Deleted at Mayor Council meeting

ORDINANCE NO. 1160

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, REVISING ORDINANCE NO. 1083, AN AMENDATORY ORDINANCE TO ORDINANCE NO. 774, RELATING TO A FRANCHISE GRANTED TO TELEPROMPTER CORPORATION, A NEW YORK CORPORATION AUTHORIZED TO DO BUSINESS IN FLORIDA, ITS SUCCESSORS AND ASSIGNS, TO CONSTRUCT, OPERATE AND MAINTAIN A COMMUNITY ANTENNA TELEVISION SYSTEM IN THE CITY AND SETTING FORTH CONDITIONS ACCOMPANYING THE GRANTING OF SAID FRANCHISE AND FURTHER AMENDING SCHEDULE "B" ENTITLED "RATE SCHEDULE FOR THE CITY OF RIVIERA BEACH, FLORIDA" BY INCREASING SAME; PROVIDING A REPEALING CLAUSE, SAVING CLAUSE, AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

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

SECTION 1. That Section 18 entitled "Rates" of Ordinance No. 774 as amended by Ordinance No. 1083 is revised to read:

"Section 18 Rates. The rates and charges to residential and commercial users of the CATV System shall be those as filed by GRANTEE with the City of Riviera Beach, which shall be available for inspection by the public and residents of the CITY, provided, however, that any rate changes shall not be effective until thirty (30) days after they have been filed with the City Clerk and provided further that, without the prior consent of the City Council, the monthly service charge and installation charges for such single family residence, multi-family residence, multiple apartment, or hotel or motel shall not exceed the sum approved by City Council for service charge and for installation charges for each television outlet located therein, as approved in SEE SCHEDULE "B" by the City Council."

SECTION 2. That SCHEDULE "B" entitled "Rate Schedule for City of Riviera Beach, Florida," of Ordinance No. 774 as amended by Ordinance No. 1083 is further amended to read:

"SCHEDULE "B"

From Section 18.

Rate Schedule for
CITY OF RIVIERA BEACH, FLORIDA

Type of Service	Installation Charge		Monthly Service Charge	
1. RESIDENTIAL (Single Family)				
Installation, first TV	~~14.95~~	17.45	~~6.95~~	7.50
Installation, second set (Free if ordered with first installation)	~~6.95~~	10.95	~~1.75~~	2.13
Reconnection Charge	~~6.95~~	10.95		
Transfer	~~6.95~~	10.95		

	Relocation of outlets	~~6.95~~	10.95		
2.	MULTIPLE FAMILY (8 Units or Less Installation, first Unit)		Time & Material	~~6.95~~	7.50
	Additional Units (Based on 100% of Units)		Time & Material	4.50	
	Installation, second set	~~6.95~~	10.95	~~1.75~~	2.13
3.	MULTIPLE APARTMENT (Over 8 Units) Installation all units		Time & Material	~~6.95~~	7.50
	Additional Units (Based on 100% of Units)		Time & Material	4.50	
	Installation, second set	~~6.95~~	10.95	~~1.75~~	2.13
4.	COMMERCIAL UNITS				
	Installation of all Units		Time & Material	~~6.95~~	7.50
	Installation, second set	~~6.95~~	10.95	~~1.75~~	2.13
5.	HOTEL AND MOTEL				
	Installation all Units		Time & Material		
	Monthly Service First Unit			~~6.95~~	7.50
	Next 29 Units (Up to 30)			~~2.25~~	2.13
	Next 20 Units			~~1.75~~	2.13
	All Units over 50			~~1.25~~	2.13

SECTION 3. Any ordinance or parts of Ordinances in conflict herewith, to the extent of such conflict are repealed.

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

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

PASSED and APPROVED on first reading this _____ day of _____, 1977.

PASSED and ADOPTED on second and final reading this _____day of _____, 1977.

APPROVED:

_____
Mayor

_____
Chairman

_____
Chairman Pro Tem

[MUNICIPAL SEAL]

_____

_____

ATTEST:

_____
Councilmen

_____
City Clerk

r

ORDINANCE NO. 1161

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING PARAGRAPH (a) RELATING TO SCHEDULE OF SALARY RANGES AND PARAGRAPH (b) RELATING TO SCHEDULE OF JOB DESCRIPTION OF SECTION 2-100 ENTITLED "RATES OF PAY" OF DIVISION 3 ENTITLED "SALARY PLAN" OF ARTICLE VI ENTITLED "CITY EMPLOYEES" OF CHAPTER 2 ENTITLED "ADMINISTRATION" OF THE CODE OF ORDINANCES BY ADDING THERETO UNDER CLASS TITLE NEW CLASS TITLES, CLASSIFICATIONS AND PAY GRADES/RANGES; PROVIDING A JOB DESCRIPTION FOR SUCH CLASSIFICATIONS: REPEALING OTHER EXISTING CLASS TITLES, CLASSIFICATIONS AND PAY GRADES/RANGES; PROVIDING A REPEALING CLAUSE, SAVING CLAUSE, AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

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

SECTION 1. That paragraph (a) of Section 2-100 of Division 3 of Article VI of Chapter 2 of the Code of Ordinances is amended by adding thereto the following Class Titles, Classifications and Pay Grades/Ranges.

CLASS TITLE	CLASSIFICATION	PAY GRADE-RANGE
UTILITIES SERVICE	RAW WATER COLLECTION SYSTEM OPERATOR	28-A
CLERICAL & RELATED	UTILITY BILLING CLERK	15-A
CLERICAL & RELATED	DATA ENTRY OPERATOR I	8-A
CLERICAL & RELATED	DATA ENTRY OPERATOR II	12-A
BUILDING & INSPECTION	ADMINISTRATIVE ASSISTANT TO BUILDING OFFICIAL	30-A
BUILDING & INSPECTION	BUILDING INSPECTOR I	28-A
BUILDING & INSPECTION	BUILDING INSPECTOR II	31-A
BUILDING & INSPECTION	CODE INSPECTOR	25-A

SECTION 2. That paragraph (b) of Section 2-100 of Division 3 of Article VI of Chapter 2 of the Code of Ordinances is amended by adding thereto the following schedule of job descriptions for such classifications which are attached hereto and made a part of this Ordinance.

SECTION 3. That the following Class Titles, Classifications and Pay Grades/Ranges contained in paragraphs (a) and (b) of Section

2-100 of Division 3 of Article VI of Chapter 2 of the Code of Ordinances are repealed:

CLASS TITLE	CLASSIFICATION	PAY GRADE RANGE
PUBLIC SAFETY & SERVICE (POLICE)	ANIMAL WARDEN	17-A
BUILDING & INSPECTION	PUBLIC NUISANCE INSPECTOR	21-A
BUILDING & INSPECTION	BUILDING INSPECTOR	28-A
CLERICAL & RELATED	KEYPUNCH OPERATOR I	8-A
CLERICAL & RELATED	KEYPUNCH OPERATOR II	12-A

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

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

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

PASSED and APPROVED on first reading this 2 day of Nov, 1977.

PASSED and ADOPTED on second and final reading this 16 day of Nov, 1977.

