

ORDINANCE NO. 2380

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING 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 BY DELETING VARIOUS POSITIONS PROVIDING AN EFFECTIVE DATE.

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

SECTION 1.

That Section 2-118 of Division 3 of Article VI of Chapter 2 of the Code of Ordinances attached hereto as Exhibit "A"

IS HEREBY REPEALED.

SECTION 2.

That a new Section 2-118 of Division 3 of Article VI of Chapter 2 of the Code of Ordinances, reading as follows:

"Sec. 2-118. Appointed Personnel - City Council.

1. No person occupying any position listed in this Section 2-118, each position being unclassified, shall have any protection under any civil service rule or regulation, nor shall any such person have any property interest in their employment except as may be provided for in a personal written contract of employment, if any. Property rights shall be limited to those specified in the respective contract.

2. Subject to the city charter, the following positions shall be appointed by the city council and shall serve at the pleasure of the city council: City Manager, Chief of Police, City Clerk, Director of Finance, City Attorney.

3. The following positions shall be appointed by the city manager, subject to approval by the city council: Fire Chief, Assistant Chief of Police, and Director of Parks and Recreation".

SECTION 3.

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

PASSED and APPROVED on first reading this 6th day of July, 1988.

PASSED and ADOPTED on second and final reading this 3rd day of August, 1988.

APPROVED:

Clara K. Williams  
MAYOR

[Signature]  
CHAIRMAN

Allen Fox  
CHAIRMAN PRO TEM

[Signature]  
[Signature]

(MUNICIPAL SEAL)

Carrie E. Ward  
CITY CLERK *Acting*

COUNCILMEMBERS

Motioned By: 1st Reading  
D. Pettway  
Seconded By: D. Orange

2nd & Final Reading  
D. Orange  
D. Pettway

P. Owens aye  
A. Fox aye  
D. Orange aye  
D. Pettway aye  
J. Goode aye

aye  
nay  
nay  
aye  
aye

TCP/dm  
6-22-88

CERTIFICATE OF PUBLICATION

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

Carrie E. Ward  
Gwendolyn E. Davis, City Clerk  
CARRIE E. WARD, Acting City Clerk CMC

ORDINANCE NO. 2381

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA AMENDING SUBPARAGRAPH (R)(5) OF SECTION 22-3 AND SUBPARAGRAPH (H)(4) OF SECTION 22-37 OF THE CODE OF ORDINANCES AND THEREBY AUTHORIZING THE PLANNING DIRECTOR TO APPROVE FIVE (5) YEAR INSTALLMENT PAYMENTS OF WATER AND SEWER UTILITY CAPITAL IMPROVEMENT FEES FOR TAX EXEMPT SCHOOLS; PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, FLORIDA, AS FOLLOWS:

SECTION 1.

That subparagraph (r)(5) of Section 22-3, and subparagraph (h)(4) of Section 22-37 of the Code of Ordinances is hereby amended as follows:

"(5) The capital improvement fee can be financed over a five-year period on single owner/building construction as approved by the planning director. In addition, the planning director may approve this financing for tax exempt schools and 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 twenty-five (25) per cent will be required and paid before the building permit will be issued. The remaining balance plus eight (8) per cent 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."



OFFICE OF  
CITY CLERK

# CITY OF RIVIERA BEACH

600 WEST BLUE HERON BLVD • RIVIERA BEACH FLORIDA 33404

## PUBLICATION REQUEST FOR PALM BEACH POST TIMES

DATE: July 21, 1988

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 August 3, 1988 at City Hall, 600 West Blue Heron Blvd., at 7:30 p.m. and from time to time thereafter as may be necessary for the purpose of enactment of the following Ordinance:

ORDINANCE NO. 2381

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA AMENDING SUBPARAGRAPH (R)(5) OF SECTION 22-3 AND SUBPARAGRAPH (H)(4) OF SECTION 22-37 OF THE CODE OF ORDINANCES AND THEREBY AUTHORIZING THE PLANNING DIRECTOR TO APPROVE FIVE (5) YEAR INSTALLMENT PAYMENTS OF WATER AND SEWER UTILITY CAPITAL IMPROVEMENT FEES FOR TAX EXEMPT SCHOOLS; PROVIDING AN EFFECTIVE DATE.

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

PUBLISH: PALM BEACH POST TIMES PLEASE PUBLISH ON SATURDAY, JULY 23, 1988

ldc

Gwendolyn E. Davis, CMC  
City Clerk  
City of Riviera Beach, Florida

ORDINANCE NO. 2382

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, FLORIDA, ENACTING A NEW SECTION 2-9 OF THE CODE OF ORDINANCES OF THE CITY AND THEREBY ESTABLISHING RESIDENCY REQUIREMENTS FOR EXECUTIVE STAFF MEMBERS APPOINTED AFTER THE EFFECTIVE DATE OF THIS ORDINANCE; PROVIDING AN EFFECTIVE DATE.

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

Section 1. That a new Section 2-9 of the Code of Ordinances of the City is hereby enacted, which section reads as follows:

Section 2-9. Executive Staff Members-Residency Requirement.

"Each person who is appointed as a Department Head, Assistant to the City Manager, or Deputy City Manager, shall establish a residence within the corporate limits or within a radius of five (5) miles of the corporate limits of the city and shall maintain the principal residence (domicile) therein during the entire term of such appointment. This requirement may be waived on an individual case-by-case basis by the city council.

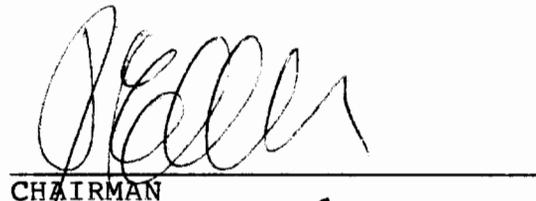
Section 2. Ordinance shall take effect upon its final passage and adoption by the City Council.

PASSED and APPROVED on first reading this 3rd day of August, 1988.

PASSED and ADOPTED on second and final reading this 17th day of August, 1988.

APPROVED:

  
MAYOR

  
CHAIRMAN

  
CHAIRMAN PRO TEM

  
COUNCILMEMBERS

(MUNICIPAL SEAL)

  
CITY CLERK

COUNCILMEMBERS

	1st Reading	2nd & Final Reading
Motioned By:	<u>D. Pettway</u>	<u>D. Orange</u>
Seconded By:	<u>D. Orange</u>	<u>A. Fox</u>
P. Owens	<u>aye</u>	<u>aye</u>
A. Fox	<u>aye</u>	<u>aye</u>
D. Orange	<u>aye</u>	<u>aye</u>
D. Pettway	<u>aye</u>	<u>absent</u>
J. Goode	<u>aye</u>	<u>aye</u>

TCP/jb  
7/25/88

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA AMENDING RULE 4 OF SECTION 2-7 OF THE CODE OF ORDINANCES AND THEREBY REVISING THE ORDER OF CITY COUNCIL AGENDAS; PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, FLORIDA AS FOLLOWS:

SECTION ONE

That Rule four (4) of Section 2-7 of the Code of Ordinances, now reading as follows:

"Rule 4. The following order shall be observed in the transaction of business, but the order may be varied by a majority consent of all municipal legislators present:

- (a) Additions and deletions.
- (b) Approval of minutes.
- (c) Approval of payment resolutions.
- (d) Awards and presentations.
- (e) Statements from members of the public with a two-minute limitation for each statement.
- (f) Petitions and communications.
- (g) Items presented by the manager.
- (h) Ordinances and resolutions.
- (i) Recommendations and discussions from mayor and council.

The rules of order of business may be amended from time to time by ordinance of a majority of the legislative body."

IS HEREBY AMENDED TO READ AS FOLLOWS:

"Rule 4. The following agenda order shall shall be observed unless varied at a city council meeting by affirmative vote of at least three (3) councilmembers' present:

- (I) Roll call.
- (II) Invocation.
- (III) Pledge of allegiance.
- (IV) Additions and deletions.
- (V) Awards and presentations.
- (VI) Consent agenda:
  - (A) Approval of minutes.
  - (B) Approval of Payment Resolutions.
  - (C) Petitions, communications, and correspondence for filing.
  - (D) Administrative requests.
- (VII) Ordinance on second and final reading.
- (VIII) Ordinance on first reading.
- (IX) Items requested by the city manager.

- (X) Statements from members of the public (two minute limitations for each speaker).
- (XI) Recommendations and discussion from mayor or councilmembers.
- (XII) Adjournment."

SECTION TWO

This ordinance shall be effective immediately upon final passage by the City Council.

PASSED and APPROVED on first reading this 3rd day of August, 1988.

PASSED and ADOPTED on second and final reading this 17th day of August, 1988.

APPROVED:

MAYOR *Clara K. Williams* CHAIRMAN *[Signature]*

*Alex Fox*  
CHAIRMAN PRO TEM

ATTEST:

*Carrie E. Hard*  
CITY CLERK

*[Signature]*

COUNCILMEMBERS

1st Reading		2nd & Final Reading	
MOTIONED BY:	<u>D. Pettway</u>		<u>A. Fox</u>
SECONDED BY:	<u>A. Fox</u>		<u>J. Goode</u>
P. Owens	<u>aye</u>		<u>aye</u>
A. Fox	<u>aye</u>		<u>aye</u>
J. Goode	<u>aye</u>		<u>aye</u>
D. Pettway	<u>aye</u>		<u>absent</u>
D. Orange	<u>aye</u>		<u>aye</u>

TCP/dm  
7-7-88

ORDINANCE NO. 2384

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING PARAGRAPH (A) OF SECTION 2-7.1 OF THE CODE OF ORDINANCES AND THEREBY REQUIRING THAT EACH CANDIDATE FOR CITY COUNCIL IN DISTRICTS 1, 2, 3, AND 4 SHALL BE REQUIRED TO HAVE RESIDED IN THE APPLICABLE DISTRICT FOR ONE YEAR AS OF THE FIRST DATE OF QUALIFICATION OF THE RESPECTIVE OFFICE; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1.

That paragraphs (a) of Section 2-7.1 of the City Code now read  
as follows:

“(a) Each member of the council shall be a qualified elector of the city and shall actually physically reside within the corporate limits of the city.”

IS HEREBY AMENDED TO READ AS FOLLOWS:

“ (a) Each candidate for the office of city council and mayor shall reside within the then existing city limits for one (1) year prior to qualifying for such office. Each candidate for the office of city council within Districts 1, 2, 3, and 4 shall have been a resident of the respective district for one (1) year immediately prior to qualifying for such office. If a person is elected in any such district and shall move out of the respective district but remain a resident of the city such person shall be allowed to fulfill the remainder of the then current term in office. If a city councilman should move out of the city limits during a term in office, such move shall automatically forfeit the office.”

SECTION 2.

This Ordinance shall be effective immediately upon final passage  
by the City Council.

**PASSED AND APPROVED** on second and final reading this 3<sup>rd</sup>  
day of August, 1988.

**PASSED AND ADOPTED** on second and final reading this 17<sup>th</sup>  
day of August, 1988.

APPROVED:

Alan K. Williams  
MAYOR

[Signature]  
CHAIRMAN

Allen Fox  
CHAIRMAN PRO TEM

[Signature]

(MUNICIPAL SEAL)

Carrie B. Hard  
CITY CLERK

COUNCILMEMBERS

1st Reading

2nd & Final Reading

Motioned By: D. Fox  
Seconded By: J. Goode

D. Orange  
A. Fox

P. Owens      aye  
A. Fox         aye  
D. Orange     aye  
D. Pettway    aye  
J. Goode       aye

aye  
aye  
aye  
absent  
aye

TCP/dm  
7/1/88

ORDINANCE NO. 2385

AN ORDINANCE OF THE CITY OF RIVIERA  
BEACH, PALM BEACH COUNTY, FLORIDA  
CHANGING THE STREET NAMED "AVENUE  
A" TO "LAKE SHORE DRIVE"; PROVIDING  
AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF  
RIVIERA BEACH AS FOLLOWS:

SECTION ONE

That the street herefore called "Avenue A" is hereby  
renamed "Lake Shore Drive."

The physical location of this street to be renamed is  
from the north city limit near Silver Beach Road at Section  
Line 28, TOWNSHIP 24, PAGE 43, then south past Blue Heron  
Boulevard to 23rd Street inclusive, (map attached).

SECTION TWO

The address numbers will not change; only the street  
name.

SECTION THREE

The Public Works Department is hereby authorized to  
change the appropriate street signs from "Avenue A" to "Lake  
Shore Drive" as convenient.

SECTION FOUR

All city departments shall be advised of this change.

SECTION FIVE

This ordinance shall not be codified.

SECTION SIX

This ordinance shall be effective on September 1, 1988

PASSED AND APPROVED on first reading this 3rd day  
of August, 1988.

PASSED AND APPROVED on second and final reading  
this 17th day of August, 1988.

