; thence southerly along said easterly Right-of-Way line to the East-West center line of said Section 30, said Township and Range; thence easterly along said East-West center line to a point 668 feet West of the East line of said Section 30; thence northerly along a line parallel to and 668 feet West of the East line of said Section 30, a distance of 653.15 feet to a point; thence easterly at a right angle to the preceeding course to the East line of said Section 30; thence northerly along said East 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 2nd day of July, 1980.

PASSED AND ADOPTED on second and final reading this 6th day of August 1980.

APPROVED:

Mayor

Chairman

Chairman Pro Tem

ATTEST:

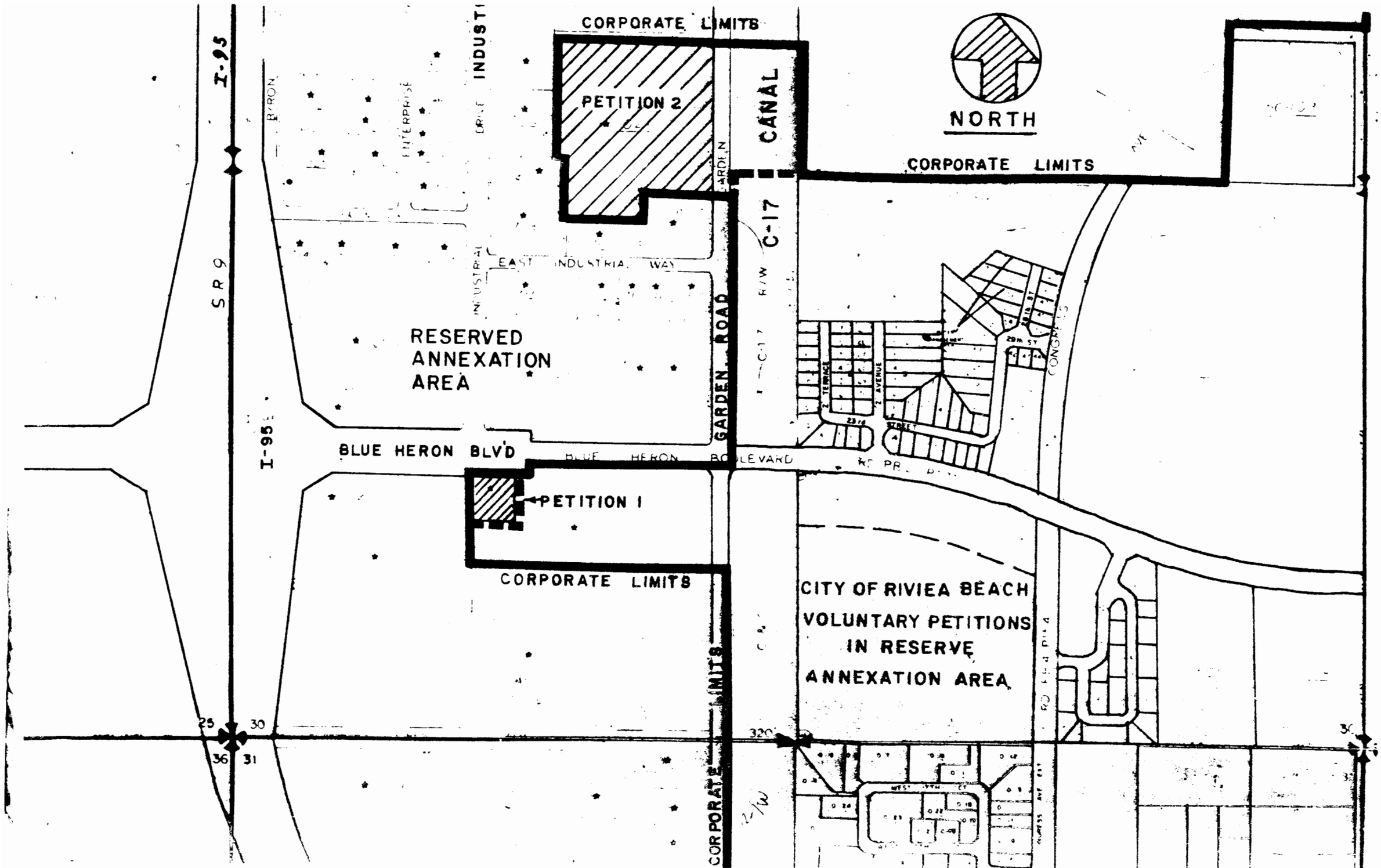
Council Members

City Clerk

	1st READING	2ND READING
MOTIONED BY:	Guider	Lawrence
SECONDED BY:	Lawrence	Dodd
G. Nikolits	Aye	Aye
C. Guider	Aye	Aye
R. Dodd	Absent	Aye
C. Lawrence	Aye	Aye
P. Bates	Aye	Aye

Publish (Post and Times)

July 8 1980
July 15, 1980
July 22, 1980
July 29, 1980



CORPORATE LIMITS
PETITION 2
CANAL
NORTH
CORPORATE LIMITS
I-95
SR 9
INDUSTRIAL
EAST INDUSTRIAL WAY
RESERVED ANNEXATION AREA
GARDEN ROAD
C-17
BLUE HERON BLVD
BLUE HERON BOULEVARD
PETITION 1
CORPORATE LIMITS
CITY OF RIVIEA BEACH VOLUNTARY PETITIONS IN RESERVE ANNEXATION AREA
CORPORATE LIMITS
25
30
36
31
320

CITY OF RIVIERA BEACH

VOLUNTARY ANNEXATION REPORT

DATE PETITION FILED: June 26, 1980

NAME OF OWNER: Richard Caudill

DESCRIPTION OF PROPERTY: Pepsi Cola Bottling Co.

COMMENTS & CONCERNS FOR MUNICIPAL SERVICES:

DEVELOPMENTAL:

The property had been under City's control since January 1, 1977, and was recently de-annexed by a court order. County's IL Light Industrial Zoning classification.

UTILITIES:

City water and sewer has been furnished to the site. Garbage and trash pick up shall be provided upon completion and occupancey of the building.

Water and sewer and garbage and trash rates to the property shall be the same as the rest of the Xity customers. No additional manpower or equipment is contemplated to service this property.

PUBLIC SAFETY:

Fire and Police Services was furnished to this property from January 1, 1977 till April, 1980. City will continue to provide that service without additional manpower or equipment.

BENEFITS TO CITY:

The property is strategically located for westward expansion into City's Reserve Annexation Area as Uity continues to grow. Present industrial activites on the site create permanent and year-round jobs for area residents. Revenues derived from the property shall far outweigh the cost of delivering City services.

CITY OF RIVIERA BEACH

VOLUNTARY ANNEXATION REPORT

DATE PETITION FILED: June 16, 1980

NAME OF OWNER: Lewis McKay, Vice President

DESCRIPTION OF PROPERTY: Dolphin Tire: Petition #1

COMMENTS & CONCERNS FOR MUNICIPAL SERVICES:

DEVELOPMENTAL:

This property is presently vacant and is zoned IL "Light Industries" under County zoning code. Amoco Oil Co. wishes to build a service station at this site after annexation has been completed.

The two angle cuts on Blue Heron requested by Amoco Oil Co. actually falls under the jurisdiction of State D.O.T. We have indicated to Mr. Doug Howell that City will have no objection to these cuts being made according to a site plan to be approved by Planning Board provided if D.O.T approval has been obtained. Mr. Howell has been advised to contact D.O.T. office in Ft. Lauderdale for same.

UTILITIES:

City also has the capacity to service water and sewer to development of the site. Garbage and trash pick up shall be provided upon completion and occupancy of the building.

Water and sewer and garbage and trash rates to the property shall be the same as the rest of the City Customers. No additional man-power or equipment is contemplated to service this property.

PUBLIC SAFETY:

Fire and Police Services was provided to this property since January 1, 1977. City will continue to provide that service without additional manpower or equipment.

BENEFITS TO CITY:

The property is strategically located for westward expansion into City's Reserve Annexation Area as City continues to grow. Present and future industrial activites on the site shall create new, permanent and year-round jobs for area residents. Revenues derived from the property shall far outweigh the cost of delivering City services.

ORDINANCE NO. 2086

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 11 OF THE CODE OF ORDINANCES, ENTITLED "LICENSES" BY DELETING THE WORDS "ADULT BOOKSTORE" FROM PARAGRAPH (a) ENTITLED "LICENSE AND PERMIT REQUIRED" OF SECTION 11-7.4. ENTITLED PHRENOLOGIST, ASTROLOGIST, PALMIST, FORTUNE-TELLER, ETC." AND BY AMENDING SUBSECTION (3.1) ENTITLED "ADULT BOOKSTORE" OF SECTION 11-8. ENTITLED "SCHEDULE OF FEES" BY REVISING THE FEE FROM $2,600.00 TO $150.00; PROVIDING A PENALTY CLAUSE, REPEALING CLAUSE, SAVING CLAUSE, AUTHORITY TO CODIFY, AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

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

SECTION 1. Paragraph (a) entitled "License and permit required." of Section 11-7.4. entitled "Phrenologist, astrologist, palmist, fortune-teller, etc." of Chapter 11 entitled "Licenses" of the Code of Ordinances is revised and amended to read:

> "(a) License and permit required. It shall be unlawful for any person or persons to engage in the business or profession of a phrenologist, astrologist, crystal reader, palmist, soothsayer, fortune-teller, ~~adult bookstore~~ or other similar business unless he or she shall first pay an annual occupational license tax as provided in section 11-8 of this chapter, and in addition thereto procure a permit from the legislative body of the city as hereinafter provided to engage in such business or profession."

SECTION 2. Subsection (3-1) entitled "Adult Bookstore" of Section 11-8 entitled "Schedule of fees" of Chapter 11 entitled "Licenses" of the Code of Ordinances is revised and amended to read:

> "(3.1) Adult bookstore (any business engaged in the selling of merchandise restricted to adult person, as defined in Chapter 39, Florida Statutes) ~~$2,600.00~~ $ 150.00."

SECTION 3. Any person violating any of the provisions of this Ordinance, shall upon conviction, be subject to the provisions of the uniform maximum penalty ordinance, Ordinance No. 1123, enacted on October 6, 1976.

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

SECTION 5. In the event that any provision or application of this Ordinance shall be held to be invalid, it is the legislative intent that the other provisions and applications hereof shall not be thereby effected.

SECTION 6. Special authority is hereby granted to codify this Ordinance.

SECTION 7. This Ordinance shall take effect upon its final passage and adoption by the City Council.

PASSED and APPROVED on first reading this 16th day of July, 1980.

PASSED and ADOPTED on second and final reading this 6th day of August, 1980.

APPROVED:

Mayor

Chairman

Chairman Pro Tem

(MUNICIPAL SEAL)

Councilmen

ATTEST:

Betty J. Butler
City Clerk

	1ST READING	2ND READING
MOTIONED BY:	Guider	
SECONDED BY:	Lawrence	
G. NIKOLITS	Aye	
C. GUIDER	Aye	
R. DODD	Absent	
C. LAWRENCE	Aye	
P. BATES	Aye	

r.

CITY OF RIVIERA BEACH

2214 AVENUE "E" • RIVIERA BEACH, FLORIDA 33404

OFFICE OF
MAYOR

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, Florida to be held on Wednesday Aug. 5, 1980 at 7:30 P.M. at the City Hall 600 West Blue Heron Boulevard and from time to time thereafter as may be necessary for the purpose of considering the enactment of the following Ordinance:

ORDINANCE NO. 2086

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 11 OF THE CODE OF ORDINANCES, ENTITLED "LICENSES" BY DELETING THE WORDS "ADULT BOOKSTORE" FROM PARAGRAPH (a) ENTITLED "LICENSE AND PERMIT REQUIRED" OF SECTION 11-7.4. ENTITLED PHRENOLOGIST, ASTROLOGIST, PALMIST, FORTURN-TELLER, ETC." AND BY AMENDING SUBSECTION (3.1) ENTITLED "ADULT BOOKSTORE" OF SECTION 11-8. ENTITLED "SCHEDULE OF FEES" BY REVISING THE FEE FROM $2,600.00 TO $150.00: PROVIDING A PENALTY CLAUSE, REPEALING CLAUSE, SAVING CLAUSE, AUTHORITY TO CODIFY, AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

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

Interested parties may appear at said meeting and be heard with respect to the Ordinance.

BY ORDER OF CITY CLERK

PUBLISH: 7/29/80

ORDINANCE NO. 2087

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 6 ENTITLED "BUILDINGS" OF THE CODE OF ORDINANCES BY PROVIDING GENERAL REGULATIONS UNDER THIS CHAPTER AS TO BUILDINGS AND STRUCTURES: ELECTRICAL AND PLUMBING FACILITIES: CONTROL AND REGULATION OF CONTRACTORS AND OTHER PROVISIONS. PROVIDING A PENALTY CLAUSE, REPEALING CLAUSE, SAVING CLAUSE, AUTHORITY TO CODIFY, AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

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

SECTION 1. Chapter 6 entitled "Buildings" of the Code of Ordinances is revised and amended to read:

Sec. 6-2.1. Construction of provisions.

Provisions within the building code adopted in section 6-1 for the construction of structures and buildings not otherwise permitted within the City of Riviera Beach shall not be deemed by the adoption of sections 6-1 through 6-2. hereof to be hereby authorized.

Sec. 6-3. Minimum floor space for residences; compliance with zoning regulations.

No building or structure hereinafter erected in the municipality for residential purposes shall contain less floor space exclusive of porches, porte-cocheres and like structures than is requir- by Chapter 23 of this Code; nor shall any building be erected in violation of any other regulations contained in Chapter 23.

Sec. 6-3.1. Minimum floor space for business buildings, sanitary facilities.

(a) No building or structure hereinafter erected in the municipality, which is to be used or intended to be used for a business or commercial purpose, shall contain less floor space, measured from wall to wall inside the building, than eight hundred (800) square feet.

(b) All public, semi-public or quasi-public buildings, and structures to be used or intended to be used for a business or commercial purpose, shall have complete sanitary facilities as set out and required by the provisions, as applicable thereto, of the Standard Building Code and Plumbing Code.

(c) All premises where any employees are employed or any business is conducted must meet the requirements of this section.

Sec. 6-4. Compliance of plans with electrical and plumbing codes - Prior to issuance of permit.

It shall be unlawful for the building official of the municipality to approve any plans for the issuance of any building permit for the erection and construction of any dwelling or commercial building within the municipality until he has inspected such plans in detail and found them to provide adequate toilet and electrical facilities in conformity with this chapter and all applicable codes.

Sec. 6-5. Toilet, electrical facilities required.

If any dwelling is erected or constructed within the municipality which does not provide for adequate toilet facilities, or adequate electrical facilities, within such dwelling, it shall constitute a violation of this article, and the persons so violating this article shall be deemed guilty of a misdemeanor and shall, upon conviction be punished as provided for in section 1-6, subsection 114, of this Code.

Sec. 6-6. Violations.

(a) *Statement and/or drawing.* Any person, firm, corporation or agent who shall violate a provision of this Code, or fail to comply therewith, or with any of the requirements thereof, or who shall erect, construct, alter, demolish or move any structure, or has erected, constructed, altered, repaired, moved or demolished a building or structure in violation of a detailed statement or drawing submitted and approved thereunder, shall be guilty of a misdemeanor, and if found guilty, shall be punished as provided herein. Each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this Code is committed, or continued and upon conviction of any such violation such person shall be punished within the limits and as provided by state laws.

(b) *Building code.* Any person, firm, corporation or agent who shall violate a provision of this Code, or fail to comply therewith, or with any of the requirements thereof, or who shall erect, construct, alter, demolish, or move any structure, or demolished a building or structure in violation of this code, shall be guilty of a misdemeanor and if found guilty shall be punished as provided for herein. Each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this code is committed, or continued and upon conviction of any such violation, such person shall be punished within the limits and as provided by state laws.

Sec. 6-7. Moving buildings over streets - Permit required.

It shall be unlawful for any person, or any employee of any person to move or transport any building or structure across or along any street or other public way or place of the municipality without first having obtained a permit from the municipal manager, which permit shall state the time within which and the places from and to which, such building or structure shall be moved and shall contain such other requirements as the municipal manager may deem necessary for the safeguarding of traffic during the moving of such building or structure.

Sec. 6-8. Permit fee.

No permit shall be issued to any person under section 6-8. unless and until the applicant for such permit shall have paid to the municipality the sum of fifty dollars($50.00) for each such permit applied for and issued.

Sec. 6-9. Metal roofing, sheathing, siding, jalousies and shutters - Gauge.

Henceforth it shall be unlawful for any person, firm, or corporation to install or use on any building in the municipality metal roofing, sheathing, siding jalousies, or shutters of a gauge of less than sixteen gauge.

Sec. 6-10. Inspection and approval.

(a) All metal roofs, siding, sheathing, jalousies and shutters henceforth installed or used on any building in the municipality shall be installed in accordance with the manufacturer's specifications and subject to the final approval and inspection of the municipal building inspector.

(b) A preinspection may be required to determine the condition of an existing building before a permit to repair, reroof, roof, install sheathing, siding or texture coating.

Sec. 6-11. Contractor's license - Definition.

The word "contractor" is hereby declared and defined to mean any person, firm, copartnership, corporation, association or other organization, or any combination of any thereof, who is engaged in the business of doing work on or in any building or structure requiring the use of stone, brick, mortar, cement, wood, structural steel or iron, sheet iron, metallic pipe, tin, lead or any other building material, or excavating for foundations, or any other purpose or engaging in the business of building, remodeling or repairing, whether it be by day labor, accepting orders or contracts on cost plus, fixed fee, stated sum, percentage or any combination thereof or other compensation other than wages.

Sec. 6-12. Same - Proof.

The building official may require any contractor, or any owner/builder, to furnish proof that all labor on any job or project is being performed by contractors or subcontractors licensed in the City of Riviera Beach, or individuals receiving only the compensation of an hourly wage. Such proof shall be in the form of, but not limited to, time cards, payroll records, F.I.C.A. Form 941, unemployment compensation returns and insurance premium remittances.

Sec. 6-13. Same - Required.

Any person,firm, copartnership, corporation, association or other organization, or any combination of any thereof, who meet the requirements of section 6-11. and is engaged in the business of doing work ofany kind on or in any building, structure or premises within the City of Riviera Beach limits shall obtain a license from the city clerk.

Sec. 6-14. Examinations required.

All contractors applying for a contractor's license in the City of Riviera Beach shall be required to take an examination as shall be prescribed by the contractor's examining board of Palm Beach County, or the State of Florida. Either of the two (2) is designated as the contractor's examining board for the City of Riviera Beach to give such examinations either written or oral as their discretion deems proper to determine the qualifications of such applicants for contractor's license.

Sec. 6-15. Municipal contractor;s license board of appeals.

The building board of adjustments and appeals established in section 6-2. subsection 111.1 of this Code is designated as the contractor's license board. The contractor's license board shall have the duty to hold hearings to determine if a license of any contractor should be suspended for any violation of this article and fix the length of time for such suspension or to revoke the same under the provisions of this article, or to request and employee from the building or engineering department and appoint him to investigate any complaints made against the licensed contractor and determine whether it shall take administrative action against the contractor or direct the investigator to file a complaint for prosecution for the violation against the contractor in the courts in the City of Riviera Beach, Florida.

(1) The secretary of the contractor's license board may, upon his own motion, or shall, upon a sworn complaint in writing of any person, investigate or cause to be investigated by a special investigator appointed by the board, the charges against any contractor licensed hereunder, and submit a written report to the contractor's license board. Or upon the filing of petition of bankruptcy, by,or against,

a licensed contractor under this article, or should a licensed contractor fail to keep in force the insurance policy required in section 6-17 of this article, the secretary of the board shall immediately suspend the license and report the matter to the contractor's license board for revocation action.

(2) The contractor's license board, upon receipt of the report aforesaid, shall examine the same and, if in the opinion of the majority of the board, it appears that there is a prima facie showing of a violation of this article, shall take on of the following actions or both:

(a) Instruct the secretary to send, by registered mail, a letter to the licensed contractor to his last known address as shown by the board's records, setting out the name of the complainant, the time of commission of the alleged offense, and the substance of the section of this article alleged to be violated, giving the section number, and notifying the licensed contractor to appear before the board at a time and place fixed, not sooner than five (5) days from the mailing of the registered letter, to show cause why his license should not be suspended or revoked.

(b) Instruct the investigator or complainant to file a sworn affidavit for the arrest of the licensed contractor for appearance before the court of the City of Riviera Beach, Florida.

(3) The administrative hearing provided for in (2)(a) above shall be open to the public.

(a) The proceedings at the hearing shall be recorded and may be transcribed at the expense of the party requesting the transcript.

(b) The hearing should be conducted according to established rules relating to the evidence and witnesses. Any relevant evidence on which responsible persons are accustomed to rely in the conduct of civil actions. The rules of privilege shall be effective to the same extent that they are now, or hereafter may be, recognized in civil actions, and irrelevant and unduly repetious evidence shall be excluded.

(c) Each party shall have these rights: To call and examine witnesses: to introduce exhibits; to cross-examine opposing witnesses or any matter relevant to the issues even though that matter was not covered in the direct examination; to impeach any witnesses regardless of which party first called him to testify; and to rebut the evidence against him. If respondent does not testify in his own behalf, he may be called and examined as if under cross-examination.

(d) A decision shall be made by the contractor's license board by a majority vote of members present at the hearing within five (5) days after the close of the hearing and shall be as follows:

1. Not guilty.
2. Suspension of license stating time.
3. Revocation of license, naming effective date.

(e) An appeal from the decision of the board may be made to a court of appropriate jurisdiction. The occupational license issued by the City of Riviera Beach to a contractor shall be suspended for a fixed term or revoked by the contractor's license board's determination by a majority vote of those present after a hearing provided for above that said contractor as an individual, or the contractor as a firm by its officers, director or directors, or qualified representatives has violated any of the provisions of this article.

Sec. 6-16. Occupational license - Suspend or revoke.

The contractor's license board shall suspend or revoke a contractor's occupational license if, after due hearing, it is found that the contractor has:

(a) Violated any of the provisions of this article;

(b) That the licensed contractor be adjudicated bankrupt;

(c) Fails to maintain at all times, in an insurance company authorized to do business in the State of Florida, insurance in accordance with the sections of this article.

It shall be unlawful for any contractor including specialty contractors, operating within the City of Riviera Beach, licensed individually by the city, or as a firm contractor, officers, directors, or qualified representatives of a firm contractor, to commit any one or more of the following acts or ommission, to wit:

(a) To contract or do work ourside the scope of operations as set out in the definition of the particular type of contractor for which he is licensed.

(b) Abandon without legal excuse construction project or operation engages in or under contract as a contractor.

(c) Divert funds or property received for the execution or completion of a specific construction project or operation or for a specified purpose in the execution or completion of such to any other use whatsoever.

(d) To depart from or disregard in any material respect the plans or specifications of a construction job without the consent of the owner or his duly authorized representative.

(e) Disregard or violate, in the performance of his contracting business, any of the building, safety, health, insurance, or workmen's compensation laws of the State of Florida, the U.S. government, or ordinances of the City of Riviera Beach.

(f) Misrepresent any material in his application and attendant papers thereto in obtaining a license under this article.

(g) Fail to fulfill contractual obligation through inability to pay all creditors for material furnished or work or services performed in the operation of his business for which he is licensed hereunder.

(h) Aid or abet an unlicensed person to evade the provisions of this article or allow license to be used by an unlicensed person or act as an agent, partner or associate of an unlicensed person with the intent to evade the provisions of this article.

(i) Do any willful or fraudulent act as a contractor by which another is substantially injured.

(j) Negligence, incompentency or misconduct in the practice of contracting within the meaning of this article.

Sec. 6-17. Certification required.

No license shall be issued by the License Department Clerk except upon a certificate executed by either the secretary of the contractor's license board, the building official or the license inspector certifying that the applicant has been examined by the contractor's examining board and they found him to be in all respects qualified as a contractor and he has reviewed and approved the following:

(1) Certificate (either one of the following three (3):

(a) Palm Beach County Unlimited;

(b) Palm Beach Countywide License obtained from a county unlimited certification;

(c) State of Florida Certified License Certification.

(2) Insurance

(3) One thousand dollar ($1,000.00) surety bond or the two thousand dollar ($2,000.00) bond posted for county license will be accepted when a copy of the bond certificate is submitted.

(4) An updated Credit report (within 6 months).

The sections of this Code pertaining to the requirements for examination of contractors shall not apply to the following:

(1) Persons who on March 20, 1975, held a contractor's license in the municipality and have continuously to the present time maintained such license. However, any such contractor who allows his license to lapse shall in the discretion of the board of examiners be required to be examined by the county or state board of examiners before his license may be reissued.

(2) To all authorized representatives of the United States of America; the State of Florida; the County of Palm Beach; or the municipality of Riviera Beach.

(3) The owner or tenant of business or income property, repairing, altering or otherwise improving the property he or she owns or has possession of, providing the repairs or alterations do not involve any load-bearing walls, structural members, or fire resistive construction.

(4) Sole owners of property, building or making repairs to a single-family residence and the customary accessory uses only after complying with the following:

(a) File plans and specifications and obtain approval of the building official prior to commencement of work.

(b) File with the building official an affidavit to the effect that he or she is the sole owner of the lot on which construction is to occur, that he or she has read this Ordinance, that he or she will supervise and control the work personally and will observe all of the requirements of the building, electrical, plumbing and zoning codes of the City of Riviera Beach. Such affidavit to be made upon a blank to be supplied by the building inspector and acknowledged before a notary public, or other official duly authorized to take acknowledgements.

(c) Apply for and secure a permit for such work or construction.

(d) Pay the required fees.

(e) Apply for inspection.

(f) File with the building official certificates showing that the proper provisions have been made to carry the necessary workmen's compensation, Florida Unemployment Compensation, public liability and property damage insurance in the amounts and meeting the same requirements as set forth in the insurance requirements of this article.

(g) File with the building official, as the job

progresses, certificates showing the payment required by the federal Social Security Act.

(h) Assume the responsibility of not employing contractors other than properly licensed contractors, licensed by the City of Riviera Beach, for any part or portion of the work.

(i) In order to prevent abuses and subterfuges the right of the owner/builder or sole owner, as herein provided, shall be limited to one permit to each owner/builder or sole owner during any twelve-month period, this time interval to be figured from the date of the final inspection; and where a sole owner or owner/builder has exercised the privilege of securing this exemption no second application for such owner/builder permit shall be granted in less than one year figured as set forth above unless the applicant is qualified as a licensed contractor under the applicable ordinances of said city; the limitations of time, herein contained shall not apply to maintenance, alterations, additions, or repairs to existing structures owned by such owner/builder or sole owner.

(j) If the owner/builder or sole owner completes all the work or construction without the aid, assistance or help from persons other than licensed contractors or subcontractors then the requirements above, (f) and (g),shall not be required of owner/builder or sole owner.

Every contractor or specialty contractor granted a license under the terms of this article, shall be required to maintain at all times, in an insurance company authorized to do business in the State of Florida, employer's liability insurance or workman's compensation insurance, and public liability insurance with minimum limits on each of not less than fifty thousand dollars ($ 50,000.00) for one person, and one hundred thousand dollars ($100,000.00) for more than one person, in any one accident, and public property damage insurance with a minimum limit of not less than five thousand dollars ($5,000.00) fro any one accident.

In the event of a cancellation of a policy or policies, of any general contractor, building contractor, subbuilder contractor, or specialty contractor, the license of such contractor shall automatically be revoked. License may be reinstated by the tax collector's office, when the licensee has furnished certificates of insurance in compliance with this section.

Sec. 6-18. Enforcement.

The municipal building inspector is granted the authority to and charged with the duty of enforcing the terms and provisions of this article.

SECTION 2. Sec. 6-15. entitled "Energy code adopted" of Article IA, entitled "Energy Conservation" shall be referenced to and designated and prefaced as Sec. 6-19. Energy code adopted.

SECTION 3. Any person violating any of the provisions of this Ordinance, shall upon conviction, be suject to the provisions of the uniform maximum penalty ordinance, Ordinance No. 1123, enacted on October 6, 1976.

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

SECTION 5. In the event that any provision or application of this Ordinance shall be held to be invalid, it is the legislative intent that the other provisions and applications hereof shall not be thereby affected.

SECTION 6. Specific authority is hereby granted to codify this Ordinance.

SECTION 7. This Ordinance shall take effect upon its final passage and adoption by the City Council.

PASSED AND APPROVED on first reading this 6th day of August 1980.

PASSED AND ADOPTED on second and final reading this 20th day of August, 1980.

APPROVED:

Mayor

Chairman

Chairman Pro Tem

(MUNICIPAL SEAL)

ATTEST:

City Clerk

Councilmen

	1ST READING	2ND READING
MOTIONED BY:	Bates	Dodd
SECONDED BY:	Dodd	Guider
G. NIKOLITS	Aye	Aye
C. GUIDER	Absent	Aye
R. DODD	Aye	Aye
C.LAWRENCE	Aye	Aye
P. BATES	Aye	Aye

r.