

ORDINANCE NO. 990

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING SECTION 2-12.4 (CITY OF RIVIERA BEACH RECREATION BOARD) OF CHAPTER 2 (ADMINISTRATION) OF THE CODE OF ORDINANCES OF RIVIERA BEACH, BY ADDING A NEW SUB-SECTION (e) ENTITLED "TEENAGE APPOINTEES"; INCREASING THE MEMBERSHIP OF THE RECREATION BOARD BY THE ADDITION OF TWO NEW TERMS RESERVED FOR THE APPOINTMENT OF TEENAGERS TO SERVE ON THE RECREATION BOARD; PROVIDING A SAVING CLAUSE; AUTHORITY TO CODIFY; AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

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

That Section 2-12.4 (City of Riviera Beach Recreation Board) of Chapter 2 (Administration) of the Code of Ordinances of Riviera Beach be amended by adding a new sub-section, to-wit:

(e)"TEENAGE APPOINTEES - The City of Riviera Beach Recreation Board membership is hereby increased by the addition of two new terms to be reserved for the appointment of teenagers to the Recreation Board and such terms are to be governed by Section 2-12.4 (b) of the Code of Ordinances."

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

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

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

PASSED AND APPROVED on first reading, this 2nd day of January, 1974.

PASSED AND ADOPTED ON SECOND AND FINAL reading this ___ day of February, 1974.

APPROVED:

Mayor

(MUNICIPAL SEAL)

ATTEST:

City Clerk

EMERGENCY ORDINANCE NO. 991

AN EMERGENCY ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA; CITY COUNCIL'S FINDINGS OF FACT; AMENDING (a) OF PARAGRAPH A OF EMERGENCY ORDINANCE NO. 984, RELATING TO PARAGRAPH (a) OF SUBSECTION 1 (BUILDERS HOUSING COMBUSTIBLE GOODS OR MERCHANDISE) OF SECTION 9-4.2 (AUTOMATIC SPRINKLER SYSTEMS; TOWER DOOR CONSTRUCTION; AUTOMATIC ELEVATOR ACTIVATION) OF ARTICLE 1 (IN GENERAL) OF CHAPTER 9 (FIRE PREVENTION) OF THE CODE OF ORDINANCES OF RIVIERA BEACH; BY REPEALING IN PART THE LAST SENTENCE WHICH READS "THREE THOUSAND (3,000)" TO READ "TEN THOUSAND (10,000)"; PROVIDING A SAVING CLAUSE; AUTHORITY TO CODIFY; AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

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

Whereas, the City Council of the City of Riviera Beach, Florida, has found and determined that an emergency, which is a new and unexpected condition and occurrence that constitutes an immediate and serious menace to the safety, health and welfare of the residents of the City of Riviera Beach; now therefore;

Sub-section (a) of Paragraph A of Emergency Ordinance No. 984, relating to Paragraph (a) of Sub-section 1 (Buildings Housing Combustible Goods or Merchandise) of Section 9-4.2 (Automatic Sprinkler Systems; Tower Door Construction; Automatic Elevator Activation) of Article 1 (In General) of Chapter 9 (Fire Prevention) of the Code of Ordinances of Riviera Beach, which reads "...three thousand (3,000) is hereby repealed, and in lieu thereof is to read "...ten thousand (10,000)..."

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

Section 5. Specific authority is hereby granted to codify this ordinance.

Section 6. This ordinance shall take effect upon its passage as provided by Charter.

PASSED AND ADOPTED on first reading this 6 day of June, 1973.

PASSED AND ADOPTED on second and final reading this 6 day of June, 1973.

APPROVED:

Lucius G. Hill
Mayor

Henry A. Taylor

Sam R. Nichols

William E. [unclear]

ATTEST:

John [unclear]
Clerk

David W. Williams

James H. Jones
Council

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, FURTHER AMENDING CHAPTER 2 OF THE CODE OF ORDINANCES PERTAINING TO ADMINISTRATION, BY AMENDING ARTICLE VI, DIVISION 3, SECTION 2-100, THE SALARY SCHEDULE AND CLASSIFICATION PLAN BY CHANGING THE CLASSIFICATIONS OF VEHICLE MAINTENANCE SUPERINTENDENT, STREETS & PROPERTY MAINTENANCE SUPERINTENDENT, SUPERINTENDENT OF PARKS, AND REFUSE SUPERINTENDENT TO CLASSIFICATIONS OF VEHICLE MAINTENANCE SUPERVISOR; STREETS, CANALS, & PROPERTY MAINTENANCE SUPERVISOR; SUPERVISOR OF PARKS; AND REFUSE SUPERVISOR RESPECTIVELY; AND ASSIGNING A PAY GRADE THERETO; CHANGING EXISTING VEHICLE MAINTENANCE SUPERVISOR TO VEHICLE MAINTENANCE FOREMAN; AND ASSIGNING A PAY GRADE THERETO; PROVIDING A SAVING CLAUSE; AUTHORITY TO CODIFY; AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

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

Section 1. That Chapter 2 of the Code of Ordinance of Riviera Beach, Florida, pertaining to Administration be, and the same is hereby further amended by amending the Salary Schedule and Classification Plan by changing the classifications of Vehicle Maintenance Superintendent, Streets & Property Maintenance Superintendent, Superintendent of Parks, and Refuse Superintendent to the following:

<u>CLASSIFICATION</u>	<u>STARTING RANGE & STEP</u>	<u>STARTING SALARY</u>
Vehicle Maintenance Supervisor	30-A	\$194.60
Streets, Canals, & Property Maintenance Supervisor	" "	" "
Supervisor of Parks	30-A	194.60
Refuse Supervisor	" "	" "

Section 2. That the existing classification of Vehicle Maintenance Supervisor be changed to the following:

<u>CLASSIFICATION</u>	<u>STARTING RANGE & STEP</u>	<u>STARTING SALARY</u>
Vehicle Maintenance Foreman	28-A	\$176.30

Section 3. If any section, part of a section, paragraph, sentence, clause, phrase or word of this ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holding or invalidity shall not affect the remaining portions of this ordinance and it shall be construed to have been the

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

Section 4. Each day's violation of any of the provisions of this ordinance shall constitute a separate offense and shall be punishable as provided in Section 1 - 8 of the Code of Ordinances.

Section 5. Specific authority is hereby granted to codify this ordinance. It is the intention of the City Council, and it is hereby ordained, that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of Riviera Beach; that the sections of this ordinance may be renumbered or relettered to accomplish such intentions; and that the word "ordinance: may be changed to "section", "article", or other appropriate words.

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

PASSED AND ADOPTED on first reading, this 16 day of

Jan, 1974.

PASSED AND ADOPTED on second and final reading this 20 day

of Feb, 1974.

APPROVED:

Lucius G. Hill
Mayor

ATTEST:

John Maggior
City Clerk

Henry A. Taylor
Bary R. Nicholitz
David Wm Williams
James S. Jones
City Councilmen

January 22, 1974

NOTICE OF PROPOSED ORDINANCE

The below Bill, described by title only, will be placed on second reading at the regular meeting of the City Council of the City of Riviera Beach, Florida, to be held on Wednesday, February 20, 1974 at 7:30 p.m. at the City Hall, 2214 Avenue "E", or as soon thereafter as such Bill may be read:

BILL NO. 992

ORDINANCE NO. 992, FURTHER AMENDING CHAPTER 2 OF THE CODE OF ORDINANCES PERTAINING TO ADMINISTRATION, BY AMENDING ARTICLE VI, DIVISION 3, SECTION 2-100, THE SALARY SCHEDULE AND CLASSIFICATION PLAN BY CHANGING THE CLASSIFICATIONS OF VEHICLE MAINTENANCE SUPERINTENDENT, STREETS & PROPERTY MAINTENANCE SUPERINTENDENT, SUPERINTENDENT OF PARKS, AND REFUSE SUPERINTENDENT TO CLASSIFICATIONS OF VEHICLE MAINTENANCE SUPERVISOR; STREETS, CANALS AND PROPERTY MAINTENANCE SUPERVISOR; SUPERVISOR OF PARKS; AND REFUSE SUPERVISOR RESPECTIVELY; AND ASSIGNING A PAY GRADE THERETO; CHANGING EXISTING VEHICLE MAINTENANCE SUPERVISOR TO VEHICLE MAINTENANCE FOREMAN; AND ASSIGNING A PAY GRADE THERETO; PROVIDING A SAVING CLAUSE; AUTHORITY TO CODIFY; AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

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

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

BY ORDER OF THE CITY COUNCIL

JOHN VAZQUEZ, CITY CLERK

PUBLISH: The Palm Beach Post-Times, February 4, 1974

ORDINANCE NO. 993

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, FURTHER AMENDING CHAPTER 2, ARTICLE VI, DIVISION 3 OF SECTION 2-100 OF THE CODE OF ORDINANCES OF RIVIERA BEACH, FLORIDA PERTAINING TO THE CLASSIFICATION PLAN BY DELETING THE SECOND (2nd) FOOTNOTE (**ONE STEP INCREASE WHEN ASSIGNED DUTY AS MOTORCYCLE OPERATOR.); PROVIDING A SAVING CLAUSE; AUTHORITY TO CODIFY; AND EFFECTIVE DATE AND FOR OTHER PURPOSES.

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

Section 1. That Chapter 2, Article VI, Division 3, of Section 2-100 of the Code of Ordinance of Riviera Beach, Florida pertaining to the Classification Plan by deleting the second (2nd) footnote as follows:

"**One step increase when assigned duty as Motorcycle Operator."

Section 2. If any section, part of a section, paragraph, sentence, clause, phrase or word of this ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holding or invalidity shall not affect the remaining portions of this ordinance and it shall be construed to have been the legislative intent to pass this ordinance without such unconstitutional, invalid or inoperative part therein, and the remainder of this ordinance after the exclusion of such part or parts shall be deemed to be held valid as if such part or parts had not been included therein, or if this ordinance or any of the provisions thereof shall be held inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other person, property or circumstances.

