ORDINANCE NO. 2030

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING SUBPARAGRAPH (b) OF SECTION 2-120.7. ENTITLED "ADMINISTRATION" OF DIVISION 4 ENTITLED "GENERAL PENSION PLAN" OF ARTICLE VI ENTITLED "CITY EMPLOYEES" OF CHAPTER 2 ENTITLED "ADMINISTRATION" OF THE CODE OF ORDINANCES BY DELETING THE WORD "SHALL" AND INSERTING IN LIEU THEREFOR THE WORD "MAY" RELATING TO THE RESIDENCY OF BOARD MEMBERS, PROVIDING A PENALTY CLAUSE, REPEALING CLAUSE, SAVING CLAUSE, AUTHORITY TO CODIFY, AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

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

SECTION 1. That subparagraph (b) of Section 2-120.7 entitled "Administration" of Division 4 entitled "General Pension Plan" of Article VI entitled "City Employees" of Chapter 2 entitled "Administration" of the Code of Ordinances is amended to read:

> "(b) The appointed members shall be appointed by the mayor with the approval of a majority of the city council. They ~~shall~~ may be residents of the City of Riviera Beach and shall not be employees of the city. On the initial appointment for terms starting on November 1, 1974, the mayor shall designate which appointees shall serve a one year term, a two (2) year term and a three (3) year term.

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 All Ordinances or parts of Ordinances or Charter provisions in conflict herewith are to the extent of such conflict repealed.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 provisions or applications of this Ordinance shall be held to be invalid, it is the legislative intent that the other provisions and applications hereof shall not be thereby 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 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

(MUNICIPAL SEAL)

Councilmen

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 thr purpose of considering the enactment of the following ordinance.

ORDINANCE NO. 2030

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING SUBPARAGRAPH (b) OF SECTION 2-120.7. ENTITLED "ADMINISTRATION" OF DIVISION 4 ENTITLED "GENERAL PENSION PLAN" OF ARTICLE VI ENTITLED "CITY EMPLOYEES" OF CHAPTER 2 ENTITLED "ADMINISTRATION" OF THE CODE ORDINANCES BY DELETING THE WORD "SHALL" AND INSERTING IN LIEU THEREFOR THE WORD "MAY" RELATING TO THE RESIDENCY OF BOARD MEMBERS, 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 appeal at said meeting and be heard with respect to the Ordinance.

BY ORDER OF CITY CLERK

PUBLISH: August 27, 1979

ORDINANCE NO. 2031

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, CREATING A CODES ENFORCEMENT BOARD: PROVIDING FOR LEGISLATIVE INTENT; PROVIDING FOR APPLICABILITY; PROVIDING FOR ORGANIZATION; PROVIDING FOR ENFORCEMENT PROCEDURES; PROVIDING FOR HEARING; PROVIDING FOR POWERS; PROVIDING FOR FINES; PROVIDING FOR APPEALS, PROVIDING A REPEALING CLAUSE, PENALTY CLAUSE, SAVING CLAUSE, AUTHORITY TO CODIFY, AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

WHEREAS, pursuant to the "Palm Beach County Municipal Code Enforcement Board Act" of 1979 each municipality in Palm Beach County, at its option, may create by ordinance a Code Enforcement Board, and

WHEREAS, the City of Riviera Beach, Florida to promote, protect and improve the health, safety and welfare of the citizens of the City of Riviera Beach, hereby creates and establishes a Code Enforcement Board to provide an equitable, expeditious, effective and inexpensive method of enforcing the hereinafter described Codes of the City of Riviera Beach;

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

SECTION 1. Declaration of Legislative Intent; It is the intent of this ordinance to promote, protect and improve the health, safety and welfare of the citizens of the City of Riviera Beach by providing an equitable, expeditious, effective and inexpensive method of enforcing the hereinafter described codes of the City of Riviera Beach, Florida.

SECTION 2. Applicability; The Codes Enforcement Board shall enforce and have jurisdiction of the following codes:

CODE OF ORDINANCES OF THE CITY OF RIVIERA BEACH ZONING CODE, ORDINANCES AND REGULATIONS BUILDING CODES, ORDINANCES AND REGULATIONS HEALTH AND SANITATION CODE, ORDINANCES AND REGULATIONS LICENSE CODE, ORDINANCES AND REGULATIONS NOT OTHERWISE PROHIBITED BY LAW.

SECTION 3. Definitions:

A. The legislative body of the City of Riviera Beach is the City Council.

B. Code Inspector - Those authorized agents or employees of the City of Riviera Beach whose duty is to insure code compliance.

C. Legal Counsel - shall be legal advisor of the Board.

D. Attorney - Counselor for the City of Riviera Beach, Florida, is the City Attorney.

E. City Prosecutor is the prosecuting attorney for the City of Riviera Beach.

F. Enforcement Board is the Code Enforcement Board.

SECTION 4. Enforcement Board: Organization: The City Council shall appoint five (5) member Code Enforcement Board and legal counsel for the Board. The members shall have the following qualifications and terms of office:

A. Members of the Enforcement Board shall be residents or consultants of the City of Riviera Beach. Appointments shall be made by the City Council on the basis of experience in the fields of:

1. Architecture
2. Business
3. Engineering
4. General Contracting
5. Real Estate

Two (2) of the above members shall be registered voters of the City of Riviera Beach. No member of the Enforcement Board may be an employee of the City of Riviera Beach.

B. In order that terms of office of all members will not expire at the same time, the initial appointments to the Enforcement Board shall be as follows:

One (1) member shall be appointed for a term of one (1) year.

