

ORDINANCE NO. 2020

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, REPEALING ORDINANCE NO. 1181, IN ITS ENTIRETY; ESTABLISHING A SCHEDULE OF RATES TO CONNECTION CHARGES; WATER CONSUMPTION CHARGES; BILLING DEPOSITS; STAND-BY-SERVICE; TESTING OF METERS; CAPITAL IMPROVEMENTS CHARGE; READINESS TO SERVE CHARGES; SEWER SERVICE CHARGES AND OTHER RELATED CHARGES AND PROVISIONS. PROVIDING A REPEALING CLAUSE, PENALTY 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. Ordinance No. 1181 is hereby repealed.

SECTION 2. There is hereby established a schedule of rates and provisions relating to connection charges; water consumption charges; billing deposits; stand-by-service; testing of meters; capital improvements charge; readiness to serve charge; sewer service charges and other related charges and provisions.

SECTION 3. WATER SERVICE RATE SCHEDULE

AVAILABILITY:

Applicable to all water service within the territory served by the City of Riviera Beach, Florida.

MONTHLY RATE:

Readiness to Serve Charge:

All 3/4 inch or smaller metered single unit accounts shall pay a monthly rate of-----\$2.15

All multiple units shall pay a monthly rate for the first unit in each building of-----\$2.15

Each additional unit within each building shall pay a monthly rate of-----\$1.65

The Readiness to Serve Charge does not include any usage.

Each unit of any building having separate units which are used for housing of two or more families or for commercial purposes, or for both such purposes, and each trailer space of any trailer park, shall be considered a unit.

Where more than one meter serves a property, the rate is computed on the basis of each meter.

USAGE:

All water consumption will be charged on the basis of monthly metered water usage at the rate of:

.42 per 1,000 gallons of monthly metered water usage.

Minimum Bill:

The minimum monthly rates will be determined by the service water meter size as indicated below:

<u>Meter Size</u>	<u>Minimum Bills</u>
3/4" or smaller	2.15
1"	3.70
1-1/2"	6.80
2"	10.40
3"	21.65
4"	30.25
6"	60.30
8"	103.55

HYDRANT RENTALS:

This rate will apply only for public hydrants. The rate shall be \$6.25 per hydrant per month.

STAND-BY PRIVATE FIRE PROTECTION SYSTEMS:

This will include service to private hydrants, sprinkler systems, hose cabinets, standpipes, or any other device used exclusively for fire protection. The annual charge for unmetered private fire protection shall be:

<u>Service Diameter</u>	<u>Annual Amount</u>
2"	\$ 66.00
4"	99.00
6"	132.00
8"	230.00

OUTSIDE CITY LIMITS:

The outside city rates shall be one and one fourth times the inside city rates.

DEPOSITS - WATER

Residential Single Units:

<u>Meter Size</u>	<u>Deposit</u>
3/4" or smaller	\$ 30.00
1"	50.00
1-1/2"	70.00
2"	80.00
3"	100.00
4"	200.00
Over 4"	500.00

All Others:

Add 20% to the above schedule for all other dwellings and businesses except that the resulting billing deposit shall not be less than three month's minimum water bill as determined from the minimum water rate schedule.

CONNECTION CHARGE:

<u>Meter Size</u>	<u>Charge</u>
3/4" or smaller	\$ 110.00
1"	190.00
1-1/2"	300.00
2"	425.00
3"	1,350.00
4"	2,000.00
6"	4,000.00
8"	6,600.00

CAPITAL IMPROVEMENTS CHARGE:

Imposed:

Except as otherwise provided by law, every property owner or developer whose property receives water service and/or sewer service from systems owned, supplied, or serviced by the City of Riviera Beach shall pay to the City a water and sewer capital improvement charge prior to the issuance of a building permit on each dwelling unit, or equivalent residential unit as follows:

\$ 350.00 Water Service

\$ 775.00 Sewer Service

Per Equivalent Residential Units\*

An "equivalent residential unit" is defined as an individual user, which from the City Water System, purchases not in excess of an average of three hundred fifty (350) U.S. gallons of water per twenty-four (24) hour period, and discharges not in excess of an average of three-hundred and fifty (350) U.S. gallons of sewage per twenty-four (24) hour period into the city sewer system during the single month of maximum use. Determination of the number of equivalent residential units applicable to a user shall be made by the City, and adjusted thereafter following a twelve (12) month experience record.

Exceptions:

No water and sewer capital improvements charges to the City shall be due:

- (1) With respect to property for which there has been paid a water and sewer capital improvements charge as of the effective date of this article.
- (2) With respect to existing structures connected to the city water system and sewer system as of the effective date of this article.

- (3) All buildings or structures used for public worship by a religious society hereafter constructed in the City of Riviera Beach shall be and the same are hereby exempted from paying a sewer connection fee.
- (4) Any property improvement built before January 1, 1973.

Use of Funds:

All funds derived from this source shall be used for Capital Improvements to the water and sewer systems.

STAND-BY SERVICE:

The regular minimum charge remains the same for water and sewer service while the water is turned off, plus a \$5.00 turn-off charge. When service is resumed there is a turn-on charge of \$5.00.

TESTING OF METERS:

The Department of Utilities shall have the right to test meters to determine their accuracy whenever it deems such action advisable. In addition, if a user demands a field test when, in the judgment of the Department of Utilities, the meter is operating correctly, the consumer shall pay a fee of fifteen dollars (\$15.00) for such field test, if the accuracy or registration of the meter is found to be not more than one-hundred and two percent (102%) of the actual volume of water passing through the meter.

MINIMUM CONDITIONS FOR SERVICE:

The Department of Utilities reserves the right to establish the minimum conditions under which service may be installed.

TERMS OF PAYMENT FOR UTILITY SERVICE:

All accounts are due and payable ten (10) days from date of mailing. If accounts are not paid within thirty (30) days a \$7.00 service charge will be applied. The service will then be discontinued without notice. Service will not be resumed until full payment is made.

If re-connection is not made within fifteen (15) days after service is discontinued for non-payment then the billing deposit shall be applied and 8% interest shall be charged from the date of the mailing until paid. Service will not be resumed until all unpaid balance plus interest, a new billing deposit, and a new connection charge are paid.

If the deposits do not satisfy the payment of a delinquent account such account shall run against the recorded owner of the property from the date said owner is billed and the lien imposed against the said property for the amount of the bill.

All bills must be paid in full. No partial payments are accepted. Checks or money orders must be made payable to Riviera Beach Water and Sewer Department. No checks will be accepted made out by other than Customer.

SECTION 4.

SEWER SERVICE

Application for Service:

All applications for sewer service are to be made to the

office of the water and sewer department.

Chapter constitutes agreement.

The provisions of this chapter and the rules and regulations concerning sewer service and rates shall be considered as part of the contract for services between the municipality and the property owner.

Sewer charges.

There is hereby established a schedule of rates and provisions relating to connection charges, water consumption charges, billing deposits, stand-by service, testing of meters, capital improvements charge, readiness-to-serve charge and other related charges and provisions.

RESIDENTIAL SINGLE AND MULTIPLE UNIT  
SEWER SERVICE RATE SCHEDULE

AVAILABILITY:

All residents, apartments, condominiums and mobile home parks within the territory served by the City of Riviera Beach, Florida.

MONTHLY RATE:

*Readiness-to-serve charge:*

All single unit accounts shall pay a monthly rate of-----\$3.75

All multiple units shall pay a monthly rate for the first unit in each building of-----\$3.75

Each additional unit within each building shall pay a monthly rate of-----\$3.35

Each unit where no water is furnished or metered shall pay a flat monthly rate of-----\$7.55

The Readiness to Serve Charge does not include any usage.

USAGE:

All sewer service will be charged on the basis of monthly metered water usage at the rate of: Ninety eight cents (\$0.98) per one thousand (1,000) gallons monthly metered water usage up to a maximum usage of ten thousand (10,000) gallons, per unit.

OUTSIDE CITY LIMITS:

The outside city rates shall be one and one-fourth (1¼) the inside city rates.

DEPOSIT - SEWER

The sewer deposit is equal to the water deposit.

MAXIMUM CHARGE:

Sewage disposal service charges are based on the quantity of sewage discharges to the City of Riviera Beach system. If all water entering an establishment will not be discharged to the City of Riviera Beach sewer system, a separate water meter may be installed on the water line which discharges to the sewer. Such meters shall be installed and maintained at the expense of the user, and the City of Riviera Beach shall, at all times, have access to such meters for the purpose of inspecting, testing, repairing, replacing or reading such meters. Where no provision is made to meter the sewage or water discharged to the sewer, sewer charges shall be based on the total metered water use at the premises served.

OTHER FACILITIES:

Any facility using the sewer system, not included in the above category, or in the commercial category shall be charged an amount to be determined by the Director of Utilities or other authorized representative of the City of Riviera Beach. This charge will be billed monthly.

COMMERCIAL SINGLE AND MULTIPLE UNIT  
SEWER RATE SCHEDULE

AVAILABILITY:

All commercial entities within the territory served by the City of Riviera Beach, Florida

*Readiness-to-serve charge:*

All single unit accounts shall pay a monthly rate  
of----- \$3.95

All multiple units shall pay a monthly rate for the  
first unit in each building of----- \$3.95

Each additional unit within each building shall pay  
a monthly rate of----- \$3.55

USAGE:

All sewer service will be charged on the basis of monthly metered water usage at the rate of: One dollar and seventeen cents (\$1.17) per thousand (1,000) gallons.

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

SECTION 6. 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 7. In the event that any provision or application of this Ordinance shall be held to be invalid, it is the legislative intent that the other provisions and applications hereof shall not be thereby affected.

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

SECTION 9. This Ordinance, as pertains to Water and Sewer Charges shall take effect upon its final passage and adoption by the City Council and be reflected in the first billing of October 1979.

PASSED AND APPROVED on first reading this 15 day of Aug, 1979.

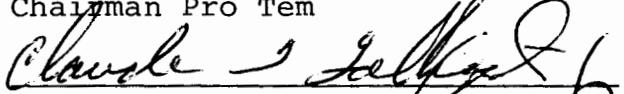
PASSED AND ADOPTED on second and final reading this 5 day of Sept, 1979.

APPROVED:

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Chairman

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

  
\_\_\_\_\_  
Councilmen

  
\_\_\_\_\_  
Councilmen

  
\_\_\_\_\_  
Councilmen

  
\_\_\_\_\_  
Councilmen

( MUNICIPAL SEAL )

ATTEST:

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

r

AUGUST 22, 1979

NOTICE OF PROPOSED ORDINANCE

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, September 5, 1979 at 7:30 P.M. at the City Hall, 600 West Blue Heron Boulevard and from time to time thereafter as may be necessary for the purpose of considering the enactment of the following ordinance.

ORDINANCE NO. 2020

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, REPEALING ORDINANCE NO. 1181, IN ITS ENTIRETY; ESTABLISHING A SCHEDULE OF RATES TO CONNECTION CHARGES; WATER CONSUMPTION CHARGES; BILLING DEPOSITS STAND-BY-SERVICE; TESTING OF METERS; CAPITAL IMPROVEMENTS CHARGE; READINESS TO SERVE CHARGES; SEWER SERVICE CHARGES AND OTHER RELATED CHARGES AND PROVISIONS. PROVIDING A REPEALING CLAUSE, PENALTY 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 appeal at said meeting and be heard with respect to the Ordinance.

BY ORDER OF CITY CLERK

PUBLISH: AUGUST 27, 1979

Missing  
Ordinance

# 2021

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- not in book -

Missing

Ordinance

# 2022

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- Deleted -

ORDINANCE NO. 2023

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, FLORIDA, EXTENDING THE TERRITORIAL LIMITS OF RIVIERA BEACH BY THE ANNEXATION OF CERTAIN CONTIGUOUS UNINCORPORATED LANDS, LYING WITHIN PALM BEACH COUNTY, FLORIDA, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING AN EFFECTIVE DATE THEREOF, AND FOR OTHER PURPOSES, IN ACCORDANCE WITH CHAPTER 171 FLORIDA STATUTES AS AMENDED.

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

SECTION 1. The City Council of the City of Riviera Beach, Florida, as examined the attached petitions, Composite Exhibit A, of the property owners of land adjacent and contiguous to the municipal limits of the City of Riviera Beach, Florida, and finds the following to be true:

- (a) The petitioners are the owners of the property described therein.
- (b) The petitions bear the notarized signatures of all owners of property in the area proposed to be annexed.
- (c) The properties proposed to be annexed are in the unincorporated area of Palm Beach County, contiguous to the present boundaries of the City of Riviera Beach, Florida.
- (d) No parts of the properties proposed to be annexed are included within the boundary of another unincorporated municipality.
- (e) This ordinance is being initiated by the City of Riviera Beach, Florida, within six months after receipt of the petition for annexation of all the property owned by the owners in the proposed annexation area.
- (f) A report is on file with the City of Riviera Beach, Florida, including the following information:
  - (1) A map of the City of Riviera Beach, Florida, showing the present and proposed municipal boundaries, the present major trunk water mains and sewer interceptors and outfalls, and the general land use pattern in the area to be annexed.
  - (2) A statement setting forth the plans of the City of Riviera Beach to extend municipal services

to the area to be annexed and the means of financing such services.

(g) All of the area proposed to be annexed is developed for urban purposes.

SECTION 2. Pursuant to Chapter 171, Florida Statutes, City of Riviera Beach, Florida, hereby declares its intent and desire to change its municipal boundaries to that shown on Exhibit B, attached hereto, at the expiration of thirty (30) days after the approval of this ordinance on second and final reading.

