	POLICY AND PROCEDURE	NUMBER ADMIN: 001
	SUBJECT: PUBLIC HEARING	EFFECTIVE: 1/24/97 REVIEW DATE: 6/02/02; 1/02/11 PAGE 1 OF 6
DEPARTMENT APPROVED: CITY CLERK _____ Carrie E. Ward	CITY MANAGER REVIEW:	DISTRIBUTION: OFFICE OF THE CITY CLERK AFFECTED DEPARTMENTS FILE

I. PURPOSE:

To establish cohesive guidelines to follow to ensure uniformity with Florida Statute 166, and equivalent city laws in which public hearings are accepted, processed, and introduced for consideration.

II. DEFINITION:

1.0 Public hearing is defined as a request to petition authorization to proceed with an exceptional variance request.


1.1 The City Council enacted Ordinance # 2742, as additional requirements to regulate the process and procedure for public hearing(s) before the governing body and the various city advisory boards.

III. POLICY

1.0 Public Hearing must meet requirements of the Florida Statutes and the City Code of Ordinances referenced special exception-variance, etc.

1.1 Public Hearing Notice the submitting department is responsible for preparing and forwarding notice for public hearing of any type to the City Clerk to the advertisement for time certain. The City Clerk examines the notice to ensure compliance with applicable laws prior to advertising.

1.2 Public Hearing Notice (non-departmental), if it is city involvement must comply with this policy.

	POLICY AND/OR PROCEDURE	NUMBER ADMIN: 001
	SUBJECT: PUBLIC HEARING	PAGE 2 OF 6

1.3 Public Hearing Notice must be submitted to be advertised to the City Clerk in a timely manner for a scheduled time in accordance with the documented schedule of the newspaper in which to be advertised.

1.4 Public Hearing Notice that include graphics; display ads; or special text, must specify size of display; font type if preference and the contents must be precise for reproduction.

IV. PROCEDURE:

1.0 Public Hearing Notice is hand delivered or electronically transmitted to the Office of the City Clerk, along with the deposit or a receipt for a \$250 deposit.

1.1 The deposit is verified, and the notice is logged into the office log, then it is reviewed by the City Clerk or Deputy City Clerk who reviews the notice for compliance.

1.2 Public Hearing Notice in compliance is signed by the City Clerk and hand delivered or electronically transmitted to the newspaper of general circulation for publication.

1.3 Public Hearing Notice not in compliance is corrected by the City Clerk and sent back to the department who affect the change. Upon completion, the notice is signed; hand delivered, or electronically transmitted to the newspaper of general circulation for publication.

Procedure for Late Notice

1.4 Public Hearing Late Notice of any type received /delivered to the Office of the City Clerk that will not meet the deadline for advertisement in accordance with current schedule must be refused as presented, (unless other arrangements permissible).

1.5 The submitting department may at its discretion, revised the notice to comply with the deadline of the newspaper, if so, the appropriate procedure policy 1.2 or 1.3 applies. **It is the responsibility of the submitting department to comply with the scheduled date.**

Public Hearing Advertised for Special Exception
The Notice shall be advertised substantially in the following format:

PUBLIC HEARING NOTICE
SPECIAL EXCEPTION SITE PLAN
CITY OF RIVIERA BEACH, FLORIDA

The Planning and Zoning Board for the City of Riviera Beach, Palm Beach County, Florida will conduct a Public Hearing on Thursday, September 11, 2003 at 7:00 PM, or soon thereafter, and from time to time thereafter as necessary, in the Council Chambers at the Municipal Complex, 600 W. Blue Heron Blvd., Riviera Beach, Florida, to consider an application from BHC Partners, LLC for Special Exception/Site Plan approval to build a gas station with a car wash and convenience store at the northwest corner of Blue Heron Boulevard and Congress Avenue.

Interested persons may appear and be heard with respect to the proposed Special Exception/Site Plan; affected persons will be allowed to present evidence at the hearing, bring forth witnesses, and cross examine witnesses provided they notify and file the required forms provided by the City Clerk at least seven calendar days prior to the proceeding. Background material is available for review in its entirety in the Community Development Department between the hours of 8:30 AM and 5:00 PM, except holidays.

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision made by the Board with respect to any matter considered at this hearing, such interested person, at own expense, will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceedings should contact the Legislative Aide at 561-845-4095 no later than 96 hours prior to the proceedings. If hearing impaired, telephone the Florida Relay Services 1-800-955-8771 (TDD) or 1-800-955-8770 (Voice) for assistance.

Carrie E. Ward, Master Municipal Clerk
City Clerk

Publish: August 29, 2003
Palm Beach Post
RB Channel 18

**Public Hearing Advertised quasi judicial
The Notice shall be advertised substantially in the following format:**

PUBLIC HEARING NOTICE

CITY OF RIVIERA BEACH, FLORIDA

The City Council of the City of Riviera Beach, Palm Beach County, Florida will conduct a Public Hearing on Wednesday, January 1, 2011, at 7:30 PM, or soon thereafter, and from time to time thereafter as necessary, in the Council Chambers at the Municipal Complex, 600 W. Blue Heron Blvd., Riviera Beach, Florida, to consider an application from BHC Partners, LLC for Special Exception/Site Plan approval to build a gas station with a car wash and convenience store at the northwest corner of Blue Heron Boulevard and Congress Avenue.

Interested persons may appear and be heard with respect to the proposed Special Exception/Site Plan; affected persons will be allowed to present evidence at the hearing, bring forth witnesses, and cross examine witnesses provided they notify and file the required forms provided by the City Clerk at least seven calendar days prior to the proceeding. Background material is available for review in its entirety in the Community Development Department between the hours of 8:30 AM and 5:00 PM, except holidays.

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision made by the City Council with respect to any matter considered at this hearing, such interested person, at own expense, will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceedings should contact the Legislative Aide at 561-845-4095 no later than 96 hours prior to the proceedings. If hearing impaired, telephone the Florida Relay Services 1-800-955-8771 (TDD) or 1-800-955-8770 (Voice) for assistance.

Carrie E. Ward, Master Municipal Clerk
City Clerk

Publish: January 1, 2011
Furnish Proof of Publication

**Public Hearing Advertised before the Planning Board of Adjustment
The Notice shall be advertised substantially in the following format:**

PUBLIC HEARING NOTICE

CITY OF RIVIERA BEACH, FLORIDA

The Zoning Board of Adjustment for the City of Riviera Beach, Palm Beach County, Florida will conduct a Public Hearing on Tuesday, March 16, 2011, at 7:00 PM, or soon thereafter, and from time to time thereafter as necessary, in the Council Chambers at the Municipal Complex, 600 W. Blue Heron Blvd., Riviera Beach, Florida, to consider a Variance application from Clark James for a 5ft. rear yard setback variance on property located at 2522 Timber Run North.

Interested persons may appear and be heard with respect to the proposed Variance. Background material is available for review in its entirety in the Community Development Department between the hours of 8:30 AM and 5:00 PM, except holidays.

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision made by the Zoning Board of Adjustment with respect to any matter considered at this hearing, such interested person, at own expense, will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceedings should contact the Legislative Assistant at 561-845-4095 no later than 96 hours prior to the proceedings. If hearing impaired, telephone the Florida Relay Services 1-800-955-8771 (TDD) or 1-800-955-8770 (Voice) for assistance.

Carrie E. Ward, Master Municipal Clerk
City Clerk

Publish: March 12, 2004
Riviera Beach Channel 18
Palm Beach Post
Furnish Proof of Publication



POLICY AND/OR PROCEDURE

NUMBER ADMIN: 001

**SUBJECT:
PUBLIC HEARING**


PAGE 6 OF 6

V. ANNUAL AUDIT:

Public Hearings annual audits are done at the end of each fiscal year to verify that hearings before the City Council and City advisory boards have met their financial obligation to the City. Further, that the details or request has been followed.

VI. PENALTY:

Any public officer or employee who willfully and knowingly violates any provision of this law is in violation of sections of Florida Statutes

	POLICY AND PROCEDURE	NUMBER ADMIN: 002
	SUBJECT: MINUTES OF MEETINGS - REGULAR, SPECIAL, WORKSHOP- RECORDING & TRANSCRIBING	EFFECTIVE: 1/24/97 REVIEW DATE: 6/02/02; 1/1/11 PAGE 1 OF 4
DEPARTMENT APPROVED: CITY CLERK _____ Carrie E. Ward	CITY MANAGER REVIEW	DISTRIBUTION: OFFICE OF THE CITY CLERK CITY FILE

I. PURPOSE:

To establish cohesive guidelines to follow to ensure a uniform process to record, transcribe and duplicate minutes of meetings and workshops.

II. DEFINITION:

Minutes are defined to be a synopsis of the meeting; minutes shall delineate an accurate record of the proceedings and reflect summation of the subjects, discussions, and actions.

III. POLICY:

Meetings of any type - regular, special, workshop

Minutes shall be recorded as an accurate precise record of the proceeding held . Audio recording, DVD, recording; hand written minutes are acceptable.

State Statute defines Minutes as a synopsis of the actions taking place at a meeting. It is suggested that Minutes appear in the following format:

Roll call

Motion; second.

Point of order or appeal, reason for and ruling.


Record the Vote, identify the person that dissent, abstain, and out at time of voting.

Directives

List of individual speakers name/address and the subject.

Record Statements stated for the record.

Record the of start time; recessed; reconvening time.

	POLICY AND PROCEDURE	NUMBER ADMIN: 002
	SUBJECT: MINUTES OF MEETINGS - REGULAR, SPECIAL, WORKSHOP- RECORDING & TRANSCRIBING	PAGE 2 OF 4


Amendments or corrections to Minutes – Minutes must represent the explicit action that transpired at the proceeding; no such time shall minutes as presented at a meeting be modified, or changed upon request of any person reviewing the minutes or in attendance at the meeting, until verification has been obtained by listening to the audio recording; or further review of the hand written notes taken at the specified meeting.

Corrections to the minutes must substantially be in the following format: (example) at a(Meeting), " Page 5, Item 10, Regular City Council Meeting Minutes, June 5, 9002, were corrected to include the additional comments made by the Mayor or to delete the comments indicated in error and to correctly state that the Mayor requested the motion to revise the city’s redevelopment plan be amended."

Subsequent to approval by the governing body , the minutes shall be presented to the Mayor and individual Councilpersons present at the meeting for their signature and in the absence of a councilperson, the City Clerk shall indicate same. All approved minutes shall be executed and officially sealed by the City Clerk as a permanent record of the City.

Minutes become an official document of the City and shall be treated accordingly to Public Records Law F.S. Chapter 119; thus be available and may be reviewed by the public upon request. Typed and audio may be purchased at cost, if a tape is provided audio can be reproduced at no cost. Minutes are available for review and may be downloaded from the City’s website via www.rivierabch.com under City departments (City Clerk).

