

CITY OF POMPANO BEACH
Broward County, Florida

AN ORDINANCE AMENDING CHAPTER 33, "BOARDS AND COMMISSIONS", OF THE POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 33.100, "COMPOSITION", TO PROVIDE FOR AN ADDITIONAL MEMBER OF THE SAND AND SPURS ADVISORY BOARD AND ESTABLISHING A TERM OF OFFICE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Commission established the Sand and Spurs Advisory Board consisting of five (5) members; and

WHEREAS, the City Commission now wishes to add an additional member to the Sand and Spurs Advisory Board and establish a term of office for member; and

WHEREAS, the City Charter has been amended to allow the City Commission to establish the number and term of office of members on advisory boards; and

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 33.100 "Composition", of Chapter 33, "Boards and Commissions", of the Code of Ordinances of the City of Pompano Beach is hereby amended to read as follows:

§ 33.100 COMPOSITION.

~~In accordance with the terms of Section 234 of the Charter, there shall be~~
an Advisory Board known as the Sand and Spurs Advisory Board composed of
~~five~~ six (6) persons who serve for a term of three (3) years, except the sixth
member appointed after the effective date of this ordinance may be initially
appointed for a shorter term. The Public Works Administrator or his designee
shall meet with the Board as its advisory with no vote.

...

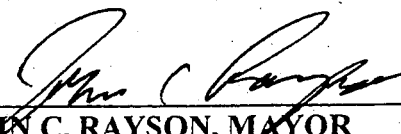
SECTION 2. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions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

SECTION 3. All ordinances or parts of ordinances in conflict herewith be and the same are hereby revoked.

SECTION 4. This Ordinance shall become effective upon passage.

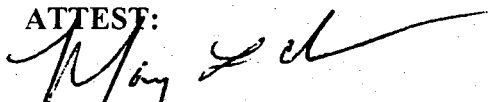
PASSED FIRST READING this 11th day of January, 2005.

PASSED SECOND READING this 25th day of January, 2005.



JOHN C. RAYSON, MAYOR

ATTEST:



MARY L. CHAMBERS, CITY CLERK

GBL/jrm
12/16/04
l:ord/ch33/2005-87

CITY OF POMPANO BEACH
Broward County, Florida

AN ORDINANCE AMENDING CHAPTER 33, "BOARDS AND COMMISSIONS", OF THE POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 33.100, "COMPOSITION", TO PROVIDE FOR ALTERNATE MEMBERS OF THE SAND AND SPURS ADVISORY BOARD; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Commission established the Sand and Spurs Advisory Board without the provision for alternate members; and

WHEREAS, the City Commission now wishes to add alternate membership to the Sand and Spurs Advisory Board; and

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 33.100 "Composition", of Chapter 33, "Boards and Commissions", of the Code of Ordinances of the City of Pompano Beach is hereby amended to read as follows:

§ 33.100 COMPOSITION.

In accordance with the terms of Section 234 of the Charter, there shall be an Advisory Board known as the Sand and Spurs Advisory Board composed of five persons. The Public Works Administrator or his designee shall meet with the Board as its advisory with no vote.

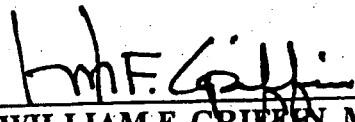
The City Commission shall appoint two (2) alternate members of the Sand and Spurs Advisory Board, who are residents of the City, to be designated as Alternate 1 and Alternate 2. Each alternate shall be appointed for a term of three (3) years, said terms to run concurrently. Alternate members shall be subject to removal for cause by the City Commission. Alternate member vacancies shall be filled for the unexpired term of the member. Should a temporary absence or disqualification of any member of the Sand and Spurs Advisory Board occur, the Chairman of the Board shall have the right and authority to designate one of the alternate members to serve as a substitute member during the continuance of such absence or disqualification. The Chairman shall rotate such assignments between the alternate members to the extent that availability of alternate members allows.