APPROVED:

Sam H. Williams  
MAYOR

[Signature]  
CHAIRMAN  
Alex Fox  
CHAIRMAN PRO TEM  
[Signature]

ATTEST

Carrie E. Hard  
CITY CLERK

COUNCILMEMBERS

1st Reading

2nd and Final Reading

Motioned By: A. Fox  
Seconded By: D. Orange

A. Fox  
J. Goode

P. Owens      aye  
D. Orange      aye  
A. Fox          aye  
D. Pettway     aye  
J. Goode        aye

aye  
aye  
aye  
absent  
aye

TCP/jb  
7-07-88

CERTIFICATE OF PUBLICATION

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

Carrie E. Hard  
~~Gwendolyn E. Davis~~, City Clerk

ORDINANCE NO. 2386

RIVIERA BEACH, PALM BEACH COUNTY, AMENDING THE LAND DEVELOPMENT CODE AS FOLLOWS: AMENDING SECTION 23.AA-9 AND THEREBY CHANGING SEVERAL USES FROM PERMITTED USES TO USES BY SPECIAL EXCEPTION IN ALL RM-15 MULTI-FAMILY DISTRICTS; BY AMENDING SECTION 23.AA-10, AND THEREBY MAKING NURSING AND CONVALESCENT HOMES AND ADULT CONGREGATE LIVING FACILITIES A USE BY SPECIAL EXCEPTION IN ALL MULTI-FAMILY/HOTEL DISTRICTS; ALSO AMENDING SECTION 23.AA-14 AND THEREBY PROHIBITING RESTAURANTS WITH DRIVE THRU FACILITIES AND OTHER EATING ESTABLISHMENTS WITH DRIVE THRU FACILITIES AND PROHIBITING GASOLINE PUMPS AT CONVENIENCE STORES AND CHANGING CONVENIENCE STORES FROM PERMITTED USE TO USE BY SPECIAL EXCEPTION IN ALL NEIGHBORHOOD COMMERCIAL DISTRICTS; ALSO ADDING A NEW SUBSECTION VIII TO SECTION 23.AA-14 AND THEREBY ADDING A PROVISION THAT REQUIRES NON-RESIDENTIAL USES IN ANY NEIGHBORHOOD COMMERCIAL DISTRICT BE COMPATIBLE WITH NEARBY RESIDENTIAL USES; ALSO AMENDING SECTION 23.AA-15 AND THEREBY MAKING DRIVE-IN RESTAURANTS AND FILLING STATIONS SPECIAL EXCEPTIONS USES, AND ADDING SIX (6) ADDITIONAL NEW USES BY SPECIAL EXCEPTIONS IN ALL GENERAL COMMERCIAL DISTRICTS; ALSO AMENDING SECTION 23.AA-17 AND THEREBY ADDING AUTOMOBILE SERVICING AND TRUCK LEASING AS USES BY SPECIAL EXCEPTION IN ALL LIMITED INDUSTRIAL DISTRICTS; ALSO AMENDING SECTION 23.AA-18 AND THEREBY ADDING STORAGE AND FOREIGN TRADE ZONES AS USES BY SPECIAL EXCEPTION IN ALL GENERAL INDUSTRIAL DISTRICTS; PROVIDING AN EFFECTIVE DATE; AUTHORITY TO CODIFY AT A LATER DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, FLORIDA AS FOLLOWS:

SECTION ONE

That subparagraphs A and B of Subsection II of Section 23.AA-9, "RM-15 Multiple Family Dwelling District" of the Land Development Code, are hereby amended to read as follows:

"II. USE REGULATIONS

A. USES PERMITTED

- (1) Any uses permitted in the RS-8 single family dwelling districts;
- (2) Multi-family dwelling units.
- (3) ~~Boarding or lodging homes;~~
- (4) ~~Guest house or tourist home;~~
- (5) ~~Nursing or convalescent home;~~
- (6) ~~Adult congregate living facility;~~
- (7) Group homes.

B. USES PERMITTED BY SPECIAL EXCEPTION

- (1) Residential Planned Unit Development (R-PUD);
- (2) Day Care Center
- (3) Mobile Home Parks;
- (4) Home Occupations
- (5) Boarding or lodging houses;
- (6) Guest house or tourist home;
- (7) Nursing or convalescent home;
- (8) Adult congregate living facilities.
- (9) Group homes."

SECTION TWO

That sub paragraphs a and b of subsection II of Section 23.AA-10, "RM H-15 Multiple Family/Hotel District" of the Land Development Code are hereby amended to read as follows:

II. USE REGULATIONS

A. USES PERMITTED

- (1) Single-family dwellings;
- (2) Two-family dwellings;
- (3) Multiple-family dwellings'
- (4) Hotels, motels, apartment hotels;
- (5) Restaurants and shops accessory to hotels or motels which use shall not have signs displays visible from the public street;
- (6) Private clubs as accessory to the residential uses;
- (7) Any use commonly accessory to the above uses.
- (8) ~~Nursing and convalescent homes and ACLF's.~~

B. USES PERMITTED BY SPECIAL EXCEPTION

- (1) Residential Planned Unit - Development (R-PUD);
- (2) Timesharing;
- (3) Home Occupations;
- (4) Nursing and convalescent home and ACLF's

SECTION THREE

That subparagraphs a and b is a subsection II of Section 23.AA-14 " CN-Neighborhood Commercial District" of the Land Development Code are hereby amended to read as follows:

II. USE REGULATIONS

A. USES PERMITTED

1. Uses permitted in accordance with RM-15 District Regulations
2. Retail uses, including any or several of the following:
  - (a) Bakery
  - (b) Book Store
  - (c) Boutique
  - (d) Dairy Products
  - (e) Druggist or Pharmacy
  - (f) Florist
  - (g) Gift Shop
  - (h) Home Accessories, excluding furniture & Major appliances.
  - (i) Food Store of Delicatessen
  - (j) Hobby Shop
  - (k) Music Store
  - (l) Newsstand
  - (m) Pet Supply Shop
  - (n) Restaurant without Drive thru facility or Eating Establishment Without Drive thru facility.
  - (o) Stationary Store
  - (p) Tobacco Shop
  - (q) Convenience Grocery Store (no building larger than thirty-five (3,500) square feet)
3. Service uses, including any or several of the following:
  - (a) Barber or Beauty Shop
  - (b) Coin Laundry or Dry Cleaning Substation
  - (c) Locksmith
  - (d) Photographer
  - (e) Shoe Repair
  - (f) Travel Agency

B. USES PERMITTED BY SPECIAL EXCEPTION

- (1) Convenience Grocery Store without gasoline pumps (no building larger than thirty-five hundred (3,500) square feet)

SECTION FOUR

That a new subsection VIII is hereby ADDED to Section 23.AA-14 "CN Neighborhood Commercial" of the Land Development Code which new Subsection reads as follows:

"CONFORMANCE WITH SPIRIT OF THIS DISTRICT"

Non-residential uses allowed in this district will be in close physical proximity to residential uses. It is mandatory that the operation and performance of all uses in the CN District shall be subservient to and be compatible with the peace and tranquility of a general residential environment. No operation or activity shall be allowed in any CN District which could disturb or annoy the residential inhabitants in the adjacent or nearby residential areas, including, but not limited to any of the following uses or activities, which are absolutely prohibited:

1. Outdoor storage or outdoor display, that is visible from off of the premises.
2. Vibration, smoke, dust, fumes, or glare to adjacent properties.
3. Operation or business activity at anytime between the hours of midnight and 6:00 a.m.
4. Excessive, untimely, or unnecessary noise resulting from the activity or operations, including noise caused by service functions, such as deliveries to or from motor vehicles. All such activities shall be scheduled to minimize annoyance to the nearby residential users."

SECTION FIVE

That subparagraphs A and B of paragraph II of Section 23.AA-15 "CG General Commercial District" of the Land Development Code are HEREBY amended to read as follows:

"II. USE REGULATIONS

A. USES PERMITTED

- (1) Any use permitted in the Neighborhood Commercial District except that residential use shall not be permitted.
- (2) Any retail business or commercial use which does not involve any heavy machinery or other machinery which will cause

vibrations to the adjoining properties, create or emit noise, dust, odor, or noxious or toxic gas;

- (3) Personal service establishments, such as barbershops, beauty parlors, medical and dental clinics, restaurants, ~~drive in restaurants~~, stores, banks, professional and other offices, funeral homes, parking garages and lots, ~~filling stations~~, laundry pick up stations, shoe repair, tailoring, watch and clock repair, and locksmith.
- (4) Hospitals
- (5) Bus Passenger Terminal
- (6) Theaters and Motion Picture houses, except Drive-In Theaters
- (7) Advertising Panels or Signs
- (8) Private Clubs
- (9) Coin-operated Personal Service Establishments, conform to Paragraph (2) hereof.
- (10) New car dealerships
- (11) Churches and their educational buildings

B. USES PERMITTED BY SPECIAL EXCEPTION

- (1) Hotel/Motel (In accordance with RMH-15 Regulations)
- (2) Commercial Planned Unit Development (C-PUD)
- (3) Drive-In restaurants
- (4) filling stations
- (5) Auto Malls
- (6) Car Washes
- (7) Pawn Shop
- (8) Gun Shop
- (9) Substance Abuse Clinics;
- (10) Shopping Centers in excess of 20,000 square feet of building area.

C. USES PROHIBITED

- (1) Residential uses shall be prohibited except as part of a PUD development.
- (2) Wholesale, Industrial, warehousing and storage uses.

SECTION SIX

That subparagraph B of subsection II of Section 23.AA-17 "IL Limited Industrial District" of the Land Development Code is hereby amended to read as follows:

"B. USES PERMITTED BY SPECIAL EXCEPTION

- (1) PUD
- (2) Used Car Lots
- (3) Beverage Manufacturing & bottling works
- (4) Laboratory Industrial research
- (5) Auto services, including transmission and oil change establishments.
- (6) Truck rentals and leasing."

SECTION SEVEN

That subparagraph B of subsection II of Section 23.AA-18 "IG General Industrial District" of the Land Development Code is hereby amended to read as follows.

B. USES PERMITTED BY SPECIAL EXCEPTION

- (1) PUD
- (2) Warehouses and storage uses.
- (3) Commercial AM/FM Radio, Television, Microwave transmission and Relay Towers.
- (4) Asphalt & concrete mixing & batching & product manufacturing.
- (5) Foreign Trade Zone."

SECTION EIGHT

This ordinance shall be effective immediately upon final passage by the City Council after the SECOND public hearing hereon.

SECTION NINE

Specific authority is hereby granted to codify this Ordinance at a later date. In the interim, the Director of Community Development and Environmental Control is hereby authorized to up-date the appropriate sections of the official copy of the Zoning Code, which is on file in the City Clerk's office and the Planning Department.

SECTION TEN

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 August, 1988.

PASSED and ADOPTED on second and final reading this 7th day of September, 1988.

APPROVED:

*Frank Williams*  
MAYOR

*[Signature]*  
CHAIRMAN

*Allen Fox*  
CHAIRMAN PRO TEM

(MUNICIPAL SEAL)

*[Signature]*  
*Donald Pettway*

*Gwendolyn E. Davis*  
CITY CLERK

COUNCILMEMBERS

Motioned By: D. Orange  
Seconded By: A. Fox

2nd & Final Reading  
D. Orange  
A. Fox

P. Owens aye  
A. Fox aye  
D. Orange aye  
D. Pettway absent  
J. Goode aye

aye  
aye  
aye  
aye  
aye

TCP/jb  
7-06-88

CERTIFICATE OF PUBLICATION

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

*Gwendolyn E. Davis*  
Gwendolyn E. Davis, City Clerk

NOTICE OF CHANGE OF LAND USE

THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY FLORIDA, PROPOSES TO CHANGE THE USE OF LAND WITHIN THE AREA SHOWN ON THE MAP IN THIS ADVERTISEMENT BY THE ADOPTION OF ORDINANCE NO. 2387 AND ORDINANCE NO. 2388.

Ordinances are scheduled for second and final reading.

A Public Hearing of the ordinances will be held before the Riviera Beach City Council Wednesday September 7, 1988 at 8:00 p.m. or soon thereafter, at the City Council Chambers, City Hall, 600 West Blue Heron Blvd.

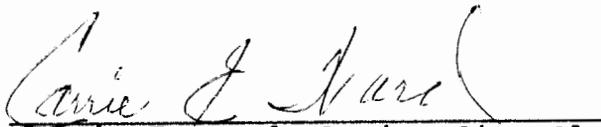
Ordinance No. 2387: Amending Land Use on 1.96 acre parcel from Multiple Family 15 du/ac to Commercial: Zoning from RM-15 to CG General Commercial

Ordinance No. 2388: Amending Land Use on 8.7 acre parcel from Commercial to Industrial; Zoning from CG to IG

All persons interested in or affected by the proposed change are invited to attend. Ordinances are available for review in the City Clerk's Office or Planning Department at City Hall, 600 West Blue Heron Boulevard, Riviera Beach, Florida Monday - Friday between the hours of 8:30 a.m. and 5:00 p.m., except holidays.

The City of Riviera Beach does not discriminate against the handicapped in meeting location.

YOU WILL KINDLY GOVERN YOURSELVES ACCORDINGLY.

  
Carrie E. Ward, Acting City Clerk

"PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision made by the Board or City Council, with respect to any matter considered at this meeting or hearing, such interested person will need a record of the proceedings, and for such purpose must need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based."

