

AN EMERGENCY ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA; CITY COUNCIL'S FINDINGS OF FACT; AMENDING ARTICLE I (IN GENERAL) OF CHAPTER 9 (FIRE PREVENTION) OF THE CODE OF ORDINANCES BY ADDING A NEW SECTION ENTITLED "FIRE PREVENTION DEVICES" RELATING TO THE REGULATIONS OF REQUIRED FIRE ALARM SYSTEMS AND FIRE SPRINKLER SYSTEMS IN MULTIPLE DWELLINGS AND IN OCCUPANCIES IN GROUPS A, B, C, D, E, F, G and H AS DEFINED IN THE SOUTHERN STANDARD BUILDING CODE; PRESCRIBING PENALTIES FOR THE VIOLATION OF ITS PROVISIONS; PROVIDING A SAVING CLAUSE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; AUTHORITY TO CODIFY; AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

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

WHEREAS, the City Council of the City of Riviera Beach, Florida, has found and determined that an emergency, which is a new and unexpected condition and occurrence that constitutes an immediate and serious menace to the safety, health and welfare of the residents of the City of Riviera Beach does exist and can be alleviated by the provisions of this ordinance; now therefore;

Article I (In General) of Chapter 9 (Fire Prevention) of the Code of Ordinances is amended by adding a new section entitled "Fire Prevention Devices" relating to required fire alarm systems and fire sprinkler systems in all multiple dwellings as defined in the Southern Standard Building Code within the City, as follows:

The following sections shall apply to all multiple dwellings and in occupancies in Groups A, B, C, D, E, F, G and H as defined in the Southern Standard Building Code.

Fire Prevention Devices

A. All required fire alarm systems and fire sprinkler systems shall comply with the approved standards of the American Insurance Association and National Board of Fire Underwriters.

B. All required installations shall be in accordance with the standards contained in the following publications: National Fire Protection Association (N.F.P.A.) and the National Electrical Code, 1972 - 1973 as amended, to-wit:

Standards Central Station Protective Signaling Systems (N.F.P.A. NO. 71).  
Remote Station Protective Signaling Systems (N.F.P.A. NO. 72-C)  
Proprietary Protective Signaling Systems (N.F.P.A. NO. 72-D)  
National Fire Code Alarm and Special Extinguishing Systems (N.F.P.A. Vol. 7).

C. Automatic fire detection equipment shall be installed into the fire department alarm console system at the Central Fire Station at no expense to the City.

The installation of the following devices is mandatory:

- TROUBLE SIGNAL. A signal indicating equipment malfunction of any nature such as a circuitbreaker ground, occurring to the devices or wiring associated with a protective signaling system which is to report electrically to the City Fire Department console.
- ALARMS. A separate and distinct supervisory signal shall be provided to indicate a condition that will impair the satisfactory operation of the sprinkler system. Such alarm shall include the monitoring of control valves, fire pump power supplies and running conditions, water tank levels, and temperatures. Pressure supervision shall also be provided on all pressure tanks.
- WATER FLOW TRANSMITTER DEVICES Water flow transmitter devices shall be Underwriters Laboratory Inc. (U.L.) approved and be adjustable pneumatic retard to prevent false alarms due to water surges and shall be connected to any alarm system in the same manner that operation of one sprinkler will actuate the alarm system, and the location of the operated water flow transmitter devices shall be indicated on an annunciator and/or register annunciator with department access at a constantly attended building security control center, or both locations.
- A connection shall be provided to transmit a signal to a remote monitoring station at the City's Central Fire Department and all fire alarm supervisory systems shall transmit an alarm to the City's annunciator.

D. FIRE SPRINKLER SYSTEMS INSTALLED

Each floor shall have supervisory systems installed on the water flow transmitter devices supervised to the first floor annunciator and an alarm system connected to the City's Central Fire Station.

Each floor shall have supervisory systems installed on the globe valve, O.S. & Y valve, gate valve, or other control valve to send an alarm when the control valve is closed to the first floor annunciator and an alarm to the City's Central Fire Station.

All valves within the building shall be supervised on the fire pump to the City's Central Fire Station.

E. TESTING AND INSPECTIONS

Maintenance, testing and repair service shall include monthly testing and inspections of all supervisory valves that are installed into the fire sprinkler systems and fire sprinkler waterflow alarm and the supervisory valves shall send an alarm to the City's Central Fire Station console system.

Monthly testing and inspections of all supervisory systems and fire alarm systems shall be tested by persons certified by the City's Fire Chief or Chief of the City's Fire Prevention Bureau for such testing and inspections.

Any persons engaged in the fire alarm signaling systems, fire sprinkler systems, automatic fire detection and other fire prevention devices shall first make application and submit same to the City's Fire Chief or the Chief of the Fire Prevention Bureau in charge of issuing qualified persons permits to engage in the maintenance, testing and repair of such devices.

F. PLANS AND SPECIFICATIONS

All plans and specifications for the installation of fire prevention devices must be submitted in triplicate to the City Fire Department and Building Department for approval by each department.

SECTION 1. If any section, part of a section, paragraph, sentence, clause, phrase or word of this ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holding or invalidity shall not affect the remaining portions of this ordinance and it shall be construed to have been the legislative intent to pass this ordinance without such unconstitutional, invalid or inoperative part therein, and the remainder of this ordinance after the exclusion of such part or parts shall be deemed to be held valid as if such part or parts had not been included therein, or if this ordinance or any of the provisions thereof shall be held inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other person, property or circumstances.

SECTION 2. That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

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

SECTION 4. Specific authority is hereby granted to codify this ordinance. It is the intention of the City Council, and it is hereby ordained, that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of Riviera Beach; that the sections of this ordinance

may be renumbered or relettered to accomplish such intentions; and that the word "ordinance" may be changed to "section", "article", or other appropriate words.

SECTION 5. This ordinance shall take effect upon its passage as provided by law.

PASSED AND APPROVED on first reading, this 6 day of March 1974.

PASSED AND ADOPTED ON SECOND AND FINAL reading this 6 day of March 1974.

APPROVED:

Lucius S. Hill  
Mayor

Henry A. Faulstich  
Edgar R. Nichols  
Gene E. Jones  
David W. Williams  
James H. Jones  
Councilmen

ATTEST:

John W. Jones  
City Clerk

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING SECTION 6-91 (SETBACK LINE) OF ARTICLE VII. (COASTAL CONSTRUCTION AND EXCAVATION SETBACK) OF CHAPTER 6 (BUILDINGS) OF THE CODE OF ORDINANCES BY DELETING THE WORD "THEREOF" AND IN LIEU THEREOF INSERTING THE WORDS "OF THE CREST OF THE DUNE." AND BY ADDING THERE- TO THE LAST SENTENCE THE FOLLOWING PHRASE, "AND FURTHER PROVIDING THAT NOTHING HEREIN SHALL PREVENT THE CONSTRUCTION OF WALKWAYS TO THE BEACH AREA BY OWNERS OF THE DUNE PROPERTY, PROVIDED SAME SHALL HAVE BEEN APPROVED BY THE CITY ENGINEER PRIOR TO THE ISSUANCE OF A BUILDING PERMIT"; PROVIDING A PENALTY FOR THE VIOLATIONS OF ITS PROVISIONS; SAVING CLAUSE; AUTHORITY TO CODIFY; AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

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

That Section 6-91 (Setback Line) of Article VII (Coastal Construction and Excavation Setback) of Chapter 6 (Buildings) of the Code of Ordinances is amended as follows:

"Upon the effective date of this Ordinance, no person, firm, corporation or governmental agency shall construct any structure whatsoever seaward of a line 25 feet landward of the crest of the existing dune line; make any excavation, remove any beach material, or otherwise alter existing ground elevations; drive any motor vehicle on, over or across any sand dune; or damage or cause to be damaged such sand dune or the vegetation growing thereon seaward ~~thereof~~ of the crest of the dune. Where the breadth of the dune extends landward more than 25 feet from the crest of the dune, a vertical wall shall be built when construction is undertaken within the dune but beyond the setback line pursuant to specifications approved by the City Council, in order to protect the integrity of the dune. Provided however, nothing herein shall prevent official motor vehicles of any government agency from traversing any sand dune in the performance of official governmental duties, and further providing that nothing herein shall prevent the construction of walkways to the beach area by owners of the dune property, provided same shall have been approved by the City Engineer prior to the issuance of a building permit.

SECTION 1. If any section, part of a section, paragraph, sentence, clause, phrase or word of this ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holding or invalidity shall not

affect the remaining portions of this ordinance and it shall be construed to have been the legislative intent to pass this ordinance without such unconstitutional, invalid or inoperative part therein, and the remainder of this ordinance after the exclusion of such part or parts shall be deemed to be held valid as if such part or parts had not been included therein, or if this ordinance or any of the provisions thereof shall be held inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other person, property or circumstances.

SECTION 2. Specific authority is hereby granted to codify this ordinance. It is the intention of the City Council, and it is hereby ordained, that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of Riviera Beach; that the sections of this ordinance may be renumbered or relettered to accomplish such intentions; and that the word "ordinance" may be changed to "section", "article", or other appropriate words.

SECTION 3. This ordinance shall take effect upon its passage as provided by law.

PASSED AND APPROVED on first reading, this 6 day of March 1974.

PASSED AND ADOPTED ON SECOND AND FINAL reading this 3 day of April 1974.

APPROVED:

Lucius G. Hill  
Mayor

Harry A. Taylor  
Dave R. Nicolits  
David W. Williams  
James H. Jones  
Councilmen

ATTEST:

John W. Wiggins  
Clerk

March 7, 1974

NOTICE OF PROPOSED ORDINANCE

The below Bill, described by title only, will be placed on second reading at the regular meeting of the City Council of the City of Riviera Beach, Florida, to be held on Wednesday, April 3, 1974 at 7:30 p.m. at the City Hall, 2214 Avenue "E", or as soon thereafter as such Bill may be read:

BILL NO. 1001

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING SECTION 6-91 (SETBACK LINE) OF ARTICLE VII. (COASTAL CONSTRUCTION AND EXCAVATION SETBACK) OF CHAPTER 6 (BUILDINGS) OF THE CODE OF ORDINANCES BY DELETING THE WORD "THEREOF" AND IN LIEU THEREOF INSERTING THE WORDS "OF THE CREST OF THE DUNE." AND BY ADDING THERETO THE LAST SENTENCE THE FOLLOWING PHRASE, "AND FURTHER PROVIDING THAT NOTHING HEREIN SHALL PREVENT THE CONSTRUCTION OF WALKWAYS TO THE BEACH AREA BY OWNERS OF THE DUNE PROPERTY, PROVIDED SAME SHALL HAVE BEEN APPROVED BY THE CITY ENGINEER PRIOR TO THE ISSUANCE OF A BUILDING PERMIT"; PROVIDING A PENALTY FOR THE VIOLATIONS OF ITS PROVISIONS; SAVING CLAUSE; AUTHORITY TO CODIFY; AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

Said Bill may be inspected in the Office of the City Clerk at the City Hall.

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

BY ORDER OF THE CITY COUNCIL

JOHN VAZQUEZ, CITY CLERK

PUBLISH: The Palm Beach Post-Times, March 11, 1974.

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING SECTION 10-20.2 (COLLECTION BY CITY) OF DIVISION 1A (MUNICIPAL REFUSE COLLECTION) OF ARTICLE II (GARBAGE, TRASH, WEEDS AND LITTER) OF CHAPTER 10 (HEALTH AND SANITATION) OF THE CODE OF ORDINANCES BY ADDING THERETO PARAGRAPH (d) RELATING TO EXCEPTION; EXISTING COLLECTORS' CONTRACTS; PROVIDING A SAVING CLAUSE; PRESCRIBING PENALTIES FOR THE VIOLATION OF ITS PROVISIONS; AUTHORITY TO CODIFY; AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

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

That Section 10-20.2 (Collection by City) of Division 1A (Municipal Refuse Collection) of Article II (Garbage, Trash, Weeds and Litter) of Chapter 10 (Health and Sanitation) of the Code of Ordinances is hereby amended by adding thereto the following paragraph:

"(d) Exception - existing contracts - The provisions contained in this division shall not apply to any existing contract now in force between a collector and customer within the city, provided no collector shall enter into any new or additional contract in violation of the provisions of this division, and further provided the collector complies with the other provisions of this division and with any other governing law or ordinances of the city."

SECTION 1. If any section, part of a section, paragraph, sentence, clause, phrase or word of this ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holding or invalidity shall not affect the remaining portions of this ordinance and it shall be construed to have been the legislative intent to pass this ordinance without such unconstitutional, invalid or inoperative part therein, and the remainder of this ordinance after the exclusion of such part or parts shall be deemed to be held valid as if such part or parts had not been included therein, or if this ordinance or any of the provisions thereof shall be held inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other person, property or circumstances.

SECTION 2. Each day's violation of any of the provisions of this ordinance shall constitute a separate offense and shall be punishable as provided in Section 1-8 of the Code of Ordinances.

SECTION 3. Specific authority is hereby granted to codify this ordinance. It is the intention of the City Council, and it is hereby ordained, that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of Riviera Beach; that the sections of this ordinance may be renumbered or relettered to accomplish such intentions; and that the word "ordinance" may be changed to "section," "article," or other appropriate words.

SECTION 4. This ordinance shall take effect upon its passage as provided by law.