Two (2) members shall be appointed for a term of two (2) years.

Two (2) members shall be appointed for a term of three (3) years.

Thereafter, all appointments shall be made for a term of three (3) years. Any member may be reappointed from term to term upon the approval of the City Council. Appointments to fill any vacancy on the Enforcement Board shall be for the remainder of the unexpired term of office. Any member who fails to attend two (2) out of three (3) successive meetings without cause and without prior approval of the Chairperson or in the absence of the Chairperson, the Acting Chairperson, shall automatically forfeit his or her appointment and

the City Council shall promptly fill such vacancy. The members shall serve at the pleasure of the City Council and may be removed without cause. Each member of the Board shall vote on every motion, however, in the event of a conflict of interest as defined in Part III of Chapter 112, Florida Statutes, entitled "Code of Ethics for Public Officers and Employees", such member shall not vote or participate in the discussion of said matter and thereafter, within fifteen (15) days after the vote occurs, shall file Disclosure of Voting Conflict, Form 4 with the City Clerk and which disclosure is to be incorporated into the meeting of that meeting.

C. The members of the Enforcement Board shall elect a Chairman. The presence of three (3) or more members shall constitute a quorum of the Enforcement Board. Members shall serve without compensation, but may be reimbursed for such travel expenses, mileage expenses, and per diem expenses as may be authorized by the City Council.

D. The City Attorney shall be counsel to the Enforcement Board. The City Prosecutor shall represent the City of Riviera Beach by representing cases before the Board.

SECTION 5. Enforcement Procedures:

A. It shall be the duty of the Code Inspector to initiate enforcement proceedings of the various codes.

B. If a violation of the Codes is found, the Code Inspector shall notify the violator, unless paragraph "C" of this section applies, and gives said violator a reasonable time to correct the violation. Should the violation continue beyond the time specified for correction in the Notice of violation, the City Prosecutor shall notify the Enforcement Board and request a hearing pursuant to the procedure in Section 7. Written notice if hearing before the Board shall be mailed to said violator as provided herein.

C. If the Code Inspector has reason to believe a violation presents a serious threat to the public health, safety and welfare, the Code Inspector may proceed directly according to the procedure in Section 6 without notifying said violator as required in Section 5 B.

SECTION 6. Conduct of Hearings:

A. (1) The Chairperson of the Enforcement Board may call hearings of the Enforcement Board and hearings may also be called by written notice signed by at least three (3) members of the Enforcement Board. The Enforcement Board at any hearing may set a future hearing date. The Enforcement Board shall attempt to convene no less frequently than once every month, but may meet more or less often as the demand necessitates. Minutes shall be kept of all hearings by the Enforcement Board and all hearing shall be open to the public.

(2) The office of the City Clerk is designated as the department to provide clerical and administrative personnel as may be reasonably required by the Enforcement Board for the proper performance of its duties; keep all records of the Board and collect fines when assessed and collected.

B. Each case before the Enforcement Board shall be presented by the City Prosecutor.

C. The Enforcement Board shall proceed to hear the cases on the agenda for that day. All testimony shall be under oath and shall be recorded. The Enforcement Board shall take testimony from the Code Inspector, the alleged violator and all other material witnesses. Physical evidence may be admitted into evidence by the Board. Formal rules of evidence shall not apply, however, fundamental due process shall be observed and govern said proceedings.

D. At the conclusion of the Enforcement Board hearings, said Board shall issue findings of fact and conclusions of law and shall issue a written order affording the relief consistant with powers granted herein. The findings and conclusions shall be by motion approved by a majority of those present and voting, except that at least three (3) members of the Enforcement Board must vote for the action to be official.

SECTION 7. Powers of the Enforcement Board: The Enforcement

Board shall have the power to:

A. Adopt rules for the conduct of its hearings.

B. Subpoena alleged violators and witnesses to its hearings. Subpoenas may be served by the City's police department or Code Inspector.

C. Subpoena records, surveys plats and other material.

D. Take testimony under oath.

E. Admit material into evidence.

F. Issue orders having the force of law commanding whatever steps are necessary to bring violation into compliance.

SECTION 8. Fines: The Enforcement Board, upon notification by the City Prosecutor that a previous order of the Enforcement Board has not been complied with by the set time, may order the violator to pay a fine not to exceed $500.00 per day if the violation continues past the date set for compliance. A certified copy of an order imposing a fine may be recorded in the public records of Palm Beach County, Florida, and shall constitute a lien against the land on which the violation exists. After one (1) year from the filing of any such lien which remains unpaid, the Enforcement Board may authorize the City Attorney to foreclose on the lien.

SECTION 9. Appeal: An aggrieved party may appeal a ruling or written order of the Enforcement Board by certiorari to the Circuit Court of the Fifteenth Judicial Circuit in and for Palm Beach County, Florida. An appeal shall be filed within thirty (30) days of the execution of the written order to be appealed.

SECTION 10. Notices: All notices required by this Ordinance shall be by certified mail, return receipt requested, addressed to the violators last known address of record or by hand delivery by the Code Inspector or Police Officer.

SECTION 11. All Ordinances or parts of ordinances or charter provisions in conflict herewith are to the extent of such conflict repealed.

SECTION 12. 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 13. 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 14. Specific authority is hereby granted to codify this Ordinance, as Section 2.36 under Chapter 2, entitled "Administration" of the Code of Ordinances.

SECTION 15. This Ordinance shall take effect on March 1, 1980.

PASSED and APPROVED on first reading this 15th day of August, 1979.

PASSED and ADOPTED on second and final reading this 9th day of January, 1980.