PUBLISH: September 2, 1988

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA AMENDING THE RIVIERA BEACH COMPREHENSIVE PLAN, FUTURE LAND USE MAP AND CHAPTER 23 "ZONING" OF THE CODE OF ORDINANCES BY RECLASSIFYING THE LAND USE AND ZONING FOR A 1.96 ACRE PARCEL DESCRIBED IN ATTACHMENT "A" AND MADE PART THEREOF, DIRECTING THE CITY CLERK TO UPDATE THE CITY'S ZONING MAP AND FUTURE LAND USE MAP; PROVIDING AN EFFECTIVE DATE.

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

**WHEREAS**, Chapter 166.041 F.S. providing procedures to amend the Zoning Ordinance; and

**WHEREAS**, on July 23, 1987 the Planning and Zoning Board, sitting as the Local Planning Agency, reviewed Petitioner's request for proposed changes at a Public Hearing and forwarded recommendations to City Council; and

**WHEREAS**, on August 5, 1987 the City Council, as the Local Governing Body, reviewed the request and recommendations at a Public Hearing and voted to grant Petitioner's request; and

**WHEREAS**, pursuant to Section 163.3184, Florida Statutes, the Department of Community Affairs has reviewed the proposed amendment and found it to be consistent with statutory requirements.

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

Section 1. The Riviera Beach Comprehensive Plan, Future Land Use Map is amended by redesignating the 1.96 acre Parcel of land legally described in "Attachment A" and made a part of this Ordinance, from its present Land Use Classification of Multi-Family 15 Du/ac to Commercial.

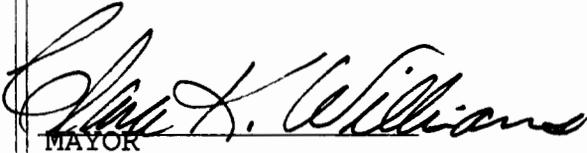
Section 2. Chapter 23, "Zoning" of the Riviera Beach Code of Ordinance is amended by rezoning to above referenced parcel from its present zoning classification of RM-15 Multiple Family to CG General Commercial.

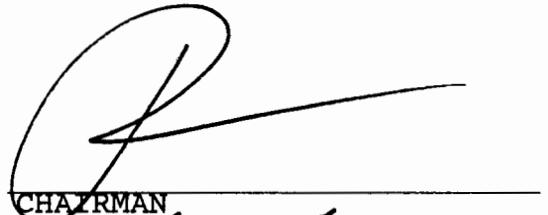
Section 3. That the City Clerk is authorized and directed to reflect upon the Zoning Map designated as the "Zoning Map of Riviera Beach, Florida", and upon the Land Use Map designated as the "Future Land Use Plan" by hatching or other appropriate means of designating the changes effected under this Ordinance.

**PASSED AND APPROVED** on first reading this 17th day of  
August , 1988

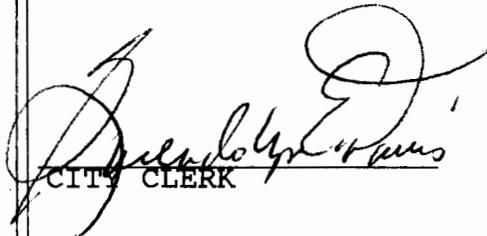
**PASSED AND ADOPTED** on second and final reading and  
second Public Hearing this 7th day of September , 1988

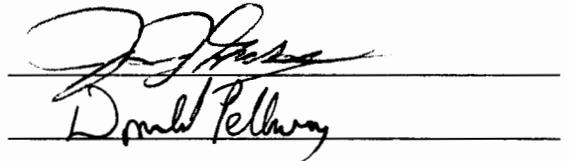
APPROVED:

  
MAYOR

  
CHAIRMAN

  
CHAIRMAN PRO TEM

  
CITY CLERK

  
DONALD PETTWAY

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

1st Reading

2nd & Final Reading

MOTIONED BY: D. Orange  
SECONDED BY: A. Fox

A. Fox  
J. Goode

D. ORANGE            aye  
A. FOX                aye  
P. OWENS            aye  
D. PETTWAY         absent  
J. GOODE             aye

aye  
aye  
aye  
aye  
aye

ATTACHMENT A

Owner: The Briscoe Company

Property Location: 1.96 acres at southeast corner of the Wedgewood Plaza Apts. (300' north of Blue Heron)

Legal Description:

A portion of the southeast one-quarter of Section 30, Township 42 South, Range 42 East, City of Riviera Beach, Palm Beach County, Florida, being more particularly described as follows:

Commencing at the northeast corner of said southeast one-quarter; thence south 01 degree 26' 22" west, along the east line of Point of Beginning of this description; thence continued South 01 degree 26' 22" west, along the last described course, a distance of 232.08 feet; thence north 88 degrees 02' 02" west, a distance of 96.76 feet to the point of curvature of a circular curve to the right; thence westerly and northerly, along the arc of said curve, having a radius of 2511.93 feet, an arc distance of 276.18 feet; thence north 02 degrees 30' 39" east, a distance of 220.42 feet; thence south 87 degrees 29' 21" east, a distance of 368.17 feet to the point of Beginning.

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA AMENDING THE RIVIERA BEACH COMPREHENSIVE PLAN, FUTURE LAND USE MAP AND CHAPTER 23 "ZONING" OF THE CODE OF ORDINANCES BY RECLASSIFYING THE LAND USE AND ZONING FOR A 8.7 ACRE PARCEL DESCRIBED IN ATTACHMENT "A" AND MADE PART THEREOF, DIRECTING THE CITY CLERK TO UPDATE THE CITY'S ZONING MAP AND FUTURE LAND USE MAP; PROVIDING AN EFFECTIVE DATE.

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

**WHEREAS**, Chapter 166.041 F.S. providing procedures to amend the Zoning Ordinance; and

**WHEREAS**, on July 23, 1987 the Planning and Zoning Board, sitting as the Local Planning Agency, reviewed Petitioner's request for proposed changes at a Public Hearing and forwarded recommendations to City Council; and

**WHEREAS**, on November 18, 1987 the City Council, as the Local Governing Body, reviewed the request and recommendations at a Public Hearing and voted to grant Petitioner's request; and

**WHEREAS**, pursuant to Section 163.3184, Florida Statutes, the Department of Community Affairs has reviewed the proposed amendment and found it to be consistent with statutory requirements.

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

Section 1. The Riviera Beach Comprehensive Plan, Future Land Use Map is amended by redesignating the 8.7 acre Parcel of land legally described in "Attachment A" and made a part of this Ordinance, from its present Land Use Classification of Commercial to Industrial.

Section 2. Chapter 23, "Zoning" of the Riviera Beach Code of Ordinance is amended by rezoning to above referenced parcel from its present zoning classification of General Commercial to IG - General Industrial.

Section 3. That the City Clerk is authorized and directed to reflect upon the Zoning Map designated as the "Zoning Map of Riviera Beach, Florida", and upon the Land Use Map designated as the "Future Land Use Plan" by hatching or other appropriate means of designating the changes effected under this Ordinance.

**PASSED AND APPROVED** on first reading this 17th day of  
August, 1988

**PASSED AND ADOPTED** on second and final reading and  
second Public Hearing this 7th day of September, 1988

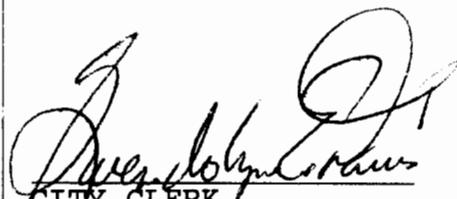
APPROVED:

  
MAYOR

  
CHAIRMAN

  
CHAIRMAN PRO TEM

  
COUNCIL MEMBER

  
CITY CLERK

  
COUNCIL MEMBER

1st Reading

2nd & Final Reading

MOTIONED BY: D. Orange  
SECONDED BY: J. Goode

D. Orange  
A. Fox

D. ORANGE     aye  
A. FOX         aye  
P. OWENS      aye  
D. PETTWAY   absent  
J. GOODE      aye

aye  
aye  
aye  
aye  
aye

ATTACHMENT A

Applicant: James U. Clarke, agent for P.O.P.B.E.P. Ltd.  
owners

Property Location: 301 Broadway, Riviera Beach (western and  
northern 7.8 acres of Port Executive Plaza)

Legal Description:

A parcel of land situated in the southwest quarter (SW 1/4) of the southeast quarter (SE 1/4) of Section 33, Township 42 south, Range 43 east, Palm Beach County, Florida, more particularly described as follows:

Begin at the point of intersection of the westerly right-of-way line of U.S. Highway No. 1 (an 80 foot R/W) with the north line of the north 585.00 feet of the south 1004.19 feet of said southwest quarter (SW 1/4) of the southeast quarter (SE 1/4); thence

Southerly along said westerly right-of-way line, making an angle of  $91^{\circ} 12'$  with said north line as measured west to south, a distance of 147.96 feet; thence

Westerly, making an angle of  $89^{\circ} 16' 38''$  with the previous course, as measured north to west, a distance of 936.90 feet; thence

Northerly, making an angle of  $90^{\circ} 48' 52''$  with the previous course, as measured east to north, a distance of 154.23 feet to said north line of said north 585.00 feet; thence

Easterly, along said north line, making an angle of  $88^{\circ} 42' 30''$  with the previous course as measured south to east, a distance of 937.25 feet to the Point of Beginning.

Containing 3.2500 acres more or less.

TOGETHER WITH:

A parcel of land situated in the southeast quarter (SE 1/4) and the southwest quarter (SW 1/4) of Section 33, Township 42 south, Range 43 east, Palm Beach County, Florida, more particularly described as follows:

Commence at the point of intersection of the westerly line of U.S. Highway No. 1 (an 80 foot R/W) with the north line of the north 585.00 feet of the south 1004.19 feet of the southwest quarter (SW 1/4) of said southeast quarter (SE 1/4); thence

Westerly, along said north line, a distance of 937.25 feet to the Point of Beginning; thence

Southerly, making an angle of  $88^{\circ} 42' 30''$  with the previous course as measured east to south, a distance of 154.23 feet; thence

Westerly, making an angle with the previous course of  $89^{\circ} 11' 08''$  as measured north to west, a distance of 98.87 feet; thence

Southerly, making an angle of  $89^{\circ} 11' 37''$  with the previous course, as measured east to south, a distance of 430.24 feet to the south line of said north 585.00 feet; thence

(con't next page)

(Attachment A con't)

Westerly, along said south line, making an angle of  $88^{\circ} 42' 59''$  with the previous course as measured north to west, a distance of 213.51 feet to the west line of said southeast quarter (SE 1/4) of Section 33; thence

Northerly, along said west line, making an angle of  $89^{\circ} 04' 45''$  with the previous course, as measured east to north, a distance of 30.53 feet; thence

Westerly, making an angle of  $89^{\circ} 29'$  with the previous course as measured south to west, a distance of 47.57 feet to the easterly right-of-way line of the Florida East Coast Railroad being a point on a non-tangent curve concave to the southwest having a radius of 2914.33 feet; thence

Northwesterly, along said right-of-way line and the arc of said curve, a distance of 578.28 feet through a central angle of  $11^{\circ} 22' 00''$  to the north line of the north 585.00 feet of the south 1004.19 feet of the southeast quarter (SE 1/4) of said southwest quarter (SW 1/4) of Section 33; thence

Easterly, along said north line and its easterly prolongation, a distance of 509.25 feet to the Point of Beginning.

Containing 4.639 acres more or less.

ORDINANCE NO. 2389

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, FIXING THE ADJUSTED TAX VALUATION OF REAL PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY; LEVYING A TAX ON REAL PROPERTY AND TANGIBLE BUSINESS PERSONAL PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY, FOR FISCAL YEAR BEGINNING OCTOBER 1, 1988 AND ENDING SEPTEMBER 30, 1989; FIXING THE MILLAGE RATE THEREON FOR SAID YEAR; CONTINUING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. That for the fiscal year beginning October 1, 1988 and ending September 30, 1989, the adjusted valuation on all real property and tangible business personal property within the the City of Riviera Beach is hereby determined to be and is fixed as follows:

(a) Real Property and Tangible Business Personal Property on which tax can be extended, exclusive of homestead property, \$1,183,138,631.

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

SECTION 2. For the fiscal year beginning October 1, 1988 and ending September 30, 1989, a tax of eight point five (8.5) mills on the dollar shall be, and is levied and shall be collected on all real property and tangible business personal property within the City of Riviera Beach, Florida, not specifically 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 and Code.

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 \$<sup>1</sup>183,138,631 subject to final approval of the County Equalization Board.

SECTION 3. As provided by Section 200.065 (5) Florida Statutes, upon notification from the Property Appraiser of any aggregate change in the certified assessment roll, the City Manager is hereby authorized to certify to the Property Appraiser, within three (3) days of notification, an adjusted millage rate which shall be such that taxes computed by applying the adopted rate against the certified taxable value are equal to the taxable value on the roll to be extended.

