

1 CITY OF MARGATE, FLORIDA

2 ORDINANCE NO. 96-15

3 AN ORDINANCE AMENDING THE CODE OF THE CITY
4 OF MARGATE, FLORIDA, CHAPTER 2.
5 ADMINISTRATION, BY ADDING NEW SECTION 2-147
6 ENTITLED COMMUNITY REDEVELOPMENT AGENCY;
7 PROVIDING FOR INTENT; PROVIDING FOR
8 ORGANIZATION OF THE COMMUNITY REDEVELOPMENT
9 AGENCY; PROVIDING FOR APPOINTMENT OF BOARD
10 OF COMMISSIONERS; PROVIDING FOR QUORUM AND
11 POWERS; PROVIDING FOR NO COMPENSATION FOR
12 COMMISSIONERS BUT FOR PAYMENT OF EXPENSES;
13 PROVIDING FOR THE CHOOSING OF CHAIRPERSON
14 AND VICE-CHAIRPERSON; PROVIDING FOR
15 PREPARATION OF THE COMMUNITY REDEVELOPMENT
16 PLAN; PROVIDING FOR DELEGATION OF POWER;
17 PROVIDING FOR RETENTION OF POWER BY THE
18 CITY OF MARGATE; PROVIDING FOR
19 INTERPRETATION WITH PART III, CHAPTER 163,
20 FLORIDA STATUTES; PROVIDING FOR REPEAL;
21 PROVIDING FOR SEVERABILITY; PROVIDING FOR
22 CODIFICATION; PROVIDING FOR AN EFFECTIVE
23 DATE.

24 WHEREAS, the City Commission of the City of
25 Margate, Florida has made certain findings and
26 declarations, as set forth in a resolution of necessity;
27 and

28 WHEREAS, the City Commission of the City of
29 Margate, Florida, by the adoption of this ordinance,
30 reaffirms such findings and declarations; and

WHEREAS, the City Commission of the City of
Margate, Florida desires to create a public body corporate
and politic, to be constituted as a public instrumentality
to function within the City of Margate, to carry out the
Community Redevelopment purposes of Part III, Chapter 163,
Florida Statutes.

1 NOW, THEREFORE, BE IT ORDAINED BY THE CITY
2 COMMISSION OF THE CITY OF MARGATE, FLORIDA:

3 SECTION 1: That the foregoing Preamble is hereby
4 ratified and confirmed as true and correct by the City
5 Commission of the City of Margate, Florida.

6 SECTION 2: The Code of Ordinances of the City of
7 Margate, Florida, Chapter 2. Administration, is hereby
8 amended by the addition of new Section 2-147 entitled
9 Community Redevelopment Agency, which shall read as
10 follows:

11 Section 2-147. Community Redevelopment Agency.

12 **(1) Creation of Community Redevelopment Agency.**

13 (a) Intent.

14 There is hereby established the City of Margate
15 Community Redevelopment Agency, a public body
16 corporate and politic, having all the powers
17 necessary or convenient to carry out and
18 effectuate the purposes and provisions of Part
19 III, Chapter 163, Florida Statutes, and this
20 ordinance, subject to all limitations set out
21 therein. The City of Margate Community
22 Redevelopment Agency shall be referred to
23 hereinafter as "the agency".

19 (b) Organization of the Community Redevelopment
20 Agency.

21 The agency shall be governed by a board of
22 commissioners consisting of five (5) persons
23 appointed by the City Commission. The terms of
24 office of the commissioners shall be for four (4)
25 years, except that three (3) of the members first
26 appointed shall be designated to serve terms of
27 one (1), two (2) and three (3) years respectively,

28 NOTE: This entire ordinance recites new language and
29 therefore the City Attorney's office has not
30 underscored the entire ordinance.

1
2 from the date of their appointments. A vacancy
3 occurring during a term shall be filled for the
4 unexpired term by appointment by the City
Commission of Margate. Commissioners who continue
to be eligible for appointment may be reappointed.