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

Section 4. Specific authority is hereby granted to codify this ordinance. It is the intention of the City Council, and it is hereby ordained, that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of Riviera Beach; that the sections of this ordinance may be renumbered or relettered to accomplish such intentions; and that the word "ordinance: may be changed to "section", "article", or other appropriate words.

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

PASSED AND ADOPTED on first reading this 16 day of

Jan, 1974.

PASSED AND ADOPTED on second and final reading this 20

day of Feb, 1974.

Lucius G. Hill
Mayor

ATTEST:

John W. [Signature]
City Clerk

Henry A. Taylor
Bary R. Nichols

[Signature]

David W. Williams

James H. Jones
Councilmen

January 22, 1974

NOTICE OF PROPOSED ORDINANCE

The below Bill, described by title only, will be placed on second reading at the regular meeting of the City Council of the City of Riviera Beach, Florida, to be held on Wednesday, February 20, 1974 at 7:30 p.m. at the City Hall, 2214 Avenue "E", or as soon thereafter as such Bill may be read:

BILL NO. 993

ORDINANCE NO. 993 FURTHER AMENDING CHAPTER 2, ARTICLE VI, DIVISION 3 OF SECTION 2-100 OF THE CODE OF ORDINANCES OF RIVIERA BEACH, FLORIDA PERTAINING TO THE CLASSIFICATION PLAN~~BY~~ DELETING THE SECOND (2ND) FOOTNOTE (**ONE STEP INCREASE WHEN ASSIGNED DUTY AS MOTORCYCLE OPERATOR); PROVIDING A SAVING CLAUSE; AUTHORITY TO CODIFY; AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

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

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

BY ORDER OF THE CITY COUNCIL

JOHN VAZQUEZ, CITY CLERK

PUBLISH: The Palm Beach Post-Times, February 4, 1974

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING SECTIONS 12-8 (ABATEMENT), 12-10 (JUKE BOXES-AFFIDAVIT; INVESTIGATIONS; REMOVAL; IMPOUNDING) AND 12-15 (SHRUBBERY AND OTHER VISUAL OBSTRUCTIONS AT INTERSECTIONS) OF CHAPTER 12 (NUISANCES) BY REPEALING THE WORDS "LEGISLATIVE BODY" AND IN LIEU THEREOF INSERTING THE WORDS "CITY MANAGER" AND AMENDING SUB-SECTION "f" (ABATEMENT) OF SECTION 12-15, (SHRUBBERY AND OTHER VISUAL OBSTRUCTIONS AT INTERSECTIONS) OF CHAPTER 12 (NUISANCES) OF THE CODE OF ORDINANCES BY REPEALING THE WORDS "SECTION OF THIS CHAPTER" CONTAINED IN THE FIRST SENTENCE, AND IN LIEU THEREOF INSERTING THE WORDS "SUB-SECTION OF THIS SECTION"; PROVIDING A PENALTY FOR THE VIOLATION OF ITS PROVISIONS; A SAVING CLAUSE; AUTHORITY TO CODIFY; AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

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

A. That Sections 12-8 (Abatement), 12-10. (JUKE BOXES - Affidavit; Investigations; Removal; Impounding) and 12-15. (Shrubbery and other visual obstructions at intersections) of Chapter 12 (Nuisances) of the Code of Ordinances is hereby amended by repealing the words "legislative body" wherever contained therein and in lieu thereof, inserting the words "city manager."

B. That sub-section "f" (Abatement) of Section 12-15. (Shrubbery and other visual obstructions at intersections) of Chapter 12 (Nuisances) of the Code of Ordinances is hereby amended by repealing the words "section of this chapter" contained in the first sentence and in lieu thereof inserting the words "sub-section of this section".

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

SECTION 2. If any section, part of a section, paragraph, sentence, clause, phrase or word of this ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holding or invalidity shall not affect the remaining portions of this ordinance and it shall be construed to have been the legislative intent to pass this ordinance without such uncon-

stitutional, invalid or inoperative part therein, and the remainder of this ordinance after the exclusion of such part or parts shall be deemed to be held valid as if such part or parts had not been included therein, or if this ordinance or any of the provisions thereof shall be held inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other person, property or circumstances.

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

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

PASSED AND APPROVED on first reading, this 20 day of Sept 1974.

PASSED AND ADOPTED ON SECOND AND FINAL reading this 20 day of April 1974.

APPROVED:

Lucius S. Hill
Mayor

Henry A. Taylor

Shery R. Nichols

[Signature]

James H. Jones

David W. Williams

Councilmen

ATTEST:

[Signature]
City Clerk

February 22, 1974

NOTICE OF PROPOSED ORDINANCE

The below Bill, described by title only, will be placed on second reading at the regular meeting of the City Council of the City of Riviera Beach, Florida, to be held on Wednesday, March 20, 1974 at 7:30 p.m. at the City Hall, 2214 Avenue "E", or as soon thereafter as such Bill may be read:

BILL NO. 994

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING SECTIONS 12-3 (ABATEMENT), 12-10 (JUKE BOXES-AFFIDAVIT; INVESTIGATIONS; REMOVAL; IMPOUNDING) AND 12-15 (SHRUBBERY AND OTHER VISUAL OBSTRUCTIONS AT INTERSECTIONS) OF CHAPTER 12 (NUISANCES) BY REPEALING THE WORDS "LEGISLATIVE BODY" AND IN LIEU THEREOF INSERTING THE WORDS "CITY MANAGER" AND AMENDING SUB-SECTION "f" (ABATEMENT) OF SECTION 12-15, (SHRUBBERY AND OTHER VISUAL OBSTRUCTIONS AT INTERSECTIONS) OF CHAPTER 12 (NUISANCES) OF THE CODE OF ORDINANCES BY REPEALING THE WORDS "SECTION OF THIS CHAPTER" CONTAINED IN THE FIRST SENTENCE, AND IN LIEU THEREOF INSERTING THE WORDS "SUB-SECTION OF THIS SECTION"; PROVIDING A PENALTY FOR THE VIOLATION OF ITS PROVISIONS; A SAVING CLAUSE; AUTHORITY TO CODIFY; AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

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

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

BY ORDER OF THE CITY COUNCIL

JOHN VAZQUEZ, CITY CLERK

PUBLISH: The Palm Beach Post-Times, February 25, 1974.

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 23 (ZONING) OF THE CODE OF ORDINANCES BY REPEALING AND REVISING 1, 2, 3 AND 4 OF SUB-SECTION A (USES PERMITTED) AND 1, 2 AND 3 OF SUB-SECTION B (BUILDING SITE AREA, FRONT, SIDE AND REAR YARD REGULATIONS) OF SECTION 23-20 (C-1A LIMITED COMMERCIAL DISTRICT); 3 (SIDE YARD) AND 7 (FLOOR/AREA RATIO) OF SUB-SECTION B (BUILDING SITE AREA REGULATIONS) OF SECTION 23.20.1 (RESTRICTED COMMERCIAL C-1B) AND BY ADDING j (PLACEMENT AND SIZES OF ALL SIGNS) AND k (GROUND FLOOR ELEVATION IN RELATION TO "MEAN SEA LEVEL") TO 1 (SITE PLAN REQUIREMENTS) OF SUB-SECTION D (SITE PLAN REVIEW OF SECTION 23.20.1 (RESTRICTED COMMERCIAL C-1B) OF CHAPTER 23 (ZONING) OF THE CODE OF ORDINANCES; PROVIDING A SAVING CLAUSE; PRESCRIBING PENALTIES FOR THE VIOLATION OF ITS PROVISIONS; AUTHORITY TO CODIFY; AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

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

That 1, 2 3 and 4 of Sub-section A (uses permitted) and 1, 2 and 3 of Sub-section B (Building Site Area, Front, Side and Rear Yard Regulations) of Section 23.20 (C-1A Limited Commercial District) of Chapter 23 (Zoning) of the Code of Ordinances which reads as follows is hereby repealed:

(A) Uses permitted: In the C-1A limited commercial district no building or premises shall be used and no building shall be erected or structurally altered which is arranged, intended or designed to be used for other than one or more of the following uses:

- (1) Any use permitted in the R-2 multiple family dwelling district.
- (2) Hotels and apartment hotels. Any shops, stores or restaurants connected with hotels and apartment hotels, shall have entrances only from within the structure and have no display or signs visible from the outside.
- (3) Motels
- (4) Schools of general education including kindergartens and day nurseries except correctional institutions.

(B) Building site area, front, side and rear yard regulations:

- (1) For single family dwellings, the minimum lot area and minimum yard provisions of the R-2 multiple family dwelling district shall govern.
- (2) For all other structures including multiple family dwellings, hotels, apartment hotels and motels, the minimum yard requirements of the R-2 multiple family dwelling district shall govern.
- (3) Building site area regulations: The minimum lot area for a single family dwelling shall be five thousand (5,000) square feet; for a two family dwelling, five thousand five hundred (5,500) square feet; for a three family dwelling, six thousand five hundred (6,500) square feet and for a

four family dwelling, seven thousand five hundred (7,500) square feet. For each additional dwelling unit over four, eight hundred (800) square feet of lot area per family unit shall be added. The minimum lot width shall be fifty feet for a single family dwelling and sixty feet for dwellings more than one family; provided, however, that a duplex, or two family dwelling may be built upon a lot having a fifty foot width (or two adjoining twenty-five foot lots) if the subdivision plat containing said lot was of public record prior to June 22, 1957, and contains at least fifty-five hundred square feet in area. All one story family dwelling units shall have at least one entrance and one exit.

That 3 (side yard) and 7 (floor area ratio) of Subsection B (Building Site Area Regulations) of Section 23.20.1 (Restricted commercial C-1B) of Chapter 23 (Zoning) of the Code of Ordinances which reads as follows is hereby repealed:

- (3) Side yard: A minimum side yard of at least ten per cent (10%) of the lot shall be maintained for all construction excluding parking lots and facilities. Walls may be permitted on the property line. Parking lots and structures less than two (2) stories shall set back a minimum of ten (10) feet.
- (7) Floor/area ratio: All nonresidential structures shall not exceed an aggregate building floor area (including covered parking) ratio to land area of one to one point five (1.5).