SECTION 3. This ordinance shall be published once a week for four (4) consecutive weeks in a newspaper published in Palm Beach County, Florida, after its passage.

SECTION 4. Within thirty (30) days after final passage and publication, a certified copy of this ordinance shall be filed by the City Clerk with the Secretary of State of the State of Florida as a revision of its Charter, the Clerk of the Circuit Court, Palm Beach County and other agencies as required by law.

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

SECTION 6. Should any part or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part declared to be invalid.

SECTION 7. All ordinances of the City of Riviera Beach, Florida, shall apply to the property proposed to be annexed when the annexation is final.

SECTION 8. This ordinance shall be read by title on first reading, and shall be noticed in its entirety four (4) times in a newspaper of general circulation in Palm Beach County, Florida. Thereupon after second reading by title only, this ordinance shall become effective immediately upon its passage and adoption, and the annexation shall become effective ten (10) days thereafter.

PASSED AND APPROVED on first reading this 20 day of June, 1979.

PASSED AND ADOPTED on second and final reading this 18 day of July, 1979.

APPROVED:

  
Mayor

  
Chairman

\_\_\_\_\_  
Vice-Chairman

ATTEST:

  
City Clerk

  
Council Member

  
City Clerk

  
Council Member

July 3, 1979

NOTICE OF PROPOSED ORDINANCE

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, July 18, 1979 at 30 p.m. at the City Hall, 600 West Blue Heron Boulevard and from time to time thereafter as may be necessary for the purpose of considering the enactment of the following ordinance.

ORDINANCE NO. 2023

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, FLORIDA, EXTENDING THE TERRITORIAL LIMITS OF RIVIERA BEACH BY THE ANNEXATION OF CERTAIN CONTIGUOUS UNINCORPORATED LANDS, LYING WITHIN PALM BEACH COUNTY, FLORIDA, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING AN EFFECTIVE DATE THEREOF, AND FOR OTHER PURPOSES, IN ACCORDANCE WITH CHAPTER 171 FLORIDA STATUTES AS AMENDED.

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 CLERK

PUBLISH: July 10, 1979

ORIGINAL COPY

AFFIDAVIT  
FOR  
VOLUNTARY ANNEXATION

STATE OF FLORIDA )  
 ) SS  
COUNTY OF PALM BEACH )

Before me, the undersigned authority personally  
appeared JOHN J. POSTAL, who being first duly  
(Name of Owner)  
sworn, on oath deposes and says:

1. That he is the fee simple owner of the following  
described property, to-wit: (Give legal description of property  
to be annexed and indicate same on attached map):

TRACT "H" PLAT NO. 3, WESTROADS BUSINESS AND INDUSTRIAL PARK,  
ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 30, PAGES  
145 and 146, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA,  
LESS THE WEST 218.42 FEET THEREOF.  
SUBJECT TO EASEMENTS OF RECORD.  
CONTAINING 3.092 ACRES. (INCLUDING 0.670 ACRES N 40' & 60' DRAINAGE  
EASEMENT)

(Attach if insufficient  
space)

2. That he desires annexation of said property to City  
of Riviera Beach, Palm Beach County, Florida.

3. That he has appointed \_\_\_\_\_  
(Name of Agent)  
to act as agent in his behalf to accomplish the above.

*John J. Postal*  
(Signature of Owner)  
Affiant

Sworn to and subscribed before me  
this 23rd day of MAY, 1979.

*Mary Oxx Vestrem*  
Mary Oxx Vestrem  
Notary Public, State of Florida at Large

My Commission Expires: \_\_\_\_\_  
Notary Public, State of Florida at Large  
My Commission Expires Feb. 17, 1983  
Bonded by American Fire & Casualty Company

RECEIVED  
MAY 23 1979





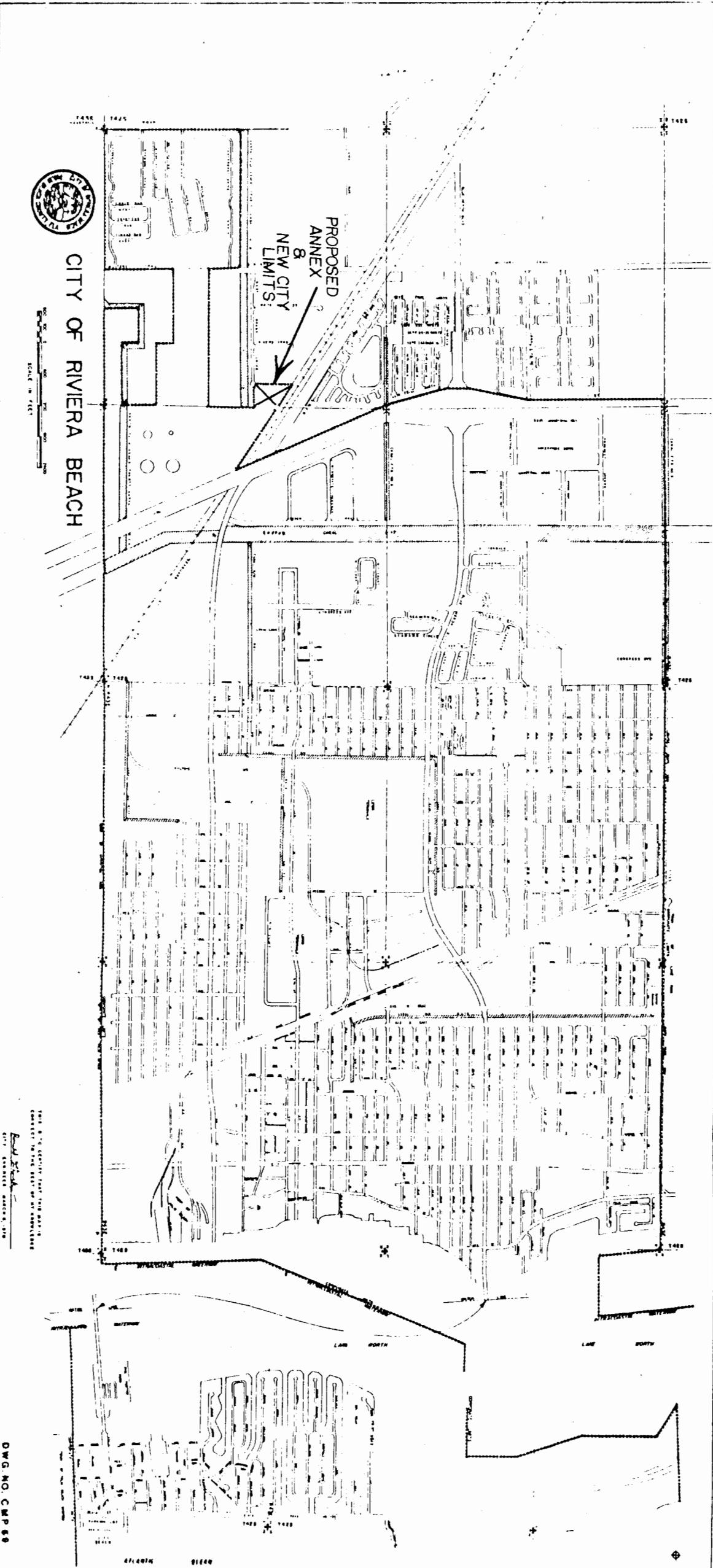
CITY OF RIVIERA BEACH

SCALE IN FEET

PROPOSED  
ANNEX  
&  
NEW CITY  
LIMITS

THIS IS A COPY FROM THE MAP  
CONSENT TO THE STATE OF FLORIDA  
BY THE CITY OF RIVIERA BEACH

DWG. NO. CMP 59





GENERAL PROVISIONS:

1. THE EFFECTIVE DATE OF ANNEXATION SHALL BE 10 DAYS AFTER THE PASSAGE OF ANNEXATION ORDINANCE.
2. BEGINNING THAT DATE MUNICIPAL SERVICES TO THE ANNEXED AREA SHALL BE PROVIDED ON SAME BASIS AS THE REST OF THE CITY.
3. IN COMPLIANCE WITH STATE ANNEXATION LAWS, THE EXISTING ZONING SHALL REMAIN IN FORCE FOR TWO YEARS.
4. THE CITY WILL HONOUR MASTER SITE DEVELOPMENT PLANS PREVIOUSLY APPROVED BY COUNTY
5. ANY FRANCHISE OR OTHER AGREEMENTS IN FORCE AT THE TIME OF ANNEXATION SHALL BE HONOURED UNTIL RENEGOTIATED OR TERMINATED.
6. ALL PREVIOUS AGREEMENTS BETWEEN PROPERTY OWNERS AND THE CITY SHALL REMAIN IN FORCE UNTIL RENEGOTIATED OR TERMINATED.
7. THE RESIDENTS AND BUSINESSMEN SHALL PAY REGULAR UTILITY BILLS WITH NO 25% SURCHARGE AFTER ANNEXATION.
8. ALL PROPOSALS FOR CONSTRUCTION AFTER ANNEXATION SHALL BE REVIEWED BY THE CITY AND PERMITS WILL BE ISSUED BY THE CITY OF RIVIERA BEACH.
9. COST OF PROPOSED CAPITAL IMPROVEMENTS AS/APPROVED MASTER PLANS SHALL BE BORNE BY DEVELOPERS.

**NO. 425-99  
NOTICE OF PROPOSED ORDINANCE**

August 4, 1977

The below published in its entirety, 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, September 7, 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. 1152**

**AN ORDINANCE OF THE CITY OF RIVIERA BEACH, FLORIDA, EXTENDING THE TERRITORIAL LIMITS OF RIVIERA BEACH BY THE ANNEXATION OF CERTAIN CONTIGUOUS UNINCORPORATED LANDS, LYING WITHIN PALM BEACH COUNTY, FLORIDA, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING AN EFFECTIVE DATE THEREOF, AND FOR OTHER PURPOSES, IN ACCORDANCE WITH CHAPTER 171 FLORIDA STATUTES AS AMENDED.**

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**

**ORDINANCE NO. 1152**

**AN ORDINANCE OF THE CITY OF RIVIERA BEACH, FLORIDA, EXTENDING THE TERRITORIAL LIMITS OF RIVIERA BEACH BY THE ANNEXATION OF CERTAIN CONTIGUOUS UNINCORPORATED LANDS, LYING WITHIN PALM BEACH COUNTY, FLORIDA, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING AN EFFECTIVE DATE THEREOF, AND FOR OTHER PURPOSES, IN ACCORDANCE WITH CHAPTER 171 FLORIDA STATUTES AS AMENDED.**

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

**SECTION 1.** The City Council of the City of Riviera Beach, Florida, as examined the attached petitions, Composite Exhibit A, of the property owners of land adjacent and contiguous to the municipal limits of the City of Riviera Beach, Florida, and finds the following to be true:

- (a) The petitioners are the owners of the property described therein.
- (b) The petitions bear the notarized signatures of all owners of property in the area proposed to be annexed.
- (c) The properties proposed to be annexed are in the unincorporated area of Palm Beach County, contiguous to the present boundaries of the City of Riviera Beach, Florida.
- (d) No parts of the properties proposed to be annexed are included within the boundary of another unincorporated municipality.
- (e) This ordinance is being initiated by the City of Riviera Beach, Florida, within six months after receipt of the petition for annexation of all the property owned by the owners in the proposed annexation area.
- (f) A report is on file with the City of Riviera Beach, Florida, including the following information:

- (1) A map of the City of Riviera Beach, Florida, showing the present and proposed municipal boundaries, the present major trunk water mains and sewer interceptors and outfalls, and the general land use pattern in the area to be annexed.
- (2) A statement setting forth the plans of the City of Riviera Beach to extend municipal services to the area to be annexed and the means of financing such services.
- (g) All of the area proposed to be annexed is developed for urban purposes.

**SECTION 2.** Pursuant to Chapter 171, Florida Statutes, the City of Riviera Beach, Florida, hereby declares its intent and desire to change its municipal boundaries to that shown on Exhibit B, attached hereto, at the expiration of thirty (30) days after the approval of this ordinance on second and final reading.

**SECTION 3.** This ordinance shall be published once a week for four (4) consecutive weeks in a newspaper published in Palm Beach County, Florida, after its passage.

**SECTION 4.** Within thirty (30) days after final passage and publication, a certified copy of this ordinance shall be filed by the City Clerk with the Secretary of State of the State of Florida, as a revision of its Charter, the Clerk of the Circuit Court, Palm Beach County and other agencies as required by law.

**SECTION 5.** All ordinances or parts of ordinances in conflict herewith are to the extent of such conflict repealed.

**SECTION 6.** Should any part or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part declared to be invalid.

**SECTION 7.** All ordinances of the City of Riviera Beach, Florida, shall apply to the property proposed to be annexed when the annexation is final.

**SECTION 8.** This ordinance shall be read by title on first reading, and shall be noticed in its entirety four (4) times in a newspaper of general circulation in Palm Beach County, Florida. Thereupon after second reading by title only, this ordinance shall become effective immediately upon its passage and adoption, and the annexation shall become effective ten (10) days thereafter.

**PASSED AND APPROVED** on first reading this 3 day of Aug., 1977.

**PASSED AND ADOPTED** on second and final reading this \_\_\_\_\_ day of \_\_\_\_\_

1977

**APPROVED:**

Bobby Brooks

Mayor

Robert H. Dodd

Chairman  
(MUNICIPAL SEAL)

**ATTEST:**

John F. Vazquez

City Clerk

James Jones

Claude Tolbert

Gary Nikoitis

Henry Taylor

Councilmen

**EXHIBIT B**

(Description of Property to be Annexed)

**PETITION #1**

The South 300 feet of the SE 1/4 of the SE 1/4 and the SE 1/4 of the SW 1/4 of the SE 1/4 of Section 36, Township 42 South, Range 42 East, Palm Beach County, Florida.