The City Clerk is required to appoint or designate an employee to record and transcribe minutes. (Meetings of any type, should be recorded and transcribed) City Advisory Boards Minutes should be forwarded to the office of the City Clerk for proper maintenance and archive; and all Minutes must be transcribed in accordance with the outline of the meeting’s agenda.

	POLICY AND PROCEDURE	NUMBER ADMIN: 002
	SUBJECT: MEETINGS - REGULAR, SPECIAL, WORKSHOP- RECORDING & TRANSCRIBING	PAGE 3 OF 4

PROCEDURE:

Minutes shall include the following information; discussions

:

Minutes shall be recorded as an accurate precise record of the proceeding held and. Audio recording, DVD, recording; hand written minutes are acceptable.

State Statute defines Minutes as a synopsis of the actions taking place at a meeting; therefore Minutes shall substantially appear in the following format:

Roll call

Motion; second.

Point of order or appeal, reason for and ruling.

Vote, identify dissent , abstain, and out at time of voting.


Directives

List of individual speakers name/address and the subject.

Statements stated for the record.

Record the of start time; recessed; reconvening time.

Verbatim transcriptions are available upon request received by the office of the City Clerk accompanied with the required fee.


	POLICY AND/OR PROCEDURE	NUMBER ADMIN: 002
	SUBJECT: MINUTES OF MEETINGS - REGULAR, SPECIAL, WORKSHOP- RECORDING & TRANSCRIBING	PAGE 4 OF 4

V. ANNUAL AUDIT:

Each fiscal year, the minutes are reviewed by the City's auditors. There are no legal requirements that minutes must be approved by a governing body. Minutes are approved and accepted to authenticate an official record.

VI. PENALTY:

Any City employee who willfully and knowingly violates any of the provisions of this policy and procedure/ law is in direct violation of Florida Statutes 286.011(2), the Municipal Codes of Ordinances, and the departmental procedures and violator may be subject to disciplinary action, up to termination.

	POLICY AND PROCEDURE	NUMBER ADMIN: 003
	SUBJECT: NOTARY SERVICE	EFFECTIVE: 1/24/97 REVIEW DATE: 6/02/02; 1/1/09; 1/1/10 PAGE 1 OF 2
APPROVED: CITY CLERK _____ Carrie E. Ward	CITY MANAGER REVIEW	DISTRIBUTION: OFFICE OF THE CITY CLERK AFFECTED DEPARTMENTS FILES

I. PURPOSE:

To establish cohesive guidelines to follow in accordance with the Florida Notary Act.

DEFINITION:

Appointment, application, suspension, revocation, application fee, bond, and oath.

II. POLICY:

To willfully comply with the Notary Act, Florida Statute 117.01(3)

IV. PROCEDURE:

Pursuant to Florida Statutes 117.01(3) Florida Notary, as part of the oath, the applicant must swear to reading Chapter 117 - Notaries Public and must know the duties, responsibilities, limitations, and powers of a notary public.

Notary must ensure that the customer that is requesting notarization is the individual(s) whose signature is being notarized.


Review the individual(s) identification for verification of signature and address.

V. FEE SCHEDULE:

Penalties exist for charging higher than the law allows. Review section 12.5 of the Florida Notary Manual (American Society of Notaries).

As a Government employee, a notary is restricted on the fees to charge. Review section 13.3 of the Florida Notary Manual (American Society of Notaries).

For acceptable forms of identification notary should refer to the handbook that is provided by the state; to ensure compliance with the current law.

	POLICY AND/OR PROCEDURE	NUMBER ADMIN: 03
	SUBJECT: NOTARY SERVICE	PAGE 2 OF 2

Each signature notarized is a notarial act; example, if two people sign a document and you take their acknowledgements you are entitled to charge two fees.

Maximum fees:

Effective: 1/01

To solemnize a marriage	\$20.00
Certifying the contents of a safe deposit box	\$10.00
Verifying a VIN	\$10.00
Attesting to a photo copy	\$10.00
Taking an acknowledgement	\$10.00
Administering an Oath of affirmation with certificate and seal	\$10.00

III. ANNUAL AUDIT:


As a Florida Notary, the state conducts at random audits on individual and per request; notary must complete the notary log provided with the following information – date of notarization; document type; signature of person; address of person; and customer’s identification.

Notary must stay current of any changes that may occur in the law regarding notarization by attending seminars when advertised, and continuous follow-ups.

Notary reference, Florida Statute Chapter 117.

IV. PENALTY:

Any notary public who violates subsection 117, Florida Statute is guilty of a civil infraction, punishable by penalty not exceeding \$5,000 and such violation constitutes malfeasance and misfeasance in the conduct of official duties. It is no defense to the civil infraction specified in this subsection that the notary public acted without intent to defraud. A notary public who violates this subsection with the intent to defraud is guilty of violating section 117.105

	POLICY AND PROCEDURE	NUMBER ADMIN: 004
	SUBJECT: PUBLIC RECORD REQUEST	EFFECTIVE: 1/24/97 REVIEW DATE: 6/02/02; 1/1/09; 1/6/10; 1/1/11 PAGE 1 OF 2
APPROVED: CITY CLERK _____ Carrie E. Ward	CITY MANAGER REVIEW:	DISTRIBUTION: OFFICE OF THE CITY CLERK AFFECTED DEPARTMENTS FILE

I. PURPOSE:

To establish cohesive guidelines to follow in accordingly with conformity by means of the state established policy and procedure for accepting, fulfilling and archiving public records and request, to ensure procedures as outlined under F.S. Ch 119 is followed.

II. DEFINITION:

Public record characterize all documents, papers, letters, maps, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, uniqueness, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by the entity.

PUBLIC ACCESS TO RECORDS


Public Record may be inspected and examined by any person desiring to do so, at any time, under reasonable conditions, and under supervision by the custodian or designee.

Exemptions from Access Requirements – Each year the Attorney General updates the exemptions from access; such list may be obtained thru the Government in the Sunshine Manual. The only discussions and or actions which are exempted from the open Meeting Law are those pertaining to collective bargaining negotiations.

III. POLICY:

It is the policy of the office of the City Clerk to act in accordance with Florida law, and chapter 119 of Florida Statutes, all municipal records recorded in the office are open for inspection by the public.

Public record request suggested to be received in writing to ensure customer satisfaction and the most cost effective service; if cost incur, it requires a name to be invoice and to be contacted if the record requires research.

	POLICY AND PROCEDURE	NUMBER ADMIN: 004
	SUBJECT: PUBLIC RECORD REQUEST	PAGE 2 OF 2

Public Record Request must be fulfilled within reasonable time as required to research, copy, duplicate or print. In any case additional time is required, the customer shall be advised of same.

Payment for requested information

1. Prepare an Invoice for payment; or direct the customer to the appropriate office for payment
2. Upon receipt of payment, information is delivered

IV. ANNUAL AUDIT:


Public records request are satisfied within the time allowed; therefore, a department audit is not required. The procedure reviewed unsystematically.

- This office highly encourages and recommends for current additional information, review the Attorney General’s website and related site pertaining to the subject.

PENALTY:

Any public officer or employee who violates any provision of this law is guilty of a noncriminal infraction, punishable by a fine not to exceed \$500.

Any person willfully and knowingly violating any of the provisions of this law is guilty of a misdemeanor in the first degree, punishable as provided in s.775.082 or 775.083.

	POLICY AND PROCEDURE	NUMBER ADMIN: 005
	SUBJECT: LIEN SEARCH REQUEST	EFFECTIVE: 1/24/97 REVIEW DATE: 6/02/02; 1/1/09; 1/1/11 PAGE 1 OF 3
DEPARTMENT APPROVED: CITY CLERK _____ Carrie E. Ward	CITY MANAGER REVIEW	DISTRIBUTION: OFFICE OF THE CITY CLERK AFFECTED DEPARTMENTS

I. PURPOSE:

To establish comprehensive guidelines in which lien search request are received and processed.

II. DEFINITION:

Lien Search means a request for current, outstanding, delinquent bill, or liens on property or parcels of property within the limits of Riviera Beach.

This policy was established in an effort to minimize concerns regarding the Lien search request process. This policy will provide appropriate guidance for current and future staff members; and provide latitude for the City Clerk.

III. POLICY:

1. Lien search request must be in writing, this will avoid misapprehension of the legal as described
2. Lien search request must be received via hand delivery, mail, Fed Ex, or Ups
3. Faxed copies often arrive indecipherable, therefore will not be honored.


The required information to process a Lien Search

Property address, legal description, owner name, and folio number.

The processing fee for a lien search is \$45 per folio number.

A copy of the assessment certificate and any information received from other departments is kept on file in the Office of the City Clerk.

Lien search request receipted before 12 o'clock noon during regular business hours across the counter will be completed by 5:00 p.m. the next business day - provided that it is accompanied with the sufficient information, to proceed with assessment search.

	POLICY AND PROCEDURE	NUMBER ADMIN: 005
	SUBJECT: LIEN SEARCH REQUEST	PAGE 2 OF 3

IV. PROCEDURE:

1.1 Sufficient Data

Upon receipt of request, the information submitted in the request is verified by this office as to its sufficiency and if found to be adequate to proceed with the search - The lien database is searched to locate any outstanding liens; if so the appropriate city department is provided with a request from this office asking them to complete the form by providing the status of the account and the amount due including interest. Subsequently, the information to be forwarded requires the signature of the department director, who will be acknowledging the accuracy of same. Upon receipt, the documentation is denoted on an Assessment Certificate advising the customer of the amount due; the legal of the property and the expiration date. The Assessment Certificate is then executed and certified by the City Clerk.

The official Assessment Certificate is then forwarded to the customer at the noted location.


1.2 Insufficient Data

Upon receipt of request, the information submitted in the request is verified by this office; if found to be inadequate to proceed with the search - a response letter is sent via mail delivery; or the customer may be electronically advised of the additional information being required in order to proceed with the request; upon receipt of the additional requested information the Lien procedure is followed; and if a response is not received into the office, the request is filed away.

Emergency Request

A request for Assessment data is handled as expeditiously as humanly possible. To ensure accuracy and for audit accountability all request must follow interchangeable procedure.

An Emergency Assessment Certificate request is allowed for a fee of \$100.00 payable to the City. Time /will be determined.

	POLICY AND PROCEDURE	NUMBER ADMIN: 005
	SUBJECT: LIEN SEARCH REQUEST	PAGE3 OF 3


V. ANNUAL AUDIT PROCEDURE:

A database for request from customers or staff to provide a Release of Lien is maintained and monitored by the department employee staff, the database is periodically reviewed by both the Deputy and City Clerk to ensure compliance exist in accordance with the indicated time frame of this policy. Additionally, a detail account is provided in the City Clerk quarterly report to the City Manager.

