

ORDINANCE NO. 2150

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE FIRST PARAGRAPH UNDER THE TITLE OF "FINANCING OF THE CAPITAL IMPROVEMENT FEE" OF ARTICLE I ENTITLED "WATER RATES AND PROCEDURES" AND THE FIRST PARAGRAPH UNDER THE TITLE OF "FINANCING OF THE CAPITAL IMPROVEMENT FEE" OF ARTICLE II ENTITLED "SEWER RATES AND PROCEDURES" OF ORDINANCE NO. 2143, ENACTED DECEMBER 2, 1981, BY PROVIDING FINANCING OF THE CAPITAL IMPROVEMENT FEE FOR LOW INCOME HOUSING UNDER APPROVED HUD PROGRAM; 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. The first paragraph under the title of "Financing of the Capital Improvement Fee" of Article I entitled "Water rates and Procedures of Ordinance No. 2143, enacted December 2, 1981, is amended to read:

ARTICLE 1 - WATER RATES AND PROCEDURES

Financing of the capital improvement fee

The capital improvement fee can be financed over a five (5) year period on single owner builder construction as approved by the Planning Director. In addition the Planning Director may approve this financing for any housing for which a written commitment has been obtained from the Riviera Beach Housing Authority indicating that the intent of this building shall be for low-income housing under the approved HUD Program. If, prior to the full payment of the capital fee the use of the building or any portion thereof shall revert to a use other than that originally approved the balance of the capital fee shall be due immediately. A down payment of 25% will be required and paid before the building permit will be issued. The remaining balance plus 8% interest on the unpaid balance is to be paid annually. An agreement will be signed and a lien filed until final payment is made. If payments are not made as agreed the water and sewer service will be terminated. This agreement is not transferable.

SECTION 2. The first paragraph under the title of "Financing of the Capital Improvement Fee" of Article II entitled

"Sewer Rates and Procedures of Ordinance No. 2143, enacted December 2, 1981, is amended to read;

ARTICLE II - SEWER RATES AND PROCEDURES

Financing of the capital improvement fee

The capital improvement fee can be financed over a five (5) year period on single unit owner builder construction as approved by the Planning Director. In addition the Planning Director may approve this financing for any housing for which a written commitment has been obtained from the Riviera Beach Housing Authority indicating that the intent of this building shall be for low-income housing under an approved HUD Program. If, prior to the full payment of the capital fee the use of the building or any portion thereof shall revert to a use other than that originally approved the balance of the capital fee shall be due immediately. A down payment of 25% will be required and paid before the building permit will be issued. The remaining balance plus 8% interest on the unpaid balance is to be paid annually. An agreement will be signed and a lien filed until the final payment is made. If payments are not made as agreed the water and sewer service will be terminated. This agreement is not transferable.

SECTION 3. Any person, firm or corporation convicted of a violation of any of the provisions of this Ordinance shall be punished as prescribed in Section 1.8 entitled "General penalty" of the Code of Ordinances.

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 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 3rd day of February, 1982.

PASSED and ADOPTED on second and final reading this 17th day of February, 1982.

APPROVED:

[Signature]  
Mayor

[Signature]  
Chairman

[Signature]  
Chairman Pro Tem

(MUNICIPAL SEAL)

[Signature]  
Councilmen

ATTEST:

[Signature]  
City Clerk

	1st Reading	2nd. Reading
MOTIONED BY:	<u>Dodd</u>	<u>Adams</u>
SECONDED BY:	<u>Adams</u>	<u>Dodd</u>
R. MOULTRIE	<u>Aye</u>	<u>Aye</u>
G. ADAMS	<u>Aye</u>	<u>Aye</u>
R. DODD	<u>Aye</u>	<u>Aye</u>
P. BATES	<u>Aye</u>	<u>Absent</u>
O. THOMAS	<u>Aye</u>	<u>Aye</u>

[Signature]

RVV.

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 February 17, 1982 at the City Hall 600 West Blue Heron Blvd. at 7:30 p.m. and from time to time thereafter as may be necessary for the purpose of enactment of the following Ordinance:

ORDINANCE NO. 2150

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE FIRST PARAGRAPH UNDER THE TITLE OF "FINANCING OF THE CAPITAL IMPROVEMENT FEE" OF ARTICLE I ENTITLED "WATER RATES AND PROCEDURES" AND THE FIRST PARAGRAPH UNDER THE TITLE OF "FINANCING OF THE CAPITAL IMPROVEMENT FEE" OF ARTICLE II ENTITLED "SEWER RATES AND PROCEDURES" OF ORDINANCE NO. 2143, ENACTED DECEMBER 2, 1981, BY PROVIDING FINANCING OF THE CAPITAL IMPROVEMENT FEE FOR LOW INCOME HOUSING UNDER APPROVED HUD PROGRAM; 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: February <sup>09</sup>~~17~~, 1982

ORDINANCE NO. 2151

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 23, ENTITLED "ZONING" OF THE CODE OF ORDINANCES BY REZONING CERTAIN LAND WITHIN THE CITY FROM ITS PRESENT CLASSIFICATION OF R-1 (SINGLE FAMILY DWELLING DISTRICT) TO R-2 (MULTIPLE FAMILY DWELLING DISTRICT) DIRECTING THE CITY CLERK TO UP-DATE THE CITY'S ZONING MAP DESIGNATED AS THE "ZONING MAP OF RIVIERA BEACH, FLORIDA"; PROVIDING A REPEALING CLAUSE, SAVING CLAUSE, A PENALTY 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 Chapter 23 entitled "Zoning" of the Code of Ordinances of the City of Riviera Beach is amended by rezoning the parcel of land legally described upon the attachment hereto as incorporated herein by reference, being within the city, from its present classification of R-1 (Single Family Dwelling District) to R-2 (Multiple Family Dwelling District).

SECTION 2. That the City Clerk is authorized and directed to reflect upon the Zoning Map designated as the "Zoning Map of Riviera Beach, Florida", by hatching or other appropriate means of designation, the changes in zoning classification effected under this Ordinance.

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. Any person, firm or corporation convicted of a violation of any of the provisions of this Ordinance shall be punished as prescribed in Section 1.8 entitled "General penalty" of the Code of Ordinances.

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.

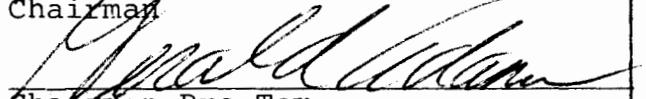
PASSED and APPROVED on first reading this 17th of February, 1982.

PASSED and ADOPTED on Second and final reading this 3rd day of March, 1982.

APPROVED:

  
Mayor

  
Chairman

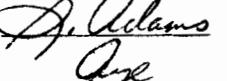
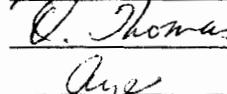
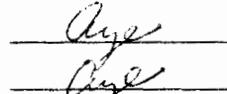
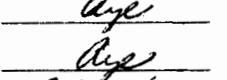
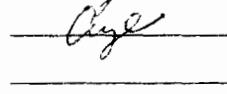
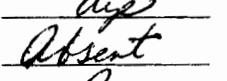
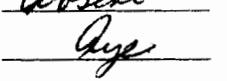
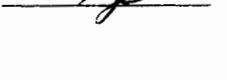
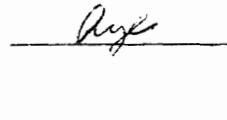
  
Chairman Pro Tem

( MUNICIPAL SEAL )



Councilmen

ATTEST  
  
City Clerk

	1ST READING	2ND READING
MOTIONED BY:		
SECONDED BY:		
R. MOULTRIE		
G. ADAMS		
R. DODD		
P. BATES		
O. THOMAS		

7V.