APPROVED:

Mayor

[MUNICIPAL SEAL]

ATTEST:

City Clerk

Chairman

Chairman Pro-Tem

Councilmen

r

NOTICE OF PROPOSED ORDINANCE

November 3, 1977

The below Bill, described by title only, will be placed on second and final reading at the Regular Meeting of the City Council of the City of Riviera Beach, Florida to be held on Wednesday, November 16, 1977 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:

ORDINANCE NO. 1161

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING PARAGRAPH (a) RELATING TO SCHEDULE OF SALARY RANGES AND PARAGRAPH (b) RELATING TO SCHEDULE OF JOB DESCRIPTION OF SECTION 2-100 ENTITLED "RATES OF PAY" OF DIVISION 3 ENTITLED "SALARY PLAN" OF ARTICLE VI ENTITLED "CITY EMPLOYEES" OF CHAPTER 2 ENTITLED "ADMINISTRATION" OF THE CODE OF ORDINANCES BY ADDING THERETO UNDER CLASS TITLE NEW CLASS TITLES, CLASSIFICATIONS AND PAY GRADES/RANGES; PROVIDING A JOB DESCRIPTION FOR SUCH CLASSIFICIATIONS: REPEALING OTHER EXISTING CLASS TITLES, CLASSIFICATIONS AND PAY GRADES/RANGES; PROVIDING A REPEALING CLAUSE, SAVING CLAUSE, AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

Said Ordinance may be inspected by the Public at any time during 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 Ordinance.

BY ORDER OF THE CITY COUNCIL

John F. Vazquez, pbd

JOHN F. VAZQUEZ, CITY CLERK, CMC

PUBLISH: NOVEMBER 7, 1977

ORDINANCE NO. 1162

AMENDMENT TO ORDINANCE NO. 774, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, FLORIDA, AMENDING SECTION 18 OF ORDINANCE NO. 774, AS AMENDED BY ORDINANCE NO. 1083 (TELEPROMPTER CATV FRANCHISE), SUSPENDING THE REGULATION OF CABLE SERVICE RATES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING AN EFFECTIVE DATE, AUTHORITY TO CODIFY, AND FOR OTHER PURPOSES.

WHEREAS, it has been made to appear to the City Council that the franchised cable service operator in the City, TelePrompTer Florida CATV Corporation, is losing money on its operations within the City, which condition has existed from the inception of its operations within the City, and

WHEREAS, cable service is a convenience and luxury item and not a public utility service, and therefore is a service optional to the citizens and residents of the City; and

WHEREAS, there is serious question as to whether or not the regulation of rates as now provided for under Section 18 of said Franchise Ordinance is desirable or necessary, it being the present feeling of the City Council that the market place should be the determining factor in setting rates for cable service within the City, and

WHEREAS, the Federal Communications Commission has by its decision of August 1976 made municipal rate regulation optional with the municipality, and

WHEREAS, TelePrompTer, the franchise holder, has petitioned the City to suspend rate regulation for the purpose of letting the market place determine the rates, thereby avoiding expensive rate hearings and meetings before this Council, thereby saving money for both the cable holder and the municipality;

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

Section 1: That the regulation of rates as presently controlled by Section 18 of Ordinance No. 774, as amended by Ordinance No. 1083, be and the same is hereby suspended with

authority and permission to the CATV franchise holder to establish its own rates, subject however, to the requirement that such rates as are established be filed with the City at least thirty (30) days before said rates are to become effective; provided, however, the rates for the City of Riviera Beach shall never exceed the rates prevailing at any given time for the City of West Palm Beach, Florida.

Section 2: Separability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 3: Ordinance Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 4: Codification. Specific authority is hereby granted to codify this ordinance.

READ IN FULL AND PASSED ON FIRST READING this 7 day of Dec, 1977.

PASSED AND ADOPTED ON SECOND AND FINAL READING, this _____ day of _____, 1977, BY THE CITY OF RIVIERA BEACH, FLORIDA.

_____
Mayor

_____
Councilman

_____
Councilman

_____
Councilman

_____
Councilman

ATTEST:

_____
Councilman

_____
City Clerk

LAW OFFICES
HERRING, FULTON & D'ANGIO
SUITE 904 FORUM III
1665 PALM BEACH LAKES BOULEVARD
WEST PALM BEACH, FLORIDA 33401

GROVER C. HERRING
ANDREW FULTON, III
ROBERT A. D'ANGIO, JR.
ROBERT E. OGLESBY

TELEPHONE 689-3900
AREA CODE 305

November 28, 1977

Allen V. Everard, Esquire
City Attorney
City of Riviera Beach
Post Office Box 10682
Riviera Beach, Florida 33404

Re: TelePrompTer - Riviera Beach
Our File No. 67-946.16

Dear Allen:

Enclosed you will find suggested form of ordinance deregulating cable service rates in the City for your consideration. It is our understanding that the staff is going to submit this matter for consideration to the Council at its next meeting.

If there is anything further needed from us, please advise.

We expect to have this hand delivered up to you this afternoon.

Sincerely yours,

Grover C. Herring

GCH:mh
Enclosure

NOTICE OF PROPOSED ORDINANCE

DECEMBER 8, 1977

The below Bill, described by title only, will be placed on second and final reading at the Regular Meeting of the City Council of the City of Riviera Beach, Florida to be held on Wednesday, December 21, 1977 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:

ORDINANCE NO. 1162

AN ORDINANCE AMENDING ORDINANCE NO. 774, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, FLORIDA, AMENDING SECTION 18 OF NO. 1083 (TELEPROMPTER CATV FRANCHISE), SUSPENDING THE REGULATION OF CABLE SERVICE RATE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING AN EFFECTIVE DATE, AUTHORITY TO CODIFY, AND FOR OTHER PURPOSES.

Said Ordinance 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 Ordinance.

BY ORDER OF THE CITY COUNCIL

John F. Vazquez

John F. Vazquez, City Clerk, CMC

PUBLISH: MONDAY, DECEMBER 12, 1977

116 a

ORDINANCE NO. 1163

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, REVISING ORDINANCE NO. 1083, AN AMENDATORY ORDINANCE TO ORDINANCE NO. 774, RELATING TO A FRANCHISE GRANTED TO TELEPROMPTER CORPORATION, A NEW YORK CORPORATION AUTHORIZED TO DO BUSINESS IN FLORIDA, ITS SUCCESSORS AND ASSIGNS, TO CONSTRUCT, OPERATE AND MAINTAIN A COMMUNITY ANTENNA TELEVISION SYSTEM IN THE CITY AND SETTING FORTH CONDITIONS ACCOMPANYING THE GRANTING OF SAID FRANCHISE AND FURTHER AMENDING SCHEDULE "B" ENTITLED "RATE SCHEDULE FOR THE CITY OF RIVIERA BEACH, FLORIDA" BY INCREASING SAME; PROVIDING A REPEALING CLAUSE, SAVING CLAUSE, AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

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

SECTION 1. That Section 18 entitled "Rates" of Ordinance No. 774 as amended by Ordinance No. 1083 is revised to read:

"Section 18 Rates. The rates and charges to residential and commercial users of the CATV System shall be those as filed by GRANTEE with the City of Riviera Beach, which shall be available for inspection by the public and residents of the CITY, provided, however, that any rate changes shall not be effective until thirty [30] days after they have been filed with the City Clerk and provided further that, without the prior consent of the City Council, the monthly service charge and installation charges for such single family residence, multi-family residence, multiple apartment, or hotel or motel shall not exceed the sum approved by the City Council for service charge and for installation charges for each television outlet located therein, as approved in SEE SCHEDULE "B" by the City Council."

SECTION 2. That SCHEDULE "B" entitled "Rate Schedule for City of Riviera Beach, Florida," of Ordinance No. 774 as amended by Ordinance No. 1083 is further amended to read:

"SCHEDULE "B"

From Section 18.