Upon receipt of the number of request received into the office, the staff employees verifies with the city finance department in accordance with the revenue received by the office of the City Clerk.

VI. PENALTY:

Any public officer or employee who violates any provision of this policy will be in direct violation of departmental Policy and Procedure; and subject to disciplinary action.

	POLICY AND PROCEDURE	NUMBER ADMIN: 006
	VEHICLE FOR HIRE	EFFECTIVE: 1/24/97 REVIEW DATE: 6/02/02; 1/1/09; PAGE 1 OF 2
DEPARTMENT APPROVED: CITY CLERK _____ Carrie E. Ward	CITY MANAGER REVIEW:	DISTRIBUTION: OFFICE OF THE CITY CLERK AFFECTED DEPARTMENTS FILE

I. PURPOSE:


To establish cohesive guidelines to follow in which a Certificate of Public Convenience is issued by and from the City in accordance with Chapter 21 of the Code of Ordinances.

II. DEFINITION:

1. Certificate of Public Convenience is defined as a Certificate issued to an applicant by the City Clerk upon an applicant's compliance with the guidelines and procedures of Chapter 21 of the City Code of Ordinances, Vehicle for Hire.

III. PROCEDURE:

1. Applicant must first file an application for a Certificate of Public Convenience (Jitney, Intercity Jitney Limousine, Taxi, etc.) with the City Clerk
2. Applicant's processing fee is \$25 for each Permit; and must be paid at time application is completed and filed with the City Clerk
3. Applicant must provide a letter of acceptance from the terminal or stand where taxi cab/jitney will be operating
4. Each driver of the vehicle must be indicated and must have a valid permit
5. An Original State Chauffeurs' License must be provided by each operator of the vehicle for hire applying for the certificate

	POLICY AND PROCEDURE	NUMBER ADMIN: 006
	SUBJECT: VEHICLE FOR HIRE CERTIFICATE OF PUBLIC CONVENIENCE	PAGE 2 OF 2

6. A copy of the application and State Chauffeurs License should be hand delivered by the applicant to the Complaint Desk at the Police Department for license check and approval and if satisfactorily, the applicant will be issued a City of Riviera Beach Chauffeur's Permit.
7. The permit should be brought back to the Office of the City Clerk and a Certificate of Public Convenience (white copy) should be issued. At least one Chauffeur's Permit should be issued prior to the issuance of the Certificate of Public Convenience by the City Clerk.


Applicant should then carry yellow copy of Certificate of Public Convenience to the Inspections Department, along with other necessary data to obtain the Occupational License; and If applicant will not be applying for an Occupational License when certificate is picked up, the Office send the yellow copy of certificate to the Inspections Department to be maintain for the applicant.

IV. AUDIT:

No audit is required. Quarterly report provided to City on number of permits issued,

V. PENALTY:

None aware

	POLICY AND PROCEDURE	NUMBER ADMIN: 007
	SUBJECT: RECORD CITY DOCUMENT WITH THE PALM BEACH COUNTY CLERK OF COURT	EFFECTIVE: 1/24/97 REVIEW DATE: 6/02/02; 1/1/09; 1/1/11 PAGE 1 OF 2
DEPARTMENT APPROVED: CITY CLERK _____ Carrie E. Ward	CITY MANAGER REVIEW	DISTRIBUTION: OFFICE OF THE CITY CLERK AFFECTED DEPARTMENTS FILE

I. PURPOSE:

To establish cohesive guidelines to follow to record City documents with the County.


II. DEFINITION:

Recording City Document is defined as a binding document approved by the City Council to be incorporated into the City’s official file as a record for retention. Document must be officially recorded with the Clerk of the Circuit Court, and then transferred back to the City Clerk to be maintained as an official record.

III. POLICY:

City documents are authorized by City Codes to be filed and maintained by the City Clerk to maximize liability. City authorized documents to be filed and recorded are forwarded to the Clerk of the Circuit Courts via certified mail, or hand delivered. Upon filed; the documents are stamped-dated and returned to the office of the City Clerk for official recording.

Documents to be recorded must meet the standard guidelines of the County to be recorded, and must explicitly comply with the City’s standards: Typed in standard form, delineating at left top of each document the Return to: City Clerk, City of Riviera Beach, 600 W. Blue Heron Blvd. Riviera Beach, FL 33404

	POLICY AND PROCEDURE	NUMBER ADMIN: 007
	SUBJECT: RECORDING OF DOCUMENT WITH PBC CLERK OF COURT	PAGE 2 OF 2

IV. PROCEDURE:

Documents forwarded to the office of the City Clerk to be recorded are reviewed for compliance in accordance with the guidelines received from the County Clerk’s office.

Documents not in compliance shall be denied; and a sample provided to the person making the request. The indicated sample depicts the exact way in which the document shall be modified to comply with recorded standards. Upon the department complying, the document is returned to the office for processing.

Documents that are recorded in county records include but are not limited to Liens filed on a property, Satisfaction of Lien, Deeds, Unity of Titles; other city corresponding documents.

Liens that are filed against a property should include the following information: account number, address of affected property, mailing address (if different from property address), property owner’s name, legal description of property, and principal amount due.

Documents forwarded to the Clerk of the Circuit Court for recordation. Upon completion of recordation, documents are returned to the Office of the City Clerk with book and page number on which the document was recorded and the date of recording.


Upon completion, an invoice for payment is forwarded to the city for payment from the county recording department.

V. ANNUAL AUDIT:

Audits of Recorded Documents are conducted in accordance with the monthly monitoring process. On an annual basis in conjunction with the fiscal audit, a database is provided to the City Manager in the quarterly report of Recorded Documents to date.

VI. PENALTY:

An employee willfully and knowing violates this procedures as outlined, will be in direct violation of departmental Policy and Procedure.

	POLICY AND PROCEDURE	NUMBER ADMIN: 008
	SUBJECT: CODIFICATION OF ORDINANCE MUNICIPAL CODE CORP.	EFFECTIVE: 1/24/97 REVIEW DATE: 6/02/02; 1/1/11 PAGE 1 OF 2
DEPARTMENT APPROVED: CITY CLERK _____ Carrie E. Ward	CITY MANAGER REVIEW	DISTRIBUTION: OFFICE OF THE CITY CLERK AFFECTED DEPARTMENTS FILE

I. PURPOSE:

To establish cohesive guidelines to follow to forward adopted Ordinances to the corporation for official conservation.

II. DEFINITION:

Codification of a document is defined whereas an Ordinance of the City Council has been adopted on 2nd and final reading and is slated to be codified is forwarded to the corporation to be included into the city's Code of Ordinances.

Supplement means a new Ordinance to be incorporated into the Code of Ordinances.


III. POLICY:

Upon adoption of an Ordinance, it is set-aside for the last date of the month in which its adoption transpired. At that time, all Ordinances adopted for the month are transferred to the Municipal Code Corporation for codification into supplements.

The supplements to the code of ordinances are made available to each individual department and its divisions. The affected customers are forwarded their allotted number of supplements.

City departments provided with supplement must maintain a current comprehensive code book with supplements included.

The office of the City Clerk to maintain an updated version of the Code of Ordinances and the Land Development Code-Book for review by staff or public.

	POLICY AND/OR PROCEDURE	NUMBER ADMIN: 008
	SUBJECT: CODIFICATION OF ORDINANCE	PAGE 2 OF 2

IV. PROCEDURE:

Upon adoption of an Ordinance, it is set-aside for the last date of the month in which its adoption transpired. At that time, all Ordinances adopted for the month are transferred to the Municipal Code Corporation for codification.

Code books and supplements are maintained for sale to the public; and are available for review. Additionally, Codes are available for review via the city's website.


Payment is made to Municipal Code Corporation against the invoice provided for supplements and revisions.

V. ANNUAL AUDIT:

An annual audit of the supplements to the Code of Ordinances is conducted by the office staff. Past Audits revealed the supply of supplements was not cost effective to the city; the volume was decreased in the past year. Reviews are available via Muni Code.

VI. PENALTY:

Any employee willfully and knowing violates this procedure as outlined will be in violation of the department policy and procedure

 <p>DEPARTMENT APPROVED: CITY CLERK _____ Carrie E. Ward</p>	POLICY AND PROCEDURE	NUMBER ADMIN: 09
	SUBJECT: RECORDS MANAGEMENT PROGRAM	EFFECTIVE: 6/02 REVIEW DATE: 1/1/09; 1/1/11 PAGE 1 OF 2
	CITY MANAGER REVIEW	DISTRIBUTION: OFFICE OF THE CITY CLERK AFFECTED DEPARTMENTS FILE

PURPOSE:

To establish cohesive guidelines to follow as it relates to statutory requirements to maintain and dispose of public records as they meet records retention. further to establish and administer a records management program directed to the application of efficient and economical management methods relating to the creation, utilization, maintenance, retention, preservation, and disposal of records in accordance with State applicable law under Chapter 257.

Records Disposition` is the process of determining the final status of records. It establishes whether a record is destroyed, temporarily retained or permanently retained as archives. The goal is to ensure the consistent, lawful and timely disposal of records that have minimal or no continuing value and to identify and preserve records with significant historical value.

I. DEFINITION:


A record is defined as information in multiple formats and forms including reports, administrative files, forms, plans, microfilm, photos, audio-tapes, videos, e-mails, electronic documents such as spreadsheets and databases that are created, received and maintained in the transaction of business or the conduct of affairs and kept as proof of such activity.

II. GUIDELINE:

A manual has been prepared pertaining to record retention. A copy of the manual will be provided to all departments. All questions should be directed to the Records Management Specialist.

The Records Manager Specialist is also responsible for ensuring that all records are stored in accordance with State law. The City shall adhere to the procedures as depict in the Records Manual which is the exact process in accordance with Florida Statutes Records Program.

The City shall and will recognize provisions created by the First Amendment Foundation; Brechner Center for Freedom of Information.


	POLICY AND PROCEDURE	NUMBER ADMIN: 009
	SUBJECT: RECORDS MANAGEMENT PROGRAM	EFFECTIVE: 1/24/97 REVIEW DATE: 6/02/02; 1/02/11 PAGE 2 OF 2
DEPARTMENT APPROVED: CITY CLERK _____ Carrie E. Ward	CITY MANAGER REVIEW	DISTRIBUTION: OFFICE OF THE CITY CLERK AFFECTED DEPARTMENTS FILE

III. ANNUAL AUDIT:

A Certified copy of the City's Record Retention Program is forwarded to the State of Florida Division of Library and Information Services.

IV. PENALTY:

Violation of F.S. Section 257.36(5)(a); Section 119.011(1)

	POLICY AND PROCEDURE	NUMBER ADMIN: 010
	SUBJECT: MAIN TELEPHONE OPERATION	EFFECTIVE: 1/24/97 REVIEW DATE: 6/02/02; 1/1/09 PAGE 1 OF 1
DEPARTMENT APPROVED: CITY CLERK: Carrie E. Ward	CITY MANAGER REVIEW	DISTRIBUTION: OFFICE OF THE CITY CLERK AFFECTED DEPARTMENTS

I. PURPOSE:

To establish cohesive guidelines to follow while operating the city’s telephone provide the necessary steps in processing a long distance telephone call.