SECTION 2: If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other 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.

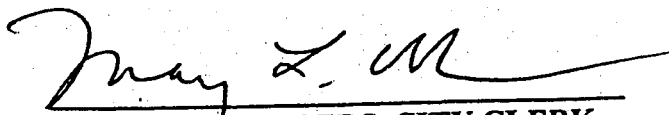
SECTION 3: This Ordinance shall become effective upon passage.

PASSED FIRST READING this 8TH day of MAY, 2001.

PASSED SECOND READING this 22ND day of MAY, 2001.


WILLIAM F. GRIFFIN, MAYOR

ATTEST:


MARY L. CHAMBERS, CITY CLERK

CITY OF POMPANO BEACH
Broward County, Florida

AN ORDINANCE AMENDING CHAPTER 33 OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH BY THE ADDITION OF ARTICLE VI THEREIN, "SAND AND SPURS STABLES"; PROVIDING FOR THE CREATION AND ESTABLISHMENT OF THE SAND AND SPURS STABLES; PROVIDING FOR THE RULES AND REGULATIONS AND TERMS OF ITS OPERATION AND STALL FEES; PROVIDING FOR SAND AND SPURS ADVISORY BOARD; AMENDING CHAPTER 2 BY REPEALING ARTICLE VI, SAND AND SPURS ADVISORY BOARD; AND AMENDING SECTION 33.15 BY REPEALING SUBSECTION E, SAND AND SPURS STABLES FEES; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to law, fourteen (14) 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 Commission Meeting Room of the City of Pompano Beach, Florida; 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 COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1: That Chapter 33 of the Code of Ordinances of the City of Pompano Beach is hereby amended by the addition of an Article VI entitled "Sand and Spurs Stables" to read as follows:

"ARTICLE VI - SAND AND SPURS STABLES"

Section 33.40. There is hereby established the Sand and Spurs Stables of the City of Pompano Beach located at 1600 Northeast 5th Avenue, Pompano Beach, Florida, more particularly described on Exhibit A attached hereto.

Section 33.41. Hours of operation.

The hours of operation of the Sand and Spurs Stables shall be from 6:00 A. M. to thirty minutes after sunset daily.

Section 33.42. Purpose.

The purpose of Sand and Spurs Stables is to provide grounds for the care, housing, exercising and use of riding horses.

Section 33.43. Riding Stable Attendant.

The Riding Stable Attendant shall be the representative of the City of Pompano Beach at Sand and Spurs Stables and charged with enforcement of all rules and regulations of Sand and Spurs Stables and maintaining order.

Section 33.44. Stalls.

The City Manager shall establish a stall and traffic flow arrangement for the Sand and Spurs Stables with stall spaces in dimensions of 24 feet of frontage and 24 feet of depth.

Section 33.45. Permits for use of stalls.

A permit for the use of stall space at Sand and Spurs Stables may be obtained by submitting an application for same to the Department of Recreation and Parks on a form provided by said department.

The aforementioned permit shall be granted subject to the following limitations and provisions:

(1) The applicant may erect, place or alter a stall or stalls for the quartering of horses upon the designated space provided the stall is constructed or altered in accordance with plans and specifications to be submitted to and approved in writing by the City Recreation Director.

(2) The City may terminate all rights after giving thirty (30) days' written notice, which notice shall be sent by certified or registered mail to the applicant's address on the application. Applicant shall have such thirty (30) day period within which to sell to another Applicant approved by the City any stall or stalls owned by him. At the expiration of such thirty (30) day period, any stall or stalls remaining unsold shall become the sole and exclusive property of the City of Pompano Beach together with all fixtures and appurtenances thereto.

(3) Under no circumstances may any stall or stalls or other building be removed or dismantled, or other exterior alterations made except for routine maintenance without following the steps as outlined in number (1) above.