PASSED AND APPROVED on first reading, this 6 day of March, 1974.

PASSED AND ADOPTED ON SECOND AND FINAL reading this 3 day of April 1974.

APPROVED:

Lucius G. Hill  
Mayor

Harry A. Taylor  
Ray R. Nichols  
Robert J. [unclear]  
David W. Williams  
James H. Jones  
Councilmen

ATTEST:

John W. [unclear]  
City Clerk

March 7, 1974

NOTICE OF PROPOSED ORDINANCE

The below Bill, described by title only, will be placed on second reading at the regular meeting of the City Council of the City of Riviera Beach, Florida, to be held on Wednesday, April 3, 1974 at 7:30 p.m. at the City Hall, 2214 Avenue "E", or as soon thereafter as such Bill may be read:

BILL NO. 1002

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING SECTION 10-20.2 (COLLECTION BY CITY) OF DIVISION 1A (MUNICIPAL REFUSE COLLECTION) OF ARTICLE II (GARBAGE, TRASH, WEEDS AND LITTER) OF CHAPTER 10 (HEALTH AND SANITATION) OF THE CODE OF ORDINANCES BY ADDING THERETO PARAGRAPH (d) RELATING TO EXCEPTION; EXISTING COLLECTORS' CONTRACTS; PROVIDING A SAVING CLAUSE; PRESCRIBING PENALTIES FOR THE VIOLATION OF ITS PROVISIONS; AUTHORITY TO CODIFY; AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Said Bill may be inspected in the Office of the City Clerk at the City Hall.

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

BY ORDER OF THE CITY COUNCIL

JACK VAZQUEZ, CITY CLERK

PUBLISH: The Palm Beach Post-Times, March 11, 1974.

ORDINANCE NO. 1003

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 23 (ZONING) OF THE CODE OF ORDINANCES BY REZONING CERTAIN LAND WITHIN THE CITY FROM ITS PRESENT CLASSIFICATION OF R-1AA (SINGLE FAMILY DWELLING DISTRICT) TO C-1B (RESTRICTED COMMERCIAL) AND BY FURTHER REZONING CERTAIN LAND WITHIN THE CITY FROM ITS PRESENT CLASSIFICATION OF C-1A (LIMITED COMMERCIAL DISTRICT) TO R-1AA (SINGLE FAMILY DWELLING DISTRICT); DIRECTING THE CITY CLERK TO UP-DATE CITY'S ZONING MAP; PROVIDING A SAVING CLAUSE; REPEALING ORDINANCES IN CONFLICT; AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

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

SECTION 1. That the following described land within the City be rezoned from its present classification of R-1AA (Single Family Dwelling District) to C-1B (Restricted Commercial):

PARCEL #1

North 72 feet of the South 4408.8 feet of Government Lot 1 less State Road right-of-way and submerged lands lying between north and south boundary, and the North 72 feet of the south 4336.8 feet of Government Lot 1 less State Road right-of-way and submerged lands lying between north and south boundaries, Sections 22 and 23, Township 42 South, Range 43 East.

PARCEL #2

North 50 feet of the South 4264.8 feet of Government Lot 1 less State Road right-of-way, Sections 22 and 23, Township 42 South, Range 43 East.

PARCEL #3

North 150 feet of the South 4214.8 feet of Government Lot 1 less State Road right-of-way and submerged lands lying east of State Road 703 to oceanfront and lying between north and south boundaries, Sections 22 and 23, Township 42 South, Range 43 East.

PARCEL #4

North 100 feet of the South 4064.8 feet of Government Lot 1 less State Road right-of-way and submerged land lying between north and south boundaries, Section 22 and 23, Township 42 South, Range 43 East.

PARCEL #5

North 100 feet of South 3964.8 feet of Government Lot 1 less State Road right-of-way and submerged lands lying between north and south boundaries, Section 22 and 23, Township 42 South, Range 43 East.

LOCATION: 544 foot wide strip of land North to South lying approximately 950 feet south of Section 22 and 23, between Atlantic Ocean and Eastern right-of-way of State Road 703 on Singer Island.

SECTION 2. That the following described land within the City be rezoned from its present classification of C-1A (Limited Commercial District) to R-1AA (Single Family Dwelling District):

PARCEL #1 A strip of land 500 feet in width from north and south extending from western right-of-way of State Road 703 to waters edge of Lake Worth, lying between two east and west lines; the southerly line thereof being 5,359 feet north of south boundary line of Sections 22 and 23, Township 42 South, Range 43 East; as determined by producing the south boundary line of Section 21 eastward across the waters of Lake Worth and the land lying between Lake Worth and western right-of-way of State Road 703. The northerly boundary line thereof being 5,859 feet north of south boundary line of Section 22 and 23 as above described. The north and south boundary lines of said strip running parallel with and being measured at right angles to south boundary line of said Section 22 and 23, the strip hereby conveyed being that part of fractional Section 15 and that part, if any of Fractional 22 and 23, lying between western right-of-way of State Road 703 on the east, waters of Lake Worth on the west, and the two boundary lines above described on the north and south; together with all riparian and littoral rights; and subject to right-of-way of State Road 703. DB 1054; Page 78.

PARCEL #2 A strip of land 200 feet in width from north to south extending from western right-of-way boundary of State Road 703 to Lake Worth lying between east and west line of Section 22 and 23 as determined by producing the south boundary line of Section 21 across waters of Lake Worth and the land lying between Lake Worth and western right-of-way of State Road 703, and north boundary line thereof being 6,059 feet north of south boundary line of Section 22 and 23. The north and south boundary line of said 200 foot strip running parallel with and being measured at right angles to south boundary line of Section 22 and 23, the strip being conveyed being that part of fractional Section 15 and that part, if any, of fractional Section 22 and 23, lying between western right-of-way boundary of State Road 703 on east, and waters of Lake Worth on west, and thence to boundary line above described on north and south, together with riparian rights and subject to State Highway 140 (703). DB 1098, Page 356.

PARCEL #3 North 2004.6 feet of South 2573.6 feet of Government Lot 1, lying west of A1A and tract of submerged land in Section 15, Township 42 South, Range 43 East. O.R. 87, Page 330.

LOCATION: Approximately 2,800 foot wide strip of land north to south, bounded on the North by Riviera Beach Corporate limits, on the west by Lake Worth; on the south by northern boundary of Section Line 22 and 23 and on the East by western right-of-way of State Road 703 on Singer Island.

SECTION 3. The City Clerk is authorized and directed to reflect upon the Zoning Map of Riviera Beach, Florida, by hatching or other appropriate means of designation, the changes in zoning classification effected under the amending ordinance.

SECTION 4. If any section, part of a section, paragraph, sentence, clause, phrase or word of this ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holding or invalidity shall not affect the remaining portions of this ordinance and it shall be construed to have been the legislative intent to pass this ordinance without such unconstitutional, invalid or inoperative part therein, and the remainder of this ordinance after the exclusion of such part or parts shall be deemed to be held valid as if such part or parts had not been included therein, or if this ordinance or any of the provisions thereof shall be held inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other person, property or circumstances.

SECTION 5. That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 6. This ordinance shall take effect upon its passage as provided by law.

PASSED AND APPROVED on first reading this 6 day of March 1974.

PASSED AND ADOPTED ON SECOND AND FINAL reading this 3 day of April 1974.

APPROVED:

Lucius S. Hill  
Mayor

Harry A. Fowler  
Sam R. Nichols  
James H. Jones  
James H. Jones  
Councilmen

ATTEST:

John W. Williams

March 7, 1974

NOTICE OF PROPOSED ORDINANCE

The below Bill, described by title only, will be placed on second reading at the regular meeting of the City Council of the City of Riviera Beach, Florida, to be held on Wednesday, April 3, 1974 at 7:30 p.m. at the City Hall, 2214 Avenue "E", or as soon thereafter as such Bill may be read:

BILL NO. 1003

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 23 (ZONING) OF THE CODE OF ORDINANCES BY REZONING CERTAIN LAND WITHIN THE CITY FROM ITS PRESENT CLASSIFICATION OF R-1AA (SINGLE FAMILY DWELLING DISTRICT) TO C-1B (RESTRICTED COMMERCIAL) AND BY FURTHER REZONING CERTAIN LAND WITHIN THE CITY FROM ITS PRESENT CLASSIFICATION OF C-1A (LIMITED COMMERCIAL DISTRICT) TO R-1AA (SINGLE FAMILY DWELLING DISTRICT); DIRECTING THE CITY CLERK TO UP-DATE CITY'S ZONING MAP; PROVIDING A SAVING CLAUSE; REPEALING ORDINANCES IN CONFLICT; AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Said Bill may be inspected in the Office of the City Clerk at the City Hall.

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

BY ORDER OF THE CITY COUNCIL

JOHN VAZQUEZ, CITY CLERK

PUBLISH: The Palm Beach Post-Times, March 11, 1974.

ORDINANCE NO. 1004

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING SECTIONS 2-68. RELATING TO APPLICATIONS; 2-69. RELATING TO QUALIFICATIONS; 2-70. RELATING TO CONVICTION OF CRIME AS DISQUALIFYING FACTOR DEFINED, THE SAME BEING REPEALED, OF DIVISION I RELATING TO GENERAL APPLICATION; 2-107. RELATING TO REQUIREMENTS AS TO CONTINUITY OF SERVICE; 2-108. RELATING TO WORKING HOURS; 2-109. RELATING TO OVERTIME AND COMPENSATORY TIME; 2-111. RELATING TO MILITARY LEAVE; 2-112. RELATING TO VACATION AND HOLIDAY LEAVE; 2-113. RELATING TO SICK LEAVE; 2-116. RELATING TO ADJUSTMENT OF EMPLOYEE COMPLAINTS; 2-117. RELATING TO LONGEVITY INCREASE; 2-118. RELATING TO APPOINTED PERSONNEL OF DIVISION 3 RELATING TO SALARY PLAN; 2-76. RELATING TO DEFINITIONS; 2-77. RELATING TO CREATION OF CIVIL SERVICE BOARD; 2-80. RELATING TO CIVIL SERVICE BOARD'S AUTHORITY TO ADOPT RULES AND REGULATIONS; 2-81. RELATING TO CLASSIFIED AND UNCLASSIFIED SERVICE; 2-82. RELATING TO TITLE AND COMPENSATION OF EMPLOYEES; 2-83. RELATING TO EXAMINATIONS; 2-84. RELATING TO THE ESTABLISHMENT OF ELIGIBLE REGISTERS; 2-85. RELATING TO APPOINTMENTS; 2-86. RELATING TO EMPLOYMENT; 2-87. RELATING TO PROBATIONARY PERIOD; 2-88. RELATING TO PROCEDURE FOR DISCHARGE OF EMPLOYEES; 2-89. RELATING TO ADVISORY COMMITTEE; 2-90. RELATING TO GENERAL PROHIBITIONS RELATING TO POLITICAL ACTIVITY; 2-91. RELATING TO APPROPRIATION FOR ADMINISTRATION OF DIVISION; 2-92. RELATING TO GRIEVANCE COMMITTEE BETWEEN THE CITY AND MUNICIPAL REFUSE SERVICE, INC., THE SAME BEING REPEALED, OF DIVISION 2 RELATING TO CIVIL SERVICE OF ARTICLE VI RELATING TO CITY EMPLOYEES; 2-46. RELATING TO DEFINITIONS; 2-48. RELATING TO CREATION OF POLICE AND FIRE CIVIL SERVICE BOARD; 2-49. RELATING TO POLICE AND FIRE CIVIL SERVICE BOARD'S RULES, REGULATIONS, INVESTIGATIONS, ENFORCEMENT AND REPORTS; 2-50. RELATING TO POLICE AND FIRE CIVIL SERVICE EXAMINATIONS, ELIGIBLE LISTS, GRADES, CERTIFICATION; 2-51. RELATING TO FIXING PAY, GRADES AND NUMBER THEREOF, SENIORITY LIST; 2-52. RELATING TO DISCHARGE OF PERMANENT EMPLOYEES; 2-53. RELATING TO APPEALS FROM DISCHARGE; 2-54. RELATING TO APPEALS FROM DISCHARGE PROCEEDINGS OF HEARINGS; 2-55. RELATING TO INITIATION OF INVESTIGATION, PREFERRING CHARGES, THE SAME BEING REPEALED, OF DIVISION 2 RELATING TO CIVIL SERVICE OF ARTICLE V RELATING TO CITY EMPLOYEES; 2-56. RELATING TO SUSPENSION, DISMISSAL, FINES AND CAUSES; 2-57. RELATING TO SUSPENSION, DEMOTION, LAY-OFF OF PERMANENT EMPLOYEES AND APPEAL; 2-59. RELATING TO CONTINUANCE OF EXISTING RANK, GRADE, AND SENIORITY OF DIVISION 2 RELATING TO CIVIL SERVICE OF ARTICLE V RELATING TO POLICE, THE SAME BEING REPEALED; 2-100. RELATING TO RATES OF PAY, THE SAME BEING AMENDED; 2-103. RELATING TO STARTING RATE ON INITIAL EMPLOYMENT; 2-106. RELATING TO REQUIRED LEVELS OF PERFORMANCE OF DIVISION 3 RELATING TO SALARY PLAN OF ARTICLE VI RELATING TO CITY EMPLOYEES OF CHAPTER 2 RELATING TO ADMINISTRATION OF THE CODE OF ORDINANCES.