II. DEFINITION:

Telephone Operator is defined to provide accurate efficient assistance to customers calling the city to obtain information and to be transferred to various departments; and to provide accurate detailed assistance to employees making outside and long distance calls.

III. POLICY:


Long Distant Telephone Call

When a request for a long distant call is received, note the following in the log book – name of caller, the caller’s department, and the telephone number.

Connect the call by pressing depressing the number nine, one plus area code, and the telephone number. Once the number has been dialed, wait for a telephone ring and press release.

Reporting Telephone Problems

All telephone problems should be reported to the IT Manager.

	POLICY AND PROCEDURE	NUMBER ADMIN: 011
	SUBJECT: RESOLUTION PREPARATION	EFFECTIVE: 1/24/97 REVIEW DATE: 6/02/02; 1/1/09 PAGE 1 OF 2
DEPARTMENT APPROVED: CITY CLERK Carrie E. Ward	CITY MANAGER REVIEW	DISTRIBUTION: OFFICE OF THE CITY CLERK AFFECTED DEPARTMENTS

I. PURPOSE:

To establish cohesive guidelines to follow and to ensure State requirement in preparing and adoption of Resolution.

II. DEFINITION:

A resolution is defined as an expression of a governing body concerning matters of administration, an expression of a temporary character, or a provision for the disposition of a particular item of the administrative business and becomes effective upon approval or so stated otherwise. Any such resolution enacting a municipal improvement shall be published in a newspaper of general circulation, accordance with F. S. 166.041.

III. POLICY/PROCEDURE:

Heading shall be typed in capital letters with the necessary information included and shall be indented 10 spaces from the left and right margins.

Triple space between resolution number and heading; heading and body.


Body shall be single spaced with the first line of each paragraph indented; double space between each paragraph.

Justify heading and body of resolution.

Do not squeeze information on one page by using a smaller print. The document will be returned to you!

Proper format for resolutions can be saved as a document or as a macro. By doing this your resolution will always be in compliance.

All resolutions shall be typed in the Arial font 12 pt. Margins for resolutions shall be 1.5 (left) and .5 (right). All documents including succeeding pages shall be properly printed on red lined paper.

	POLICY AND PROCEDURE	NUMBER ADMIN: 011
	SUBJECT: RESOLUTION PREPARATION	PAGE 2 OF 2

PLEASE USE THE SPELL AND GRAMMAR CHECK FUNCTION BEFORE SUBMITTING DOCUMENTS.

If a resolution has more than one page, please number each page along with the resolution number. **Note: If a header is created, this information will automatically appear on the printed document.**

Five signature lines required (one for each council member) with the councilperson’s name under each line on the right side of the document for signatures. Triple space between signature lines. Two signature lines shall be on the left side of the document for the Mayor and the City Clerk’s signature. A signature line for legal sufficiency by the City Attorney shall be on the right side of the document in Arial font, 8 pt print.

All resolutions become effective upon passage unless otherwise stated.

Department head, typist, and date of document shall be located at the bottom of the signature page.

If the City Council deems it necessary to add, delete, or modify a resolution, it is the responsibility of the department head or their appointee to pick up the document, make necessary corrections, and return to the Office of the City Clerk. Providing all procedures have been followed, executed documents may be obtained from the Office of the City Clerk after 2:00 p.m. on Thursday following the City Council Meeting. The City Clerk is not responsible for notating the necessary changes or placing a reminder call to the responsible department(s).


IV. ANNUAL AUDIT:

Annual audits are conducted by the City’s audit firm.

V. PENALTY:

An employee who willfully violates these procedures as outlined will be in violation of the departmental Policy/Procedure.

An official and employee who willfully and knowing violates these procedures are in violation of F.S. as provided by law.

	POLICY AND PROCEDURE	NUMBER ADMIN: 012
	SUBJECT: ORDINANCE PREPARATION	EFFECTIVE: 1/24/97 REVIEW DATE: 6/02/02; 1/1/09 PAGE 10F 2
DEPARTMENT APPROVED: CITY CLERK CARRIE E. Ward _____	CITY MANAGER REVIEW	DISTRIBUTION: OFFICE OF THE CITY CLERK AFFECTED DEPARTMENTS

I. PURPOSE:

A comprehensive guide to follow to prepare an Ordinance in accordance with current laws of Florida; and 166.041.

II. DEFINITION:

An ordinance means an official legislative action of a governing body which action is a regulation of a general and permanent nature and enforceable as a local law.

III. POLICY/PROCEDURES:

An ordinance shall be introduced to the City Council in written form only.

An ordinance shall be confined to one subject, which shall be clearly defined in its title. The ordinance to be amended or revised shall set out in full the amended or revised act or section or subsection or paragraph of a section or subsection to be amended in the Code.


An ordinance shall be read by title only. The exception to this is if an ordinance is revised or amended between first and second reading. It shall be necessary to read the amended section. If a request is received to have an ordinance read in its entirety, such request requires a majority vote of the present council.

A proposed ordinance shall be presented at two (2) separate Regular Council Meetings for consideration.

An affirmative vote of a majority of a quorum present is necessary to enact any ordinance.

No zoning ordinance shall constitute an emergency.

Making or amending a grant renewal or extension of a franchise or the granting of any other special privilege shall be presented at two (2) separate Regular Council Meeting prior to enactment.

	POLICY AND PROCEDURE	NUMBER ADMIN: 012
	SUBJECT: ORDINANCE PREPARATION	PAGE 2 OF 2

A proposed ordinance may be read twice at the same Council Meeting provided **extenuating circumstances** have been declared and requires a four-fifth (4/5) vote of the present Council for enactment.

A proposed ordinance initiated by other than the Municipality that changes the actual zoning designation of a parcel or parcels of land shall be read by title or in full at two separate Regular Council Meetings. At least ten (10) days prior to consideration for adoption it shall be noticed once in a newspaper of general circulation and shall include the appropriate language as outlined for advertisement.


A proposed ordinance initiated by the City that changes the actual zoning map designation of a parcel or parcels of land involving less than ten contiguous acres shall be read by title at two separate Regular Council Meetings. Notice shall be generated and each property owner whose land the City will re-designate by enactment of the Ordinance and whose property will be affected shall be properly notified at the last known address within thirty (30) days prior to the first public hearing. Notice shall be advertised in a newspaper of general circulation for time certain in accordance with City Codes and in compliance with F. S. 166.041.

A proposed ordinance initiated by the City or its designee which rezones specific parcels of private real property or which substantially changes permitted use categories in zoning districts involving less than five percent of the total land area of the City shall be read at two separate Regular Council Meetings. Notice shall be generated and each property owner whose land the City will rezone and whose land will be affected by the change, shall be properly notified at the last known address, thirty (30) days prior to the first public hearing. If it is more than five percent, the same procedure applies; notice shall contain a geographic location map outlining the affected area. Notice shall appear in a newspaper of general circulation advising a time certain for second and final reading.

IV. AUDIT

Municipal Code Corporation

IV PENALTY:

	POLICY AND PROCEDURE	NUMBER ADMIN: 013
	SUBJECT: AMENDMENT TO THE CITY CHARTER	EFFECTIVE: 6/02 REVIEW DATE: PAGE 1 OF 2
DEPARTMENT APPROVED: CITY CLERK Carrie E. Ward	CITY MANAGER REVIEW	DISTRIBUTION: OFFICE OF THE CITY CLERK AFFECTED DEPARTMENTS

I. PURPOSE:


To establish cohesive guidelines to follow as provided in Section 2 (b), Article VIII of the State Constitution, municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes, except when expressly prohibited by law. These laws are clearly defined F. S. Chapter 166.021 (4) Powers.

II. DEFINITION:

The Charter for the City of Riviera Beach was enacted on the 17th day of April, 1973 when the residents by referendum approved it. The Charter abolished by Ordinance the existing government of the City, created and established a new municipality known as the City of Riviera Beach, Palm Beach County, Florida. This enactment provided a Charter which enabled the City to fix and provide for its territorial limits and jurisdiction. Further, it provides authority and governs it municipal officers in that capacity of city manager, city clerk, and city attorney.

Further, the Charter provided for its form of government, to wit: Council-Mayor-Manager form of government. It legalized and validated the Ordinances and other official acts thereunder. It empowered the City with all governmental, corporate, and proprietary powers possible for a City to have to conduct Municipal services under the constitution and the laws. It vested all powers of the City and the determination of all policy matters to its legislators, which consist of the Mayor and City Council all of whom shall be qualified electors residing in the City and shall be elected at large.

The Official Corporate Seal was also adopted. Said Corporate Seal at all times shall be in the custody of and maintained by its corporate officer, the City Clerk.

	POLICY AND PROCEDURE	NUMBER ADMIN: 013
	SUBJECT: AMENDMENT TO THE CITY CHARTER	PAGE 2 OF 2

The Seal is a symbol of authenticity for City documents and never shall be emulated or duplicated.

III. ELECTORS:

Any person who is a resident of a municipality, who has qualified as an elector of this state, and who registers in the manner prescribed by general law and ordinance of the municipality shall be a qualified elector of the municipality.

IV. PROCEDURE:


The governing body of a municipality may, by ordinance, or the Electors of a municipality may, by petition signed by 10% of the registered Electors as of the last preceding municipal general election submit to the Electors a proposed amendment to the charter, other than the part describing the boundaries of the municipality. The governing body shall place the proposed amendment contained in the ordinance or petition to a vote of the Electors at the next General Election held, or at a Special Election called for such purpose. Procedures as outlined in F.S. 166.031; and procedures outlined in the City Charter and the Elections Ordinance No 3083, must be followed to complete the process.

V. AUDIT:

Upon adoption of an amendment to the City Charter by a majority of electors voting in the referendum election, the governing body shall have the amendment incorporated into the City Charter, and shall file the revised Charter with the department of State. An Amendment is effective upon final vote resulting from referendum election for such purpose.

VI. PENALTY:

Violation of the State Statutes 166.03, and the City Charter and Code of Ordinances and subject to penalties in accordance with State law

 <p>DEPARTMENT APPROVED: CITY CLERK Carrie E. Ward</p>	<p>SUBJECT: ANNEXATION OR CONTRACTION ACT</p>	<p>No. Admin: 014</p>
	<p>CITY MANAGER REVIEW</p>	<p>Effective Dare: 6/02 REVIEW DATE: 1/1/11 Page 1 of 2</p> <hr/> <p>DISTRIBUTION: Office of the City Clerk; Affected Departments</p>

I. PURPOSE:

To establish cohesive guidelines to follow to set forth procedures for adjusting the boundaries of municipalities through annexations or contractions of corporate limits and to set forth criteria for determining when annexations or contractions may take place so as to

- 1) Ensure sound urban development and accommodation to growth
- 2) Establish uniform legislative stands through out the state for the adjustment of municipal boundaries
- 3) Ensure the efficient provision of urban services to areas that become urban in character
- 4) Ensure that areas are not annexed unless municipal services can be provided to those areas

II. DEFINITION:

Annexation is defined whereas a municipality adds real property to the boundaries.