Rate Schedule for
CITY OF RIVIERA BEACH, FLORIDA

Type of Service	Connection Charge		Monthly Service Charge	
1. RESIDENTIAL [Single Family]				
Installation, first TV	~~14.95~~	19.95	~~6.95~~	8.50
Installation, second set [Free if ordered with first installation]	~~6.95~~	15.00	~~1.75~~	2.50
Relocation of Outlets	~~6.95~~	15.00		
Trip Charge		5.00		

2.	MULTIPLE FAMILY [8 Units or More]			
	Installation, first Unit	Time & Material	~~6.95~~	8.50
	Additional Units	Time & Material		4.50
	[Based on 100% of Units]			
3.	COMMERCIAL ACCOUNTS			
	Installation of first TV	Time & Material	~~6.95~~	8.50
	Additional outlets	Time & Material	~~1.75~~	2.50
4.	HOTEL & MOTEL			
	Installation all Units	Time & Material		
	Monthly Service First Unit		~~6.95~~	8.50
	Additional Outlets		~~2.25~~	2.50

SECTION 3. Any Ordinances or parts of Ordinances in conflict herewith, to the extent of such conflict are repealed.

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

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

PASSED and APPROVED on first reading this 4 day of Jan, 1978.

PASSED and ADOPTED on second and final reading this 18 day of Jan, 1977.

APPROVED:

Mayor

[MUNICIPAL SEAL]

ATTEST:

City Clerk

Chairman

Chairman Pro Tem

Councilmen

r

ORDINANCE NO. 1163

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, REVISING ORDINANCE NO. 1083, AN AMENDATORY ORDINANCE TO ORDINANCE NO. 774, RELATING TO A FRANCHISE GRANTED TO TELEPROMPTER CORPORATION, A NEW YORK CORPORATION AUTHORIZED TO DO BUSINESS IN FLORIDA, ITS SUCCESSORS AND ASSIGNS, TO CONSTRUCT, OPERATE AND MAINTAIN A COMMUNITY ANTENNA TELEVISION SYSTEM IN THE CITY AND SETTING FORTH CONDITIONS ACCOMPANYING THE GRANTING OF SAID FRANCHISE AND FURTHER AMENDING SCHEDULE "B" ENTITLED "RATE SCHEDULE FOR THE CITY OF RIVIERA BEACH, FLORIDA" BY INCREASING SAME: PROVIDING A REPEALING CLAUSE, SAVING CLAUSE, AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

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

SECTION 1. That Section 18 entitled "Rates" of Ordinance No. 774 as amended by Ordinance No. 1083 is revised to read:

"Section 18 Rates. The rates and charges to residential and commercial users of the CATV System shall be those as filed by GRANTEE with the City of Riviera Beach, which shall be available for inspection by the public and residents of the CITY, provided, however, that any rate changes shall not be effective until thirty (30) days after they have been filed with the City Clerk and provided further that, without the prior consent of the City Council, the monthly service charge and installation charges for such single family residence, multi-family residence, multiple apartment, or hotel or motel shall not exceed the sum approved by the City Council for service charge and for installation charges for each television outlet located therein, as approved in SEE SCHEDULE "B" by the City Council."

SECTION 2. That SCHEDULE "B" entitled "Rate Schedule for City of Riviera Beach, Florida," of Ordinance No. 774 as amended by Ordinance No. 1083 is further amended to read:

"SCHEDULE "B"

From Section 18.

Rate Schedule for
CITY OF RIVIERA BEACH, FLORIDA

Type of Service	Connection Charge		Monthly Service Charge	
1. RESIDENTIAL (Single Family)				
Installation, first TV	~~14.95~~	19.95	~~6.95~~	7.50
Installation, second set (Free if ordered with first installation)	~~6.95~~	15.00	~~1.75~~	2.50
Relocation of Outlets	~~6.95~~	15.00		
Trip Charge		5.00		
2. MULTIPLE FAMILY (8 Units or More)				
Installation, first unit	Time & Material		~~6.95~~	7.50
Additional Units (Based on 100% of Units)	Time & Material			4.50

3.	COMMERCIAL ACCOUNTS			
	Installation of first TV	Time & Material	~~6.95~~	7.50
	Additional outlets	Time & Material	~~1.75~~	2.50
4.	HOTEL & MOTEL			
	Installation all Units	Time & Material	~~6.95~~	7.50
	Monthly Service First Unit		~~2.25~~	2.50
	Additional Outlets			

SECTION 3. Any Ordinances or parts of Ordinances in conflict herewith, to the extent of such conflict are repealed.

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

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

PASSED AND APPROVED on first reading this 4 day of Jan, 1978

PASSED AND ADOPTED on second and final reading this 18 day of Jan, 1978.

APPROVED:

Mayor

(Municipal Seal)

ATTEST:

City Clerk

Chairman

Chairman Pro Tem

Councilmen

NOTICE OF PROPOSED ORDINANCE

JANUARY 5, 1978

The below Bill, described by title only, will be placed on second and final reading at the Regular Meeting of the City Council of the City of Riviera Beach, Florida to be held on Wednesday, January 18, 1978 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:

ORDINANCE NO. 1163

AN AMENDATORY ORDINANCE TO ORDINANCE NO. 774, RELATING TO A FRANCHISE GRANTED TO TELEPROMPTER CORPORATION, A NEW YORK CORPORATION AUTHORIZED TO DO BUSINESS IN FLORIDA, ITS SUCCESSORS AND ASSIGNS, TO CONSTRUCT, OPERATE AND MAINTAIN A COMMUNITY ANTENNA TELEVISION SYSTEM IN THE CITY AND SETTING FORTH CONDITIONS ACCOMPANYING THE GRANTING OF SAID FRANCHISE AND FURTHER AMENDING SCHEDULE "B" ENTITLED RATE SCHEDULE FOR THE CITY OF RIVIERA BEACH, FLORIDA" BY INCREASING SAME; PROVIDING A REPEALING CLAUSE, SAVING CLAUSE, AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

Said Ordinance may be inspected by the Public at any time during 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 Ordinance.

BY ORDER OF THE CITY COUNCIL

John F. Vazquez, ohl

JOHN F. VAZQUEZ, CITY CLERK, CMC

PUBLISH: TUESDAY, JANUARY 10, 1978

O-1

EMERGENCY ORDINANCE NO. 1164

AN EMERGENCY ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, CITY COUNCIL FINDINGS OF FACT; PROHIBITING THE BUILDING OFFICIAL FROM ISSUING ANY BUILDING PERMITS THAT EXCEED PROPOSED DENSITY REGULATIONS FOR A PERIOD OF NINETY [90] DAYS; DIRECTING THE PLANNING BOARD TO MAKE COMPREHENSIVE STUDY OF ORDINANCE 1094 AND TO MAKE WRITTEN FINDINGS AND RECOMMENDATIONS TO CITY COUNCIL; INCORPORATING BY REFERENCE CERTAIN DOCUMENTS; PROVIDING FOR AN APPEAL TO THE CITY COUNCIL; AND FURTHER PROVIDING A PENALTY CLAUSE, REPEALING CLAUSE, SAVING CLAUSE, AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

CITY COUNCIL'S FINDINGS OF FACT:

WHEREAS, Ordinance No. 1094, enacted January 7, 1976, relating to the preservation of building permits for a period of five [5] years under specified conditions has recently been the source of inquiry as to its meaning, interpretation and application; and

WHEREAS, the City Council has found that the meaning, interpretation and application of the provisions contained in Ordinance No. 1094 are questionable and debatable; and

WHEREAS, the City Council has found that there is considerable public interest and concern as to the meaning, interpretation and application of the provisions contained in Ordinance No. 1094; and

WHEREAS, the City Council, after study and with great concern for the orderly development of the city that a comprehensive study and review of Ordinance No. 1094 by an agency vested with appropiate authority is necessary and in the best interest of the property owners and the residents of the city; and