The South 300 feet of the SW 1/4 (less SR #9 Road R/W) of Section 31, Township 42 South, Range 43 East, Palm Beach County, Florida.

That part of the W 1/2 lying southerly of S.A.L. Railroad R/W and Westerly of SR #9 Road R/W (less the South 420 feet) of Section 31, Township 42 South, Range 43 East, Palm Beach County, Florida.

**PETITION #2**

The East 1304.29 feet of the South one-quarter (S1/4) of the North one-quarter (N1/4) of the Southeast one-quarter (SE1/4) of Section 36, Township 42 South, Range 42 East, Palm Beach County, Florida.

The East 1304.29 feet of the North one-quarter (N1/4) of the South one-half (S1/2) of the Southeast one-quarter (SE1/4) of Section 36, Township 42 South, Range 42 East, Palm Beach County, Florida.

**PETITION #3**

The South 1/2 of the South 1/2 of the North 1/2 of the Southeast 1/4 of Section 36, Township 42 South, Range 42 East, excepting therefrom the West 50 feet thereof which was conveyed to the County of Palm Beach for the Right-of-way of Military Trail.

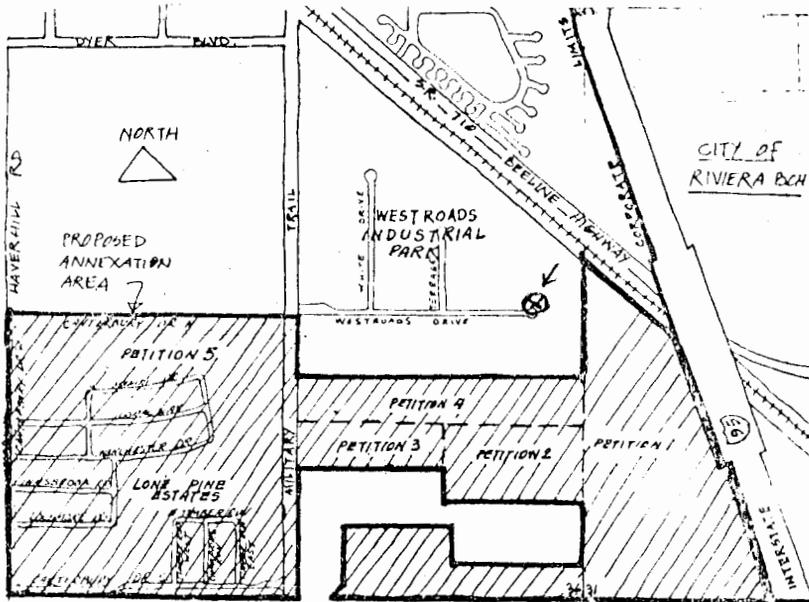
**PETITION #4**

Section 36, Township 42S, Range 42E common North 1/2 of South 1/2 of North 1/2 of Southeast 1/4, less company road right-of-way.

**PETITION #5**

The SW 1/4 of Section 36, Township 42 South, Range 42 East, in Palm Beach County, Florida, less Road rights of way as described in Deed recorded in Deed Book 896, page 393 and Deed recorded in Deed Book 914, page 321, Palm Beach County, Florida, Records, being right of way of Military Trail (State Road 809).

Publish: Aug. 8, 15, 22, 29, 1977



LEGAL DESCRIPTION OF PROPERTY TO BE ANNEXED

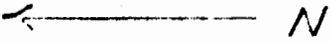
Commencing at the Southeast corner of the Northeast one-quarter (NE $\frac{1}{4}$ ) of Section 36, Township 42 South, Range 42 East, Palm Beach County, Florida, thence N2 $^{\circ}$ -28'-00"E along the East line of Section 36, a distance of 320. feet to the Southeast corner of Tract "H", as in Plat No. 3 Westroads Business and Industrial Park recorded in Plat Book 30, pages 145 and 146, Public Records of Palm Beach County, Florida, to the Point of Beginning, thence N-87 $^{\circ}$ 52'-34"W, a distance of 380. feet to the beginning of a curve concave to the Southwest having a radius of 50. feet, and a central angle of 138 $^{\circ}$ -11'-23"; thence Northwesterly, along the arc of said curve, a distance of 100.60 feet; thence N2 $^{\circ}$ -20'11"E a distance of 415.20 feet; to the Southerly Right of Way line of the Seaboard Coast Line Railroad; thence 553 $^{\circ}$ -14'-59"E along said Southerly Right of Way line, a distance of 547.71 feet; thence S-2028'-00"W a distance of 149.19 feet to the Point of Beginning.

"EXHIBIT B"

NEW LEGAL DESCRIPTION FOR CITY BOUNDARIES

Beginning at the point of intersection of the West Right of Way line of I-95, (SR #5) and the North line of Section 30, Township 42 South, Range 43 East, of the Tallahassee Meridian, Palm Beach County, Florida, thence East along the North lines of said Section 30, Section 29, Section 28, and Section 27 of the said Township and Range to the Point of Intersection with the centerline of the Intracoastal Waterway, as recorded in Plat Book 17, at Pages 1-31, Public Records of Palm Beach County, Florida; thence Northerly along said centerline to a point of intersection with a line parallel with and 1,294 feet South of the North line of Section 22 of the said Township and Range and the centerline of the Intracoastal Waterway; thence East along said line parallel with and 1,294 feet South of the North line of said Section 22 to a point in the Westerly boundary of the submerged land area conveyed by the Trustees of the Internal Improvement Fund of the State of Florida to the Lake Worth Realty Company, a Florida corporation by Trustee's Deed No. 17146 recorded in Deed Book 205, Page 82, Public Records of Palm Beach County, Florida; thence Northerly along said Westerly boundary to a point of intersection with a line parallel with and 8,000 feet Southerly from, as measured at right angles to, the North line of Section 10 of the said Township and Range; thence Easterly along said line parallel with and 8,000 feet Southerly from, as measured at right angles to, the North line of said Section 10; thence Easterly along said line parallel with and 8,000 feet South of the North line of said Section 10 to the mean high water line of the Atlantic Ocean; thence Southerly along the mean high water line of the Atlantic Ocean to the Point of Intersection with the Southerly line of a tract of land in Palm Beach County known as Replat of Yacht Harbor, as the same is shown on plat recorded in Plat Book 23, Page 57, of the Public Records of Palm Beach County, Florida; thence continuing Southerly along the mean high water line of the Atlantic Ocean to a point in a line 1,000 feet South of, as measured at right angles to, to the South line of said Replat of Yacht Harbor; thence Westerly and parallel to the South line of said

Replat of Yacht Harbor to a point in the Southerly extension of the centerline of that part of State Road No. 703 (formerly State Road No. 140) which runs Northerly and Southerly through said Replat of Yacht Harbor; thence continuing on the same course West 1,539 feet; thence Westerly on a line deflecting Northerly  $1^{\circ} 56' 30''$  from the Westerly prolongation of the previously described course to the intersection with the centerline of the channel of said Intracoastal Waterway, thence Southwesterly and Southerly along said channel centerline to the South line of said Township 42 South, Range 43 East; thence Westerly along said Township line to the Point of Intersection with the South line of said Township 42 with the West Right of Way Line of I-95 (SR # 5) thence continue Westerly along said Township line to the Southwest corner of the Southeast quarter of the Southwest quarter of the Southeast quarter of Section 36 of the said Township and Range; thence Northerly along the West line of said Southeast quarter of the Southwest quarter of the Southeast quarter of said Section 36 to the Northwest corner thereof; thence Easterly along the North line of said Southeast quarter of the Southwest quarter of the Southeast quarter of said Section 36 to the Northeast corner thereof; thence Southerly along the East line of said Southeast quarter of the Southwest quarter of the Southeast quarter of said Section 36 to the Point of Intersection with a line parallel with and 300 feet Northerly from, as measured at right angles to the South line of said Township 42 South; thence Easterly along said line parallel with and 300 feet Northerly from, as measured at right angles to, the South line of said Township 42 South to the Point of Intersection with the East line of said Section 36; thence Northerly along the East line of said Section 36 to the Southeast corner of the North quarter of the South half of the Southeast quarter of said Section 36; thence Westerly along the South line of said North quarter of the South half of the Southeast quarter of Section 36 to the Point of Intersection with a line parallel with and 1304.29 feet Westerly from, as measured at right angles to, the East line of said Section 36;



CANAL EPB NO. 8

INTERSTATE PARKWAY

I-95

Corporate Limits

Fuel Storage

(No Postal Property)

7015 LANE E

7015 ROAD E

7015 COURT E

7015 ROAD E

7015 COURT E

7015

DR

WHITE

WEST

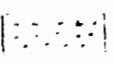
Commercial

(RETURN HERE)

PORTWEST BLVD

Legend

 - Voluntary Annexation Petition

 - To be noted

Map of Future Annexation Plan

LONG 11

BLVD

VEE

608 N.W.

PALM BEACH COUNTY CANAL NO. 8

MURBURY DRIVE NORTH

MANIKI DRIVE

DOORAL WAY

SEABOARD

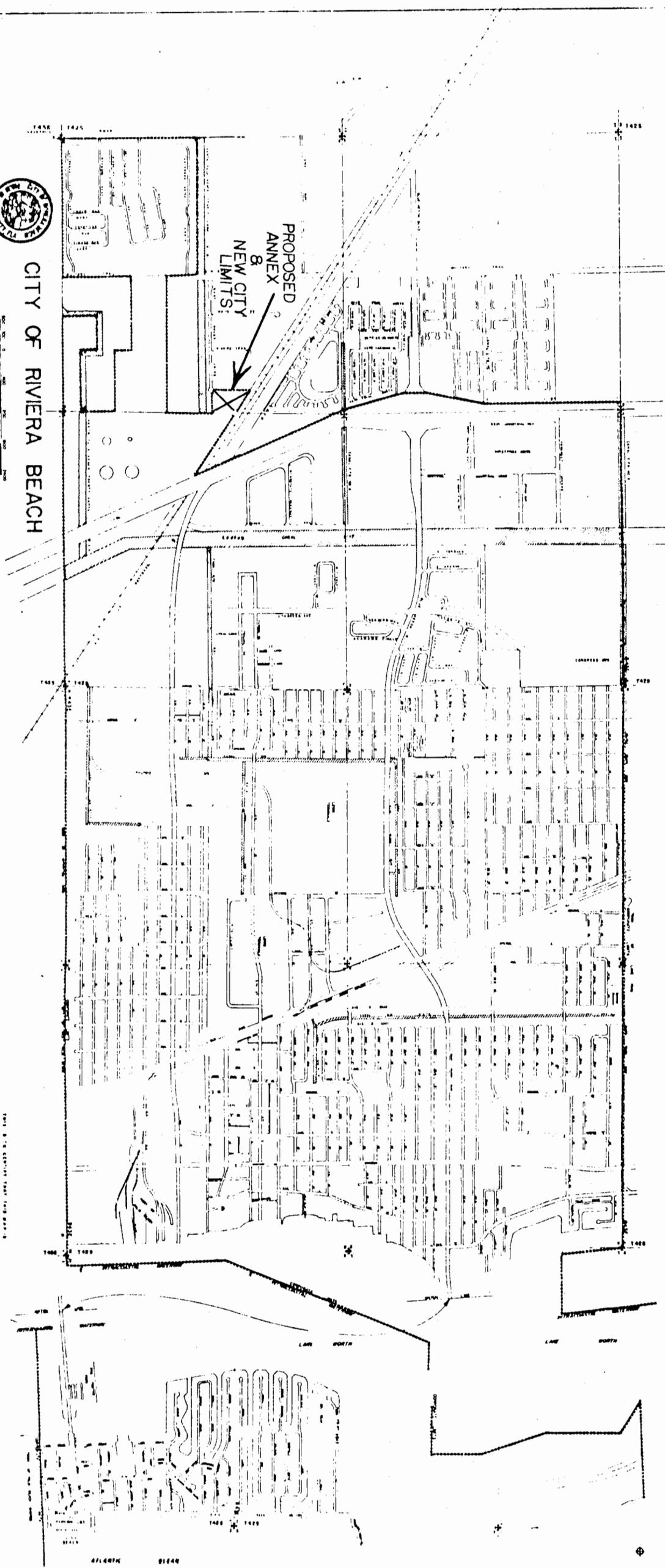
CANAL R/W



CITY OF RIVIERA BEACH



PROPOSED ANNEX 8 NEW CITY LIMITS



THIS IS A COPY OF THE ORIGINAL AS SUBMITTED TO THE CITY OF RIVIERA BEACH

DWG. NO. CMB 89

EMERGENCY ORDINANCE NO. 2024

AN EMERGENCY ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING ARTICLE I ENTITLED "STREETS" OF CHAPTER 17 ENTITLED "STREETS AND SIDEWALKS" OF THE CODE OF ORDINANCES BY ENACTING SECTION 17-5.2. ENTITLED "FAIR SHARE FEES-NOT APPLICABLE"; CITY COUNCIL'S DECLARATION OF AN EMERGENCY; PROVIDING A PENALTY CLAUSE, REPEALING CLAUSE, SAVING CLAUSE, AUTHORITY TO CODIFY, AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

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

SECTION 1. Article I entitled "Streets" of Chapter 17 entitled "Streets and Sidewalks" of the Code of Ordinances is amended to read:

"Sec. 17-5.2. Fair Share Fees - not applicable.