LAND DESCRIPTION

(A) LEGAL DESCRIPTION

THE EAST 523,75 FEET OF THE NORTH 416 FEET OF  
THE SOUTH 1664 FEET OF THE NORTHEAST QUARTER  
OF SECTION 31 TOWNSHIP 42 SOUTH RANGE 43 EAST,  
PALM BEACH COUNTY, FLORIDA, LESS THE EAST 25  
FEET THEREOF;

together with

THE WEST 523.75 FEET OF THE EAST 1047.5 FEET  
OF SAID NORTH 416 FEET OF THE SOUTH 1664 FEET  
OF THE NORTHEAST QUARTER OF SECTION 31.

(B) GENERAL DESCRIPTION

9.76 ACRE PARCEL OF LAND RUNNING 416 FEET NORTH/  
SOUTH AND 1020 FEET EAST/WEST, AND BOUNDED BY  
THE 1400 & 1500 BLOCKS OF AVENUE "U" ON WEST.



# CITY OF RIVIERA BEACH

P. O. DRAWER 10682

RIVIERA BEACH, FLORIDA 33404

February 18, 1982

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 March 3, 1982 at the City Hall, 600 West Blue Heron Blvd. at 7:30 P.M. and from time to time thereafter as may be necessary for the purpose of enactment of the following Ordinance:

## ORDINANCE NO. 2151

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 23, ENTITLED "ZONING" OF THE CODE OF ORDINANCES BY REZONING CERTAIN LAND WITHIN THE CITY FROM ITS PRESENT CLASSIFICATION OF R-1 (SINGLE FAMILY DWELLING DISTRICT) TO R-2 (MULTIPLE FAMILY DWELLING DISTRICT) DIRECTING THE CITY CLERK TO UP-DATE THE CITY'S ZONING MAP DESIGNATED AS THE "ZONING MAP OF RIVIERA BEACH, FLORIDA"; PROVIDING A REPEALING CLAUSE, SAVING CLAUSE, A PENALTY 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 : Feb. 24, 1982

Carrie Ward  
Deputy Clerk

Palm Beach Post Times:

Please acknowledge receipt of this Ordinance for publication:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date:

ORDINANCE NO. 2152

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING ARTICLE 1 ENTITLED "IN GENERAL" AND ARTICLE 2 ENTITLED " USE DISTRICTS AND USES" OF CHAPTER 23 ENTITLED "ZONING" OF THE CODE OF ORDINANCES BY REVISING SAME, REPEALING PARTS THERETO; PROVIDING A PENALTY CLAUSE, REPEALING CLAUSE, SAVING CLAUSE, AUTHORITY TO CODIFY AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

WHEREAS, after Public Hearings and input from the Local Planning Agency, the City Council of the City of Riviera Beach, on August 19, 1981, passed Ordinance No. 2125, adopting the Comprehensive Plan for the City of Riviera Beach in accordance with the "Local Government Comprehensive Planning Act of 1975", as amended Section 163.3161, et seq, F.S. and

WHEREAS, Section 163.3201 of the Act states that it is the intention of the Act that adopted plans shall be implemented by the adoption and enforcement of appropriate local regulations, and

WHEREAS, the State Attorney General has stated that it is the intent of the Act that localities should move in an expeditious manner to conform existing zoning ordinances and all other land development regulations with adopted Comprehensive Plans, and

WHEREAS, the City Council authorized the Planning & Zoning Board to oversee the writing of a Land Development Code to include Zoning, Subdivision Regulations and Development Review Procedures in accordance with the Adopted Comprehensive Plan, and

WHEREAS, a ninety (90) day moritorium on development in conflict with the Comprehensive Plan was enacted by the City Council until the New Land Development Code could be written and adopted, and

WHEREAS, the time constraints imposed by the moritorium have required concentration on those portions of the Zoning Code necessary to enable the moratorium to be lifted, and

WHEREAS, the City of Riviera Beach, with the aid of the Plan-

ning & Zoning Board, Consultant and professional staff, has amended the Zoning Code to comply with the Comprehensive Plan and to provide for coordinated, harmonious development in order to protect and promote the public health, safety, appearance and general welfare of the City of Riviera Beach, and

WHEREAS, the procedure for notice and development, and adoption of the Zoning Code as set forth in Chapter 163.210 F.S. and Chapter 166.041 F.S. and have been complied with, and

WHEREAS, the Planning & Zoning Board has held neighborhood meetings and a Public Hearing and forwarded recommendations to the City Council, and

WHEREAS, the City Council, as the local governing body has held appropriate Public Hearings to consider the revised Text and Zoning District Map.

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

SECTION 1. Pursuant to Chapter 163 and 176 F.S., the City Council of Riviera Beach, Florida, hereby declares its intent to exercise its authority to guide growth and future development within the municipal boundaries of Riviera Beach, Florida, and to direct and achieve coordinated and harmonious development and land use in a manner which will permit the adequate community facilities and protect the ecological balance of the environment, in order to promote the public health, safety, convenience, prosperity and general welfare of the City of Riviera Beach citizens and visitors.

The legislative body has given careful consideration to the suitability of each district for the particular regulations applied thereto and the necessary and proper groupings of uses, densities and district regulations in accordance with the Adopted Comprehensive Plan of the City of Riviera Beach, Florida.

SECTION 2. Article I entitled "In General" of Chapter 23 of the Code of Ordinances is hereby amended by repealing Section 23-1 entitled "Name of Chapter, Definitions" (attached hereto) and

enacting "Section 23-AA" (attached hereto) and made a part thereof.

SECTION 3.

A. Article II entitled "Use Districts and Uses" of Chapter 23 of the Code of Ordinances is hereby amended by repealing Article II (attached hereto) excepting from such repeal Section 23-27 entitled "Nonconforming Uses", and Section 23-28 entitled "Sign Regulations" which shall remain in full force and effect with the exception of the following revisions to phrases contained in Section 23-28; to wit:

- (1) 23-28 (C) (1) (a) "~~In districts zoned R-1AA, R-1A, R-1, R-1B, R-2, and R-TH~~" shall be amended to read:  
"In districts zoned RS-5, RS-6, RS-8, RD-15, RM-15
- (2) 23-28 (C) (1) (b) "~~In R-1, R-1A, R-1B, R-1C, R-2, P, and M-1 districts~~" shall be amended to read:  
"In RMH-15, RM-20, RMH-20, Commercial, Industrial, OP, RO, CF, and U districts."
- (3) 23-28 (F) (1) the phrase "~~not later than seven (7) years from the date of this section~~" shall be amended to read "not later than seven (7) years from the effective date of Ordinance #2065, adopted May 5, 1980."

B. Article II entitled "Use District and Uses" of Chapter 23 of the Code of Ordinances is hereby amended by enacting "Article II-AA" (attached hereto) and made a part thereof.

SECTION 4. Any site plan approved prior to the final enactment of this ordinance shall not be subject to the provisions of this ordinance provided however application for a building permit is filed with the city, accompanied with all the required permits, bonds, drawings, plans and other required documents necessary for the issuance of a building permit within 180 days from the effective date of this ordinance.

Any site plan approved prior to the final enact-

ment of this ordinance which after final enactment of this ordinance is changed or modified shall comply with the provisions of this ordinance.

SECTION 5. Any person, firm or corporation convicted of a violation of any of the provisions of this Ordinance shall be punished as prescribed in Section 1.8 entitled "General Penalty" of the Code of Ordinances.

SECTION 6. All Ordinances or parts of Ordinances or Charter provisions in conflict herewith are to the extent of such conflict repealed.

SECTION 7. 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 8. Specific authority is hereby granted to codify this Ordinance at a later date, together with the entire Land Development Code upon its completion.

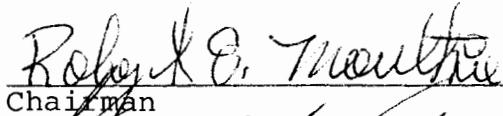
SECTION 9. This Ordinance shall take effect upon its final passage and adoption by the City Council.