FURTHER AMENDING DIVISION 2, RELATING TO CIVIL SERVICE OF ARTICLE V RELATING TO POLICE OF CHAPTER 2, RELATING TO ADMINISTRATION OF THE CODE OF ORDINANCES BY DESIGNATING DIVISION 2 (CIVIL SERVICE) OF ARTICLE V (POLICE) OF CHAPTER 2 (ADMINISTRATION) OF THE CODE OF ORDINANCES SHALL BECOME DIVISION 3 RELATING TO POLICE AND FIRE CIVIL SERVICE OF ARTICLE VI RELATING TO CITY EMPLOYEES OF CHAPTER 2 RELATING TO ADMINISTRATION OF THE CODE OF ORDINANCES, AND SECTIONS 2-46 THROUGH 2-54 AND 2-56 THROUGH 2-58 RESPECTIVELY, UNDER DIVISION 2 (CIVIL SERVICE) OF ARTICLE V (POLICE) OF CHAPTER 2 (ADMINISTRATION) OF THE CODE OF ORDINANCES SHALL BECOME SECTIONS 2-110 THROUGH 2-121 INCLUSIVE, UNDER DIVISION 3 (POLICE AND FIRE CIVIL SERVICE) OF ARTICLE VI (CITY EMPLOYEES) OF CHAPTER 2 (ADMINISTRATION) OF THE CODE OF ORDINANCES AND SECTIONS 2-122

THROUGH 2-126 INCLUSIVE ARE RESERVED FOR FUTURE ENACTMENTS UNDER DIVISION 3 (POLICE AND FIRE CIVIL SERVICE).

FURTHER AMENDING DIVISION 1, RELATING TO GENERAL APPLICATION OF ARTICLE VI RELATING TO CITY EMPLOYEES OF CHAPTER 2 RELATING TO ADMINISTRATION OF THE CODE OF ORDINANCES BY DESIGNATING SECTIONS 2-107 THROUGH 2-118 INCLUSIVE OF DIVISION 1 (IN GENERAL) OF ARTICLE VI (CITY EMPLOYEES) OF CHAPTER 2 (ADMINISTRATION OF THE CODE OF ORDINANCES SHALL BECOME SECTIONS 2-70 THROUGH 2-81 RESPECTIVELY, AND SECTIONS 2-82 THROUGH 2-87 INCLUSIVE ARE RESERVED FOR FUTURE ENACTMENTS UNDER DIVISION 1 (IN GENERAL)).

FURTHER AMENDING DIVISION 2 RELATING TO CIVIL SERVICE OF ARTICLE VI RELATING TO CITY EMPLOYEES OF CHAPTER 2 RELATING TO ADMINISTRATION OF THE CODE OF ORDINANCES BY DESIGNATING SECTIONS 2-76 THROUGH 2-91 INCLUSIVE OF DIVISION 2 (CIVIL SERVICE OF ARTICLE VI (CITY EMPLOYEES) OF CHAPTER 2 (ADMINISTRATION) OF THE CODE OF ORDINANCES SHALL BECOME SECTIONS 2-88 THROUGH 2-103 RESPECTIVELY AND SECTIONS 2-104 THROUGH 2-109 INCLUSIVE ARE RESERVED FOR FUTURE ENACTMENTS UNDER DIVISION 2 (CIVIL SERVICE)).

FURTHER AMENDING DIVISION 3, RELATING TO SALARY PLAN OF ARTICLE VI, RELATING TO CITY EMPLOYEES OF CHAPTER 2, RELATING TO ADMINISTRATION OF THE CODE OF ORDINANCES BY DESIGNATING DIVISION 3 (SALARY PLAN) OF ARTICLE VI (CITY EMPLOYEES OF CHAPTER 2 (ADMINISTRATION) OF THE CODE OF ORDINANCES SHALL BECOME DIVISION 4, RELATING TO SALARY PLAN OF ARTICLE VI, RELATING TO CITY EMPLOYEES OF CHAPTER 2, RELATING TO ADMINISTRATION OF THE CODE OF ORDINANCES AND SECTIONS 2-100 THROUGH 2-106.1 INCLUSIVE, SHALL BECOME SECTIONS 2-127 THROUGH 2-134 RESPECTIVELY, AND SECTIONS 2-135 THROUGH 2-138 INCLUSIVE, ARE RESERVED FOR FUTURE ENACTMENTS UNDER DIVISION 4 (SALARY PLAN); AND SECTION 2-115, RELATING TO ADDITIONAL QUALIFICATION OF EMPLOYEES OF DIVISION 3, RELATING TO SALARY PLAN OF ARTICLE VI, RELATING TO CITY EMPLOYEES OF CHAPTER 2, RELATING TO ADMINISTRATION OF THE CODE OF ORDINANCES IS TRANSFERRED TO AND SHALL BECOME A PART OF SECTION 2-69, RELATING TO QUALIFICATIONS OF DIVISION 1, RELATING TO GENERAL APPLICATION OF ARTICLE VI, RELATING TO CITY EMPLOYEES OF CHAPTER 2 RELATING TO ADMINISTRATION OF THE CODE OF ORDINANCES.

FURTHER AMENDING DIVISION 4, RELATING TO GENERAL PENSION PLAN OF ARTICLE VI, RELATING TO CITY EMPLOYEES OF CHAPTER 2, RELATING TO ADMINISTRATION OF THE CODE OF ORDINANCES BY DESIGNATING DIVISION 4 (GENERAL PENSION PLAN) OF ARTICLE VI (CITY EMPLOYEES) OF CHAPTER 2 (ADMINISTRATION) OF THE CODE OF ORDINANCES SHALL BECOME DIVISION 5, RELATING TO GENERAL PENSION PLAN OF ARTICLE VI, RELATING TO CITY EMPLOYEES OF CHAPTER 2, RELATING TO ADMINISTRATION OF THE CODE OF ORDINANCES AND SECTIONS 2-120.1 THROUGH 2-120.10 INCLUSIVE, SHALL BECOME SECTIONS 2-139 THROUGH 2-148 RESPECTIVELY, AND SECTIONS 2-149 THROUGH 2-151 INCLUSIVE, ARE RESERVED FOR FUTURE ENACTMENTS UNDER DIVISION 5 (GENERAL PENSION PLAN).

FURTHER AMENDING ARTICLE VI, RELATING TO CITY EMPLOYEES OF CHAPTER 2, RELATING TO ADMINISTRATION OF THE CODE OF ORDINANCES BY ADDING THERETO DIVISION 6, ENTITLED AND RELATING TO "POLICE PENSION PLAN" UNDER ARTICLE VI (CITY EMPLOYEES) OF CHAPTER 2 (ADMINISTRATION) OF THE CODE OF ORDINANCES AND SECTIONS 2-152 THROUGH 2-165 INCLUSIVE, ARE RESERVED FOR FUTURE ENACTMENTS UNDER DIVISION 6 (POLICE PENSION PLAN).

FURTHER AMENDING ARTICLE VI, RELATING TO CITY EMPLOYEES OF CHAPTER 2, RELATING TO ADMINISTRATION OF THE CODE OF ORDINANCES BY ADDING THERETO DIVISION 7, ENTITLED AND RELATING TO "FIRE PENSION PLAN" UNDER ARTICLE VI (CITY EMPLOYEES) OF CHAPTER 2 (ADMINISTRATION) OF THE CODE OF ORDINANCES AND SECTIONS 2-166 THROUGH 2-179 ARE RESERVED FOR FUTURE ENACTMENTS UNDER DIVISION 7 (FIRE PENSION PLAN); PROVIDING A SAVING CLAUSE: PRESCRIBING PENALTIES FOR THE VIOLATION OF ITS PROVISION: AUTHORITY TO CODIFY: AN EFFECTIVE DATE: AND FOR OTHER PURPOSES.

A. That Section 2-68 (Applications.) of Division 1 (In General) of Article VI (City Employees) of Chapter 2 (Administration) of the Code of Ordinances is amended as follows:

All persons desiring to become employees of the City, to become regularly employed, on a regular salary, in any of the departments of the city, shall file with the ~~head-of-the department-he-wishes-to-work-in,-or-if-there be-no-head,-then-with-the-city-clerk,~~ *personnel department,* an application setting forth ~~his age,-race,~~ *their* experience and gender; whether or not ~~he-is~~ *they are* married, the number of dependents and their relationship; ~~whether-or not-applicant-has-been-convicted-of-any-crime, in-any-jurisdiction,-other-than-for-a-traffic violation;~~ which application shall be considered by the *director of personnel and the* head of such department, ~~or-by-the-city-council,-if there-be-no-head-of-such-department,~~ *which has an open position,* for approval.

B. That Section 2-69 (Qualifications) of Division 1 (In General) of Article VI (City Employees) of Chapter 2 (Administration) of the Code of Ordinances is amended as follows:

No person shall be employed by the city in any of its departments, on a regular salary, unless he be of good moral character.

~~No-person-shall-be-employed-by-the-city-in-any of-its-departments,-or-on-a-regular-salary,-if he-has-been-convicted-of-any-crime,-as-contemplated by-this-article,-either-as-accessory-or-principal, other-than-for-a-traffic-violation.~~

~~No-person-shall-be-employed-by-the-city-in-any-of its-departments,-on-a-regular-salary-who-has-been convicted-of-any-offense-involving-moral-turpitude.~~

~~Sec.-2-115.--Additional-qualification-of-employees.~~

After the passage of this act division , no person hired shall be placed in the same department who is related to any other city employee in said department if they be related as husband, wife, brother, sister, son, daughter, father or mother, except as approved by the city manager.

C. That Section 2-70 (Conviction of crime as disqualifying factor defined.) of Division 1 (In General) of Article VI (City Employees) of Chapter 2 (Administration) of the Code of Ordinances is repealed, to wit:

~~The-term-"crime"-as-used-in-this-article-shall include:~~

- (1)--Any-felony
- (2)--Treason-or-offense-against-the-government
- (3)--Garrying-concealed-weapons
- (4)--Crimes-against-nature-or-indecent exposure
- (5)--Petit-larceny
- (6)--Grand-larceny
- (7)--Shoplifting
- (8)--Embezzlement
- (9)--False-pretenses
- (10)--Fraud
- (11)--Cheating
- (12)--Forgery
- (13)--Counterfeiting
- (14)--Any-form-of-conspiracy
- (15)--Any-form-of-bribery
- (16)--Obstructing-justice

~~The-term-"convicted"-as-used-in-this-article-shall include-an-adjudication-of-guilt-on-a-plea-of-guilty,-or-nolo contendere,-or-the-forfeiture-of-a-bond,-when-charged-with-a crime.~~

D. That Section 2-107 (Requirements as to continuity of service.) of Division 3 (Salary Plan) of Article VI (City Employees) of Chapter 2 (Administration) of the Code of Ordinances is amended as follows:

The term "continuous service" when used in these rules and regulations means employment in the city's service without break or interruption, provided that absence on military leave, educational leave (as long as the furthering of this education is to the benefit of the city), time off for vacation or sick leave or extension without pay of vacation or sick leave, or other leave of absence not to exceed ninety (90) days, shall not affect continuity of service. All employees who enter the armed services of the United States in any period of national emergency or who are called into service, and all employees who have been granted educational leaves, must resume re-employment with the city within thirty (30) days after his discharge, release from military service, or completion of the educational course. Upon return to city service, the employee shall be reinstated to the position previously held by him and shall be entitled to receive salary at the step rates to which he would have been entitled had his service with the city not been interrupted. When a person terminates his employment with the city for any reason, his continuity of service ceases. Should the person be rehired at a future date, employment begins as a new employee and benefits will be accrued as of the date of rehire. However should an employee be rehired within six (6) months of his termination at the convenience and request of the city due to the needs for the employee's skills, full continuity of service less time of termination may be granted at the discretion of the city manager with all benefits restored.

E. That Section 2-108 (Working hours.) of Division 3 (Salary Plan) of Article VI (City Employees) of Chapter 2 (Administration) of the Code of Ordinances is amended as follows:

The city manager shall establish the hours of work for various classes of employment. Department heads and other employees occupying positions of an administrative character shall be available for the performance of such additional hours of work as may be required without extra compensation therefor and employees in the police and fire departments shall be subject to call at all times in case of necessity. The normal work week for all employees will be forty (40) hours per week. ~~effective upon adoption of this salary plan by the city council.~~ Following are hours per department: Offices of city manager, city clerk, library, departments of personnel, finance, police, engineering, planning, the clerical forces of the inspection department and public works department staff and office personnel, and secretary to the utilities director work 37½ hours per week. Divisions of public works such as streets and canals, trash, property maintenance and vehicle maintenance, departments of recreation, utilities and inspection personnel work 40 hours per week. In addition, the sworn personnel in the police department must report 15 minutes before starting time for line-up and must complete reports before leaving. The fire department is on a 56 hour week, starting at 7:45 a.m. and working until 7:45 a.m. (24 hours later). Refuse collection work on a task force basis, that is until their route is accepted as satisfactorily completed by supervision which averages 6 - 6½ hours per day.