That Section 23.20 (C-1A Limited Commercial District) of Chapter 23 (Zoning) of the Code of Ordinances is hereby revised to read as follows:

(A) Uses permitted: In any C-1A district no building or premises shall be used and no building shall be erected or structurally altered which is arranged, intended or designed to be used for other than one or more of the following uses:

- (1) Single family dwelling
- (2) Two family dwellings
- (3) Multiple family dwellings
- (4) Townhouses
- (5) Condominiums and cooperatives
- (6) Hotels, motels, apartment hotels
- (7) Convenience grocery store (no larger than 3,500 square feet), branch banks with drive-in facilities, laundromat, dry cleaners (no processing on site), barber shop, beauty shop.
- (8) Schools of general education including kindergartens and day nurseries except correctional institutions.

(B) Building site area regulations:

- (1) Density:
 - (a) Single family 5000 square feet minimum lot size
 - (b) Two family 7500 square feet minimum lot size
 - (c) Multiple family, townhouses, condominium and cooperatives, hotels, Motels and apartment motels 15 dwelling units per acre

- (2) Front yard: A minimum twenty (20) feet shall be provided from the street line to any structure with the exception of ornamental walls, security walls and gate houses shall be set back five (5) feet from the front property line.
- (3) Side yard: There shall be a side yard of ten (10) feet minimum.
- (4) Rear yard: There shall be a rear yard not less than fifteen percent (15%) of the depth of the lot or twenty (20) feet, whichever is less.
- (5) Height Limitation: No building shall be constructed higher than three (3) stories or thirty-five (35) feet except as provided in Section 23-25 hereof.
- (6) Maximum lot coverage: Maximum lot coverage for all structures inclusive of covered parking shall not exceed forty (40) percent.
- (7) Floor area ratio: All non-residential structures shall not exceed an aggregate building floor area (including covered parking) ratio to land area of one to one (1:1).

(D) Site Plan Review: No construction or clearing of land may begin in any C-1A District prior to review of a site plan by the Riviera Beach Planning and Zoning Board. (The site plan review requirement shall not apply to the single family dwelling units). The intent of this review shall be to ascertain that the proposed new development is in conformity with the comprehensive plan and is not detrimental to the neighboring land use; and that an efficient pedestrian and vehicular traffic system including proper means of ingress and egress to the streets are provided for.

- (1) Site plan requirements: Each site plan review shall include:
 - (a) All lot dimensions and area
 - (b) All building dimensions
 - (c) Ground floor elevation in relation to "Mean Sea Level".
 - (d) Open and covered parking spaces
 - (e) Utility plans, including storm water drainage
 - (f) Landscaping plan
 - (g) Points of ingress and egress
 - (h) Easements for public access
 - (i) Front elevations of all buildings
 - (j) Placement and sizes of all signs

That 3 (side yard) and 7 (Floor/area ratio of Sub-section B (Building Site Area Regulations) of Section 23.20.1 (Restricted Commercial C-1B) of Chapter 23 (Zoning) of the Code of Ordinances is hereby revised to read as follows:

- (3) Side yard: A minimum side yard of at least ten percent (10%) of the lot shall be maintained for all construction excluding parking lots and facilities. Walls may be permitted on the property line. Parking lots and structures two stories or less shall set back a minimum of ten (10) feet.

- (7) Floor/area ratio: All nonresidential structures shall not exceed an aggregate building floor area (including covered parking) ratio to land area of one to one (1:1).

That 1 (Site Plan Requirements) of Sub-section D (Site Plan Review) of Section 23.20.1 (Restricted Commercial C-1B) of Chapter 23 (Zoning) of the Code of Ordinances is hereby amended by adding j and k which read as follows:

(j) Placement and sizes of all signs.

(k) Ground floor elevation in relation to "Mean Sea Level".

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

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

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

SECTION 4 This ordinance shall take effect upon its

passage as provided by law.

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

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

APPROVED:

Lucius G. Hill
Mayor

Henry A. Taylor

Harry R. Roberts

Edwin E. Boyd

David W. Williams

James G. Jones

ATTEST:

John W. [Signature]
City Clerk

David W. Williams

James G. Jones
Councilmen

February 7, 1974

NOTICE OF PROPOSES ORDINANCE

The below Bill, described by title only, will be placed on second reading at the regular meeting of the City Council of the City of Riviera Beach, Florida, to be held on Wednesday, March 6, 1974 at 7:30 p.m. at the City Hall, 2214 Avenue "E", or as soon thereafter as such Bill may be read:

BILL NO. 995

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 23 (ZONING) OF THE CODE OF ORDINANCES BY REPEALING AND REVISING 1, 2, 3 AND 4 OF SUB-SECTION A (USES PERMITTED) AND 1, 2 and 3 OF SUB-SECTION B (BUILDING SITE AREA, FRONT, SIDE AND REAR YARD REGULATIONS) OF SECTION 23-20 (C-1A LIMITED COMMERCIAL DISTRICT); 3 (SIDE YARD) AND 7 (FLOOR/AREA RATIO) OF SUB-SECTION B (BUILDING SITE AREA REGULATIONS) OF SECTION 23-20.1 (RESTRICTED COMMERCIAL C-1B) AND BY ADDING J (PLACEMENT AND SIZES OF ALL SIGNS) AND K (GROUND FLOOR ELEVATION IN RELATION TO "MEAN SEA LEVEL") TO 1 (SITE PLAN REQUIREMENTS) OF SUB-SECTION D (SITE PLAN REVIEW OF SECTION 23-20.1 (RESTRICTED COMMERCIAL C-1B) OF CHAPTER 23 (ZONING) OF THE CODE OF ORDINANCES; PROVIDING A SAVING CLAUSE; PRESCRIBING PENALTIES FOR THE VIOLATION OF ITS PROVISIONS; AUTHORITY TO CODIFY; AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

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

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

BY ORDER OF THE CITY COUNCIL

JOHN VAZQUEZ, CITY CLERK

PUSBLISH: The Palm Beach Post-Times, February 15, 1974.

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, FLORIDA, AMENDING DIVISION I (IN GENERAL) OF ARTICLE IV (MUNICIPAL COURT) OF CHAPTER 2 (ADMINISTRATION OF THE CODE OF ORDINANCES BY ADDING NEW SECTIONS GRANTING POLICE POWERS TO DEPARTMENT INSPECTORS AND CERTAIN CITY EMPLOYEES; EXCEPTIONS; AUTHORITY TO ISSUE PROCESS AND SERVE SAME; SERVICE OF PROCESS; PROVIDING FORM AND CONTENT OF PROCESS; PROVIDING PENALTY FOR FAILURE TO APPEAR; PROVIDING FOR ISSUANCE OF ARREST WARRANT, POWER TO PUNISH FOR CONTEMPT; 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 I (In General) of Article IV (Municipal Court) of Chapter 2 (Administration) of the Code of Ordinances be amended by adding the following sections:

Section 1. Any department inspector or city employee charged with the enforcement of the city code, ordinances or state laws is hereby invested with those powers of police officers necessary to the performance of their functions and law enforcement, except the power to arrest and take into custody any person.

Section 2. Such department inspectors or city employees shall have the authority to issue and serve upon any person accused of a violation of the city code, ordinances or state laws a subpoena designating a violation of any provision of the code of ordinances, ordinances or state laws which shall have the same force and effect as court process, requiring the accused to appear in the municipal court or before the city attorney or city prosecutor at a specified date, time and place stated therein.

Section 3. A copy of the subpoena shall be personally delivered to the accused by such department inspector or city employee who shall retain one copy of same and file the original return with the clerk of the municipal court, attesting personal service upon the accused.

Section 4. The form and content of the subpoena to be used in compliance with this ordinance shall first be approved by the City Council.

Section 5. Any person who willfully fails to appear before the municipal court or city attorney or city prosecutor as required by the subpoena shall be punished as provided by Section 1.8 of the Code of Ordinances and the clerk of the municipal court shall forthwith secure and have served a

warrant for the accused's arrest. In addition, such person will be subject to the court exercising its power to punish for contempt.

Section 6. If any section, part of a section, paragraph, sentence, clause, phrase or word of this ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holding or invalidity shall not affect the remaining portions of this ordinance and it shall be construed to have been the legislative intent to pass this ordinance without such unconstitutional, invalid or inoperative part therein, and the remainder of this ordinance after the exclusion of such part or parts shall be deemed to be held valid as if such part or parts had not been included therein, or if this ordinance or any of the provisions thereof shall be held inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances such holding shall not affect the applicability thereof to any other person, property or circumstances.

Section 7. Specific authority is hereby granted to codify this ordinance. It is the intention of the City Council, and it is hereby ordained, that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of Riviera Beach; that the sections of this ordinance may be renumbered or relettered to accomplish such intentions; and that the word "ordinance" may be changed to "section," "article," or other appropriate words.

Section 8. This ordinance shall take effect upon its passage as provided by law.

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

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

APPROVED:

Lucius D. Hill
Mayor

Henry A. Taylor
Harry R. Niblett
Bill E. Zand
David W. Williams
James M. Jones
Councilmen

ATTEST:

John Maggion
City Clerk

February 7, 1974

NOTICE OF PROPOSED ORDINANCE

The below Bill, described by title only, will be placed on second reading at the regular meeting of the City Council of the City of Riviera Beach, Florida, to be held on Wednesday, March 6, 1974 at 7:30 p.m. at the City Hall, 2214 Avenue "E", or as soon thereafter as such Bill may be read:

BILL NO. 996

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING DIVISION I (IN GENERAL) OF ARTICLE IV (MUNICIPAL COURT) OF CHAPTER 2 (ADMINISTRATION) OF THE CODE OF ORDINANCES BY ADDING NEW SECTIONS GRANTING POLICE POWERS TO DEPARTMENT INSPECTORS AND CERTAIN CITY EMPLOYEES; EXCEPTIONS; AUTHORITY TO ISSUE PROCESS AND SERVE SAME; SERVICE OF PROCESS; PROVIDING FORM AND CONTENT OF PROCESS; PROVIDING PENALTY FOR FAILURE TO APPEAR; PROVIDING FOR ISSUANCE OF ARREST WARRANT, POWER TO PUNISH FOR CONTEMPT; SAVING CLAUSE; AUTHORITY TO CODIFY; AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

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

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

BY ORDER OF THE CITY COUNCIL

JOHN VAZQUEZ, CITY CLERK

PUBLISH: The Palm Beach Post-Times, February 15, 1974.

