

ORDINANCE NO. 2020- 69

**CITY OF POMPANO BEACH
Broward County, Florida**

AN ORDINANCE AMENDING CHAPTER 100, "STREETS AND SIDEWALKS," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 100.01, "MINIMUM RIGHT-OF-WAY," TO PROVIDE AN ADMINISTRATIVE PROCESS TO RECLASSIFY PORTIONS OF CITY OR CRA REAL PROPERTY REQUIRED FOR CITY RIGHT-OF-WAY OR EASEMENT AND FOR ACCEPTANCE OF PROPERTY CONVEYED BY BROWARD COUNTY OR OTHER GOVERNMENTAL AGENCY FOR RIGHT-OF-WAY USE OR OTHER PUBLIC PURPOSE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to law, ten (10) days' notice has been given by publication in a paper of general circulation in the City, notifying the public of this proposed ordinance and of a public hearing in the City Commission Chambers of the City of Pompano Beach; and

WHEREAS, a public hearing before the City Commission was held pursuant to the published notice described above, at which hearing the parties in interest and all other citizens so desiring had an opportunity to be and were, in fact, heard; now, therefore,

BE IT ENACTED BY THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. That Section 100.01, "Minimum Right-of-Way," of Chapter 100, "Streets and Sidewalks," of the City of Pompano Beach Code of Ordinances is hereby amended to read as follows:

§ 100.01 MINIMUM RIGHT-OF-WAY.

(A) The City Commission shall not accept any street right-of-way as a public street whether by dedication in a plat or by deed or other instrument unless it complies with the applicable following minimum width.

...

(C) Property owners required to dedicate required right-of-way in accordance with Zoning Code §155.5704 shall only be required to dedicate half of the applicable right-of-way width to the center line of the street.

(D) Where City or CRA real property, in whole or in part, is needed in order to comply with the minimum right-of-way widths described in this section or to accomplish public purposes within this chapter, the City Manager may, with the concurrence of the City Engineer and, in the instance involving CRA property, the concurrence of the CRA Executive Director, reclassify such City or CRA property as City rights-of-way or easements and shall prepare a survey showing the right-of-way or easement. The survey and transmittal, in a form approved by the City Attorney, shall be forwarded to the Broward County Records Division for recording.

(E) Where real property owned by Broward County, or other governmental agency, in whole or in part, is needed in order to comply with the minimum right-of-way widths described in this section or to accomplish public purposes within this chapter, the City Manager or his designee, with the concurrence of the City Engineer, shall have the authority to approve and accept conveyance of the real property.

SECTION 2. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect any provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are declared to be severable.

SECTION 3. This Ordinance shall become effective upon passage.

PASSED FIRST READING this 8th day of September, 2020.

PASSED SECOND READING this 22nd day of September, 2020.

DocuSigned by:
Rex Hardin
502CB780EB3F480...
REX HARDIN, MAYOR

ATTEST:

DocuSigned by:
Asceleta Hammond
775D4290316A490...
ASCELETA HAMMOND, CITY CLERK