F. That Section 2-109 (Overtime and compensatory time.) of Division 3 (Salary Plan) of Article VI (City Employees) of Chapter 2 (Administration) of the Code of Ordinances is amended as follows:

Sec. 2-109 ~~Overtime and compensatory time.~~

- (a) "Overtime" shall be defined as those hours actually worked in excess of a normal forty (40) hour work week, and all the time reports shall indicate actual hours or days worked. Any falsification of time reports will be subject to disciplinary action. The city manager or department head may authorize an employee to work in addition to his normal work schedule, when it is necessary to meet emergency operating needs.
- (b) ~~At the discretion of the department head~~ All employees, except those exempt under the Wage and Hour Act shall be compensated for overtime on the basis of one and one-half (1½) times his normal rate to be paid on the next regular payroll. ~~or to be credited with equal time to his earned leave account as "compensatory time". If the compensatory time is granted, it must be supported by a special "compensatory~~

~~time-report~~<sup>u</sup>~~-properly-certified-by-the~~  
~~department-head-and-approved-by-the-city~~  
~~manager,-such-reports-to-be-filed-with-the~~  
~~personnel-department-or-in-the-absence-of~~  
~~a-personnel-department-the-payroll-section~~  
~~of-the-finance-department.~~ With the excep-  
tion of task force personnel, employees  
on a work schedule of less than 40 hours  
per week will be paid time and one-half  
for any hours worked over scheduled hours.  
Task force personnel must work 40 hours  
before they are eligible for overtime rate.

G. That Section 2-111 (Military leave.) of Division  
3 (Salary Plan) of Article VI (City Employees) of Chapter 2  
(Administration) of the Code of Ordinances is amended as  
follows:

Sec. 2-111. Military leave and jury duty.

- (a) A leave of absence with pay may be granted not to exceed seventeen (17) days in any calendar year for attendance at annual encampments or maneuvers with armed forces. Any city employee on military leave shall receive full regular salary in addition to wages from military duty.
- (b) An employee must notify his supervisor that he is to appear for jury duty as soon as possible after receiving such notice to appear. Upon completing jury service, the employee will present to his supervisor a statement signed by the Clerk of the Court indicating the fee earned exclusive of travel expense. This form will be submitted to payroll and this amount will be deducted from the employee's next paycheck.

H. That Section 2-112 (Vacation and holiday leave; limitations; records for earned time, leaves of absence, etc.) of Division 3 (Salary Plan) of Article VI (City Employees) of Chapter 2 (Administration) of the Code of Ordinances is amended as follows:

- (a) Vacation leave. A leave of absence with pay will be earned as vacation leave at the rate of one day for each full month of service. Vacation leave may be granted to any employee with permanent ~~civil-service~~ status, ~~not-to-exceed-twelve-(12)-days-in~~  
~~any-twelve-(12)-month-period.~~ The time at which vacation will be granted shall be at the discretion of the department head. Vacation leave must be granted by the department head in a manner which will prevent any loss of vacation privilege to the employee. Employees with more than five (5) years of service shall earn vacation at the following rate:

6 years of service	13 days
7 years of service	14 days
8 years of service	15 days

Fifteen (15) days shall be the maximum annual vacation leave which may be accrued by any employee. Additional leave without pay may be granted to employees at the discretion of the department head, with the approval of the city manager. If any employee should, for some cause approved by the city manager in advance, not take his earned vacation time within the twelve (12) month period following its accrual, the city manager may either allow the lost time or pay the employee for such time.

Employees shall be entitled to receive compensation of not less than one (1) week for earned vacation prior to the commencement of the leave time. In order to receive advance payment, employees must prepare and forward a leave notice, authorized by the employee's supervisor, to the payroll division of the finance department at least two (2) weeks prior to the date the requested leave commences.

- (b) Holidays. The following enumerated dates shall be holidays for all employees with permanent ~~civil~~ **service** status and for all employees on probationary status, with the exception that should a holiday fall on a Saturday, the preceding Friday will be observed, and should the holiday fall on a Sunday, the following Monday will be observed. These and no others, except by proper resolution of the city council, shall be recognized as holidays by the city:

New Year's Day	January 1st
Dr. Martin Luther King, Jr. Day	January 15th
Washington's Birthday	Third Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4th
Labor Day	First Monday in September
Veteran's Day	November 11th
Thanksgiving Day	Fourth Thursday in November
Friday following Thanksgiving Day	Fourth Friday in November
Christmas Day	December 25th

If an employee with permanent ~~civil~~ **service** status or an employee on probationary status is not required to work on a holiday, he shall receive holiday pay at the regular rate.

If an employee with permanent ~~civil~~ **service** status or an employee on probationary status is required to work on a holiday, he shall receive pay at the rate of two (2) times the regular rate. ~~or compensatory time off.~~ All time served on designated holidays not paid for on regular payrolls shall be supported by a special "compensatory time report" properly certified by the department head and approved by the city manager; such reports to be filed with the payroll section of the finance department. Employees who work on a holiday shall

have the privilege of choosing being paid therefor or taking a day off in lieu of pay.

- (c) Limitations. Accrued vacation leave shall not exceed twenty-four (24) days.
- (d) Records for earned time, etc. All reports and records for compensatory time, vacation, sick leave and other leaves shall be submitted to and maintained by the payroll section of the finance department, and no leaves of absence with pay shall be granted except on the basis of such records.
- (e) Definition of "permanent civil service status." Permanent civil service status" is hereby defined as the time immediately following the completion of the employee's probationary period, and execution of appropriate advice of personnel form.

I. That Section 2-113 (Sick Leave) of Division 3 (Salary Plan) of Article VI (City Employees) of Chapter 2 (Administration) of the Code of Ordinances is amended as follows:

Sick leave not to exceed one working day per month may be granted for illness or accident to employees with permanent **civil service** status, or to an employee with probationary status in accordance with the following regulations:

- (a) Absence on account of sickness of an employee not to exceed three (3) consecutive working days may be granted by the department head without a physician's certificate. A physician's certificate must be submitted by the employee for any absence on account of sickness or disability in excess of three (3) consecutive working days. A temporary or probationary employee will be given sick leave for the first three (3) days of absence due to injury incurred in line of duty.
- (b) All employees who are **under civil service** with the city shall be granted sick leave of one (1) day each month, and shall be cumulative to a maximum not to exceed one hundred (100) days. Sick leave does not again begin to accumulate until the employee has been charged with sick leave.
- (c) All employees whose employment is terminated under any of the following provisions shall be paid fifty percent (50%) of his unused sick leave at the hourly rate of his classification at the time of such termination.
  - (1) Death in the line of duty - any employee who is killed in the line of duty or dies from an accident suffered in the line of duty, his spouse or in the case of no spouse, his beneficiary, shall be paid as above.
  - (2) In the line of duty disability retirement - any employee who retires from job incurred disability shall receive upon his retirement the unused sick leave as provided above.

(3) Termination of employment - upon termination of employment, other than discharge, any employee who has accumulated the limit of one hundred (100) days sick leave shall be compensated as provided above.

(ed) ~~Civil service~~ Employees shall be eligible for three (3) days off with pay, for death in the immediate family, namely, mother, father, brother, sister, husband, wife, son, daughter, grandfather, grandmother, mother-in-law and father-in-law. Such time off shall not be charged against sick leave time. Two (2) additional days off exceeding the said three (3) days may be authorized by the city manager. Such time exceeding the three (3) days shall not be paid time. Such time off shall not be charged against sick leave time.

(de) Any employee entitled to workmen's compensation, for an injury or injuries received in the line of duty, can by approval of the city manager, be paid the difference between his regular pay and the payments received through workmen's compensation.

(ef) An employee shall be eligible to apply a maximum of twenty (20) working days as paid maternity leave. This leave time shall be deducted from the employee's accumulated sick leave and shall not be applied prior to birth of the employee's child.

J. That Section 2-116 (Adjustment of employee complaints) of Division 3 (Salary Plan) of Article VI (City Employees) of Chapter 2 (Administration) of the Code of Ordinances is amended as follows:

Sec. 2-116. Adjustment of employee complaints.

An employee shall have the right at any time to secure consideration of any complaint he may have with respect to the ~~application of the pay plan to his position,~~ *terms and conditions of employment.* The employee shall first bring his grievance to the head of his respective department who shall promptly seek to arrive at a solution which is consistent with ~~the pay plan city ordinances and policies~~ and is acceptable to the employee. Where the department head is unable to resolve such a complaint in a manner that the employee is willing to accept in writing, the entire matter shall be submitted to the *director of personnel and the city manager* for such action as ~~he~~ *they* may deem appropriate.

K. That Section 2-117 (Longevity increases) of Division 3 (Salary Plan) of Article VI (City Employees) of Chapter 2 (Administration) of the Code of Ordinances is amended as follows:

Sec. 2-117. Longevity increases.

In order to reward faithful, satisfactory and continuous service (as defined in Section 2-107 Salary Plan of Riviera Beach), the City of Riviera Beach shall grant the following longevity increases to its employees, beginning October 1, 1965, conditioned upon an employee's completion of the required years of continuous service, as follows:

Years of employment to October 1, 1965 divided by three (3), shall be credited for longevity pay.  
 Example: Date of employment--October 1, 1950, to October 1, 1965 = 15 yrs.  
 15 yrs. ÷ 3 = 5 yrs. credit for longevity.

Years of Continuous Service	Add to Base Pay
After completing four (4) years	2%
After completing eight (8) years	4%
After completing twelve (12) years	6%
After completing sixteen (16) years	8%
After completing twenty (20) years	10%
After completing twenty-four (24) years	12%

Longevity increases will not apply to appointed personnel.

L. That Section 2-118 (Appointed personnel.) of Division 3 (Salary Plan) of Article VI (City Employees) of Chapter 2 (Administration) of the Code of Ordinances is amended as follows:

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

**Elected-or Appointed**

<i>City Manager</i>	<i>City clerk</i>
Chief of police	Director of finance/treasurer
<del>Chief-of-fire-department</del>	<del>Director-of-planning</del>
<del>Director-of-public-works</del>	<del>Director-of-utilities</del>
<del>City-engineer</del>	Municipal judge
City attorney	Judge ad litem
<del>City-health-officer</del>	<del>Building-inspector</del>
<del>City-tax-collector</del>	<del>Electrical-inspector</del>
<del>City-tax-assessor</del>	<del>Plumbing-inspector</del>
<del>Director-of-recreation</del>	<del>Fire-marshal</del>
<del>City-dockmaster</del>	<del>City-treasurer</del>
<del>Director-of-personnel</del>	<del>Executive-secretary--aide-to</del>
City prosecutor	<del>city-manager</del>
<i>City prosecutor ad litem</i>	<del>Executive-secretary-to-city</del>
<del>City-physician</del>	<del>treasurer</del>
<del>Supervisor-of-utilities</del>	Public defender
<del>Billing-and-collection</del>	

The following shall be appointed in conformance with the charter by the city manager, subject to approval by the city council.

**Appointed**

Chief of fire department	Administrative assistant to city manager
Director of public works	Library director
City engineer	Safety engineer
Director of planning	Assistant to director of public works
Director of utilities	Assistant finance director
Building official	Purchasing director
Director of recreation & parks	
Director of personnel	
Supervisor of utilities billing & collection	

M. That Section 2-76 (Definitions.) of Division 2 (Civil Service) of Article VI (City Employees) of Chapter 2 (Administration) of the Code of Ordinances is amended as follows:

As used in this division, the following terms shall have the following meanings unless the context clearly indicates otherwise.

- (a) The word "city" shall mean the City of Riviera Beach;
- (b) The word "~~commission~~" "council" shall mean the city ~~commission~~ council of the City of Riviera Beach;
- (c) The word "board" shall mean the civil service board herein provided for;
- (d) The term "members of the civil service" shall mean the persons employed by the city who are subject to the civil service provisions of this division;
- (e) The term "department heads" shall mean the ~~superintendent~~, *director*, chief, or head of the departments created by this chapter or from time to time by the city ~~commission~~ council under this act.

N. That Section 2-77 (Civil Service board--Created; composition; qualifications and removal of members; quorum; meetings.) of Division 2 (Civil service) of Article VI (City Employees) of Chapter 2 (Administration) of the Code of Ordinances is amended as follows:

- (a) Creation; selection, term. A civil service board for the city consisting of ~~five~~ *seven* members is hereby created. ~~The Five~~ *of the* members shall be selected by the city ~~commission~~ council and shall be composed of persons who are sympathetic to the principles of a merit program of personnel administration. *The remaining members shall be chosen as directed by the city charter which says in part "the General Employees of the City shall have the right to elect from its respective department at least two of their fellow employees who shall serve on the board on all matters pertaining to their respective department. That is to say, the General Employees membership shall elect two employees to represent all the General Employee departments."* Each member shall serve for a period of three years. ~~except-that-in-the-initial setup-of-membership-of-the-civil-service-board, one-member-shall-be-selected-for-a-term-of-two years;-and-two-members-shall-be-selected-for-a three-year-and-an~~ *In addition, two (2) alternates shall be selected, one (1) alternate to be selected by the city council and one (1) alternate to be selected by the General Employees. Alternate members shall be selected for a term of one year to serve in the absence of any of the regular members of the civil service board. On-the-expiration-of-the-term-of-membership-for-those-initially selected-for-one-year-or-two-year-terms;-their successors-shall-be-selected-for-a-full-term-of three-years.* Individual members of the board shall serve until their successors have been selected and

qualified.