Any applicant seeking a building permit for a new construction within the city limits shall not be required to pay a fair share fee to the city or to the Board of County Commissioners of Palm Beach County, Florida, as prescribed in the "Fair Share Contribution for Road Improvement Ordinance" adopted by the Board of County Commissioners of Palm Beach County, Florida, on June 19, 1979."

SECTION 2. Any person violating any of the provisions of this Ordinance, shall upon conviction, be subject to the Provisions of the uniform maximum penalty Ordinance, Ordinance No. 1123, enacted on October 6, 1976.

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

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

SECTION 5. Specific authority is hereby granted to codify this Ordinance.

PASSED AND ADOPTED as an Emergency Ordinance this 18  
day of July, 1979.

APPROVED:

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Chairman

Chairman Pro Tem

  
\_\_\_\_\_

( MUNICIPAL SEAL )

  
\_\_\_\_\_

  
\_\_\_\_\_  
Councilmen

ATTEST:

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

# CITY OF RIVIERA BEACH

DEPARTMENT OF COMMUNITY DEVELOPMENT & ENVIRONMENTAL CONTROL  
2214 AVENUE "E", RIVIERA BEACH, FLORIDA 33404

OFFICE OF  
PLANNING

TO: Ronald Davis, City Manager  
FROM: Davender Kant, Director CDEC  
DATE: July 13, 1979  
SUBJ: Fair Share Ordinance

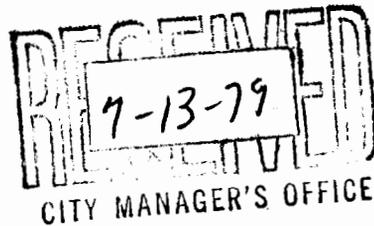


Forwarded herewith are staff comments as well as a package submitted by Home Builders and Contractors Association by Palm Beach County opposing passage of proposed ordinance by the City of Riviera Beach. Copy of "Fair Share Fee" Ordinance 79-7 is also attached herewith.

Since other Municipalities in zones 10 & 12 (designated zone for Riviera Beach) e.g. North Palm Beach and West Palm Beach have already exempted themselves from Ordinance 79-7, it is the staff recommendation that the City Council pass attached ordinance to exempt the City of Riviera Beach from Fair Share Contribution for Road Improvement Ordinance.

DK/phd

Attachments





CITY OF RIVIERA BEACH

DEPARTMENT OF COMMUNITY DEVELOPMENT & ENVIRONMENTAL CONTROL  
2214 AVENUE "E", RIVIERA BEACH, FLORIDA 33404

*RG*

OFFICE OF  
CITY ENGINEERING DEPT.

TO: Davender Kant, Director CDEC  
FROM: Ronald Glorsky, City Engineer *Glorsky*  
DATE: June 21, 1979  
SUBJ: Fair Share Contribution for Road Improvements Ordinance

A decision will have to be made by Council according to County staff if we do not desire to be part of the above referenced county program prior to July 1, 1979. The city attorney needs to be contacted and a resolution drawn up indicating Council does not desire to be a part of this program if that is their desire.

This program is similar to our capital charges for water connections in regards to charging new users or in this case for new development. It is the opinion of this office that the only alternative if this plan is not implemented is that there will be further increase in sales and cigarette taxes which affect the whole community as opposed to assessing most of the cost to the new home owner and probably lesson the impact of future cigarette and taxes increases to the remaining members of the community. Or more federal money may some day become available.

Enclosed is a copy of the proposed ordinance for the program which provides specific details. It should be noted that the developer can receive credit for roads that he will improve adjacent to his projects, as determined by the County Engineer. The County Traffic Department has indicated that if you desire they would come to a Council meeting to discuss this matter.

Enclosed is a copy of the report on the proposed Palm Beach County Fair Share Contribution for road improvements Ordinance

RG/ea

*RKD*

# CITY OF RIVIERA BEACH

2214 AVENUE "E"

RIVIERA BEACH, FLORIDA 33404

June 29, 1979

OFFICE OF  
INSPECTION

MEMO TO: Davender Kant  
Director of CDEC

FROM: Al Newbold *Al Newbold*  
Building Official

RE: Fair Share Ordinance

Several weeks ago when the notice came in in reference to a public hearing on the above referenced ordinance, I forwarded a copy of the notice to you and you agreed to attend the meeting and participate in the discussion as it affects the City of Riviera Beach. To date I have not had any correspondence from you regarding the City's position in this matter nor the results of the public hearing.

Nevertheless, the attached letter addressed to me as Building Official of the City of Riviera Beach dated June 25th is self-explanatory. As you will note, it informs me of the County Commissioners' adoption on June 19th the "Fair Share Contribution for Road Improvements Ordinance" which is to go into effect on July 1st. I received it today, June 29th, which leaves me very little time for any discussion of policies based on the City's position, especially when I am not the individual to determine the City's position in such matters.

Therefore, I am sending a copy of this memo to the City Manager and the City Attorney so that the four of us may, as quickly as possible, schedule a meeting on this issue and decide whether or not the City will be participating and, if not, does the City have intentions of passing an exempt ordinance. Based on the received documents, it is mandatory that I collect the necessary fees.

I am in no position to discuss the legality or the consequences if we do not participate, and since you attended the meeting, maybe you can elaborate on this with the City Attorney and the City Engineer.

It is my hope that we will review the conditions of this ordinance, bearing in mind that at present, because of the increase in capital fees and the new permit fee schedules, the cost for a single family house at a \$50,000 valuation is approximately \$2,200. To add an additional \$300 would raise quite a storm and cause further delay in our construction industry within the corporate limits of Riviera Beach. These facts should be reviewed in order to make the proper recommendation.

Memo to Davender Kant  
June 29, 1979  
Page Two

If it is ruled that the permits already in the office do not fall under this requirement, then we may have a chance to discuss this issue at length before I am required to begin collection. If it applies to building permits in house prior to July 1st, I will withhold issuing any permits until I receive your response.

Please respond as soon as possible.

AN/ad

cc: R. Davis  
City Manager

A. Everard  
City Attorney

home builders  
& contractors

association of palm beach county, inc.

2921 AUSTRALIAN AVE. WEST PALM BEACH, FLORIDA 33407 (305) 848-5400  
DELRAY BEACH (305) 272-1390



July 10, 1979

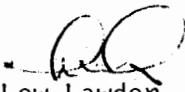
A MEMORANDUM TO

DAVENDER KANT  
Director  
Planning, Zoning & Building  
City of Riviera Beach

RECEIVED

JUL 11 1979

PLANNING & ENGINEERING DEPT.

FROM:  Lew Lawder, Exec. Vice President

RE: FAIR SHARE CONTRIBUTION FOR ROAD IMPROVEMENTS ORDINANCE  
(Palm Beach County Impact Fee (TAX))

The HBCA has been active in its opposition to this ill conceived ordinance since it was initiated in August 1978 by the Board of County Commissioners for the following reasons:

1. It is a tax and not a fee and therefore the Commissioners had no authority to adopt it.
2. Unlike water, electricity and sewer service which can be metered and therefore is paid by the 'user' it is impossible, unless all roads are toll roads, to restrict the use of roads to those who pay the fee and roads, like national defense, are for the public good.
3. It is double taxation in that the home owner has \$300 added to the cost of the home and then pays the additional costs that are reflected in the goods and services provided by the imposition of the Impact Fee (Tax) on commercial usage.
4. Municipalities cannot be mandated to participate and hence this lessens the effectiveness and fairness of the ordinance.
5. The bureaucratic nightmare that will result from the administration of the ordinance is impossible to comprehend as there will be 40 separate and distinct trust accounts to administer plus another account for each municipality that does participate.
6. The ordinance is highly inflationary and will add to the cost of all new construction.
7. It is not equitable as the cost of roads is not uniformly distributed to all users as commercial vehicles, tourists who cause the major impact on roads during the 'season' and those who buy existing, as compared to new homes, are exempt.
8. It will not accomplish the purpose of which it was created and the funding it will provide are estimated to be in the range of only 10% of the total financing needed.

9. The argument that it was designed as a fee (tax) on "newcomers" is not valid in that a substantial number of new home purchasers are not newcomers at all, but residents who have lived in the county and who have already paid their fair share of taxes.
10. Housing is already being priced out of the market for low and moderate income families and this \$300 per single family home might well be the difference between realizing the American Dream of Home Ownership and not owning a home. We readily agree that \$300 added to the cost of a \$50,000, \$60,000 or \$75,000 home is relatively minor however to low and moderate income families this \$300 may be as big to them as the Empire State Building...may well be in excess of their ability to finance. This extra \$300, coupled with inflation and the now all time high interest rate, will eliminate many low and moderate income families from home ownership as the total mortgage cost will then be in the range of an additional \$1,000.

By way of background, the following is provided:

A. CITIZENS JOINT TASK FORCE

When introduced last August by the Board of County Commissioners the ordinance was referred to the Citizens Joint Task Force. That Task Force wrestled with the problem until December, during which time the HBCA attended numerous meetings and provided material (Letter of 9-5-78 to James Antis from Grover C. Herring, Special Counsel for the HBCA is attached).

The Task Force was unanimous in recommending that the County Commissioners NOT adopt the Impact Fee and in lieu therefore support a bond issue.

B. DECMEBER 1978 - JUNE 18, 1979

The Commissioners concluded that the recommendations of the Citizens Joint Task Force was not acceptable and pursued adoption of the Ordinance. At that point the HBCA referred the Ordinance to the 110,000 member National Association of Home Builders and the 10,000 member Florida Home Builders Association for comment.

Both Associations had legal counsel review the ordinance and their comment strongly supported the position of the HBCA Special Counsel, Grover Herring, that it would not withstand court action and if tested, would be invalidated.

The HBCA also retained the services of Dr. Henry Fishkind, Associate Professor of Economics, University of Florida to proved economic data. Dr. Fishkind appeared on behalf of the HBCA along with Grover Herring at numerous workshops with the County Commissioners and always in strong opposition to it.

C. JUNE 19, 1979

On June 19, 1979, a public hearing was held by the Board of County Commissioners on the Ordinance.

Opposing it were:

Home Builders & Contractors Assn.  
Associated General Contractors  
The Economic Council  
Associated Builders & Contractors  
Lake Worth Board of Realtors  
Several Concerned Citizens

Supporting it were:

League of Municipalities  
Century Village Mutual Association  
Several concerned citizens

Note: It is interesting to note that since June 19, the following municipalities have taken official action to withdraw from participating in spite of the support by the League of Municipalities:

North Palm Beach - Belle Glade - West Palm Beach - Lake Clarke Shores

and numerous other municipalities according to the information that has come to me are, like Riviera Beach, considering similar action.

By a 3-2 vote the ordinance was adopted. Favoring it were Commissioners Evatt, Gregory and Koehler and strongly opposing it were Commissioners Bailey and Foster. the latter two having extensive business background in the private sector. The Board of County Commissioners, therefore, were far from unified on this issue compared to the West Palm Beach City Commissioners who, by a 5-0 vote, voted to withdraw on July 9.

D. HBCA ACTION

The HBCA is now more than ever determined to pursue this issue to the Florida Supreme Court, if necessary, to have it invalidated and it is anticipated that the court case will be filed in the next 10 days or two weeks. Whether this will take the form of a Declaratory Relief or other legal terminology is at the moment undetermined.

We recognize that the cost involved is substantial and already a LEGAL FUND TO INVALIDATE THE IMPACT FEE has been organized and we anticipate no problem in raising \$50,000 minimum to sustain our action.

Davender Kant  
Page 4  
July 10, 1979

We respectfully urge that the City of Riviera Beach analyze all of the implications of this ill conceived and ill drafted ordinance and particularly we call your attention to the map identified as Exhibit A - ZONES to the ordinance. You will note that it is bound to occur in administering a minimum of 40 trust accounts and insuring that overlapping municipalities get, as the ordinance is named, their "Fair Share".

Zone 12, for example extends from Palm Beach Lakes Boulevard in West Palm Beach to Blue Heron Boulevard in Riviera Beach. Zone 10 involves Riviera Beach, Lake Park and Palm Beach Gardens. This is almost certain to present problems to Riviera Beach...equitable distribution of such funds.

We respectfully suggest that Riviera Beach take appropriate action to withdraw from participating as your neighbor to the north, North Palm Beach has done and your neighbor to the south, West Palm Beach has done. The reasons we advise supporting this suggestion are sound and logical and, of course, if such action is taken the City of Riviera Beach would then exclude themselves from any possible participation in the court action that HBCA will soon initiate against the Palm Beach County Commissioners and which may...or may not... ultimately involve participating municipalities.

Encl:

Letter, 9-5-78 to James Anstis, Chairman, Citizens Joint Task Force from Special Counsel, Grover C. Herring.