SECTION 4. The proposed millage of 8.5 represents a 3.18% increase over the rolled-back millage rate.

SECTION 5. If any section, part of section, paragraph, clause, phrase, or word of this ordinance shall be held to be unconstitutional or void, the remaining provisions of this ordinance shall nevertheless, remain in full force and effect.

SECTION 6. This ordinance shall be effective immediately upon final approval by the City Council.

PASSED and APPROVED on first reading this 6th day of September, 1988.

PASSED and ADOPTED on second and final reading this 21st day of September, 1988.

APPROVED:

Clark K. Williams  
MAYOR

[Signature]  
CHAIRMAN

[Signature]  
CHAIRMAN PRO TEM

(MUNICIPAL SEAL)

[Signature]  
CITY CLERK

[Signature]  
COUNCILMEMBERS

COUNCILMEMBERS

1st Reading

2nd & Final Reading

Motioned By: D. Orange  
Seconded By: A. Fox

D. Orange  
A. Fox

P. Owens     aye  
A. Fox         aye  
D. Orange     aye  
D. Pettway    aye  
J. Goode       aye

aye  
aye  
aye  
aye  
aye

TCP/jb  
8/12/88

CERTIFICATE OF PUBLICATION

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

Gwendolyn E. Davis, City Clerk

*J.C.P.*ORDINANCE NO. 2390

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA MAKING APPROPRIATIONS FOR FISCAL YEAR ENDING SEPTEMBER 30, 1989; CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Manager has prepared and submitted to the City Council a Budget Estimate of the expenditures and revenues of all city departments, divisions, and offices for the fiscal year commencing October 1, 1988 and ending September 30, 1989, copies of such estimate having been made available to the newspapers in the city and to the municipal library which is open to the public; and

WHEREAS, the City Council has met in workshop sessions and held public hearings to ascertain the amount of money which must be raised to conduct the affairs of the municipality for the 1988-89 fiscal year so that the business of the municipality may be conducted on a balanced budget and on sound business principles and has also determined the amount necessary to be raised by ad valorem taxes and other taxes upon all of the property, real and personal, within the corporate limits of the City of Riviera Beach,

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Riviera Beach, Florida:

SECTION 1. The following appropriations are made for the municipal operations of the City of Riviera Beach, Florida, for the fiscal year 1988-89;

DEPARTMENTS, DIVISIONS AND OFFICES

<u>GENERAL FUND</u>	<u>APPROPRIATIONS</u>	
Legislative	\$	138,650
Executive		
Office of the City Manager		339,928
General Administration	1,423,066	1,288,066
Finance		883,020
City Clerk		266,526
Personnel		305,732
Legal		226,414
Community Development and Environmental Control	1,086,934	
Police	6,209,869	6,298,899

Public Works	1,532,583	
Recreation and Parks	1,311,144	
Library	285,053	295,523
Volunteer and Community Service	117,033	
<b>TOTAL GENERAL FUND</b>	<b>\$ <u>17,435,515</u></b>	<b><u>17,500,015</u></b>
<b><u>ENTERPRISE FUNDS</u></b>		
Water and Sewer	\$ 6,218,920	8,218,920
Water and Sewer Renewal and Replacement	1,450,000	
Water and Sewer Construction	2,475,000	5,475,000
Water and Sewer Debt Service	805,061	
Marina	1,397,891	
Marina Renewal and Replacement	109,000	
Marina Debt Service	909,164	
Refuse	<u>3,822,000</u>	
<b>TOTAL ENTERPRISE FUNDS</b>	<b>\$ <u>17,187,036</u></b>	<b>22,187,036</b>
<b><u>OTHER FUNDS</u></b>		
Excise Tax	\$ 3,153,500	
Sales Tax	1,425,000	1,365,000
Advance Police Training	9,500	
Public Improvement Bond Debt Service	696,409	
Public Improvement Bond Debt Service Reserve	50,000	
Capital Outlay	100,000	
Paving and Drainage Constructions	110,000	
Street Renewal and Replacement	275,000	
1984 Bond Constructions	500,000	
Salary Continuations	15,000	
Liability Insurance Trust	2,662,608	
Health Insurance	831,201	
Housing Trust	43,400	
Community Redevelopment	<u>389,927</u>	
Paving & Drainage Assessment		50,000
<b>TOTAL OTHER FUNDS</b>	<b>\$ 10,261,545</b>	<b>10,201,545/10,251,545</b>
<b>LESS: INTERFUND TRANSFERS</b>	<b>\$(10,821,206)</b>	<b>(12,761,206)/12,761,206</b>
<b>TOTAL OPERATING APPROPRIATIONS</b>	<b>\$ <u>34,062,890</u></b>	<b><u>37,127,390/37,177,390</u></b>

**SECTION 2.** The above appropriations are made based on the following anticipated sources of revenue for 1988-89 fiscal year:

<u>GENERAL FUND</u>	<u>REVENUE</u>	
Taxes	\$ 9,806,266	
Franchise Fees	589,100	514,100
Other Fees, Licenses and Permits	285,900	
Grants and other Government Shared Revenues	544,224	
Fines and Forfeitures	192,000	
Rents and Leases	58,200	
Other Revenues	335,000	
Interfund Transfers	4,974,825	4,914,825
Non-Revenues	<u>650,000</u>	849,500
<b>TOTAL GENERAL FUND</b>	<b>\$ <u>17,435,515</u></b>	<b><u>17,500,015</u></b>

ENTERPRISE FUNDS

Water and Sewer	\$ 6,218,920	8,218,920
Water and Sewer Renewal and Replacement	1,450,000	
Water and Sewer Constructions	2,475,000	5,475,000
Water and Sewer Debt Service	805,061	
Marina	1,397,891	
Marina Renewal and Replacement	109,000	
Marina Debt Service	909,164	
Refuse	<u>3,822,000</u>	
TOTAL ENTERPRISE FUNDS	<u>\$ 17,187,036</u>	22,187,036

OTHER FUNDS

Excise Tax	\$ 3,153,500	
Sales Tax	1,425,000	1,365,000
Advance Police Training	9,500	
Public Improvement Bond Debt Service	696,409	
Public Improvement Bond Debt Service Reserve	50,000	
Capital Outlay	100,000	
Paving and Drainage Construction	110,000	
Street Renewal and Replacement	275,000	
1984 Bond Construction	500,000	
Salary Continuation	15,000	
Liability Insurance Trust	2,662,608	
Health Insurance	831,201	
Housing Trust	43,400	
Community Redevelopment	<u>389,927</u>	
Paving & Drainage Assessment		50,000
TOTAL OTHER FUNDS	<u>\$ 10,261,545</u>	10,201,545/10,251,545
Less: Interfund Transfers	<u>\$(10,821,206)</u>	<u>(12,761,206)</u> /12,761,206
TOTAL ANTICIPATED OPERATING REVENUES	<u>\$ 34,062,890</u>	<u>37,127,390</u> /37,177,390

SECTION 3. This ordinance is an ordinance of precedence and all other ordinances in conflict with it are held null and void insofar as they pertain to these appropriations. The appropriations are the anticipated expenditure requirements for the City, but are not mandatory should efficient administration of City Departments, divisions and offices or altered economic conditions indicate that a curtailment in certain expenditures is necessary or desirable for the general welfare of the City.

SECTION 4. The City Manager is directed to prepare and file with the City Clerk a statement of the proposed expenditures and estimated revenues for the fiscal year 1988-89, which shall be entitled "Annual Budget of the City of Riviera Beach, Fiscal Year October 1, 1988 through September 30, 1989.

SECTION 5. The City Manager is hereby authorized to invite or advertise for bids for the purchase of any material, equipment, or service provided by the budget for which formal bidding is required; such bids to be returnable to the City Council or City Manager in accordance with Charter or Code provisions.

SECTION 6. This ordinance shall be effective upon passage by the City Council and shall not be delivered to the Municipal Code Corporation for inclusion in the Code Book.

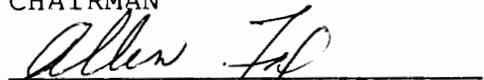
PASSED and ADOPTED on First Reading this 6th day of September 19 88

PASSED and ADOPTED on Second and Final reading this 21st day of September, 19 88.

APPROVED:

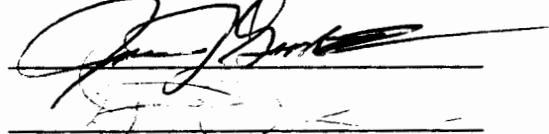
  
MAYOR

  
CHAIRMAN

  
CHAIRMAN PRO TEM

ATTEST:

  
CITY CLERK



Motioned By: D. Orange  
Seconded By: D. Pettway

2nd and Final Reading  
D. Orange  
A. Fox

D. Orange:	<u>aye</u>	<u>aye</u>
A. Fox	<u>aye</u>	<u>aye</u>
J. Goode	<u>aye</u>	<u>aye</u>
D. Pettway	<u>aye</u>	<u>aye</u>
P. Owens	<u>aye</u>	<u>aye</u>

TCP: jb  
08/16/88  
10/31/88 (dm)

**CERTIFICATE OF PUBLICATIONS**

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

Gwendolyn E. Davis, City Clerk

APPROVED AS TO FIGURES:

  
Dennis Widlansky  
Finance Director

**REVIEWED FOR LEGAL SUFFICIENCY**

  
**CITY ATTORNEY**  
**CITY OF RIVIERA BEACH**  
DATE: 12-24-88

ORDINANCE NO. 2391

AN ORDINANCE OF THE CITY COUNCIL OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING SECTION 16-31 OF ARTICLE III OF THE CITY OF RIVIERA BEACH CODE OF ORDINANCES AND THEREBY AMENDING THE CURRENT MARINA RATE SCHEDULES; ALSO DELETING SECTION 16-32 RELATING TO ADVANCE PAYMENTS; PROVIDING AN EFFECTIVE DATE.

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

SECTION 1

That Section 16-31 (a)(1) of the Code of Ordinances of Riviera Beach relating to rental rates for the in/out dry storage of the Riviera Beach Marina is HEREBY AMENDED to read as follows:

"IN/OUT DRY STORAGE MONTHLY RATES:

	<u>SIZE</u> <u>(in feet)</u>	<u>RATE</u> <u>(per month)</u>
up to	18'	106.92
	19'	112.20
	20'	118.80
	21'	124.74
	22'	130.68
	23'	136.62
	24'	142.56
	25'	148.50
	26'	154.00 "

SECTION 2

That Section 16-31 (a)(2) of the Code of Ordinances of Riviera Beach relating to rental rates for wet slips is HEREBY AMENDED to read as follows:

" BOAT LENGTH	<u>WINTER RATES (18%)</u>		<u>SUMMER RATES (18%)</u>	
	DAILY	MONTHLY	DAILY	MONTHLY
up to 35'	24.78	439.43	20.65	381.62
36'	25.48	451.98	21.24	392.51
37'	26.19	464.54	21.83	403.41
38'	26.90	477.09	22.42	414.32
39'	27.61	489.65	23.01	425.22
40'	28.32	502.20	23.60	436.12
41'	29.02	514.76	24.19	447.03
42'	29.73	527.31	24.78	457.93
43'	30.44	539.87	25.37	468.83
44'	31.15	552.42	25.96	479.74
45'	31.86	564.98	26.55	490.64
46'	32.56	577.53	27.14	501.54
47'	33.27	590.01	27.73	512.45
48'	33.98	602.64	28.32	523.35
49'	34.69	615.20	28.91	534.25
50'	35.40	627.76	29.50	545.16
51'	36.10	640.31	30.09	556.06
52'	36.81	652.87	30.68	566.96
53'	37.52	665.42	31.27	577.86
54'	38.23	677.98	31.86	588.77
55'	38.94	690.53	32.45	599.67
56'	39.64	703.20	33.04	610.57
57'	40.35	715.64	33.63	621.48
58'	41.06	728.20	34.22	632.38
59'	41.77	740.75	34.81	643.28
60'	42.48	753.31	35.40	654.19
61'	43.18	765.86	35.99	665.09
62'	43.89	778.42	36.58	675.99
63'	44.60	790.97	37.17	686.90
64'	45.31	803.53	37.76	697.80
65'	46.02	816.08	38.35	708.80
66'	46.72	828.80	38.94	719.60
67'	47.43	841.19	39.53	730.50

Summer months are May through October 30; Winter months are November through April 30.

All monthly rentals shall be prorated to the first of the month for the first and last month of any rental period."

**SECTION 3**

That Section 16-31 (a) (3) of the Code of Ordinances of Riviera Beach relating to miscellaneous and other charges is HEREBY AMENDED as follows:

**"(3) MISCELLANEOUS AND OTHER CHARGES:**

- a) Miscellaneous charges for services or merchandise may be established from time to time by the City Manager or his designee, but final approval of same shall be the decision of the City Manager."

[SECTION 16-31(b) remains unchanged]

SECTION 4

That Section 16-32 is HEREBY REPEALED.

SECTION 5

That this Ordinance shall take effect on OCTOBER 1, 1988.

PASSED AND APPROVED ON FIRST READING THIS 6th DAY OF  
September \_\_\_\_\_, 1988.

