

ORDINANCE NO. C-23-23

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING SECTION 2-26. – MEETINGS, SECTION 2-217. - GENERAL REQUIREMENTS FOR ADVISORY BOARDS AND COMMITTEES, SECTION 9-355. - MEETINGS AND PROCEDURES, SECTION 11-16. - SERVICE OF NOTICES OF THE CITY OF FORT LAUDERDALE, FLORIDA CODE OF ORDINANCES; AND SECTION 47-30.4. - MEETINGS AND PROCEDURES, AND SECTION 47-33.6 - MEETINGS AND PROCEDURES OF THE CITY OF FORT LAUDERDALE, FLORIDA, UNIFIED LAND DEVELOPMENT REGULATIONS, TO PROVIDE FOR THE DESIGNATION OF ALTERNATIVE LOCATIONS FOR PUBLIC MEETINGS OF THE CITY COMMISSION AND ADVISORY BOARDS AND TO PROVIDE FOR THE DESIGNATION OF ALTERNATIVE LOCATIONS FOR POSTING OF NOTICES; PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING ORDINANCE PROVISIONS, CODIFICATION AND CORRECTION OF SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

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WHEREAS, on April 12, 2023, certain areas of Broward County, including the City of Fort Lauderdale, witnessed record breaking, severe and heavy rainfall of over 25 inches, and consequential flooding ("Flash Flooding"); and

WHEREAS, City Hall sustained substantial damage as a result of the Flash Flooding which rendered the building inaccessible; and

WHEREAS, certain provisions of the Code of Ordinances of the City of Fort Lauderdale, Florida, and the City of Fort Lauderdale, Florida Unified Land Development Regulations require certain public meetings be conducted at City Hall; and

WHEREAS, certain provisions of the Code of Ordinances of the City of Fort Lauderdale, Florida, require certain public notices be posted at City Hall;

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

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**SECTION 1.** Section 2-26 of the Code of Ordinances of the City of Fort Lauderdale, Florida, is hereby amended to provide as follows:

Sec. 2-26. - Meetings.

Meetings of the city commission shall be held in the city hall, or at such other locations as designated by resolution of the City Commission, at 1:30 p.m. on the first and third Tuesdays of each month, except that in those months wherein there are five (5) Tuesdays, a meeting ~~shall~~ may be held on the last such Tuesday in addition to the meetings on the first and third Tuesdays, at the discretion of the city commission. If a meeting day shall fall on a legal holiday, then the meeting shall be held at 1:30 p.m. on the succeeding Wednesday. Provided, however, at any meeting the commission may, by resolution, reschedule commission meeting dates to dates other than as established in this section, provided that the resolution so adopted is published in the official newspaper of the city once at least three (3) days before the date so fixed. The city commission may, by motion, eliminate meetings for one (1) month each year to provide for vacations. The agenda for meetings of the city commission shall be established by the city manager and shall provide for public hearings, ordinances, resolutions and motions to be heard at 6:00 p.m., or shortly thereafter, at the meeting on the first and third Tuesday of each month.

**SECTION 2.** Article VII. - Boards, Commissions, Etc., Division 1. – Generally, Section 2-217 of the Code of Ordinances of the City of Fort Lauderdale, Florida, is hereby amended to provide as follows:

Sec. 2-217. - General requirements for advisory boards and committees.

This section is applicable to advisory boards and committees established by the city commission and is not applicable to quasi-judicial or regulatory boards of the city such as, but not limited to, the board of adjustment, cemetery system board of trustees, citizens police review board, civil service board, code enforcement board, general employees' retirement system board of trustees, historic preservation board, nuisance abatement board, planning and zoning board, police and firefighters' retirement system board of trustees, and unsafe structures board; unless otherwise provided, these boards shall be governed by their own enabling enactment.

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- (a) The city commission may at any time create an advisory board, by ordinance, or a committee, by resolution, to act in an advisory capacity to the city commission or any department of the city government with respect to the conduct and management of any property or facility or in connection with any public functions of the city. The ordinance or resolution creating such advisory board or committee shall specify the powers and duties of such advisory board or committee, and the number and qualification of its members. The city commission may at any time, by ordinance, abolish any existing advisory board and may transfer the duties of same to any other board, committee, employee, or department. The city commission may at any time, by resolution, abolish any existing committee and may transfer the duties of same to any board, committee, employee, or department. The city commission may at any time, by resolution, designate alternative locations for board and committee meetings.
- (b) All rules and regulations of all advisory boards, or committees appointed or established by the city commission, to be effective, must be approved by resolution of the city commission, and a copy of such rules and regulations must be attached to the resolution approving same and must be available for public inspection at any time.