III. PROCEDURE:

Any changes in the municipal boundaries through annexation or contraction shall revise the charter boundary article and shall be filed as a revision to the charter with the Department of State within 30 days of the process, pursuant F.S.171.091. In addition a certified copy is forwarded to the listed agencies:

ATTENTION: RE: ANNEXATION

Department of State
401 South Monroe Street
Tallahassee, FL 32399-0250



POLICY AND/OR PROCEDURE

NUMBER ADMIN: 014

**SUBJECT:
ANNEXATION OR CONTRACTION
ACT**

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Office of the Governor
Budgeting & Planning
The Capitol
Tallahassee, FL 32399

Office of the Sheriff
3228 Gun Club Road
West Palm Beach, FL 33406-3001

Palm Beach County Circuit Court
Palm Beach County Recording Department
300 South Dixie Highway
West Palm Beach, FL 33402

Supervisor of Elections, Palm Beach County
P.O. Box 22309
West Palm Beach, FL 33416


Fire Department, Palm Beach County
50 South Military Trail
West Palm Beach, FL 33415

Tax Collector, Palm Beach County
301 North Olive Avenue
West Palm Beach, FL 33401

Property Appraisal, Palm Beach County
301 North Olive Avenue
West Palm Beach, FL 33401

Executive Director,
Palm Beach County Planning, Zoning & Building
100 Australian Avenue
West Palm Beach, FL 33406

Florida Power & light Company
P.O.Box 1400
Juno Beach, FL 33408

	POLICY AND PROCEDURE	NUMBER ADMIN: 015
	SUBJECT: SUPPLEMENTS TO RIVIERA BEACH CODE OF ORDINANCES & DISTRIBUTION	EFFECTIVE: 1/24/97 REVIEW DATE: 6/02/02; 1/1/09 PAGE 10F 2
DEPARTMENT APPROVED: CITY CLERK Carrie E. Ward	CITY MANAGER REVIEW	DISTRIBUTION: OFFICE OF THE CITY CLERK AFFECTED DEPARTMENTS

I. PURPOSE:

To establish cohesive guidelines to follow to set forth a comprehensive set of current Codes for the City.


II. DEFINITION:

Codes of Ordinance Supplements are amendments to the existing Code of Ordinances

III. GUIDELINE:

Upon final adoption of an Ordinance by the City Council, it is prepared and forwarded to the Municipal Code Corporation for codification, the necessary steps to facilitate the process:

1. On the 30th of each month verify and reproduce a clear concise original of any and all Ordinances adopted by the City Council for that particular month and forward to Municipal Code Corporation, accompanied with the standard letter advising of the enclosed Ordinance. The form letter provides - the contents enclosed.
2. Original Ordinance shall be filed in sequential order as other ordinances are filed in their respective binders.
3. Upon receipt of, Municipal Code forward a post card advising of deliver.
4. There is no definite time that the supplements will be shipped from Municipal Code. Time varies according to the volume and other concerns.
5. Upon receipt, staff examine for quantity.
6. Each department has been assigned Code Books according to the number of divisions in each department. Supplements are distributed accordingly.
7. Departments acknowledge receipt of deliver.

	POLICY AND/OR PROCEDURE	NUMBER ADMIN: 015
	SUBJECT: SUPPLEMENTS TO RIVIERA BEACH CODE OF ORDINANCES DISTRIBUTION	PAGE 2 OF 2


8. Supplements are distributed to the legislative department to be included in the Code Books of the Mayor and City Council.
9. Supplements are forwarded via mail to the business owners who purchased
10. City Code Books, accompanied by an invoice for payment for supplements and postage.
11. Invoices are paid upon receipt, charges based on the volume of supplements and reprints. Supplements prices varies, calculated by percentage

IV. PENALTY:

Employee who willfully and knowingly violates this policy is in direct violation of Departmental Procedures.

V. AUDIT:

Report included in quarterly report to the City of the number of Ordinance codified and supplements received

	POLICY AND PROCEDURE	NUMBER ADMIN: 016
	SUBJECT: RELEASE OF LIEN	EFFECTIVE: 1/24/97 REVIEW DATE: 6/02/02; 1/1/11 PAGE 1 OF 1
DEPARTMENT APPROVED: CITY CLERK Carrie E. Ward	CITY MANAGER REVIEW:	DISTRIBUTION: OFFICE OF THE CITY CLERK AFFECTED DEPARTMENTS

I. PURPOSE:

To establish cohesive guidelines to follow to release a lien on property that had been lien by the City for non-compliance of city laws; and a comprehensive method of issuing Release of Liens on properties and parcels upon petitioning the City Council for a lien reduction, in lieu of full payment.

II. DEFINITION:

A Release of Lien is a binding legal document issued on a real property within the Municipal boundaries of Riviera Beach for full payment or a city council negotiated settlement amount for outstanding debt owed that had been translated into a legal recorded document.

III. GUIDELINES:

Upon satisfactory compliance or partial payment of the amount of the recorded lien with accrued interest if applicable, a Release of Lien shall be issued on behalf of the affected real property or parcels.

Release of Liens are promptly prepared and provided to the individual making the payment.

A cover letter is attached to each Release of Lien detailing the instructions where to file the release. **Form Exhibit A provided for your convenience. Form Exhibit B delineates the required information to complete a Release of Lien.**

The original signature of the Mayor and City Clerk is required on all Release of Liens; it shall be notarized and embossed with the City's Official Seal.

Duplicate Release of Lien available for a fee of \$3.

IV. ANNUAL AUDIT:

Conducted under the city's regulation

V. PENALTY:

Employee who knowingly and willfully violates this policy is in direct violation of Departmental Policy/Procedure.




POLICY AND/OR PROCEDURE

NUMBER ADMIN: 0

SUBJECT:

PAGE 2 OF 2

	POLICY AND PROCEDURE	NUMBER ADMIN: 017
	SUBJECT: SPONSORSHIP POLICY RBTV CHANNEL 18	EFFECTIVE: 2006 REVIEW DATE: PAGE 1 OF 1
DEPARTMENT APPROVED: CITY CLERK Carrie E. Ward	CITY MANAGER APPROVED:	DISTRIBUTION: OFFICE OF THE CITY CLERK AFFECTED DEPARTMENTS FILE

I. PURPOSE:

To establish policy and procedures for contribution of goods and services by sponsors for use of Channel 18 of the City of Riviera Beach Educational and Governmental television station. (RBTV Channel 18)

II. AUTHORITY:

The Mayor and Council of the City of Riviera Beach authorized implementation and development of a telecommunication channel to broadcast its meetings and related educational programs to be viewed by its residents in 2003.

III. POLICY:

The City of Riviera Beach Educational and Governmental Channel Policy governs the donations of goods and services donated to Channel 18. Contribution of goods and services from any individual or organization is encouraged. Channel 18 is funded with cable franchise fees and has limited resources for set design, production, and various other facets of its operation.

IV. PROCEDURE:

All contributions of goods and services received by the City for RBTV Channel 18 must be recorded on a Sponsorship Disclosure form provided by and recorded in the office of the City Clerk (form attached).

DEPARTMENT APPROVED: CITY CLERK Carrie E. Ward	POLICY AND PROCEDURE SUBJECT: RBTV CHANNEL 18 CITY MANAGER APPROVED:	NUMBER ADMIN 018 DISTRIBUTION: OFFICE OF THE CITY CLERK AFFECTED DEPARTMENTS FILE
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I. PURPOSE:

PURPOSE:

To implement management responsibilities in establishing general guidelines and directions for the use and operation of 'The City of Riviera Beach Educational and Governmental Television Station, "RBTV"; to pursue diversified programming of value and interest to the citizenry; to institute equitable political programming of value; to define access and exclusion; to establish procedures for conflict resolution, grievances and divisive issues; to pursue policy consistent with FCC rules and regulations governing cable broadcasting.

THE GOVERNMENT ACCESS CHANNEL:

A. DESIGNATION

The Government Access Channel shall be designated "RBTV Channel 18" hereafter referred to as "RBTV".

B. AUTHORITY

The City of Riviera Beach Educational and Governmental Channel was authorized by the City of Riviera Beach Mayor and City Council as a government telecommunication facility established to promote and inform the public as a convenience.

C. BACKGROUND AND HISTORICAL OPERATION

The Government Access Channel for the City of Riviera Beach was structured created and managed in 2003 by City Clerk Ward. In 2005, the City Council increased the staff of the Clerk's office by adding a position to assist with the duties of the TV station and entitled it, Media Specialist. In 2008, the staff was increased by a 2nd position entitled Media Specialist.

D. MISSION STATEMENT

"RBTV" is a government telecommunications facility established to promote and informed the public in a convenient manner. It serves as a means through which the government and the public communicate. The guiding principle of "RBTV18" shall be to serve the pubic interest, and necessity.

GOALS AND PRIORITIES:

- A. To increase public awareness and understanding of the structure, functions, services, resources, and activities of local government and of public issues.
- B. To foster communication between the government and citizenry and enhance opportunity for communication between citizenry and government.
- B. To foster communication between the government and citizenry and enhance opportunity for communication between citizenry and government.
- C. To stimulate citizenry participation in the decision-making process of government.
- D. To enhance the quality of life in Riviera Beach through programming that contributes to making the City of Riviera Beach the Best Waterfront City in which to Live, Work, and Play.
- E. To ensure that 'RBTv 18' programming meets a journalistic mode of unbiased non-partisanship.
- F. To ensure the programming and operations meet ethical, professional and broadcast quality technical, production and artistic standards.
- G. To extend guidance to educational institutions seeking to use or request to partake in the broadcasting aspect.
- H. To develop continued cooperation and communication with local and county franchised cable operators to maximize benefits of the governmental and educational resources and events in the area.
- I. Televisе regular, special, and public hearing meetings of the City Council.
- J. Televisе regular, special, and public hearing meetings of the Community Redevelopment Agency (CRA).
- K. Televisе regular, special and public hearing meetings of the Utility Special District.

GUIDELINES:

A. Program Policy

Governmental programming shall offer direct and editorial information regarding the operations and deliberations of the local government of the city. Announcements for other governmental agencies may be permitted upon review/approval from the City Manager/City Clerk.

Educational Programming shall offer educational and instructional contents of interest to persons of all ages in the community and shall be appropriate for public educational institutions.