Fair Share Ordinance for Road Improvement: An Economic Perspective  
Henry Fishkind, Ph. D., March 30, 1979

Impact Fee Schedule, Section V. 3. (combined pages 7-8 Ordinance)

Exhibit A - ZONES, to Impact Fee Ordinance

Miami Herald, 7-10-79 Article "West Palm will Nullify Impact Fee"

Blind copies  
Grover Herring  
Peter Rapaport  
Dave Howell, Ch. ABC Leg. Committee

*Noted enclosures are on file in Planning.*  
*RET*

ADOPTED BY  
BOARD OF COUNTY  
COMMISSIONERS  
ON JUNE 12, 1979

ORDINANCE NO. 79-\_\_\_\_\_

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AN ORDINANCE TO BE KNOWN AS THE "FAIR SHARE CONTRIBUTION FOR ROAD IMPROVEMENTS ORDINANCE"; PROVIDING FOR SHORT TITLE, AUTHORITY, APPLICABILITY; PROVIDING FOR INTENT AND PURPOSE; PROVIDING FOR RULES OF CONSTRUCTION; PROVIDING FOR DEFINITIONS; PROVIDING FOR FAIR SHARE FEE TO BE IMPOSED ON NEW CONSTRUCTION; REVIEW; PROVIDING FOR TIME OF PAYMENT; PROVIDING FOR USE OF FUNDS COLLECTED; PROVIDING FOR TRUST FUNDS ESTABLISHMENT; PROVIDING FOR EXEMPTIONS AND CREDITS; PROVIDING FOR LIBERAL CONSTRUCTION, SEVERABILITY AND PENALTY PROVISIONS; PROVIDING FOR INCLUSION IN THE CODE; AND, PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

SECTION I. Short Title, Authority and Applicability.

- A. This ordinance shall be known and may be cited as the "Fair Share Contribution for Road Improvements Ordinance."
- B. The Board of County Commissioners has authority to adopt this ordinance pursuant to Article VIII of the 1968 Florida Constitution, and Chapters 125 and 163, Florida Statutes.
- C. This ordinance shall apply to the unincorporated area of Palm Beach County, and to the incorporated areas within Palm Beach County to the extent permitted by Article VIII, Section 1(f) of the 1968 Florida Constitution.

SECTION II. Intent and Purpose.

- A. The Board of County Commissioners has determined that the phenomenal growth rate which the County is experiencing will necessitate extensive road network improvements, costing approximately 2 1/2 billion dollars by the year 2000, exclusive of right of way costs, in order to maintain the existing level of service and quality of life found in Palm Beach County. In order to finance the necessary new capital improvements, several combined methods of financing will be necessary; one of which will require new developments to pay a "fair share fee."
- B. It is the purpose of this ordinance to establish a Countywide system to assist in raising the funds necessary to improve the major road network system, so as to accommodate the increased demand which new development will have on the

1 road system. The new users will only be required to pay the cost of road im-  
2 provements to the extent that their presence necessitates such improvements.

3 C. All land development is deemed to create a traffic impact and there-  
4 fore create a demand for increased road capacity. As a result of this new  
5 building construction the existing major road network system is being seriously  
6 impacted to a point beyond which government can finance improvements to these  
7 roads.

8 D. Increasing the capacity of roads in order to make them safe and more  
9 efficient is the recognized responsibility of government and is in the best  
10 interest of the public's health, safety and welfare.

11 E. It is in the interest of the public's health, safety, welfare and con-  
12 venience for the County to regulate land development by requiring the payment  
13 of road impact fees as a condition precedent to the issuance of a building  
14 permit for new construction for the exclusive purpose of improving the major  
15 road network system impacted within a predefined zone in which the develop-  
16 ment is located.

17 F. It is the purpose of this ordinance to continue to allow growth in  
18 Palm Beach County but to do so in a manner which requires the new development,  
19 causing the road impact problems, to share the financial burden of growth  
20 by requiring the new development to pay their pro rata share for the cost of  
21 road improvements to the extent that their presence necessitates such improve-  
22 ments. Thus the existing residents of Palm Beach County will be afforded  
23 some relief from the costs of providing road improvements solely necessary  
24 to meet the needs of the new development.

25 G. It is not the purpose of this ordinance to collect any money from  
26 new development in excess of the actual amount necessary to offset the impact  
27 on the major road network system caused by new development. It is specific-  
28 ally acknowledged that this ordinance has approached the problem of determining  
29 the "fair share fee" in a conservative and reasonable manner. This ordinance  
30 will only partially recoup the governmental expenditures associated with  
31 growth. The established residents will still be required to supplement the  
32 contributions of the new development.

33 H. The Technical Data, Findings and Conclusions herein are based in  
34 part on the following studies and reports:

35 Report on the proposed Palm Beach County Fair Share Contribution for  
36 Road Improvements Ordinance - August 10, 1978, revised September 8, 1978 by  
Palm Beach County Engineering, Planning and Legal Staffs. Economic Aspects

1 of the proposed Palm Beach County Road Impact Fee Ordinance - Jan. 2, 1979 by  
2 Joint Center for Environmental and Urban Problems Fla. International University  
3 and Florida Atlantic University; West Palm Beach Urban Area Transportation Study  
4 Plan Reevaluation. (Year 2000 Study) - May 17, 1979 - by Peat, Marwick & Mitchell  
5 Company; Update Study of Vehicular Traffic Generation Characteristics in Palm  
6 Beach County - Jan. 1975 - by Kimley-Horn & Associates; Trip Generation &  
7 Informational Report - 1976 - by Institute of Transportation Engineers; Trip  
8 Ends Generation Research 1979 by State of Fla. D.O.T., Division of Transporta-  
9 tion Planning.

10 SECTION III. Rules of Construction.

11 For the purposes of administration and enforcement of this ordinance, un-  
12 less otherwise stated in this ordinance, the following rules of construction  
13 shall apply to the text of this ordinance.

14 (1) In case of any difference of meaning or implication between the  
15 text of this ordinance and any caption, illustration, summary table, or  
16 illustrative table, the text shall control.

17 (2) The word "shall" is always mandatory and not discretionary;  
18 the word "may" is permissive.

19 (3) Words used in the present tense shall include the future; and  
20 words used in the singular number shall include the plural, and the plural  
21 the singular, unless the context clearly indicates the contrary.

22 (4) The phrase "used for" includes "arrange for", "designed for",  
23 "maintained for" or "occupied for".

24 (5) The word "person" includes an individual, a corporation, a  
25 partnership, an incorporated association, or any other similar entity.

26 (6) Unless the context clearly indicates the contrary, where a regu-  
27 lation involves two (2) or more items, conditions, provisions, or events con-  
28 nected by the conjunction "and", "or" or "either...or", the conjunction shall  
29 be interpreted as follows:

30 (a) "And" indicates that all the connected terms, conditions,  
31 provisions or events shall apply.

32 (b) "Or" indicates that the connected items, conditions, pro-  
33 visions, or events may apply singly or in any combination.

34 (c) "Either...or" indicates that the connected items, con-  
35 ditions, provisions or events shall apply singly but not in combination.

36 (7) The word "includes" shall limit a term to the specified example,

1 but is intended to extend its meaning to all other instances or circumstances  
2 of like kind or character.

3 SECTION IV. Definitions.

4 A. Accessory Building or Structure: A detached, subordinate building,  
5 the use of which is clearly incidental and related to that of the principal  
6 building or use of the land, and which is located on the same lot as that  
7 of the principal building or use.

8 B. Arterial Road: A road which is a main traffic artery carrying rela-  
9 tively high traffic volumes for relatively long distances. This classification  
10 includes all roads which function above the level of a collector road.

11 C. Building: Any structure, either temporary or permanent, having a roof  
12 and used or built for the enclosure or shelter of persons, animals, vehicles,  
13 goods, merchandise, equipment, materials or property of any kind. This term  
14 shall include tents, trailers, mobile homes, or any vehicles serving in any  
15 way the function of a building.

16 D. Building Permit: An official document or certificate issued by the  
17 authority having jurisdiction, authorizing the construction of any building.  
18 The term shall also include tie-down permits for those structures or buildings  
19 that do not require a building permit, such as a mobile home, in order to be  
20 occupied.

21 E. Capacity: The maximum number of vehicles for a given time period  
22 which a road can safely and efficiently carry; usually expressed in terms of  
23 vehicles per day. For the purposes of this ordinance the capacity of a road  
24 shall be 6000 vehicles per day per through lane.

25 F. Collector Road: A road which carries traffic from local roads to  
26 arterial roads. Collector roads have more continuity, carry higher traffic  
27 volumes, and may provide less access than local roads.

28 G. Collecting Agency: That governmental authority having jurisdiction  
29 to authorize the construction of any building.

30 H. Dwelling Unit: A single family house, single family apartment or  
31 mobile home used for human habitation.

32 I. External trip: Any trip which either has its origin from or its  
33 destination to the development site and which impacts the major road network  
34 system.

1 J. Fair Share Fee; Road Impact Fee; or Fee: The fee required to be paid  
2 in accordance with this ordinance.

3 K. Internal Trip: A trip which has both its origin and destination  
4 within the development site.

5 L. Local Road: A road designed and maintained primarily to provide  
6 access to abutting property. A local road is of limited continuity and is  
7 not for through traffic.

8 M. Major Road Network System: All arterial and collector roads within  
9 Palm Beach County, including new arterial and collector roads necessitated by  
10 land development.

11 N. Planned Development: A land area under unified control designed and  
12 planned to be developed in a single operation or by a series of prescheduled  
13 development phases according to an officially approved final Master Land Use  
14 Plan, including Planned Unit Developments, Planned Commercial Developments and  
15 similar planned developments.

16 O. Site Related Improvements: Road construction or road improvements at  
17 or near the development site which are necessary to interface the development's  
18 external trips with the major road network system or which are necessary to in-  
19 terface the development's internal trips with the major road network system  
20 where a portion of the major road network system is included within the develop-  
21 ment.

22 P. Traffic Impact Analysis: A study prepared by a qualified professional  
23 engineer, licensed to practice within the State of Florida, to determine the  
24 vehicular impact of the development upon the major road network system. This  
25 study includes, but is not limited to: determination of trip generation; trip  
26 distribution; traffic assignment; capacity analyses; and, improvements to the  
27 roadway system necessitated by the development, such as required new roads,  
28 additional laneage and signalization.

29 Q. Trip: A one-way movement of vehicular travel from an origin (one  
30 trip end) to a destination (the other trip end). For the purposes of this  
31 ordinance trip shall have the meaning which it has in commonly accepted traffic  
32 engineering practice and which is substantially the same as that definition in  
33 the previous sentence.

1 R. Trip Generation: The attraction or production of trips caused by a  
2 given type of land development.

3 S. Zone: Those geographical areas as identified on the attached Exhibit  
4 "A".

5 SECTION V. Fair Share Fee to be Imposed on New Construction; Review.

6 A. It has been determined by the Board of County Commissioners that new  
7 development in the County should be charged a reasonable "Fair Share Fee" to  
8 help offset the costs for road improvements caused solely by new development.

9 B. As a condition to the issuance of a building permit applied for  
10 after the effective date of this ordinance for any new construction, the  
11 applicant shall pay a Fair Share Fee in the amount and manner required by this  
12 ordinance which shall be used exclusively within the zone in which the develop-  
13 ment is located and for the exclusive purposes set forth in this ordinance.

14 C. The Fair Share Fee shall be determined by using the following methods:

15 1. Independent Calculation. Any person may determine his Fair Share  
16 Fee by providing traffic and economic documentation that his actual economic  
17 impact on the major road network system is less than the Fair Share Fee as  
18 determined under subparagraphs C. 2, 3, and 4 below. The documentation sub-  
19 mitted shall show the basis upon which the Fair Share Fee has been calculated,  
20 including but not limited to, generation rates, geographic zones of impact,  
21 cost of replacing the capacity of roadways used by the development's traffic  
22 and allowable credits which may be paid by future occupants. This documentation  
23 shall be prepared and presented by qualified professionals in the respective  
24 fields. The mathematical assumptions, formulas and generation rates used in  
25 this ordinance shall not be used as a basis without independent documentation.

26 2. Fair Share Formula(s).

27 a. The following Fair Share Formula(s) may be used for those  
28 planned developments for which a traffic impact analysis has been prepared for  
29 the purposes of determining the external trips imposed by the development on  
30 the major road network system. The Official Daily Trip Generation Rate as  
31 shown in subparagraph C.3.a. and b. shall be used as the basis for calculating  
32 the total external trips for a planned development. The County Engineer shall  
33 review the traffic impact analysis and determine the Fair Share Fee to be paid  
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35  
36

1 in accordance with the formula(s) established in C.2.b. Any applicant may  
2 challenge the County Engineer's determination of the fee by filing a petition  
3 with the Board of County Commissioners to determine the appropriate Fair Share  
4 Fee within sixty (60) days of the determination by the County Engineer.

5 b. The cost to construct one (1) lane of roadway for one (1)  
6 mile shall be Three Hundred Thousand Dollars (\$300,000.00) and the cost  
7 to construct one (1) lane of roadway for one-half (½) mile shall be One Hundred  
8 Fifty Thousand Dollars (\$150,000.00).

9 Residential:

10 
$$\frac{\text{External trips} \div 2^*}{\text{Capacity of 1 lane}} \times \text{Cost to construct 1 lane for 1 mile} = \text{Fair Share Fee}$$

11 \* Given a 50/50 directional split.

12 Non-Residential:

13 
$$\frac{\text{External trips} \div 2^*}{\text{Capacity of 1 lane}} \times \text{Cost to construct 1 lane for } \frac{1}{2} \text{ mile} = \text{Fair Share Fee}$$

14 \* Given a 50/50 directional split.

15  
16 3. Fee Schedule. The following fee schedule is presented for those  
17 developments for which a traffic impact analysis has not been prepared. The  
18 following fees have been calculated using the formula(s) presented in paragraph  
19 C.2.b. using accepted trip generation rates for each land use as observed in  
20 Palm Beach County or trip generation rates based upon acceptable state and  
21 national averages. For the convenience of the public the fees which are based  
22 on trip generation have been converted to a dollar amount based on dwelling  
23 unit, building square footage, bed, parking space, or room depending upon the  
24 particular land use.