- (b) Qualifications. Any qualified voter residing in the city is eligible for membership on the civil service board provided, however, that no person who has been convicted of a crime involving moral turpitude shall be eligible to hold such office.
- (c) Removal. Members of the board may be removed by the city ~~commission council~~ for incompetency, neglect of duty, or malfeasance in office. In the event of resignation or death of a board member or his removal from office, the ~~commission council~~ shall within ~~twenty thirty~~ (30) days appoint a ~~member person~~ to fill the unexpired term of office.
- (d) Quorum. ~~Three-members~~ A majority of the board shall constitute a quorum necessary for the conduct of the business of the board.
- (e) Meetings. The board shall hold not less than one regular meeting each month and may hold other meetings at the call of the chairman as may be required for the transaction of the business of the board; ~~except that, upon approval by three members of the board, the regular meeting during the month of July and/or the regular meeting during the month of August may be suspended.~~
- ~~(f) The employees of the fire department shall annually elect two (2) of its members to serve with the civilian members of the police department civil service board in all civil service matters involving the fire department.~~

0. That Section 2-80 (Same--Authority to adopt rules and regulations.) of Division 2 (Civil Service) of Article VI (City Employees) of Chapter 2 (Administration) of the Code of Ordinances is amended as follows:

~~The board shall adopt rules and regulations consistent with the provisions of this division and which pertain to the administration of the personnel program of the city. Before any rule or regulation shall be adopted, a copy of the proposed rule shall be given as wide a circulation as possible either through announcements in the newspaper, through posting in conspicuous areas, or by such other means as the board may determine. A rule or regulation adopted by the board shall take effect five days after passage unless the board, by unanimous consent, makes the effective date at some other time.~~ and amend as necessary, a code of regulations which pertain to their own operating procedure. The board shall also adopt rules and regulations regarding the hearing and adjudication of grievances upon appeal from a decision of the city manager. The rules and regulations are subject to approval of the city council.

P. That Section 2-81 (Classified and unclassified service.) of Division 2 (Civil Service) of Article VI (City Employees) of Chapter 2 (Administration) of the Code of Ordinances is amended as follows:

- (a) Division of employment; jurisdiction of board. All employment within the city service shall be divided into the classified or the unclassified service. The authority of the civil service board shall extend only to those positions within the classified service.
- (b) Unclassified service. The unclassified service shall extend to persons elected by public vote, and appointments made by the city council such as, but not limited to the city manager, the city attorney, purchasing agent, heads of departments established by the city council, members of boards or commissions or committees appointed by the city council, intermittent employees, persons employed under limited term contractual service to perform specialized technical and professional services for the city, and such other additional positions as the city council may include because of the specialized or confidential nature of the position.
- (c) Classified service. All other employment in the city shall be deemed to be within the classified service and shall be subject to the jurisdiction of the civil service board.
- (d) Transfer between services. Any employee in the classified service holding regular or probationary status who accepts a *temporary* position in the unclassified service shall have the right to return to ~~his position in the classified service~~ *the position held in the classified service or a comparable position* upon completion of his service in an unclassified position. Credit for pension benefits or ~~seniority~~ *time in service* shall not be adversely affected by service in an unclassified position.
- ~~(e) Appointments to classified service. All appointments to positions in the classified service shall be in accordance with rules and regulations of the board.~~

Q. That Section 2-82 (Title and compensation of employees.) of Division 2 (Civil Service) of Article VI (City Employees) of Chapter 2 (Administration) of the Code of Ordinances is amended as follows:

No employee in the classified service shall be employed under a position title nor paid a salary not in accordance with the provisions of a schedule set by the city ~~commission~~ *council* establishing a list of approved class titles and compensation rates for such titles.

R. That Section 2-83 (Examinations.) of Division 2 (Civil Service) of Article VI (City Employees) of Chapter 2 (Administration) of the Code of Ordinances is amended as follows:

- (a) In general. The board shall, by rule provide for the conduct of examinations in a manner which will fairly test the ability and capacity of individuals admitted to the examination. The board may establish reasonable standards for admission to examinations. Examinations may consist of any one, all or a combination of the following: written test, oral test, performance test, evaluation of training and experience, seniority, efficiency rating, physical and medical examination, or any other type or combination of examination which may reasonably establish the merit and fitness of applicants for the position.
- ~~(b) Physical standards; age limit; residence requirements. The board may establish medical or physical standards, including~~

~~height and weight, for classes as may be deemed appropriate. The board may establish minimum age limits for various classes as may be deemed appropriate. The board may also establish reasonable residence requirements as a basis for eligibility to compete in an examination.~~

S. That Section 2-84 (Establishment of eligible registers.) of Division 2 (Civil Service) of Article VI (City Employees) of Chapter 2 (Administration) of the Code of Ordinances is amended as follows:

The civil service board shall provide for the establishment of eligible registers. A register may consist of one or more of the following: reemployment list, promotional list, and open list. The reemployment list *which shall contain the names of employees who have been separated from a position in the classified service, without fault or delinquency on their part due to lack of work or lack of funds, and who left against his own will and in good standing, after completion of the probationary period.* The promotional list *which shall consist of the names of individuals who are in the civil service and qualified through open competitive examination for a position on the list.* ~~The board shall, by rule, determine the order or standing on such lists and the duration of such lists.~~ *The open list shall contain the names of persons who have qualified by open examination but are not at present members of the civil service of the city. The promotional and open list shall remain in effect for one year from date of qualification. Should less than five names remain on the eligible list, provision may be made for examination and combination of the eligible lists resulting therefrom either in the order of respective final grades in the examinations or in the order of the dates of examination.*

T. That Section 2-85 (Appointments.) of Division 2 (Civil Service) of Article VI (City Employees) of Chapter 2 (Administration) of the Code of Ordinances is amended as follows:

- (a) No person shall be appointed or promoted to any position in the classified civil service except upon requisition by the appointing authority and upon certification by the board from an eligible list prepared in accordance with ~~subsection 7 and subsection 8, ordinance no. 513~~ sections 2-83 and 2-84 of this division, ~~City of Riviera Beach~~. To fill existing positions in the city service, the city manager shall determine the duties and responsibilities of the position or promotion to be filled. The city manager, after certification of names of persons on the eligible list have been made, shall make requisition from the certified eligible list for employment, the position, if filled, must be filled by the appointment and employment of one of the persons certified. ~~and certification shall be made in the order of the standing on the eligible list as follows:~~

~~For one (1) vacancy three (3) names, for two (2) vacancies four (4) names, for three (3) vacancies five (5) names, for four (4) vacancies six (6) names. List shall be certified by the board in the following order: (1) first names on the reemployment list; (2) second names on the promotional list; (3) third names on the open list.~~

*Management shall first consider those individuals on the reemployment list; second those individuals on the promotional list; and third those person whose names are on the open list. When a person on the reemployment or promotional list is not chosen, the reason in writing for such action shall be filed with the civil service board.*

Consideration will be given in order of standing on the eligible list. Notwithstanding, however, the interviewing supervisor may in the event there are five (5) or more names on the list, choose one of the top five (5) and not necessarily in order of standing. If there are less than five (5) names on the list, he may choose one or reject all. If there is one (1) name on the list he may choose to accept or reject the individual.

- (b) All names shall be exhausted from each list through appointment or declination of appointment before the names on the subsequent list can be certified. Nothing in this section shall prevent the filling of the position by reinstatement, transfer, or demotion of an employee. as provided for in the rules of the board. The city manager or appointing authority may make a provisional appointment of a person, due to the absence of an eligible list, provided the person meets the requirements for the class of position and provided further that subsection 10, ordinance 513, Section 2-86 of this division, City of Riviera Beach, is abided by. In each instance when the appointing authority appoints or promotes, as the case may be, any person out of the order of the standing on the eligible list certified to him or it by the chairman of the board for the position, the appointing authority shall forthwith deliver to the chairman a written statement of his or its reason for so appointing or promoting the person so appointed or promoted. and no appointment or promotion of any person other than the person whose name appears highest on such list shall become effective until such statement has been received by the chairman. The reason for a rejection of both persons on the list of two or the person on the list of one shall also be explained in a written statement. Each such statement shall be filed in the office of files of the civil service board for city employees and shall be open for public inspection.

U. That Section 2-86 (Employment) of Division 2 (Civil Service) of Article VI (City Employees) of Chapter 2 (Administration) of the Code of Ordinances is amended as follows:

Sec. 2-86 Employment.

- (a) Regular, temporary and provisional employment. Employment in the city service shall be divided into categories of regular employment, provisional employment, or temporary employment. Regular employment shall be defined as employment in the position which has an expected duration of more than six (6) months. Temporary employment shall be defined as employment in a position with an expected duration of not to exceed six (6) months. Provisional employment shall be defined as that employment due to the absence of an eligible list. Provisional employment may not extend for more than ~~six~~ three (3) months nor more than fifteen days following the establishment of the eligible list by the board, whichever is less in length of time.

- (b) Emergency appointments. The city manager may, in time of emergency or to prevent the stoppage of public business, make emergency appointments not to exceed thirty (30) days of any person to any position.

V. That Section 2-87 (Probationary period) of Division 2 (Civil Service) of Article VI (City Employees) of Chapter 2 (Administration) of the Code of Ordinances is amended as follows:

Individuals appointed from a ~~promotional list or an open certified~~ list to regular employment shall serve a probationary period, ~~the length of which for each class of position shall be determined by the board of a minimum of six (6) months,~~ but which shall not extend for more than twelve months. An employee appointed to a temporary position does not serve a probationary period and such service shall not count in completing a probationary period. *An employee appointed to a provisional position may receive credit for probationary time while serving in a provisional position.*

W. That Section 2-88 (Procedure for discharge of employees) of Division 2 (Civil Service) of Article VI (City Employees) of Chapter 2 (Administration) of the Code of Ordinances is amended as follows:

- (a) Probationary period. During the probationary period the city manager may, at his discretion, discharge an employee by giving, in writing, reasons for such discharge and submitting such reasons to the employee and the civil service board. Notice of discharge shall be given the employee or sent by registered mail, return receipt requested, to his last known address. The decision of the city manager shall be final. The civil service board may investigate the reasons for dismissal and if, in their opinion, the reasons do not warrant dismissal the board may restore the person's name to the eligible list.
- (b) Probationary period completed. The City manager may discharge an employee who has completed his probationary period from his position at any time, upon filing charges with the civil service board outlining the specific reasons for dismissal. These written charges must be given personally to the employee or sent by registered mail, return receipt requested, to his last known address and discharge cannot be made effective until this notice has been given to or sent to the home of the employee. A copy of the notice of discharge, citing the reasons given, must be filed with the civil service board. The employee may, within ten days after receipt of his notice, file an answer with the civil service board and may request a hearing by the board to determine the reasonableness of the discharge. The civil service board shall begin such hearing within fifteen days following receipt of the request for hearing by the employee. In a hearing the board shall not be bound by rules of technical evidence but shall use reasonable grounds and discretion to secure a fair and completed hearing of the facts in the case. The employee, the department head or the city manager, and the board may be represented by counsel if desired. The hearings shall be open to the public except where the board, by a majority vote, shall declare a non-public hearing to prevent the disclosure of information which would be inimical to the best interest of the city. *always*

be open to the public. Upon completion of the hearing the board ~~may deliberate in either public or non-public session and~~ shall make their decision within fifteen days. The decision of the civil service board shall be final ~~and binding on employee, the city manager, and the legislative body unless an appeal is taken to civil court.~~ Nothing in this division shall be construed to prevent the temporary suspension, without pay, of an employee, for a period of not more than thirty days, for the purpose of investigating and filing charges against the employee.

- (c) Suspension without pay. The city manager may suspend, without pay, an employee for a period not to exceed thirty days in any one calendar year, for failure to perform his duties in a proper manner. Such suspension by city manager shall be subject to notice to the employee, to appeal by the employee, and to hearing in the same manner previously provided for dismissal of an employee.
- (d) Power of board in investigations. Further, in the investigation of charges of suspension or dismissal or the investigation of grievances submitted, each member of the board shall have the power to administer oaths, and the board is authorized to compel, by subpoena, the attendance and testimony of witnesses, the production of papers and books relative to such investigation, said subpoenas to be served by members of the police department.
- (e) Refusal to obey subpoena. It shall be unlawful for any person to refuse to respond to any subpoena duly issued by the board without a legitimate excuse therefor and such failure or refusal to respond may be declared a misdemeanor and shall be punishable as now provided for by section 1-8 of the City Code.
- (f) Witnesses before board. All witnesses demanding witness fees for attendance shall be entitled to the per diem of one dollar (\$1.00) to be paid by the city but no employee of the city summoned before said civil service board to testify shall be entitled to any compensation nor suffer any loss of pay for such attendance. No person being tried may, without the consent of the board, summon more than four witnesses before the board at the expense of the city, but may summon any number of witnesses at his own expense.
- (g) Mediation. Nothing in this division shall prevent the city from making any necessary investigation, prior to or subsequent to the filing of charges, in an attempt to mediate the matter.

X. That Section 2-89 (Advisory Committee.) of Division 2 (Civil Service) of Article VI (City Employees) of Chapter 2 (Administration) of the Code of Ordinances is amended as follows:

- (a) Created; election of members. An advisory committee of the employees of the classified service is hereby created. The employees of the classified service shall elect such advisory committee in the following manner: each organizational unit or units as deter-

mined by the city manager shall elect one member and in the event the total number of members shall be an even number, all of the employees shall elect another so that the number of members of the advisory committee shall be an odd number.