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

WHEREAS, the Planning Board held a public hearing on January 12, 1978, to consider recommendation of staff personnel and the

public for the enactment of an amendment to the city's Zoning Code relating to density regulations; and

WHEREAS, the City Council thereafter held a public hearing on January 18, 1978, to consider the recommendations of the Planning Board and of the public for the enactment of an amendment to the city's Zoning Code relating to density regulations; and

WHEREAS, the City Council after the conclusion of such public hearing, did accept the recommendations of the Planning Board and authorized the preparation of an Ordinance amending the city's Zoning Code relating to density regulations as summarized herein, to-wit:

DISTRICT	EXISTING DU/GROSS ACRE	APPROVED REVISION DU/ ACRE
R-5	30+BONUS 5	25+BONUS 5
C-1B	30+BONUS 5	25+BONUS 5
	HOTEL - MOTEL NO LIMIT	50+BONUS 5
RCUP	49.07	*10
R-2	ROOMINGHOUSES NO LIMIT	50

*NET ACRE - ACREAGE CALCULATIONS SHALL NOT INCLUDE PUBLIC RIGHT-OF-WAY, SERVICE WAYS, ALLEYS NOR MORE THAN 50% OF ANY ON-SITE LAKE OR WATER AREA INCLUDED IN THE PROJECT.

and

WHEREAS, it is the legislative intent and purpose of this Emergency Ordinance to promote, protect and improve the public health, safety, comfort, good order, appearance, convenience, morals and general welfare of the residents of the City of Riviera Beach and others; to conserve the value of land, buildings and resources; to protect the character and maintain the stability of the areas within the city; to preserve the status quo by a moratorium on the issuance of building permits under specified conditions, thereby providing an opportunity for the city's Planning Board to investigate, plan, thoroughly study, hold public hearing and submit recommendations to the City Council as to the meaning, interpretation and application of Ordinance No. 1094 and that a period of ninety [90] days from the date of the enactment of this Emergency Ordinance is necessary and reasonable

for the Planning Board to submit its recommendations after such comprehensive review of Ordinance No. 1094; and

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

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

SECTION 1. That the Building Official is hereby directed to issue no building permits for the erection of buildings or structures that exceed the density regulations and other revisions to the Zoning Code recommended to the City Council by the Planning Board at its public hearing on January 12, 1978, and approved by the City Council in its public hearing on January 18, 1978, for a period of ninety [90] days from the date of enactment of this Emergency Ordinance, and all city officials and employees are prohibited from permitting the erection of any building or structure in conflict with such recommendations.

SECTION 2. That the city's Planning Board is hereby directed to make a comprehensive study of Ordinance No. 1094, as to its meaning, interpretation and application and to determine if a new peril to the health, safety, morals or general welfare of the city has occurred since the enactment of Ordinance No. 1094 so as to necessitate its repeal whether such ordinance is in conformance with the goals, objectives, policies and standards of the Comprehensive Plan; whether such ordinance will create conditions detrimental to the natural characteristics of the concerned area, or will be detrimental to the existing or proposed land uses surrounding the concerned area; whether the revision of such ordinance would be more beneficial in effect than development which could be achieved without its revision; whether lands not included but surrounding the application of such ordinance can be developed for uses which would be compatible with existing uses; and whether the existing streets are suitable and adequate to carry anticipated traffic generated by the

density permitted by Ordinance No. 1094, and to make other recommendations it determines to be in the best interest of the city, to the City Council on or before ninety [90] days from the effective date of this Emergency Ordinance, setting forth in detail its findings and recommendations.

SECTION 3. Incorporated by reference and made a part of this Emergency Ordinance are the following documents.

Exhibit #1.	Minutes of the public hearing held by the city's Planning Board on January 12, 1978.
Exhibit #2.	Minutes of the public hearing held by the City Council on January 18, 1978.
Exhibit #3.	Notice of Hearing of such public hearings, published in the Palm Beach Post on January 5, 1978, and on January 11, 1978.
Exhibit #4.	Proposed Ordinance authorized by the City Council at its public hearing on January 18, 1978, amending the city's Zoning Code by restricting density regulations.

SECTION 4. In accordance with the procedures as provided for in Section 14A-22. of the Code of Ordinances, the City Council, when so appealed to and after a hearing, may vary the applications of any provision herein contained in this Emergency Ordinance to any particular case when, in its opinion, the enforcement thereof would do manifest injustice, and would be contrary to the spirit and purpose of the enactment of this Emergency Ordinance or public interest.

SECTION 5. Any person violating any of the provisions of this Ordinance, shall upon conviction, be subject to the provisions of the uniform maximum penalty Ordinance, Ordinance No. 1123, enacted on October 6, 1976

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

SECTION 7. In the event that any provision or application of this Ordinance shall be held to be invalid, it is the legislative intent that the other provisions and applications hereof shall not thereby affected.

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

PASSED and ADOPTED AS AN EMERGENCY ORDINANCE on this 1st day of Feb, 1978.

APPROVED:

Mayor

Chairman

Chairman ProTem

[MUNICIPAL SEAL]

ATTEST:

City Clerk

Councilmen

r

THE PALM BEACH POST

Published Every Weekday
West Palm Beach, Palm Beach County, Florida

PROOF OF PUBLICATION

STATE OF FLORIDA
COUNTY OF PALM BEACH)

Before the undersigned authority personally appeared Frank T. Hartwell who on oath says that he is Advertising Mgr of The Palm Beach Post, a daily newspaper published at West Palm Beach in Palm Beach County, Florida; that the attached copy of advertising, being a Notice in the matter of Hearing in the --------- Court, was published in said newspaper in the issues of January 5,11,1978

Affiant further says that the Palm Beach Post is a newspaper published at West Palm Beach, in said Palm Beach County, Florida, and that said newspaper has heretofore been continuously published in said Palm Beach County, Florida, each weekday and has been entered as second class mail matter at the post office in West Palm Beach, in said Palm Beach County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Frank T. Hartwell

Sworn to and subscribed before me this 11th day of January A.D. 19 78

Alma B. Childers

NOTARY PUBLIC STATE OF FLORIDA at LARGE
MY COMMISSION EXPIRES JUNE 2, 1979
BONDED BY AMERICAN BANKERS INSURANCE CO

NOTICE OF HEARING

NOTICE is hereby given that the following Public Hearings are scheduled: The Planning and Zoning Board of the City of Riviera Beach, Palm Beach County, Florida, will hold a Public Hearing on Thursday, January 12, 1978 at 7:30 P.M. at City Hall, 2214 Avenue "E", Riviera Beach, Florida: The City Council of the City of Riviera Beach, Palm Beach County, Florida will hold a Public Hearing on Wednesday, January 18, 1978 at 8:00 P.M. at City Hall, 2214 Avenue "E", Riviera Beach, Florida to consider an enactment of an amendment to Section 23 of the Code of Ordinances of said City, the same being as follows to wit:

(A) Section 23-19
R-2 Multiple Family Dwelling District:
(c) This part entitled Building site area regulations is amended by adding a sentence at the end of the paragraph which specifies that the density for rooming, boarding, guest, tourist, nursing or convalescent homes shall not exceed 50 rooming, boarding, guest, tourist, nursing or convalescent units per acre.
(B) Section 23-19.2
RCUP Residential Community Unit Plan District:
(F) Uses Permitted:
(a) Residential:
(1) Front side and rear yard regulations (etal)
(2) Building site regulations and floor area regulations:

	Lot Area	Floor Area
Single family dwellings	5,000 sq.ft.	900 sq.ft.
Two family dwellings	5,500 sq.ft.	1,600 sq.ft.
Three family dwellings	6,500 sq.ft.	2,400 sq.ft.
Four family dwellings	7,500 sq.ft.	3,200 sq.ft.