5 (c) Any person may be appointed as a commissioner
6 if he or she resides or is engaged in business
7 within the City of Margate. "Engaged in business"
8 shall mean owning a business, practicing a
profession, performing a service for compensation,
or serving as an officer or director of a
corporation or other business entity so engaged
within the City.

9 (d) A majority of the commissioners shall
10 constitute a quorum for the purpose of conducting
11 business and exercising the powers of the agency
12 and for all other purposes. Action may be taken
by the agency upon a vote of the majority of the
commissioners present, unless in any case the
bylaws shall require a larger number.

13 (e) A commissioner shall receive no compensation
14 for his/her services, but shall be entitled to the
necessary expenses, including traveling expenses,
incurred in the discharge of his/her business.

15 (f) Pursuant to this Ordinance, a separate
16 Resolution shall be adopted naming the individuals
17 who shall constitute commissioners of the Margate
Community Redevelopment Agency, and same shall
hold their authority pursuant to this Ordinance.

18 (g) The City Commission shall designate a Chair
19 and Vice-Chair, who shall serve until the end of
20 their terms, or unless a Chair or Vice-Chair is
otherwise designated by resolution of the City
Commission.

21
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24 underscored the entire ordinance.

1 (2) Community Redevelopment Plan.

2 The agency shall prepare or cause to be prepared a
3 Community Redevelopment Plan as described in
4 Section 163.360, Florida Statutes, for any area
5 that the City Commission has, by resolution,
6 determined to be a slum area, a blighted area or
7 an area in which there is a shortage of housing
8 affordable to residents of low or moderate income,
9 including the elderly, or a combination thereof.

10 (3) Delegation of Power.

11 The City Commission of the City of Margate hereby
12 delegates to the City of Margate Community
13 Redevelopment Agency each of the powers set forth
14 in Section 163.370 (excluding however those powers
15 enumerated in F.S. 163.358). Provided, however,
16 that the City of Margate retains the right to
17 exercise any of the powers delegated herein to the
18 City of Margate Community Redevelopment Agency,
19 and such powers shall not be deemed to be vested
20 exclusively in the agency.

21 (4) Ordinance as supplemental.

22 This ordinance shall be deemed supplemental to the
23 provisions of Part III, Chapter 163, Florida
24 Statutes, the provisions of which are incorporated
25 herein by reference.

26 SECTION 2: All ordinances or parts of ordinances in
27 conflict herewith be and the same are hereby repealed to
28 the extent of such conflict.

29 SECTION 3: If any section, sentence, clause, or
30 phrase of this ordinance is held to be invalid or
unconstitutional by a court of competent jurisdiction, then
said holding shall in no way affect the validity of the
remaining portions of this ordinance.

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underscored the entire ordinance.

1 SECTION 4: It is the intention of the City
2 Commission that the provisions of this ordinance shall
3 become and be made a part of the City of Margate Code, and
4 that the sections of this ordinance may be renumbered or
5 relettered and the word "ordinance" may be changed to
6 "section", "article" or such other appropriate word or
7 phrase in order to accomplish such intentions.

8 SECTION 5: That this ordinance shall become
9 effective immediately upon adoption at its second reading.

10 PASSED ON FIRST READING THIS 18TH day of SEPTEMBER, 1996.

11 PASSED ON SECOND READING THIS 2ND day of OCTOBER, 1996.

12 ATTEST:

13 

14 _____
15 DEPUTY CITY CLERK

13 

14 _____
15 MAYOR ARTHUR J. BROSS

16
17 SEPTEMBER 18, 1996
18 RECORD OF VOTE - 1ST READING

19 Donovan AYE
20 Varsallone AYE
21 Anton AYE
22 Talerico AYE
23 Bross AYE

17 OCTOBER 2, 1996
18 RECORD OF VOTE - 2ND READING

19 Donovan AYE
20 Varsallone AYE
21 Anton AYE
22 Talerico AYE
23 Bross AYE