PASSED AND ADOPTED ON SECOND AND FINAL READING THIS 21st  
DAY OF September, 1988

APPROVED:

Charles K. Williams

MAYOR

[Signature]

CHAIRMAN

[Signature]

CHAIRMAN PRO TEM

ATTEST:

Quendolyn Curtis

CITY CLERK

Donald Pettway

[Signature]

MOTIONED BY: D. Pettway

- A. FOX aye
- J. GOODE aye
- D. ORANGE aye
- P. OWENS aye
- D. PETTWAY aye

COUNCILMEMBERS

TEC:OD/rh

REVIEWED FOR LEGAL SUFFICIENCY

\_\_\_\_\_

ORDINANCE NO. 2392

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING PARAGRAPHS (A) AND (B) OF SECTION 10-20.6 OF THE CITY CODE AND THEREBY INCREASING COLLECTION FEES FOR GARBAGE AND TRASH COLLECTION; PROVIDING AN EFFECTIVE DATE.

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

SECTION ONE

That paragraphs (a) and (b) 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 Ordinance is HEREBY AMENDED TO READ AS FOLLOWS:

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

The fee 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 mult-units, to include Condominiums, shall be charged ~~eleven Dollars and forty cents (\$11.40)~~ per month per living unit: fifteen dollars (\$15.00) per month per living unit.
- (2) MOTELS not having container service shall be charged ~~Eleven dollars and forty cents (\$11.40)~~ per month, per unit: fifteen dollars (\$15.00) per month per living unit.

(3) **SMALL COMMERCIAL BUSINESSES**  
 not having container service  
 shall be charged **twenty eight  
 dollars and Seventy five cents**  
~~(\$28.75)~~ per month: thirty  
 seven dollars and ninety-five  
 cents (\$37.95) per month.

(4) **CONTAINER SERVICE** rates  
 shall be as follows:

NUMBER OF PICK-UPS PER WEEK

Container Size yards	<u>NUMBER OF PICK-UPS PER WEEK</u>					
	1	2	3	4	5	6
2	<del>54.10</del>	<del>69.28</del>	<del>107.23</del>	<del>137.59</del>	<del>186.17</del>	<del>205.90</del>
	71.41	91.45	141.54	181.62	245.74	271.79
3	<del>61.97</del>	<del>107.51</del>	<del>130.05</del>	<del>201.62</del>	<del>251.72</del>	<del>301.81</del>
	81.80	141.91	171.67	266.14	322.27	398.39
4	<del>69.83</del>	<del>135.11</del>	<del>201.90</del>	<del>268.69</del>	<del>251.72</del>	<del>301.81</del>
	92.18	178.85	266.51	354.67	442.83	531.00
6	<del>99.69</del>	<del>202.17</del>	<del>268.97</del>	<del>335.76</del>	<del>402.55</del>	<del>469.34</del>
	131.59	266.84	355.04	443.20	531.37	619.53
8	<del>135.66</del>	<del>252.54</del>	<del>336.03</del>	<del>489.44</del>	<del>503.01</del>	<del>586.50</del>
	179.07	333.35	443.56	646.06	663.97	774.18

(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 the greater.

(7) THE CITY shall reserve the right to decide in the case of multiple residence the use of cans or containers of which will be more suitable for adequate collection for Refuse.

(B) It shall be the responsibility of the person(s) designed in Section 10-19, above, to provide for the removal of any appliance, couches, chairs, beds or like items. If the City is requested to remove such items, the request shall be made in person at the office of the City Clerk and shall pay the following charge at that time:

Removal of one item.....\$6.00

For each additional item..\$5.50

(C) Special Pick-Up. If the city makes a special pick-up the rate to be charged shall be \$40.00 for the first hour or fraction of an hour, and \$10.00 for each fifteen (15) minutes thereafter or fraction of a 1/4 hour.

#### SECTION TWO

This ordinance shall be effective for all billings for service commencing October 1, 1988.

PASSED and APPROVED on first reading this 6th day of September, 1988.

PASSED and ADOPTED on second and final reading this 21st day of September, 1988.

APPROVED:

*Clark H. Williams*

MAYOR

*[Signature]*

CHAIRMAN

*Allen Fay*

CHAIRMAN PRO TEM

(MUNICIPAL SEAL)

*Gwendolyn E. Davis*

CITY CLERK

*Donald Pettway*

*[Signature]*

COUNCILMEMBERS

Motioned By: 1st Reading  
                  D. Pettway  
Seconded By: D. Orange

2nd & Final Reading  
D. Pettway  
J. Goode

P. Owens           aye  
A. Fox               aye  
D. Orange          aye  
D. Pettway         aye  
J. Goode            aye

aye  
nay  
aye  
aye  
aye

TCP/jb  
8/29/88

CERTIFICATE OF PUBLICATION

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

Gwendolyn E. Davis, City Clerk

ORDINANCE NO. 2393

ORDINANCE OF THE CITY OF RIVIERA BEACH PALM BEACH COUNTY, FLORIDA, AMENDING PARAGRAPH 2 OF SECTION 2-118 OF THE CODE OF ORDINANCES AND THEREBY ADDING A NEW JOB ENTITLED "ADMINISTRATIVE SECRETARY TO THE CITY COUNCIL" AS A POSITION TO BE APPOINTED BY THE CITY COUNCIL, AND ADDING TO PARAGRAPH 2 THE POSITIONS OF LEGISLATIVE AIDE, AND DIRECTOR OF PARKS AND RECREATION; ALSO AMENDING PARAGRAPH 3 OF SECTION 2-118 AND THEREBY ADDING 19 JOB TITLES THERETO; PROVIDING AN EFFECTIVE DATE.

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

SECTION ONE

That paragraph (2) of Section 2-118 of Division 3 of Article VI of Chapter 2 is HEREBY AMENDED TO READ AS FOLLOWS:

"(2) Subject to the City Charter, the following positions shall be appointed by the City Council and shall serve at the pleasure of the City Council: City Manager, Chief of Police, City Clerk, Director of Finance, City Attorney, Legislative Aide, Administrative Secretary to the City Council, and Director of Parks and Recreation."

SECTION TWO

That paragraph (3) Section 2-118 of Division 3 of Article VI of Chapter 2 of the Code of Ordinances, IS HEREBY AMENDED TO READ AS FOLLOWS:

" (3) The following positions shall be appointed by the City Manager, subject to approval by the City Council:

Fire Chief, Assistant Chief of Police, Deputy City Manager, Assistant to the City Manager, Director of Personnel/Labor Relations, Building Official, Administrative Assistant to Building Official, Assistant Finance Director, City Engineer, Supervisor of Utility Billing and Collection, Director of Volunteer and Community

Services, Director of Community Development and Environmental Control, Administrative Assistant to the Director of Utilities, code Administrator, Library Director, Purchasing Director, Director of Public Works, Administrative Assistant to Director of Public Works, Economic Development Officer."

**SECTION THREE**

This Ordinance shall be effective upon final passage by the City Council.

PASSED and APPROVED on first reading this 6th day of September, 1988.

PASSED and ADOPTED on second and final reading this 21st day of September, 1988.

APPROVED:

MAYOR  
*Clark K. Williams*

*[Signature]*  
CHAIRMAN

*Allen Fox*  
CHAIRMAN PRO TEM

ATTEST:

(MUNICIPAL SEAL)  
*Gwendolyn E. Davis*  
CITY CLERK

*[Signature]*  
*Donald Pettway*

	1st Reading
MOTIONED BY:	<u>A. Fox</u>
SECONDED BY:	<u>D. Pettway</u>
P. Owens	<u>aye</u>
A. Fox	<u>aye</u>
J. Goode	<u>nay</u>
D. Pettway	<u>aye</u>
D. Orange	<u>aye</u>

COUNCILMEMBERS	2nd & Final Reading
	<u>D. Orange</u>
	<u>A. Fox</u>
	<u>aye</u>
	<u>aye</u>
	<u>nay</u>
	<u>aye</u>
	<u>aye</u>

TCP/dm/jb  
7-7-88

**CERTIFICATION OF PUBLICATION**

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

Gwendolyn E. Davis, City Clerk

ORDINANCE NO. 2394

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA AMENDING CHAPTER 14, ARTICLE I, SECTIONS 14-2, THIRD PARAGRAPH, OF THE CODE OF ORDINANCES OF RIVIERA BEACH, FLORIDA, RELATING TO PENSIONS AND RETIREMENT OF FIREMEN; PROVIDING THAT THE FIRST FISCAL YEAR QUARTERLY PAYMENT SHALL BE MADE PRIOR TO DECEMBER 31 OF THE APPLICABLE YEAR; PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. The third paragraph of Section 14-2 is hereby amended to read as follows:

The city finance director shall deliver to the Riviera Beach Municipal Firemen's Pension Trust Fund a sum of money, each year, equal to the actuarial deficiency or deficiencies as described above. These payments shall be made at least quarterly throughout the plan fiscal year of the trust fund city, with the first payment due on or prior to March 31 December 31 of the each fiscal year, to which the actuarial evaluation applies.

SECTION 2. This Ordinance shall take effect upon its final passage and adoption by the City Council and be retroactive to November 18, 1987.

PASSED and APPROVED on first reading this 7th day of September, 1988.

PASSED and ADOPTED on second and final reading this 21 day of September, 1988.

APPROVED:

Clark K. Williams  
MAYOR

[Signature]  
CHAIRMAN

ATTEST:

[Signature]  
CITY CLERK

[Signature]  
CHAIRMAN PRO TEM

[Signature]  
[Signature]

COUNCILMEMBERS

1st Reading

2nd & Final Reading

MOTIONED BY: D. Orange  
SECONDED BY: A. Fox

D. Goode  
A. Fox

P. Owens        aye  
A. Fox           aye  
J. Goode        aye  
D. Pettway     aye  
D. Orange      aye

aye  
aye  
aye  
out  
aye

TCP/dm  
6-22-88

[Codier Note: Underlined words are additions; stricken through words are deletions.]

ORDINANCE NO. 2395

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, FLORIDA, REPEALING CHAPTER 4 OF THE CITY CODE, RELATING TO ALCOHOLIC BEVERAGES AND ENACTING A NEW CHAPTER 4 RELATING TO ALCOHOLIC BEVERAGES, AND THEREBY REDUCING THE HOURS OF SALE OF ALCOHOLIC BEVERAGES AND REPEALING SEVERAL OUTDATED SECTIONS OF THE EXISTING CHAPTER 4; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Chief of Police has submitted evidence that the existing permitted hours for the sale of alcoholic beverages by the drink has been and is now harming the public interest of the City of Riviera Beach; and

WHEREAS, the City Council concurs with the recommendation of the Chief of Police;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Riviera Beach, Palm Beach County, as follows:

SECTION ONE

That the now existing Chapter four (4) of the Code of Ordinances of the City of Riviera Beach IS HEREBY REPEALED.

SECTION TWO

That a new Chapter 4 of the Code of Ordinances of the City of Riviera Beach, consisting of Sections 4-1 through 4-10 inclusive, reading as follows, IS HEREBY ENACTED.

"Chapter 4

ALCOHOLIC BEVERAGES

Sec. 4-1. Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Alcoholic beverage: All beverages containing more than one-half of one per cent of alcohol by volume.

Intoxicating beverages or intoxicating liquors: Such terms shall include only those alcoholic beverages containing more than 4.007 percent of alcohol by volume.

Liquor: Such term shall be taken to include the words "distilled spirits" and shall extend to and include all

spirituous beverages created by distillation and by mixture of distilled beverages by what is commonly termed "blending."

Premises: Any building from which alcoholic beverages are sold, including any lot, parcel, or ground on which said building is located.

Wine means all beverages made from fresh fruits, berries or grapes, either by natural fermentation or by natural fermentation with brandy added, in the manner required by the laws and regulations of the United States, and includes all sparkling wines, champagnes, combination of the aforesaid beverages, vermouths, and like products. Sugar, flavors, and coloring materials may be added to wine to make it conform to the consumer's taste, except that the ultimate flavor or the color of the product may not be altered to imitate a beverage other than wine or to change the character of the wine.

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[State law references-Liquors and beverages generally, F.S. §561.01 et seq.; municipality prohibited from imposing license tax on alcoholic beverages by way of license or excise or otherwise, §561.343(3); authority to regulate location of business, hours of sale and sanitary conditions for state beverage law licensees, §562.45; further authority to regulate hours of sale, §562.14.]

Other words or phrase shall be as defined in Section 561.01, Florida Statutes, and Chapters 561, 562, 563, 564 and 565 Florida Statutes.

**Sec. 4-2. Sale without state license and city certificate of approval and occupancy prohibited.**

(a) No beverage containing alcohol of more than one half of one per cent by volume shall be sold within the city, except by persons holding licenses permitting such sales issued by the state.

(b) All retail establishments for the sale of alcoholic beverages to be consumed either on or off the premises shall comply with the use of requirements as specified in the city zoning ordinance as applied to the zoning classification of the respective parcel of land.