25 a. Residential:

Type of Development	Official Daily Trip Generation Rate	Fee
Single Family House	12 per dwelling unit	\$300 per unit
Multi-family/townhouse dwelling	8 per dwelling unit	\$200 per unit
Mobile Home	7 per dwelling unit	\$175 per unit

b. Non-Residential:

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Type of Development	Official Daily Trip Generation Rate	Fee
General Office Building	20 per 1000 square feet	\$ 250 per 1000 sq. ft.
Office Building, Medical	75 per 1000 square feet	937 per 1000 sq. ft.
Hospital	15 per bed	187 per bed
Nursing Home	3 per bed	37 per bed
General Commercial	100 per 1000 square feet	1,250 per 1000 sq. ft.
Warehouse	5 per 1000 square feet	62 per 1000 sq. ft.
Motel	15 per room	187 per room
General Recreational	3 per parking space	37 per parking space
Shopping Centers:		
150,000 or less square feet	100 per 1000 square feet	1,250 per 1000 sq. ft.
150,000 to 499,999 square feet	60 per 1000 square feet	750 per 1000 sq. ft.
500,000 to 999,999 square feet	35 per 1000 square feet	437 per 1000 sq. ft.
1,000,000 square feet and over	30 per 1000 square feet	375 per 1000 sq. ft.
General Industrial	6 per 1000 square feet	75 per 1000 sq. ft.

4. Other Developments. For developments not electing to proceed under subparagraph C.1. above, and where the County Engineer has determined that the development is not covered by subparagraph C.2. and 3. above, the appropriate traffic generation rate and thus the fee to be paid in accordance with this ordinance shall be determined by the County Engineer. The applicant may challenge the County Engineer's determination provided he submits to the County Engineer's Office a traffic generation statement prepared by a qualified Professional Engineer who is licensed to practice in the State of Florida. If the County Engineer's Office rejects this proposed generation rate, then the applicant may petition the Board of County Commissioners to determine the appropriate Fair Share Fee within sixty (60) days of the rejection of the proposed generation rate by the County Engineer.

1 D. Review. The amount of the Fair Share Fee shall first be reviewed by  
2 the Board of County Commissioners in January 1981; and thereafter the amount of  
3 the Fair Share Fee shall be reviewed annually during the month of January by  
4 the Board of County Commissioners. The review shall consider trip generation  
5 rates and actual construction costs for work contracted for by the County and  
6 the Florida Department of Transportation within Palm Beach County. The purpose  
7 of this review is to analyze the effects of inflation on the actual costs of  
8 roadway construction and to insure that the fees charged the newcomer will not  
9 exceed their pro rata share for the cost of road improvements necessitated  
10 solely by their presence.

11 SECTION VI. Time of Payment.

12 A. The Fair Share Fee for new construction shall be due and payable at  
13 the time of issuance of a building permit. All funds collected shall be prop-  
14 erly identified by zone and promptly transferred to the Palm Beach County  
15 Comptroller's Office for deposit in the appropriate trust fund to be held in  
16 separate accounts as determined in Section VIII of this ordinance and used  
17 solely for the purpose as established by this ordinance.

18 B. The Collecting Agency shall be entitled to retain two percent (2%)  
19 of the total funds collected to offset the costs associated with collection  
20 of these funds.

21 SECTION VII. Use of Funds Collected.

22 A. The funds collected by reason of the establishment of a road impact  
23 fee in accordance with this ordinance shall be used solely for the purpose of  
24 construction or improving roads, streets, highways, and bridges on the major  
25 road network system, including but not limited to:

- 26 1. design and construction plan preparation,
- 27 2. right of way acquisition,
- 28 3. construction of new through lanes,
- 29 4. construction of new turn lanes,
- 30 5. construction of new bridges,
- 31 6. construction of new drainage facilities in conjunction  
32 with new roadway construction



1 Board of County Commissioners of the status of the fee requested for refund.  
2 For the purpose of this section, fees collected shall be deemed to be spent  
3 (encumbered) on the basis of the first fee in shall be the first fee out.  
4 In other words, the first money placed in a trust fund account shall be the  
5 first money taken out of that account when withdrawals have been made in  
6 accordance with subparagraph B. above.

7 4. When the money requested is still in the trust fund account  
8 and has not been spent (encumbered) by the end of the calendar quarter  
9 immediately following six (6) years from the date the fees were paid, the  
10 money shall be returned with interest at the rate of six percent (6%) per  
11 annum.

12 E. The fees collected pursuant to this ordinance may be returned to  
13 the present owner if the building permit is cancelled due to noncommencement  
14 of construction. Refunds may be made in accordance with Section VIII, D, 2,  
15 and VIII, D, 3, provided the then present owner petitions the Board of County  
16 Commissioners for the refund within three (3) months from the cancellation  
17 date of the building permit.

18 SECTION IX. Exemption and Credits.

19 A. The following shall be exempted from payment of the Fair Share Fee:

20 1. Alterations of expansion of an existing dwelling unit where no  
21 additional units are created.

22 2. The construction of accessory buildings or structures which will  
23 not increase the traffic counts associated with the principal building or of  
24 the land.

25 3. The replacement of a destroyed or partially destroyed building  
26 or structure with a new building or structure of the same size and use.

27 4. The construction of publicly-owned governmental buildings.

28 B. Credits:

29 1. In lieu of paying the Fair Share Fee, the developer may elect  
30 to construct part of a major road network system which is in addition to  
31 his site related improvements. The developer shall submit the proposed  
32 construction which he intends to do along with a certified cost estimate to  
33 the County Engineer. The County Engineer shall determine if the proposed  
34 construction is an appropriate substitute for the road impact fee and the  
35 amount of credit to be given and the timetable for completion.

1           2. Where a proposed major network road runs through a development  
2 and where the developer is only required to construct two (2) lanes of the  
3 roadway, the developer may elect, upon submission of a certified cost esti-  
4 mate and approval of the County Engineer, to construct more than two (2) lanes  
5 and receive credit to the extent of the additional lanes constructed.

6           3. The developer may challenge any determination made by the County  
7 Engineer pursuant to subparagraphs B.1. and .2 above by filing a petition with  
8 the Board of County Commissioners.

9           SECTION X. "Sunset" Provision.

10          A. This ordinance shall "sunset" or cease to exist four (4) years from  
11 its effective date, unless renewed by an affirmative vote of the Board of  
12 County Commissioners.

13          B. In the event that this ordinance is allowed to "sunset" by the  
14 Board, any and all funds collected during the life of the ordinance shall  
15 continue to be disposed of in the manner set forth in Sections VII and VIII,  
16 as if this ordinance were still in effect.

17          SECTION XI. Liberal Construction, Severability and Penalty Provisions.

18          A. The provisions of this ordinance shall be liberally construed to  
19 effectively carry out its purposes in the interest of public health, safety,  
20 welfare and convenience.

21          B. If any section, phrase, sentence or portion of this ordinance is for  
22 any reason held invalid or unconstitutional by any court of competent juris-  
23 diction, such portion shall be deemed a separate, distinct, and independent  
24 provision, and such holding shall not affect the validity of the remaining  
25 portions thereof.

26          C. Any building permit used for new construction as covered by this  
27 ordinance but without payment of the fee as required by this ordinance shall  
28 be void.

29          D. A violation of this ordinance shall be a misdemeanor punishable  
30 according to law; however, in addition to or in lieu of any criminal prosecu-  
31 tion Palm Beach County or any individual paying the Fair Share Fee shall have  
32 the power to sue in civil court to enforce the provisions of this ordinance.

33          SECTION XII. Inclusions in the Code.

34          The provisions of this ordinance shall become and be made a part of the  
35 Code of Laws and Ordinances of Palm Beach County, Florida. The sections of  
36 this ordinance may be renumbered or relettered to accomplish such; and

1 the word "ordinance" may be changed to "section", "article", or another  
2 appropriate word.

3 SECTION XIII. Effective Date.

4 The provisions of this ordinance shall become effective on July 1, 1979.

5 APPROVED AND ADOPTED by the Board of County Commissioners of Palm Beach  
6 County, Florida, on the \_\_\_\_ day of \_\_\_\_\_, 1979.

8 PALM BEACH COUNTY, FLORIDA, BY  
9 ITS BOARD OF COUNTY COMMISSIONERS

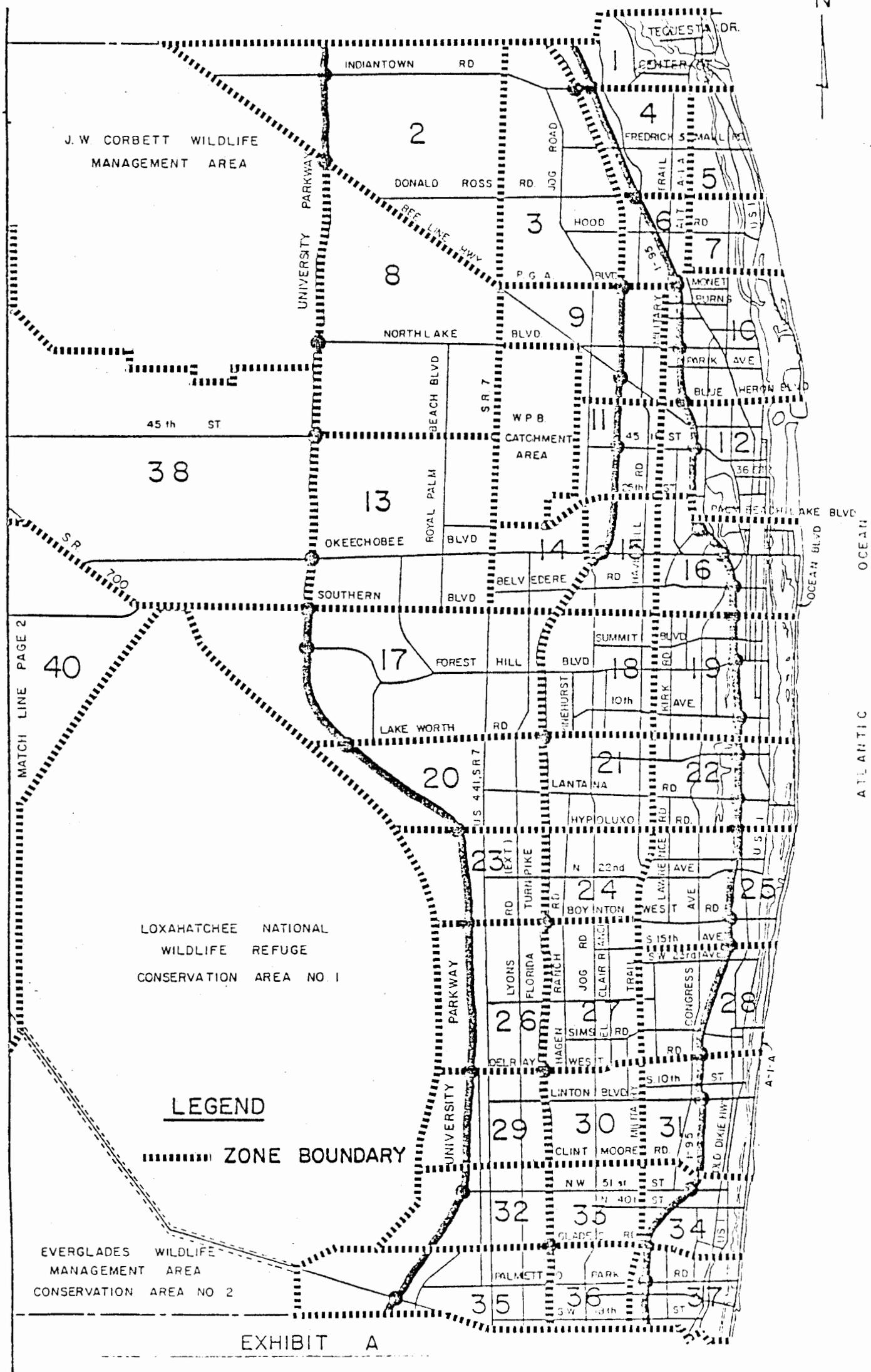
10  
11 By: \_\_\_\_\_  
Chairman

12  
13 Acknowledged by the Department of State, State of Florida, on the \_\_\_\_  
14 day of \_\_\_\_\_, 1979.