SECTION 3. Article X. – In General, Subsection 9-355 of the Code of Ordinances of the City of Fort Lauderdale, Florida, is hereby amended to provide as follows:

Sec. 9-355. - Meetings and procedures.

- (1) Chairman. The members shall elect a chair from among its members.
- (2) Quorum. The presence of four (4) or more members shall constitute a quorum.
- (3) Meetings. Meetings will be called on a monthly basis at city hall, or at such other locations as designated by resolution of the City Commission, so long as the board has business to discuss.
- (4) Conflict of interest. If any member of the public art and placemaking advisory board shall find that his or her private or personal interests are involved in a matter for consideration before the public art and placemaking advisory board, such member shall disqualify himself or herself from all participation in that matter. No member of the public art and placemaking advisory board shall have his or her work of art considered or approved by the public art and placemaking advisory board during their term of service on the board or for one (1) year thereafter.

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**SECTION 4.** Section 11-16 of the Code of Ordinances of the City of Fort Lauderdale, Florida, is hereby amended to provide as follows:

Sec. 11-16. - Service of notices.

- (a) All notices required by this chapter shall be provided to the alleged violator, the alleged violator's authorized agent, or with the manager or other person in charge of commercial properties of alleged violator by first-class mail and certified mail, return receipt requested at the address listed in the Broward County Property Appraiser's office or other mailing address provided to the city by the violator or violator's agent; overnight courier; by hand delivery by the sheriff, or other law enforcement officer, code inspector, clerk, special magistrate or other person designated by the city commission; or by leaving the notice at the violator's usual place of residence with some person of his family above fifteen (15) years of age and informing such person of the contents of the notice.
- (b) In addition to providing notice as set forth in subsection (a), notice may also be served by publication or posting, as follows:
  - (1) Such notice shall be published once during each week for four (4) consecutive weeks (four (4) publications being sufficient) in a newspaper of general circulation in the county. The newspaper shall meet such requirements as are prescribed under F.S. ch. 50 for legal and official advertisements. Proof of publication shall be made as provided in F.S. §§ 50.041 and 50.051; or
  - (2) Such notice may be posted for at least ten (10) days in at least two (2) locations, one (1) of which shall be the property upon which the violation is alleged to exist and the other of which shall be at City Hall or in the event that City Hall is inaccessible, at such other locations as designated by resolution of the City Commission. Proof of posting shall be by affidavit of the person posting the notice, which affidavit shall include a copy of the notice posted and the date and places of its posting.

- (3) Notice by publication or posting may run concurrently with, or may follow, an attempt or attempts to provide notice by hand delivery or by mail as required under subsection (a).

SECTION 5. Section 47-30.4 of the City of Fort Lauderdale, Florida, Unified Land Development Regulations, is hereby amended to provide as follows:

Sec. 47-30.4. - Meetings and procedures.

A. The regular meeting of the board shall be held on the third Wednesday of each month at city hall, or at such other locations as designated by resolution of the City Commission, so long as the board has business to conduct, except when:

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SECTION 6. Section 47-33.6 of the City of Fort Lauderdale, Florida, Unified Land Development Regulations, is hereby amended to provide as follows:

Sec. 47-33.6. – Meetings and procedures.

A. The board shall meet regularly on the second Wednesday of each month at city hall, or at such other locations as designated by resolution of the City Commission, so long as the board has business to conduct, except when:

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SECTION 7. That, at the direction of the City Attorney, the publisher of the Code of Ordinances of the City of Fort Lauderdale, Florida, is authorized to conform chapter, article, section, subsection, and clause numbers and letters, and capitalization, set forth in this Ordinance, to the numbering, lettering, and capitalization structure established in the Code of Ordinances of the City of Fort Lauderdale, Florida, and to correct non-substantive scrivener's errors in the codification of this Ordinance.

SECTION 8. CODIFICATION AND SCRIVENER'S ERRORS. The City intends that this Ordinance will be made part of the Code of Ordinance; that sections of this Ordinance can be re-numbered or re-lettered to accomplish codification and, regardless of whether this Ordinance is ever codified, the Ordinance can be re-numbered or re-lettered, and typographical errors that

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do not affect the intent can be corrected with the authorization of the City Manager, or his designee, without the need for a public hearing.

SECTION 9. 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 10. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

SECTION 11. That this Ordinance shall be in full force and effect upon its final passage.

PASSED FIRST READING this 16<sup>th</sup> day of May, 2023.

PASSED SECOND READING this \_\_\_\_ day of June, 2023.

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Mayor  
DEAN J. TRANTALIS

ATTEST:

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City Clerk  
DAVID R. SOLOMAN