**Sec. 4-3 Compliance with state and federal law; stamps, marks and labels.**

It shall be unlawful for any person to manufacture or to possess, or to offer for sale or to sell intoxicating liquors, wines or other beverages within the city which have not been manufactured and licensed pursuant to the laws of the United States and of the state.

**Sec. 4-4 Restrictions on issuance of licenses.**

(a) No license other than those in effect at the date of the adoption hereof [November 6, 1988] for the operation of a bar or package store (for consumption on or off the premises) for sale of intoxicating beverages shall be issued where the location of such proposed bar or package store is within five hundred (500) feet of another bar or package store, church or public, private or parochial school. The method of measurement shall be made or taken from the main front entrance of such church or school or place of business of such bar or package store to the main entrance of such applicant's place of business along the route of ordinary pedestrian traffic.

(b) In the event any bar or package store lawfully licensed on the date of the adoption hereof [November 6, 1988] shall after such date, cease operation, shall fail to renew its license or in the event its license is for any reason revoked no new license shall thereafter issue to such place of business if it shall be located within such five hundred (500) feet from any then existing bar or package store, church, or public, private or parochial school.

(c) Notwithstanding the provisions of subsections (a) and (b) of this section, the place of business for the operation of any licensed bar or package store may be moved or transferred to another location within the city provided either:

(1) The new location is within five hundred (500) feet of the former location and there are not a greater number of bar and package stores within five hundred (500) feet thereof than existed within five hundred (500) feet of the former location, or

(2) The new location is not within five hundred (500) feet of any bar or package store, church, public, private or parochial school. The measurement shall be made by the city engineer as provided in section (a) hereof, and his determination shall be final and binding, on all parties. The bars and package stores licensed under subsection (e) hereof shall be excluded from any computations made hereunder.

(d) The license desiring to transfer a license from one location to another as herein permitted must file with the Director of Community Development and Environmental Control a written application for such transfer, giving the exact location of the then existing place of business and the exact location of the proposed new place of business. The transfer to the new location shall not be made until authorized by the Director.

(e) The provisions of (a), (b), (c), and (d) hereof shall not apply to hotels or motels of at least one hundred (100)

rooms, or to restaurants serving the general public having full course meals accommodations for service of one hundred and fifty (150) or more patrons at tables, and occupying at lease two thousand five hundred (2,500) square feet of space, being the type of license contemplated by section 561.20, Florida Statutes, shall not hereafter be moved to a new location, such licenses being valid only on the premises of the hotel or restaurant constituting the basis for their original issuance; and provided further, where such license is issued to a hotel with at least one hundred (100) guest rooms. All entrances to such bar or package store shall be within such hotel and there shall be no display of goods visible from the street and no exterior advertising, and such bar or package store shall be operated wholly within the confines of such hotel and such display shall not be visible from any street or public thoroughfare.

(f) Anything in this chapter to the contrary notwithstanding, it shall be unlawful for any person to sell, serve or consume, or to permit the sale, service or consumption of any intoxicating liquors or beverages except beer, ale and wine in any place holding a license from the state, or in any public place within the city, and it shall be unlawful for any person to buy, sell or deliver, or to permit the purchase, sale or delivery of any intoxicating liquors or beverages except beer, ale and wine in sealed containers for consumption off the premises:

- (1) Between the hours of 2:00 a.m. and 7:00 a.m. on all Sundays, Mondays, Tuesdays, Wednesdays and Thursdays that are not National holidays, except January first of any year.
- (2) Between the hours of 3:00 a.m. and 7:00 a.m. on Fridays, Saturdays, and National holidays.
- (3) Between the hours of 5:00 a.m. and 7:00 a.m. on the first of January of each year.

(g) The provisions of subsections (a), (b), (c), and (d) of

this section shall not apply to "club licenses" as defined in Florida Statutes Section 565.02(4) or to beer and wine licenses for consumption off the premises.

(h) The provisions of subsections (a), (b) and (c) of this section shall not apply to four (4) COP licenses issued by the division of beverages of the Department of Business Regulation.

**Sec. 4-5. Soliciting drinks of alcoholic beverages by employees and others prohibited.**

(a) It shall be unlawful for any employee, musician, dancer, singer or other entertainer of an establishment dispensing alcoholic beverages for consumption on the premises to solicit alcoholic drinks from any patron of such establishment.

(b) It shall be unlawful for an owner, operator or manager of a place dispensing alcoholic beverages for consumption on the premises to employ or permit to remain on the premises any person for the purpose of soliciting alcoholic drinks from any patron of such establishment.

**Sec. 4-6. Prohibiting persons frequenting or loitering in establishment for the purpose of soliciting drinks.**

It shall be unlawful for any person, not an employee thereof, to frequent or loiter in any establishment dispensing alcoholic beverages for consumption on the premises for the purpose of soliciting alcoholic drinks from any patron of such establishment.

**Sec. 4-7. Gasoline stations; alcoholic beverages prohibited.**

No liquor or intoxicating beverages of any kind or nature, shall be sold at any gasoline filling station. This does not prohibit the sale of wine, beer, or ale for consumption off of the premises.

**Sec. 4-8 Drinking intoxicating beverages on streets, public ways or places; penalty.**

(a) No person shall drink any spirituous, vinous, malt or other intoxicating liquors in or upon any street, avenue, alley, park, beach, parking lot where same is sold, or other public way or public place in the city, provided, however, the City Manager may authorize the consumption of said alcoholic beverage in a

public park or building when used in conjunction with a picnic, social event, or public gathering held by a family, group of persons, or organization.

(b) Such authorization shall be in writing and shall set forth the date, time and place during which said alcoholic beverages may be consumed.

(c) The City Manager shall not grant such authorization if in his opinion, for stated reasons, the public safety or peace may become impaired.

**Sec. 4-9. Penalties.**

Any person, firm, or corporation, or any member of any firm or corporation, violating the provisions of this chapter shall, upon conviction, be punished as provided in section 1-8 of this Code.

**Sec. 4-10. Violation of state law deemed violation of chapter.**

Every violation of the laws of the state relating to the possessing, sale, gift, service, or permitting the service of alcoholic beverages, now or hereafter enacted, is hereby made a violation of this chapter."

**SECTION THREE**

This Ordinance shall take effect upon effect on November 6, 1988.

PASSED and APPROVED on first reading this 21st day of September, 1988.

PASSED and ADOPTED on second and final reading this 5th day of October, 1988.

APPROVED:

Clare K. Williams  
MAYOR

(MUNICIPAL SEAL)

Dwight L. E. Williams  
CITY CLERK

[Signature]  
CHAIRMAN

Allen Foy  
CHAIRMAN PRO TEM

[Signature]  
DONALD KELLY

\_\_\_\_\_  
COUNCILMEMBERS

	1st Reading	2nd & Final Reading
Motioned by:	<u>J. Goode</u>	<u>J. Goode</u>
Seconded by:	<u>D. Orange</u>	<u>D. Pettway</u>
P. Owens	<u>aye</u>	<u>aye</u>
A. Fox	<u>aye</u>	<u>aye</u>
D. Orange	<u>aye</u>	<u>absent</u>
D. Pettway	<u>aye</u>	<u>aye</u>
J. Goode	<u>aye</u>	<u>aye</u>

TCP:jb  
8-3-88

CERTIFICATE OF PUBLICATION

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

Gwendolyn E. Davis, City Clerk

ORDINANCE NO. 2396

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING SECTION 2-120.1 TO CLARIFY THE DEFINITION OF "EARNINGS" SUCH THAT BASIC WAGES SHALL INCLUDE AND HISTORICALLY HAS INCLUDED SALARY, LONGEVITY, EARNED, ACCRUED AND UNUSED VACATION, SICK LEAVE, AND UNREIMBURSED OVERTIME; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the definition of basic wages, a factor in computing "Earnings" as defined in the Riviera Beach Code of Ordinance, Section 2-120.1(11), historically has been construed to mean basic wages that included salary, longevity, earned accrued and unused vacation, sick leave, and unreimbursed overtime; and,

WHEREAS, "basic wages" has been historically construed to exclude severance pay, travel allowance, and clothing allowance; and,

WHEREAS, the clarification of the meaning of basic wages, a factor in determining Earnings, will provide a clearer construction of the General Employee Pension Plan.

NOW, THEREFORE IT IS ORDAINED, by the City Council of the City of Riviera Beach as follows:

SECTION ONE.

That Riviera Beach Code of Ordinance, Section 2-120.1(11), is amended to provide as follows:

"(11) Earnings means basic wages and regular longevity bonuses paid to a member-, excluding nonregular overtime, bonuses and any other nonregular payments. Basic wages includes salary, longevity, earned, accrued and unused vacation, sick leave, and unreimbursed overtime. Basic wages shall not include severance pay, travel allowances, or clothing allowances."

SECTION TWO

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

PASSED and APPROVED on first reading this 19th day of October, 1988.

PASSED and ADOPTED on second and final reading this 2nd day of November, 1988

APPROVED:

Alan K. Williams  
MAYOR

(MUNICIPAL SEAL)

Dorothy Owens  
CITY CLERK

Motioned By:	<u>1st Reading</u>
Seconded By	<u>D. Orange</u>
	<u>A. Fox</u>
P. Owens	<u>aye</u>
A. Fox	<u>aye</u>
D. Orange	<u>aye</u>
D. Pettway	<u>aye</u>
J. Goode	<u>aye</u>

TCP/jb  
8/30/88

Allen Fox  
CHAIRMAN  
Allen Fox  
CHAIRMAN PRO TEM

Donald Pettway

COUNCILMEMBERS

	<u>2nd &amp; Final Reading</u>
	<u>D. Orange</u>
	<u>A. Fox</u>
	<u>aye</u>

**ORDINANCE NO. #2397**

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING SECTION 2-100 IN CHAPTER 2, ARTICLE VI, DIVISION 3, OF THE CODE OF ORDINANCES OF RIVIERA BEACH, FLORIDA RELATING TO RATES OF PAY AND SALARY SCHEDULE BY CREATING THE CLASSIFIED POSITION OF BUILDING TECHNICIAN I UNDER CLASS TITLE "BUILDING & INSPECTIONS" AND BY CREATING THE UNCLASSIFIED POSITION OF SENIOR PLANNER UNDER CLASS TITLE "PLANNING RESPECTIVELY"; PROVIDING AN EFFECTIVE DATE.

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

**SECTION 1.** That Section 2-100 in Chapter 2, Article VI, Division 3, of the Code of Ordinances of Riviera Beach, relating to rates of pay and salary schedule IS HEREBY AMENDED by creating and adding thereto the classified position of "Building Technician I" and the unclassified position of "Senior Planner" as follows:

<u>CLASS TITLE</u>	<u>CLASSIFICATION</u>	<u>PAY GRADE</u>	<u>SALARY</u>
BUILDING & INSPECTIONS	Building Technician I	G22	\$15,185- \$23,692
PLANNING	Senior Planner	Rge. E	\$27,627- \$35,916

**SECTION 2.** This Ordinance shall take effect upon its final passage and adoption by the City Council.

PASSED and APPROVED on first reading this 2nd day of November, 1988.

PASSED and ADOPTED on second and final reading this 10th day of November, 1988.

APPROVED:  
*Alan K. Williams*  
MAYOR

*[Signature]*  
CHAIRMAN

ATTEST:  
*[Signature]*  
CITY CLERK

*[Signature]*  
CHAIRMAN PRO TEM  
*[Signature]*  
Donald Pettus

1st Reading  
Motioned by: D. Pettway  
Seconded by: D. Orange

COUNCILMEMBERS  
2nd and Final Reading  
D. Pettway  
D. Orange

P. Owens: aye  
A. Fox: aye  
D. Orange: aye  
D. Pettway: aye  
J. Goode: aye

aye  
aye  
aye  
aye  
aye

REVIEWED FOR LEGAL SUFFICIENCY  
*[Signature]*  
CITY ATTORNEY  
CITY OF RIVIERA BEACH

ORDINANCE NO. 2398

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING PETITIONS FOR VOLUNTARY ANNEXATION OF CERTAIN PARCELS OF LAND IN THE UNINCORPORATED AREA OF PALM BEACH COUNTY, FLORIDA, CONTIGUOUS TO THE PRESENT BOUNDARIES OF THE CITY OF RIVIERA BEACH, PROVIDING FOR REDEFINING OF THE MUNICIPAL BOUNDARIES TO INCLUDE SAID PARCELS, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING AN EFFECTIVE DATE THEREOF, AND FOR OTHER PURPOSES IN ACCORDANCE WITH CHAPTER 171, SECTION 171.044 FLORIDA STATUTES 1985.

WHEREAS, in June 1970, the Legislature of the State of Florida by House Bill No. 5236 designated "Greater Riviera Beach Area; and specified that the City of Riviera Beach may annex the "Greater Riviera Beach Area" or any part thereof at any time in any manner then allowed by the constitution and general laws of the State of Florida; and as provided by the City Charter; provided however, that any area thus annexed must be adjacent to and contiguous to the existing limits of the City of Riviera Beach, and

WHEREAS, in July 1972, Area Planning Board of Palm Beach County acting as agent for the Florida Department of Pollution Control designated City of Riviera Beach as the sole agent to provide water distribution and sewage collection and or treatment in Greater Riviera Beach Area (also known as Reserve Annexation Area), and

WHEREAS, Petitions and Affidavits for Voluntary Annexation have been submitted by owners of property adjacent to the City of Riviera in the Reserve Annexation Area. Copies of said Petitions and Affidavits for Voluntary Annexations are attached hereto and made a part of this Ordinance, as filed for the following:

PETITION #1

PETITIONER: WGI PROPERTIES, INC.