(4) The land upon which the Sand and Spurs Stables is situated is part of the Pompano Beach Airpark, and the manner in which airpark land may be utilized by the City is subject to regulation by the Federal Aviation Administration. Should any order, regulation or decree of said Federal Aviation Administration necessitate the abandonment of the Sand and Spurs Stables by the City, the City shall be under no obligation to reimburse stall users for any stall or stalls owned by them or for any other loss occasioned by such abandonment.

(5) Applicant may use the recreation area and facilities at Sand and Spurs Park including riding range, trails, water and lights. All persons shall keep the area clean and free of debris of all kinds whatsoever.

(6) Applicant shall take out and maintain at all times throughout his occupancy of stall space, such comprehensive general liability insurance with a combined single limit of \$300,000.00, as shall protect him and any person authorized by him to use the facilities of Sand and Spurs Stables from claims for damages for personal injury, including accidental death, as well as from claims for property damage, including damage to his horse. No application shall be approved until Applicant has provided a certificate of such insurance satisfactory to the City Insurance Manager. Such certificate shall specify that the insurance provided thereunder shall not be cancelled without at least thirty (30) days' notice to the City of Pompano Beach and name the City of Pompano Beach as an additional insured.

(7) Upon Applicant's failure to pay all fees when due, the City may take and hold all property of the Applicant upon the premises and the value of any such property may be applied toward any monies owing the City.

(8) The rights and privileges and duties of the Applicant are non-transferrable.

Section 33.46. Application.

Persons desiring to use stall space at the Sand and Spurs Stables shall be required to file an application with the City of Pompano Beach, which application shall provide for the approval by the City Manager

and the Recreation Director, and for space assignment as approved by the Recreation Director.

Said application shall be accompanied by a statement to the effect that the applicant has received a copy of the rules and regulations governing the Sand and Spurs Stables. Said application shall also have attached thereto proof of ownership of the horse.

Section 33.47. Stall Fees.

1. City owned stall
 - a. Resident \$ 15.00 per month
 - b. Non-Resident \$ 45.00 per month
2. Stall owned by user
 - a. Resident \$ 8.00 per month
 - b. Non-Resident \$ 24.00 per month
3. Fees are payable quarterly in advance on or before the 10th day of the quarter.

Section 33.48. Rules and Regulations.

(1) Any and all horse owners must present a health certificate not more than thirty (30) days old issued by a licensed veterinarian showing the horse to be in reasonably good health and free from any communicable disease prior to admission on the grounds of Sand and Spurs Stables. Such health certificate shall include a blood test analysis showing a negative result. A second such certificate is required 120 days after admission to protect against any disease incubation period. Each year on the anniversary date of a horse's admission the owner must present a new health certificate.

The Recreation Director may order the removal of a horse from the premises of Sand and Spurs Stables if the horse is sick.

Should any horse be removed from the grounds due to illness, its re-admission to the grounds shall be subject to the same health requirements hereinabove given. Similar certificates of health may also be required from time to time when in the opinion of the Recreation Director it is necessary to protect persons or animals using Sand and Spurs Stables.

(2) In the event any horse that is stabled at Sand and Spurs Stables receives a positive test for a contagious disease, the other horses stabled at Sand and Spurs may be required to submit results of medical tests upon the request of the City Manager and also a second health test after the incubation period for the specific disease has expired.

(3) Stall users shall be responsible for the removal of all waste matter from the stall enclosures and for the placement of all bottles, trash and similar refuse in trash cans.

(4) The motor vehicle speed limit in the area of the stables shall be 5 miles per hour.

(5) There shall be no smoking west of the main road in the stable area and no obscene language anywhere on the premises. No alcoholic beverages shall be permitted on the grounds of Sand and Spurs Stables.

(6) Tack rooms must be kept clean at all times and are subject to inspection by the Recreation Department.

(7) No person shall be permitted to rent horses, and no riding lessons may be given at Sand and Spurs Stables.

(8) Only standard riding equipment will be allowed to be used at Sand and Spurs Stables. Riding equipment that is inhumane, unsafe or detrimental to the health and welfare of the horse or rider will not be permitted.