PASSED and APPROVED on first reading this 3rd day of March, 1982.

PASSED and ADOPTED on second and final reading this 17th day of March, 1982.

APPROVED:

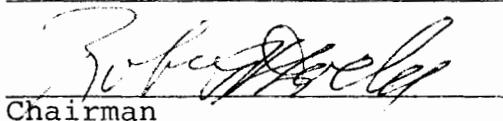
  
Mayor

  
Chairman

  
Chairman Pro Tem

(MUNICIPAL SEAL)

  
City Clerk

  
Chairman

1st. Reading

2nd Reading

MOTIONED BY: Thomas

Dodd

SECONDED BY: Adams

Adams

R. MOULTRIE Aye

Aye

G. ADAMS Aye

Aye

R. DODD Absent

Absent

P. BATES Absent

Absent

O. THOMAS Aye

Absent

rvv.

4 March 1982

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 March 17, 1982 at the City Hall, 600 West Blue Heron Blvd. at 7:30 p.m. and from time to time thereafter as may be necessary for the purpose of enactment of the following Ordinance:

ORDINANCE NO. 2152

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING ARTICLE 1 ENTITLED "IN GENERAL" AND ARTICLE 2 ENTITLED "USE DISTRICTS AND USES" OF CHAPTER 23 ENTITLED "ZONING" OF THE CODE OF ORDINANCES BY REVISING SAME, REPEALING PARTS THERETO; 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: March 10, 1982

*Carrie Ward/dm*  
Carrie Ward  
Deputy Clerk

ORDINANCE NO. 2153

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 23, ENTITLED "ZONING" OF THE CODE OF ORDINANCES BY ENACTING A NEW SECTION ENTITLED "PRESERVATION OF WETLANDS; PROVIDING A PENALTY CLAUSE, REPEALING CLAUSE, SAVING CLAUSE, AUTHORITY TO CODIFY, AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

WHEREAS, the Coastal Zone Management Act of 1972 (Public Law 92-593) recognizes that some marine areas merit preservation for their ecological and aesthetic values and federal and state laws prohibit certain activities in these areas unless authorized by permits; and

WHEREAS, Endangered Species Act of 1973 declares the intention of the Congress to conserve threatened and endangered species and ecosystems on which those species depend; and

WHEREAS, The National Environmental Policy Act of 1969 declares the National Policy to encourage a productive and enjoyable harmony between man and his environment; and

WHEREAS, permits from appropriate Environmental Review Agencies are required for work or structure in all tidal areas, lakes, marshes, and shallows which are characterized by vegetation capable of growth and reproduction; and

WHEREAS, wetlands are vital areas that constitute a productive and valuable public resource, the destruction of which should be discouraged as contrary to the public interest; and

WHEREAS, the City of Riviera Beach is intent on finding the key to more effective protection and use of the land and water resources of the coastal zone; and

WHEREAS, there are wetlands, mud flats, aquatic grass flats and mangrove species within the corporate limits of the City of Riviera Beach under public or private ownership; and

WHEREAS, these wetlands serve important natural biological functions including food chain production, general habitat and nesting, spawning, rearing and resting sites for aquatic or land species; filtering system for storm water; and

WHEREAS, wetlands are recognized as "Local Areas of Particular Concern" and environmentally sensitive areas under the 1981 Comprehensive Plan.

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

Chapter 23, entitled "Zoning" of the Code or Ordinances shall be amended by enacting a new section entitled "Preservation of Wetlands" as follows:

SECTION 1. Legislative Intent:

(A) The City Council of the City of Riviera Beach finds that the spread of development and increasing demands upon natural resources are encroaching upon, despoiling, and eliminating the wetlands areas and mangrove species within the Corporate Limits of the City of Riviera Beach.

These wetlands serve important natural biological functions including food chain production, general habitat and nesting, spawning, rearing and resting sites for aquatic or land species, and filtering of storm water pollutants from runoff. Wetlands are ecosystems and are integral to larger estuarine zone ecosystems, supporting plant species and species communities, which are in delicate balance. Seemingly minor physical alterations could stress a delicately balanced system, and cause severe damage to

the kinds and abundance of plant and animal species inhabiting the wetlands.

Wetlands are vital areas that constitute a productive and valuable public resource, the destruction of which is contrary to the public interest.

(B) It is the intent of the City Council of the City of Riviera Beach to conserve and protect the natural resources and scenic beauty of the lands within the corporate limits of the municipality adjacent to the waters of the Atlantic Ocean and Lake Worth, by prohibiting any activity that would destroy or significantly disrupt the biological capacity of areas. It is the intent of the City Council to carry out the policies of the Comprehensive Plan to preserve and protect mangroves and tidal areas from off-site and on-site developmental impacts.

SECTION 2. Definitions:

CDEC: Department of Community Development and Environmental Control

Development: Any of the following activities within wetlands: any filling, excavating, dredging, earth moving, grading, paying, dumping of liquid or solid wastes, constructing, expanding, or relocating of any structure, drilling or reactivation of wells, and cutting, uprooting, polluting, flooding, or other altering of vegetation.

Drip Line: A line, established by projecting a vertical line from the outer edge of the vegetation canopy to the ground below.

Mean High Water Line: Average of the elevation of all high tides in an area over a period of 19 years.

Ordinary High Water Line: The line of the average high water elevation as determined by data taken over the previous one year period in those areas that are not subject to tidal influence.

Debris Line: The line of debris left on the shore by high tide or ordinary high water.

Person: Any individual, corporation, company, association, partnership, state, municipality or federal agency.

Upland: Area landward of the Wetlands Preservation Area, and dominated by species other than those listed in Appendix II.

Wetlands: Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation capable of growth and reproduction and typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, tidal basins, and similar areas, which are periodically inundated with fresh, salt, or brackish water. Wetlands do not include artificially created on-site retention ponds designated for drainage purposes. Wetlands are identified by Vegetation in Appendix II.

Wetland Preservation Area: Area consisting of wetlands and Transitional/Buffer Zone, and identified in Appendix I, in which no development may occur except as specified within this Ordinance.

SECTION 3. Designation and Delineation of Wetlands Preservation Areas.

A. Designation:

The general location of Wetlands Preservation Areas within the City of Riviera Beach to be regulated by this Ordinance is hereby noted on an official "Wetlands Preservation Area Map City of Riviera Beach," which shall be made a part of this Ordinance as Appendix I.

CDEC is authorized to amend/update the Official Map when necessary, as authorized by the Planning & Zoning Board.

B. Delineation of Wetland Preservation Area:

1. A Wetland Preservation Area shall be composed of:

- a. Wetland Area and
- b. Transitional/Buffer Zone

2. Wetlands Area for purposes of delineation, are those lands which are covered by water and/or dominated by the species, either singly or in combination, listed in Appendix II, and made a part of this Ordinance.

When vegetation indices are used, the perimeter of the Wetlands shall be determined by establishing a circumference taken from points determined by the most landward driplines of the applicable vegetation.

a. In the absence of vegetation, or if more restrictive, the boundary of the Wetlands may be determined by a survey of the mean high water line, ordinary high water line, or debris line; as determined by a Registered Surveyor.

3. Transitional/Buffer Zone; is that area 10 feet landward of the determined perimeter of the Wetlands. A 5 foot landscape strip with 6 foot wall may be substituted at discretion of CDEC.

C. It is not the intent of this section, to set the specific dimensions of each designated Wetland Preservation Area. The burden of determining the specific boundaries, according to the criteria set forth in this Ordinance, shall be upon the applicant. The CDEC Department shall determine whether the preservation boundaries are sufficient, according to the definitions contained within this Ordinance.