APPROVED:

Mayor

Chairman

Chairman Pro Tem

(MUNICIPAL SEAL)

Councilmen

ATTEST:

City Clerk

	1ST READING	2ND READING
MOTIONED BY:		Guider
SECONDED BY:		Dodd
G. NIKOLITS		Aye
C. GUIDER		Aye
C. TOLBERT		Absent
R. DODD		Aye
C. LAWRENCE		Aye

r.

ORDINANCE NO. 2032

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 VARIOUS CLASS TITLES AND CREATING POSITIONS UNDER VARIOUS CLASS TITLES; 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 amended by deleting therefrom the following:

CLASS TITLE	CLASSIFICATION	PAY GRADE/RANGE
ADMINISTRATIVE, GENERAL	Personnel Director	Adm. E
	Safety Engineer	Adm. E
CLERICAL & RELATED	Insurance Clerk I	12
	Microfilm Technician	10
	Printer/Stock Clerk	13
	Property Control Officer	16
BUILDING & INSPECTION	Administrative Asst. to Bldg. Official	30
	License Inspector	21
ENGINEERING & RELATED	Draftsman	25
	Engineering Technician	27
FINANCE & ACCOUNTING	Assistant Billing/Collection Supervisor	16
	Data Entry Operator I	8
	Data Entry Operator II	13
	Payroll Specialist	20
	Utility Billing Clerk	15
	Programmer	24
LIBRARY SERVICE	Children's Librarian	25
	Librarian	25
	Library Director	Adm. D
	Children Library Assistant	15
FIRE	Assistant Fire Chief	F35(Step C)
	Fire Medic	F29(Step C)
POLICE	Communications Operator	15
	Police Captain	34 (Step C)
	Police Chief	Adm. H
	Police Lieutenant	32 (Step C)
	Police Sergeant	30 (Step B)
	Detective Sergeant	30 (Step B)
	Inspector	36 (Step C)
PUBLIC WORKS SERVICE	Custodial Worker	12 (Step B)
	Custodian/Truck Driver	14
	Equipment Operator	18
	Foreman I	25
	Foreman II	28
	Heavy Equipment Operator	24
	Maintenance Repairman	20
	Mechanic Helper	18
	Public Works Director	Adm. G
	Refuse Supervisor	31
	Refuse Truck Driver	24
	Streets & Property Maint. Suprv.	31

CLASS TITLE	CLASSIFICATION	PAY GRADE/RANGE
PURCHASING & STORES	Purchasing Director	Adm. E
	Stores Clerk	16
PARKS & RECREATION	Assistant Center Supervisor	17
	Center Supervisor	24
	Parks & Recreation Director	Adm. F
	Supervisor of Parks	31
UTILTIES SERVICES	Assistant System Mechanic (Water/ Sewer)	17
	Chief Treatment Plant Operator	28
	Meter Reader II/Stock Clerk	24
	Sewer System Superintendent	33
	Treatment Plant Foreman	29
	Treatment Plant Operator	25 (Step B)
	Treatment Plant Operator-Trainee	21
	Utilities Director	Adm. G
	Utilities Plant Mechanic	25
	Utilities System Foreman	28
	Utilities System Mechanic	21
	Utilities System Mechanic-Leadman	24
	Water Systems Superintendent	33

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:

CLASS TITLE	CLASSIFICATION	PAY GRADE/RANGE
ADMINISTRATIVE, GENERAL	Director of Personnel	Adm. E
CLERICAL & RELATED	Clerical Technician	12
	Clerk Messenger	11
BUILDING & INSPECTION	Code Administrator	30
	Inspections Technician	19
ENGINEERING & RELATED	Engineering Technician I	25
	Engineering Technician II	27
FINANCE & ACCOUNTING	EDP Control Clerk I	8
	EDP Control Clerk II	13
	EDP Programmer	24
	Payroll Technician	20
	Utility Billing Clerk I	15
	Utility Billing Clerk II	16
LIBRARY SERVICE	Librarian I	25
	Librarian II	28
	Director of Library	Adm. D
	Library Page	Min. Wage
FIRE	Assistant (Deputy) Fire Chief	F35 (Step C)
	Fire Medic II	F29 (Step C)
POLICE	Communication Operator (Police Dispatcher)	15
	Evidence Custodian (Police Property)	18
	Inspector of Police	36 (Step C)
	Captain of Police	34 (Step C)
	Chief of Police	Adm. H
	Lieutenant of Police	32 (Step C)
	Sergeant of Police	30 (Step B)
PUBLIC WORKS SERVICE	Director of Public Works	Adm. G

CLASS TITLE	CLASSIFICATION	PAY GRADE/RANGE
PUBLIC WORKS SERVICE Cont'd.	Custodian I	12 (Step B)
	Custodian II	14
	Equipment Operator I-Trucks	18
	Equipment Operator II-Packers	24
	Equipment Operator III-Dumpster, hydro cranes, roto booms and sweepers	24
	Public Works Foreman I	25
	Public Works Foreman II	28
	Maintenance Mechanic	20
	Mechanic Helper (Auto Serviceman)	18
	Public Works (Refuse-Sanitation) Supervisor	31
	Public Works (Streets & Maint.) Supervisor	31
PURCHASING & STORES	Director of Purchasing	Adm. E
	Store Clerk	16
RECREATION & PARKS	Pool Guard I	14
	Pool Guard II	16
	Director of Recreation & Parks	Adm. F
	Parks Superintendent	31
	Recreation Center Director	24
	Recreation Leader	17
	Recreation Aide	14
	Parks Foreman	20
UTILITIES SERVICES	Customer Service Represtentative	24
	Laboratory Technician	28
	Director of Utilities	Adm. G
	Water Plant Operator I	21
	Water Plant Operator II	25 (Step B)
	Water Plant Supervisor	29
	Water Service Foreman	28
	Water/Sewer Plant Mechanic	25
	Water/Sewer Systems Foreman	28
	Water/Sewer Systems Mechanic I	20
	Water/Sewer Systems Mechanic II	24
	Water/Sewer Systems Superintendent	33
	Water Treatment Superintendent	33

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

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

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

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

AP PROVED:

Mayor

Chairman

Chairman Pro Tem

(MUNICIPAL SEAL)

ATTEST:

City Clerk, CMC

Councilmen

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

8-10 79

CITY ATTORNEY

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 Her on Boulevard and from time to time thereafter as may be necessary for the purpose of considering the enactment of the following ordinance.