Educational Programming shall offer educational and instructional content of interest in the field of health and wellness, art, technology, and shall include personal service announcements to achieve same.

A Program Log shall be maintained daily to record all programming telecast.

B. Editing Policy

Public Meetings – Telecast of any live public meeting held by the local governing body and affiliate Advisory Boards shall not be edited or subjected to editorial comments. Live meetings shall be from gavel to gavel except for technical interruptions.

Department Programs – Telecast of programs prepared or submitted by an individual, or governmental agency may be edited to maintain continuity with approved guidelines.

City Bulletin Board – Telecast of information for display on the Community Bulletin Board may be edited to facilitate clarity and accuracy; and to optimize use of the memory bank.

Errors – Should human error result in the broadcast of incorrect information over 'RBTv', the City of Riviera Beach and its employees shall not be liable for the inaccuracy of the information.

C. Programming Policy

Allocation of Resources- Scheduling of production personnel and air time will be governed by the goals and priorities set forth.

RBTv 18, may purchase or exchange with other governmental entities, personal services announcements or other related programming in

accordance with policy guideline.

Exclusions

"RBTv18" shall not air programming containing:

Libelous statements or matter

Copyrighted material without appropriate releases or permission
Obscene or indecent material as defined by City Ordinance, Code of Ethics, or community standards

Commercial speech

Political programming on behalf of a political candidate or measure on a ballot or which includes specific messages on behalf of or opposing any issue or candidate for public office

Material submitted for cablecast which does not meet professional broadcast production standards in quality of picture, sound, and technical or editorial execution

Any other material inappropriate to the mandate, mission, goals, and priorities of "RBTv"

Materials promoting religious belief or religious philosophies.

Political Programming

"RBTv 18" shall not cablecast political programming or campaigning by, or on behalf of, any candidate, political action committee, committee of continuous existence, political or executive party on selected issues or for fulfillment of public office. Use of the channel for political purpose by elected officials seeking re-election and candidates seeking election is prohibited.

"RBTv" shall not be used to air any political debates or forums, without prior approval of the City Council by a majority vote. If approved, debates and forums shall be of equitable and unbiased.

PROCEDURES:

Methods of Cablecast

1. **Live-** Live coverage of events originating from city offices shall be provided; telecast of the City Council meetings, hearings, and related meetings of general community interest.

Live- Live coverage of events surrounding the City's CRA District; telecast of the CRA meetings, and hearings.

Live- Live coverage of events surrounding the Utility Special District; telecast of the Utility Special District meetings, and hearings.

Live- Live coverage of events surrounding the City's Nuisance Abatement Board; telecast of the Nuisance Abatement Board meetings, and hearings.

2. **Delayed** – Public meetings and special events will be videotaped to be broadcast at a specific scheduled time. All City Council Meetings; CRA Meetings, Utility Special District Meetings will broadcast live and be subsequently scheduled for replay in full or highlight at times certain during the week.

3. **City Produced Programs** – Programs shall be produced by the City's staff to communicate the functions, operations, and services provided by each department. Programs shall be produced by the Mayor and City Council to communicate the City's mission/status; Programs shall be produced by the City's Advisory Boards, and Committees advising of services performed.

4. **External Programs** - Programs will be prerecorded via the City's satellite; as well as from other local, state and national entities and will be scheduled to be broadcast at a time certain.

5. **Local Affiliate** - Programs previously shown on commercial broadcast channels may be scheduled for broadcast, upon review for guideline conformance by the City

Clerk, with the City Manager's consent, in accordance with previously stated specifications.

- B. **Access Policy** - The City of Riviera Beach Governmental and Educational Channel is not a public access channel. Access to telecast shall be restricted to government functions and operations and educational programming.
- C. **Emergency Access**. - Emergency messages will be given priority over all other announcements and programming, at the stated time.
- D. **Programming Disclaimers** – At the end of each program, all video programming, whether live or tape recording, shall be identified by producer or source of programming credits.
- F. **Sponsorship Endorsements** – At no time shall the City's governmental and educational Channel endorse individuals, consumer products and/ or services.
 - 1. Any individual, business, or institution that contributes, or donates goods and services to the channel for its programs may be acknowledged only in the following format:
 - a. Credit lines placed only at the ending of the program
 - b. Credit lines shall not exceed 30 seconds.
 - c. Audio and /or video credit shall state: "The preceding program has been made possible in part by_____."
 - 2. All contributions of goods and services, and volunteers and interns must be recorded on a sponsorship disclosure form provided by the office of the City Clerk.
- G. **Use of External Resources** – To maximize programming, every attempt shall be made to use community approved resources to facilitate program production.

1. Arrangements may be made with local or regional public educational institutions to recruit interns to assist the RBTV staff to produce public meetings to schedule for telecast.

- H. **Use of Channel 18 Equipment** – Use of the City's equipment shall be restricted to government activities. Special events must be authorized by the City Council. Users of the equipment must be certified producers, and approved interns, authorized by the necessary training to use such equipment, and will be under direct supervision of the RBTV18 staff.
- I. **Telecasting Hours** – It is the goal of the channel to provide continuous programming. The primary approach is to provide live and prerecorded programs as much as possible and the City bulletin board during those periods where it is not possible to air such programs.
- J. **Retention of Recorded Programs** – Master DVD recording of locally produced events or public meetings shall be retained according to State and City policy as established by Records Retention. DVD or tapes will be retained for a period of 2 years; subsequently, may be erased and reused; extended period for retention must be made in advance.

DVD shall not be considered an official meeting record and there shall be no liability for inadvertent content erasure or omission.

- K. **DVD Copies** – Copies of Educational and Governmental Channel Programs, of any nature shall be provided upon request in writing to the office of the City Clerk on the specified form; to guarantee delivery, payment consistent with the actual cost value of \$35.00 per DVD shall be paid at time of request.

L. **Copyright** – The City of Riviera Beach retains the copyright to all programs produced using the channel's equipment.

M. **Disclaimer**: - Tapes are not considered an official meeting record and there shall be no liability for inadvertent content erasure or omissions. The City of Riviera Beach retains the copyright to all programs produced utilizing the channel's equipment; to include government access producers, interns and free lance contract producers.

N. **Prohibited Use**: - The City of Riviera Beach Channel shall not be used for the purpose of:

- 1 Advertising which promotes or endorses the sale of any product or services offered.
 2. Promotional material concerning products or services presented for the purpose of any solicitation of funds or items of value for any reason.
 3. Materials identified by state law to be obscene, indecent, or defamatory.
 - 4 Advertisement on behalf of a political candidate or measure on a ballot or which includes specific messages on behalf of or opposing any issue to be considered before the electorate and on behalf of any Candidate for public office.
 5. Materials promoting religious belief or religious philosophies.
- O. Fee "RBTv" may charge for work supplied to such departments and, to outside communication companies, production companies, or television stations for utilization of facilities, equipment and staff.

SUBCONTRACT SERVICES

Requested work beyond priorities and/or resources available at "RBTv" may be subcontracted through "RBTv18" at cost of subcontracted services.

RESPONSIBILITY FOR CONTENT

Responsibility for the content of any programming produced by "RBTv18" for City departments lies solely with the initiating department or division; the department director shall approve and provide in writing the program and production request relating to their department or division.

The RBTv18 staff shall have the right to edit copy without changing content if such copy does not meet journalistic and broadcasting professional guidelines. Copy editing shall be done in a collaborative spirit.

NON- DISCRIMINATION Policy


Programming shall depict people in a manner which does not discriminate or foster discrimination on the basis of race, color, religion, national origin or ancestry, familial status, age, gender, disability, marital status, status with regard to public assistance, Vietnam Era, or disabled veteran status, sexual orientation, or medical condition.

DISABILITIES ACCESS-

Pursuant to the Americans with Disabilities Act and the rules promulgated there under, appropriate steps shall be taken to afford an individual with a disability an equal opportunity to participate in, and enjoy the benefits of a service, program, and activity conducted by the city. Primary consideration shall be given to the request of the individual with a disability reference the type of assistance required.

PROGRAMMING AND POLICY RESPONSE TIME

Complaint or suggestion shall be submitted in writing and directed to either the RBTv18 staff of choice. Written complaints or suggestion submitted to the RBTv18 staff shall be handled with respect, and a written response provided within (10) working days of initial complaint or suggestion.

	POLICY AND PROCEDURE	NUMBER ADMIN: 019
	SUBJECT: ELECTIONS MINISTERIAL DUTIES OF CITY CLERK Functioning as de facto administrator	EFFECTIVE: 01/02/1997 REVIEW DATE: 01/02/2010; 02/02/2011 PAGE 10F 2
DEPARTMENT APPROVED: CITY CLERK	CITY MANAGER REVIEW	DISTRIBUTION: OFFICE OF THE CITY CLERK LEGISLATIVE & AFFECTED DEPARTMENTS

II. PURPOSE:

To maintain uniformity with Florida Statutes; the City’s Charter and Ordinances as it relates to elective members compliance and responsibility in role playing activities to the municipality.

III. DEFINITION:

Section 5-11 of the City’s Charter delineate the central duties and responsibilities of the Municipal Clerk and enforcement as the Elections Supervisor as local law to:

Coordinate all activities; events and functions for the Municipal Elections – Regular; Special; Recall; and Petition driven initiatives in accordance with F.S. 166.031, the City’s Charter and its Municipal Codes.

IV. POLICY:

Legislative Documents presented at Swearing-In of Elective Officials:

By authorities vested in the City Clerk as administrator to the Municipality being responsible for the accuracy and completeness of its official records, it is imperative that all elections legislative documents represent authenticity and be presented to the officials as such record prior to commencement of duties as Mayor and City Council.

To attain such, the City Clerk shall create a procedure and process to swear in the elected official preferably named “City of Riviera Beach Swearing-In Ceremony”


Objective is to provide the elected official with the oath of office prior to commencement with the official responsibilities as prescribed by law. (as a result of the Municipal general elections)

- 1.1 Swearing-In Ceremony shall be held promptly at the beginning of the time for the regularly scheduled city council meeting following the general elections.
- 1.2 The City Clerk shall administer the oath of office.
- 1.3 As a courtesy policy, the City Clerk presents each elective office with an official elections certificate; a set of the city code of ordinances; the city charter; the revised Robert's rules of order; and the Florida commission on ethics guide to the sunshine amendment manual.
- 1.4 Each elected seat shall be properly represented by the voted-in successor and acknowledged by the city clerk during the ceremony.
- 1.5 At the end of the proceeding, the members shall be seated on the dais.
- 1.6 The city clerk shall proceed with nominee(s) from the seated council for a chair to serve a one year term commencing with the current date until the next scheduled municipal general elections.

Upon a council chair being elected, the city clerk then relinquish the gavel to the newly elected chair for nominee (s) for pro-tem

- 1.7 To attain regulatory compliance to effect the procedure and process, the agenda for the ceremony shall be prepared by or under the authority of the city clerk. Orientation proceedings shall be scheduled for future date.