PROPERTY CONTROL #00-43-42-31-00-000-3034 & 3140

PETITION #2

PETITIONER: SEYMOUR A. FINE

PROPERTY CONTROL #00-42-43-01-00-000-3021

00-42-43-01-00-000-3020

00-42-43-01-00-000-3040

PETITION #3

PETITIONER: DOMINICK J. NUNZIATO

PROPERTY CONTROL #00-42-42-36-00-000-5140

PETITION #4

PETITIONER: PALM BEACH CLAY TILE COMPANY

PROPERTY CONTROL #00-42-42-25-00-000-7060

PETITION #5

PETITIONER: HILLBRATH INVESTMENTS LTD.

PROPERTY CONTROL #00-42-42-36-00-000-3120

00-42-42-25-00-000-7050

PETITION #6

PETITIONER: KARMA ASSOC., INC.

PROPERTY CONTROL #00-42-42-36-00-000-3180

00-42-42-25-00-000-7220

00-42-42-25-00-000-7040

PETITION #7

PETITIONER: ALFONS & JOSEF SCHMIT

PROPERTY CONTROL #00-42-42-25-00-000-7240

00-42-42-25-00-000-7250

PETITION #8

PETITIONER: JOHN F. HARMS AND LAURA K. HARMS

PROPERTY CONTROL #00-42-42-25-00-000-7150

PETITION #9

PETITIONER: PILOT CORPORATION OF THE PALM BEACHES

PROPERTY CONTROL #00-42-42-25-00-000-7160

PETITION #10

PETITIONER: JACK MELTON

PROPERTY CONTROL #00-42-42-25-00-000-7170

PETITION #11

PETITIONER: MCI TELECOMMUNICATIONS CORPORATION

PROPERTY CONTROL #00-42-42-36-00-000-3060

PETITION #12

PETITIONER: MID-FLORIDA SERVICE CORP.

PROPERTY CONTROL #00-42-42-36-00-000-3030

PETITION #13

PETITIONER: TROFIGAS INC. OF FLORIDA  
PROPERTY CONTROL #00-42-42-25-00-000-7230

PETITION #14

PETITIONER: STANDARD CONCRETE CORP.  
PROPERTY CONTROL #00-42-42-25-00-000-7030

PETITION #15

PETITIONER: KELLER INDUSTRIES, INC.  
PROPERTY CONTROL #00-42-42-36-00-000-3092

PETITION #16

PETITIONER: REALTEC GROUP  
PROPERTY CONTROL #00-42-42-36-00-000-7270

PETITION #17

PETITIONER: ARTHUR POISSON  
PROPERTY CONTROL #00-42-42-36-00-000-5010

WHEREAS, the City Council of the City of Riviera Beach, Florida has examined the attached petitions and finds the following to be true:

- (a) The petitioners are owners of the properties described therein.
- (b) The petitions bear the notarized signatures of the owners of the properties proposed to be annexed.
- (c) The properties proposed to be annexed are in the unincorporated area of Palm Beach County, contiguous to the present boundaries of the City of Riviera Beach, Florida.
- (d) No parts of the properties proposed to be annexed are included within the boundary of another incorporated municipality.
- (e) The City has the capability to provide municipal services, e.g.; fire and police protection, water and sewer services, garbage and trash collection to the subject parcels at the same level of services as such services are provided within the rest of the municipality.
- (f) This ordinance is being initiated by the City of Riviera Beach, Florida, under Section 171.044 Voluntary Annexation, F.S. 1985.

WHEREAS, the City of Riviera Beach has agreed to furnish the municipal utilities, e.g. water and sewer to subject properties for development purposes upon receipt of their respective Voluntary Petitions for Annexation; and subject to conditions set forth in the petitions.

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

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

SECTION 2. This Ordinance shall be read by Title on first reading, and shall be published in its entirety once a week for four (4) consecutive weeks in a newspaper of general circulation in Palm Beach County, Florida. Thereupon after second reading by Title only, this Ordinance shall become effective immediately upon passage and adoption, and the annexation shall become effective December 7, 1988.

SECTION 3. Within Thirty (30) days after final passage and publication, a certified copy of this Ordinance shall be filed by the City Clerk with the Secretary of State of the State of Florida as a revision of its Charter, the Clerk of the Circuit Court, Palm Beach County and other agencies as required by Law.

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

SECTION 5. Should any part of provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Ordinance as a whole, or any part thereof than the part declared to be invalid.

SECTION 6. All Ordinances of the City of Riviera Beach, Florida, shall apply to the property proposed to be annexed when the annexation is final.

SECTION 7. The City Clerk is hereby directed to update City's Land Use and Zoning Maps to include above named parcels within the municipal boundaries.

SECTION 8. Upon annexation, the City shall assign the herein referenced Land Use and Zoning designations to said parcels, in accordance with procedures of Chapter 163, Florida Statutes.

SECTION 9. The corporate limits of the City of Riviera Beach are hereby redefined to include subject

petitions as follows:

"Beginning at the Northwest corner of Section 29, Range 43 East, Township 42 South, of the Tallahassee Meridian, Palm Beach County, Florida; thence Easterly along the North lines of said Section 29, Section 28, and Section 27, of said Township and range, to the point of intersection with the centerline of the Intracoastal Waterway, thence northerly along said centerline to the point of intersection with a line parallel to and 1,294.00 feet South of the North line of Section 22, of said Township and Range; thence Easterly along said parallel line to a point in the Westerly boundary of the submerged land area conveyed by the trustees of the Internal Improvement Trust Fund of the State of Florida, to the Lake Worth Realty Company, (a Florida Corporation by the Trustee's Deed No. 17146, recorded in deed Book 205, Page 82, Public Records of Palm Beach County, Florida); thence Northerly along said Westerly boundary to the point of intersection with a line parallel to and 8,000.00 feet South of, the North line of Section 10, of said Township and Range; thence Easterly along said parallel line to the Westerly edge of Gulfstream or a distance of three geographical miles, whichever is the greater distance to the common boundary of the State of Florida and that of Palm Beach County; thence Southerly along the edge of the Gulfstream or along a line three geographical miles from the Atlantic Coast Line as described in The Constitution of the State of Florida (as revised in 1968 and subsequently amended by Article III, Section 1, Paragraph (a) to a point in the Easterly extension of a line parallel and 998.96 feet South of the South line a tract of land in Palm Beach County known as Replat Yacht Harbor, (as is recorded in Plat Book 23, Page 57, of the Public Records of Palm Beach County, Florida); thence Westerly along said parallel line to the point of intersection with the centerline of the channel of the Intracoastal Waterway, as now established; thence Southwesterly and Southerly along said centerline of channel to the South line of Township 42 South, Range 43 East; thence Westerly along said South line of Township 42 South to the Southeast corner of Section 31, of

said Township and Range; thence Northerly along the East line of said Section 31, to the South Right-of-Way line of State Road 710; thence Westerly along the South line of State Road 710 to its point of intersection with the proposed centerline of Congress Avenue Right-of-Way; thence Southerly along said centerline to its point of intersection with the South Right-of-Way line of the Seaboard Coast Line Railroad Right-of-Way as now established; thence Southeasterly along said Right-of-Way line to its point of intersection with the South line of said Section 31, Township 42 South, Range 43 East; thence Westerly along said South line of Section 31, to the Southeast corner of Section 36, Township 42 South, Range 42 East; thence continuing Westerly along said South line of Section 36, 2610.00 feet ± to its point of intersection with the East Right-of-Way line of Military Trail; thence Northerly along said Right-of-Way line 664.88 feet to the point of intersection with a line parallel with and 664.88 feet North, measured at right angles, of the South line of Section 36; thence Easterly along a line parallel to and 230 feet North of the Northerly most Right-of-Way line of North Palm Beach Water Control District Canal a distance of 1305.84 feet to a point 1304.29 feet West of the East line of Section 36, Township 42 South, Range 42 East; thence Northerly along a line parallel with the East line of said Section 36 a distance of 330.00 feet to a point; thence Westerly to the Westerly Right-of-Way line of Military Trail (State Road 809); thence Southerly along the Westerly Right-of-Way line of Military Trail, said line having a bearing of North 03° 41' 15" East a distance of 2653.17 feet; thence South 87° 46' 43" East 880.55 feet; thence South 51° 46' 38" West 677.08 feet; thence South 38° 13' 22" East 108.88 feet; thence South 51° 46' 38" West 85.46 feet; thence along a curve of 110 feet radius 96.60 feet; thence South 01° 27' 35" 385.46 feet; thence along a curve of 85 feet radius 108.14 feet; thence South 01° 27' 35" West 203.71 feet to the South section line of section 36; thence Westerly along said South line of section 36, to the Southwest corner of section 36, Township 42 South, Range 42 East, and the East Right-of-Way line of Haverhill Road, thence Northerly along the West line of said

Section 36, 2583.36 feet to a point 52.50 feet South of the East-West Center section line of said Section 36; thence Easterly along a line parallel to and 52.50 feet South of the East-West Center section line of said Section 36; 2690.00 feet to the East Right-of-Way line of Military Trail (State Road 809); thence Northerly along the east Right-of-Way line of Military Trail 52.50 feet to the East-West Center Section 36; thence Easterly along said East-West Center Section line also the South Right-of-Way line of East Palm Beach Canal a distance of 10.00 feet to a point designated as a Point of Beginning as shown on Plat 1 WESTROADS BUSINESS and INDUSTRIAL PARK (and recorded in Plat Book 29, Page 137, Public Records of Palm Beach County); thence North  $02^{\circ} 20' 11''$  East along the East Right-of-Way line of Military Trail, 270.09 feet to a point of curvature; thence Northeasterly along a 25 foot radius curve an arc distance of 39.18 feet to a point of tangency in the South Right-of-Way line of Westroads Drive; thence South  $87^{\circ} 42' 34''$  East along said South Right-of-Way line of Westroads Drive 355.09 feet to a point in the South Right-of-Way line of said East Palm Beach Canal and in said East-West Center Section line; thence South  $87^{\circ} 52' 34''$  East along said canal Right-of-Way line and Center Section line 580.01 feet to a point designated as a Point of beginning as shown in Plat No. 2 WESTROADS BUSINESS and INDUSTRIAL PARK (and recorded in Plat Book 29, Page 193, Public Records of Palm Beach County); thence North  $02^{\circ} 20' 11''$  East along the West Boundary line of Tract "B" of said Plat No. 2 a distance of 345.00 feet to a point in the North Right-of-Way line of Westroads Drive; thence South  $87^{\circ} 52' 34''$  East along the North Right-of-Way of Westroads Drive, a distance of 38.00 feet to a point; thence North  $02^{\circ} 20' 11''$  East a distance of 460.00 feet to a point in the Westerly Plat line of Plat No. 3 WESTROADS BUSINESS and INDUSTRIAL PARK (and recorded in Plat Book 30, Pages 145 and 146, Public Records of Palm Beach County); thence North  $87^{\circ} 52' 34''$  West 353.00 feet to a point on West Right-of-Way line of White Drive; thence South  $02^{\circ} 20' 11''$  West along said West Right-of-Way line a distance of 110.00 feet; thence North  $87^{\circ} 52' 34''$  West a distance of 265.00 feet;

Right-of-Way line of Haverhill Road as established and now in use; thence Northerly along the West section line of Section 36 to the Southwest corner of Section 25; thence Northerly along the West section line of Section 25 a distance of 898.30 feet; thence Westerly a distance of 150.00 feet; thence Northerly and parallel with the West section line of Section 25 to the point of intersection with the southeasterly Right-of-Way line of Seaboard Coast Line Railroad; thence Southeasterly to the point of intersection with the West section line of Section 25; thence Southerly along said section line a distance 481.74 feet; thence Easterly a distance of 390.68 feet; thence Northerly at an angle of  $94^{\circ} 19' 38''$  with previous course a distance of 225.83 feet to the point of intersection with the Southeasterly Right-of-Way line of Seaboard Coast Line Railroad; thence Southeasterly along said railroad Right-of-Way line to the point of intersection with the Easterly line of Harbour Road; thence Southerly along said Right-of-Way line to a point 570.00 feet North of the North Right-of-Way line of Dyer Boulevard; thence Easterly and parallel with said Right-of-Way 240.00 feet; thence Northerly and parallel with the centerline of Military Trail to the point of intersection with the Northwesterly Right-of-Way line of Beeline Highway (S.R. 710); thence Northwesterly along said Right-of-Way to the point of intersection with the South Right-of-Way line of Blue Heron Boulevard; thence Easterly along said Right-of-Way a distance of 1456.48 feet; thence Southerly parallel with West Right-of-Way line of Military Trail a distance of 153.00 feet; thence Easterly parallel with South Right-of-Way line of Blue Heron Boulevard to the point of intersection with East Right-of-Way line of Military Trail; thence Northerly along said Right-of-Way a distance of 506.00 feet to a point on the East Right-of-Way of Military Trail; thence Easterly, parallel with and 200.00 feet north of North Right-of-Way of Blue Heron Boulevard a distance of 200.00 feet; thence Southerly and parallel with and 200.00 feet east of East Right-of-Way of Military Trail to the point of intersection with South Right-of-Way of Blue Heron Boulevard; thence South  $88^{\circ} 11' 59''$  East along the said