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING SECTION 20-71 (STANDING OR PARKING CLOSE TO CURB) OF DIVISION 1 (IN GENERAL) OF ARTICLE IV (STOPPING, STANDING AND PARKING) OF CHAPTER 20 (TRAFFIC) OF THE CODE OF ORDINANCES BY ADDING A NEW SECTION PROHIBITING PARKING OF VEHICLES IN EXCESS OF 3/4 TON MAXIMUM LOAD CAPACITY OTHER THAN PASSENGER VEHICLES IN ANY PUBLIC RIGHT OF WAY WITHIN THE CITY; PROVIDING A PENALTY FOR THE VIOLATION OF ITS PROVISIONS; A SAVING CLAUSE; AUTHORITY TO CODIFY; AN EFFECTIVE DATE, AND FOR OTHER PURPOSES

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

That Section 20-71 (Standing or Parking Close to Curb) of Division 1 (In General) of Article IV (Stopping, Standing and Parking) of Chapter 20 (Traffic) of the Code of Ordinances is hereby amended by adding the following new section:

"It shall be unlawful for any person to park, stop or station any truck, bus or commercial vehicle in excess of 3/4 ton maximum load capacity in any public right-of-way or within the front yard lines as defined in Section 23-1, other than a driveway in any residential zoning district within the city."

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

SECTION 2. If any section, part of a section, paragraph, sentence, clause, phrase or word of this ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holding or invalidity shall not affect the remaining portions of this ordinance and it shall be construed to have been the legislative intent to pass this ordinance without such unconstitutional, invalid or inoperative part therein, and the remainder of this ordinance after the exclusion of such part or parts shall be deemed to be held valid as if such part or parts had not been included therein, or if this ordinance or any of the provisions thereof shall be held inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other person, property or circumstances.

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

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

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

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

APPROVED:

Lucius G. Hill
Mayor

Henry A. Taylor
Ray R. Nichols
Robert E. ...
David W. Williams
James M. Jones
Councilmen

ATTEST:

[Signature]
City Clerk

February 7, 1974

NOTICE OF PROPOSED ORDINANCE

The below Bill, described by title only, will be placed on second reading at the regular meeting of the City Council of the City of Riviera Beach, Florida, to be held on Wednesday, March 6, 1974 at 7:30 p.m. at the City Hall, 2214 Avenue "E", or as soon thereafter as such Bill may be read:

BILL NO. 997

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING SECTION 20-71 (STANDING OR PARKING CLOSE TO CURB) OF DIVISION 1 (IN GENERAL) OF ARTICLE IV (STOPPING, STANDING AND PARKING) OF CHAPTER 20 (TRAFFIC) OF THE CODE OF ORDINANCES BY ADDING A NEW SECTION PROHIBITING PARKING OF VEHICLES IN EXCESS OF 3/4 TON GROSS WEIGHT, OTHER THAN PASSENGER VEHICLES IN ANY PUBLIC RIGHT OF WAY WITHIN THE CITY; PROVIDING A PENALTY FOR THE VIOLATION OF ITS PROVISIONS; A SAVING CLAUSE; AUTHORITY TO CODIFY; AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

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

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

BY ORDER OF THE CITY COUNCIL

JOHN VAZQUEZ, CITY CLERK

PUBLISH: The Palm Beach Post-Times, February 15, 1974.

ORDINANCE NO. 998

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 6A (DISCRIMINATION) OF THE CODE OF ORDINANCES OF RIVIERA BEACH, BY REPEALING SECTION 6A-7 (ESTABLISHMENT OF COMMISSION ON HUMAN RIGHTS); SECTION 6A-8 (POWERS AND DUTIES OF COMMISSION ON HUMAN RIGHTS); SECTION 6A-9 (PROCEDURE RE UNLAWFUL PRACTICE); SECTION 6A-10 (APPEAL); SECTION 6A-11 (OTHER REMEDIES) AND SECTION 6A-12 (REAL ESTATE BROKERS); AUTHORITY TO CODIFY; AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

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

That Chapter 6A (Discrimination) of the Code of Ordinances of Riviera Beach is hereby amended by repealing the following sections attached hereto and made a part of this ordinance:

- A. SECTION 6A-7
- B. SECTION 6A-8
- C. SECTION 6A-9
- D. SECTION 6A-10
- E. SECTION 6A-11
- F. SECTION 6A-12

SECTION 1. Specific authority is hereby granted to codify this ordinance. It is the intention of the City Council, and it is hereby ordained, that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of Riviera Beach; that the sections of this ordinance may be renumbered or relettered to accomplish such intentions; and that the word "ordinance" may be changed to "section", "article" or other appropriate words.

SECTION 2. This ordinance shall take effect upon its passage as provided by law.

PASSED AND ADOPTED ON FIRST READING, this 20 day of

Set 1974.

PASSED AND ADOPTED ON SECOND AND FINAL reading this

20 day of March 1974.

APPROVED:

Lucius G Hill
Mayor

ATTEST:

John Wiggins
City Clerk

Henry A. Taylor
Sam R. Wilkots
James H. Jones
David W. Williams
City Council

§ 6A-7

RIVIERA BEACH CODE

§ 6A-8

(b) The city council shall appoint two (2) alternate members to serve on the commission of human rights in the absence of the regular appointed members of the commission. Of the two alternates first appointed by the council, one shall be appointed for one year and one shall be appointed for two years and thereafter each alternate shall be appointed for two (2) years.

(c) The commission on human rights shall appoint one of its members as vice-chairman to serve in the absence of the chairman. (Ord. No. 881, § 5, 11-9-71; Ord. No. 918, §§ 1, 2, 7-5-72)

Sec. 6A-8. Powers and duties of commission on human rights.

The commission on human rights is authorized and directed to:

(1) Receive, initiate, investigate, seek to conciliate, hold hearing upon and pass upon complaints alleging violations of this article; recommend ways of eliminating any injustices occasioned thereby; to carry out and enforce the purpose of this article.

(2) Administer oaths and compel the attendance of witnesses and the production of evidence before it by subpoena issued by the chairman of the committee.

(3) Encourage fair treatment for, to foster mutual understanding and respect among and to discourage discrimination against any racial or ethnic group or its members.

(4) Subject to approval of the city council of the City of Riviera Beach, to adopt, promulgate, amend and rescind rules and regulations to effectuate the purposes and provisions of this article, including regulations requiring the posting of notices prepared or approved by the commission.

(5) If, at any time after a complaint has been filed, or institution of an investigation on its own initiative, the

Supp. No. 50

72.58

Sec. 6A-7. Establishment of commission on human rights.

(a) There is hereby created a commission on human rights. The commission shall consist of seven (7) members, one to be appointed by each councilman and the mayor and one from the city at large by the city council who shall be chairman of the commission. Of the seven members first appointed, three shall serve for one year and four shall serve for two years. Thereafter all members shall be appointed for two years by the city council. In the event of the death or resignation of a member, his successor shall be appointed by the council to serve the unexpired term for which such member had been appointed.

Supp. No. 50

72.57

§ 6A-8

DISCRIMINATION

§ 6A-9

commission believes that appropriate civil action to preserve the status quo or to prevent irreparable harm appears advisable, the commission may refer the complainant, who is without counsel, to an appropriate agency or service available to assist in the selection or provision of counsel. Said referral shall be in addition to the other remedies and procedures herein set forth. (Ord. No. 881, § 6, 11-9-71)

Sec. 6A-9. Procedure re unlawful practice.

(1) Any person aggrieved by an unlawful practice prohibited by this article may file a complaint with the commission within thirty (30) days after the aggrieved person becomes aware of the alleged unlawful practice, and in no event more

§ 6A-9

DISCRIMINATION

§ 6A-9

than sixty (60) days after the alleged unlawful practice occurred. Within the same time period, any committee member of the commission who has reason to believe an unlawful practice has occurred may file a complaint naming the commission as the party complainant.

(2) Upon receipt of a complaint, the commission may advise the complainant of his civil remedies and may assist in securing counsel, and shall serve the complaint and a written resume setting forth the rights of the parties including but not limited to the right to a fair and full hearing on the matter before adjudication by the commission, upon the individual charged with a violation, hereinafter referred to as the respondent. Such service may be by certified mail.

(3) If within ten (10) days after such service, respondent requests a hearing before the commission, such hearing shall be granted expeditiously.

(4) Upon the conclusion of the hearing, an adjudicative order shall be issued and served upon the parties.

(5) In any proceedings under this section, the respondent may file a written answer to the complaint and may appear at the hearing in person or otherwise, with or without counsel, and submit evidence and be heard. The committee in conducting any hearing may permit amendment to any pleading. Testimony taken at the hearing shall be under oath and stenographic transcript shall be made available at cost to any interested party.

(6) (a) In conducting an investigation of a complaint, the commission or its designated representatives shall have access at all reasonable times to premises, records, documents, individuals, and other evidence or possible sources of evidence relevant to the complaint and may examine, record, photograph, and copy such materials and take and record the testimony or statements of such persons as are reasonably necessary for the furtherance of the investigation: Provided, however, that the commission and its committee and agents first comply with the

provisions of the Fourth Amendment relating to unreasonable searches and seizures. The commission may issue subpoenas to compel access to or the production of such materials, or the appearance of such persons, and may issue interrogatories to a respondent, to the same extent and subject to the same limitations as provided in Rule 1.340 Florida Rule of Civil Procedure and the City of Riviera Beach, Florida.