To end the "Swearing-In Ceremony" adjournment Sine die is in order.

	POLICY AND PROCEDURE	NUMBER ADMIN: 020
	SUBJECT: CITY OF RIVIERA BEACH ADVISORY BOARDS	PAGE 1 OF 2

I PURPOSE:

To establish cohesive guidelines to follow in appointing Advisory Board members to present issues that are matters of public concern to the City Council, and to provide advice and recommendations that will contribute to the overall well being of the citizens, businesses, and employees of the City.


II. DEFINITION:

Advisory Board(s) is defined as an informal group of individuals who have been selected by the Mayor, Council, or Employees to help in advising on issues that affect the City. The commission varies from promoting the City, serving as a liaison for employees, enforcing City codes, as a review board to involvement with many other important aspects of community concern.

Currently there are 14 Advisory Boards as follows: Advertising and Promotions Board; Community Service Board; Drug Coalition Board; Fire Civil Service Board; Fire Pension Trust Board; General Employee Civil Service Board; General Employee Pension Board; Library Board; Planning and Zoning Board; Police Civil Service Board; Recreation Board; Waterfront Advisory Board; and Zoning Board of Adjustment.

III. REQUIREMENTS:

All Board members shall be registered voters of the county; however, various boards require the applicant to be a registered voter of the city. All applicants must have the expertise necessary to accomplish the Board's objective and must possess a reputation for integrity and community service interest. The State requires certain Advisory Board members to file an annual financial disclosure to satisfy the requirements of F.S. § 112.311 et seq.

	POLICY AND PROCEDURE	NUMBER ADMIN: 020
	SUBJECT: CITY OF RIVIERA BEACH ADVISORY BOARDS	PAGE 2 OF 2

IV. TERM:

Most Board members are appointed for up to two-year terms. The Chairperson for an Advisory Board shall be elected for a one-year term with a maximum of two consecutive terms.

V. ATTENDANCE:


Most Boards meet monthly with meeting times varying in length according to agenda items to be addressed. Regular attendance is required. If a Board member's absences exceed 25% of the scheduled Board meetings in a Fiscal Year (Oct. 1 - Sept. 30), the appointment is terminated. A Board member is considered absent if not present for at least 75% of a scheduled meeting.

VI. APPOINTMENT:

All Advisory Board Applications are reviewed by the City Clerk for completeness and accuracy. References may be contacted and prospective appointee may be interviewed by the City Council prior to being appointed or reappointed.

VII. VACANCY:

When there is a Board vacancy, the Office of the City Clerk will forward applications for the specified position to the City Council for review and selection. Once the appointment has been made, the appointee will be notified and provided the required documents to function as a member.

	POLICY AND PROCEDURE	NUMBER ADMIN: 021
	SUBJECT: ORDINANCE ADVERTISED FOR SECOND AND FINAL READING	EFFECTIVE: 1/24/97 REVIEW DATE: 6/02/02; 1/1/09; 1/1/11 PAGE 10F 4
DEPARTMENT APPROVED CITY CLERK: Carrie E. Ward	CITY MANAGER REVIEW	DISTRIBUTION: OFFICE OF THE CITY CLERK AFFECTED DEPARTMENTS

I. PURPOSE:

To provide a cohesive guideline to follow to maintain uniformity with the Florida Statute and compliance in advertising for second and final reading ordinances prior to it becoming law for the municipality.

II. DEFINITION:

An ordinance is defined as an official legislative action of a governing body which action establishes a regulation of a general and permanent nature and enforceable as a local law.

III. POLICY:

PREPARATION

An ordinance shall be introduced clearly by title in writing; and shall embrace but one subject and issues properly connected therewith.

An ordinance to revise or amend shall set out in full the revised or amended part; and shall not be amended by reference to its title only.

A proposed ordinance must be read, either by title or in full on 2 separate days, 10 days apart. On 1st reading, and on 2nd reading (final). In preparation for 2nd reading (final), it must be noticed once in a newspaper of general circulation in the city, the notice shall state the date, time, and place of the meeting which the ordinance may be adopted, the title and place it may be inspected. The notice must advise that interested party may be heard at the meeting and include the disclaimer for disabled.

At no such time shall the municipality lessen or reduce the requirements for adoption of an ordinance. However, additional requirements may be initiated.

IV. PROCEDURE:

1.0 The Ordinance is introduced to the City Council at its regularly scheduled City Council Meeting, or a meeting scheduled for such purpose for consideration on first reading. Sufficient copies are provided for public review. Subsequently, the ordinance is processed for Second and Final Reading.

1.1 For second and final reading the Ordinance title is copied; and prepared in the identical format as outlined in the example policy.

1.2 The Ordinance must be advertised 7 days prior to the scheduled meeting; therefore, it is a general practice to advertise the ordinance 10 days prior to, this allows sufficient time to correct any insufficiencies that may occur and still comply within the guidelines of the law for advertising the Ordinance.

1.3 Determine the date to be advertised by counting ten days preceding the next scheduled regular Council meeting, including weekends; advertise for date determined.

1.4 Electronically transmit, mail; or fax Ordinances to be advertised.

1.5 Deliver a copy of the final prepared Ordinance for advertisement to the City Manager as acknowledgment to be placed on the city council agenda in its respective place and at specified date for council's consideration.

1.6 All ordinances shall be signed by all councilpersons present at the meeting; regardless to the vote as recorded by the city clerk. Actions of each city council vote shall be recorded on the ordinance by the city clerk and made a part of the minutes.

1.7 A majority of the city councilpersons shall constitute a quorum; an ordinance must be approved by an affirmative vote of the city council present; except that 2/3s of all members are required for enactment of an emergency ordinance.

1.8 In approximately, 7 to 10 days, the proof of publication and an invoice for payment will be received into the office.

1.9 Invoice is prepared for payment; proof of publication filed in official records of the city.

SAMPLE OF ORDINANCE

The proposed Ordinance to be advertised on second and final reading must be substantially in the following format:

The City Council of the City of Riviera Beach, Palm Beach County, Florida will hold a Public Hearing on Wednesday, January 1, 9002, at 6: 30 pm. or soon thereafter, and from time to time thereafter as necessary, in the Council Chambers at the Municipal Complex, 600 W. Blue Heron Blvd, Riviera Beach, Florida, to consider the proposed Ordinance. Interested persons may appear and be heard with respect. to the proposed Ordinance which in its entirety may be examined at the office of the City Clerk during regular business hours between the hours of 8:30 am until 5:00 pm, except holidays.

ORDINANCE NO. 2009

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 22, "BUILDINGS AND BUILDING REGULATIONS," ARTICLE II, "BUILDING AND TECHNICAL CODES," BY REVISING AND UPDATING SECTION 22-33, ENTITLED "SCHEDULE OF PERMIT FEES," OF THE CODE OF ORDINANCES; PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY, PROVIDING FOR CODIFICATION, AND PROVIDING AN EFFECTIVE DATE.

PLEASE BE ADVISED, Persons who wish to appeal any decision made by the City Council with respect to any matter considered, at this hearing will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Said person shall have the responsibility at own expense.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceedings should contact the Legislative Assistant office at 561-845-4095, no later than 48 hours prior to the proceedings. If hearing impaired, telephone the Florida Relay Service, 800-955-8771 (TDD) or 800-955-8770(Voice) for assistance.

Carrie E. Ward, Master Municipal Clerk
City Clerk

Publish: July 30, 9002
Furnish Proof of Publication

V. **AUDIT:**

Audits of Ordinances are generally conducted during the time the City's auditors are reviewing for consistency in accordance with regulations.

Additionally, the City Clerk review Ordinances to ensure directives incorporated into the ordinance have been concluded and said Ordinances become a part of the city code of ordinances and filed in the official records for enforcement. The process follows action at the City Council Meetings.

Conclusion, upon final adoption of specified Ordinance; it must be e-mailed; faxed or; mailed to the agency for codification. (Municipal Code Corporation)

Ordinances reflecting temporary status must not be codified. However, all ordinances must be signed by the presence council at the particular meeting; the mayor; and city clerk; then must be filed in the official records by the city clerk.

Emergency Ordinances may be enacted by the city by following the procedure delineated in the Florida Statutes.

VI **PENALTY:**

Any public officer or employee who violates any provision of this law is guilty of a noncriminal infraction, punishable by a fine not to exceed \$500.

Any person willfully and knowingly violating any provision of this law is guilty of a misdemeanor of the first degree, punishable as provided in s.775.082 or 083.

CITY OF RIVIERA BEACH RECALL **PROCEDURES**

100.361 F.S. Municipal Recall

1. APPLICATION; DEFINITION.—Any member of the governing body of a municipality or charter county, hereinafter referred to in this section as “municipality,” may be removed from office by the electors of the municipality. When the official represents a district and is elected only by electors residing in that district, only electors from that district are eligible to sign the petition to recall that official and are entitled to vote in the recall election. When the official represents a district and is elected at-large by the electors of the municipality, all electors of the municipality are eligible to sign the petition to recall that official and are entitled to vote in the recall election. Where used in this section, the term “district” shall be construed to mean the area or region of a municipality from which a member of the governing body is elected by the electors from such area or region. Members may be removed from office pursuant to the procedures provided in this section. This method of removing members of the governing body of a municipality is in addition to any other method provided by state law.

2. RECALL PETITION.

(a) *Petition content.*—A petition shall contain the name of the person sought to be recalled and a statement of grounds for recall. The statement of grounds may not exceed 200 words, and the stated grounds are limited solely to those specified in paragraph (d). If more than one member of the governing body is sought to be recalled, whether such member is elected by the electors of a district or by the electors of the municipality at-large, a separate recall petition shall be prepared for each member sought to be recalled. Upon request, the content of a petition should be, but is not required to be, provided by the proponent in alternative formats.

(b) *Requisite signatures.*—

1. In a municipality or district of fewer than 500 electors, the petition shall be signed by at least 50 electors or by 10 percent of the total number of registered electors of the municipality or district as of the preceding municipal election, whichever is greater.

2. In a municipality or district of 500 or more but fewer than 2,000 registered electors, the petition shall be signed by at least 100 electors or by 10 percent of the total number of registered electors of the municipality or district as of the preceding municipal election, whichever is greater.

3. In a municipality or district of 2,000 or more but fewer than 5,000 registered electors, the petition shall be signed by at least 250 electors or by 10 percent of the total number of registered electors of the municipality or district as of the preceding municipal election, whichever is greater.

4. In a municipality or district of 5,000 or more but fewer than 10,000 registered electors, the petition shall be signed by at least 500 electors or by 10 percent of the total number of registered electors of the municipality or district as of the preceding municipal election, whichever is greater.

