

# PUBLIC HEARING OF MARCH 12, 1996

(The meeting convened at 2:00 p.m. and adjourned at 3:15 p.m.)

PLEDGE OF ALLEGIANCE was led by Commissioner Parrish.

1. MOTION TO ADOPT Resolution 96-0145 to vacate and abandon a utility easement, lying and being in Broward County, Florida, and is at 5230 Federal Highway in the city of Lighthouse Point. Petitioner: 530 West Main Street Realty Ltd., Inc. (Steven L. Daniels - Agent) 26-V-95.

**ACTION: (A-092) Approved.**

2. MOTION TO ADOPT Resolution 96-0146 to vacate and abandon a utility easement, lying and being in Broward County, Florida, and is located at 1907 N.W. 80th Avenue in the City of Margate. Petitioner: John E. and Linda Micklos. 8-V-96.

**ACTION: (A-102) Approved.**

3. MOTION TO ADOPT Resolution to 96-0147 vacate and abandon road right-of-way, lying and being in Broward County, Florida, and is a portion of State Road 7 North and South of Stirling Road partly in the City of Hollywood. Petitioner: Seminole Management Associates Ltd., et. al. (David Wiseman, Esquire - Agent) 16-V-93.

*ACTION: (A-114) Approved, as amended to reflect corrected legal description.*

4. MOTION TO ADOPT Resolution 96-0148 to vacate and abandon a utility easement, lying and being in Broward County, Florida, and located at 1915 River Oaks Drive in unincorporated Broward County. Petitioner: Timothy P. and Deborah D. Eberle (Nicholas G. Milano - Agent) 9-V-96.

**ACTION: (A-126 ) Approved.**

5. MOTION TO ADOPT Resolutions 96-0149 thru 96-0182 to assess land clearance liens.

**ACTION: (A-135 ) Approved.**

6. MOTION TO CONSIDER an application for (new) Certificate of Public Convenience and Necessity, Class 1 - ALS Rescue to the city of Wilton Manors..

**ACTION: (A-148) Approved.**

7. MOTION TO ADOPT Resolutions adopting supplemental budgets to adjust revenues and appropriations.

## **ACTION: (A-156) Approved.**

A. MOTION TO ADOPT supplemental budget resolution 96-0183 within the General Fund in the amount of \$19,210,441 to recognize audited fund balances, adjust budgeted revenues and to appropriate funds to reserves and other commitments.

## **ACTION: (A-156) Approved.**

B. MOTION TO ADOPT supplemental budget resolution 96-0184 within the Special Purpose Funds in the amount of \$7,974,759 to recognize audited fund balances, adjust various revenues and to appropriate the funds to reserve and other commitments.

## **ACTION: (A-156) Approved.**

C. MOTION TO ADOPT supplemental budget resolution 96-0185 with the Special Revenue Funds in the amount of \$10,954,610 to adjust budgeted fund balances and to appropriate the funds to reserves and other commitments.

## **ACTION: (A-156) Approved.**

D. MOTION TO ADOPT supplemental budget resolution 96-0186 within Debt Service Funds in the amount of \$2,962,360 to adjust budgeted fund balances to reflect audited financial statements and to appropriate funds to reserves and other commitments.

## **ACTION: (A-156) Approved.**

E. MOTION TO ADOPT supplemental budget resolution 96-0187 within Capital Funds in the amount of \$10,425,470 to adjust budgeted fund balances to reflect audited financial statements and to appropriate funds to reserves and other commitments.

## **ACTION: (A-156) Approved.**

F. MOTION TO ADOPT supplemental budget resolution 96-0188 within Enterprise Funds in the amount of \$56,263,041 to adjust budgeted fund balances, revenues, and transfers to reflect audited financial statements and to appropriate funds to reserves and other commitments.

## **ACTION: (A-156) Approved.**

G. MOTION TO ADOPT supplemental budget resolution 96-0189 within the Internal Service Funds in the amount of \$1,103,747 to adjust budgeted fund balances to reflect audited financial statements and to appropriate funds to reserves and other commitments.