- (b) Upon written application to the commission, a respondent shall be entitled to the issuance of a reasonable number of subpoenas by and in the name of the commission to the same extent and subject to the same limitations as subpoenas issued by the commission itself. Subpoenas issued at the request of a respondent shall show on their face the name and address of such respondent and shall state that they were issued at his request.
- (c) Witnesses summoned by subpoena of the commission shall be entitled to the same witness and mileage fees as are witnesses in proceedings in the City Court of Riviera Beach, Florida. Fees payable to a witness summoned by a subpoena issued at the request of a respondent shall be paid by him.
- (d) Within five days after service of a subpoena upon any person, such person may petition the commission to revoke or modify the subpoena. The commission shall grant the petition if it finds that the subpoena requires appearance or attendance, at an unreasonable time or place, that it requires production of evidence which does not relate to any matter under investigation, that it does not describe with sufficient particularity the evidence to be produced, that compliance would be unduly onerous, or for other good reason.
- (e) In case of contumacy or refusal to obey a subpoena, the commission or the person at whose request it was issued may petition for its enforcement in the City Court of Riviera Beach, Florida.

Supp. No. 47

72.60

(f) Any person who wilfully fails or neglects to attend and testify or to answer any lawful inquiry or to produce records, documents, or other evidence, if in his power to do so, in obedience to the subpoena or lawful order of the commission, shall be fined by the City Court of Riviera Beach, Florida, not more than five hundred dollars (\$500.00) or imprisoned not more than sixty (60) days or both. Any person who, with intent thereby to mislead the commission, shall make or cause to be made any false entry or statement of fact in any report, account, record or other document submitted to the commission pursuant to its subpoena or other order, or shall willfully neglect or fail to make or cause to be made full, true, and correct entries in such reports, accounts, records or other documents, or shall willfully mutilate, alter, or by any other means falsify any documentary evidence, shall be fined not more than five hundred dollars (\$500.00) or imprisoned not more than sixty (60) days or both.

(7) The provisions of Rule 1.090, Florida Rules of Civil Procedure shall govern the computation of any period of time prescribed or allowed by this article or by rules, regulations, or orders adopted pursuant to this article.

(8) All papers or pleadings required by this ordinance to be served may be served by certified mail or in accordance with the provisions of Rule 1.080(b), Florida Rules of Civil Procedure.

(9) If the committee determines that any respondent has committed an unlawful act prohibited by this article, and the said respondent refuses to comply with or obey the adjudication of the committee, the committee shall forthwith file a complaint or affidavit in the City Court of Riviera Beach, Florida to be prosecuted by the appropriate city authorities.

(10) If respondent fails to request a hearing before the commission within ten (10) days after receipt of service of Supp. No. 47

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§ 6A-9

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§ 6A-12

the complaint, the commission shall forthwith file a complaint or affidavit in the City Court to be prosecuted by the appropriate city authorities. (Ord. No. 881, § 7, 11-9-71)

Sec. 6A-10. Appeal.

Any respondent or complainant aggrieved by a final order of the commission, or any complainant aggrieved by the dismissal of his complaint by the commission, shall be subject to review in the Circuit Court in the same manner provided for the review of other quasi-judicial administrative rulings. (Ord. No. 881, § 8, 11-9-71)

Sec. 6A-11. Other remedies.

Nothing herein contained shall prevent any person from exercising any right or seeking any remedy to which he might otherwise be entitled or from filing his complaint with any other agency. (Ord. No. 881, § 9, 11-9-71)

Sec. 6A-12. Real estate brokers.

If a real estate broker, a real estate salesman or an employee thereof has failed to comply with any order issued by the commission, or has been found to have committed an unlawful practice in violation of this article, the committee shall, in addition to the other procedures and penalties set forth herein, report the facts to the Real Estate Commission of the State of Florida. (Ord. No. 881, § 11, 11-9-71)

February 22, 1974

NOTICE OF PROPOSED ORDINANCE

The below Bill, described by title only, will be placed on second reading at the regular meeting of the City Council of the City of Riviera Beach, Florida, to be held on Wednesday, March 20, 1974 at 7:30 p.m. at the City Hall, 2214 Avenue "E", or as soon thereafter as such Bill may be read:

BILL NO. 998

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 6A (DISCRIMINATION) OF THE CODE OF ORDINANCES OF RIVIERA BEACH, BY REPEALING SECTION 6A-7 (ESTABLISHMENT OF COMMISSION ON HUMAN RIGHTS); SECTION 6A-8 (POWERS AND DUTIES OF COMMISSION ON HUMAN RIGHTS); SECTION 6A-9 (PROCEDURE RE UNLAWFUL PRACTICE); SECTION 6A-10 (APPEAL); SECTION 6A-11 (OTHER REMEDIES) AND SECTION 6A-12 (REAL ESTATE BROKERS); AUTHORITY TO CODIFY; AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

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

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

BY ORDER OF THE CITY COUNCIL

JOHN VAZQUEZ, CITY CLERK

PUBLISH: The Palm Beach Post-Times, February 25, 1974.

EMERGENCY ORDINANCE NO. 999

EMERGENCY ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, REPEALING SECTIONS 7-1 (ELECTOR QUALIFICATIONS-ENUMERATED), 7-2 (ELECTOR QUALIFICATIONS-PERSONS NOT QUALIFIED TO VOTE), 7-8 (POLLING PLACES-DESCRIPTIONS OF AREAS OR DISTRICTS), 7-14 (POLLING PLACES STRUCTURE) AND 7-22 (CANDIDATES-FEE; FILING) OF ARTICLE I (IN GENERAL); SECTIONS 7-35 (SUPERVISOR OF REGISTRATION; OATH AND COMPENSATION) 7-36 (RE-REGISTRATION), 7-37 (AVAILABILITY OF BOOKS TO OTHER UNITS), 7-38 (REGISTRATION FORMS), 7-39 (REMOVAL, DEATH, ETC. OF SUPERVISOR OF REGISTRATION), 7-40 (ELECTOR'S OATH) 7-41 (TIME AND PLACE OF REGISTRATION), 7-42 (PHYSICALLY DISABLED AND ILLITERATE PERSONS), 7-43 (FREEHOLDERS DEFINED), 7-44 (REGISTRATION OF FREEHOLDERS-METHOD), 7-45 (REGISTRATION OF FREEHOLDERS-PROOF), 7-46 (CHANGE IN REGISTRATION), 7-47 (MAKE-UP OF REGISTRATION BOOKS, CERTIFICATE OF OFFICIAL LISTS), 7-48 (INSPECTION AND COPIES OF REGISTRATION BOOKS) AND 7-49 (REVISION OF REGISTRATION BOOKS) OF ARTICLE II (REGISTRATION) AND SECTIONS 7-69 (ABSENT ELECTOR DEFINED), 7-70 (INSTRUCTIONS), 7-71 (ABSENTEE BALLOT-APPLICATION; TIME AND FORM), 7-72 (ABSENTEE BALLOT-FILING AND RECORD), 7-73 (ABSENTEE BALLOT-NUMBERING; RETURN; FORM), 7-74 (ABSENTEE BALLOT-SIGNING, SEALING, MAILING), 7-75 (ABSENTEE BALLOT-SAFEKEEPING, DEADLINE), 7-76 (CANVASSING RESULTS), AND 7-77 (VOTING IN PERSON: RETURN OF BALLOT; DOUBLE VOTING) OF DIVISION 2 (ABSENTEE VOTING) OF ARTICLE III (VOTING PROCEDURE AND RESULTS) OF CHAPTER 7 (ELECTIONS) OF THE CODE OF ORDINANCES AND REPEALING IN PART SECTION 7-10 (POLLING PLACES-SUPPLIES) BY AMENDING THE WORD "SUPERVISOR" TO READ "CITY SUPERVISOR OF ELECTIONS"; SECTION 7-12 (POLLING PLACES-WATCHERS THEREAT) BY DELETING THE WORDS "IN SUBSTANTIALLY THE FOLLOWING FORM:" FROM THE LAST SENTENCE IN THE FIRST PARAGRAPH AND IN LIEU THEREOF INSERTING THE FOLLOWING WORDS "AS PRESCRIBED BY THE COUNTY SUPERVISOR OF ELECTIONS" AND BY REPEALING THE FORM CERTIFICIATE THEREIN: SECTION 7-16 (INSPECTORS AND CLERKS-OATH) BY DELETING THE WORD "REGISTRATION" AND IN LIEU THEREOF INSERTING THE WORD "ELECTIONS" AT THE END OF THE SECOND SENTENCE OF THE FIRST PARAGRAPH; SECTION 7-19 (INSPECTORS AND CLERKS-INSTRUCTIONS) BY DELETING THE "SUPERVISOR OF REGISTRATION" CONTAINED AT THE BEGINNING OF THE FIRST SENTENCE AND IN LIEU THEREOF INSERTING THE WORDS "CITY SUPERVISOR OF ELECTIONS" OF ARTICLE I (IN GENERAL) AND SECTION 7-29 (CERTIFICATION OF ELECTION) BY DELETING THE WORDS "SUPERVISOR OF REGISTRATION" CONTAINED IN THE BEGINNING OF THE FIRST SENTENCE AND IN LIEU THEREOF INSERTING THE WORDS "CITY SUPERVISOR OF ELECTIONS" OF ARTICLE II (REGISTRATION), AND SECTION 7-62 (IDENTIFICATION SLIPS AND AFFIDAVITS-DOUBTFUL SIGNATURES) BY DELETING THE WORD "TOWN" CONTAINED IN THE VENUE PART OF THE FORM AFFIDAVIT AND IN LIEU THEREOF INSERTING THE WORD "CITY" AND FURTHER DELETING THE WORD "TOWN" CONTAINED IN THE BODY OF THE FORM AFFIDAVIT OF DIVISION I (GENERAL PROVISIONS) OF ARTICLE III (VOTING PROCEDURE AND RESULTS) OF CHAPTER 7 (ELECTIONS) OF THE CODE OF ORDINANCES: PROVIDING A SAVING CLAUSE; AUTHORITY TO CODIFY; AN EFFECTIVE DATE, AND FOR OTHER PURPOSES

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

That Chapter 7 (Elections) of the Code of Ordinances is hereby amended by repealing the following sections:

Sec. 7-1. Elector qualifications—Enumerated.