5. In a municipality or district of 10,000 or more but fewer than 25,000 registered electors, the petition shall be signed by at least 1,000 electors or by 10 percent of the total number of registered electors of the municipality or district as of the preceding municipal election, whichever is greater.

6. In a municipality or district of 25,000 or more registered electors, the petition shall be signed by at least 1,000 electors or by 5 percent of the total number of registered electors of the municipality or district as of the preceding municipal election, whichever is greater. All signatures shall be obtained, as provided in paragraph (e), within a period of 30 days, and all signed and dated petition forms shall be filed at the same time, no later than 30 days after the date on which the first signature is obtained on the petition.

(c) *Recall committee.*—Electors of the municipality or district making

charges contained in the statement of grounds for recall, as well as those signing the recall petition, shall be designated as the recall committee. A specific person shall be designated in the petition as chair of the committee, and this person shall act for the committee. The recall committee and the officer being recalled are subject to the provisions of chapter 106.

(d) *Grounds for recall.*—The grounds for removal of elected municipal officials shall, for the purposes of this act, be limited to the following and must be contained in the petition:

1.
Malfeasance;
2.
Misfeasance;
3.
Neglect of duty;
4.
Drunkenness;
5.
Incompetence;
6.
Permanent inability to perform official duties; and
7.
Conviction of a felony involving moral turpitude.

(e) *Signature process.*—Only electors of the municipality or district are eligible to sign the petition. Each elector signing a petition shall sign and date his or her name in ink or indelible pencil. Each petition shall contain appropriate lines for each elector's original signature, printed name, street address, city, county, voter registration number or date of birth, and date signed. The form shall also contain lines for an oath, to be executed by a witness who is to verify the fact that the witness saw each person sign the counterpart of the petition, that each signature appearing thereon is the genuine signature of the person it purports to be, and that the petition was signed in the presence of the witness on the date indicated.

(f) *Filing of signed petitions.*—All signed petition forms shall be filed at the same time, no later than 30 days after the date on which the first signature is obtained on the petition. The person designated as chair of the committee shall file the signed petition forms with the auditor or clerk of the municipality or Charter County, or his or her equivalent, hereinafter referred to as “City Clerk.” The petition may not be amended after it is filed with the City Clerk.

At this time only it shall be determined if in fact the committee has conspired to the point to trigger procedures in chapter 106 F.S. (Committee petition procedures). If determined the committee shall conform.

(g) *Verification of signatures.*—

1. Immediately after the filing of the petition forms, the clerk shall submit such forms to the county supervisor of elections. No more than 30 days after the date on which all petition forms are submitted to the supervisor by the clerk, the supervisor shall promptly verify the signatures in accordance with s. [99.097](#), and determine whether the requisite number of valid signatures has been obtained for the petition. The committee seeking verification of the signatures shall pay in advance to the supervisor the sum of 10 cents for each signature checked or the actual cost of checking such signatures, whichever is less.

2. Upon filing with the City Clerk, the petition and all subsequent papers or forms required or permitted to be filed with the City Clerk in connection with this section must, upon request, be made available in alternative formats by the City Clerk.

3. If the supervisor determines that the petition does not contain the requisite number of verified and valid signatures, the City Clerk shall, upon receipt of such written determination, so certify to the governing body of the municipality or charter county and file the petition without taking further action, and the matter shall be at an end. No additional names may be added to the petition, and the petition shall not be used in any other proceeding.

4. If the supervisor determines that the petition has the requisite number of verified and valid signatures, then the procedures outlined in subsection (3) must be followed.

(3) RECALL PETITION AND DEFENSE.—

(a) *Notice.*—Upon receipt of a written determination that the requisite number of signatures has been obtained, the City Clerk shall at once serve upon the person sought to be recalled a certified copy of the petition. Within 5 days after service, the person sought to be recalled may file with the City Clerk a defensive statement of not more than 200 words.

(b) *Content and preparation.*—Within 5 days after the date of receipt of the defensive statement or after the last date a defensive statement could have been filed, the clerk shall prepare a document entitled “Recall Petition and Defense.” The “Recall Petition and Defense” shall consist of the recall petition, including copies of the originally signed petitions and counterparts. The “Recall Petition and Defense” must contain lines which conform to the provisions of paragraph (2) (e), and the defensive statement or, if no defensive statement has been filed, a statement to that effect. The clerk shall make copies of the “Recall Petition and Defense” which are sufficient to carry the signatures of 30 percent of the registered electors. Immediately after preparing and making sufficient copies of the “Recall Petition and Defense,” the clerk shall deliver the copies to the person designated as chair of the committee and take his or her receipt therefor.

(c) *Requisite signatures.*—Upon receipt of the “Recall Petition and Defense,” the committee may circulate them to obtain the signatures of 15 percent of the electors. All signatures shall be obtained and all signed petition forms filed with the City Clerk no later than 60 days after delivery of the “Recall Petition and Defense” to the chair of the committee.

(d) *Signed petitions; request for striking name.*—The City Clerk shall assemble all signed petitions, check to see that each petition is properly verified by the oath of a witness, and submit such petitions to the county supervisor of elections. Any elector who signs a recall petition has the right to demand in writing that his or her name be stricken from the petition. A written demand signed by the elector shall be filed with the Clerk, and, upon receipt of the demand, the City Clerk shall strike the name of the elector from the petition and place his or her initials to the side of the signature stricken. However, a signature may not be stricken after the City Clerk has delivered the “Recall Petition and Defense” the supervisor for verification of the signatures.

(e) *Verification of signatures.*—Within 30 days after receipt of the signed “Recall Petition and Defense,” the supervisor shall determine the number of valid signatures, purge the names withdrawn, and certify whether 15 percent of the qualified electors of the municipality have signed the petitions. The supervisor shall be paid by the persons or committee seeking verification the sum of 10 cents for each name checked.

(f) *Reporting.*—If the supervisor determines that the requisite number of signatures has not been obtained, the clerk shall, upon receipt of such written determination, certify such determination to the governing body and retain the petitions. The proceedings shall be terminated, and the petitions shall not again be used. If the supervisor determines that at least 15 percent of the qualified electors signed the petition, the clerk shall, immediately upon receipt of such written determination, serve notice of that determination upon the person sought to be recalled and deliver to the governing body a certificate as to the percentage of qualified electors who signed.

(4) RECALL ELECTION.—If the person designated in the petition files with the clerk, within 5 days after the last-mentioned notice, his or her written resignation, the City Clerk shall at once notify the governing body of that fact, and the resignation shall be irrevocable. The governing body

shall then proceed to fill the vacancy according to the provisions of the appropriate law. In the absence of a resignation, the chief judge of the judicial circuit in which the municipality is located shall fix a day for holding a recall election for the removal of those not resigning. Any such election shall be held not less than 30 days or more than 60 days after the expiration of the 5-day period last-mentioned and at the same time as any other general or special election held within the period; but if no such election is to be held within that period, the judge shall call a special recall election to be held within the period aforesaid.

(5) **BALLOTS.**—The ballots at the recall election shall conform to the following: With respect to each person whose removal is sought, the question shall be submitted: “Shall be removed from the office of by recall?” Immediately following each question there shall be printed on the ballots the two propositions in the order here set forth:

“ (name of person) should be removed from office.”

“ (name of person) should not be removed from office.”

(6) **FILLING OF VACANCIES; SPECIAL ELECTIONS.**—

(a) If an election is held for the recall of members elected only at-large, candidates to succeed them for the unexpired terms shall be voted upon at the same election and shall be elected in the same manner as provided by the appropriate law for the election of candidates at general elections. Candidates shall not be elected to succeed any particular member. If only one member is removed, the candidate receiving the highest number of votes shall be declared elected to fill the vacancy. If more than one member is removed, candidates equal in number to the number of members removed shall be declared elected to fill the vacancies; and, among the successful candidates, those receiving the greatest number of votes shall be declared elected for the longest terms. Cases of ties, and all other matters not herein specially provided for, shall be determined by the rules governing elections generally.

(b) If an election is held for the recall of members elected only from districts, candidates to succeed them for the unexpired terms shall be voted upon at a special election called by the chief judge of the judicial

circuit in which the districts are located not less than 30 days or more than 60 days after the expiration of the recall election. The qualifying period, for purposes of this section, shall be established by the chief judge of the judicial circuit after consultation with the clerk. Any candidate seeking election to fill the unexpired term of a recalled district municipal official shall reside in the district represented by the recalled official and qualify for office in the manner required by law. Each candidate receiving the highest number of votes for each office in the special district recall election shall be declared elected to fill the unexpired term of the recalled official. Candidates seeking election to fill a vacancy created by the removal of a municipal official shall be subject to the provisions of chapter 106.

(c) When an election is held for the recall of members of the governing body composed of both members elected at-large and from districts, candidates to succeed them for the unexpired terms shall be voted upon at a special election as provided in paragraph (b).

(d) However, in any recall election held pursuant to paragraph (b) or paragraph (c), if only one member is voted to be removed from office, the vacancy created by the recall shall be filled by the governing body according to the provisions of the appropriate law for filling vacancies.

(7) EFFECT OF RESIGNATIONS.—If the member of the governing body being recalled resigns from office prior to the recall election, the remaining members shall fill the vacancy created according to the appropriate law for filling vacancies. If all of the members of the governing body are sought to be recalled and all of the members resign prior to the recall election, the recall election shall be canceled, and a special election shall be called to fill the unexpired terms of the resigning members. If all of the members of the governing body are sought to be recalled and any of the members resign prior to the recall election, the proceedings for the recall of members not resigning and the election of successors to fill the unexpired terms shall continue and have the same effect as though there had been no resignation.

(8) WHEN PETITION MAY BE FILED.—No petition to recall any member of the governing body of a municipality shall be filed until the member has served one-fourth of his or her term of office. No person removed by a recall, or resigning after a petition has been filed against him or her, shall be eligible to be appointed to the governing body within a period of 2 years after the date of such recall or resignation.

(9) RETENTION OF PETITION.—The City Clerk shall preserve in his or her office all papers comprising or connected with a petition for recall for a period of 2 years after they were filed.

(10) OFFENSES RELATING TO PETITIONS.—No person shall impersonate another, purposely write his or her name or residence falsely in the signing of any petition for recall or forge any name thereto, or sign any paper with knowledge that he or she is not a qualified elector of the municipality. No person shall employ or pay another to accept employment or payment for circulating or witnessing a recall petition. Any person violating any of the provisions of this section commits a misdemeanor of the second degree and shall, upon conviction, be punished as provided by law.

(11) INTENT.—It is the intent of the Legislature that the recall procedures provided in this act shall be uniform statewide. Therefore, all municipal charter and special law provisions which are contrary to the provisions of this act are hereby repealed to the extent of this conflict.

(12) PROVISIONS APPLICABLE.—The provisions of this act shall apply to cities and charter counties whether or not they have adopted recall provisions.