- (b) Qualifications; filling vacancy; term; chairman. Each of the members of the advisory committee must be a member of the classified service. Any vacancy caused by death, resignation, discharge from the classified service, or otherwise, shall be filled by the unit or units electing such member. Each member of the committee shall serve for a period of one year and ~~the committee shall elect a chairman from their members, the chairman shall be selected from a different unit or units each year, and no member from any unit or units shall hold the chairmanship for more than one year, until a member from each of the other unit or units has held the chairmanship for one year.~~ *no member shall succeed himself as chairman.* The members of the advisory committee shall retain their respective offices under this section until their respective terms of office shall expire and their successors are elected and qualified.
- (c) Duties; meetings of classified service. It shall be the duty of the advisory committee to represent and protect the interest of all members of the classified service and to call meetings of the members of the classified service at any time and place which they deem necessary which shall not interfere with the operation of the city.
- (d) Prohibited from causing strike; powers; calling meeting of classified service; no penalty for representation. The advisory committee shall never under any circumstances cause any strike or encourage any member or members whomsoever to be disobedient or to fail to perform their duties as required by law and ordinance. The advisory committee shall exercise only such powers as are delegated to it under by laws adopted by a majority vote of the members of the classified service. The chairman or a majority of the advisory committee may, or upon demand of any five employees, shall call a meeting of the members of the classified service. No officer of the city shall impose any penalty upon any member of the advisory committee by reason of his action in representing the members of the classified service.

Y. That Section 2-90 (General prohibitions relating to political activity) of Division 2 (Civil Service) of Article VI (City Employees) of Chapter 2 (Administration) of the Code of Ordinances is amended as follows:

- (a) ~~No officer or employee in the classified service shall solicit, orally or by letter, or receive or pay, or be in any manner concerned in soliciting, receiving or paying any assessment, subscription, or contribution to any municipal political purpose whatsoever.~~ *No employee in the classified service shall engage in any political activity during working hours.*

(b) ~~No-employee-in-the-classified-service-shall-use-his authority-or-influence-to-attempt-to-influence-or coerce-a-political-body-or-in-any-way-interfere-with any-nomination-or-election-to-public-office.--No-employee-shall-be-an-officer-of-a-political-club-or organization-or-act-as-a-worker-at-the-polls-or-engage in-the-distribution-of-badges,posters,bills,or similar-written-matter-approving-or-favoring-any-candidate-for-nomination-or-election-to-a-political-office. Nothing-in-this-division-shall-prevent-an-employee-from becoming-a-member-of-a-political-club-and-attending similar-meetings,or-expressing-his-opinion-on-all political-subjects,or-enjoying-freedom-from-all-interference-in-casting-his-vote.~~

Z. That Section 2-91 (Appropriation for administration of division) of Division 2 (Civil Service) of Article VI (City Employees) of Chapter 2 (Administration) of the Code of Ordinances is amended as follows:

A sufficient sum of money shall be appropriated each year by the city ~~commission council~~ to carry out the provisions of this division. The amount of such appropriation shall be at the discretion of the city ~~commission council~~.

A-1. That Section 2-92 (Grievance committee between the city and Municipal Refuse Service, Inc.) of Article VI (City Employees) of Division 2 (Civil Service) of Article VI (City Employees) of Chapter 2 (Administration) of the Code of Ordinances is repealed, to wit:

~~Sec--2-92: Grievance-committee-between-the-city-and-Municipal Refuse-Service, Inc.~~

- ~~(a)--Created.--A-grievance-committee,composed-of-three persons,is-hereby-created-and-established.--Said committee-is-created-in-accordance-with-the-terms of-that-certain-contract-and-amendment-thereto-here-tofore-entered-into-between-the-City-of-Riviera-Beach and-the-Municipal-Refuse-Service, Inc.-and-shall-be designated-as-the-grievance-committee.~~
- ~~(b)--Composition-of-membership.--Said-committee-shall-be composed-of-three-members,one-to-be-selected-by-the city-council,one-to-be-selected-by-the-employees-of the-Municipal-Refuse-Service, Inc.,and-one-to-be-selected-by-the-Municipal-Refuse-Service, Inc.--When the-persons-have-been-so-selected,their-respective names-shall-be-submitted-to-the-city-council-and-said city-council-shall-then-by-motion,duly-passed,name said-individuals-to-serve-on-said-committee.~~
- ~~(c)--Tenure,dismissal-and-vacancies.--Each-member-of-said committee-shall-serve-on-said-committee-until-his-successor-is-selected-and-whose-name-has-been-given-to-the city-council-and-thereafter-appointed-to-said-committee by-said-city-council.--The-term-of-the-members-shall-be until-a-successor-is-appointed-as-above-provided.--Any member-thereof-missing-attending-three-(3)-meetings-consecutively-shall-be-subject-to-dismissal-therefrom.--The remaining-members-of-the-committee-shall-consider-the reasons-for-such-absences-from-the-meetings-and-if-they determine-no-valid-reasons-exist-for-such-absences,then they-shall-recommend-to-the-city-council-the-dismissal of-such-person-and-a-vacancy-shall-exist,if-the-city council-agrees-with-such-recommendation-and-thereafter a-new-member-shall-be-selected-and-appointed-as-above provided-in-subsection-(b)-hereof.--If-a-vacancy-occurs~~

~~or if a person resigns from said committee, such vacancy so created shall be filled as above provided in subsection (b) for the appointment of such committeemen.~~

- ~~(d) -- Compensation. -- The members of the said committee shall receive no compensation for their services as such committeemen.~~
- ~~(e) -- Chairmanship, regular and special meetings, notice, waiver, procedure. -- After said committee has been so appointed, they shall meet and select from their members a chairman who shall conduct all meetings of said committee. -- He shall have the right to vote on all matters coming before the committee. -- They shall meet at least once a month. -- Special meetings may be called by the chairman upon the request of the city council or the Municipal Refuse Service, Inc., or by any member of the committee. -- At least 24 hours written notice shall be delivered to each member of the committee before such special meeting shall be held, unless if all members of the committee are present they may hold such special meeting, if a majority of the members thereof sign a waiver therefor in which waiver it is stated that all three members of said committee were present when said meeting was decided upon. -- The committee shall follow Robert's Rules of Order Revised in conducting its meetings. -- It may adopt such other rules as it may deem necessary to properly carry on the affairs of the committee.~~
- ~~(f) -- Removal for cause by city council. -- Any committeeman may be removed for cause. -- Only the city council may remove a member, after recommendation from the other committeemen, requesting such removal. -- Before taking final action of removal, the city council may request a hearing to determine if the cause for such removal is just, if it determines that such cause is not just, it may deny the request for such removal.~~

B-1. That Section 2-46 (Definitions.) of Division 2 (Civil Service) of Article V (Police) of Chapter 2 (Administration) of the Code of Ordinances is amended as follows:

As used in this division the following terms shall have the following meanings unless the context otherwise requires:

- (1) The word "board" shall mean the *police and fire* civil service board herein provided for.
- (2) The term "members of the civil service" shall mean the members of the *police and fire* departments employed by the municipality who are subject to the civil service provisions of this division.
- (3) The term "~~chief of police~~" shall be construed to mean the officer in command of the *police or fire* department, and commonly known and designated as *chief, of police*.

C-1. That Section 2-48 (Board--Creation, members, officers.) of Division 2 (Civil Service) of Article V (Police) of Chapter 2 (Administration) of the Code of Ordinances is amended as follows:

A police and fire civil service board for the municipality is hereby created. Such board shall be composed of five members, three members of the board to be persons of different vocations, not employed by the municipality in any other capacity, official or otherwise, and shall be appointed by the legislative body, and shall be so appointed in the first instance for terms of one, two, and three years respectively, and thereafter in each instance the term shall be for four years. The fourth and fifth members of such board shall be members of the police and fire departments of the municipality as defined by the city charter which states: "The fire department and the police department of the city shall have the right to elect from its respective department at least two of their fellow employees who shall serve on the board on all matters pertaining to their respective department. In addition, there shall be elected one alternate from each department to sit when a regular member is absent." ~~who~~ They shall be elected to membership in the board by a vote of the regular employed members of the police and fire departments who have passed their probationary period. The term of the fourth and fifth members shall be for one and two years respectively. The members of the board, other than the fourth and fifth members, shall appoint the judges and the clerks for the election of such fourth and fifth members. The time for such election shall be set by the three members first appointed to such board and thereafter such election shall be held on that date each year, or such other date as may be designated by the legislative body. The votes shall be consolidated, the candidate receiving the greatest number of votes shall be declared elected. ~~Immediately after appointments and election have been made and held as above described the board shall organize and elect one of its members chief examiner, who shall act as secretary of such board. The board may appoint such other assistants to the secretary as may be necessary.~~ All three members of the ~~civil service~~ board first appointed shall serve without recompense unless otherwise provided by the legislative body. ~~The chief of police shall be ex officio member of such board and shall have a voice in any proceedings, but not vote. The fourth and fifth members and the chief of police shall serve on such board without compensation, other than their regular pay as officers.~~

D-1 That Section 2-49 (Same--Rules, regulations, investigations, enforcement, reports.) of Division 2 (Civil Service) of Article V (Police) of Chapter 2 (Administration) of the Code of Ordinances is amended as follows:

Sec. 2-49. Same--Rules, and regulations, ~~investigations, enforcement, reports.~~

The civil service board shall adopt, enact, and amend a code of rules and regulations which pertain to their own operating procedures. Such code shall cover the rules and regulations for the ~~conduct and direction of the members of the police department and shall prescribe discipline and control and make recommendations to the legislative body~~

~~on-hours-and-working-conditions,--Such-code-shall contain-rules-and-regulations-for-the-appointment, employment-of-new-officers,-to-set-up-requirements as-to-age,-physical-requirements,-educational requirements,-and-the-investigation-of-character-and ability-and-the-discharge-of-persons-in-all-positions-in-the-police-department-of-the-municipality based-on-merit,-efficiency,-character,-and-industry. Such-code-shall-have-the-force-and-effect-of-a-law on-employees-of-the-police-department,--Such-board shall-make-investigations-concerning-the-enforcement and-effect-of-this-division-and-of-its-adopted-code. It-shall-make-an-annual-report-to-the-legislative~~ body, regarding the hearing and adjudication of grievances upon appeal from a decision of the city manager. These rules and regulations are subject to approval of the city council.

E-1. That Section 2-50 (Examinations, eligible lists, grades, certification.) of Division 2 (Civil Service) of Article V (Police) of Chapter 2 (Administration) of the Code of Ordinances is amended as follows:

~~The-civil-service-board-or-its-examiner,-subject to-its-approval,-shall-provide-examinations-and maintain-lists-of-eligible-employees-for-appointment-in-the-police-department,--Such-lists-may-be certified-and-available-to-the-chief-of-such department-at-such-time-as-may-be-determined-by-the board,-but-not-less-than-one-year,-and-shall-be available-for-examination-by-any-member-of-such department-at-any-time,--Appointments-shall-be-made to-fill-vacancies-only-from-this-list-of-eligibles.~~

~~Members-of-the-police-department-shall-be-moved from-any-grade-to-a-higher-grade-only-after-passing such-requirements-prescribed-by-the-board-as-fore-said,-and-a-certificate-as-to-their-efficiency-and fitness,-with-the-necessary-qualifications-prescribed by-the-board,-and-the-entry-of-their-names-on-the eligible-lists-for-such-grades.~~

- (a) In general. The board shall, by rule provide for the conduct of examinations in a manner which will fairly test the ability and capacity of individuals admitted to the examination. The board may establish reasonable standards for admission to examinations. Examinations may consist of any one, all or a combination of the following: written test, oral test, performance test, evaluation of training and experience, seniority, efficiency rating, physical and medical examination, or any other type or combination of examination which may reasonably establish the merit and fitness of applicants for the position.
- (b) The civil service board shall provide for the establishment of eligible registers. A register may consist of one or more of the following: reemployment list, promotional list, and open list, The reemployment list which shall contain the names of employees who have been separated from a position in the classified service, and

who left against his own will and in good standing, after completion of the probationary period. The promotional list which shall consist of the names of individuals who are in the civil service and qualified through open competitive examination for a position on the list. The open list shall contain the names of persons who have qualified by open examination but are not at present members of the civil service of the city. The promotional and open lists shall remain in effect for one year from date of qualification. Should less than five names remain on the eligible list, provision may be made for examination and combination of the eligible list resulting therefrom either in the order of respective final grades in the examinations or in the order of the dates of examination.

- (c) No person shall be appointed or promoted to any position in the classified civil service except upon requisition by the appointing authority and upon certification by the board from an eligible list. To fill existing positions in the city service, the city manager shall determine the duties and responsibilities of the position or promotion to be filled. The city manager, after certification of names of persons on the eligible list have been made, shall make requisition from the certified eligible list for employment, the position, if filled, must be filled by the appointment and employment of one of the persons certified.

Management shall first consider those individuals on the reemployment list; second those individuals on the promotional list; and third those person whose names are on the open list. When a person on the reemployment or promotional list is not chosen, the reason in writing for such action shall be filed with the civil service board.