Any person who has reached the age of twenty-one years who shall, at the time of the election at which such person may tender his vote, be a citizen of the United States and of the State of Florida, and shall have resided within the State of Florida for one year and within the corporate limits of the municipality for a period of more than six months preceding such election, and shall have complied with the ordinances of the municipality relating to the registration of electors therein, and shall have complied in all other respects with the provisions of the charter of the municipality, the laws of the State of Florida and the Constitution of the State of Florida, shall be entitled to vote in any municipal election of the municipality and shall be deemed a qualified elector at any such election held under and pursuant to the charter and laws of the municipality.

Sec. 7-2. Same—Persons not qualified to vote.

Persons within the following categories are not entitled to vote:

- (1) Persons not registered;
- (2) Persons under guardianship or confined in any state
- (3) Persons insane or idiotic;
- (4) Persons convicted of any felony by any court of record and whose civil rights have not been restored;
- (5) Persons convicted of bribery, perjury, larceny or any infamous crime in this or other state, or interested in any wager depending upon the result of any election.

Sec. 7-8. Polling places—Descriptions of areas or districts.

There shall be four (4) polling places in the City of Riviera Beach, and they are designated as follows: Precinct No. 3-C, Precinct No. 3-B, Precinct No. 3-A, and Precinct No. 3.

- (1) The polling place of Precinct No. 3-C is hereby designated at Fire Station #2, located at 1650 Blue Heron Boulevard, Riviera Beach, Florida. All voters who are qualified to participate in any election, primary, general or special, hereafter held in the municipality and have their habitation, domicile, home and place of permanent abode in that territory described as:

From the east one-quarter of said section 31, run northerly along the east line of said section 31 a distance of 686 feet; thence westerly parallel with the east-west one-quarter section line of section 31, a distance of 1,743.75 feet; thence southerly parallel with the east line of section 31, a distance of 130 feet; thence westerly parallel with said east-west one-quarter section line 470 feet; thence northerly parallel with the east line of section 31, a distance of 406 feet; thence easterly parallel with said east-west one-quarter section line 1,166.25 feet; thence northerly parallel with the east line of section 31, a distance of 286 feet; thence easterly parallel the said east-west one-quarter section line 1,047.5 feet to the east line of said section 31; thence southerly along the east line of section 31 to the point of beginning.

and that parcel of land in the northwest quarter of section 32, Township 42 South, Range 43 East, more particularly described as follows:

Beginning at the southwest corner of a tract of land in Palm Beach County, Florida, known as Kelly Addition, as the same is shown on plat recorded in plat book 4, page 70, of the public records of Palm Beach County, Florida; thence easterly along the south line of said Kelly Addition to the southeast corner of said Kelly Addition; thence northerly along the east line of said Kelly Addition to the northeast corner of said Kelly Addition; thence continue north along a northerly projection of the east line of said Kelly Addition a distance of 130 feet to a point in a line 130 feet south of

and parallel to the north line of section 32, Township 42 South, Range 43 East; thence westerly along said parallel line to the point of intersection with the northerly projection of the westerly right-of-way line of Acrehome Road as shown on said plat of Kelly Addition; thence southerly along the northerly projection of the westerly right-of-way line of Acrehome Road, a distance of 150 feet to the northeast corner of lot 1, block 1, said Kelly Addition; thence continuing southerly along said westerly right-of-way line of Acrehome Road and the easterly line of lots 1 through 8, block 1 of said Kelly Addition, a distance of 200 feet to the southeast corner of lot 8, block 1, said point being also in the northerly right-of-way line of Lee Street, according to said plat of Kelly Addition; thence westerly along said northerly right-of-way line of Lee Street and along the southerly line of lots 8 through 21, block 1, a distance of 413.11 feet to the southwest corner of said lot 21, block 1; thence northerly along the west line of said lot 21, a distance of 100 feet to the northwest corner of lot 21, said point being also the southeast corner of lot 37, block 1; thence westerly along the south line of lots 37 through 30, a distance of 200 feet to the southwest corner of said lot 30, block 1, said point being also in the easterly right-of-way line of Cedar Street, according to said plat of Kelly Addition; thence northerly along said easterly right-of-way line of Cedar Street and the westerly line of lot 30, a distance of 100 feet to the northwest corner of said lot 30, block 1; thence continuing along the northerly projection of the westerly line of said lot 30, and the easterly right-of-way line of Cedar Street, a distance of 20 feet to the center line of Kelly Street; thence westerly along the center line of Kelly Street, a distance of 25 feet to the west line of Section 32; thence southerly along the west line of section 32 to the point of beginning;

and

Beginning at the east one-quarter corner of section 30, Township 42 South, Range 43 East, Palm Beach County, Florida; thence westerly along the east-west one-quarter section of said section 30, to the easterly right-of-way line of the Central and Southern Florida Flood District canal C-17 as now laid out and in use; thence southerly along the said easterly right-of-way line of canal C-17 to the northerly right-of-way line of state road 710, as said right-of-way is shown on plat recorded in road plat book 3, pages 151 through 160, public records of Palm Beach County, Florida; thence easterly along the northerly right-of-way of state road 710 to the east line of section 31, Township 42 South, Range 43 East; thence northerly along said east line of section 31 to a line parallel with and 360 feet southerly from the north line of the south half of said section 31; thence westerly along said parallel line 1,495.32 feet; thence northerly at right angles to the preceding course, 295 feet to a line parallel with and 65 feet south of the north line of the south half of said section 31; thence westerly along said parallel line to the said easterly right-of-way line of canal C-17; thence northerly along the easterly right-of-way of canal C-17 a distance of 65 feet to the north line of the south half of said section 31; thence easterly along the north line of the south half of section 31 to the east one-quarter corner of said section 31; thence northerly along the east line of said section 31, a distance of 686 feet; thence westerly parallel with the east-west one-quarter section line of section 31, a distance of 1,743.75 feet; thence southerly parallel with the east line of section 31, a distance of 130 feet; thence westerly parallel with said east-west one-quarter section line 470 feet; thence northerly parallel with the east line of section 31, a distance of 406 feet; thence easterly parallel with said east-west one-quarter section line 1,166.25 feet; thence northerly parallel, with the east line of Section 31 a distance of 286 feet; thence easterly parallel with said east-west one-quarter section line 1,047.5 feet to the east line of said section 31; thence northerly along the east line of said section 31 to the northeast corner thereof; thence westerly along the south line of said section 30 to the distance of 758.34 feet, more or less, to a point in the southerly right-of-way line of Blue Heron Boulevard (state road 710) according to the plat thereof recorded in road plat book 2, pages 171 to 173, public records of Palm Beach County, Florida; thence easterly along the southerly right-of-way line of Blue Heron Boulevard to the east line of said Section 30. Thence northerly along the east line of Section 30 to the Point of Beginning;

shall vote at the polling place designated as Precinct No. 3-C, Fire Station #2, located at 1650 Blue Heron Boulevard, Riviera Beach, Florida.

- (2) The polling place of Precinct No. 3-B is hereby designated at Fire Station #3, located at 5136 Ocean Drive, Riviera Beach, Florida. All voters who are qualified to participate in any election, primary, general or special, hereafter held in the municipality and has his habitation, domicile, home and place of permanent abode in the territory described as:

Beginning at the point of intersection of the center line of the intracoastal waterway with a line parallel with and 1,294 feet south of the north line of section 22, Township 42 South, Range 43 East; thence east along said line parallel to 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 to and 8,000 feet southerly from, measured at right angles to, the north line of section 10; thence easterly along said line parallel to and 8,000 feet south of the north line of said section 10 to the water's edge of the Atlantic Ocean; thence southerly along the water's edge 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 water's edge of the Atlantic Ocean to a point in a line 1,000 feet south of, measured at right angles to, the south line of said replat of Yacht Harbor; thence on a true west line and parallel to the south line of said replat of Yacht Harbor to a point in the southerly extension of the center line of that part of state road 703 (formerly state road 140) which runs northerly and southerly through said replat of Yacht Harbor; thence continuing on the same course west 1,539 feet; thence along a line with a bearing of North 88.03' 30" West to its intersection with the center line of the channel of the Intercoastal Waterway, as now established; thence northerly along the center line of the Intracoastal Waterway to the point of beginning;

shall vote at the polling place designated as Precinct No. 3-B, Fire Station #3, located at 5136 Ocean Drive, Riviera Beach, Florida.

- (3) The polling place of Precinct No. 3-A is hereby designated at Tate Recreational Hall, located at 1420 West 10th Street, Riviera Beach, Florida. All voters who are qualified to participate in any election, primary, general or special, hereafter held in the municipality and has his habitation, domicile, home and place of permanent abode in the territory described as:

Commencing at the intersection of the westerly side of the right-of-way of the Florida East Coast Railway Company and a line 206 feet south of the south line of the northeast one-quarter of section 29, Township 42 South, Range 43 East, which line is the south line of a subdivision known as Lauraville extended east; thence west along the south line of Lauraville Addition to the southwest corner of said subdivision, which is on the east line of the west half of the southwest one-quarter of said section 29; thence south along said line to the southeast corner of the west half of the northwest one-quarter of section 32, Township 42 South, Range 43 East; thence west along the south line of the west half of the northwest one-quarter of said section 32 to the west line of said section 32; thence north along the west line of said section 32 and the west line of said section 29 to the north line of said section 29 and the north corporate limits of the City of Riviera Beach; thence east along the north line of said corporate limits to the westerly side of the right-of-way of the Florida East Coast Railway Company; thence southerly along said right-of-way line to the point of beginning.

Also

All of the southeast one-quarter of section 32, Township 42 South, Range 43 East and that part of the southwest one-quarter of section 33, Township 42 South, Range 43 East lying west of the Florida East Coast Railway Company right-of-way.

Also the following two (2) parcels of land:

Parcel 1. Riviera Heights.

The north half of the northwest one-quarter of the southwest one-quarter of section 32, Township 42

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South, Range 43 East containing an area of twenty (20) acres, more or less, known as Riviera Heights. Parcel 2.

The east half of the northeast one-quarter of the northeast one-quarter of the southwest one-quarter of section 32, Township 42 South, Range 43 East; shall vote at the polling place designated as Precinct No. 3-A, Tate Recreation Hall, located at 1420 West 10th Street, Riviera Beach, Florida.