SECTION 4. Prohibited Activities Within Wetlands Preservation Area:

Except as herein provided, it shall be unlawful for any person to:

- 1. Place or deposit, or permit to be placed or deposited any debris, fill or any materials, including structures into, within, or upon any Wetlands.
- 2. Dig, dredge, or in any way alter or remove material or vegetation from Wetlands.

SECTION 5.      Uses Permitted Where Natural Character of Land Is Not Disturbed

Not Disturbed:

The following uses shall be permitted with proper permit per Section in Wetland Preservation Area, provided they do not disturb the natural character of the land. This shall mean that the activity will not significantly disturb the wetlands habitat, by reason of removal or deposition of material, will not cause the alteration or obstruction of water flow, will not result in the pollution of the Wetlands, or damage existing wetlands vegetation.

Permitted Uses:

1. Conservation of soil, vegetation, water, fish and wildlife.
2. Modification of wetlands to enhance existing natural environment.

(This may include opening culverts to increase tidal flow or expansion of Wetland Area.)

3. Trimming of mangroves, as approved by Palm Beach County Environmental Control Officer and after notification to CDEC. Proof of County permit shall be acceptable, as to satisfying City permit process.

SECTION 6.      Special Exceptions:

In cases of practical difficulty in utilization of land as permitted by Zoning, special exceptions may be granted to allow modification of the Wetlands, which shall be determined by Public Hearings before the Planning & Zoning Board and City Council. Applicant must demonstrate that all of the following apply:

1. Granting the special exception would not be contrary to the public interest.
2. Applicant would otherwise be denied all reasonable use of property (i.e. modification for access necessary.)

3. No other feasible alternative exists to accomplish the permitted use. (Proposed alternative is least damaging to wetlands.)

4. All reasonable technical improvements and safeguards for implementation have been or will be carried out.

5. That the modification will result in little if any, reduction in the natural capacity of the wetlands to support biological life, prevent flooding and facilitate drainage.

6. Means exist for restoring any damage to wetlands, particularly mangroves.

SECTION 7. Permit Procedure:

No development shall occur within or adjacent to the Wetlands Preservation Area, unless a permit has been issued in accordance with this Ordinance.

The following information shall accompany all requests for development permits within the Wetlands Preservation Area:

1. Name and address of applicant and applicant's agent, if any, and whether applicant is owner, lessee, licensee, etc. If applicant is not owner, the written consent of the owner, duly acknowledged, must be attached.

2. Description of the area in which activity or use is proposed, including survey of Wetlands Preservation Area and inventory of wetland vegetation.

3. Type and purpose of proposed use or activity.

4. Amount of material proposed to be removed or deposited.

5. Depth to which removal or deposition operations are proposed and angle of repose of all slopes, including deposited materials and sides of excavations.

6. Manner in which material will be removed or deposited, structure installed, or use carried out.

7. Cross section and individual section of wetlands.

8. Requests for special exception shall also be accompa-

nied by information required in Section 8.

SECTION 8.      Development of Lands Adjacent to Wetlands Preservation Areas:

(A) Any persons undertaking development on any land abutting or adjacent to "Wetlands Preservation Areas", shall prior to commencing work, submit a Site Plan for approval.

(B) The Site Plan may be submitted simultaneously with any other Site Plans required by the City.

(C) Information submitted shall include:

1. Plat by a Registered Surveyor of Wetland Preservation Area, including boundaries as defined in Section 3. The Wetlands, transitional/buffer zones, and uplands shall be indicated.

2. Vegetation Map of Wetlands and adjacent uplands.

3. Topographic Map.

4. Soil Map or Survey.

5. Existing and proposed drainage.

6. Evidence that functional capacity of Wetlands will be maintained during construction as well as upon project completion. This would include evidence that the project will not alter presently occurring plant and animal populations in the ecosystem in a manner that would impair either the short term or the long term stability of the ecosystem; i.e. natural species diversity, abundance and composition are essentially unchanged as a result of the project.

7. Indication of any development mitigation measures including restoration, expansion of Wetlands.

8. If Wetlands system extends to adjoining property owners, evidence that said owners have been notified of proposed development.

SECTION 9. Any person, firm or corporation convicted of a violation of any of the provisions of this Ordinance shall be punished as prescribed in Section 1.8 entitled "General Penalty" of the Code of Ordinances, and further may be subject to revocation of Building Permit.

SECTION 10. That section 6-97 entitled "Preservation of Wetlands" of the Code of Ordinances is repealed and all other Ordinances or parts of Ordinances in conflict are to the extent of such conflict repealed.

SECTION 11. 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 12. Specific authority is hereby granted to codify this Ordinance within Chapter 23, entitled "Zoning" of the Code of Ordinances.

SECTION 13. This Ordinance shall take effect upon its final passage and adoption by the City Council.

PASSED and APPROVED on first reading this 17th day of March, 1982.

PASSED and ADOPTED on second and final reading this 7th day of April, 1982.

APPROVED:

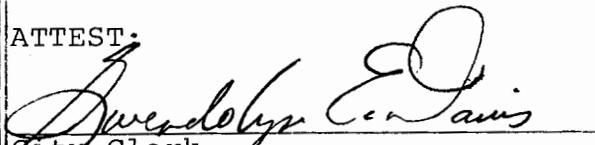
  
Mayor

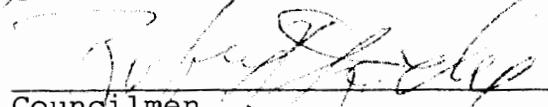
  
Chairman

( MUNICIPAL SEAL )

  
Chairman Pro Tem

ATTEST:

  
City Clerk

  
  
Councilmen

	1ST READING	2ND READING
MOTIONED BY:	<u>R. Dodd</u>	<u>R. Dodd</u>
SECONDED BY:	<u>G. Adams</u>	<u>G. Adams</u>
R. MOULTRIE	<u>Aye</u>	<u>Aye</u>
G. ADAMS	<u>Aye</u>	<u>Aye</u>
R. DODD	<u>Aye</u>	<u>Aye</u>
P. BATES	<u>Absent</u>	<u>Absent</u>
O. THOMAS	<u>Absent</u>	<u>Aye</u>

## APPENDIX II

### WETLAND VEGETATION

Marine species:

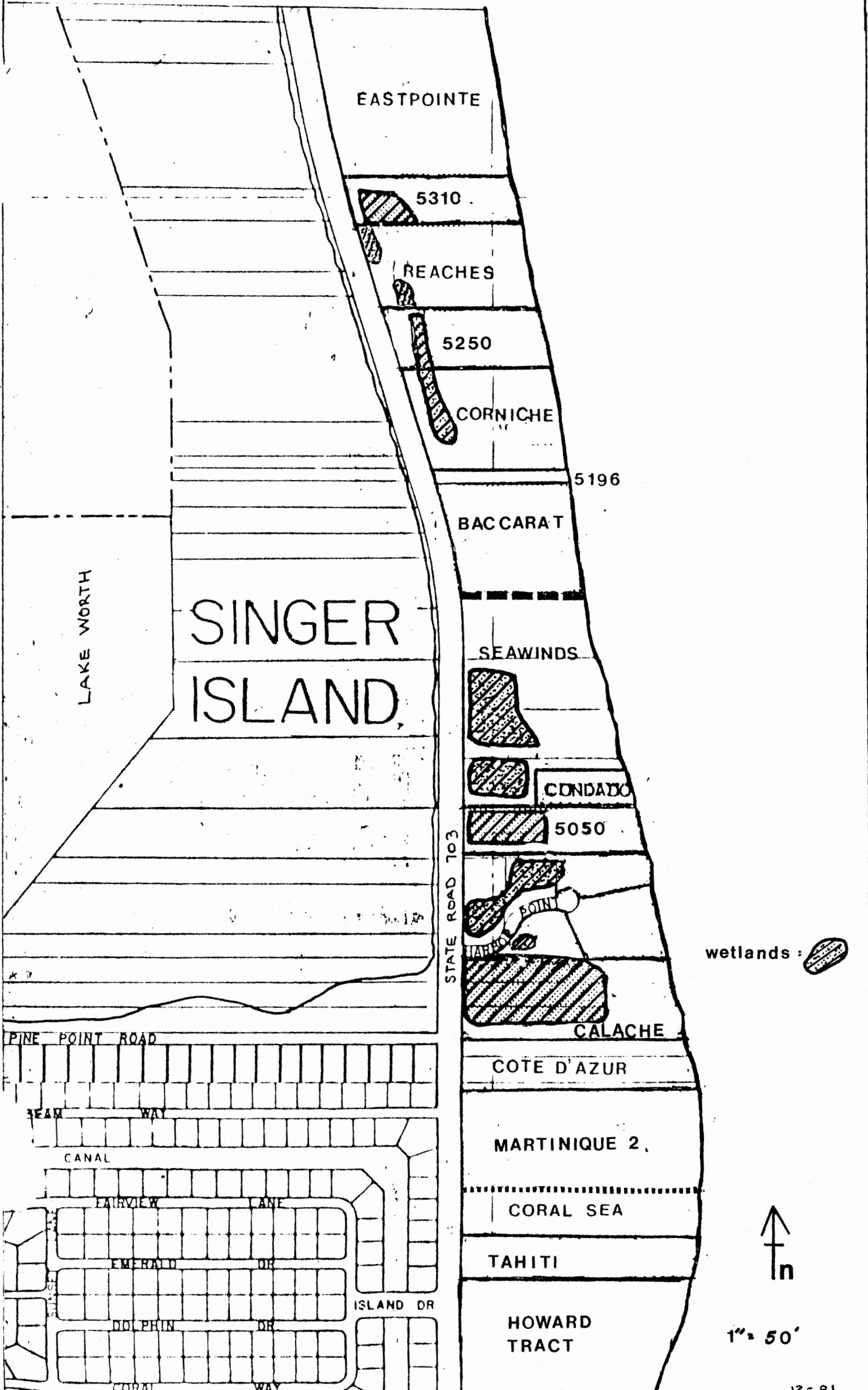
Batis	( <i>Batis, Maritima</i> )
Big cordgrass	( <i>Spartina, cynosuroides</i> )
Black mangrove	( <i>Avicennia, germinans</i> )
Black rush	( <i>Juncus, roemerianus</i> )
Cuban shoalweed	( <i>Diplanthera, wrightii</i> )
Leather fern	( <i>Acrostichum, aureum</i> )
Manatee grass	( <i>Syringodium, filiformis</i> )
Red mangrove	( <i>Rhizophora, mangle</i> )
Rubber vine	( <i>Rhabdadenia, biflora</i> )
Smooth cordgrass	( <i>Spartina, alterniflora</i> )
Turtle grass	( <i>Thalassia, testudinum</i> )
Widgeon grass	( <i>Ruppia, maritima</i> )
White mangrove	( <i>Laguncularia, racemosa</i> )

Fresh water species:

Alligator weed	( <i>Alternanthera, philoxeroides</i> )
Arrowhead	( <i>Sagittaria spp.</i> )
Arrowroot lily	( <i>Thalia, geniculata</i> )
Bald cypress	( <i>Taxodium, distichum</i> )
Beak rush	( <i>Rhynchospora, tracyi</i> )
Bladder wort	( <i>Utricularia vulgaris</i> )
Blue green algal mats	
Bullrush	( <i>Scirpus americanus</i> ) ( <i>Scirpus validus</i> )
Cattail	( <i>Typha, latifolia</i> ) ( <i>Typha, angustifolia</i> ) ( <i>Typha, domingensis</i> )
Coontail	( <i>Ceratophyllum, demersum</i> )
Duck weed	( <i>Lemna spp.</i> )
Florida elodea	( <i>Hydrilla verticillata</i> )
Golden club	( <i>Orontium aquaticum</i> )
Leather fern	( <i>Acrostichum danaeifolium</i> )
Maiden cane	( <i>Panicum, hemitomon</i> )
Naiad	( <i>Najas, spp.</i> )
Ogeeche tupelo	( <i>Nyssa, ogeeche</i> )
Pickeralweed	( <i>Pontederia, lanceolata</i> )
Pond apple	( <i>Annona, glabra</i> )
Pond cypress	( <i>Taxodium, ascendens</i> )
Pondweed	( <i>Potamogeton, illinoensis</i> )
Royal fern	( <i>Osmunda, regalis</i> )
Saw grass	( <i>Cladium jamaicensis</i> )
Spatter dock	( <i>Naphar spp.</i> )
Spike rush	( <i>Eleocharis cellulosa</i> )
Soft rush	( <i>Juncus, effusus</i> )
Swamp lily	( <i>Crinum, americanum</i> )
Swamp tupelo	( <i>Nyssa, biflora</i> )
Tape grass	( <i>Vallisneria, neotropicalis</i> )
Water ash	( <i>Fraxinus, caroliniana</i> )
Water fern	( <i>Salvinia, rotundifolia</i> )
Water hyssop	( <i>Bacopa, caroliniana</i> )
Water lily	( <i>Nymphaea, spp.</i> )
Water shield	( <i>Brasenia, schreberi</i> )
Water tupelo	( <i>Nyssa, aquatica</i> )
Water willow	( <i>Justicia, ovata</i> )

source: Rules of D.E.R.  
Chapter 17-4

# WETLANDS PRESERVATION AREAS CITY OF RIVIERA BEACH



ORDINANCE NO. 2154

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 OR ORDINANCES RELATING TO RATES OF PAY AND SALARY SCHEDULE BE AMENDED BY CREATING THE CLASS TITLE MARINA, DOCK ATTENDANT I, AND DOCK ATTENDANT II, AND THAT THE FIRST PARAGRAPH OF SECTION 2-118 ENTITLED "APPOINTED PERSONNEL" OF DIVISION 3 ENTITLED "SALARY PLAN" OF ARTICLE VI ENTITLED "CITY EMPLOYEES" OF CHAPTER 2 ENTITLED "ADMINISTRATION" OF THE CODE OF ORDINANCES BE AMENDED BY ADDING THERETO THE POSITION OF DIRECTOR OF MARINA: 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 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 be amended by creating the following class title and classification:

<u>CLASS TITLE</u>	<u>CLASSIFICATION</u>	<u>PAY GRADE/RANGE</u>
Marina	Director of Marina	H
	Dock Attendant I	12-B
	Dock Attendant II	

SECTION 2. That the first paragraph of Section 2-118 entitles "Appointed personnel" of Division 3 entitled "Salary plan" of Article VI entitled "City Employees" of chapter 2 entitled "Administration" of the Code of Ordinances is amended to read:

The following positions are created by the city council and the persons occupying the positions enumerated herein shall not be subject to civil service rules and regulations. The following shall be appointed in conformance with the charter by the city council:

City manager	Assistant city attorney
Chief of police	City clerk
City attorney	Director of finance/treasurer
City prosecutor	Director of marina
City prosecutor as litem	

SECTION 3. Any person, firm or corporation convicted of a violation of any of the provisions of this Ordinance shall be punished as prescribed in Section 1.8 entitled "General penalty" of the Code of Ordinances.

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 provisions or applications 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.

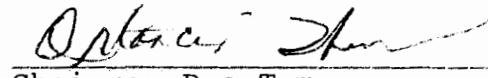
PASSED AND APPROVED on first reading this 17th day of March, 1982.

PASSED AND ADOPTED on second and final reading this 28th day of April, 1982.

