

ATTACHMENT II

ORDINANCE NO. 2026-XX

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AMENDING CHAPTER II, ENTITLED STRUCTURE OF CITY GOVERNMENT, ARTICLE III., OFFICE OF THE CITY CLERK, SECTION 2-4 CITY CLERK; ARTICLE V., DEPARTMENTS OF THE CITY GOVERNMENT, SECTION 2-9 DEPARTMENT OF PUBLIC SAFETY; AMENDING CHAPTER III., ENTITLED PURCHASING, SECTION 3-3 FORMAL CONTRACT PROCEDURES, AND SECTION 3-4 MISCELLANEOUS PROVISIONS; CHAPTER VII., ENTITLED ELECTIONS, SECTION 7-7 VACANCY IN CANDIDACY, ELECTIVE OFFICES; CHAPTER XIV., ENTITLED BUILDING AND HOUSING, SECTION 14-8 ADMINISTRATION AND ENFORCEMENT OF BUILDING, PLANNING AND ZONING REGULATIONS; CHAPTER XVI., ENTITLED PROPERTY MAINTENANCE, SECTION 16-2 UPKEEP OF LOTS, PARCELS AND TRACTS, AND SECTION 16-3 PROCEDURES FOR SALE OF LIENS; CHAPTER XVII, ENTITLED STREETS AND SIDEWALKS, SECTION 17-7 ABANDONMENT AND VACATION OF RIGHT-OF-WAYS AND EASEMENTS; CHAPTER XIX., ENTITLED WATER AND SEWERS, ARTICLE II WATER, SECTION 19-20 MISCELLANEOUS PROVISIONS; OF THE CITY'S CODE OF ORDINANCES TO ENABLE PUBLICATION OF REQUIRED LEGAL ADVERTISEMENTS AND PUBLIC NOTICES ON THE DESIGNATED MIAMI-DADE COUNTY WEBSITE CONSISTENT WITH R2025-188 INTERLOCAL AGREEMENT WITH MIAMI-DADE COUNTY AND IN COMPLIANCE WITH FLORIDA STATUTE 50.0311, PUBLICATION OF ADVERTISEMENTS AND PUBLIC NOTICES ON A PUBLICLY ACCESSIBLE WEBSITE AND GOVERNMENTAL ACCESS CHANNELS; PROVIDING FOR FINDINGS OF FACT; CODIFICATION; CONFLICTS; SCRIVENER ERRORS; SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Florida Statute 50.0311 publication of advertisements and public notices on a publicly accessible website and governmental access channels, the City of North Miami Beach ("City"), is authorized by the State of Florida to utilize a county designated website for publication of legally required advertisements and public notices; and

WHEREAS, pursuant to Section 50.0311, Miami-Dade County has decided to designate a publicly accessible website – legalads.miamidade.gov – for the publication of legally required advertisements and public notices, provided the cost of publishing such advertisements and notices on this website is less than the cost of publishing them in print; and

WHEREAS, the City has determined that the cost of legally required advertising and public notices associated with Chapters II, III, VII, XIV, XVI, XVII, and XIX will be reduced by approximately \$18,000 annually; and

WHEREAS, the City desires to utilize the Miami-Dade County designated publicly accessible website – legalads.miamidade.gov – for the online publication of certain advertisements and notices, in accordance with section 50.0311; and

WHEREAS, the City Commission approved R2025-188 authorizing the City Manager to sign an interlocal agreement with Miami-Dade County for the use of the website – legalads.miamidade.gov; and

WHEREAS, the provisions of this Ordinance shall enable the City to utilize the Miami-Dade County website for the publication of legally required advertisements and public notices for all matters concerning Chapters II, III, VII, XIV, XVI, XVII, and XIX; and

WHEREAS, the Mayor and City Commission find the proposed ordinance to be consistent with the requirements of the State of Florida, Miami-Dade County, and the North Miami Beach Comprehensive Plan and in the best interest of the City.

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

Section 1. **Recitals.** The foregoing whereas clauses are true and correct and adopted as the legislative and administrative findings of the Mayor and City Commission and made a specific part of this Ordinance; all exhibits attached hereto are made a specific part of this Ordinance.

Section 2. **Findings of Fact.** The North Miami Beach Code of Ordinances is hereby amended as attached in EXHIBIT A, containing provisions necessary for the implementation of the following City Commission priorities:

1. Enabling the use of legalads.miamidade.gov for all legally required advertisements and public notices associated with all Code of Ordinance Chapters II, III, VII, XIV, XVI, XVII, and XIX.
2. Improving the transparency of government by providing consistent public notice and legally required advertising.
3. Reducing direct costs to the city budget of an estimated \$18,000 annually.

Section 3. **Codification.** It is the intention of the City Commission of the City of North Miami Beach, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of North Miami Beach, Florida. The sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and the word “ordinance” may be changed to “section,” “article” or any other appropriate word.

Section 4. **Conflict.** If the provisions of this Ordinance conflict with any other ordinance, rule or regulation, the provisions of this Ordinance shall prevail. All ordinances or parts of ordinances in conflict herewith are repealed.

Section 5. **Scrivener Errors.** Any typographical errors that do not affect the intent of this Ordinance may be corrected with notice to and authorization of the City Attorney and City Manager without further process.

Section 6. **Severability.** The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance, but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 7. **Effective Date.** This Ordinance shall become effective immediately upon adoption on second reading.

[SIGNATURE PAGE TO FOLLOW]

APPROVED on the first reading this ____ day of _____, 2026.

APPROVED AND ADOPTED on second reading this ____ day of _____ 2026.

ATTEST:

ANDRISE BERNARD, MMC
CITY CLERK

MICHAEL JOSEPH
MAYOR

(CITY SEAL)

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY FOR THE USE AND
RELIANCE OF THE CITY OF NORTH
MIAMI BEACH:

GREENSPOON MARDER, LLP

BY: _____
CITY ATTORNEYS

Sponsored by: _____

COMMISSIONERS	YES	NO	ABSTAIN	ABSENT
Mayor Michael Joseph				
Vice-Mayor Daniel Jean				
Commissioner Jay Chernoff				
Commissioner Lynn Su				
Commissioner Fortuna Smukler				
Commissioner McKenzie Fleurimond				
Commissioner Phyllis Smith				