# **ACTION: (A-156) Approved.**

H. MOTION TO ADOPT supplemental budget resolution 96-0190 within the Trust Funds in the amount of \$2,910,507 to adjust budgeted fund balances, revenues, and transfers to reflect audited financial statements and to appropriate the funds to reserves and other commitments.

# **ACTION: (A-156) Approved.**

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## **QUASI-JUDICIAL HEARING**

Please be advised that the following items on the Commission's agenda are quasi-judicial in nature. If you wish to object or comment upon these items, please indicate the item number you would like to address when the announcement regarding the quasi-judicial item is made. You must be sworn before addressing the Commission, and if you wish to address the Commission, you may be subject to cross-examination. If you refuse to submit to cross-examination, the Commission will not consider what you have said in its final deliberations.

8. MOTION TO CONSIDER enactment of an ordinance changing the zoning district of certain lands within the Unincorporated Area of Broward County, Florida (Rezoning Petition 14-Z-95).

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTION 31, TOWNSHIP 47 SOUTH, RANGE 42 EAST; FROM A-1, LIMITED AGRICULTURAL DISTRICT TO I-1, INSTITUTIONAL-EDUCATIONAL DISTRICT; PROVIDING FOR AMENDMENT OF THE ZONING DISTRICT MAPS; PROVIDING FOR THE REPEAL OF ALL REZONING ORDINANCES AND ZONING RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING THAT THIS REZONING SHALL NOT BE CONSTRUED TO CREATE A RIGHT TO DEVELOPMENT THAT FAILS TO MEET THE REQUIREMENTS OF OTHER LAND DEVELOPMENT

REGULATIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (A-187) Filed proof of publication, accepted the recommendations of staff and the Hearing Officer, and enacted the ordinance to become effective as provided by law.***

## **END OF QUASI-JUDICIAL HEARING**

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9. MOTION TO CONSIDER the enactment of an ordinance, the substance of which is as follows:

AN ORDINANCE RELATING TO THE PLUMBING INDUSTRY; AMENDING SECTION 9-51 OF THE BROWARD COUNTY CODE OF ORDINANCES GRANTING TO THE BROWARD COUNTY CENTRAL EXAMINING BOARD OF PLUMBERS THE POWER TO REQUIRE ALL INDIVIDUALS WHO OBTAIN A CERTIFICATE OF COMPETENCY TO UNDERGO CONTINUING PLUMBING EDUCATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

**ACTION: (A-271) *No Board action was taken.***

10. MOTION TO CONSIDER enactment of an ordinance the substance of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PROVIDING FOR THE REPEAL OF ORDINANCE NO. 84-2, MENTAL HEALTH ADVISORY BOARD, AND DECLARING SAME TO BE NULL AND VOID AND OF NO EFFECT.

(Sponsored by the Board of Commissioners)

**ACTION: (A-551) *Filed proof of publication and enacted Ordinance 96-3 to become effective as provided by law.***

11. MOTION TO CONSIDER enactment of an ordinance the substance of which is as follows:

AN ORDINANCE OF THE BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS; AMENDING CHAPTER 27, ARTICLE XVI, BROWARD CLEAN AND BEAUTIFUL TRUST FUND; SECTIONS 27-430, THE BROWARD CLEAN AND BEAUTIFUL TRUST FUND, AND 27-432, THE BROWARD CLEAN AND BEAUTIFUL COMMITTEE, OF THE BROWARD COUNTY CODE OF ORDINANCES; PROVIDING FOR NAME CHANGE FROM BROWARD CLEAN AND BEAUTIFUL TRUST FUND TO BROWARD BEAUTIFUL TRUST FUND; PROVIDING FOR NAME CHANGE FROM BROWARD CLEAN AND BEAUTIFUL COMMITTEE TO BROWARD BEAUTIFUL COMMITTEE; PROVIDING FOR SEVERABILITY, PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