APPROVED:

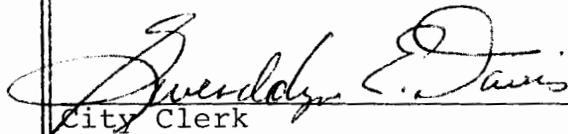
  
\_\_\_\_\_  
Mayor

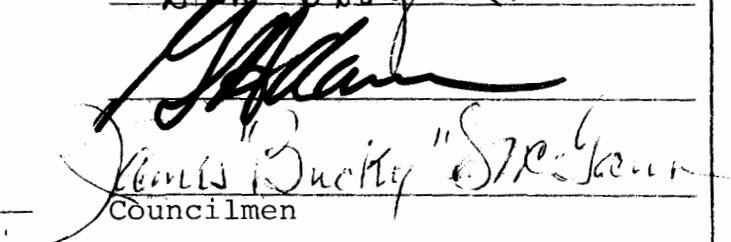
  
\_\_\_\_\_  
Chairman

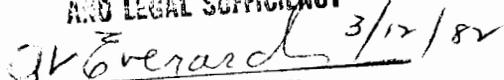
  
\_\_\_\_\_  
Chairman Pro Tem

( MUNICIPAL SEAL )

  
\_\_\_\_\_  
Don

  
\_\_\_\_\_  
City Clerk

  
\_\_\_\_\_  
Councilmen

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY  
 3/12/82  
\_\_\_\_\_  
CITY ATTORNEY

DIRECTOR OF MARINA  
CITY OF RIVIERA BEACH

MAJOR FUNCTION

This is a highly responsible administrative and supervisory work in directing and coordinating the activities at the municipal marina and related facilities. The employee is responsible in the overall management, operation and maintenance of a yacht marina which includes dockage, selling fuel, dry dock accommodation and ancillary services. Work is performed according to established policies with the latitude for the use of independent judgement in the selection of work methods and procedures subject to approval of the City Manager and Marina Board.

ILLUSTRATIVE DUTIES

Plans, organizes, directs, assigns and coordinates the work of the Municipal Marina.

Assigns and directs marina personnel engaged in dockage and servicing various types and sizes of water craft.

Prepares annual budget of the department and makes procedural and operational recommendations to the City Manger.

Prepares policy rules and regulations and rates for approval.

Supervises and directs all marina personnel and responsible for establishment of suitable training of subordinate personnel through establishment of in-service training.

Assigns rental boat slips according to established procedures and maintains comprehensive records relating to such assignments. Collects monthly rental fees and ancillary monies and delivers to proper source. Maintains current records of marina operation and provides periodic reports as required by the City Manager.

Assigns private, charter and other craft to adequate docking facilities and provides services such as gas and supplies to same.

Directs and assists in maintenance of facilities and buildings.

Performs related work as required.

Attends and participates in conferences and meetings of Department Heads and the City Council as required.

MINIMUM QUALIFICATIONS

Knowledge, Abilities and Skills: Thorough knowledge of general boat handling, mooring, and docking practices and regulations applicable to the operation and use of marina facilities. Wet and dry marina experience, good working knowledge of boat operation and proven management background required.

Knowledge of City ordinances and regulations.

Knowledge of modern office methods, equipment and procedures.

Knowledge of standard safety precautions and first aid procedures.

Ability to supervise the work of boat servicing and clerical assistants.

Ability to maintain records and prepare reports.

Ability to establish and maintain effective working relationships with boatmen, concessionaires, and the general public.

TRAINING AND EXPERIENCE: Graduation from a four year college or university with major course work in business or public administration preferred and considerable years of experience in management of which three (3) years must have been in marina or closely related marina business or an equivalent combination of training and experience.

DATE: 18 March 1982

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 April 7, 1982 at the City Hall, 600 West Blue Heron Blvd., at 7:30 p.m. and from time to time thereafter as may be necessary for the purpose of enactment of the following Ordinance:

ORDINANCE NO. 2154

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 2, ARTICLE VI DIVISION 3, OF SECTION 2-100 OF THE CODE OF ORDINANCE RELATING TO RATES OF PAY AND SALARY SCHEDULE BE AMENDED BY CREATING THE CLASS TITLE MARINA, THE CLASSIFICATIONS OF DIRECTOR OF MARINA, DOCK ATTENDANT I, AND DOCK ATTENDANT II AND THAT THE SECOND PARAGRAPH OF SECTION 2-118 ENTITLED "APPOINTED PERSONNEL" OF DIVISION 3 ENTITLED "SALARY PLAN" OF ARTICLE VI ENTITLED "CITY EMPLOYEES" OF CHAPTER 2 ENTITLED "ADMINISTRATION" OF THE CODE OF ORDINANCES BE AMENDED BY ADDING THERETO THE POSITION OF DIRECTOR OF MARINA; 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: March 31, 1982

3/1/82

ORDINANCE NO 2155

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING PARAGRAPH (A) OF SECTION 10-20.6 ENTITLED "FEES" OF DIVISION 1A ENTITLED "MUNICIPAL REFUSE COLLECTION SERVICES" OF ARTICLE II ENTITLED "GARBAGE, TRASH, WEEDS AND LITTER" OF CHAPTER 10 ENTITLED "HEALTH AND SANITATION" OF THE CODE OF ORDINANCES; AND ADDING PARAGRAPHS 6 AND 7 WHICH PROVIDES FOR REGULATING THE PLACEMENT OF COMMERCIAL CONTAINERS AT MULTIPLE RESIDENTIAL SITES AND THE FEES TO BE CHARGED FOR THE SAME; PROVIDING A REPEALING CLAUSE, SAVING CLAUSE, PENALTY CLAUSE, AUTHORITY TO CODIFY, AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

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

SECTION 1. Paragraph (A) of Section 10-20.6 entitled "Fees" of Division 1A entitled "Municipal Refuse Collection Service" of Article II entitled "Garbage, Trash, Weeds and Litter" of Chapter 10 entitled "Health and Sanitation" of the Code of Ordinances is amended to read:

"(A) GROUND LEVEL; AT CURB SIDE OR SWALE AREA.

The fee for collection and disposal of refuse placed for collection and disposal of refuse placed for collection at ground level and at curb side or swale area shall be as follows:

- (1) RESIDENTIAL UNITS which includes single family residences, duplexes, triplexes, apartments and mobile units and multi-units, to include condominiums, shall be charged ~~seven-dollars-and-fifty-cents (\$7.50)~~ \_\_\_\_\_ per month per living unit.
- (2) MOTELS not having container service shall be charged seven dollars and fifty cents (\$7.50) \_\_\_\_\_ per month per unit.
- (3) SMALL BUSINESS AND COMMERCIAL UNITS not having container service and not having over two (2) Thirty Gallon cans per pick-up shall be charged seven dollars and fifty cents (\$7.50) \_\_\_\_\_ PER MONTH.
- (4) CONTAINER SERVICE rates shall be as follows:

*Debbie 4/28/82*

NUMBER OF PICK-UPS PER WEEK

2.	35.00	45.00	70.00	90.00	122.00	135.00
3.	40.00	70.00	100.00	132.00	165.00	193.00
4.	45.00	88.00	132.00	176.00	220.00	264.00
6.	66.00	132.00	176.00	220.00	264.00	308.00
8.	88.00	165.00	220.00	275.00	330.00	385.00

- (5) COMMERCIAL UNITS WITH OWN COMPACTION:  
For any customer that has its own compaction the container rate shall be charged double the normal rate.
- (6) WHEN MULTIPLE RESIDENCE UNITS, EXCLUDING MOTELS USE CONTAINER SERVICE THE CHARGE WILL BE THE RESIDENTIAL UNIT RATE OR THE CONTAINER RATE WHICHEVER IS GREATER.
- (7) THE CITY SHALL RESERVE THE RIGHT TO DECIDE IN THE CASE OF MULTIPLE RESIDENCES WHETHER THE USE OF CANS OR CONTAINERS WILL BE MORE SUITABLE FOR ADEQUATE COLLECTION FOR DISPOSAL OF REFUSE.