For any additional units over four, the density shall be no more than 10 dwelling units per net acre of residential area exclusive of streets, service ways, alleys, etc. No efficiency apartments shall contain less than 400 sq.ft. of floor area and no one bedroom apartment shall contain less than 700 sq.ft. of floor area.
(C) Section 23-19.3
R-5 High Density Residential
(B)(1) Density:
(a) Single family — 5,000 square feet minimum lot size.
(b) Two family — 7,500 square feet minimum lot size.
(c) Multiple family — 25 dwelling units per net acre.
(d) Density Bonus — Density may be increased to 30 dwelling units per net acre where:
1. Seventy-five (75) per cent of all required parking is placed under structure in a manner to effectively conceal from public right-of-way by landscaping and other means.
2. On-site recreational facilities such as tennis courts, shuffleboard courts, swimming pools, and putting greens are provided.
3. A landscaping in excess of the minimum requirements is provided to enhance the appearance of the project.
(6) High Rise Setback:
All buildings in excess of two (2) stories shall provide additional open space equal to three (3) feet additional setback from each property line (with the exception of oceanside property line which is regulated by the ocean setback regulations (5)) for each additional story of height except in case of properties two-hundred-fifty (250) feet or less in width which will provide two (2) feet additional setback from each property line (with the exception of oceanside property line) for each additional story above two (2) floors.
(D) Section 23-20.1
C-1B Restricted Commercial
(B) Building site area regulations:
(1) Density:
(a) Single family — 5,000 sq.ft. minimum lot size.
(b) Two family — 7,500 sq. ft. minimum lot size.
(c) Multiple family — 25 dwelling units per net acre. Hotel-motel — 50 hotel-motel units per net acre.
(d) Density Bonus — Density may be increased by five (5) dwelling units or five (5) hotel-motel units per net acre where:
1. Seventy-five (75) per cent of all required parking is placed under structure in a manner to effectively conceal from public right-of-way by landscaping and other means.
2. On-site recreational facilities such as tennis courts, shuffleboard courts, swimming pools and putting greens are provided.
3. A landscaping in excess of the minimum requirements is provided to enhance the appearance of the project.
(6) High Rise Setback:
All buildings in excess of two (2) stories shall provide additional open space equal to three (3) feet additional setback from each property line (with the exception of oceanside property line which is regulated by the ocean setback regulations (5)) for each additional story of height except in case of properties two-hundred-fifty (250) feet or less in width which will provide two (2) feet additional setback from each property line (with the exception of oceanside property line) for each additional story above two (2) floors.

The following is a summary of existing and proposed density changes:

District	Existing DU/Gross Acre	Proposed DU/Net Acre
R-5	30+Bonus 5	25+Bonus 5
C-1B	30+Bonus 5	25+Bonus 5
	Hotel-Motel no limit	50+Bonus 5
RCUP	49.07	10
R-2	Roominghouses no limit	50

*Net acre — Acreage calculations shall not include public right-of-way, service ways, alleys nor more than 50% of any on-site lake or water area included in the project.

CLARIFICATION OF HIGHRISE SETBACK

The Planning Board, and City Council in their respective public hearings shall consider adoption of the above or more restrictive density regulations.

YOU WILL KINDLY GOVERN YOURSELVES ACCORDINGLY.

John Vazquez, City Clerk
City of Riviera Beach

PUBLISH: Palm Beach Post
January 5, 1978
January 11, 1978

MINUTES OF A PUBLIC HEARING OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, FLORIDA, SITTING AS THE GOVERNING BODY OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA ON JANUARY 18, 1978 AT 8:00 P.M. TO CONSIDER THE FOLLOWING:

An enactment of an amendment to Section 23 of the City Code of Ordinances, the same being the Zoning Ordinance.

Chairman Dodd was present and presided. Those present were: Councilmen Taylor, Tolbert, Jones and Nikolits; Mayor Brooks, City Clerk Vazquez, Finance Director Pagan, City Attorney Everard and City Manager Davis.

Chairman Dodd announced that a Public Hearing had been advertised for the City Council to consider an enactment of an amendment to Section 23 of the City Code of Ordinances, the same being the Zoning Ordinance.

Planning Director Kant, at this time, gave a brief slide presentation on the density proposal.

Those persons in favor of lowering the density were as follows:

1. Richard Orman, 315 Cascade Lane, representative of Singer Island Civic Association
2. Michael O'Neill, 1260 Manor Drive, Riviera Beach
3. William Giustitti, 5420 North Ocean Drive, Riviera Beach
   He presented a petition to Council requesting that the density be lowered to 20 (15 + 5) units per acre.
4. Ester Rachlin, 1241 Morse Boulevard, Riviera Beach
5. Edgar Cambere, 5480 North Ocean Drive, Riviera Beach
6. Murry Winneman, 5460 North Ocean Drive, Riviera Beach
7. Allen Steinman, 3400 North Ocean Drive, Riviera Beach
8. Mr. Wiley, 5480 North Ocean Drive, Riviera Beach
9. David Carver - He presented a petition bearing 60 names from Cote d' Azur.

Those persons in opposition to lowering the density were as follows:

1. Peter Van Andel, Attorney, representing Chemical Bank of New York, owners of Ocean Tree Condominium.
2. Luke Taylor, Attorney representing First Midland Bank of Mulwaukee and The Finelli Estate.
3. George Baldwin, Attorney representing Mr. Robert Sander.

Councilman Tolbert made a motion that Ordinance No. 1094 be rescinded. MOTION DIED FOR LACK OF A SECOND.

Councilman Taylor made a motion that Council approve staff recommendations and adopt a density of 30 (25 + 5) units per acre. Councilman Jones seconded the motion. Upon a vote being taken, Councilmen Taylor, Tolbert, Jones and Dodd voted "aye". Councilman Nikolits voted "nay". The motion passed.

Councilman Nikolits made a motion that Council adopt staff recommendations with the exception of changing the density from 30 units per acre to 20 units per acre plus a bonus of five (5). Chairman Dodd turned the gavel over to Chairman Pro Tem Tolbert in order to second the motion. Councilman Dodd seconded the motion. Upon a vote being taken, Councilmen Dodd and Nikolits voted "aye". Councilmen Taylor, Tolbert and Jones voted "nay". The motion did not pass.

Councilman Jones made a motion that a 90-day building moratorium be placed on structures that exceed the density of 30 (25 + 5) units per acre in C1B and R-5 districts so that staff and the Planning and Zoning Board can review Ordinance No. 1094 and make a recommendation to Council. Councilman Taylor seconded the motion.

Mr. Claire Anderson, 5480 N. Ocean Drive, Riviera Beach, approached Council. He made brief comments regarding the motion.

Upon a vote being taken, Councilmen Taylor, Tolbert, Jones, Nikolits and Dodd voted "aye". The motion passed.

Meeting was duly adjourned at 10:00 p.m.

APPROVED:

Mayor

Chairman

Chairman Pro Tem

ATTEST:

City Clerk, CMC

Council Members

EMERGENCY ORDINANCE NO 1165

AN EMERGENCY ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, CITY COUNCIL'S FINDINGS OF FACT: AUTHORIZING AND CONFIRMING FOR THE FISCAL YEAR 1977-78 ONLY, A LIMITED, UNIFORM, ONE TIME COST OF LIVING BENEFIT TO EMPLOYEES NOT REPRESENTED BY COLLECTIVE BARGAINING OR WHO HAVE NOT SIGNED CONTRACTS WITH THE CITY; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

CITY COUNCIL'S FINDINGS OF FACT:

WHEREAS, the City Council of the City of Riviera Beach, has found and determined an emergency exists that necessitates the immediate enactment of this Emergency Ordinance to alleviate such emergency, now therefore:

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

SECTION 1. That for the fiscal year of 1977-78, only, a limited, uniform, one time cost of living benefit to employees not represented by collective bargaining or who have not signed contracts with the city is hereby authorized and confirmed in the amount stated of Four Hundred Twenty-four & 85/100 [$424.85] Dollars for all full time permanent and probationary employees who were employed by the city prior to October 1, 1977.

