

CITY OF MARGATE, FLORIDA

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING THE CODE OF THE CITY OF MARGATE, FLORIDA, APPENDIX A, ARTICLE II. DEFINITIONS, SECTION 2.2. PROVIDING FOR DEFINITION FOR "CHARTER SCHOOL"; PROVIDING FOR A SIX-MONTH MORATORIUM OF CHARTER SCHOOLS; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

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WHEREAS, the City Commission has noted the rapid rise in the number of applications for K through 12<sup>th</sup> grade schools; and

WHEREAS, the proposed conversion of properties into K through 12<sup>th</sup> grade schools decreases the availability of valuable properties in the City's TOC-C, TOC-G, and TOC-CC zoning districts and the amount of ad valorem taxation being received by the City from those properties; and

WHEREAS, the City Commission has also noted the inordinate number of schools which have been slated for closure, have shut down or have been ordered to shut down in the past two (2) years in Broward County; and

WHEREAS, the City requires time to analyze, review, consider, modify, process for adoption and implement potential changes to its Comprehensive Plan and/or its Code of Ordinances pertaining to the impact of K through 12<sup>th</sup> grade schools on, among other things, infrastructure, emergency and public service, vehicular traffic, public safety, public welfare and public facilities; and

WHEREAS, the City's Development Review Committee has reviewed this Ordinance on March

1 22, 2016 and recommended its \_\_\_\_\_ to the  
2 City Commission; and  
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4 WHEREAS, the City's Local Planning Agency  
5 has reviewed this Ordinance on \_\_\_\_\_ and  
6 recommended its \_\_\_\_\_ to the City  
7 Commission; and  
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9 WHEREAS, the City Commission finds that this  
10 Ordinance is consistent with the City's adopted  
11 Comprehensive Plan and is necessary for the  
12 preservation of the public health, safety and  
13 welfare of the City's residents; and  
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15 NOW, THEREFORE, BE IT ORDAINED BY THE CITY  
16 COMMISSION OF THE CITY OF MARGATE, FLORIDA:  
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18 SECTION 1: The Code of the City of Margate,  
19 Florida, Appendix A, Article II Definitions,  
20 Section 2.2, is hereby amended to read as  
21 follows:  
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23 Charter school: A tax-supported public  
24 school established by a charter, pursuant  
25 to F.S. 1002.33.

26 SECTION 2: It is deemed in the best interest of the  
27 health, safety, and welfare of the citizens of the City of  
28 Margate that a six month moratorium be imposed on all real  
29 property within the City of Margate as to the approval of  
30 any new charter school as defined above, including Local  
31 Business Tax Receipts, Certificates of Occupancy, or any  
32 other development approval.

33 SECTION 3: All ordinances or parts of ordinances in  
34 conflict herewith are and the same is hereby repealed to

1 the extent of such conflict.

2 SECTION 4: If any section, sentence, clause, or phrase  
3 of this ordinance is held to be invalid or  
4 unconstitutional by a court of competent jurisdiction,  
5 then said holding shall in no way affect the validity of  
6 the remaining portions of this ordinance.

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

14 SECTION 6: This ordinance shall become effective  
15 immediately upon adoption at its second reading.

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17 PASSED ON FIRST READING THIS \_\_\_\_\_ day of \_\_\_\_\_.

18 PASSED ON SECOND READING THIS \_\_\_\_\_ day of \_\_\_\_\_.

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20  
21 ATTEST:

22  
23  
24 \_\_\_\_\_  
3  
**CODING: Words in ~~struck through type~~ are deletions**  
**from existing text; Words in underscored type are**  
**additions.**

1 JOSEPH J. KAVANAGH  
2 CITY CLERK  
3

MAYOR TOMMY RUZZANO

4  
5 RECORD OF VOTE - 1<sup>ST</sup> READING RECORD OF VOTE - 2<sup>ND</sup> READING  
6

7 Simone \_\_\_\_\_  
8 Peerman \_\_\_\_\_  
9 Talerico \_\_\_\_\_  
10 Bryan \_\_\_\_\_  
11 Ruzzano \_\_\_\_\_  
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Simone \_\_\_\_\_  
Peerman \_\_\_\_\_  
Talerico \_\_\_\_\_  
Bryan \_\_\_\_\_  
Ruzzano \_\_\_\_\_