ORDINANCE NO. 2032

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 VARIOUS CLASS TITLES AND CREATING POSITIONS UNDER VARIOUS CLASS TITLES; 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 appeal at said meeting and be heard with respect to the Ordinance.

BY ORDER OF CITY CLERK

PUBLISH: August 27, 1979

Missing

Ordinance

2033

- not in book -

ORDINANCE NO. 2034

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING SUB-PARAGRAPH (j) OF SECTION 2-120.7 ENTITLED "ADMINISTRATION" OF DIVISION 4 ENTITLED "GENERAL PENSION PLAN" OF ARTICLE VI ENTITLED "CITY EMPLOYEES" OF CHAPTER 2 ENTITLED "ADMINISTRATION" OF THE CODE OF ORDINANCE BY REVISING SAME TO PROVIDE AUTOMATIC FORFEITURE OF ANY BOARD MEMBER WHO FAILS TO ATTEND TWO (2) OUT OF THREE (3) SUCCESSIVE MEETINGS WITHOUT CAUSE AND WITHOUT PRIOR APPROVAL OF THE CHAIRPERSON; PROVIDING A PENALTY CLAUSE, REPEALING CLAUSE,SAVING CLAUSE, AUTHORITY TO CODIFY, AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

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

SECTION 1. That subparagraph (j) of Section 2.120.7. entitled "Administration" of Division 4 entitled "General Pension Plan" of Article VI entitled "City Employees" of Chapter 2 entitled "Administration" of the Code of Ordinances is amended and revised to read:

"(j) Any member who neglects the duties of his office as determined by the board, may be removed by two-thirds (2/3) vote of the board. Any member of the board who fails to attend two (2) out of three (3) successive meetings without cause and without prior approval of the Chairperson or in the Chairperson's absence, the Acting Chairperson, shall automatically forfeit his or her appointment to serve on the board and the City Council shall promptly fill such vacancy."

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.

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

PASSED AND APPROVED on first reading this 5 day of Sept, 1979.

PASSED AND ADOPTED on second and final reading this 19 day of Sept, 1979.

APPROVED:

Mayor

Chairman

Chairman Pro Tem

(MUNICIPAL SEAL)

Councilmen

ATTEST:

City Clerk

r

SEPTEMBER 7, 1979

NOTICE OF PROPOSED ORDINANCE

The below Bill, described by title only will be placed on second and final at the Regular Meeting of the City Council of the City of Riviera Beach, Florida to be held on Wednesday, Sept. 19, 1979 at 7:30 at the City Hall, 600 West Blue Her on Boulevard and from time to time thereafter as may be necessary for the purpose of considering the enactment of the following ordinance.

ORDINANCE NO. 2034

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING SUB-PARAGRAPH (j) OF SECTION 2-120.7 ENTITLED "ADMINISTRATION" OF DIVISION 4 ENTITLED "GENERAL PENSION PLAN" OF ARTICLE VI ENTITLED "CITY EMPLOYESS" OF CHAPTER 2 ENTITLED "ADMINISTRATION" OF THE CODE OF ORDINANCE BY REVISING SAME TO PROVIDE AUTOMATIC FORFEITURE OF ANY BOARD MEMBER WHO FAILS TO ATTEND TWO (2) OUT OF THREE (3) SUCCESSIVE MEETINGS WITHOUT CAUSE AND WITHOUT PRIOR APPROVAL OF THE CHAIRPERSON; 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 appeal at said meeting and be heard with respect to the Ordinance.

BY ORDER OF CITY CLERK

PUBLISH: SEPTEMBER 12, 1979

ORDINANCE NO. 2035

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, FIXING THE ADJUSTED TAX VALUATION OF REAL PROPERTY AND TANGIBLE BUSINESS PERSONAL PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY; LEVYING A TAX ON REAL PROPERTY AND TANGIBLE BUSINESS PERSONAL PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY FOR THE YEAR ENDING DECEMBER 31, 1979; FIXING THE MILLAGE RATE THEREON FOR SAID YEAR; ADOPTING A FISCAL BUDGET FOR THE YEAR 1979-1980; APPROPRIATING THE VARIOUS SUMS SET OUT IN THE FISCAL BUDGET; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.

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

SECTION 1. That for the year ending December 31, 1979 the adjusted tax valuation on all real property and tangible business personal property within the City of Riviera Beach is hereby determined to be and is fixed as follows:

(a) Real property and Tangible Business Personal Property on which tax can be extended, exclusive of homestead property, $398,275,694.

Subject to final approval of the County Equalization Board.