- (4) The polling place of Precinct No. 3 is hereby designated in City Hall, located at 22-14 Avenue E, Riviera Beach, Florida. All voters who are qualified to participate in any election, primary, general or special, hereafter held in the municipality and has his habitation, domicile, home and place of permanent abode in the territory limits of the municipality, not specifically included in the territory described in subsections 1, 2 and 3 of this section, shall vote at City Hall.

Sec. 7-14. Same—Structure.

Each polling place in the municipality shall be railed off by the election officials and a space constructed in which to hold the election, with an opening at one end for entrance of the electors and an opening at the other end for their exit.

Sec. 7-22. Candidates—Fee; filing.

Any qualified elector and freeholder within the municipality may become a candidate for any office to be filled at any election by paying to the municipal clerk a qualifying fee in the sum of fifty dollars and by filing with the municipal clerk, not less than thirty days prior to the primary election, a written notice that he or she intends to be a candidate at such election, stating for what office and requesting that his or her name be placed upon the ballot to be prepared for the election; which notice shall be by such candidate signed and acknowledged by a notary public or other officer duly authorized to administer oaths. The municipal clerk is authorized to administer the oath in all such cases.

Article II. Registration.

Sec. 7-35. Supervisor of registration; oath and compensation.

The legislative body shall annually appoint, subject to removal at any time, one competent and fair minded person, who shall be a qualified elector of the municipality, as supervisor of registration. The clerk of the municipality shall be eligible for appointment as supervisor of registration and it shall be his duty to act as such in the event no such appointment is made by the legislative body, or in case a vacancy should occur, before such vacancy is filled by the council. The supervisor of registration shall, before entering upon the performance of his duties, take the oath prescribed by section 2, Article XVI of the Constitution of the State of Florida. The compensation of the supervisor of registration shall be fixed by the legislative body.

Sec. 7-36. Re-registration.

The supervisor of registration of the municipality is directed to re-register all of the qualified electors and freeholders within the municipality in substantial accordance with the permanent system of registration now in effect in the County of Palm Beach. (Ord. No. 320, § 1, 2-20-52)

Sec. 7-37. Availability of books to other units.

The supervisor of registration will make the registration books available at the city hall in the municipality on such

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dates and between such hours as the supervisor of registration may determine from time to time. The supervisor of registration shall, if practicable, cause a notice to be published in a newspaper of general circulation in the municipality of the times and places when the registration books will be open for the registration or the re-registration of all electors and freeholders in accordance with this chapter. (Ord. No. 320, § 3, 2-20-52; Ord. No. 639, § 1, 5-20-64)

Amendment note—Ord. No. 639, § 1, enacted May 20, 1964, amended § 7-37 of this Code by designating the city hall as the place for registration, in lieu of the former George Washington Elementary School and the Community Fire Hall.

Sec. 7-38. Registration forms.

The forms to be used in such permanent system of registration shall be as designated by the supervisor of registration in substantially the form of those used by the County of Palm Beach. (Ord. No. 320, § 2, 2-20-52)

Sec. 7-39. Removal, death, etc. of supervisor of registration.

Upon the removal, death or resignation of the supervisor of registration and on the appointment of his successor, all the books and papers and other paraphernalia pertaining to his office shall be immediately delivered over to such successor. (Ord. No. 341, § 5, 12-17-52)

Sec. 7-40. Elector's oath.

Upon application for registration each elector shall be required to take and prescribe the following oath:

"I do solemnly swear (or affirm) that I will protect and defend the Constitution of the United States and of the State of Florida; that I am twenty-one years of age; that I am a citizen of the United States and of the State of Florida; and that I have been, or at the time of holding the next election will have been, a resident of the Town of Riviera Beach, Palm Beach County, Florida, for a period of six months. That I am qualified to vote in such Town election under the Charter of the Town of Riviera Beach and under the Constitution of and laws of the State of Florida." (Ord. No. 341, § 6, 12-17-

Sec. 7-41. Time and place of registration.

(a) The supervisor of registration shall keep the registration books of the municipality open at city hall during regular business hours, that is, from 9:00 a.m. to 5:00 p.m. every day with the exception of Saturdays, Sundays and legal holidays. In addition thereto, the supervisor of registration may keep the registration books open in each precinct at convenient times and locations from January 1, of each year until the time of the closing of the books for the April primary and general election. The registration books shall be closed twenty (20) days prior to the primary or special election and shall remain closed until after the next succeeding general election; or, after the special election, whichever is applicable. The supervisor of registration shall, if practicable, cause a notice to be published in a newspaper of general circulation in the municipality of the times and locations when the registration books will be open in various precincts for registration or re-registration of all electors.

(b) The supervisor of registration may keep the registration books open in each precinct at convenient times and locations not to exceed sixty (60) days prior to the closing of the books for any special election.

(c) The supervisor of registration may appoint such deputy supervisors as in his discretion may be necessary to accomplish the purpose of registering all qualified electors in the municipality in the manner specified in this chapter. (Ord. No. 341, § 7, 12-17-52; Ord. No. 509, 4-27-60; Ord. No. 639, § 2, 5-20-64; Ord. No. 886, § 3, 12-1-71)

Amendment note—Ord. No. 886, §§ 1—3, amended § 7-41 to read as set out.

Sec. 7-42. Physically disabled and illiterate persons.

If any elector is unable to sign his name the supervisor of registration shall sign the elector's name for him and enter his reasons upon the register. If physical infirmity is the reason for inability to write the elector shall state that fact and the supervisor of registration shall so indicate in the register. If illiteracy is claimed as reason for inability to write upon the registration book, then upon submitting satis-

factory proof that such person cannot write his own name, the applicant may be allowed to register in the registration books by using the "X" mark as means of writing his signature. The supervisor shall, in addition to entering such facts on the books, enter a full description of the person, giving his height, approximate weight, color, complexion and color of eyes. (Ord. No. 341, § 8, 12-17-52)

Sec. 7-43. Freeholder defined.

Any person is deemed a freeholder who has an immediate ownership, interest or equity in the title to a fee simple estate in land situate in the municipality. (Ord. No. 341, § 9, 12-17-52)

Sec. 7-44. Registration of freeholders—Method.

The supervisor of registration shall require every person registering to state under oath or affirmation whether he is a freeholder and record it opposite his name in the registration books. The legislative body may at any time call for a re-registration of freeholder electors for the purpose of securing a new and up-to-date list of freeholders to be used for qualifying freeholder electors to participate in any election called for the purpose of approving the issuance of bonds of the municipality or for the purpose of approving an act with reference thereto. The latest list of re-registered, qualified, freeholders shall supersede prior lists and in any bond election held after a re-registration of freeholders the power to issue bonds shall be based upon the approval by a majority of votes cast in an election in which a majority of re-registered freeholders who re-registered and are qualified shall participate. The legislative body shall be responsible for calling for such re-registration, notifying the supervisor, and shall publish the calling of such re-registration in a newspaper of general circulation in the municipality and once each week for four consecutive weeks, stating the purpose and use of such re-registration. The registration books shall be kept open for at least sixty days and closed at least twenty days prior to the holding of any bond election at which time a certified number of re-registered freeholders shall be available as provided by law. (Ord. No. 341, § 10, 12-17-52)

Sec. 7-45. Same—Proof.

Qualifications and registration of electors participating in any bond election are the same as prescribed in voting in any election under the general election law and in addition they shall submit proof by affidavit, tax receipt, deed or certified copy of deed before the registration officer that they are freeholders who are qualified electors residing in the municipality. (Ord. No. 341, § 11, 12-17-52)

Sec. 7-46. Change in registration.

It is the duty of the electors under the permanent registration system in effect in the municipality to notify the supervisor in person of any change in his record with reference to name by marriage or other legal process. (Ord. No. 341, § 12, 12-17-52)

Sec. 7-47. Make-up of registration books; certification of official lists.

Immediately upon the expiration of the time for registration, the supervisor shall make up the registration books for each polling place so that two (2) books for each polling place are as nearly duplicate as possible. The duplicate books shall be marked and noted on the back to designate clearly the polling place to which they belong and the other books marked on the back supervisor's copy and kept at all times in the supervisor's office. The supervisor shall attach a certificate to each of the two (2) books certifying that they have been examined and revised and that the registration was made in compliance with the charter of the municipality and Constitution and Laws of the State of Florida, impartially to the best of his ability. The books or lists of names so revised, with the additions, corrections, erasures and revisions, in conformity to law shall constitute the registration books and elector's list of the municipality. (Ord. No. 341, § 13,

Sec. 7-48. Inspection and copies of registration books.

The registration books are public records. Every citizen of the city is allowed to examine the books while they are in custody of the supervisor but is not allowed to make copies or extracts therefrom. The supervisor may furnish copies of the name, occupation, color and residence of any electors upon reasonable compensation but shall not furnish in writing any other information contained in the books. (Ord. No. 341, § 14, 12-17-52)

Sec. 7-49. Revision of registration books.

(a) *Permanent removal of names from registration books; procedure.* The supervisor of registration shall upon the day the registration books are closed, certify in writing to the legislative body to the best of his knowledge and belief, the names of all persons who have died or who have become ineligible to vote and whose names have been stricken from the registration books. It shall be the duty of the legislative body to cause to be published in a newspaper published in the municipality and also to post on the bulletin board of the city hall, a list of the names, alphabetically arranged, that have been erased or stricken from the registration books, and also a list of names which registration has been refused. Any person whose name shall have been wrongfully or erroneously erased or stricken or the registration thereof refused, and who shall within not less than five (5) days prior to the date of the election to be held, make such fact appear to the satisfaction of the legislative body shall be entitled to have his or her name restored to the registration rolls.