(9) Horses must have halter and halter shank on before being led from a stall. No grazing is permitted on the grounds. No fast riding of horses is permitted except on an approved course designated by the Riding Stable Attendant. Loose horses will be permitted only in rings designated by the Riding Stable Attendant and must be attended at all times.

(10) Horses may not be removed from the Sand and Spurs Stables premises except by the owner or by written permission of the owner.

(11) No bareback or double riding will be permitted except in rings and under supervision of the Recreation Department. No horse may be tied or allowed to stand along the rail inside the ring at any time.

(12) a. Individual horse owners at Sand and Spurs Stables may use the show ring for riding and practice purposes under the general supervision of the Riding Stable Attendant.

b. Use of the show ring may also be used for organized shows by recognized groups of horseowners subject to conditions as specified by the City Commission for any particular show.

(13) Mistreatment of horses will not be permitted.

(14) Any person who does not possess a Sand and Spurs Stables permit shall not be permitted to bring a horse or horses into the Stable area or to use the trails, riding rings or any of the facilities. This provision, however, shall not apply to persons who are official entrants in horse shows scheduled at Sand and Spurs by the Recreation Department.

(15) A space will be assigned by the Riding Stable Attendant for storage of jumps. The owner of the jumps will be fully responsible for the storing of same after their use in order to keep the ring clear. The jumps and time of use will be under the control of the Riding Stable Attendant. Prior to the use of any jumps by persons under the age of 18 years, written permission must be obtained from a parent or guardian allowing such person to use the jumps, assuming full responsibility for the safety of such person and for any injury which may result to him or her by the use of such jumps. No jumping will be permitted unless the Riding Stable Attendant is on duty.

(16) Should any permit holder neglect to maintain his stall in good repair, the Recreation Department may notify such person of the repairs necessary and upon failure of said person to make such repairs within ten (10) days, the Recreation Department may proceed to make such repairs and bill said person therefor; or, in the alternative, the Recreation Department may terminate the permit as provided herein.

(17) Destruction or abuse of, or vandalism to either private or public property shall be cause for suspension of a permit.

(18) Only one (1) horse may be stabled in a stall area. Foals over six (6) months old must have their own stall.

(19) Stallions shall not be permitted to be stabled at Sand and Spurs Stables.

(20) A copy of these Rules and Regulations shall be signed by each stall user and in the case of a minor a copy shall be signed by a parent or guardian and the minor and shall be displayed at all times in all tack rooms. A copy shall also be displayed on the bulletin board in the pavilion.

(21) No person shall ride a horse in such a way that is dangerous to the horse, the rider, or others.

(22) Failure to comply with these Rules and Regulations shall be cause for expulsion and termination of the relationship between a stall user and the City of Pompano Beach.

(23) Penalties for violation of these Rules and Regulations shall be as follows:

(a) Any person violating any ordinance or the rules and regulations of the Sand and Spurs Stables as adopted by the City Commission shall receive a written warning citation from the Riding Stable Attendant.

(b) Any person receiving 2 written warning citations on the same day shall have his riding privileges terminated for the duration of that day.

(c) Any person who shall receive 3 written warning citations within one 12 month period shall have their riding privileges suspended for one week.

(d) Any additional violations within one 12 month period shall be an additional one week suspension.

(e) Any person accumulating 10 written warning citations within a 12 month period shall have his or her permit terminated.

(f) Any person receiving citations under this section may appeal said citation to the City Commission if said appeal is submitted in writing to the City Manager within 3 business days of receipt of citation. The City Commission may void the citation if they find it wrongfully issued.

Section 33.49. The City Manager or his delegated subordinate shall have the authority to settle any controversies among persons at

the Sand and Spurs Stables and his decision in such matters shall be final and binding on all parties.