SECTION 2. For the year ending December 31, 1979, a tax of eight point fifty-five (8.55) mills on the dollar shall be, and is hereby levied and shall be collected on all real property and tangible business personal property within the City of Riviera Beach, Florida, not specifically designated as homestead property or owned by the municipality and/or expressly exempted by the laws of the Constitution of the State of Florida for the purpose of raising funds for the improvements and government of the City, and for the payment of its obligations and expenses, and for the purpose of carrying out the purposes and duties granted and imposed by the City Charter. Said real property and tangible business personal property being specifically set forth as item (a) in Section 1 hereof and valued in the amount of $398,275,694. subject to final approval of the County Equalization Board.

SECTION 3. The items and figures as shown on the attached Budget of Income and Expenditures for the City of Riviera Beach, Palm Beach County, Florida, Exhibit 1 shall be and the same are hereby adopted as the Budget for the City of Riviera Beach, Palm Beach County, Florida, for the year 1979-1980 and the various respective sums shown therein are hereby appropriated for the purposes set out.

SECTION 4. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

PASSED AND APPROVED on first reading this 5 day of September, 1979.

PASSED AND ADOPTED on second and final reading this 19 day of September, 1979.

APPROVED:

Mayor

Chairman

Chairman Pro Tem

(MUNICIPAL SEAL)

Councilmen

ATTEST:

City Clerk

r

SEPTEMBER 7, 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, Sept. 19,1979 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. 2035

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, FIXING THE ADJUSTED TAX VALUATION OF REAL PROPERTY AND TANGIBLE BUSINESS PERSONAL PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY; LEVYING A TAX ON REAL PROPERTY AND TANGIBLE BUSINESS PERSONAL PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY FOR THE YEAR ENDING DECEMBER 31,1979; FIXING THE MILLAGE RATE THEREON FOR SAID YEAR; ADOPTING A FISCAL BUDGET FO THE YEAR 1979-1980; APPROPRIATING THE VARIOUS SUMS SET OUT IN THE FISCAL BUDGET; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.

SAID ORDINANCE MAY BE INSPECTED BY THE PUBLIC AT ANY TIME DURING REGULAR BUSINESS HOURS ON 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: SEPTEMBER 12, 1979

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ORDINANCE NO. 2036

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING RULE 4 (c) OF SECTION 2-7 ENTITLED "LEGISLATIVE BODY, RULES OF PROCEDURE" OF ARTICLE I ENTITLED "IN GENERAL" OF CHAPTER 2 ENTITLED "ADMINISTRATION" OF THE CODE OF ORDINANCES BY DELETING THE WORDS "BILLS AND" THEREFROM;PROVIDING A PENALTY CLAUSE, REPEALING CLAUSE, SAVING CLAUSE, AUTHORITY TO CODIFY, AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

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

SECTION 1. That Rule 4 (c) of Section 2-7. entitled "Legislative body rules of procedure" of Article I entitled "In General" of Chapter 2 entitled "Administration" of the Code of Ordinances is amended to read:

"(c) Approval of ~~bills and~~ payment resolutions."

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.

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

PASSED AND APPROVED on first reading this 5 day of September, 1979.

PASSED AND ADOPTED on second and final reading this 19th day of Sept, 1979.

APPROVED:

Mayor

Chairman

Chairman Pro Tem

Councilmen

(MUNICIPAL SEAL)

ATTEST:

City Clerk

r

SEPTEMBER 7, 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 SEPT. 19, 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. 2036

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING RULE 4 (c) OF SECTION 2-7 ENTITLED "LEGISLATIVE BODY, RULES OF PROCEDU RE" OF ARTICLE I ENTITLED "IN GENERAL" OF CHAPTER 2 ENTITLED "ADMINISTRATION" OF THE CODE OF ORDINANCES BY DELETING THE WORDS "BILLS AND" THEREFROM; 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 appeal at said meeting and be heard with respect to the Ordinance.

BY ORDER OF CITY CLERK

PUBLISH: SEPTEMBER 12, 1979

ORDINANCE NO. 2037

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING PARAGRAPH (A) and (G) OF SECTION 10-20.6. ENTITLED "FEES" OF DIVISION 1A ENTITLED "MUNICIPAL REFUSE COLLECTION SERVICE" OF ARTICLE II ENTITLED "GARBAGE, TRASH, WEEDS AND LITTER" OF CHAPTER 10 ENTITLED "HEALTH AND SANITATION" OF THE CODE OF ORDINANCES; AND ADDING PARAGRAPH "H" WHICH PROVIDES FOR A MONTHLY SERVICE FEE; PROVIDING A REPEALING CLAUSE, SAVING CLAUSE, PENALTY CLAUSE, AUTHORITY TO CODIFY, AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

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

WHEREAS, the Department of Public Works and the Department of Community Development and Environment Control have reviewed the necessity of this amendment and approved same,

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

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

"(A) GROUND LEVEL: AT CURB SIDE OR SWALE AREA. The fees for collection and disposal of refuse placed for collection at ground level and at curb side or swale collection at ground level and at curb side or swale area shall be as follows:

(1) RESIDENTIAL UNITS which includes single family residence, duplexes, triplexes, apartments and mobile units shall be charged ~~three-dollars-and-seventy-five cents-($3.75)~~ seven dollars and fifty cents ($7.50) per month per living unit.

(2) MOTELS not having container service shall be charged ~~three-dollars-and-twenty~~ five cents ($3.25) seven dollars and fifty cents ($7.50) per month, per unit.

(3) SMALL BUSINESSES AND COMMERCIAL UNITS not having container service and not having over two (2) thirty (30) gallon cans per pick-up shall be charged ~~four dollars ($4.00)~~ seven dollars and fifty cents ($7.50) per month.