15 Acknowledgement from the Department of State received on \_\_\_\_\_  
16 \_\_\_\_\_, 1979, at \_\_\_\_\_ .m.

17  
18  
19 APPROVED AS TO FORM  
20 AND LEGAL SUFFICIENCY

21  
22   
23 COUNTY ATTORNEY



MATCH LINE PAGE 2

LEGEND

----- ZONE BOUNDARY

EVERGLADES WILDLIFE  
MANAGEMENT AREA  
CONSERVATION AREA NO 2

J.W CORBETT WILDLIFE  
MANAGEMENT AREA

LOXAHATCHEE NATIONAL  
WILDLIFE REFUGE  
CONSERVATION AREA NO. 1

EXHIBIT A

ZONES

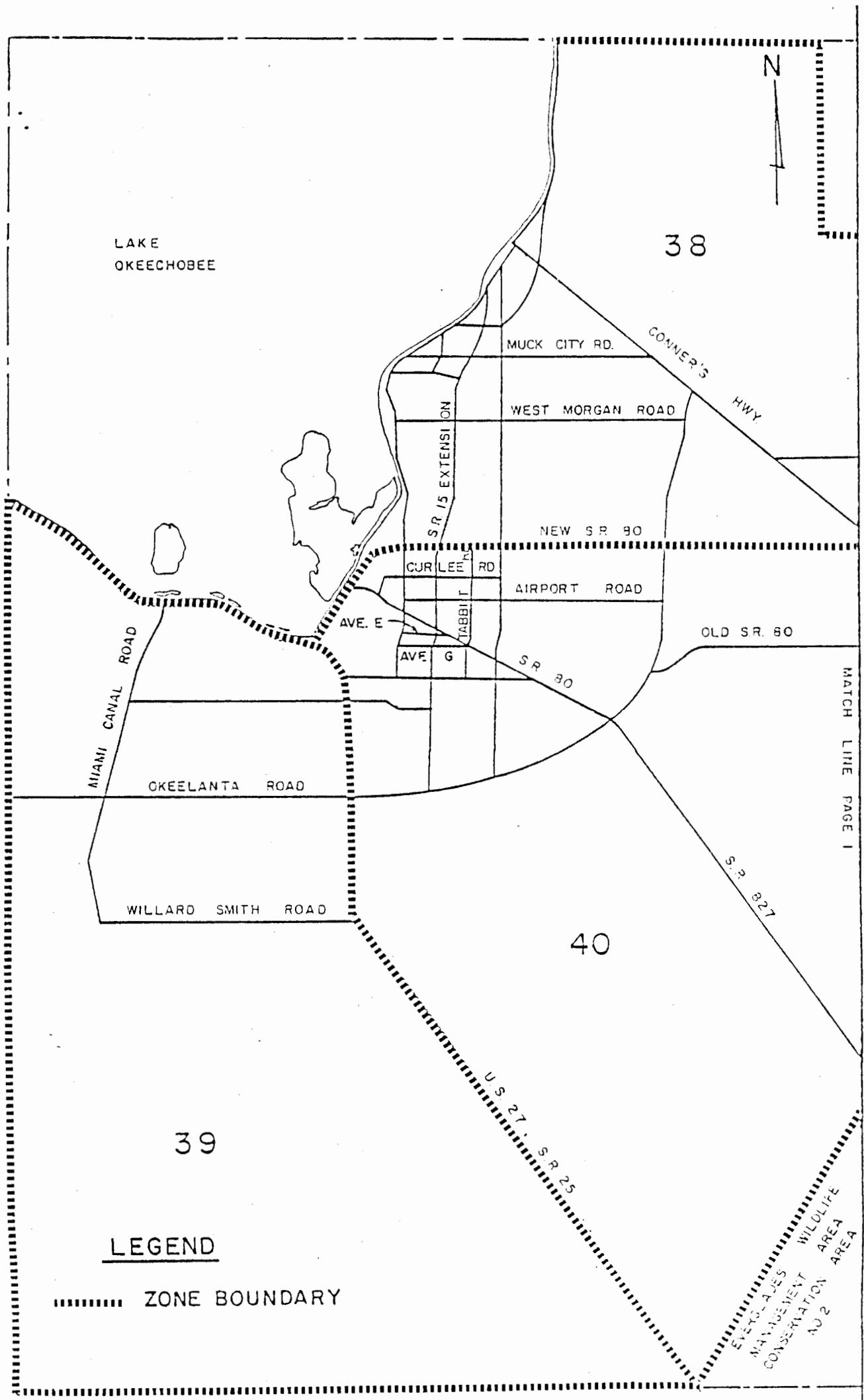


EXHIBIT A

ZONES

Missing

Ordinance

# 2025

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ORDINANCE NO. 2026

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING DIVISION 4 ENTITLED "GENERAL PROVISION PLAN" OF ARTICLE VI ENTITLED "CITY EMPLOYEES" OF CHAPTER 2 ENTITLED "ADMINISTRATION" OF THE CODE OF ORDINANCES BY ENACTING SECTION 2.121. ENTITLED "PAYMENT OF MEMBER CONTRIBUTIONS":PAST CONTINUOUS SERVICE: PROVIDING FOR ANY EMPLOYEE NOT A MEMBER OF THE SYSTEM, WHO HAS COMPLETED ONE OR MORE YEARS OF CONTINUOUS PAST SERVICE MAY BECOME A MEMBER OF THE SYSTEM AND MAY ALSO ELECT TO PURCHASE A RETIREMENT CREDIT FOR A PART OR ALL OF THE EMPLOYEE'S CONTINUOUS PAST SERVICE; 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:

That division 4 entitled "General Pension Plan" of Article VI entitled "City Employees" of Chapter 2 entitled "Administration" of the Code of Ordinances is amended by the enactment of Section 2.121. entitled "Payment of member contributions; Past continuous service to read:

SECTION 1. "Sec. 2.121. Payment of member contributions; Past continuous service.

Not to exceed 50 days from the date of final adoption of this Ordinance, application may be made to participate in the city's employees' pension plan by any employee not a member of the system, who has completed one or more years of continuous past service to become a member of the system and such employee may also elect to purchase retirement credit for a part or all of the employee's continuous past service by paying into the fund a member contribution in an equal amount equal to the actuarial cost of providing the additional benefits resulting from such continuous past service and become entitled to the same benefits provided to members of the system for continuous service of any employee<sup>?</sup> shall be employee's continuous service with the city prior

to the date of the employee's participation in the system.

SECTION 2. Any person violating any of the provisions of this Ordinance, shall upon conviction, be subject to the provisions of the uniform maximum penalty Ordinance, Ordinance No. 1123, enacted on October 6, 1976.

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

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

SECTION 5. Specific authority is hereby granted to Codify this Ordinance.

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

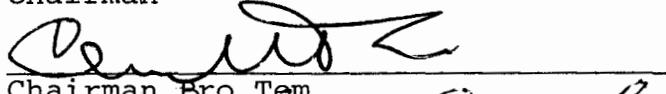
PASSED AND APPROVED on first reading this 18 day of July, 1979.

PASSED AND ADOPTED on second and final reading this 15 day of Aug, 1979.

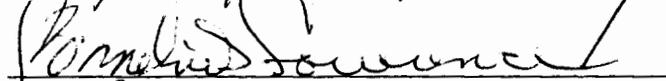
APPROVED:

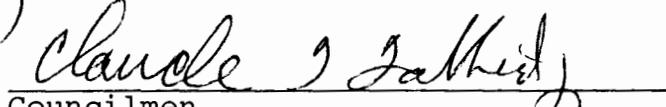
  
Mayor

  
Chairman

  
Chairman Pro Tem

  
Councilman

  
Councilman

  
Councilman

( MUNICIPAL SEAL )

ATTEST:

  
City Clerk

July 27, 1979

NOTICED OF PORPOSED ORDINANCE

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, August 15, 1979 at 7:30 p.m. at the City Hall, 600 West Blue Heron Boulevard and from time to time thereafter as may be necessary for the purpose of considering the enactment of the following ordinance.

ORDINANCE ~~NO.~~ 2026

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY , FLORIDA, AMENDING DIVISION 4 ENTITLED "GENERAL PROVISION PLAN" OF ARTICLE VI ENTITLED "CITY EMPLOYEES" OF CHAPTER 2 ENTITLED "ADMINISTRATION" OF THE CODE OF ORDINANCES BY ENACTING SECTION 2.121. ENTITLED "PAYMENT OF MEMBER CONTRIBUTIONS; PAST CONTINUOUS SERVICE: PROVIDING FOR ANY EMPLOYEE NOT A MEMBER OF THE SYSTEM, WHO HAS COMPLETED ONE OR MORE YEARS OF CONTINUOUS PAST SERVICE MAY BECOME A MEMBER OF THE SYSTEM AND MAY ALSO ELECT TO PURCHASE A RETIREMENT CREDIT FOR A PART OR ALL OF THE EMPLOYEE'S CONTINUOUS PAST SERVICE; PROVIDING A PENALTY CLAUSE, REPEALING CLAUSE, SAVING CLAUSE, AUTHORITY TO CODIFY, AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

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

PUBLISH: August 7, 1979

*V*

ORDINANCE NO. 2027

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 OF VARIOUS CLASS TITLES OF THE CODE OF ORDINANCES BY INCREASING THE GRADE OF CERTAIN EXISTING CLASSIFICATIONS; PROVIDING A REPEALING CLAUSE, SAVING CLAUSE, AND 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 Ranges of Section 2-100 entitled "Rates of Pay" of Division 3 Entitled "Salary Plan" of Article VI entitled "City Employees of Chapter 2 of various Class Titles of the Code of Ordinances be amended by increasing the grade of certain existing classification:

<u>CLASS TITLE</u>	<u>PAY GRADE</u>	
	<u>FROM</u>	<u>TO</u>
<u>ADMINISTRATIVE, GENERAL</u>		
Deputy City Clerk	20	21
<u>CLERICAL &amp; RELATED</u>		
Clerk II	8	9
Clerk-Typist I	7	8
Clerk-Typist II	10	11
Insurance Clerk I	10	12
<u>FINANCE &amp; ACCOUNTING</u>		
Accounting Clerk II	15	16
Data Entry Operator II	12	13
Computer Operator	14	16
Payroll Specialist	19	20
<u>PUBLIC SAFETY &amp; SERVICE</u>		
Communications Operator	14	15
Detective Sergeant	29-B	30-B
Inspector	35-C	36-C
Police Captain	33-C	34-C
Police Lieutenant	31-C	32-C
Police Officer	27-B	28-B
Police Sergeant	29-B	30-B
<u>PUBLIC WORKS SERVICE</u>		
Carpenter	26	27
Maintenance Worker I	10-B	11-B
Mechanic Helper	17	18
Refuse Collector	17-B	18-B
Refuse Supervisor	30	31
Streets & Property Maintenance Suprv.	30	31
Vehicle Maintenance Supervisor	30	31

<u>CLASS TITLE</u>	<u>PAY GRADE</u>	
	<u>FROM</u>	<u>TO</u>
<u>PURCHASING &amp; STORES</u>		
Stores Clerk	13	16
<u>PARKS &amp; RECREATION</u>		
Assistant Center Supervisor	16	17
Center Supervisor	23	24
Lifeguard	15-B	16-B
Lifeguard, Captain	21	22
Recreation Supervisor	26	27
Supervisor of Parks	30	31
<u>UTILITIES SERVICES</u>		
Assistant System Mechanic (Water & Sewer)	16	17
Sewer Systems Superintendent	32	33
Treatment Plant Foreman	28	29
Treatment Plant Operator	24-B	25-B
Utilities Plant Mechanic	24	25
Utilities System Mechanic	20	21
Water Systems Superintendent	32	33

SECTION 2. All Ordinances or parts of Ordinances of 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 shall take effect upon its final passage and adoption by the City Council.

PASSED AND ADOPTED on first reading this 18 day of

July, 1979.

PASSED AND ADOPTED on second and final reading this 25<sup>th</sup>

day of Aug, 1979.

APPROVED:

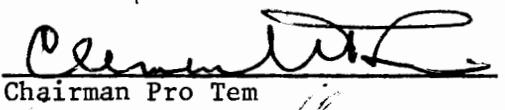
  
Mayor

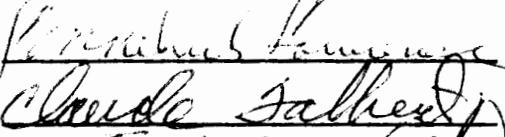
(MUNICIPAL SEAL)

ATTEST:

  
City Clerk, CMC

  
Chairman

  
Chairman Pro Tem

  
Councilmen

  
Councilmen

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

W. E. Edwards 7-13-79  
CITY ATTORNEY

July 27, 1979

NOTICE OF PROPOSED ORDINANCE

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, August 15, 1978 at 7:30 p.m. at the City Hall, 600 West Blue Heron Boulevard and from time to time thereafter as may be necessary for the purpose of considering the enactment of the following ordinance.

ORDINANCE NO. 2027

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 OF VARIOUS CLASS TITLES OF THE CODE OF ORDINANCES BY INCREASING THE GRADE OF CERTAIN EXISTING CLASSIFICATIONS: PROVIDING A REPEALING CLAUSE, SAVING CLAUSE, AND 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 CLERK

PUBLISH: August 7, 1979

✓

ORDINANCE NO. 2028

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 SALARY SCHEDULE BY DELETING THEREFROM POSITIONS UNDER PUBLIC WORKS SERVICES, AUTO MECHANIC AND SENIOR AUTO MECHANIC AND CREATING POSITIONS OF MECHANIC I AND AUTO MECHANIC II; PROVIDING A REPEALING CLAUSE, SAVING CLAUSE, AND EFFECTIVE DATE AND FOR OTHER PURPOSES.

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

SECTION 1. That Chapter 2, Article VI Division 3, of Section 2-100 of the Code of Ordinances of Riviera Beach, Florida relating to rates of pay and salary schedule is amending by deleting therefrom the following:

<u>CLASS TITLE</u>	<u>CLASSIFICATION</u>	<u>PAY GRADE</u>
Public Works Service	Auto Mechanic	26
	Senior Auto Mechanic	28

SECTION 2. That Chapter 2, Article VI Division 3, of Section 2-100 of the Code of Ordinances of Riviera Beach, Florida relating to rates of pay and salary schedule is amending by creating therefrom the following:

<u>CLASS TITLE</u>	<u>CLASSIFICATION</u>	<u>PAY GRADE</u>
Public Works Service	Automotive Mechanic I	26
	Automotive Mechanic II	28

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

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

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

PASSED AND ADOPTED on first reading this 18 day of

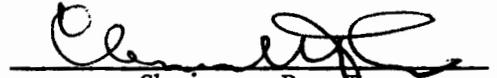
July, 1979.