Right-of-Way a distance of 275.01 feet; thence South  $02^{\circ} 10' 17''$  West a distance of 1509.60 feet to a point in the North Right-of-Way of State Road 710; thence South  $53^{\circ} 15' 51''$  East along said Right-of-Way line a distance of 321.80 feet; thence South  $2^{\circ} 10' 17''$  West parallel with East Right-of-Way of Military Trail to a point on the South Right-of-Way of Seaboard Coast Line Railroad; thence continue Southwesterly along East property line of Tract "E" of Westroads Business and Industrial Park to a point on a curve of 50 foot radius and being the North Right-of-Way line of White Drive; thence Westerly along said arc a distance of 140.08 feet; thence along the arc of 25 foot radius a distance of 21.03 feet to the point of tangency; thence South  $02^{\circ} 20' 11''$  West along West Right-of-Way of White Drive a distance of 223.87 feet to a point; thence South  $87^{\circ} 52' 34''$  East a distance of 353.00 feet to a point on the West property line of Tract "F"; thence North  $02^{\circ} 20' 11''$  East along the West property line of Tract "F" a distance of 373.66 feet to a point designated as a permanent reference monument number 1686 on the Southwesterly Right-of-Way line of the Seaboard Coast Line Railroad as now established; thence Southeasterly along said Southwesterly Right-of-Way line 4914.13 feet  $\pm$  to the point of intersection with the Westerly Right-of-Way line of South Florida Water Management District Canal C-17; thence Northerly along said Westerly Right-of-Way line of Canal-17 a distance of 770.00 feet  $\pm$  to a point on the North Right-of-Way line of State Road 710 which is on a curve having a radius of 2159.03 feet and concave to the Northeast; thence proceeding Northwesterly on the arc of said curve a distance of 629.00 feet  $\pm$  to a point on the curve being the Southwest corner of a property (as Recorded in Official Record Book 2992 Page 562 Public Records of Palm Beach County); thence North  $01^{\circ} 56' 54''$  East a distance of 160.89 feet to a point on the Northwest corner of said property; thence South  $82^{\circ} 30' 24''$  East a distance of 494.00 feet  $\pm$  to a point on the East Right-of-Way line of Garden Road said point on a curve having a radius of 1950.08 feet and a central angle of  $12^{\circ} 21' 14''$ ; thence Northerly along arc of said curve to the point of tangency; thence  $02^{\circ} 33' 05''$  East on said Easterly Right-of-Way line a distance of

56.62 feet; thence North  $87^{\circ} 37' 23''$  West along the South line of said Northwest quarter (NW 1/4) 800.74 feet to Southeast corner of Parcel A-1 as shown on Adair and Brady, Inc., Drawing 599; thence  $2^{\circ} 22' 37''$  East along East line of the said Parcel perpendicular to the previous course 350.00 feet; thence North  $87^{\circ} 37' 23''$  West a distance of 400.00 feet to the intersection of the East Right-of-Way line of State Road 9; thence North  $19^{\circ} 20' 02''$  West along said Easterly Right-of-Way line of I-95, 187.57 feet to a point in the Southeasterly Right-of-Way line of a drainage canal; thence South  $70^{\circ} 39' 58''$  West along said Canal Right-of-Way line 50.00 feet to a point in said Easterly Right-of-Way line of I-95; thence North  $19^{\circ} 29' 02''$  West along said Right-of-Way line of I-95 and West Right-of-Way line of said Canal 1015.15 feet; thence North  $70^{\circ} 39' 58''$  East along a line between said Plat No. 2 and Plat No. 1, Interstate Industrial Park (recorded in Plat Book 34, Page 158), a distance of 365.00 feet to a point in the Southwesterly Right-of-Way line of Interstate Park Road West; thence South  $19^{\circ} 20' 02''$  East along said Right-of-Way line a distance of 308.67 feet to a point in the extended Southerly Right-of-Way line of Interstate Park Way; thence south  $87^{\circ} 56' 50''$  East along said Right-of-Way line to a point on the South Right-of-Way of Interstate Park Way, said point being 301.87' from the West Right-of-Way of Garden Road; thence Northerly at right angle with previous course to the South Right-of-Way of Interstate Park Way North; thence Easterly along the said South Right-of-Way to the East Right-of-Way line of Garden Road; thence North  $02^{\circ} 37' 43''$  East along said Right-of-Way line a distance of 1460.28 feet to its point of intersection with the South line of Section 30, Township 42 South, Range 43 East, Palm Beach County, Florida; thence Westerly along said Section line to the point of intersection with the West Right-of-Way line of I-95 (State Road #9); thence Northwesterly along said Right-of-Way to a point 298.72 feet South of the centerline of Blue Heron Boulevard and the said point being on the West Right-of-Way of I-95; thence North  $88^{\circ} 11' 19''$  West a distance of 700.13 feet; thence North  $01^{\circ} 48' 41''$  West a distance of 400 feet to the North Right-of-Way line of Blue

Heron Boulevard; thence Northerly parallel with East Section line a distance of 600 feet; thence Easterly a distance of 975.32 feet to a point on the West Right-of-Way line of State Road #9; thence continue Easterly to the East Right-of-Way of State Road #9 (I-95); thence Southeasterly along said East Right-of-Way to a point on the North Right-of-Way of Blue Heron Boulevard; thence Southerly a distance of 200.00 feet on the South Right-of-Way of Blue Heron Boulevard; thence Southwesterly to the point of intersection with East Right-of-Way line of I-95; thence continue along said East Right-of-Way line to a permanent reference monument as shown on Plat No. 1 of Florida-Georgia; thence South  $87^{\circ} 40' 36''$  East along North property line of said Plat of Florida-Georgia a distance of 460.99 feet; thence North  $02^{\circ} 19' 42''$  East a distance of 200.00 feet to a point being on the South Right-of-Way line of Blue Heron Boulevard; thence along said Right-of-Way a distance of 625.00 feet; thence North  $02^{\circ} 19' 24''$  East a distance of 46 feet to a point; thence South  $87^{\circ} 40' 36''$  East a distance of 935.66 feet to its point of intersection with the West Right-of-Way line of South Florida Water Management District Canal C-17; thence Northerly along said Right-of-Way line a distance of 1158 feet to a point 2,739.84 feet South of the North line of Section 30, said Township and Range; thence North  $87^{\circ} 40' 36''$  West a distance of 398.42 feet to a point; thence South  $02^{\circ} 19' 24''$  West a distance of 135.00 feet to a point; thence  $87^{\circ} 40' 36''$  West a distance of 367.00 feet to a point; thence North  $02^{\circ} 19' 24''$  East a distance of 281.00 feet to a point; thence North  $87^{\circ} 40' 36''$  West a distance of 30 feet to a point; thence North  $02^{\circ} 19' 24''$  East a distance of 313.00 feet; thence North  $87^{\circ} 40' 36''$  West a distance of 340.0 feet to a point of East Right-of-Way line of Central Industrial Drive; thence Northerly along said East Right-of-Way a distance of 220.52 feet; thence South  $87^{\circ} 40' 36''$  East a distance of 1445.40 feet to the East Right-of-Way line of South Florida Water Management District Canal C-17; thence Southerly along said Easterly Right-of-Way line a distance of 567.41 feet to the East-West centerline of said Section 30, said Township and Range; thence Easterly along said

thence South  $02^{\circ} 20' 11''$  West a distance of 52.00 feet;  
thence North  $87^{\circ} 52' 34''$  West a distance of 390.00 feet to a  
point on the East Right-of-Way of Military Trail as laid out  
and now in use; thence North  $02^{\circ} 20' 11''$  East along East  
Right-of-Way of Military Trail, a distance of 1508.04 feet  
to a point; thence South  $53^{\circ} 14' 59''$  East a distance of  
472.73 feet; thence North  $02^{\circ} 20' 11''$  East a distance of  
111.92 feet to the point of intersection with the  
Right-of-Way line of Seaboard Coast Line Railroad; thence  
continue Northwesterly along said railroad Right-of-Way to  
the point of intersection with East Right-of-Way line of  
Military Trail; thence  $02^{\circ} 10' 17''$  along East Right-of-Way  
line of Military Trail to the point of intersection with  
North Right-of-Way of State Road 710; thence Northwesterly  
along said North Right-of-Way of State Road 710 to the point  
of intersection with Westerly Right-of-Way of Military Trail  
(State Road 809); thence North  $02^{\circ} 12' 40''$  West along said  
Right-of-Way a distance of 250 feet; thence South  $60^{\circ} 04' 05''$   
West a distance of 230.50 feet to a point on North  
Right-of-Way line of State Road 710; thence Southerly and  
parallel with the West Right-of-Way line of Military Trail  
to the Southwesterly Right-of-Way line of Seaboard Coast  
Line Railroad; thence Southeasterly along said Right-of-Way  
having a bearing North  $53^{\circ} 41' 47''$  West 95.91 feet; thence  
Westerly  $88^{\circ} 06' 31''$  West 109.49 feet; thence South  $01^{\circ} 53' 30''$   
West a distance of 73.05 feet; thence North  $88^{\circ} 06' 31''$   
West a distance of 550.00 feet; thence South  $01^{\circ} 53' 30''$   
West a distance of 321.17 feet; thence North  $88^{\circ} 30' 53''$   
West a distance of 50.00 feet; thence North  $01^{\circ} 53' 30''$  East  
a distance of 300.00 feet; thence Westerly a distance of  
240.00 feet; thence Southerly along the East Right-of-Way of  
Barbour Road 300.00 feet to the point of intersection with  
North Right-of-Way line of Dyer Boulevard; thence Easterly  
along said North Right-of-Way 34.05 feet; thence Southerly  
and parallel with the West Right-of-Way line of Military  
Trail a distance of 372.00 feet; thence Westerly a distance  
of 150.00 feet; thence Northerly a distance of 372.00 feet  
to a point on the North Right-of-Way line of Dyer Boulevard;  
thence Westerly along the north Right-of-Way of Dyer  
Boulevard to the point of intersection with the East

East-West centerline a distance of 2000 feet± to a point 668 feet West of said Section 30; thence Northerly along a line parallel to and 668 feet West of the East line of said Section 30, a distance of 653.15 feet to a point; thence Easterly at a right angle to the preceding course a distance of 667.90 feet to the East line of Section 30; thence Northerly along said East line a distance of 1974.58 feet to the Northwest corner of Section 29, Range 43 East, Township 42 South, said point being the point of Beginning."

PASSED AND APPROVED on first reading this 2nd day of November, 1988.

PASSED AND ADOPTED on second and final reading this 7th day of December, 1988.

APPROVED:

*Clark K. Williams*

MAYOR

*[Signature]*

Chairman

Chairperson Pro Tem

*[Signature]*

Councilmen

ATTEST:

*[Signature]*

City Clerk

1st Reading

2nd Reading

MOTIONED BY: A. Fox

D. Orange

SECONDED BY: D. Pettway

J. Goode

F. Owens aye

aye

D. Orange aye

aye

A. Fox aye

excused

D. Pettway aye

excused

J. Goode aye

aye

ORDINANCE NO. 2399

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING SUBPARAGRAPH 2-125(A) ENTITLED "AUTHORITY TO INCUR TRAVELING EXPENSES" OF ARTICLE VII ENTITLED "TRAVEL EXPENSES" OF THE CODE OF ORDINANCES; PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. That subparagraph (a) of Section 2.125 entitled "Authority to incur traveling expenses" NOW READING AS FOLLOWS:

"(a) All travel must be authorized and approved by the council or city manager by approved travel authorization form."

IS HEREBY AMENDED TO READ:

"(a) All travel must be authorized and approved by the council or city manager by approved travel authorization form, except travel expenses by the mayor, councilman, and city manager must be approved by the city council.

SECTION 2. This Ordinance shall take effect upon its final passage and adoption by the City Council.

PASSED and APPROVED on first reading this 2nd day of November, 1988.

PASSED and ADOPTED on second and final reading this 21st day of December, 1988.

APPROVED:

Clara K. Williams  
MAYOR

[Signature]  
CHAIRMAN

[Signature]  
CHAIRMAN PRO TEM

[Signature]  
COUNCILMEMBERS

(MUNICIPAL SEAL)

Carrie E. Nord  
CITY CLERK *HC/ing*

COUNCILMEMBERS

1st Reading

2nd & Final Reading

Motioned By: J. Goode  
Seconded By: D. Pettway

D. Orange  
J. Goode

P. Owens aye  
A. Fox aye  
D. Orange aye  
D. Pettway aye  
J. Goode aye

aye  
aye  
aye  
aye  
aye