SECTION 2. In regard to the amount stated, the city will absorb the employees F.I.C.A. contribution cost. There will be no insurance or pension deductions from the amount stated. Federal withholding tax will be deducted from the amount stated in accordance with the employees withholding status.

SECTION 3. All full time permanent employees will receive the amount stated during the month of December 1977. Full time probationary employees will receive the amount stated upon appointment to permanent status.

SECTION 4. Payment of the amount stated is not to be construed as a continuing benefit but rather as a one time wage offer to assist the employees in meeting increased cost. The amount stated is

not to be added to the employees base pay rate.

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

PASSED and ADOPTED AS AN EMERGENCY ORDINANCE on this 1st day of ~~January~~ Feb., 1978.

APPROVED:

Mayor

Chairman

Chairman Pro Tem

[MUNICIPAL SEAL]

ATTEST:

City Clerk

Councilmen

r

ORDINANCE NO. 1166

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING PARAGRAPH [C] ENTITLED "BUILDING SITE AREA REGULATIONS:" OF SECTION 23-19. ENTITLED "MULTIPLE FAMILY DWELLING DISTRICT." BY ADDING THERETO A PROVISION REGULATING THE DENSITY FOR ROOMING, BOARDING, GUEST, TOURIST, NURSING OR CONVALESCENT HOME STRUCTURES; AMENDING SECTION (i) OF SUBPARAGRAPH [2] ENTITLED "BUILDING SITES REGULATIONS AND FLOOR AREA REGULATIONS" OF PARAGRAPH [F] ENTITLED "USES PERMITTED" OF SECTION 23-19.2. ENTITLED "R-C-U-P RESIDENTIAL COMMUNITY UNIT PLAN DISTRICT" BY ADDING THERETO A PROVISION REGULATING THE DENSITY FOR ANY ADDITIONAL UNITS OVER FOUR; AMENDING SECTION (c) ENTITLED "MULTIPLE FAMILY" AND (d) ENTITLED "DENSITY BONUS" OF SUBPARAGRAPH [1] ENTITLED "DENSITY" AND SUBPARAGRAPH (6) ENTITLED "HIGH RISE SETBACK" OF PARAGRAPH [B] ENTITLED "BUILDING SITE AREA REGULATIONS" OF SECTION 23-19.3. ENTITLED :R-5 HIGH DENSITY RESIDENTIAL DISTRICT." BY REDUCING DENSITY AND PROVIDING OPEN SPACE REQUIREMENTS; AMENDING SECTION (c) ENTITLED "MULTIPLE FAMILY" AND (d) ENTITLED "DENSITY BONUS" OF SUBPARAGRAPH [1] ENTITLED "DENSITY" AND SUBPARAGRAPH (6) ENTITLED "HIGH-RISE SET BACK" OF PARAGRAPH [B] ENTITLED "BUILDING SITE AREA REGULATIONS" OF SECTION 23-20.1. ENTITLED "RESTRICTED COMMERCIAL [C-1B.]" BY REDUCING DENSITY AND PROVIDING OPEN SPACE REQUIREMENTS OF ARTICLE II ENTITLED "USE DISTRICTS AND USES" OF CHAPTER 23 ENTITLED "ZONING" OF THE CODE OF ORDINANCES, PROVIDING A PENALTY CLAUSE, REPEALING CLAUSE, SAVING CLAUSE, AUTHORITY TO CODIFY, AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

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

SECTION 1. That paragraph [C] entitled "Building Site Area Regulations' of Section 23-19 entitled "Multiple Family Dwelling District" of Article II entitled "Use District and Uses" of Chapter 23 entitled "Zoning" of the Code of Ordinances is amended to read:

> The minimum lot area for a single family dwelling shall be five thousand [5,000] square feet; for a two family dwelling, five thousand five hundred [5,500] square feet; for a three family dwelling six thousand five hundred [6,500] square feet; for a four family dwelling, seven thousand five hundred [7,500] square feet; and for a five family dwelling ten thousand [10,000] square feet. For each additional family dwelling unit over five [5], three thousand [3,000] square feet of lot area per family dwelling unit shall be added. The minimum lot width shall be fifty [50] feet for one, two, three and four family dwelling and seventy-five [75] feet for more than four families per lot. A single family dwelling and its customary accessory buildings may be constructed on a lot that has an area or width or both, less than the above minimum and was a lot of public record prior to June 26, 1957, and further provided that the minimum yard regulations of the district are conformed with. Density for rooming,

boarding, guest, tourist, nursing or convalescent home structures shall not exceed 50 rooming boarding, guest, tourist, nursing or convalescent units per acre. (For Townhouses, See Sec. 23-24.1).

SECTION 2. That section (i) of subparagraph (2) entitled "Building Sites Regulations and Floor Area Regulations" of paragraph [F] entitled "Uses Permitted" of Section 23-19.2. entitled "R-C-U-P RESIDENTIAL COMMUNITY UNIT PLAN DISTRICT" of Article II entitled "Use Districts and Uses" of Chapter 23 entitled "Zoning" of the Code of Ordinances are amended to read:

	LOT AREA	FLOOR AREA
(i) Single family dwellings	5,000 sq.ft.	900 sq.ft.
Two family dwellings	5,500 sq.ft.	1,600 sq.ft.
Three family dwellings	6,500 sq.ft.	2,400 sq.ft.
Four family dwellings	7,500 sq.ft.	3,200 sq.ft.

For each additional dwelling use over four family units, ~~800 sq.ft. of lot area per family unit shall be added~~ the density shall be no more than 10 dwelling units per net acre of residential area exclusive of streets, service ways, alleys, etc.. No efficiency apartments shall contain less than ~~350~~ 400 sq. ft. of floor area and no one bedroom apartment shall contain less than ~~600~~ 700 sq. ft. of floor area. (For Townhouses, See Sec. 23-24.1).

SECTION 3. That sections (c) entitled "Multiple Family" and (d) entitled "Density Bonus" of subparagraph [1] and subparagraph (6) entitled "High Rise Setback" of paragraph [B[entitled "Building Site Area Regulations" of Section 23-19.3. entitled "R-5 High Density Residential District" of Article II entitled "Use Districts and Uses" of Chapter 23 entitled "Zoning" of the Code of Ordinances are amended to read:

[A] Uses permitted: In any R-5 district no building or premises shall be used and no building shall be erected or structurally altered which is arranged, intended or designed to be used for other than one or more of the following uses:

(1) Single family dwellings.

(2) Two family dwellings.

(3) Multiple family dwellings.

(4) Townhouses.

(5) Condominiums and cooperatives.

(6) Private clubs as accessory to the residential uses.

(7) Any use commonly accessory to the above uses.

[B] Building site area regulations:

(1) Density:

(a)	Single family	5,000 square feet minimum lot size
(b)	Two family	7,500 square feet minimum lot size
(c)	Multiple family	25 ~~30~~ dwelling units per net acre
(d)	Density bonus	Density may be increased to thirty (30) ~~thirty-five (35)~~ dwelling units per acre where:

1 Seventy-five per cent of all required parking is placed under structure in a manner to effectively conceal from public right-of-way by landscaping and other means, and

2 On-site recreational facilities such as tennis courts, shuffleboard courts and swimming pools and putting greens, are provided, and

3 A landscaping in excess of the minimum requirements is provided to enhance the appearance of the project. (For Townhouses, See Sec. 23-24.1).

