

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.

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

WHEREAS, the proposed conversion of properties into K through 12th 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 that 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 12th 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 reviewed this Ordinance on March 22, 2016 and recommended its approval to the City Commission; and

WHEREAS, the City's Local Planning Agency reviewed this Ordinance on April 5, 2016 and recommended its approval to the City Commission; and

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2 WHEREAS, the City Commission finds that this
3 Ordinance is consistent with the City's adopted
4 Comprehensive Plan and is necessary for the preservation
5 of the public health, safety and welfare of the City's
6 residents.

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8 NOW, THEREFORE, BE IT ORDAINED BY THE CITY
9 COMMISSION OF THE CITY OF MARGATE, FLORIDA:

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11 SECTION 1: The Code of the City of Margate,
12 Florida, Appendix A, Article II Definitions, Section 2.2,
13 is hereby amended to read as follows:

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15 Charter school: A tax-supported public
16 school established by a charter, pursuant
17 to F.S. 1002.33.

18 SECTION 2: It is deemed in the best interest of
19 the health, safety, and welfare of the citizens of the
20 City of Margate that a six month moratorium be imposed on
21 all real property within the City of Margate as to the
22 approval of any new charter school as defined above,
23 including Local Business Tax Receipts, Certificates of
24 Occupancy, or any other development approval.

25 SECTION 3: All ordinances or parts of ordinances
26 in conflict herewith are and the same is hereby repealed
27 to the extent of such conflict.

28 SECTION 4: If any section, sentence, clause, or
29 phrase of this ordinance is held to be invalid or
30 unconstitutional by a court of competent jurisdiction,

then said holding shall in no way affect the validity of the remaining portions of this ordinance.

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

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

PASSED ON FIRST READING THIS 4th day of MAY, 2016.

PASSED ON SECOND READING THIS ____ day of MAY, 2016.

ATTEST:

JOSEPH J. KAVANAGH
CITY CLERK

MAYOR TOMMY RUZZANO

RECORD OF VOTE - 1ST READING RECORD OF VOTE - 2ND READING

Simone	<u>YES</u>
Peerman	<u>YES</u>
Talerico	<u>YES</u>
Bryan	<u>YES</u>
Ruzzano	<u>YES</u>

Simone	_____
Peerman	_____
Talerico	_____
Bryan	_____
Ruzzano	_____