Section 33.50. It shall be unlawful for any person to obstruct or hinder the officials of the City of Pompano Beach in the performance of their duties of inspecting or administering the Sand and Spurs Stables or carrying out any of the duties necessary to the proper operation of the Sand and Spurs Stables.

Section 33.51. Any person violating any provisions of this Chapter shall be guilty of a misdemeanor and upon conviction thereof, shall be fined a sum of not more than \$500.00.

Section 33.52. Sand and Spurs Advisory Board.

In accordance with the terms of Section 234 of the City Charter, there shall be an advisory board known as the Sand and Spurs Advisory Board composed of five persons. The Recreation Director shall meet with the Board as its advisor with no vote.

Section 33.53. Duties of Advisory Board.

The Sand and Spurs Advisory Board shall have the following duties:

- (1) Initiate, make and recommend to the City Commission a master plan for the physical development of the Sand and Spurs Stables and to recommend proposed changes in such plan from time to time.
- (2) Promote public interest in and understanding of the Sand and Spurs Stables.
- (3) Keep a public record of its findings and recommendations.
- (4) Advise and assist the City Commission in matters concerning the operation and use of the Sand and Spurs Stables.
- (5) Such other duties as the City Commission may direct.

SECTION 2: That Chapter 2 of the Code of Ordinances of the City of Pompano Beach be amended by the repeal of Article VI, Sand and Spurs Stables Advisory Board, Section 2.25, Section 2.26 and Section 2.27.

SECTION 3: That Section 33.15 of the Code of Ordinances of the City of Pompano Beach be amended by the repeal of subsection E, Sand and Spurs Fees.

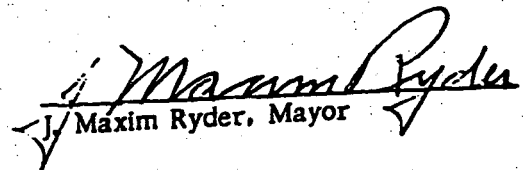
SECTION 4: If any section or provision of this ordinance shall be held invalid, such holding shall not affect or invalidate any other section or provision which is not of itself invalid.

SECTION 5: All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

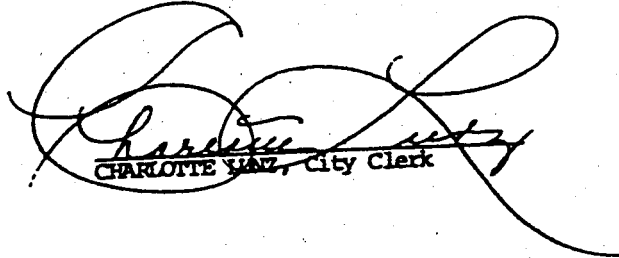
SECTION 6: This ordinance shall become effective upon passage.

PASSED FIRST READING this 11th day of May, 1976.

PASSED SECOND READING this 18th day of May, 1976.


Maxim Ryder, Mayor

ATTEST:


Charlotte Katz, City Clerk

SCV/jep

#162

2/24/75

2/25/75

7/15/75

7/23/75



10/30/75

1/2/76

4/5/76

EXHIBIT A

A parcel of land in the NE 1/4 of the SE 1/4 of Sec. 26, Twp. 48 R42E and in the NW 1/4 of the SW 1/4 of Sec. 25, Twp. 48, R42E, more fully described as follows:

Beginning at the NE corner of the SE 1/4 of the SE 1/4 of Sec. 26-48-42 proceed westerly along the North line of the aforementioned SE 1/4 to a point 140' east of the East right-of-way line of the F.E.C.R.R., thence proceed northeasterly along a line which is 135 feet, more or less, east of and parallel to the East right-of-way line of the F.E.C.R.R. a distance of 790 feet, more or less, thence at a right angle to the last described course, run southeasterly to an intersection with the West right-of-way line of N. E. 5th Ave., thence run southwesterly along said right-of-way line, to an intersection with the North line of the SW 1/4 of the SW 1/4 of Sec. 25-48-42, thence westerly along said North line to the point of beginning.