SECTION 2. Any person, firm or corporation convicted of a violation of any of the provisions of this ordinance shall be punished as prescribed in Section 1.8 entitled "General Penalty" of the Code of Ordinances.

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

PASSED AND APPROVED on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 1982.

PASSED AND ADOPTED on second and final reading this \_\_\_\_\_  
day of \_\_\_\_\_, 1982.

APPROVED:

\_\_\_\_\_

Chairman

Chairman Pro Tem

( MUNICIPAL SEAL )

Councilmen

City Clerk

1st Reading

2nd. Reading

MOTIONED BY: \_\_\_\_\_  
SECONDED BY: \_\_\_\_\_  
R. MOULTRIE \_\_\_\_\_  
G. ADAMS \_\_\_\_\_  
O. THOMAS \_\_\_\_\_  
J. McGANN \_\_\_\_\_  
D. IVORY \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

RVV.

ORDINANCE NO 2156

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING SECTION 4, OF ORDINANCE No. 2152; 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. Section 4 of ordinance #2152 is amended to read as follows:

Any site plan approved prior to the final enactment of this ordinance shall not be subject to the provisions of this ordinance provided however application for a building permit is filed with the city, accompanied with all the required permits, bonds, drawings, plans and other required documents necessary for the issuance of a building permit within ~~180-days~~ two years from the effective date of this ordinance.

Any site plan approved prior to the final enactment of this ordinance which after final enactment of this ordinance is changed or modified shall comply with the provisions of this Ordinance.

SECTION 2. Any person, firm or corporation convicted of a violation of any of the provisions of this ordinance shall be punished as prescribed in Section 1.8 entitled "General Penalty" of the Code of Ordinances.

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

PASSED and APPROVED on first reading this 21<sup>TH</sup> day of April, 1982.

PASSED and ADOPTED on second and final reading this 19th  
day of May, 1982.

APPROVED:

\_\_\_\_\_  
Mayor

Robert E. Moultrie  
Chairman

\_\_\_\_\_  
Chairman Pro Tem

Dan Ivory Jr.

( MUNICIPAL SEAL )

\_\_\_\_\_  
Councilmen

James "Bucky" McGann

Quendora E. Davis  
City Clerk

	1st Reading	2nd Reading
MOTIONED BY:	<u>O. Thomas</u>	<u>G. Adams</u>
SECONDED BY:	<u>G. Adams</u>	<u>J. McGann</u>
R. MOULTRIE	<u>Aye</u>	<u>Aye</u>
G. ADAMS	<u>Aye</u>	<u>Aye</u>
O. THOMAS	<u>Aye</u>	<u>Absent</u>
J. MCGANN	<u>Aye</u>	<u>Aye</u>
D. IVORY	<u>Aye</u>	<u>Aye</u>

rvv.

April 29, 1982

The below Bill described below 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 19, 1982 at the City Hall, 600 West Blue Herron Boulevard at 7:30 P.M. and from time to time thereafter as may be necessary for the purpose of enactment of the following Ordinance :

ORDINANCE NO 2156

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING SECTION 4, OF ORDINANCE No. 2152; 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 12, 1982

Carrie Ward  
Deputy Clerk

Palm Beach Post Times:

Please acknowledge receipt of this Ordinance for publication on said date

\_\_\_\_\_  
Signature:

\_\_\_\_\_  
Date:

*Refer to Ord 2157 (march 1983)*

ORDINANCE NO. 2157

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES BY CREATING A NEW ARTICLE OF CHAPTER 16 ENTITLED "MARINA OPERATIONS" ESTABLISHING WET SLIP RENTAL RATES, ADVANCE PAYMENT DISCOUNT, UTILITY RATES, DEPOSIT AMOUNT, PRIORITY SLIP ASSIGNMENT TO RIVIERA BEACH RESIDENTS, PROHIBITING PERMANENT LIVE ABOARDS, FURTHER PROVIDING A PENALTY CLAUSE, REPEALING CLAUSE, SAVING CLAUSE, AUTHORITY TO CODIFY, AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

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

It is hereby enacted a new Article "Marina Operations" which reads as follows:

SECTION 1. WET SLIP RENTAL RATES

Wet Slip rates shall be as follows:

Boat Classification	Yearly	Monthly		Daily
		Seasonal Winter 11/1-4/30	Seasonal Summer 5/1-10/30	
35' and under	\$2,820.00	\$470.00	\$300.00	\$20.00
36' to 45'	3,000.00	500.00	355.00	25.00
46' and over	3,600.00	600.00	460.00	30.00

SECTION 2. ADVANCE PAYMENT DISCOUNT

Yearly dockage paid in advance receives a five (5%) percent discount.

SECTION 3. UTILITY RATES

Monthly water and utility rates shall be \$75.00 per month for 220 volt hook-up and \$65.00 per month for 110 volt hook-up.

SECTION 4. DEPOSITS

(A) Deposit equal to two (2) months rental is due on all yearly and seasonal rentals prior to slip occupation.

(B) A twenty (20%) percent application deposit is required to activate all applications for slip rental.

(C) An application deposit is refundable if the accompanying application for slip rental is denied. In this case, the deposit will be automatically refunded.

(D) An application deposit is refundable if a slip is not available sixty (60) days after initial application. In this case, a request for refund of deposit must be made in writing to the dockmaster.

SECTION 5. PRIORITY SLIP ASSIGNMENT TO RIVIERA  
BEACH RESIDENTS

Priority for slip assignment will be given to Riviera Beach residents and businesses. In order to accrue this benefit, applicant must produce one of the following at the time of application for slip rental:

(A) Validated Homestead Exemption Certificate, in applicant's name, indicating ownership and residency within Riviera Beach.

(B) Deed to property, in applicant's name, indicating ownership of property in Riviera Beach

(C) Lease in applicant's name, indicating lease of property within Riviera Beach.

SECTION 6. PERMANENT LIVE-ABOARDS PROHIBITED

Individuals who establish domicile on their vessel, will be approved for lease of no more than six continuous months.

SECTION 7. Any person, firm or corporation convicted of a violation of any of the provisions of this ordinance shall be punished as prescribed in Section 1.8 entitled "General Penalty" of the Code of Ordinances.

SECTION 8. All ordinances or parts of ordinances or Charter provisions in conflict herewith are to the extent of such conflict repealed.

SECTION 9. 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 10. This Ordinance shall take effect upon its final passage and adoption by the City Council.

PASSED AND APPROVED on first reading this 21<sup>TH</sup> day of

April, 1982

PASSED AND ADOPTED on second and final reading this 19th  
day of May, 1982.

APPROVED:

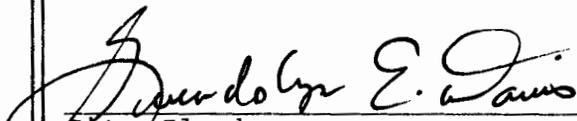
  
\_\_\_\_\_  
Mayor

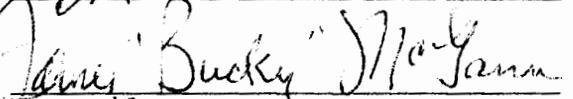
  
\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Chairman Pro Tem

( MUNICIPAL SEAL )

  
\_\_\_\_\_  
Councilmen

  
\_\_\_\_\_  
City Clerk

  
\_\_\_\_\_  
Councilmen

1st Reading

MOTIONED BY:

G. Adams

SECONDED BY:

J. McGann

R. MOULTRIE

Aye

O. THOMAS

Aye

G. ADAMS

Aye

D. IVORY

Aye

J. MCGANN

Aye

2nd Reading

J. McGann

G. Adams

Aye

Absent

Aye

Aye

Aye

April 29, 1982

The below Bill described below 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 19, 1982 at the City Hall, 600 West Blue Herron Blvd. at 7:30 P.M. and from time to time thereafter as may be necessary for the purpose of enactment of the following Ordinance :