(b) *Temporary removal of names from registration books; procedure.* Between October first and January thirty-first, preceding a primary and/or general election, upon adoption of the permanent registration system the supervisor shall mail to each elector who did not vote in any election in the city during the past three (3) years, a form to be filled in, signed and returned by mail within thirty (30) days after the notice is postmarked. The form returned shall advise the supervisor whether the elector's status has changed from that of the registration record. Names of electors failing to return the forms within this period shall have their names withdrawn temporarily from the registration books. The list of electors, temporarily withdrawn, shall be posted at the city hall. Names will be restored to the registration records when the elector in person makes known to the supervisor that his status has not changed. The supervisor is then required to reinstate the names on the registration books at any time the books are open without the elector reregistering. This is not a reregistration but a method to be used for keeping the permanent registration list up to date. (Ord. No. 341, § 15, 12-17-52; Ord.

Sec. 7-69. Absent elector defined.

The term absent elector shall mean any registered and qualified elector who due to physical disability is unable without another's assistance to attend the polls, or any qualified elector wherever he may be, except persons confined in prison or jail, so long as he will not be in the county of his residence during the hours the polls are open for voting on the day of any election. Such person may cast an absentee ballot upon compliance with the absent elector provisions of this chapter. (Ord. No. 341, § 64, 12-17-52.)

Sec. 7-70. Instructions.

The supervisor shall enclose with each ballot sent to an absent elector separate printed instructions furnished by them containing substantially the following: "Upon receipt of the enclosed ballot you will mark the same according to the instructions, then detach stub No. 2 bearing the initial of the supervisor from the ballot. Place the marked ballot in the enclosed plain envelope and securely seal it, and then place stub No. 2 and sealed plain envelope in the second envelope addressed to the supervisor. Fill out the statement printed on the back of the envelope, sign, and have the envelope signed by two witnesses who have seen you sign, place the necessary postage upon the envelope and deposit it in the post office or in some government receptacle provided for the deposit of mail, or deliver it personally to this office so that absent elector's ballot will reach the supervisor of registration not later than five o'clock in the afternoon of the day preceding the primary, general or special election. (Ord.

Sec. 7-71. Absentee ballot—Application; time and form.

At any time during the forty-five days preceding any election any elector intending to be absent on the day of election from his home county may make application to the supervisor either in person or by mail, upon a blank furnished by the supervisor for the official ballot to be voted at such election. The application may be made on a blank prepared by the elector if the application is substantially in the form required by this chapter. When any written request of an elector for an absentee ballot sets forth statutory grounds for making application for such ballot it shall be accepted as a bona fide application if the signature on the application agrees with the elector's signature on the registration books. The application blank shall be sent immediately, by mail, to the absent elector by the supervisor, together with the absentee ballot if they are ready for distribution or shall be delivered to the absent elector upon personal application at the supervisor's office. The application blank shall be in substantially the following form, and signed by the applicant and witnessed as required under this chapter:

Application for absent elector's ballot.

I, _____, duly qualified and registered as an elector of the Town of Riviera Beach of the county of Palm Beach, and State of Florida, and a _____, not confined to prison or jail, and

(give occupation)

intending to be absent from the said Town and County on the day for holding such election because (check appropriate reason):

(1) — I am physically disabled and unable without the assistance of another to attend the polls on election day.

(2) — I intend to be absent from the Town and County during the entire period the polls are open for voting on the day of election and cannot without manifest inconvenience vote in person, I hereby make application for an official ballot, or ballots, to be voted by me

at the election to be held in _____
on _____.

(date)

Send "absent elector's ballot" to me at _____ post office, county, city address, if any _____.
Home address of applicant _____, Date _____.

In witness whereof I have hereunto set my hand and seal this _____ day of _____ 19____.

Signed and sealed in presence of:

(Two witnesses)

_____(SEAL)

Signature of absent elector

Sworn to and subscribed before me

My commission expires

_____(SEAL)

Notary Public or other officer
authorized to administer oaths.

(Ord. No. 341, § 65, 12-17-52.)

Sec. 7-72. Same—Filing and record.

Upon receipt of application for absentee ballot, filled out and signed, the supervisor shall file it in his office and enter the name and address of the applicant to which the ballot is to be sent, upon a list to be kept by the supervisor or clerk for that purpose, together with the date of receiving the application, the date of mailing or delivering the ballot to the elector, the date of receiving the ballot from the elector and such other information he may deem necessary. (Ord. No. 341, § 66, 12-17-52.)

Sec. 7-73. Same—Numbering; return; form.

The supervisor shall, after the printer delivers the ballots, prepare the first numbered ballot for the first applicant, the second ballot for the second applicant, and so on. The supervisor shall initial both stubs No. 1 and No. 2 and enter the name of the elector in the place indicated for the elector to

sign. If the applicant appears in person he shall sign stub No. 1 as if he were voting on election day. The supervisor shall then detach the ballot and stub No. 2 from No. 1 and forward by mail, postage prepaid or deliver personally, one of such ballots with stub No. 2 attached (or if there be more than one kind of ballots to be voted, then one of each kind) to each applicant as shown by section 7-72 provided such applicant is properly registered. The supervisor shall not receive such applications after the deadline provided in section 7-70. The supervisor shall enclose with such ballot two envelopes, a plain white envelope into which the absent voter shall enclose and seal his marked ballot and then place the sealed white envelope, together with detached stub No. 2 in the second envelope which is addressed to the supervisor and also bearing on the back side a printed statement in substantially the following form:

I _____, do solemnly declare that I am a resident of Riviera Beach in the county of Palm Beach, State of Florida, and have been a resident of such city for six months and of this state for one year and am entitled to vote in said town; that the enclosed ballot was marked by me personally and enclosed in this envelope and sealed by me without being exhibited to any other person.

In the presence of:

(Two witnesses)

(Signature of absent Elector)

The statement shall be so arranged that the signatures of the absent elector and two witnesses shall be across the flap of the envelope. The absent elector shall sign the envelope and the two witnesses shall then sign certifying that the person is personally known to them and the names signed as the absent elector is the correct name. (Ord. No. 341, § 68, 12-17-52.)

Sec. 7-74. Same—Signing; sealing; mailing.

Upon the receipt of the absentee ballot and printed instruction as provided in section 7-70 the absentee shall, in secret, make his ballot, follow the instructions enclosed with his ballot and return same to the supervisor of registration. (Ord. No. 341, § 69, 12-17-52.)

Sec. 7-75. Same—Safekeeping; deadline.

The supervisor shall safely keep in his office any envelopes received containing marked ballots of absent electors, and he shall, before the canvassing of the election returns deliver the envelopes to the canvassing board and his list kept regarding same. All marked absent elector's ballots to be counted must be received by the supervisor by five o'clock in the afternoon of the day preceding any election, all ballots received thereafter shall be marked with the time and date of receipt, and filed in his office. No application for an absent elector's ballot shall be received or handed out to an elector unless there remains time for the ballot to be mailed to the supervisor by United States mail or personally voted in the office of the supervisor before the deadline for receiving such ballots. (Ord. No. 341, § 70, 12-17-52.)

Sec. 7-76. Canvassing results.

(a) The supervisor of registration shall receive the voted ballot and shall safely keep the ballot unopened in his office until the canvassing board canvasses the vote according to law. The canvassing board shall compare the information on the back of the envelope with the registration book to see that the elector is duly registered in the town, has not voted on election day and to determine the legality of the absent elector's ballot. If it is determined, by the canvassing board that any vote is illegal, then some member of the board shall, without opening the envelope, mark across the face of the envelope "rejected as illegal". The envelope and the ballot contained therein shall be preserved in the manner that official ballots voted are preserved.

(b) The canvassing board shall then open the covering envelope and record the ballot upon the poll book of the proper polling place in the same manner as clerks of elections record votes. The ballots for the entire town still in the plain sealed envelope shall be mixed up so as to make it impossible to determine which plain envelope came out of which signed envelope. The vote of all absent electors shall be added to the total of the poll for the town. (Ord. No. 341, § 71, 12-17-52.)

Sec. 7-77. Voting in person; return of ballot; double voting.

The provision of this chapter shall not be construed to prohibit any absent elector, returning to his home from voting at any election notwithstanding that he may have made application for an absent elector's ballot and same may have been mailed to him; provided, that the elector has not voted the ballot and provided also that he returns the ballot if he received same to the election board at his polling place. The returned ballot shall be marked "canceled" by the board and placed in the regular box of other canceled ballots. (Ord. No. 341, § 72, 12-17-52.)

That Chapter 7 (Elections) of the Code of Ordinances is hereby amended as follows:

SECTION 7-8 POLLING PLACES

Those polling places designated by the County Commissioners within the City are hereby adopted.

That Chapter 7 (Elections) of the Code of Ordinances is further amended by repealing in part the following sections:

SECTION 7-10 POLLING PLACES-SUPPLIES

By amending the word "Supervisor" to read "City Supervisor of Elections."

SECTION 7-12 POLLING PLACES-WATCHERS THEREAT

By deleting the words "in substantially the following form:" from the last sentence in the first paragraph and in lieu thereof inserting the following words "as prescribed by the County Supervisor of Elections" and by repealing the form certificate therein.

SECTION 7-16 INSPECTORS AND CLERKS-OATH

By deleting the word "Registration" and in lieu thereof inserting the word "Elections" at the end of the second sentence of the first paragraph.

SECTION 7-19 INSPECTORS AND CLERKS-INSTRUCTIONS

By deleting the words "Supervisor of Registration" contained at the beginning of the first sentence and in lieu thereof inserting the words "City Supervisor of Elections."

SECTION 7-29 CERTIFICATION OF ELECTION

By deleting the words "Supervisor of Registration" contained in the beginning of the first sentence and in lieu thereof inserting the words "City Supervisor of Elections."

SECTION 7-62 IDENTIFICATION SLIPS AND AFFIDAVITS-DOUBTFUL SIGNATURES

By deleting the word "Town" contained in the venue part of the form affidavit and in lieu thereof inserting the word "City" and further deleting the word "Town" contained in the body of the form affidavit.

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

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

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

PASSED AND APPROVED on first reading, this 20 day of Feb 1974.

PASSED AND ADOPTED ON SECOND AND FINAL reading this 20 day of Feb 1974.

APPROVED:

Lucius G. Hill
Mayor

Henry A. Taylor

Berry R. Nichols

James E. [unclear]

ATTEST:

John [unclear]
City Clerk

David W. Williams

James M. Jones
Councilmen