**ACTION: (A-565) *Filed proof of publication and enacted Ordinance 96-4 to become effective as provided by law.***

12. MOTION TO CONSIDER enactment of an ordinance the substance of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING CHAPTER 34, BROWARD COUNTY CODE, PROVIDING FOR HOUSEKEEPING REVISIONS TO REFLECT THAT THE BROWARD COUNTY HEALTH DEPARTMENT IS NOW KNOWN AS THE BROWARD COUNTY PUBLIC HEALTH UNIT, AMENDING CHAPTER 34, ARTICLE II½, WATER AND SEPTIC TANK ORDINANCE, SPECIFICALLY SECTION 34-44 RELATING TO SURVEY REQUIREMENTS FOR SEPTIC TANK PERMITTING AND INSPECTION AND PRIVATE WATER

SYSTEM REGULATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN

THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (A-577) Filed proof of publication and enacted Ordinance 96-5 to become effective as provided by law.***

13. MOTION TO CONSIDER enactment of an ordinance the substance of which is as follows:

AN ORDINANCE OF THE BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING CHAPTER 31, ARTICLE OF THE BROWARD COUNTY CODE OF ORDINANCES, ENTITLED "IN GENERAL," AMENDING SECTION 31-2, TO PROVIDE FOR COUNTY REPAIR OF SIDEWALKS UPON PROPER NOTICE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners).

***ACTION: (A-627) Filed proof of publication and enacted Ordinance 96-6 to become effective as provided by law.***

14. MOTION TO CONSIDER enactment of an ordinance the substance of which is as follows:

AN ORDINANCE OF THE BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS, AMENDING CHAPTER 8½ OF THE BROWARD COUNTY CODE OF ORDINANCES, ENTITLED "CODE ENFORCEMENT," AMENDING SECTION 8½-9, PROVIDING FOR DEFINITIONS, AMENDING SECTION 8½-16 TO PROVIDE PENALTIES FOR VIOLATIONS OF CHAPTER 12 OF THE BROWARD COUNTY CODE OF ORDINANCES RELATING TO EXPLOSIVES; AMENDING ARTICLE II, CHAPTER 12 OF THE BROWARD COUNTY CODE OF ORDINANCES, ENTITLED "EXPLOSIVES," AMENDING SECTION 12-14 SETTING FORTH THE PURPOSE AND SCOPE TO PROVIDE FOR APPLICATION WITHIN MUNICIPALITIES; AMENDING SECTION 12-19 PROVIDING FOR THE

ISSUANCE OF BLASTING LICENSES; AMENDING SECTION 12-23 PROVIDING FOR AN APPEAL FROM REFUSAL TO ISSUE A BLASTING LICENSE; AMENDING SECTION 12-24 TO PROVIDE FOR LOCAL ENFORCEMENT OF STATE EXPLOSIVES LAWS; AMENDING SECTION 12-31 RELATING TO THE USE AND HANDLING OF EXPLOSIVES; AMENDING SECTION 12-37 PROVIDING FOR BLASTING PERMITS WITHIN LIMITS; AMENDING SECTION 12-38 SETTING FORTH THE POSTING OF SECURITY AND OTHER REQUIREMENTS FOR THE ISSUANCE OF BLASTING PERMITS BY THE CODE AND ZONING ENFORCEMENT DIVISION; AMENDING SECTION 12-39 PLACING LIMITATIONS AND CONDITIONS ON BLASTING PERMITS; AMENDING SECTION 12-41 ESTABLISHING DISCIPLINARY PROCEDURES FOR VIOLATIONS OF THE ORDINANCE AND SETTING FORTH THE PENALTIES; CREATING SECTION 12-42 SETTING FORTH THE ELEMENTS OF BLASTING COMPLAINTS; CREATING SECTION 12-43 ESTABLISHING A PROCEDURE TO ARBITRATE BLASTING COMPLAINTS; CREATING SECTION 12-44 SETTING FORTH THE PROCEDURES FOR HEARINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of Commissioners)

***ACTION: (A-654) Filed proof of publication and enacted Ordinance 96-7 to become effective April 15, 1996. (The Board accepted the option of utilizing a hearing officer to arbitrate blasting complaints.)***

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