"(6) High rise setback: All buildings in access of two (2) stories shall provide additional open space equal to three (3) feet additional setback from each property line (with the exception of oceanside property line which is regulated by the ocean setback regulations, subparagraph 5 herein), for each additional story of height except in case of properties two-hundred-fifty [250] feet or less in width which will provide two [2] feet additional setback from each property line (with the exception of oceanside property line which is regulated by the ocean setback regulations, subparagraph 5 herein), for each story above two (2) floors."

SECTION 4. That sections (c) entitled "Multiple Family" and (d) entitled "Density Bonus" of paragraph [1] entitled "Density" of paragraph [B] entitled "Building Site Area Regulations" of section 23-20.1. entitled "Restricted Commercial [C-1B]" of Article II entitled "Use Districts and Uses" of Chapter 23 entitled "Zoning" of the Code of Ordinances is amended to read:

(1) Density:

(a)	Single family	5,000 square feet minimum lot size
(b)	Two family	7,500 square feet minimum lot size
"(c)	Multiple family	~~30~~ 25 dwelling units per acre. ~~Density may be increased to thirty-five (35) dwelling units per acre where.~~
	and	
	Hotel - Motel	50 hotel-motel units per acre
(d)	Density bonus	Density may be increased by five (5) dwelling units or five (5) hotel motel units per net acre where:
		1. same, and
		2. same, and
	(For Townhouses, See Sec. 23-24.1).	3. same

"(6) All buildings in excess of two (2) stories shall provide additional setback from each property line (with the exception of oceanside property which is regulated by the ocean setback regulations, subparagraph 5 herein) for additional story of height except in case of properties two-hundred-fifty (250) feet or less in width which will provide two(2) feet additional setback from each property line (with the exception of oceanside property line which is regulated by the ocean set back regulations, subparagraph 5 herein), for each additional story above two (2) floors."

SECTION 5. Any person violating any of the provisions of this Ordinance, shall upon conviction, be subject to the Provisions of the uniform maximum penalty Ordinance, Ordinance No. 1123, enacted on October 6, 1976.

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

SECTION 7. In the event that any provision or application of this Ordinance shall be held invalid, it is the legislative intent that the other provisions and applications hereof shall not be thereby affected.

SECTION 8. Specific authority is hereby granted to codify this Ordinance.

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

PASSED AND APPROVED on first reading this 1st day of Feb., 1978.

PASSED AND ADOPTED on second and final reading this 15 day of Feb., 1978.

APPROVED:

Mayor

Chairman

Chairman Pro Tem

[MUNICIPAL SEAL]

Councilmen

ATTEST:

City Clerk

NOTICE OF PROPOSED ORDINANCE

FEBRUARY 2, 1978

The below Bill, described by title only, will be placed on second and final reading at the Regular Meeting of the City Council of the City of Riviera Beach, Florida to be held on Wednesday, February 15, 1978 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:

ORDINANCE NO. 1166

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING PARAGRAPH (C) ENTITLED "BUILDING SITE AREA REGULATIONS:" OF SECTION 13-19. ENTITLED "MULTIPLE FAMILY DWELLING DISTRICT". BY ADDING THERETO A PROVISION REGULATING THE DENSITY FOR ROOMING, BOARDING, GUEST, TOURIST, NURSING OR CONVALESCENT HOME STRUCTURES: AMENDING SECITON (I) OF SUB-PARAGRAPH (2) ENTITLED "BUILDING SITES REGULATIONS AND FLOOR AREA REGULATIONS" OF PARAGRAPH (F) ENTITLED "USES PERMITTED" OF SECTION 23-19.2 ENTITLED "R-C-U-P RESIDENTIAL COMMUNITY UNIT PLAN DISTRICT" BY ADDING THERETO A PROVISION REGULATING THE DENSITY FOR ANY ADDITIONAL UNITS OVER FOUR; AMENDING SECTION (C) ENTITLED "MULTIPLE FAMILY" AND (D) ENTITLED "DENSITY BONUS" OF SUBPARAGRAPH (1) ENTITLED "DENSITY AND SUBPARAGRAPH (6) ENTITLED "HIGH RISE SETBACK" OF PARAGRAPH (B) ENTITLED "BUILDING SITE AREA REGULATIONS" OF SECTION 22-19.3. ENTITLED R-5 HIGH DENSITY RESIDENTIAL DISTRICT." BY REDUCING DENSITY AND PROVIDING OPEN SPACE REQUIREMENTS: AMENDING SECTION (C) ENTITLED "MULTIPLE FAMILY" AND (D) ENTITLED "DENSITY BONUS" OF SUBPARAGRAPH (1) ENTITLED DENSITY AND SUBPARAGRAPH (6) ENTITLED "HIGH-RISE SET BACK" OF PARAGRAPH (B) ENTITLED "BUILDING SITE AREA REGULATIONS" OF SECTION 23-20.1 ENTITLED RESTRICTED COMMERCIAL (C-1B)" BY REDUCING DENSITY AND PROVIDING OPEN SPACE REQUIREMENTS OF ARTICLE II ENTITLED "USE DISTRICTS AND USES" OF CHAPTER 23 ENTITLED "ZONING" OF THE CODE OF ORDINANCES, PROVIDING A PENALTY CLAUSE, REPEALING CLAUSE, SAVING CLAUSE, AUTHORITY TO CODIFY, AN EFFECTIVE AND FOR OTHER PURPOSES.

SAID ORDINANCE 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 ORDINANCE.

BY ORDER OF THE CITY COUNCIL

JOHN F. VAZQUEZ, CITY CLERK, CMC

PUBLISH: WEDNESDAY, FEBRUARY 8, 1978

EMERGENCY ORDINANCE NO. 1167

AN EMERGENCY ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA: CITY COUNCIL'S FINDING OF FACT; PROHIBITING THE DIRECTOR OF UTILITIES AND OTHERS FROM AUTHORIZING ANY WATER SERVICE CONNECTIONS BEYOND THE TERRITORIAL BOUNDARIES OF THE CITY; PROVIDING FOR AN APPEAL TO THE CITY COUNCIL; PROVIDING A PENALTY CLAUSE, REPEALING CLAUSE, SAVING CLAUSE, AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

CITY COUNCIL'S FINDINGS OF FACT;

WHEREAS, the City Council after consideration, study and deliberation has found and determined that there exists an emergency that necessitates the immediate enactment of this Ordinance in order to alleviate such emergency; and

WHEREAS, it is the legislative intent and purpose of this Emergency Ordinance to promote, protect and improve the public health, safety, comfort, good order, morals and general welfare of the residents of the City of Riviera Beach and others to preserve the water resources of the City by invoking a moratorium on the authorization and the issuance of permits for any water service connections beyond the territorial boundaries of the City, now therefore:

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

SECTION 1. That the Director of Utilities, except for subsisting commitments, is hereby directed not to authorize or issue any permits for any water service connections beyond the territorial boundaries of the City and all City Officials and employees are prohibited from making such connections in conflict with this Emergency Ordinance.

SECTION 2. In accordance with the procedures as provided for in Section 14A-22 of the Code of Ordinances, the City Council, when so appealed to and after a hearing, may vary the applications of any provision herein contained in this Emergency Ordinance to any particular case, when, in its opinion, the enforcement thereof would do manifest injustice, and would be contrary to the spirit and purpose of the enactment of this Emergency Ordinance or public interest.