(4) CONTAINER SERVICE rates shall be as follows:

Number of Pick-ups Per Week

Yd.	1	2	3	4	5	6
2.	~~20.80~~ 35.00	~~29.63~~ 45.00	~~38.46~~ 70.00	~~47.28~~ 90.00	~~56.11~~ 122.00	~~64.94~~ 135.00
3.	~~24.28~~ 40.00	~~35.93~~ 70.00	~~47.57~~ 100.00	~~59.22~~ 132.00	~~70.86~~ 165.00	~~82.51~~ 198.00
4.	~~27.75~~ 45.00	~~42.22~~ 88.00	~~56.68~~ 132.00	~~71.15~~ 176.00	~~85.61~~ 220.00	~~100.08~~ 264.00
6.	~~34.71~~ 66.00	~~54.81~~ 132.00	~~74.91~~ 176.00	~~95.01~~ 220.00	~~115.11~~ 264.00	~~135.21~~ 308.00
8.	~~41.66~~ 88.00	~~67.40~~ 165.00	~~93.14~~ 220.00	~~118.87~~ 275.00	~~144.61~~ 330.00	~~170.35~~ 385.00

(5) COMMERCIAL UNITS WITH OWN COMPACTION any customer that has its own compaction the container rate shall be charged double the normal container rate.

(G) SERVICE DEPOSIT. A service deposit shall be required of all applicants for trash service, or change of water service, in an amount equal to ~~twice~~ three times the amount of estimated billings (for example: for single family living unit, ~~$4.00~~ $22.50)

(H) MONTHLY CONTAINER RENTAL FEE. A monthly container rental fee shall be charged on all containers as follows:

Yd.		
2.	-	$7.00 per month
3.	-	9.00 per month
4.	-	11.00 per month
6.	-	13.00 per month
8.	-	15.00 per month

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

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

SECTION 4. 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 5. Specific authority is hereby granted to codify this Ordinance.

SECTION 6. This Ordinance and the proposed rates therein shall become effective on all billings for trash and garbage commencing on October 1, 1979.

PASSED AND APPROVED on first reading this 5 day of September 1979.

PASSED AND ADOPTED on second and final reading this 19 day of September, 1979.

APPROVED:

Mayor

Chairman

Chairman Pro Tem

(MUNICIPAL SEAL)

Councilmen

ATTEST:

City Clerk

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SEPTEMBER 7, 1979

NOTICE OF PROPOSED ORDINANCE

The below Bill, described dy 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, SEPt. 19, 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. 2037

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING PARAGRAPH(A) and (G) OF SECTION 10-20.6 ENTITLED "FEES" OF DIVISION 1A ENTITLED "MUNICIPAL REFUSE COLLECTION SERVICE" OF ARTICLE II ENTITLED "GARBAGE, TRASH, WEEDS AND LITTER" OF CHAPTER 10 ENTITLED "HEALTH AND SANITATION" OF THE CODE OF ORDINANCES; PROVIDING A REPEALING CLAUSE, SAVING CLAUSE, PENALTY 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.

PUBLISH: September 12, 1979

ORDINANCE NO. 2038

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING SECTION 23-19.3 AND SECTION 23-20.1 PARAGRAPH (B) ENTITLED "BUILDING SITE AREA REGULATIONS" ADDING THERETO A PROVISION FOR CALCULATING AND TRANSFERRING DENSITY FOR MULTIPLE FAMILY UNITS; AMENDING PARAGRAPH (C) OF SECTION 23-20.1 PROVIDING FOR NO DENSITY TRANSFER FOR SUBMERGED LAND ON LAKE WORTH; ADDING TO PARAGRAPH (B) (1) TO BE ENTITLED DENSITY CALCULATION; ELIMINATING (B)(1)(d) ENTITLED DENSITY BONUS; ADDING TO PARAGRAPH (c) A PROVISION (2) TO REQUIRE PARKING UNDER STRUCTURE, AMENDING SECTION 23-19.3 AND SECTION 23-20.1 BY ADDING PARAGRAPH (E) PROVIDING FOR RECREATIONAL FACILITIES AND PARAGRAPH (F) PROVIDING FOR LANDSCAPING. PROVIDING A PENALTY CLAUSE, REPEALING CLAUSE, SAVING CLAUSE, AUTHORITY TO CODIFY AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

WHEREAS, the City in furtherance of the health, safety and welfare of its citizens and others desire to prevent excessive over-crowding 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 and Coastal Zone Management Element for proper development of its Coast line areas and reviewing a Comprehensive Zoning Ordinance for adoption, and

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, and

WHEREAS, in the best interest of the City during the period of time that the city was preparing and reviewing the Comprehensive Plan and Coastal Zone Management Element for adoption to hold public hearings thereon, a Moratorium was enacted and extended, 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" until a density study could be refined and completed, and

WHEREAS, the Planning Consultants, staff, Planning and Zoning Board finds that the Comprehensive Plan and Coastal Zone Management Element studies have 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 for environmental purposes, and

WHEREAS, the City has established by Land Use Planning and Zoning Ordinances that these areas contain the highest densities.