Consideration will be given in order of standing on the eligible list. Notwithstanding, however, the interviewing supervisor may in the event there are five (5) or more names on the list, choose one of the top five (5) and not necessarily in order of standing. If there are less than five (5) names on the list, he may choose one or reject all. If there is one (1) name on the list he may choose to accept or reject the individual.

- (d) Nothing in this section shall prevent the filling of the position by reinstatement, transfer, or demotion of an employee. The city manager or appointing authority may make a provisional appointment of a person, due to the absence of an eligible list, provided the person meets the requirements for the class of position and provided further that Section 2-86 of this division, is abided by. In each instance when the appointing authority appoints or promotes, as the case may be, any person out of the order of the standing on the eligible list certified to him or it by the chairman of the board for the position, the appointing authority shall forthwith deliver to the chairman a written statement of his or its reason for so appointing or promoting the person so appointed or promoted. The reason for a rejection

of both persons on the list of two or the person on the list of one shall also be explained in a written statement. Each such statement shall be filed in the office of files of the civil service board for city employees and shall be open for public inspection.

F-1. That Section 2-51 (Fixing pay, grades and number thereof, seniority list.) of Division 2 (Civil Service) of Article V (Police) of Chapter 2 (Administration) of the Code of Ordinances is amended as follows:

The legislative body shall fix the pay of all members of the police and fire departments, provided that members of the same grade shall each receive the same pay, members of a higher grade shall not be paid less than members of the next lower grade. The legislative body shall fix the number of members in each particular grade and may increase or reduce the number of any grade, or may abolish that grade, except that there shall be only one chief of police and one chief of fire. ~~and this office may not be abolished.~~ In the event of a reduction in the number of members in any grade, the members shall be retained in that grade according to seniority, and those members thus being forced back to a lower grade or class will assume a comparable position with comparable compensation or revert to the next lower classification and will therefor receive the pay of such lower grade or class, and in the event the grade or class is again increased, shall be first to succeed to such old grade or class according to seniority, without further examination or probationary period, and in the event a reduction in such force or any grade thereof causes a member of the lowest grade of said force to go into inactive duty, such member or members on inactive duty shall not receive any pay, but such inactive member shall not lose his seniority, provided he remains inactive for a period not exceeding one year, and enters on such active duty within ten days after notice has been given him by the ~~secretary of the civil service board~~ director of personnel that the position is open. After the formation of such board a seniority list shall be certified of all members and employees of the police and fire departments and each member and employee shall in writing assent or dissent to his seniority rating. In the event a member dissents, a hearing shall be held by such board and the seniority determined, and the findings of such board shall be final.

G-1 That Section 2-52 (Discharge of permanent employee.) of Division 2 (Civil Service) of Article V (Police) of Chapter 2 (Administration) of the Code of Ordinances is amended as follows:

The discharge of a permanent employee by the city manager ~~other than at the end of a probationary period~~ shall not become effective until the chief of police or chief of fire shall have first served upon such employee a written notice

of discharge which shall contain one or more reasons or grounds for discharge, together with such specifications of facts as will enable said employee to make an explanation and place himself fairly upon his defense, giving such employee an opportunity to make an explanation, and file it with the ~~civil-service~~ board, together with a copy of such notice of discharge and explanation, if any, made by the employee.

H-1. That Section 2-53 (Appeals from discharge--Notices.) of Division 2 (Civil Service) of Article V (Police) of Chapter 2 (Administration) of the Code of Ordinances is amended as follows:

A discharged *permanent* employee may appeal to the ~~civil-service~~ board for a hearing within ten calendar days from the time he was served with notice of discharge as shown by such notice. The board shall hear the appeal within thirty days from the date that such appeal shall have been filed with the board. Written notice shall be given to the person so removed, *to the city manager, director of personnel,* and to the chief of ~~police~~ *the department* of the time and place of hearing and appeal, which hearing shall be opened to the public.

I-1. That Section 2-54 (Same--Proceedings of hearings.) of Division 2 (Civil Service) of Article V (Police) of Chapter 2 (Administration) of the Code of Ordinances is amended as follows:

*The board shall have jurisdiction in all areas upon appeal of grievances, suspensions, and dismissal. The board shall hear the evidence upon the charges and specifications as filed with it by the chief of police. No material amendment of, or addition to said charges or specifications will be considered by the board. The proceedings shall be as informal as is compatible with justice. The order of proof shall be as follows: The chief of police and/or the city manager shall present his evidence in support of the charges; the appellant shall then produce such evidence as he may wish to offer in his defense. The parties in interest may then offer rebuttal evidence. The board shall hear arguments. The admission of the evidence shall be governed by the rules applied by the court in civil cases. The board shall have the power to subpoena and require the attendance of witnesses and the production of pertinent documents and to administer oaths. ~~The chief of police may be represented by other counsel.~~ The city attorney or a designate shall represent the city in these matters when requested by the council or city manager. The appellant may also be represented by counsel, and the board shall, after due consideration, render its judgment affirming, disaffirming, or modifying the action of such department. The decision of the board shall be final and binding on employee, the city manager, and the legislative body unless an appeal is taken to civil court.*

J-1. That Section 2-55 (Initiation of investigation, preferring charges.) of Division 2 (Civil Service) of Article V (Police) of Chapter 2 (Administration) of the Code of Ordinances is repealed as follows:

~~Sec. 2-55. Initiation of investigation, preferring charges.~~

~~The civil service board shall also have the initiative in any proceedings and may, by a majority vote, call before it any member of the said police department for investigation, and, if it finds sufficient grounds to do so, may direct its secretary to prefer charges against said member, in which event the secretary may be substituted for the chief of police in such charges and hearings, and in such event the secretary shall not vote in such proceedings.~~

K-1. That Section 2-56 (Suspension, dismissal, fine--Causes.) of Division 2 (Civil Service) of Article V (Police) of Chapter 2 (Administration) of the Code of Ordinances is amended as follows:

Sec. 2-56. Suspension, dismissal, ~~fine~~ - Causes.

Any member of the civil service under this division who shall be guilty of incompetence, malfeasance, nonfeasance, misfeasance, misconduct, neglect of his duty, insubordination, immorality, drunkenness, or violation of law or rules of *the department* ~~the civil service~~ shall be subject to reduction, suspension, *or* dismissal. ~~or fine; (not both; however, no officer shall be fined a sum in excess of one month's compensation.)~~

L-1. That Section 2-57 (Suspension, demotion, lay-off of permanent employee; appeal.) of Division 2 (Civil Service) of Article V (Police) of Chapter 2 (Administration) of the Code of Ordinances is amended as follows:

Any chief ~~of police~~ *with approval of the city manager* may suspend a permanent employee without pay for a reasonable period not to exceed thirty days, for purposes of discipline. ~~provided, however, that such employee shall not be required to work more than five days of any suspension without pay.~~ Successive suspensions shall not be allowed. In all cases of suspensions, demotion, or lay-off, the chief ~~of police~~ shall furnish such employee with a copy of a notice thereof specifying his reason for the same and give such employee a reasonable time in which to make and file an explanation. Any employee suspended or laid off shall have the right of appeal to the civil service board in the manner set forth in

section 2-117 with reference to an appeal in case of dismissal. Whenever the dismissal or suspension of an employee is disapproved by the board and a reinstatement ordered, the employee involved may, as determined by the board, receive the pay he lost because of such suspension.

M-1. That Section 2-59 (Continuance of existing rank, grade, and seniority.) of Division 2 (Civil Service) of Article V (Police) of Chapter 2 (Administration) of the Code of Ordinances is repealed, to wit:

~~Sec. 2-59-Continuance-of-existing-rank,-grade,  
and-seniority.~~

~~Members-of-the-police-department-shall-retain  
the-rank-and-grade-and-the-seniority-they-held  
at-the-time-of-the-approval-of-the-provisions  
of-this-division-by-the-municipality,-such-  
date-being-July-31,-1957.--That-is,-it-shall  
not-be-necessary-for-them-to-be-reappointed-to  
the-grade-they-held-at-that-time,-nor-to-go  
through-any-probationary-period-to-hold-that  
particular-grade.--In-the-event,-however,-that-any  
member-of-the-police-department-shall-become-  
eligible-for-a-position-of-a-higher-grade,-then  
this-division-shall-apply-in-all-its-terms-and  
provisions.--Nothing-in-this-section-shall-pre-  
vent-the-legislative-body-from-reducing-the-number  
of-men-in-any-grade,-as-hereinbefore-provided.~~

N-1. That Section 2-100 (Rates of pay.) of Division 3, (Salary Plan) of Article VI (City Employees) of Chapter 2 (Administration) of the Code of Ordinances is amended as follows:

- (a) There is hereby established a schedule of salary ranges for certain employees of the city, providing for minimum and maximum salaries and intermediate salary steps in all ranges, and a salary plan in which certain existing classifications of employment are assigned to one of the salary ranges in the schedule. Such schedule of salary ranges and salary plan shall remain in force and effect until altered, amended, or repealed by the city council, and any changes or additions hereto shall be by amendment.
- (b) There is hereby established a schedule of job descriptions for each classification in the salary plan. Such job descriptions are to be rescinded, amended, modified, amplified and clarified under the direction of the city manager after approval of the city council, in accordance with the applicable ~~rules and regulations promulgated by the civil service board and~~ the ordinances of the city, providing and concerning job classifications and personnel.

O-1. That Section 2-103 (Starting rate on initial employment.) of Division 3, (Salary Plan) of Article VI (City Employees) of Chapter 2 (Administration) of the Code of Ordinances is amended as follows:

Original appointment to any position shall be made at the entrance step and the first six (6) months of employment shall be a probationary period. However, the city manager, ~~with the consent of the civil service board~~ shall have the authority to start a new employee at higher than the first step, if it is necessary to fill a vacancy, or for the recognition of unusual qualifications. Advancement from the entrance step to the maximum step within a salary range shall be by successive steps in accordance with requirements of section 2-133 hereof, except for those qualifications which are specifically set with an entrance rate higher than the first step.

P-1. That Section 2-106 (Required levels of performance.) of Division 3 (Salary Plan) of Article VI (City Employees) of Chapter 2 (Administration) of the Code of Ordinances is amended as follows:

- (a) Generally. In order to be credited with any period of service for advancement, step by step, to the maximum salary rate, the employee's efficiency rating for performance shall have been at least satisfactory as recommended by the department head and approved by the city manager. ~~Advancement to the fifth step for laborers shall require efficiency rating showing above average or exceptional performance, as recommended by the department head and approved by the city manager.~~
- (b) Requirements for step increases. Step increases shall be based on the following:
  - (1) Recommendation of immediate supervisor.
  - (2) Recommendation of department head.
  - (3) Continued satisfactory performance, as indicated by adequate score on employee performance rating.
  - (4) For technical and professional personnel, evidence of technical or professional interest, competence, and growth based upon educational effort, attendance at short courses and professional meetings, and other criteria, as may be developed by the department head, director of personnel and city manager.
  - (5) The first step increase for all employees after the six (6) months probationary period, shall be considered after twelve (12) months of continuous service beyond probation.

- (6) All employees advancing from one step to the next successive step shall have the approval of the city manager and department head.
- (7) When any step increase of an employee is disapproved by either the department head or the city manager, the employee must serve an additional six (6) months before being considered again for a step increase.

SECTION 1. If any section, part of a section, paragraph, sentence, clause, phrase or word of this ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holding or invalidity shall not affect the remaining portions of this ordinance and it shall be construed to have been the legislative intent to pass this ordinance without such unconstitutional, invalid or inoperative part therein, and the remainder of this ordinance after the exclusion of such part or parts shall be deemed to be held valid as if such part or parts had not been included therein, or if this ordinance or any of the provisions thereof shall be held inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other person, property or circumstances.

SECTION 2. Specific authority is hereby granted to codify this ordinance. It is the intention of the City Council, and it is hereby ordained, that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of Riviera Beach; that the sections of this ordinance may be renumbered or relettered to accomplish such intentions; and that the word "ordinance": may be changed to "section", "article", or other appropriate words.

SECTION 3. This ordinance shall take effect upon its passage as provided by law.

PASSED AND APPROVED on first reading, this 16 day  
of Oct, 1974.

PASSED AND ADOPTED ON SECOND AND FINAL reading, this  
26<sup>th</sup> day of Nov., 1974.

APPROVED:

Lucius G. Hill  
Mayor

James "Ducky" McLann  
David W. Williams  
James D. Jones

ATTEST:

John W. [Signature]  
City Clerk

[Signature]  
Councilmen

October 21, 1974

NOTICE OF PROPOSED ORDINANCE

The below Bill, described by title only, will be placed on second reading at the regular meeting of the City Council of the City of Riviera Beach, Florida to be held Wednesday, November 20, 1974 at 7:30 p.m. at the City Hall, 2214 Avenue E, and from time to time thereafter as may be necessary for the purpose of considering the enactment of the following ordinance:

BILL NO. 1004

"ATTACHED"

Said Bill may be inspected by the public at any time during regular business hours in the Office of the City Clerk at City Hall.

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

BY ORDER OF THE CITY COUNCIL

JOHN VAZQUEZ, CITY CLERK

PUBLISH: The Palm Beach Post-Times, October 29th and Nov. 5th, 1974.