PASSED AND ADOPTED on second and final reading this 15 day of

Aug, 1979.

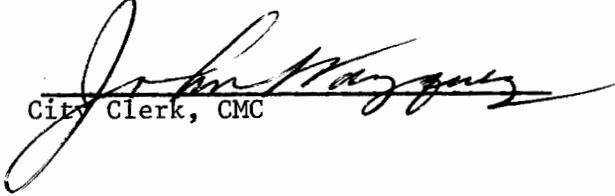
  
Mayor

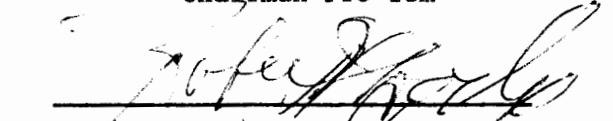
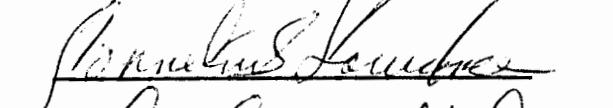
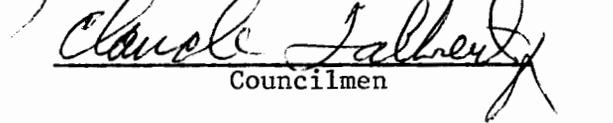
  
Chairman

  
Chairman Pro Tem

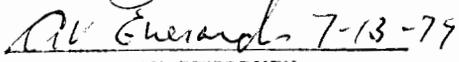
(MUNICIPAL SEAL)

ATTEST:

  
City Clerk, CMC

  
  
  
Councilmen

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

  
CITY ATTORNEY

July 27, 1979

NOTICE OF PROPOSED ORDINANCE

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, August 15, 1978 at 7:30 p.m. at the City Hall, 600 West Blue Heron Boulevard and from time to time thereafter as may be necessary for the purpose of considering the enactment of the following ordinance.

ORDINANCE NO. 2028

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 SALARY SCHEDULE BY DELETING THEREFROM POSITIONS UNDER PUBLIC WORKS SERVICES, AUTO MECHANIC AND SENIOR AUTO MECHANIC AND CREATING POSITIONS OF MECHANIC I AND AUTO MECHANIC II; PROVIDING A REPEALING CLAUSE, SAVING CLAUSE, AND 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 CLERK

PUBLISH: August 7, 1979



ORDINANCE NO. 2029

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA; CITY COUNCIL'S FINDINGS OF FACT AND AMENDING ORDINANCE NUMBER 2007A BY EXTENDING EXPIRATION PERIOD OF MORATORIUM ON ALL BUILDING PERMITS AND/OR SITE PLAN APPROVALS IN "R-5 HIGH DENSITY RESIDENTIAL DISTRICT" AND "C-1B RESTRICTED COMMERCIAL DISTRICT" UNTIL ENACTMENT OF INTERIM REGULATIONS AND METHODS FOR DENSITY CALCULATIONS; PROVIDING A BOARD OF ADJUSTMENT AND APPEAL TO HEAR APPEALS; PROVIDING A REPEALING CLAUSE, PENALTY CLAUSE, SAVING CLAUSE, AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

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

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

WHEREAS, in the best interest of the City during the period of time that the City was preparing and reviewing the Comprehensive Development Plan for adoption to hold public hearings thereon, that a Moratorium was enacted prohibiting the issuance of all building permits and/or Site Plan approvals in "R-5 High Density Residential District" and "C-1B Restricted Commercial District" for period of 120 days; and

WHEREAS, the City has retained Planning Consultants to aid City staff in preparation of its Comprehensive Development Plan and the Planning Board and the staff is working diligently to complete various elements of the Plan; and

WHEREAS, the City realizes that in order to establish the legitimacy of the subject Comprehensive Plan, all subsequent zoning regulations must be in accordance with the Plan; and

WHEREAS, the termination of the subject moratorium Ordinance No. 2007A at this time shall undermine and lessen the viability and effectiveness of the City's Comprehensive Plan scheduled for adoption in the very near future; and

WHEREAS, the City has established by Land Use Planning and Zoning Ordinances the areas to contain the highest densities namely R-5 High Density Residential Zone and C-1B Restricted Commercial Zones; and

WHEREAS, within these presently highest density zone areas of the City, the Consultants have determined via land use studies that approximately 40% of the combined land totals is developable or redevelopable in accordance with the highest density limits; and

WHEREAS, the City is aware of the adverse impact which may evolve due to total development of high density areas without proper studies and controls which determine the impact on services and avoid any negative consequences; and

WHEREAS, it is necessary for staff and Planning Consultants to complete the comprehensive studies necessary to make final recommendations and hold public hearings pertaining to matters herein stated, seek comments from surrounding municipalities as well as other local and state agencies prior to adoption of the Plan by City Council; and

WHEREAS, per the attached documents (See Attachment A), the Planning Consultants, staff and City Council finds that the Comprehensive Plan study has advanced to the extent that conclusions can be drawn from it for methods to calculate and regulate the density in R-5 High Density Residential and C-1B Restricted Commercial Zones; and

WHEREAS, the City Council is concerned about any undue delay which may be caused to property owners and developers in R-5 High Density Zone and C-1B Restricted Commercial Zone who may be ready and willing to proceed with development planning and construction; and

WHEREAS, the City Council feels the need to provide relief in the interim period of plan adoption.

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

SECTION 1. The expiration date of Ordinance No. 2007A is hereby extended on all building permits and/or site plan approvals in R-5 High Density Residential District and C-1B Restricted Commercial District until interim regulations and methods for density calculations have been adopted by the City Council.

SECTION 2. Staff is hereby directed to proceed with the Public Hearings before the Planning and Zoning Board and City Council in accordance with the attached time schedule. (Attachment B)

SECTION 3. When there are practical difficulties or unnecessary hardships in the strict application of this Moratorium Ordinance, the City Council is hereby designated as a Board of Adjustment and Appeal and any person aggrieved may appeal to such Board of Adjustment and Appeal upon written notice and after a hearing the Board of Adjustment and Appeal may grant such relief as it deems equitable and just in the premises.

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

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 No. 1123, enacted on October 6, 1976.

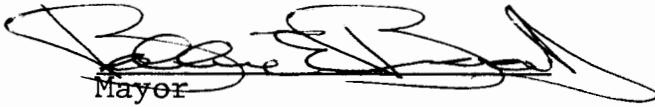
SECTION 6. In the event that any provision or application of this Ordinance shall be held to be invalid, it is the legislative intent that the other provisions and applications hereof shall not be thereby affected.

SECTION 7. 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 Aug., 1979.

PASSED AND ADOPTED on second and final reading this 15 day of Aug., 1979.

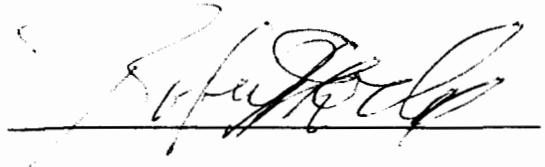
APPROVED:

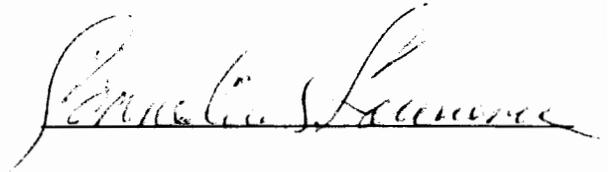
  
Mayor

  
Chairman

  
Chairman Pro Tem

ATTEST:

  
\_\_\_\_\_

  
\_\_\_\_\_

  
City Clerk

\_\_\_\_\_  
Council Members

AUGUST 2, 1979

NOTICE OF PROPOSED ORDINANCE

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, August 15, 1979 at 7:30 P.M. at the City Hall, 600 West Blue Heron Boulevard and from time to time thereafter as may be necessary for the purpose of considering the enactment of the following ordinance.

ORDINANCE NO. 2029

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA; CITY COUNCIL'S FINDINGS OF FACT AND AMENDING ORDINANCE NUMBER 2007A BY EXTENDING EXPIRATION PERIOD OF MORATORIUM ON ALL BUILDING PERMITS AND/OR SITE PLAN APPROVALS IN "R-5 HIGH DENSITY RESIDENTIAL DISTRICT" AND "C-1B RESTRICTED COMMERCIAL DISTRICT" UNTIL ENACTMENT OF INTERIM REGULATIONS AND METHODS FOR DENSITY CALCULATIONS; PROVIDING A BOARD OF ADJUSTMENT AND APPEAL TO HEAR APPEALS; PROVIDING A REPEALING CLAUSE, PENALTY CLAUSE, SAVING CLAUSE, AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

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 appeal at said meeting and be heard with respect to the Ordinance.

BY ORDER OF CITY CLERK

PUBLISH: August 5, 1979



July 31, 1979

Mr. Davender Kant  
 Director Planning & Zoning  
 City of Riviera Beach  
 P.O. Drawer 10682  
 Riviera Beach, FL 33404

Re: Progress Report - Riviera Beach  
 Comprehensive Plan

Dear Davender:

Mid South Engineering Company continued work on the Riviera Beach Comprehensive Plan during July, 1979. In addition, James Duncan & Associates continued work on the Land Use and Park & Recreation Elements and Regional Research Associates initiated planning activities for the Housing Element. A workshop presentation was made by the Consultants to the Local Planning Agency on July 11, 1979.

Task 1 - Land Use Element

Existing land use maps were reviewed and updated based upon consultant field check of industrial areas and major commercial corridors. Land use acreage data has been completed with all revisions reflected in the traffic analysis zones and city-wide data. An existing land use map was prepared by consultant and reviewed by city staff. Preparation of an existing zoning map was prepared for necessary correlation between existing and proposed land use. Data was tabulated showing total acreage currently allocated for each zoning district by traffic analysis zones and city-wide. Based upon workshops with city staff, a proposed land use concept plan was prepared for review and discussion by the City Planning Board.

Task 2 - Traffic Circulation Element

A variety of tasks involving inventory, analysis, and graphic presentation were initiated during the month of July. These activities consisted of existing traffic conditions, functional classifications, existing design type, accident data, Year 2000 planning, volume/capacity ratios, mass transit, future roadway volumes and an extensive field check of pertinent data.

RECEIVED

AUG-1 1979

CONSULTING ENGINEERS, PLANNERS, SURVEYORS  
 233 COMMERCIAL BOULEVARD • LAUDERDALE-BY-THE-SEA, FLORIDA 33308 • PHONE (305) 771-1661

PLANNING & ENGINEERING

T.

Page Two  
Mr. Davender Kant  
July 31, 1979

Task 3 - Sanitary Sewer, Solid Waste, Drainage & Potable Water

An inventory and analysis of the existing service conditions were assessed. Recommendations for future service needs were identified and compared to the objections and implementation strategy of the County 201 and 208 planning programs. Discussions with Public Works staff of the city to determine needs and planned improvements were completed.

Task 4 - Coastal Zone/Conservation Element

Local areas of Particular Concern have been identified and their respective management strategy has been outlined. Aerials outlining changes in the beach line over a twelve-year period have been analyzed in order to determine beach erosion conditions. Preservation areas have also been identified in accordance to the State Coastal Zone program.

Task 5 - Recreation and Open Space Element

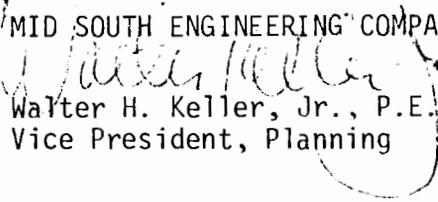
Consultant field checked all recreation sites and evaluated them according to subjective visual examination. Data on existing facilities and recreation equipment was tabulated. Discussions with city recreation staff on future recreation needs and planned improvements were completed.

Task 6 - Housing

Work was continued with Regional Research Associates to develop a housing condition survey methodology. Consultants researched ongoing county and Regional Planning Council criteria in order to maintain intergovernmental consistency. Various methodologies have been critiqued and analysis completed.

As based upon the analysis and progress of each element of the Comprehensive Plan, it can be concluded that the Consultants are now prepared to identify specific future land use density allocations upon Singer Island.

An invoice for professional services rendered by Mid South Engineering Company/James Duncan & Associates for July, 1979 in the amount of \$5,250.00 is enclosed.

Sincerely,  
MID SOUTH ENGINEERING COMPANY  
  
Walter H. Keller, Jr., P.E.  
Vice President, Planning

WHK:jd  
Enclosure

PROPOSED TIME SCHEDULE  
FOR  
ADOPTION OF INTERIM REGULATIONS  
AND METHODS FOR DENSITY CALCULATIONS

THURSDAY  
AUGUST 2, 1979

Workshop Meeting with  
Planning Board to review  
reports on various elements  
of Comprehensive Development  
Plan.

THURSDAY  
August 16, 1979

Workshop Meeting to review  
Interim Regulations and Methods  
for Density Calculations.

FRIDAY  
August 17, 1979

Send notice of Public Hearing  
to newspapers.

MONDAY  
August 20, 1979

First notification published.

THURSDAY  
September 13, 1979

Public Hearing before Planning  
and Zoning Board

WEDNESDAY  
September 19, 1979

Public Hearing before City  
Council. Ordinance passed on  
first reading.

WEDNESDAY  
October 3, 1979

Ordinance passed on second  
reading after advertisement in  
newspaper for two (2) weeks.

Moratorium lifted.

THURSDAY  
October 4, 1979

Interim regulations and methods  
for calculating density become  
effective.

ATTACHMENT B