

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ADMINISTRATION," BY AMENDING ARTICLE I, ENTITLED "IN GENERAL," BY CREATING SECTION 2-2 THEREOF, ENTITLED "ALTERNATIVE PUBLICATION OF LEGAL NOTICES ONLINE," TO PROVIDE THAT IN ACCORDANCE WITH SECTION 50.0311, FLORIDA STATUTES, WHEREVER THE CITY CODE REQUIRES A LEGAL ADVERTISEMENT OR PUBLICATION IN A NEWSPAPER OF GENERAL CIRCULATION, THE CITY MAY USE PUBLICLY ACCESSIBLE WEBSITES HOSTED BY COUNTIES AS AN ALTERNATIVE MEANS OF PUBLISHING NOTICES AND ADVERTISEMENTS, EXCEPT WHERE THE NEWSPAPER NOTICE IS OTHERWISE REQUIRED UNDER THE CITY CHARTER, COUNTY CHARTER, OR COUNTY CODE; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, Section 50.0311, Florida Statute, authorizes the use of publicly accessible websites hosted by counties as an alternative means of publishing notices and advertisements otherwise required to be published in newspapers of general circulation; and

WHEREAS, Miami-Dade County has been working with a County vendor to allow for the different municipalities to advertise in one central location on the County website accessible via the internet for purpose of publication of legal notices and advertisements; and

WHEREAS, the cost of publishing legally required advertisements and public notices on the County's publicly accessible website is anticipated to be significantly less than the cost of publishing advertisements and public notices in a newspaper; and

WHEREAS, the Office of the City Clerk has spent the following sums advertising public notices in the Miami Herald: \$66,943 for FY 20/21, \$89,931 for FY 21/22, and FY \$105,338 for FY 22/23; and

WHEREAS, an estimated price per notice online is anticipated to be under \$50, which will result in significant savings for the City; and

WHEREAS, residents within the City have sufficient access to the internet, such that publication of City notices on the County's publicly accessible website will not unreasonably restrict public access; and

WHEREAS, the Mayor and City Commission find and determine that allowing an alternative option of publishing City's legal notices and advertisements online is in

the public's best interest.

NOW, THEREFORE, BE IT DULY ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA AS FOLLOWS:

SECTION 1. That Section 2-2 of Chapter 2 of the City Code is hereby created as follows:

**CHAPTER 2
ADMINISTRATION**

ARTICLE I. IN GENERAL

* * *

Sec. 2-2. Alternative publication of legal notices online.

(a) Notwithstanding any provision to the contrary, wherever the City Code requires an advertisement or legal notice to be published in a newspaper of general circulation or other print publication, such advertisement or notice may instead be provided on a publicly accessible website hosted by Miami-Dade County, as permitted by chapter 50, Florida Statutes, provided that:

- 1) Publication on such publicly accessible website conforms with the requirements of section 50.0311, Florida Statutes; and
- 2) Publication on such website is made within the timeframe required under the city code or other applicable law for the respective advertisement or notice, and includes all information required under applicable law with respect to such advertisement or notice.

(b) This section shall not apply where an advertisement or legal notice is required to be published in a newspaper of general circulation under the city charter, county charter, or county code. In addition, nothing in this section shall be deemed to supersede or supplant any additional state or federal requirements relating to the publication of particular advertisements or notices.

Sec. 2-3-2-10. Reserved.

SECTION 2. REPEALER.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. SEVERABILITY.

If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

SECTION 4. CODIFICATION.

It is the intention of the Mayor and City Commission of the City of Miami Beach, and it is hereby ordained that the provisions of this Ordinance shall become and be made part of the Code of the City of Miami Beach, Florida. The sections of this Ordinance may be renumbered or re-lettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

SECTION 5. EFFECTIVE DATE.

This Ordinance shall take effect on the ____ day of _____, 202__.

PASSED AND ADOPTED this ____ day of _____, 202__.

ATTEST:

Steven Meiner, Mayor

Rafael E. Granado, City Clerk

(Sponsored by Commissioner David Suarez)

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney PAZ

2-11-24
Date