WHEREAS, within these presently high density zone areas of the city the Consultants have determined via Land Use studies that approximately 40% of the combined land totals are developable or

redevelopable in accordance with the highest density limits, and

WHEREAS, the City is aware of the adverse impact to the environment which may evolve due to the total development of high density residential areas without proper studies and controls to determine the impact on services and environmental sensitivities in order to protect and preserve valuable environmental elements found in these Zoning Districts, and

WHEREAS, deficiencies were found by Staff and Planning Consultants in the city's Land Use Regulations as they relate to protection and preservation of our natural coast line environment and to the prevention of adverse impact on city services from improperly controlled high density residential developments, and

WHEREAS, the State has provided enabling powers and guidelines for establishing local regulation for zoning of land use, and development of coastal environmentally sensitive areas, and

WHEREAS, Staff has completed its study of methods and application to calculate and regulate the density on R-5 High Density Residential and C-1B Restricted Commercial Districts and has made recommendations for their formal adoption, and

WHEREAS, the Planning and Zoning Board and City Council have held workshops and public hearings, pertaining to the Staff made recommendations with concurrence by Planning Consultants, concerning density regulations, to seek comment from those affected, 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 Residential District and C-1B Restricted Commercial Districts who may be ready and willing to proceed with development planning and construction.

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

SECTION 1. That the following admendments be enacted to Section 23-19.3 - R-5 High Density District and Section 23-20.1. C-1B Restricted Commercial District, are attached hereto and made a part hereof.

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 provisions or applications of this Ordinance shall be held to be invalid, it is the legisative intent that the other provisions and applications hereof shall not be thereby 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 19 day of Sept, 1979.

PASSED AND ADOPTED on second and final reading this 3rd day of October, 1979.

APPROVED:

Mayor

Chairman

Chairman Pro Tem

(MUNICIPAL SEAL)

Councilmen

ATTEST:

City Clerk (Deputy)

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

9-17-79

CITY ATTORNEY

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SECTION 23-19.3 (R-5) and 23.20.1 (C1B)

Paragraph (B) entitled Building Site Area Regulations is amended by rewriting as follows:

(B) (1) Density: An acre of land as used for density calculation purposes is equal to 43,560 square feet.

(B) (1) (a) and (B) (1) (b) No change in existing. Add paragraph (2):

2: Density Transfer:

Calculation of total site area to derive appropriate density transfer shall be computed as follows:

(a) Total land area from the east R.O.W. line to the Coastal Construction Setback (Control Line) shall be computed at 100% of the total dry land area between these two points.

(b) Total land area east of Coastal Construction Setback (Control Line) and the vegetation shall be calculated at 50% of the total land area between these two points.

(c) Total land area east of vegetation line to the mean high water line shall be computed at 25% of the total land area between these two points.

(d) The total area of wetlands, marshes and lagoons etc. shall be computed at 50% of the total area contained within.

(e) No area of submerged land on Lake Worth shall be computed for density transfer purposes.

Paragraph (B) (1) (d) entitled Density Bonus is eliminated.

A new paragraph (B) (3) entitled Density Calculation: is added to read as follows:

3. Density Calculation:

The maximum allowed density is twenty-five (25) units per acre. Density limits are expressed in the maximum number of residential dwelling units permitted per acre of land. Density for the R-5 High Density Residential District and C-1B Restricted Commercial District shall be computed as follows:

Dwelling Unit Type	Density Unit Count
Motel/Hotel Room	.5
Efficiency	.7
One Bedroom	1.0
Two Bedrooms	1.1

Dwelling Unit Type (Con't)	Density Unit Count
Three Bedrooms	1.2
Each Additional Bedroom	.1

The Planning and Zoning Board on the advice of the Director of CDEC shall determine the number of bedrooms units based on commonly accepted professional architectural standards. The mere labeling of a room as a "den", "family room", "recreational room", or other such terms, does not preclude such room from counting as a bedroom for density purposes if that room is easily usable and accessible for bedroom purposes. No plans shall receive site plan approval or permits that allow illegal conversions, that create a greater density than that allowed under the applicable regulations.

The remaining existing paragraphs of paragraph (B) beginning with (2) front yard must be renumbered beginning with (4) Front yard thru (12) - on oceanfront properties.

Paragraph C of Section 23-19.3 (R-5) is amended by adding new paragraph and numbers as follows:

(C) PARKING

1. The required parking - off street requirements should conform to Section 23-26 entitled "Parking, off street requirement."

2. Seventy-five (75) percent of all required parking shall be placed under a permanent structure in a manner to effectively conceal from public right of way by landscaping and other means.

Under Section 23-20.1 (C1B) paragraph (C) Parking is amended by adding new paragraph (4) to read as follows:

4. Seventy-five (75) percent of all required parking shall be placed under a permanent structure in a manner to effectively conceal from public right of way be landscaping and other means.

New paragraph (E) and (F) are added as follows to complete the amendment to Section 23-19.3 R-5 and 23-20.1 C-1B.

(E) RECREATION FACILITIES

The following are the required minimum recreational facilities and amenities:

1. Outdoor

One (1) swimming pool, one (1) tennis court; and a designated area for sunning, picnics, etc. for residents of project. Additionally the following amenities are optional: Putting green, shuffleboard

(Con't on Page -3)

wading pools, observation decks, exercise paths, etc.

2. Indoor

One (1) multipurpose room for parties or games or for group assembly; one (1) male and one (1) female exercise room or saunas. Additionally the following amenities are optional: Billiard room, library, tea room, etc.

3. Note

A pavilion may be provided either inside or outside as a substitute for one of the above minimum requirements.

(F) LANDSCAPING

In addition to the requirements of Section 23-25 the following should also be provided:

1. 20% of all gross vehicular use areas shall be landscaped.

2. For every 12 parking slips a landscaped island five (5) feet in width shall be provided.

3. Where wetlands and other conservation areas abut or are located within the site shall be a (10) feet wide landscape buffer or a five (5) feet wide landscape strip shielding an attendant six feet high wall.

4. All property lines shall be provided with a sufficient landscape strip at least five (5) feet in width with one (1) tree for every 50 lineal feet.

