

Ord. 2026-XX – Public Notice General Ordinance Amendment GA-01-2026

TITLE:

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.

DESCRIPTION:

An ordinance of the City of North Miami Beach amending relevant sections of Chapter II, Structure of City Government; Chapter III, Purchasing; Chapter VII, Elections; Chapter XIV, Building and Zoning; Chapter XVI, Property Maintenance; Chapter XVII, Streets and Sidewalks; and Chapter XIX, Water and Sewers, regarding legal advertising and public notice requirements. These amendments enable the use of the Miami-Dade County website – legalads.miamidade.gov – in consistent with in the interlocal agreement approved by the Mayor and City Commission (R2025-188) on November 17, 2025, between the City of North Miami Beach and Miami-Dade County as attached in Exhibit A, and in conformance with Section 163.3225, Section 166.041, and Section 50.311, Florida Statute.

BACKGROUND ANALYSIS:

Pursuant to F.S. 50.0311 Miami Dade County established a publicly accessible website for the publication of legal advertisements and public notices. This website is known as legalads.miamidade.gov. In 2024 Miami-Dade County approved a model interlocal agreement between the County and any other

government agency in Miami-Dade County to facilitate the publication of legal advertisements and public notices in accordance with section 50.0311, Florida Statutes and authorizing the County Mayor to execute the interlocal agreement with any other government agency within Miami-Dade County. The Interlocal agreement between the City of North Miami Beach and Miami-Dade County is being fully executed by City and County staff as directed by Resolution No. R2025-188. This proposed Ordinance along with the companion Ordinance amending Chapter XXIV, will fully enable the use of the Miami-Dade County website for all Public Notice and Legal Advertising needs of the City.

Section 50.0311, Florida Statute permits use of a publicly accessible website for the publication of legally required advertisements and public notices only, "...if the cost of publishing advertisements and public notices on such website is less than the cost of publishing advertisements and public notices in a newspaper." To ensure full compliance with this requirement, the following analysis of legal advertising and public notice costs associated with calendar year 2025 for all items, excluding those mandated by Chapter XXIV, was conducted:

Type	Number of Ads (2025)	Miami Herald		MDC Website
		Unit Cost	Extended Cost	Projected Annual Cost
Office of the City Clerk (Sections 2-4 and 7-7)	12	\$ 1,673	\$ 20,076	N/A
Police Department* (Section 2-9)	0	\$ 1,673	\$ 0	N/A
Procurement Department* (Sections 3-3 and 3-4)	0	\$ 1,673	\$ 0	N/A
Community Development Department* (Sections 14-8, 16-2, 16-3, and 17-7)	0	\$ 1,673	\$ 0	N/A
NMB Water** (Section 19-20)	1	\$ 1,673	\$ 1,673	N/A
MDC Website***	N/A	N/A	N/A	\$ 3,794
Total Costs			\$ 21,749	\$ 3,794

*Police, