

ORDINANCE NO. 2090

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING PARAGRAPH (d) (1) OF SECTION 2-128. ENTITLED "TRANSPORTATION" OF ARTICLE VII ENTITLED "TRAVEL EXPENSES" OF CHAPTER 2 ENTITLED "ADMINISTRATION" OF THE CODE OF ORDINANCES BY INCREASING THE MILEAGE ALLOWANCE WHENEVER TRAVEL IS BY PRIVATELY OWNED VEHICLES FROM .14¢ PER MILE TO .19½¢ PER MILE: 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 (d) (1) of Section 2-128. entitled "Transportation" of Article VII entitled "Travel Expenses" of Chapter 2 entitled "Administration" of the Code of Ordinances is amended to read:

"(d) (1) Travel will be by city owned vehicles when practical. The use of privately owned vehicles for official travel in lieu of city owned vehicles or common carrier may be authorized by the City Manager if a city owned vehicle is not available. Whenever travel is by privately owned vehicles, the traveler shall be entitled to a mileage allowance at a fixed rate not to exceed ~~fourteen nineteen and one-half~~ ~~(\$0.14)~~ (\$.19½) cents per mile or the common carrier fare for such travel to be determined by the City Manager. Reimbursement for expenditures related to the operation, maintenance and ownership of a vehicle shall not be allowed when privately owned vehicles are used on city business and reimbursement is made pursuant to this paragraph, except as provided in Section 2-129 of this article."

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 All Ordinances or parts of Ordinances or Charter provisions in conflict herewith are to the extent of such conflict repealed.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 3rd day of September, 1980.

PASSED AND ADOPTED on second and final reading this 17th day of September, 1980.

APPROVED:

[Signature]
Mayor

[Signature]
Chairman

(MUNICIPAL SEAL)

[Signature]
Chairman Pro Tem

ATTEST:

[Signature]

[Signature]
City Clerk

[Signature]
City Council

	<u>1st READING</u>	<u>2nd READING</u>	<u>PASSED AND ADOPTED</u>
MOTIONED BY:	<u>Bates</u>		<u>Guider</u>
SECONDED BY:	<u>Guider</u>	<u>[Signature]</u>	<u>Dodd</u>
G. NIKOLITS	<u>Aye</u>	<u>Aye</u>	
C. GUIDER	<u>Aye</u>	<u>Aye</u>	
C. LAWRENCE	<u>Aye</u>	<u>Aye</u>	
R. DODD	<u>Aye</u>	<u>Aye</u>	
P. BATES	<u>Aye</u>	<u>Absent</u>	<u>[Signature]</u>

September 4, 1980

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, Sept. 17, 1980 at 7:30 P.M. at the City Hall 600 West Blue Heron Blvd. and from time to time thereafter as may be necessary for the purpose of considering the enactment of the following Ordinance.

ORDINANCE NO. 2090

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING PARAGRAPH (d) (1) OF SECTION 2-128. ENTITLED "TRANSPORTATION" OF ARTICLE VII ENTITLED "TRAVEL EXPENSES" OF CHAPTER 2 ENTITLED "ADMINISTRATION" OF THE CODE OF ORDINANCES BY INCREASING THE MILEAGE ALLOWANCE WHENEVER TRAVEL IS BY PRIVATELY OWNED VEHICLES FROM .14¢ PER MILE TO .19½¢ PER MILE; 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 CITY CLERK'S OFFICE.

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

BY ORDER OF CITY CLERK

Publish:

Missing

Ordinance

2091

Deleted

Missing

Ordinance

2092

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ORDINANCE NO. 2093

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, FIXING THE ADJUSTED TAX VALUATION OF REAL PROPERTY AND TANGIBLE BUSINESS PERSONAL 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 THE YEAR ENDING DECEMBER 31, 1980; FIXING THE MILLAGE RATE THEREON FOR SAID YEAR. REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.

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

SECTION 1. That for the year ending December 31, 1980 the adjusted tax 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, \$ 441,662,324 .

Subject to final approval of the County Equalization Board.

SECTION 2. For the year ending December 31, 1980, a tax of eight point fifty-five (8.55) mills on the dollar shall be, and is levied and shall be collected on all property and tangible business personal property within the City of Riviera Beach, Florida, not specifically designed 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 purposes and duties granted and imposed by the City Charter. Said real property and tangible business personal property being specifically set forth as item (a) in Section 1. hereof and valued in the amount of \$ 441,662,324 . subject to final approval of the County Equalization Board.

SECTION 3. The tax levy of eight point fifty-five (8.55) mills exceeds the rollback tax rate of seven point eight three nine (7.839) mills by nine point one (9.1) per-cent, which is characterized as the percentage increase in property taxes herein adopted.

SECTION 4. 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 days of notification, an adjusted millage rate which shall be such that the taxes computed by applying the adopted rate against the certified taxable value are equal to the taxes computed by applying the adjusted adopted rate to the taxable value on the roll to be extended.

SECTION 5. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

PASSED AND APPROVED on first reading this 29th day of September, 1980.

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

APPROVED:


Mayor

(MUNICIPAL SEAL)

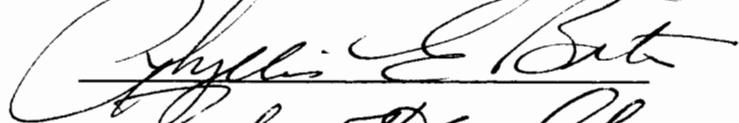
ATTEST:

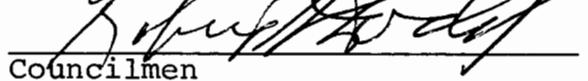

City Clerk


Chairman


Chairman Pro Tem


Councilman


Councilman


Councilman

	1ST READING
MOTIONED BY:	<u>Dodd</u>
SECONDED BY:	<u>Guider</u>
G. NIKLOITS	<u>Aye</u>
C. GUIDER	<u>Aye</u>
R. DODD	<u>Aye</u>
C. LAWRENCE	<u>Aye</u>
P. BATES	<u>Aye</u>

	2ND READING
	<u>Dodd</u>
	<u>Guider</u>
	<u>Aye</u>

r

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ADOPTING A FISCAL BUDGET FOR THE YEAR 1980-1981; APPROPRIATING THE VARIOUS SUMS SET OUT IN THE FISCAL BUDGET; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.

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

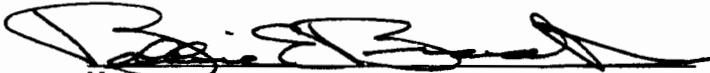
SECTION 1. The items and figures as shown on the attached Budget of Income and Expenditures for the City of Riviera Beach, Palm Beach County, Florida, Exhibit 1 shall be and the same are hereby adopted as the Budget for the City of Riviera Beach, Palm Beach County, Florida, for the year 1980-1981 and the various respective sums shown therein are hereby appropriated for the purposes set out.

SECTION 2. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

PASSED AND APPROVED on first reading this 29th day of September, 1980.

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

APPROVED:


Mayor

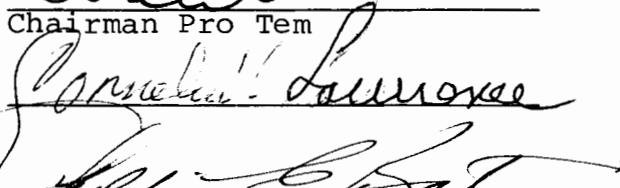
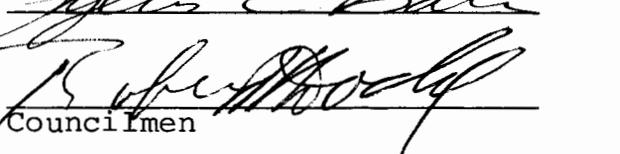

Chairman

(MUNICIPAL SEAL)


Chairman Pro Tem

ATTEST:


City Clerk



Councilmen

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

ORDINANCE NO. 2095

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, CREATING A CODES ENFORCEMENT BOARD: PROVIDING FOR LEGISLATIVE INTENT: PROVIDING FOR APPLICABILITY; PROVIDING FOR ORGANIZATION; PROVIDING FOR ENFORCEMENT PROCEDURES; PROVIDING FOR HEARING; PROVIDING FOR POWERS; PROVIDING FOR FINES; PROVIDING FOR APPEALS; PROVIDING A REPEALING CLAUSE, PENALTY CLAUSE, SAVING CLAUSE, AUTHORITY TO CODIFY, AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

WHEREAS, pursuant to the "Palm Beach County Municipal Code Enforcement Board Act" of 1979 each municipality in Palm Beach County, at its option, may create by ordinance a Code Enforcement Board, and

WHEREAS, the City of Riviera Beach, Florida to promote, protect and improve the health, safety and welfare of the citizens of the City of Riviera Beach, hereby creates and establishes a Code Enforcement Board to provide an equitable, expeditious, effective and inexpensive method of enforcing the hereinafter described Codes of the City of Riviera Beach;

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

SECTION 1. Declaration of Legislative Intent; It is the intent of this ordinance to promote, protect and improve the health, safety and welfare of the citizens of the City of Riviera Beach by providing an equitable, expeditious, effective and inexpensive method of enforcing the hereinafter described codes of the City of Riviera Beach, Florida.

SECTION 2. Applicability; The Codes Enforcement Board shall enforce and have jurisdiction of the following codes:

CODE OF ORDINANCES OF THE CITY OF RIVIERA BEACH
ZONING CODE, ORDINANCES AND REGULATIONS BUILD-
ING CODES, ORDINANCES AND REGULATIONS HEALTH
AND SANITATION CODE, ORDINANCES AND REGULATIONS
LICENSE CODE, ORDINANCES AND REGULATIONS NOT
OTHERWISE PROHIBITED BY LAW.

SECTION 3. Definitions:

A. The legislative body of the City of Riviera Beach is the City Council.

B. Code Inspector - Those authorized agents or employees of the City of Riviera Beach whose duty is to insure code compliance.

C. Legal Counsel - shall be legal advisor of the Board.

D. Attorney - Counselor for the City of Riviera Beach Florida, is the City Attorney.

E. City Prosecutor is the prosecuting attorney for the City of Riviera Beach.

F. Enforcement Board is the Code Enforcement Board.

SECTION 4. Enforcement Board: Organization: The City Council shall appoint six (6) member Code Enforcement Board and legal counsel for the Board. The members shall have the following qualifications and terms of office:

A. Members of the Enforcement Board shall be residents of the City of Riviera Beach. The membership of the Board shall whenever possible consist of:

1. An Architect
2. A Businessman
3. An Engineer
4. A General Contractor
5. A Subcontractor
6. A Realtor

No member of the Enforcement Board may be an employee of the City of Riviera Beach.

B. In order that terms of office of all members will not expire at the same time, the initial appointments to the Enforcement Board shall be as follows:

Two (2) members shall be appointed for a term of one (1) year.

Two (2) members shall be appointed for a term of two (2) years.

Two (2) members shall be appointed for a term of three (3) years.

Thereafter, all appointments shall be made for a term of three (3) years. Any member may be reappointed from term to term upon the approval of the City Council. Appointments to fill any

vacancy on the Enforcement Board shall be for the remainder of the unexpired term of office. Any member who fails to attend two (2) out of three (3) successive meetings without cause and without prior approval of the Chairperson or in the absence of the Chairperson, the Acting Chairperson, shall automatically forfeit his or her appointment and the City Council shall promptly fill such vacancy. The members shall serve at the pleasure of the City Council and may be removed without cause. Each member of the Board shall vote on every motion, however, in the event of a conflict of interest as defined in Part III of Chapter 112, Florida Statutes, entitled "Code of Ethics for Public Officers and Employees", such member shall not vote or participate in the discussion of said matter and thereafter, within fifteen (15) days after the vote occurs, shall file Disclosure of Voting Conflict, Form 4 with the City Clerk and which disclosure is to be incorporated into the meeting of that meeting.

C. The members of the Enforcement Board shall elect a Chairperson. The presence of four (4) or more members shall constitute a quorum of the Enforcement Board. Members shall serve without compensation, but may be reimbursed for such travel expenses, mileage expenses, and per diem expenses as may be authorized by the City Council.

D. The City Attorney shall be counsel to the Enforcement Board. The City Prosecutor shall represent the City of Riviera Beach by representing cases before the Board.

SECTION 5. Enforcement Procedures:

A. It shall be the duty of the Code Inspector to initiate enforcement proceedings of the various codes.

B. If a violator of the Codes is found, the Code Inspector shall notify the violator, unless paragraph "C" of this section applies, and gives said violator a reasonable time to correct the violation. Should the violation continue beyond the time specified for correction in the Notice of violation, the City Prosecutor shall notify the Enforcement Board and request a hearing pursuant to the procedure in Section 7. Written notice of hearing before the Board shall be mailed to said violator as provided herein.

C. If the Code Inspector has reason to believe a violation presents a serious threat to the public health, safety and welfare, the Code Inspector may proceed directly according to the procedure in Section 6 without notifying said violator as required in Section 5B.

SECTION 6. Conduct of Hearings:

A. (1) The Chairperson of the Enforcement Board may call hearings of the Enforcement Board and hearings may also be called by written notice signed by at least four (4) members of the Enforcement Board. The Enforcement Board at any hearing may set a future hearing date. The Enforcement Board shall attempt to convene no less frequently than once a month, but may meet more or less often as the demand necessitates. Minutes shall be kept of all hearings by the Enforcement Board and all hearings shall be open to the public.

(2) The office of the City Clerk is designated as department to provide clerical and administrative personnel as may be reasonably required by the Enforcement Board for the proper performance of its duties; keep all records of the Board and collect fines when assessed and collected.

B. Each case before the Enforcement Board shall be presented by the City Prosecutor.

C. The Enforcement Board shall proceed to hear the cases on the agenda for that day. All testimony shall be under oath and shall be recorded. The Enforcement Board shall take testimony from the Code Inspector, the alleged violator and all other material witnesses. Physical evidence may be admitted into evidence by the Board. Formal rules of evidence shall not apply, however, fundamental due process shall be observed and govern said proceedings.

D. At the conclusion of the Enforcement Board hearings, said Board shall issue findings of fact and conclusions of law and shall issue a written order affording the relief consistent with powers granted herein. The findings and conclusions shall be by motion approved by a majority of those present and voting, except that at least three (3) members of the Enforcement Board must vote for the action to be official.

SECTION 7. Powers of the Enforcement Board:

The Enforcement Board shall have the power to:

- A. Adopt rules for the conduct of its hearings.
- B. Subpoena alleged violators and witnesses to its hearings. Subpoenas may be served by the City's police department or Code Inspector.
- C. Subpoena records, surveys, plats and other material.
- D. Take testimony under oath.
- E. Admit material into evidence.
- F. Issue orders having the force of law commanding whatever steps are necessary to bring violation into compliance.

SECTION 8. Fines:

The Enforcement Board, upon notification by the City Prosecutor that a previous order of the Enforcement Board has been complied with by the set time, may order the violator to pay a fine not to exceed \$500.00 per day if the violation continues past the date set for compliance. A certified copy of

an order imposing a fine may be recorded in the public records of Palm Beach County, Florida, and shall constitute a lien against the land on which the violation exists. After one (1) year from the filing of any such lien which remains unpaid, the Enforcement Board may authorize the City Attorney to foreclose on the lien.

SECTION 9. Appeal:

An aggrieved party may appeal a ruling or written order of the Enforcement Board by certiorari to the Circuit Court of the Fifteenth Judicial Circuit in and for Palm Beach County, Florida. An appeal shall be filed within thirty (30) days of the execution of the written order to be appealed.

SECTION 10. Notices:

All notices required by this Ordinance shall be certified mail, return receipt requested, addressed to the violators last know address of record or by hand delivery by the Code Inspector or Police Officer, where mail would not be effective.

SECTION 11. All Ordinances or parts of ordinances or charter provisions in conflict herewith are to the extent of such conflict repealed.

SECTION 12. 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 13. 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 14. Specific authority is hereby granted to codify this Ordinance, as Section 2.36 under Chapter 2, entitled "Administration" of the Code of Ordinances.

SECTION 15. This Ordinance shall take effect on
October 1, 1980.

PASSED and APPROVED on first reading this 1st day of
October, 1980.

PASSED and ADOPTED on second and final reading this
15th day of October, 1980.

APPROVED:



Mayor



Chairman



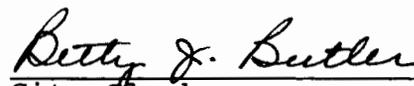
Chairman Pro Tem

(MUNICIPAL SEAL)

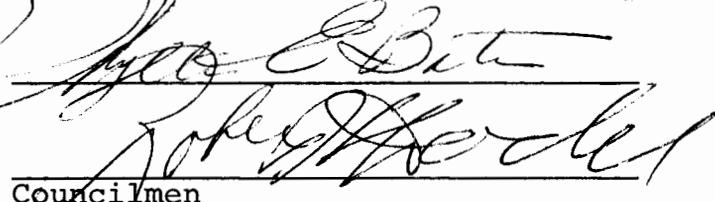


Councilman

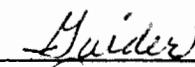
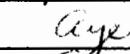
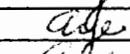
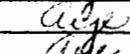
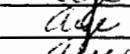
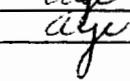
ATTEST:



City Clerk



Councilmen

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

October 2 , 1980

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, Oct. . 15, 1980 at 7:30 P.M. at the City Hall 600 West Blue Heron Blvd. and from time to time thereafter as may be necessary for the purpose of considering the enactment of the following Ordinance.

ORDINANCE NO. 209 5

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, CREATING A CODES ENFORCEMENT BOARD: PROVIDING FOR LEGISLATIVE INTENT: PROVIDING FOR APPLICABILITY; PROVIDING FOR ORGANIZATION; PROVIDING FOR ENFORCEMENT PROCEDURES; PROVIDING FOR HEARING; PROVIDING FOR POWERS; PROVIDING FOR FINES; PROVIDING FOR APPEALS; PROVIDING A REPEALING CLAUSE, PENALTY CLAUSE, SAVING CLAUSE, AUTHORITY TO CODIFY, AN EFFECTIVE DATE FOR OTHER PURPOSES.

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

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

BY ORDER OF CITY CLERK

Publish:

October 8, 1980

ORDINANCE NO 2096

AN ORDINANCE OF THE CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA, AMENDING SECTION
23-12 ENTITLED "DESIGNATION OF DISTRICTS,
BOUNDARIES-REFERENCE TO ZONING MAP BY ADDING
A DESIGNATION ENTITLED MXD - MIXED USE
DEVELOPMENT DISTRICT: CREATING A SECTION
ENTITLED MXD - MIXED USE DEVELOPMENT DISTRICT
RELATING TO DEFINITION: DISTRICT PURPOSE
RELATIONSHIP OF MXD TO GENERAL ZONING, SUB-
DIVISION OR OTHER APPLICATION REGULATIONS,
HOW ESTABLISHED: WHERE PERMITTED: GENERAL
REQUIREMENTS, DEVIATION FROM SPECIFIC RE-
QUIREMENTS, LIMITATIONS AND STANDARDS, PRO-
CEDURES FOR MXD ZONING, EFFECT OF MXD ZONING,
CHANGES AND AMENDMENTS: 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 Section 23-12 entitled "Designation
of Districts, boundaries-reference to zoning map" by adding the
following designation:

"MXD - Mixed Use Development District"

SECTION 2. A section is created entitled MXD -
Mixed Use Development District as per copy attached and made a part
hereof.

SECTION 3. Each day's violation of any of the pro-
visions of this ordinance shall constitute a separate offense and
shall be punishable as provided in Section 1-8 of the Code of
Ordinances.

SECTION 4. Any ordinance or parts of ordinances in
conflict herewith are hereby repealed.

SECTION 5. If any section, part of a section,
paragraph, sentence, clause, phrase or word of this ordinance is
for any reason held or declared to be unconstitutional, inoperative
or void, such holding or invalidity shall not affect the remaining
portions of this ordinance and it shall be construed to have been
the legislative intent to pass this ordinance without such uncon-
stitutional, invalid or inoperative part therein, and the remainder
of this ordinance after the exclusion of such part or parts shall be
deemed to be held valid as if such part or parts had not been in-
cluded therein, or if this ordinance or any of the provisions there-
of shall be held inapplicable to any person, group of persons,
property, kind of property, circumstances or set of circumstances,
such holding shall not affect the applicability thereof to any other
person, property or circumstances.

SECTION 6. Specific authority is hereby granted to codify this ordinance. 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 Riviera Beach; that the sections of this ordinance may be re-numbered or re-lettered to accomplish such intentions; and that the word "ordinance" may be changed to "section," "article" or other appropriate words.

SECTION 7. This ordinance shall take effect upon its passage as provided by law.

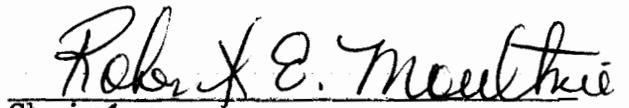
PASSED AND APPROVED on first reading this _____ day of _____, 1981.

PASSED AND ADOPTED on second and final reading this _____ day of _____, 1981.

APPROVED:



 Mayor

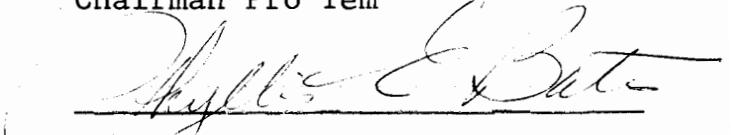


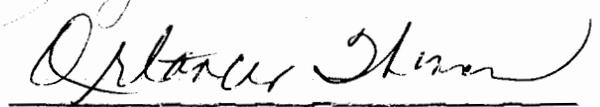
 Chairman

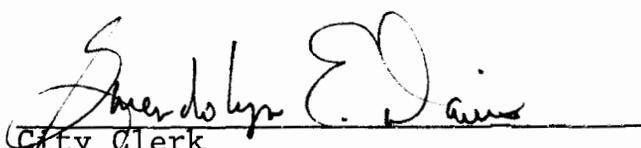
ATTEST:



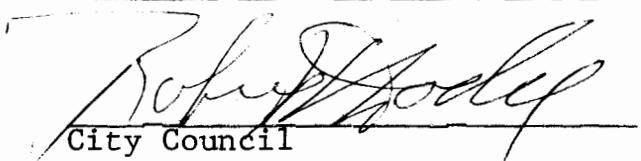
 Chairman Pro Tem







 City Clerk



 City Council

1st Reading

2nd Reading

Motioned by: Bates
 Seconded by: Dodd
 R. Moultrie Aye
 G. Adams Aye
 R. Dodd Aye
 P. Bates Aye
 O. Thomas Aye

Bates
Dodd
Aye
Aye
Aye
Aye
Aye

AN ORDINANCE OF THE CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA, AMENDING SECTION
23-12 ENTITLED "DESIGNATION OF DISTRICTS,
BOUNDARIES-REFERENCE TO ZONING MAP BY ADDING
A DESIGNATION ENTITLED MXD - MIXED USE
DEVELOPMENT DISTRICT; CREATING A SECTION
ENTITLED MXD - MIXED USE DEVELOPMENT DISTRICT
RELATING TO DEFINITION; DISTRICT PURPOSE,
RELATIONSHIP OF MXD TO GENERAL ZONING, SUB-
DIVISION OR OTHER APPLICATION REGULATIONS,
HOW ESTABLISHED; WHERE PERMITTED; GENERAL
REQUIREMENTS, DEVIATION FROM SPECIFIC RE-
QUIREMENTS, LIMITATIONS AND STANDARDS, PRO-
CEDURES FOR MXD ZONING, EFFECT OF MXD ZONING,
CHANGES AND AMENDMENTS; 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 Section 23-12 entitled "Designation
of Districts, boundaries-reference to zoning map" by adding the
following designation:

"MXD - Mixed Use Development District"

SECTION 2. A section is created entitled MXD -
Mixed Use Development District as per copy attached and made a part
hereof.

SECTION 3. Each day's violation of any of the pro-
visions of this ordinance shall constitute a separate offense and
shall be punishable as provided in Section 1-8 of the Code of
Ordinances.

SECTION 4. Any ordinance or parts of ordinances in
conflict herewith are hereby repealed.

SECTION 5. If any section, part of a section,
paragraph, sentence, clause, phrase or word of this ordinance is
for any reason held or declared to be unconstitutional, inoperative
or void, such holding or invalidity shall not affect the remaining
portions of this ordinance and it shall be construed to have been
the legislative intent to pass this ordinance without such uncon-
stitutional, invalid or inoperative part therein, and the remainder
of this ordinance after the exclusion of such part of parts shall be
deemed to be held valid as if such part or parts had not been in-
cluded therein, or if this ordinance or any of the provisions there-
of shall be held inapplicable to any person, group of persons,
property, kind of property, circumstances or set of circumstances,
such holding shall not affect the applicability thereof to any other
person, property or circumstances.

SECTION 6. Specific authority is hereby granted to

codify this ordinance. 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 Riviera Beach; that the sections of this ordinance may be re-numbered or relettered to accomplish such intentions; and that the word "ordinance" may be changed to "section," "article" or other appropriate words.

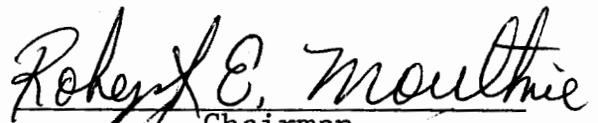
SECTION 7. This ordinance shall take effect upon its passage as provided by law.

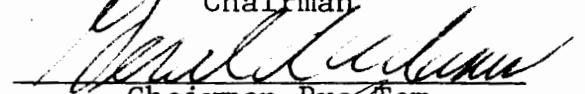
PASSED AND APPROVED on first reading this 6th day of May, 1980.

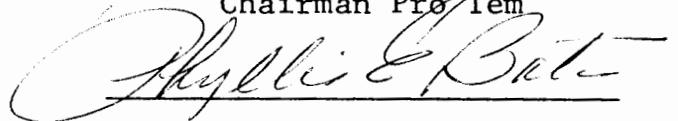
PASSED AND ADOPTED on second and final reading this 20th day of May, 1980.

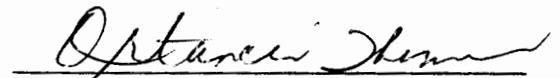
APPROVED:

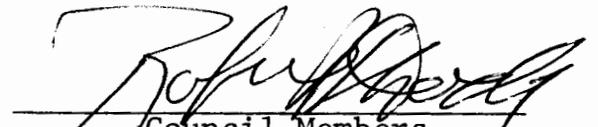

Mayor


Chairman

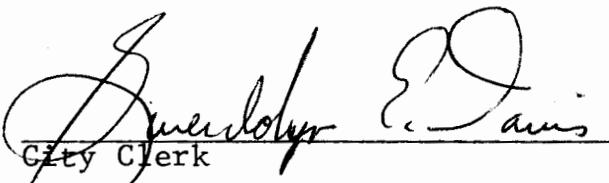

Chairman Pro Tem






Council Members

ATTEST:


City Clerk

1st Reading

Motioned By: _____

Seconded By: _____

G. Nikolits _____

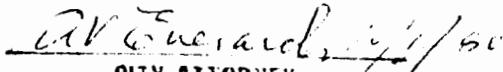
C. Guider _____

P. Bates _____

R. Dodd _____

C. Lawrence _____

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY


CITY ATTORNEY

MXD - MIXED USE DEVELOPMENT DISTRICT

1. DEFINITION:

A "Mixed Use Development" is hereby defined as a relatively large-scale real estate project under unified control characterized by:

- (1). three or more significant revenue-producing uses (such as retail, office, residential, institutional, hotel/motel, and recreation-which in well-planned projects are mutually supporting);
- (2). significant functional and physical integration of project components (and thus a highly-intensive use of land), including uninterrupted pedestrian connections; and
- (3). development in conformance with coherent plan(which frequently stipulates the type and scale of uses, permitted densities, and related items).

2. DISTRICT PURPOSE:

The purpose and intent of establishing the MXD-Mixed Use Development district is to promote and encourage development and/or redevelopment of sites deemed suitable by the Planning Board and City Council for mixed retail, office, residential, institutional, hotel/motel and recreation uses. Although mixed developments produced in compliance with the term and provisions of these regulations may depart from the strict application of use, setback, height, and minimum lot requirements of conventional zoning regulations, the intent is to provide standards by which flexibility may be accomplished, while maintaining and protecting the public interest, so that:

- A. A more creative approach may be taken to the development of contiguous tracts of land, and a more desirable environment may be accomplished than would be possible through strict application of the requirements of the zoning ordinance.
- B. Land may be used more efficiently, resulting in smaller networks of utilities and streets with consequent lower construction and future maintenance costs;
- C. The impact of a particular Mixed Use Development on the present and projected population, economy, land use pattern, tax base, street system, and public facility network(s) of the City may be carefully evaluated relative to the various costs and benefits that may be associated with such development.
- D. Application of Mixed Use Development techniques to a given tract will:
 - (1) permit large scale development (or redevelopment) which features amenities and excellence in the form of variations in siting, mixed land uses and/or varied dwelling types, as well as adaptation to and conservation of natural characteristics of the land involved; and
 - (2) encourage harmonious development of the site and surrounding areas, community facilities, and patterns of vehicular and pedestrian circulation.

3. RELATION OF MIXED USE DEVELOPMENT REGULATIONS TO GENERAL ZONING, SUBDIVISION OR OTHER APPLICABLE REGULATIONS:

The provisions which follow shall apply generally to the creation and regulation of all MXD Districts. Where there are conflicts between these special MXD provisions and general zoning, subdivision, or other applicable regulations, these special regulations shall apply.

4. HOW ESTABLISHED: WHERE PERMITTED:

MXD Districts may hereafter be established in any zoning district by amendment of the Official Zoning Map where, in the opinion of the Planning Board and City Council, tracts of lands suitable in location, extent and character for the structures and uses proposed to be planned and developed are in accord with the intent and purpose and requirements herein set out.

5. GENERAL REQUIREMENTS:

The following general requirements and limitations shall apply in MXD districts approved under the terms and provisions of these regulations:

- A. Unified Control: All land included for purpose of development within a MXD district shall be owned or under the control of the applicant for such zoning designation, whether that applicant be an individual, partnership, or corporation, or a group of individuals, partnerships, or corporations. The applicant shall present firm evidence of the unified control of the entire area within the proposed MXD district and shall state agreement that, if he proceeds with the proposed development, he will:

(1) do so in accord with:

- (a) the Master Site Plan of development officially adopted for the district;
(b) regulations existing when the amendment rezoning the land to MXD is adopted; and
(c) such other conditions or modifications as may be attached to the rezoning of land to the MXD classification;

(2) provide agreements, contract, financing techniques, deed restrictions, or sureties acceptable to the City for completion of the undertaking in accord with the adopted Master Site Plan as well as for the continuing operation and maintenance of such areas, functions, and facilities as are not to be provided, operated, or maintained at general public expense; and

(3) bind his successors in title to any commitments made under (1) and (2) preceding.

- B. Master Site Plan: Any application for rezoning to MXD shall be accompanied by a professionally prepared Master Site Plan of the development comprised, as a minimum, of the following elements:

(1) A site development plan, drawn to acceptable scale, which shall indicate:

- (a) the title of the project and name of developer;
- (b) scale, date, north arrow, and general location map showing relationship of the site to such external facilities as highways, shopping areas, cultural complexes, and the like;
- (c) boundaries of the subject property, all existing streets, buildings, watercourses, easements, section lines, and other important physical features within and adjoining the proposed project;
- (d) the proposed use of all land within the project boundaries, including the location and function of all areas proposed to be dedicated or reserved for community and/or public use;
- (e) the location of all proposed structures, open space, landscaping, and off-street parking and off-street loading areas;
- (f) the location and size (as appropriate) of all existing and proposed drainage, water, sewer, and other utility provisions; and
- (g) information about existing vegetative cover and soil conditions in sufficient detail to indicate suitability for proposed structures and uses;
- (h) a plan for pedestrian and vehicular circulation showing the general location, widths, and recommended surface treatment of all major internal thoroughfares and pedestrian accessways. A diagrammatic flow chart demonstrating the pattern of vehicular traffic movement to, within, and through the development;
- (i) the provision of all needed utilities to and within development; including (as appropriate) water supply, and distribution; sewage collection, and disposal; electric power; gas and communications (telephone, cable TV).

(2) Ground and typical floor plans, elevations and sections etc. to clearly explain the scheme and functional relationships of spaces.

(3) Supportive report(s) which shall include;

(a) a written agreement, in a form acceptable to the City Attorney, on behalf of the owner, his successors and assigns as follow:

- (I)-That the proposed development, as shown on the plans and as set forth in specifications will be completed in every detail within such time period as may be agreed upon by the Council, and
- (II)-That all land improvements intended for the common use of all residents, including drives, walks, parking areas, recreation facilities and equipment and all landscaped or other common open space will be maintained in perpetuity, including such servicing as may be required for the use of such land improvements, and
- (III)-That no future changes in the development shall be made which would encroach upon the land used to comply with the requirements of this Chapter as to density, open space, yard, courts, vehicular access, automobile parking, building coverage or other outdoor requirements, and
- (IV)-That all easements for private drives, utility lines and similar purposes shall

be open at all times for access by publicly employed personnel and equipment for police and fire protection, for inspection of utility systems and for any other public purpose.

(b) a general description of the proposed development, including information as to:

- (I) total acreage involved in the project
- (II) the number of acres devoted to the various categories of land use shown on the site development plan together with the respective percentage of total project acreage represented by each category of use,
- (III) the number and type of dwelling units involved and the corresponding overall project density in dwelling units per gross acre,
- (IV) the minimum design standard reflected by the site plan for such features as pedestrian ways, open space provisions, offstreet parking, signs, and landscaping, and
- (V) dwelling unit densities for residential components.

(c) A proposed schedule of development which identifies the anticipated project and component start and completion dates, stages of development, and the area and location of common open space to be provided at or by each stage; and

(d) a statement and/or map indicating which streets or roads (and pedestrian ways as appropriate) are proposed for public ownership and maintenance, and whether approval is sought as part of the Master Site Plan for private roads, if any within the development.

(4) Agreements, provisions, or covenants which govern the use, maintenance, and continued protection of the MIXED USE DEVELOPMENT and any of its common areas or facilities.

(5) Professional Services Required: Any Master Site Plan of Development submitted in support of an application for MXD zoning shall certify that the services of two or more of the following professionals were utilized in the design or planning process:

(a) an urban planner who possesses the education and experience to qualify for full membership in the American Institute of Certified Planners, and/or

(b) an architect who possesses the education and experience to qualify for full membership in the American Institute of Architects, together with either:

(I) a practicing civil engineer licensed by the State of Florida, or

(II) a practicing landscape architect licensed by the State of Florida.

6. SPECIFIC REQUIREMENT:

In addition to all general provisions and procedures set out in this section, the following specific requirements, limitations, and standards shall apply:

A. SITE AREA:

Minimum site area required for a Mixed Use Development shall be two (2) contiguous acres undivided by any private right-of-way (one acre shall be equal to 43,560 square feet).

B. DENSITY:

The maximum permitted density for residential component shall be 18 dwelling units for acre computed according to following formula:

Dwelling Unit Type	Density Unit Count
Motel/hotel room	.5
Efficiency	.7
One bedroom	1.0
Two bedroom	1.1
Three bedrooms	1.2
Each additional bedroom	.1

Minimum square footage:

- (a) Efficiency - 350 square feet
- (b) One Bedroom - 500 square feet
- (c) Two Bedroom - 800 square feet
- (d) Three Bedroom - 900 square feet

C. FLOOR AREA RATION:

All residential and non-residential structures shall not exceed and aggregate building area (including accessory structure) ratio to land area of one to one (1,1).

D. LAND COVERAGE:

The maximum amount of site area which may be covered by all uses requiring impervious ground coverage, including but not limited to structures, driveways, and off-street parking areas, shall not exceed eighty-five (85) percent of the total site area.

E. SETBACK:

Setbacks shall be in compliance with the following minimum requirements:

RESIDENTIAL & NON-RESIDENTIAL

Front	20'
Side	10'
Rear	15'

Accessory uses shall set-back minimum 5' from side and rear line.

F. HEIGHT:

No building shall be constructed higher than three (3) stories or thirty-five (35) feet, whichever is greater including mechanical facilities on ornamental facades or railing.

G. OFF-STREET PARKING:

For mixed use developments, computation of the total number of parking spaces required shall be the sum of the number of parking spaces required for each individual use as set forth in Section 23-26 of Zoning Code.

H. LANDSCAPING:

See Section 23-25(7) of Zoning Code.

I. SIGNS:

See Chapter 3 Advertising and Signs and Chapter 23, Section 23-28 Sign Regulations.

J. The following specific requirements shall apply when a residential component is included in MXD districts:

- (I) Residential component shall not be permitted in MXDs rezoned from M-1 Industrial Districts,
- (II) Ground floor frontage on major thoroughfares shall not be devoted to residential uses,
- (III) 15% of the gross floor area devoted to residential uses shall be provided as private residential recreation space. This space may be in balconies, roof tops or indoor facilities, etc.,
- (IV) Any public housing project as part of MXD shall conform with goals and objectives of City's Comprehensive Development Plan.
- (V) Commercial vehicular traffic shall not be permitted to use residential street for ingress & egress purposes.

7. DEVIATION FROM SPECIFIC REQUIREMENTS, LIMITATIONS AND STANDARDS:

When in the opinion of the Planning Board (based upon information, data and studies presented), special reasons and unusual conditions exist, the Board may recommend and the City Council may approve the waiving of certain portions of the above standards and requirements as part of Site Development Plan approval.

8. PROCEDURES FOR MIXED USE DEVELOPMENT ZONING:

Petitions for rezoning to MXD shall be submitted and processed as for rezoning amendments generally and in accordance with the following special procedures:

A. Preapplication Conference: Prior to submitting a formal application for rezoning to MXD, the applicant shall confer with the Director and other Staff, agencies, and officials involved in the review and processing of such applications and related materials. The applicant is further encouraged to submit a tentative land use sketch plan for review at the conference, and to obtain information on any projected plans, programs, relation to possible applicable Federal or State requirements, or other matters that may affect the proposed planned unit development. This preapplication conference should address, but not be limited to, such matters as:

(1) The proper relation between the anticipated project and surrounding uses, and the effect of the proposed development on the planning and development objectives of the

(2) The adequacy of existing and proposed streets, utilities, and other public facilities to serve the development.

(3) The nature, design, and appropriateness of the proposed land use arrangement for the configuration of property involved.

(4) The adequacy of open space areas in existence and as proposed to serve the development.

(5) The ability of the subject property and of surrounding areas to accommodate future expansions, if needed.

(6) Impact on revitaliation of business areas and the economic impact on the community.

B. Application Materials: In addition to information generally required for rezoning applications, the applicant shall submit the following materials or data in sufficient copies as specified by Director for necessary referrals and records:

(1) The evidence of unified control of the proposed planned unit development and the associated agreements required under Section 5 above.

(2) A proposed Master Plan of Development as prescribed under Section 5 B.

(3) Such other material as the applicant may feel is applicable to and in support of his application for rezoning to MXD.

(4) Any additional information as may be required by the Planning Board or the Council at the time of any public hearing.

C. Prehearing Conference: Any application for rezoning to MXD, together with all materials prescribed herein, shall be submitted to the Director at least ten (10) weeks in advance of the required public hearing before the Planning Board on such application. Prehearing conferences may be held between the applicant and/or his representatives and officials or representatives of the City. The purpose of such prehearing conferences shall be to assist in bringing the application for rezoning to MXD as nearly as possible into conformity with the intent of these or other applicable regulations,

and/or to define specifically any justifiable variations from the application of such regulations. If such conferences be held, any recommendations for change in the application, Master Site Plan of development, or required statements shall be set down in writing, and shall become part of the public record in the case. All such recommendations shall be supported by written, stated reasons for the proposed change. The applicant shall, in writing, indicate agreement to such recommendations, or disagreement; if disagreeing, the applicant shall state in writing the reasons therefor. All such responses by the applicant shall be included in the record of the case.

D. Public Hearing before the Planning Board: Public Hearing Notice shall be given in accordance with Section 23-4 of Zoning ordinance and a Public Hearing shall be held before the Planning Board on the application, proposed Master Site Plan and required statements as they may have been amended as a result of the preliminary conferences.

E. Planning Board Recommendations: The Planning Board shall make written findings as herein set out and shall recommend to the Council either approval of the MXD rezoning as proposed; approval conditional on stated modifications; or disapproval. In support of its recommendation, the Planning Board shall make findings as to:

(1) The suitability of the area for the type and pattern of development proposed in relation to physical characteristics of the land, relation to surrounding areas, traffic and access, drainage, sewer, water, and other utilities.

(2) Adequacy of evidence of unified control and suitability of any proposed agreements, contracts, or other instruments or for amendments in those proposed, particularly as they may relate to arrangements or provisions to be made for the continuing operation and maintenance of such areas, functions, and facilities as are not to be provided or maintained at public expense. Findings and recommendations of this type shall be made only after consultation with the City Attorney.

(3) Conformity of the proposed planned unit development with the goals and objectives of the Comprehensive Plan.

(4) Conformity with MXD regulations, or as to desirable modification of such regulations in the particular case, based on determination that such modifications are justified as meeting public purposes to a degree at least equivalent to literal application of such regulations.

F. Action by City Council: Unless the application is withdrawn by the applicant, the City Council shall, upon receipt of the Planning Board recommendation, advertise and hold a public hearing on the application. The notice and hearing shall be on the application and Master Site Plan of development as recommended by the Planning Board to the Council. The Council shall either grant the proposed rezoning to MXD; deny the application for MXD rezoning, or grant the MXD rezoning with conditions or modifications. Such modifications shall be stated with reference to the appropriate provision of these regulations upon which they are based and the reasons therefor.

9. EFFECT OF MIXED USE DEVELOPMENT ZONING: If the Council approves the proposed MXD rezoning, the Master Site Plan for development and all other information and materials formally submitted with the petition shall be considered as adopted as an amendment to the Zoning ordinance and shall become the standards of development for the subject Mixed Use development.

10. CHANGES AND AMENDMENTS: The Council upon recommendation by the Planning Board, may approve minor changes in the location, siting or height of buildings, structures, and improvements authorized by the adopted Master Site Plan of development for a designated MKD district, provided that such modifications do not:
- A. Increase the cube of any building; the number of structures; the number of dwelling units; or densities, floor area ratio specified by the adopted Master Site Plan.
 - B. Change any perimeter boundary of Mixed Use development.
 - C. Rearrange any lot, block, building tract, or common facility as shown on the adopted Master Site Plan.
 - D. Change any use as shown on the adopted Master Site Plan
 - E. Change location or amounts of land devoted to specified land uses on the adopted Master Site Plan.
 - F. Change the intent of the Master Site Plan of development as adopted by the Board.

November 20, 1980

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, December 3, 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 following enactment of the following Ordinance.

ORDINANCE NO 2096

AN ORDINANCE OF THE CITY OF RIVIERA BEACH PALM BEACH COUNTY, FLORIDA, AMENDING SECTION 23-12 ENTITLED "DESIGNATION OF DISTRICTS, BOUNDARIES-REFERENCE TO ZONING MAP BY ADDING A DESIGNATION ENTITLED MXD - MIXED USE DEVELOPMENT DISTRICT; CREATING A SECTION ENTITLED MXD - MIXED USE DEVELOPMENT DISTRICT RELATING TO DEFINITION; DISTRICT PURPOSE, RELATIONSHIP OF MXD TO GENERAL ZONING, SUB-DIVISION OR OTHER APPLICATION REGULATIONS, HOW ESTABLISHED; WHERE PERMITTED; GENERAL REQUIREMENTS, DEVIATION FROM SPECIFIC REQUIREMENTS, LIMITATIONS AND STANDARDS, PROCEDURES FOR MXD ZONING, EFFECT OF MXD ZONING, CHANGES AND AMENDMENTS; 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 CITY CLERK'S OFFICE.

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

Publish: *Nov.* 26, 1980

May 8, 1981

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 May 20, 1981 at 7:30 P.M. at the City Hall, 600 West Blue Heron Blvd. and from to time thereafter as may be necessary for the purpose of enactment of the Following Ordinance:

ORDINANCE NO 2096

AN ORDINANCE OF THE CITY OF RIVIERA BEACH PALM BEACH COUNTY, FLORIDA, AMENDING SECTION 23-12 ENTITLED "DESIGNATION OF DISTRICTS, BOUNDARIES-REFERENCE TO ZONING MAP BY ADDING A DESIGNATION ENTITLED MXD - MIXED USE DEVELOPMENT DISTRICT; CREATING A SECTION ENTITLED MXD - MIXED USE DEVELOPMENT DISTRICT RELATING TO DEFINITION; DISTRICT PURPOSE, RELATIONSHIP OF MXD TO GENERAL ZONING, SUB-DIVISION OR OTHER APPLICATION REGULATIONS, HOW ESTABLISHED; WHERE PERMITTED; GENERAL REQUIREMENTS, DEVIATION FROM SPECIFIC REQUIREMENTS, LIMITATIONS AND STANDARDS, PROCEDURES FOR MXD ZONING, EFFECT OF MXD ZONING, CHANGES AND AMENDMENTS; 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 CITY CLERK'S OFFICE.

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

Publish: May 13, 1981.

C

U

ORDINANCE NO. 2097

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING PARAGRAPHS (a) AND (c) OF SECTION 14A-1. ENTITLED "PLANNING BOARD CREATED, QUORUM, TERM, VACANCIES, REMOVAL"; PARAGRAPHS (c) AND (f) OF SECTION 14A-2. ENTITLED "GENERAL DUTIES OF PLANNING BOARD" AND PARAGRAPH (a) OF SECTION 14A-2.1. ENTITLED "PLANNING BOARD RESPONSIBLE FOR CITY'S COMPREHENSIVE PLAN." OF CHAPTER 14A ENTITLED "PLANNING" OF THE CODE OF ORDINANCES. 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. Paragraphs (a) and (c) of Section 14A-1 entitled "Planning Board Created; quorum, term, vacancies, removal." are amended to read:

"(a) There shall be a city planning board which shall consist of not less than seven (7) members who shall be appointed by the city Council. ~~7-none-of-whom-shall-hold any-other-public-office-or-position-in-the city.~~"

"(c) The city manager, city attorney, and mayor shall serve as ex officio members of the board. The ~~city-council~~ members shall select the chairman of said board. A majority of the board shall be a quorum.

SECTION 2. Paragraphs (c) and (f) of Section 14A-2. entitled "General duties of planning board." are amended to read:

"(c) Draft for the city council an official map of the city and recommend or disapprove proposed changes in such map; it shall be the duty of the director of planning board to periodically up-date the official map and to institute a procedure to show on such map a change list column reflecting past and present changes in zoning districts.

"(f) Submit annually to the city manager, not less than one hundred twenty (120) days prior to the beginning of the budget year, a list of recommended major capital improvements relating to planning and zoning, which in the opinion of

the board are necessary or desirable to be constructed during the forthcoming six (6) year period. Such list shall be arranged in order of preference, with recommendations as to which projects shall be constructed in which year.

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 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 15th day of October, 1980.

PASSED AND ADOPTED on second and final reading this 5th day of _____, 1980.

APPROVED:

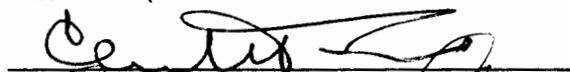

Mayor

(MUNICIPAL SEAL)

ATTEST:


City Clerk


Chairman


Chairman Pro Tem






Councilmen

Ordinance No. 2097

Enacted October , 1980.

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

October 18, 1980

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

ORDINANCE NO. 2097

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING PARAGRAPHS (a) AND (c) OF SECTION 14A-1. ENTITLED "PLANNING BOARD CREATED, QUORUM, TERM, VACANCIES, REMOVAL"; PARAGRAPHS (c) AND (f) OF SECTION 14A-2. ENTITLED "GENERAL DUTIES OF PLANNING BOARD" AND PARAGRAPH (a) OF SECTION 14A-2.1. ENTITLED "PLANNING BOARD RESPONSIBLE FOR CITY'S COMPREHENSIVE PLAN." OF CHAPTER 14A ENTITLED "PLANNING" OF THE CODE OF ORDINANCES. 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 CITY CLERK'S OFFICE.

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

Publish: *Oct. 29, 80*

EMERGENCY ORDINANCE NO. 2098

AN EMERGENCY ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA: CITY COUNCIL'S FINDING OF FACT AND DECLARATION OF AN EMERGENCY: DECLARING A MORATORIUM ON SITE PLAN REVIEW AND APPROVAL IN "R-5 HIGH DENSITY RESIDENTIAL DISTRICT" AND "C-1B RESTRICTED COMMERCIAL DISTRICT" NOT HERETOFORE APPROVED PRIOR TO OCTOBER 23, 1980; PROVIDING A BOARD OF ADJUSTMENT AND APPEAL TO HEAR APPEALS: PROVIDING A REPEALING CLAUSE, PENALTY CLAUSE, SAVING CLAUSE, AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

CITY COUNCIL'S FINDING OF FACT AND DECLARATION OF AN EMERGENCY

WHEREAS, the City's Planning Board is the local planning agency responsible for the preparation, adoption, completion, updating and administration of the city's comprehensive plan and elements thereof, in accordance with the city's charter adopted April 17, 1973, Article IV, Section 1, and pursuant to Chapter 75-257, Sections 4 (8) and 6, Laws of Florida, and

WHEREAS, the city, in furtherance of the health, safety and welfare of its citizens and others and to prevent excessive overcrowding or concentration of people or population and to provide for the orderly harmonious development of land within its corporate limits, is presently in the process through the city's Planning Board and Professional Staff of making a comprehensive land plan for the physical development of the area within the corporate limits of the city and preparing and reviewing a comprehensive zoning ordinance for adoption; and

WHEREAS, in the best interest of the city during the period of time that the city is preparing and reviewing a comprehensive zoning ordinance and comprehensive land use plan for adoption and the conduct of public hearings thereon, the necessity exists for a Moratorium to be enacted prohibiting site plan review and approvals in "R-5 High Density Residential District" and "C-1B Restricted Commercial District" not heretofore approved prior to October 23, 1980 in order to enable the staff to complete comprehensive studies necessary to make final recommendations and hold public hearings pertaining to the matters herein stated; and

WHEREAS, the City Council after further consideration, study and deliberation has found and determined that there exists an emergency that necessitates the immediate enactment of this Emergency Ordinance, now therefore;

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

Section 1. There is hereby declared to be a Moratorium on site plan review and approval in "R-5 High Density Residential District" and "C-1B Restricted Commercial District" not heretofore approved prior to October 23, 1980.

Section 2. When there are practical difficulties or unnecessary hardships in the strict application of this Moratorium Ordinance, the City Council is hereby designated as a Board of Adjustment and Appeal and any person aggrieved may appeal to such Board of Adjustment and Appeal upon written notice and after a hearing the Board of Adjustment and Appeal may grant such relief as it deems equitable and just in the premises.

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

Section 4. 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 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.

PASSED AND ADOPTED as an Emergency Ordinance this 5th day of

November, 1980.

APPROVED:



(MUNICIPAL SEAL)

Darryl R. Nildt
Chairman

Clement [unclear]
Chairman Pro Tem

Chyllis E. Bates
Conrad [unclear]

Councilmen

ATTEST:

Betty J. Butler
City Clerk

PASSED AND ADOPTED

G. NIKOLITS	<u>aye</u>
C. GUIDER	<u>aye</u>
R. DODD	<u>absent</u>
C. LAWRENCE	<u>aye</u>
P. BATES	<u>aye</u>

Bates
Guider

r.

ORDINANCE NO. 2098A

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, CITY COUNCIL'S FINDING OF FACT AND DECLARING A MORITORIUM ON SITE PLAN REVIEW AND APPROVAL IN "R-5 HIGH DENSITY RESIDENTIAL DISTRICT" AND "C-1B RESTRICTED COMMERCIAL DISTRICT" NOT HERETOFORE APPROVED PRIOR TO OCTOBER 23, 1980; PROVIDING A BOARD OF ADJUSTMENT AND APPEAL TO HEAR APPEALS: PROVIDING A REPEALING CLAUSE, PENALTY CLAUSE, SAVING CLAUSE, AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

CITY COUNCIL'S FINDINGS OF FACT

WHEREAS, the city's Planning Board is the local planning agency responsible for the preparation, adoption, completion, updating and administration of the city's comprehensive plan and elements thereof, in accordance with the city's charter adopted April 17, 1973, Article IV, Section 1, and pursuant to Chapter 75-257, Sections 4(8) and 6, Laws of Florida, and

WHEREAS, the City, in furtherance of the health, safety and welfare of its citizens and others and to prevent excessive overcrowding or concentration of people or population and to provide for the orderly harmonious development of land within its corporate limits, is presently in the process through the city's Planning Board and Professional Staff of making a comprehensive land plan for the physical development of the areas within the corporate limits of the city and preparing and reviewing a comprehensive zoning ordinance for adoption; and

WHEREAS, in the best interest of the city during the period of time that the city is preparing and reviewing a comprehensive zoning ordinance and comprehensive land use plan for adoption and the conduct of public hearings thereon, the necessity exists for a Moritorium to be enacted prohibiting site plan review and approvals in "R-5 High Density Residential District" and "C-1B Restricted Commercial District" not heretofore approved prior to October 23, 1980, in order to enable the staff to complete comprehensive studies necessary to make final recommendations and hold public hearings pertaining to matters herein stated.

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

SECTION 1. There is hereby declared to be a Moritorium on site plan review and approval in "R-5 Density Residential District" and "C-1B Restricted Commercial District" not heretofore approved prior to October 23, 1980.

SECTION 2. When there are practical difficulties or unnecessary hardships in the strict application of this Moritorium Ordinance, the City Council is hereby designated as a Board of Adjustment and Appeal and any person aggrieved may appeal to such Board of Adjustment and Appeal upon written notice and after a hearing the Board of Adjustment and Appeal may grant such relief as it deems equitable and just in the premises. Thereafter, the decision of the Board of Adjustment and Appeal maybe be reviewed by Certiorari in the Circuit Court.

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

SECTION 4. 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 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. This Ordinance shall take effect upon its

passage and adoption by the City Council.

PASSED AND APPROVED on first reading this 5th day of November, 1980.

PASSED AND ADOPTED on Second reading this 19th day of November, 1980.

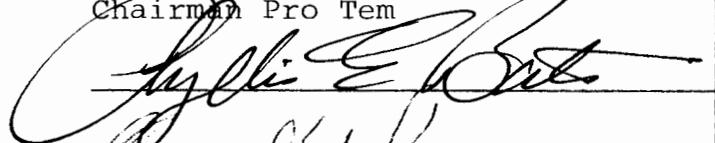
APPROVED:

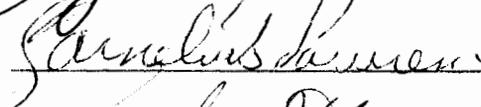

Mayor


Chairman


Chairman Pro Tem

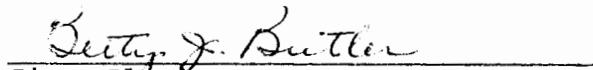
(MUNICIPAL SEAL)






Councilmen

ATTEST:


City Clerk

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

R.

ORDINANCE NO. 2099-A

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING ARTICLE I ENTITLED "IN GENERAL" OF CHAPTER 6 ENTITLED "BUILDINGS" OF THE CODE OF ORDINANCES BY ENACTING SECTION 6-3, PROVIDING ON SITE CONSTRUCTION PARKING REQUIREMENTS; PROVIDING A BOARD OF ADJUSTMENT AND APPEAL TO HEAR APPEALS; 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:

Article I entitled "in General" of Chapter 6 entitled "Buildings" of the Code or Ordinances is amended by enacting Section 6-3, as follows:

SECTION 1. "Sec. 6-3. On site construction parking requirements.

During the course of any construction, off street parking facilities shall be provided within the construction site to accommodate parking of any motor vehicles operated by any person employed or transacting any business or service to the site of construction.

In addition to the criminal penalty imposed herein, the building official shall enforce this section by the suspension of any building permit when such official determines the existence of a violation of this section."

SECTION 2.

"When there are practical difficulties or unnecessary hardships in the strict application of this ordinance, the City Council is hereby designated as a Board of Adjustment and Appeal and any person aggrieved may appeal to such Board of Adjustment and Appeal upon written notice and after a hearing the Board of Adjustment and Appeal may grant such relief as it deems equitable and just in the premises."

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 thereby be 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.

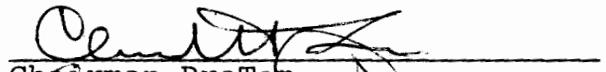
PASSED AND APPROVED on first reading this 5th day of November, 1980.

PASSED AND ADOPTED on second and final reading this 19th day of November, 1980.

APPROVED:


Mayor


Chairman


Chairman Pro Tem

(MUNICIPAL SEAL)


Councilman

ATTEST:


City Clerk


Councilmen

	1ST READING
MOTIONED BY:	<u>Bates</u>
SECONDED BY:	<u>Guides</u>
G. NIKOLITS	<u>Aye</u>
C. GUIDER	<u>Aye</u>
R. DODD	<u>Absent</u>
C. LAWRENCE	<u>Aye</u>
P. BATES	<u>Aye</u>

	2ND READING
	<u>Guides</u>
	<u>Dodd</u>
	<u>Aye</u>

r

November 6, 1980

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 November 19, 1980 at 7:30 P.M. at the City Hall on 600 West Blue Heron Blvd. and from time to time thereafter as may be necessary for the purpose of considering the enactment of the following Ordinance.

ORDINANCE NO. 2.099-A

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING ARTICLE I ENTITLED "IN GENERAL" OF CHAPTER 6 ENTITLED "BUILDINGS" OF THE CODE OF ORDINANCES BY ENACTING SECTION 6-3, PROVIDING ON SITE CONSTRUCTION PARKING REQUIREMENTS; PROVIDING A BOARD OF ADJUSTMENT AND APPEAL TO HEAR APPEALS; 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 CITY CLERK'S OFFICE.

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

BY ORDER OF CITY CLERK

Publish: November 12, 1980