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

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

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

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

PASSED AND ADOPTED AN AN EMERGENCY ORDINANCE on this 15 day of Feb, 1978.

APPROVED:

Mayor

Chairman

Chairman Pro Tem

(MUNICIPAL SEAL)

ATTEST:

City Clerk

Councilmen

ORDINANCE NO. 1168

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING PARAGRAPH (a) RELATING TO SCHEDULE OF SALARY RANGES OF SECTION 2-100 ENTITLED "RATES OF PAY" OF DIVISION 3 ENTITLED "SALARY PLAN" OF ARTICLE VI ENTITLED "CITY EMPLOYEES" OF CHAPTER 2 ENTITLED "ADMINISTRATION" OF THE CODE OF ORDINANCES BY INCREASING THE SCHEDULE OF SALARY RANGE OF CERTAIN EXISTING CLASSIFICATIONS; PROVIDING A REPEALING CLAUSE, SAVING CLAUSE, AN EFFECTIVE DATE AND FOR OTHER PURPOSES:

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

SECTION 1. That paragraph (a) relating to Schedule of Salary range of Section 2-100 entitled "Rates of Pay" of Division 3 entitled "Salary Plan" of Article VI entitled "City Employees" of Chapter 2 entitled "Administration" of the Code of Ordinances is amended by increasing the Schedule of Salary Range for the existing Classifications:

CLASSIFICATION	PAY GRADE RANGE	
Assistant City Manager	Range "E"	"G"
City Clerk	Range "C"	"E"
Building Official	Range "F"	"G"
Library Director	Range "B"	"D"
Fire Chief	Range "F"	"G"
Police Chief	Range "G"	"H"
Purchasing Director	Range "D"	"E"
Parks & Recreational Director	Range "E"	"F"

SECTION 2. All Ordinances or parts of Ordinances or Charter provisions in conflict herewith are to the extent of such conflict repealed.

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

SECTION 4. This Ordinance upon its final passage and adoption by the City Council shall take effect retroactively as of December 5, 1977.

PASSED and APPROVED on first reading this 11 day of Feb, 1978.

PASSED and ADOPTED on second and final reading this 1st day of March, 1978.

APPROVED:

Mayor

[MUNICIPAL SEAL]

ATTEST:

City Clerk

Chairman

Chairman Pro Tem

Councilmen

r

NOTICE OF PROPOSED ORDINANCE

FEBRUARY 16, 1978

The below Bill, described by title only, will be placed on second and final reading at the Regular Meeting of the City Council of the City of Riviera Beach, Florida to be held on Wednesday, March 1, 1978 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:

ORDINANCE NO. 1168

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING PARAGRAPH (a) RELATING TO SCHEDULE OF PAY" OF DIVISION 3 ENTITLED "SALARY-PLAN" OF ARTICLE VI ENTITLED "CITY EMPLOYEES" OF CHAPTER 2 ENTITLED "ADMINISTRATION" OF THE CODE OF ORDINANCES BY INCREASING THE SCHEDULE OF SALARY RANGE OF CERTAIN EXISTING CLASSIFICATIONS; PROVIDING A REPEALING CLAUSE, SAVING, CLAUSE, AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

SAID ORDINANCE MAY BE INSPECTED BY THE PUBLIC AT ANY TIME DURING 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 ORDINANCE.

BY ORDER OF THE CITY COUNCIL

John F. Vazquez

JOHN F. VAZQUEZ, CITY CLERK, CMC

PUBLISH: TUESDAY, FEBRUARY 21, 1978

ORDINANCE NO. 1169

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING SECTION 2-13.3 ENTITLED "LIBRARY BOARD, TERMS OF MEMBERS" OF ARTICLE I ENTITLED "IN GENERAL" OF CHAPTER 2 ENTITLED "ADMINISTRATION" OF THE CODE OF ORDINANCES BY REVISING SAME IN PARAGRAPH [a] AND IN PARAGRAPH [b] PROVIDING FOR THE APPOINTMENT BY CITY COUNCIL OF TWO ALTERNATES TO THE LIBRARY BOARD; PROVIDING A REPEALING CLAUSE, SAVING CLAUSE, AUTHORITY TO CODIFY, AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

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

SECTION 1. That Section 2-12.3 entitled "Library board; terms of members' of Article I entitled "In General" of Chapter 2 entitled "Administration" of the Code of Ordinances is amended by revising same in paragraph [a] and providing for the appointment by City Council of two alternates as provided for in paragraph [b] which reads, to-wit:

"Sec. 2-12-3 Library board; terms of members.

(a) A library board for the city consisting of five [5] members exists. The members are selected by the city council. Each member shall serve for a period of three [3] years, ~~commencing on the first day of May of each year of selection, except that the setup of membership of the library board commencing in 1970, three {3} members shall be selected for a term of three {3} years; one {1} member shall be selected for a term if two {2} years; one {1} member shall be selected for a term of one {1} year. On the expiration of the term of membership for those herein selected for one {1} year and on the expiration of the term of membership for those herein selected for two {2} years, their successors shall be selected for a term of three {3} years~~. Individual members of the board shall serve until their successors have been selected and qualified. Present members of the board whose terms are unexpired shall continue to serve until their respective terms expire. The board's memberships of staggered terms shall be maintained.

(b) The city council may also appoint two [2] alternate members to the board, whose tenure shall be for three [3] years; such alternates shall act at any meeting in the absence, disability or disqualification of members being absent, disabled or disqualified. If a full board be present at any meeting, either or both alternates shall have the right to attend such meeting so as to be advised of all matters being presented thereat, and may participate in same, but shall have no vote in deciding any issue so presented. The alternate members shall have power to vote only when a full board is not present at an official meeting and the

alternate shall be sitting in the place of and acting for a member who is absent, disabled or disqualified. The alternate first appointed shall have seniority and shall have first preference in the event of one regular absentee member, both alternates shall have authority in case of more than one regular absentee member.

SECTION 2. All ordinances or parts of Ordinances or charter provisions in conflict herewith are to the extent of such conflict repealed.

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

SECTION 4. This Ordinance shall take effect upon its final passage and adoption by the City Council.

PASSED and APPROVED on first reading this 1st day of March, 1978.

PASSED and ADOPTED on second and final reading this 15 day of March, 1978.

APPROVED:

Mayor

Chairman

[MUNICIPAL SEAL]

Chairman Pro Tem

Councilmen

ATTEST:

City Clerk

r

NOTICE OF PROPOSED ORDINANCE

March 2, 1978

The below Bill, described by title only, will be placed on second and final reading at the Regular Meeting of the City Council of the City of Riviera Beach, Florida to be held on Wednesday, March 15, 1978 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:

ORDINANCE NO. 1169

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING SECTION 2-13.3 ENTITLED "LIBRARY BOARD, TERMS OF MEMBERS" OF ARTICLE I ENTITLED "IN GENERAL" OF CHAPTER 2 ENTITLED "ADMINSTRATION" OF THE CODE OF ORDINANCES BY REVISING SAME IN PARAGRAPH (a) AND IN PARAGRAPH (b) PROVIDING FOR THE APPOINTMENT BY CITY COUNCIL OF TWO ALTERNATES TO THE LIBRARY BOARD; PROVIDING A REPEALING CLAUSE, SAVING CLAUSE, AUTHORITY TO CODIFY, AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

SAID ORDINANCE MAY BE INSPECTED BY THE PUBLIC AT ANY TIME DURING 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 ORDINANCE.

BY ORDER OF THE CITY COUNCIL

JOHN F. VAZQUEZ, CITY CLERK, CMC

PUBLISH: TUESDAY, MARCH 7, 1978