

ORDINANCE NO. C-25-

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, CREATING A NEW SECTION 8-35 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, THEREBY AMENDING PUBLIC NOTICE PROCEDURES FOR THE MARINE ADVISORY BOARD, AND PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING ORDINANCE PROVISIONS, AND AN EFFECTIVE DATE.

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WHEREAS, the City Commission has expressed concern as to the timeliness of Mail Notice, Agenda Publication and Agenda Posting for the Marine Advisory Board and has requested that an ordinance requiring time-lines for Mail Notice, Agenda Publication and Agenda Posting for the Marine Advisory Board proceeding; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

**SECTION 1.** That Section 8-35 of the Code of Ordinances for the City of Fort Lauderdale is created to provide as follows:

**Sec. 8-35. Public Notice Procedures.**

When referred to in the Code of Ordinance, the different types of public notices, agenda publication and agenda posting set out below shall be given the meaning and conform with the provisions as follows:

(1) Mail notice.

(a) For applications presented to the Marine Advisory Board for recommendations as to waivers pursuant to ULDR Sec. 47-19.3 (e), mail notice shall consist of mailing a notice of a public hearing to real property owners within the city as specified herein as each is listed in the latest ad valorem tax records of the county. Each owner of a condominium or cooperative unit whose address is known by reference to the latest ad valorem tax records shall be sent notice as a real property owner.

(b) In addition to the requirements provided in this section, the notice shall state the date, time and place of the meeting or public hearing, the title of the proposed ordinance or a description of the

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action to be considered and the place or places within the city where such proposed ordinance or information may be inspected by the public.

- (c) The notice shall advise that interested parties may appear at the meeting and be heard with respect to the proposed ordinance or action to be considered.
- (d) Unless otherwise provided by law, mail notice may be provided by bulk mail, first-class mail or other type of mail made available by the U.S. Postal Service if the mail is sent in a timely manner as provided in this section.
- (e) A copy of the notice mailed shall be made available for public inspection during the regular business hours of the city clerk.
- (f) Mail notice shall be deemed given when a notice has been properly addressed, stamped and deposited in a U.S. Postal Service depository.
- (g) Failure to receive notice shall not be grounds to invalidate the hearing as this provision is directory and not mandatory.
- ~~(h)~~ Prior to the public hearing before the Marine Advisory Board for applications presented as to waivers pursuant to ULDR Sec. 47-19.03(e), mail notice shall be given to the owners of lands under consideration for a waiver of limitations to the owners of lands within three hundred (300) feet of those land at least ten (10) days prior to the date set for public hearing.

(2) Agenda Publication

- (a) Agenda publication shall apply to the publication of the Marine Advisory Board agenda at least ten (10) days before the meeting of the Marine Advisory Board.

(3) Agenda Posting

- (a) Agenda posting shall mean posting of the agenda for the Marine Advisory Board reviewing applications for dock permits pursuant to Code Sec. 8-144 or waivers pursuant to ULDR Sec. 47-19.3 (e) at a public place on a wall outside City Hall identified for that purpose at least ten (10) days prior to a hearing on the above referenced matters.

SECTION 2. That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby but shall remain in full force and effect.

SECTION 3. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 4. That this Ordinance shall be in full force and effect upon final passage.

PASSED FIRST READING this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

PASSED SECOND READING this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Mayor  
DEAN J. TRANTALIS

ATTEST:

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City Clerk  
DAVID R. SOLOMAN