5. Where the dune has been destroyed or depleted of landscaping in a manner that does not afford a natural protection from the elements, the dune shall be rebuilt and replinished with landscaping to provide the necessary protection. Reestablishing of the dune shall be designed to align with the natural dune and contours found to the north and south of subject property.

6. Fifty percent (50%) of all required trees shall be of the shaded species.

7. The required shaded trees shall be 6-8 feet at planting and reached 25 feet in heights and 16 feet spread as a minimum.

8. The following types of trees are prohibited as landscape materials:

   1. Australian Pine
   2. Malaluca
   3. Brazilian Pepper

September 7, 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, October 3, 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 fo considering the enactment of the following ordinance.

ORDINANCE NO. 2038

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING SECTION 23-19.3 AND SECTION 23-20.1 PARAGRAPH (B) ENTITLED "BUILDING SITE AREA REGULATIONS" ADDING THERETO A PROVISION FOR CALCULATING AND TRANSFERRING DENSITY FOR MULTIPLE FAMILY INITS; AMENDING PARAGRAPH (C) OF SECTION 23-20.1 PROVIDING FOR NO DENSITY TRANSFER FOR SUBMERGED LAND ON LAKE WORTH; ADDING TO PARAGRAPH (B) (1) TO BE ENTITLED DENSITY CALCULATION; ELIMINATING (B)(1)(d) ENTITLED DENSITY BONUS; ADDING TO PARAGRAPH (c) A PROVISION (2) TO REQUIRE PARKING UNDER STRUCTURE, AMENDING SECTION 23-19.3 AND SECTION 23-20.1 BY ADDING PARAGRAPH (E) PROVIDING FOR RECREATIONAL FACILITIES AND PARAGRAPH (F) PROVIDING FOR LANDSCAPING. 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 appeal at said meeting and be heard with respect to the Ordinance.

BY ORDER OF CITY CLERK

Publish: September 26, 1979

ORDINANCE NO. 2039

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 23 ENTITLED "ZONING" OF THE CODE OF ORDINANCES BY REZONING CERTAIN LANDS WITHIN THE CITY FROM THEIR PRESENT CLASSIFICATION OF R-2B (MULTIPLE FAMILY RESIDENTIAL) TO C-1 (GENERAL COMMERCIAL); DIRECTING THE CITY CLERK TO UPDATE THE CITY'S ZONING MAP AS DESIGNATED AS THE "ZONING MAP OF RIVIERA BEACH, FLORIDA"; PROVIDING A REPEALING CLAUSE, SAVING CLAUSE, AND EFFECTIVE DATE AND FOR OTHER PURPOSES.

WHEREAS, Southern Bell has petitioned the City of Riviera Beach, Florida to change the zoning of certain parcels of land within the City and have voluntarily offered certain stipulations as per attached Exhibit "A"; and

WHEREAS, Planning Board and City Council have properly held Public Hearings for public input.

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

SECTION 1. That Chapter 23 entitled "Zoning" of the Code of Ordinances is amended by rezoning the following described lands within the City from their present classification of R-2B (Multiply Family Residential) to C-1 (General Commercial), to wit:

Property commonly described as Heldon Court Subdivision (Lots A,B,C & D) as recorded in Plat Book 28, Page 63.

SECTION 2. That the zone change is conditioned on the following specific stipulations:

1. Southern Bell will fence and landscape the parking lot and provide a 15 foot buffer zone between the parking lot and their neighbors to the north and south and will be appropriately landscaped.

2. Southern Bell will level, seed and maintain on a regular basis, the unused part of the property to the west of the parking facilities.

3. Southern Bell will voluntarily limit the use of this property to that of parking facilities for the building at 3640 Avenue "E". Any additional activity shall only be by site plan approval process.

4. Southern Bell will execute a Unity of Title with the building at 3640 Avenue "E". A Unity of Title will combine the two parcels of properties; the main building and the parking lot into one legal entity.

SECTION 3. That the above stipulations run with the land until said Unity of Title is dissolved by the City Council.

SECTION 4. That the City Clerk is authorized and directed

to reflect upon the zoning map designated as the "Zoning Map of Riviera Beach, Florida", by hatching or other appropriate means of designation, the changes in zoning classification affected under this Ordinance.

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

SECTION 6. In the event that any provision or application of this Ordinance shall be held to be invalid, it is the legislative intent that the other provisions and applications hereof shall 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 3rd day of Oct., 1979.

PASSED AND ADOPTED on second and final reading this 17th day of October, 1979.

APPROVED:

Mayor

Chairman

Chairman Pro Tem

ATTEST:

City Clerk (Deputy)

Council Members

October 4, 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, October 17, 1979 at 7:30 P.M. at the City Hall, 600 West Blue Heron Boulevard from time to time thereafter as may be necessary for the purpose of considering the enactment of the following Ordinance.

ORDINANCE NO. 2039

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 23 ENTITLED "ZONING" OF THE CODE OF ORDINANCES BY REZONING CERTAIN LANDS WITHIN THE CITY FROM THEIR PRESENT CLASSIFICATION OF R-2B (MULTIPLE FAMILY RESIDENTIAL) TO C-1 (GENERAL COMMERCIAL); DIRECTING THE CITY CLERK TO UPDATE THE CITY'S ZONING MAP AS DESIGNATED AS THE "ZONING MAP OF RIVIERA BEACH, FLORIDA"; PROVIDING A REPEALING CLAUSE, SAVING CLAUSE, AND EFFECTIVE DATE AND FOR OTHER PURPOSES.

SAID ORDINANCE MAY EB 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: October 10, 1979