EMERGENCY ORDINANCE NO. 1005

AN EMERGENCY ORDINANCE OF THE CITY OF RIVIERA BEACH, FLORIDA AMENDING ORDINANCE 913, THE SAME BEING THE BUILDING CODE OF THE CITY OF RIVIERA BEACH, FLORIDA, AMENDING CHAPTER 6 OF THE CODE OF ORDINANCE BY ADDING TO ARTICLE I, SECTION 6-1A, SECTION 702.3 PROVIDING TWO (2) HOUR PROTECTION IN ALL BUILDINGS FOUR (4) STORIES OR MORE IN HEIGHT, UNLESS SPRINKLERED THROUGHOUT.

WHEREAS, The City Council of the City of Riviera Beach, Florida hereby declares and determines that in order to provide for the public health, welfare, safety and commonwealth of the City, that this amendment to the Code should be enacted; and

WHEREAS, the City of Riviera Beach, Florida Building Board has reviewed this condition and approved this addendum to the Section 702.3 of the Southern Standard Building Code.

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

SECTION 6-1 of Article I of the Building Code be amended by adding a second paragraph under 702.3 - Partition requirements by Occupancy to read as follows:

"In all buildings four (4) stories or more in height unless fully sprinklered throughout, the partitions along public hallways and corridors shall be of not less than two (2) hour fire resistant construction. Less than four (4) stories may be one hour."

SECTION 1. If any section, part of a section, paragraph, sentence, clause, phrase or word of this ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holding or invalidity shall not affect the remaining portions of this ordinance and it shall be construed to have been the legislative intent to pass this ordinance without such unconstitutional, invalid or inoperative part therein, and the remainder of this ordinance after the exclusion of such part or parts shall be deemed to be held valid as if such part or parts had not been included therein, or if this ordinance or any of the provisions thereof shall be held inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other person, property or circumstances.

SECTION 2. Each day's violation of any of the provisions of this ordinance shall constitute a separate offense and shall be punishable as provided in Section 1-8 of the Code of Ordinances.

SECTION 3. Specific authority is hereby granted to codify this ordinance. It is the intention of the City Council, and it is hereby ordained, that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of Riviera Beach; that the sections of this ordinance may be renumbered or relettered to accomplish such intentions and that the word "ordinance" may be changed to "section," "article," or other appropriate words.

SECTION 4. This ordinance shall take effect upon its passage as provided by law.

PASSED AND ADOPTED this 17 day of April

1974.

APPROVED:

Lucius G. Hill  
Mayor

James "Bucky" Donnell  
Ray K. Nichols

David W. Williams

James H. Jones

Robert H. Kelly  
Councilmen

ATTEST:

John Wagner  
City Clerk

EMERGENCY ORDINANCE NO. 1006

AN EMERGENCY ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA AMENDING SECTION 3-6 OF THE CODE OF ORDINANCES OF THE CITY OF RIVIERA BEACH, PROVIDING FOR A TEMPORARY MORATORIUM ON PERMITS TO ERECT SIGNS AND REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.

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

SECTION 3-6 of the CITY CODE OF ORDINANCES be amended by adding a second paragraph as follows:

"The Building Official shall issue the Erection Permit as stated above for a sign only where the sign advertises business which will occur on the site where the sign is located."

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

PASSED AND ADOPTED this 17 day of April

1974.

APPROVED:

Lucius L. Hill  
Mayor

James "Bucky" McGinn  
Dary R. Nichols  
David W. Williams  
James H. Jones  
Robert G. Odell  
Councilmen

ATTEST:

John W. Wynn  
City Clerk

*Not Passed*

EMERGENCY ORDINANCE NO. \_\_\_\_\_

AN EMERGENCY ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, RELATING TO CITY COUNCIL'S FINDINGS OF FACT; AMENDING CHAPTER 13, RELATING TO OFFENSES, BY ADDING THERETO A SECTION RELATING TO NOISE ABATEMENT DURING CERTAIN HOURS; PROVIDING A PENALTY FOR THE VIOLATION OF ITS PROVISIONS; A SAVING CLAUSE; AUTHORITY TO CODIFY; AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

WHEREAS, the City Council of the City of Riviera Beach, Florida, has held hearings at public meetings and as a result thereof has found and determined that there exists an emergency, which is a new and unexpected condition and occurrence that constitutes an immediate and serious menace to the safety, health, and welfare of the residents of the City of Riviera Beach; now therefore:

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

SECTION 1. It shall be unlawful for any person who has been issued by the city a current occupational license to engage in any commercial enterprise wherein the use of any gas, fuel, electrical or mechanical operated device or equipment is used in the performance of such enterprise which causes vibrations or noises the intensity and duration of which are capable of being felt or heard beyond the property lines of the land wherein such device or equipment is situated between the hours of 10:00 p.m. and 6:00 a.m., inclusive during each day of the week.

SECTION 2. The penalty for violation of any of the provisions of this ordinance shall be as provided in Section 1-8 of the Code of Ordinances.

SECTION 3. In the event that any provision or application of this ordinance is held to be invalid, it is the legislative intent that the other provisions and applications hereof shall not be thereby affected.

SECTION 4. Specific authority is granted to codify this ordinance. It is the legislative intent that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of the City of Riviera Beach; that the sections of this ordinance may be renumbered or relettered to accomplish such intention, and that the word "ordinance" may be changed to "article," "division," "section," or other appropriate word.

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

PASSED AND ADOPTED at a regular meeting of the City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 1974.

APPROVED:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Chairman

(MUNICIPAL SEAL)

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

ATTEST:

\_\_\_\_\_  
Councilmen

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

ORDINANCE NO. 1008

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 2 (ADMINISTRATION) OF THE CODE OF ORDINANCES OF THE CITY OF RIVIERA BEACH, BY AMENDING CLASSIFICATION PLAN RELATING TO CLASS TITLE OF FINANCE & ACCOUNTING, EXECUTIVE SECRETARY - FINANCE DIRECTOR, PAY GRADE ADM. A AND CLASS TITLE PUBLIC SAFETY & SERVICE (FIRE), ASSISTANT FIRE CHIEF, PAY GRADE ADM. E; AND DESIGNATING SUCH CLASS TITLES IN THE CLASSIFIED SERVICE: PROVIDING A SAVING CLAUSE; AUTHORITY TO CODIFY; AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

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

A. That Chapter 2 (Administration) of the Code of Ordinances of the City of Riviera Beach, relating to Class Title of Finance & Accounting, Executive Secretary - Finance Director, Pay Grade Adm. A and Class Title Public Safety & Service (Fire), Assistant Fire Chief, Pay Grade Adm. E of the Classification Plan be amended as follows:

<u>CLASS TITLE</u>	<u>PAY GRADE</u>
<u>FINANCE &amp; ACCOUNTING</u>	
<u>Administrative Secretary - Finance Director/Treasurer</u>	<u>21</u>
<u>PUBLIC SAFETY &amp; SERVICE (FIRE)</u>	
<u>Assistant Fire Chief</u>	<u>34</u>

B. The Class Titles of Administrative Secretary - Finance Director/Treasurer and Assistant Fire Chief are designated to be in the Classified Service.

SECTION 1. If any section, part of a section, paragraph, sentence, clause, phrase or word of this ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holding or invalidity shall not affect the remaining portions of this ordinance and it shall be construed to have been the legislative intent to pass this ordinance without such unconstitutional, invalid or inoperative part therein, and the remainder of this ordinance after the exclusion of such part or parts shall be deemed to be held valid as if such part or parts had not been included therein, or if this ordinance or any of the provisions thereof shall be held inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holdings shall not affect the applicability thereof to any other person, property or circumstances.

SECTION 2. Each day's violation of any of the provisions of this ordinance shall constitute a separate offense and shall be punishable as provided in Section 1 - 8 of the Code of Ordinances.

SECTION 3. Specific authority is hereby granted to codify this ordinance. It is the intention of the City Council, and it is hereby ordained, that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of Riviera Beach; that the sections of this ordinance may be renumbered or relettered to accomplish such intentions; and that the word "ordinance": may be changed to "section", "article", or other appropriate words.

SECTION 4. This ordinance shall take effect upon its passage as provided by law.

PASSED AND ADOPTED on first reading, this 1 day of May, 1974.

PASSED AND ADOPTED ON SECOND AND FINAL reading this 5 day of June, 1974.

APPROVED:

Lucius G. Hill  
Mayor

James "Bucky" McGowan  
Sary R. Nichols

ATTEST:

John W. [Signature]  
City Clerk

David W. Williams  
James H. [Signature]  
Robert [Signature]  
City Council

May 14, 1974

NOTICE OF PROPOSED ORDINANCE

The below Bill, described by title only, will be placed on second reading at the regular meeting of the City Council of the City of Riviera Beach, Florida, to be held on Wednesday, June 5, 1974 at 7:30 p.m. at the City Hall, 2214 Avenue "E", or soon thereafter as such Bill may be read:

BILL NO. 1008

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 2 (ADMINISTRATION) OF THE CODE OF ORDINANCES OF THE CITY OF RIVIERA BEACH, BY AMENDING CLASSIFICATION PLAN RELATING TO CLASS TITLE OF FINANCE & ACCOUNTING, EXECUTIVE SECRETARY - FINANCE DIRECTOR, PAY GRADE ADM. A AND CLASS TITLE PUBLIC SAFETY & SERVICE (FIRE), ASSISTANT FIRE CHIEF, PAY GRADE ADM. E; AND DESIGNATING SUCH CLASS TITLES IN THE CLASSIFIED SERVICE: PROVIDING A SAVING CLAUSE: AUTHORITY TO CODIFY; AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

Said Bill may be inspected in the Office of the City Clerk at the City Hall.

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

BY ORDER OF THE CITY COUNCIL

JOHN VAZQUEZ, CITY CLERK

PUBLISH: The Palm Beach Post-Times, May 17th and 20th, 1974.

ORDINANCE NO. 1009

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 2, ARTICLE VI, DIVISION 3 OF SECTION 2-100 OF THE CODE OF ORDINANCES OF RIVIERA BEACH, FLORIDA, RELATING TO RATES OF PAY AND ADMINISTRATIVE SALARY SCHEDULE BY DELETING THEREFROM RANGE A, POSITION EXECUTIVE SECRETARY - FINANCE DIRECTOR/TREASURER, SALARY \$7,500 - \$9,000 ; RANGE E, POSITION ASSISTANT FIRE CHIEF, SALARY \$12,000 - \$16,200; PROVIDING A SAVING CLAUSE; AUTHORITY TO CODIFY; AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

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

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

1. Range A, Position Executive Secretary - Finance Director/Treasurer, Salary \$7,500 - \$9,000 and
2. Range E, Position Assistant Fire Chief, Salary \$12,000 - \$16,200.

SECTION 1. If any section, part of a section, paragraph, sentence, clause, phrase or word of this ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holding or invalidity shall not affect the remaining portions of this ordinance and it shall be construed to have been the legislative intent to pass this ordinance without such unconstitutional, invalid or inoperative part therein, and the remainder of this ordinance after the exclusion of such part or parts shall be deemed to be held valid as if such part or parts had not been included therein, or if this ordinance or any of the provisions thereof shall be held inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holdings shall not affect the applicability thereof to any other person, property or circumstances.

SECTION 2. Each day's violation of any of the provisions of this ordinance shall constitute a separate offense and shall be punishable as provided in Section 1 - 8 of the Code of Ordinances.

SECTION 3. Specific authority is hereby granted to codify this ordinance. It is the intention of the city council, and it is hereby ordained, that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of Riviera Beach; that the sections of this ordinance may be renumbered or relettered to accomplish such intentions; and that the word "ordinance": may be changed to "section", "article", or other appropriate words.

SECTION 4. This ordinance shall take effect upon its passage as provided by law.

PASSED AND ADOPTED on first reading this 1 day of May, 1974.

PASSED AND ADOPTED ON SECOND AND FINAL reading this 5 day of June, 1974.

APPROVED:

Lucius B. Hill  
Mayor

James "Bucky" McLean  
Dary L. Nichols

David W. Williams

James M. Jones  
Robert H. Hardy  
City Council

ATTEST:

John W. Wagoner  
City Clerk

May 14, 1974

NOTICE OF PROPOSED ORDINANCE

The below Bill, described by title only, will be placed on second reading at the regular meeting of the City Council of the City of Riviera Beach, Florida, to be held on Wednesday, June 5, 1974 at 7:30 p.m. at the City Hall, 2214 Avenue "E", or soon thereafter as such Bill may be read:

BILL NO. 1009

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 2, ARTICLE VI, DIVISION 3 OF SECTION 2-100 OF THE CODE OR ORDINANCES OF RIVIERA BEACH, FLORIDA, RELATING TO RATES OF PAY AND ADMINISTRATIVE SALARY SCHEDULE BY DELETING THEREFROM RANGE A, POSITION EXECUTIVE SECRETARY - FINANCE DIRECTOR/TREASURER, SALARY \$7,500 - \$9,000; RANGE E, POSITION ASSISTANT FIRE CHIEF, SALARY \$12,000 - \$16,200; PROVIDING A SAVING CLAUSE; AUTHORITY TO CODIFY; AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

Said Bill may be inspected in the Office of the City Clerk at the City Hall.

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

BY ORDER OF THE CITY COUNCIL

JOHN VAZQUEZ, CITY CLERK

PUBLISH: The Palm Beach Post-Times, May 17th and 20th, 1974.