ORDINANCE NO. 2157

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES BY CREATING A NEW ARTICLE OF CHAPTER 16 ENTITLED "MARINA OPERATIONS" ESTABLISHING WET SLIP RENTAL RATES, ADVANCE PAYMENT DISCOUNT, UTILITY RATES, DEPOSIT AMOUNT, PRIORITY SLIP ASSIGNMENT TO RIVIERA BEACH RESIDENTS, PROHIBITING PERMANENT LIVE ABOARDS, FURTHER 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 12, 1982

Carrie Ward  
Deputy Clerk

Palm Beach Post Times:

Please acknowledge receipt of this Ordinance for publication on said date:

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Ordinance 2158  
Public Safety Director

Vetoed - Manager's Office  
letter attached  
6/23/82

ORDINANCE NO. 2159

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING SECTION 2-142 ENTITLED "COMPOSITION; APPOINTMENT; QUALIFICATIONS; TERMS AND OATH OF OFFICE OF MEMBERS; FILLING VACANCIES" BY REPEALING SAME AND ENACTING A NEW SECTION UNDER THE SAME TITLE AND SECTION 2-143 ENTITLED "MEMBERS' ATTENDANCE AND PARTICIPATION AT MEETINGS" BY REVISING THE THIRD PARAGRAPH OF SAME TO BE CONSISTENT IN THE METHOD OF FILLING VACANCIES AS PROVIDED IN NEW SECTION 2-142 OF ARTICLE VIII ENTITLED "WATERFRONT ADVISORY BOARD" OF CHAPTER 2 ENTITLED "ADMINISTRATION" 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. That new Section 2-142 shall read as follows:

"Sec. 2-142. Composition; appointments, qualifications, term and oath of office of members; filling vacancies.

The board shall consist of seven (7) members. Members shall possess reputations for civic pride, responsibility, integrity and business or professional ability. Members shall be selected with special reference to their knowledge of and interest in waterfront resources and development of the city.

Each City Council Member shall nominate and appoint a board member for a period of one (1) year and the City Council shall appoint two (2) board members for a period of one (1) year. Vacancies occurring shall be filled for the unexpired term by the City Council Member (or successor to that elective office) whose initial nominee and appointee resulted in such vacancy or if the appointee was appointed by the City Council, the City Council shall fill such vacancy for the unexpired term. Such appointments shall be renewable each year by the City Council.

Before entering his or her duties, each member shall execute an acceptance of appointment and oath and file same with the City Clerk. Any member serving on this board will not be precluded from serving at the same time on any other board or agency of the City."

SECTION 2. That the existing Section 2-142. created by Ordinance 2118, adopted March 18, 1981 is repealed.

~~The board shall consist of seven (7) members appointed by the city council. Members shall possess reputations for civic pride, responsibility, integrity and business or professional ability. Members shall be selected with special reference to their knowledge of and interest in waterfront resources and development of the city; therefore, two (2) members shall be selected from the membership of the planning and zoning board, one member shall be selected from the membership of the community redevelopment agency and one member from the recreation advisory board, and three (3) members shall be selected from the public at large.~~

~~The term of office of membership shall be two (2) years for three (3) members, three (3) years for four (4) members, with appointments thereafter to be for terms of two (2) years for each member. Vacancies occurring shall be filled by appointment by the city council for the unexpired term. Before entering his or her duties, each member shall execute an acceptance of appointment and oath of office and file same with the city clerk. Any member serving on this board will not be precluded from serving at the same time on any other board or agency of the city.~~

SECTION 3. That the third paragraph of Section 2-143 entitled "Members' attendance and participation at meetings" is revised to read:

Sec. 2.143 Members' attendance and participation at meetings.

Members shall be required to attend all regular and special meetings of the board.

The city council shall be notified of any member who neglects the duties of this office as determined by the board, and (such members) may be removed by two-thirds vote of the council.

Any member who neglects the duties of his office as determined by the board may be recommended for removal by two-thirds vote of the board. Any member of the board who fails to attend

two (2) out of three (3) successive regular meetings without approval of the chairperson or in the chairperson's absence, the acting chairperson, shall automatically forfeit his or her appointment to serve on the board and ~~the city council shall promptly fill such vacancy~~ such vacancy shall promptly be filled as provided for in Sec. 2-142, above. 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 file Disclosure of Voting Conflict, Form 4, with the clerk of the board, which disclosure is to be incorporated into the minutes.

Members shall file with the city clerk a financial disclosure statement in prescribed form to satisfy the requirements of Florida Statutes, Chapter 112, Part III.

SECTION 4. Any person, firm or corporation convicted of a violation of any of the provisions of this Ordinance shall be punished as prescribed in Section 1.8 entitled "General Penalty" of the Code of Ordinances.

SECTION 5. All Ordinances or parts of Ordinances or Charter provisions in conflict herewith are to the extent of such conflict repealed.

SECTION 6. 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 7. Specific authority is hereby granted to codify this Ordinance.

SECTION 8. This Ordinance shall take effect upon its final passage and adoption by the City Council.

PASSED AND APPROVED on first reading this 5<sup>TH</sup> day of May, 1982.

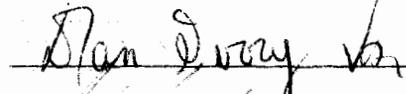
PASSED AND ADOPTED on second and final reading this 19<sup>th</sup> day of May, 1982.

APPROVED:

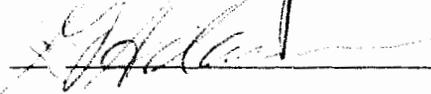
  
Mayor

  
Chairman

Chairman Pro Tem

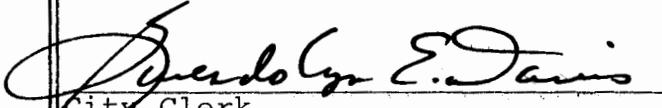


( MUNICIPAL SEAL )



Councilmen

ATTEST:

  
City Clerk

1st Reading

2nd. Reading

MOTIONED BY:	<u>O. Thomas</u>
SECONDED BY:	<u>D. Adams</u>
R. MOULTRIE	<u>Aye</u>
G. ADAMS	<u>Aye</u>
O. THOMAS	<u>Aye</u>
J. MCGANN	<u>Aye</u>
D. IVORY	<u>Aye</u>

<u>D. Adams</u>
<u>D. Ivory, Jr.</u>
<u>Aye</u>
<u>Aye</u>
<u>Absent</u>
<u>Nay</u>
<u>Aye</u>

RVV.

DATE:           MAY 6, 1982          

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 19, 1982           at the City Hall, 600 West Blue Heron Blvd., at 7:30 p.m. and from time to time thereafter as may be necessary for the purpose of enactment of the following Ordinance:

ORDINANCE NO.           2159          

AN ORDINANCE OF THE CITY OF RIVIERA BEACH PALM BEACH COUNTY, FLORIDA, AMENDING SECTION 2-142 ENTITLED "COMPOSITION; APPOINTMENT; QUALIFICATIONS; TERMS AND OATH OF OFFICE OF MEMBERS; FILLING VACANCIES" BY REPEALING SAME AND ENACTING A NEW SECTION UNDER THE SAME TITLE AND SECTION 2-143 ENTITLED "MEMBERS' ATTENDANCE AND PARTICIPATION AT MEETINGS" BY REVISING THE THIRD PARAGRAPH OF SAME TO BE CONSISTENT IN THE METHOD OF FILLING VACANCIES AS PROVIDED IN NEW SECTION 2-142 OF ARTICLE VIII ENTITLED "WATERFRONT ADVISORY BOARD" OF CHAPTER 2 ENTITLED "ADMINISTRATION" 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:           MAY 12, 1982          

3/1/82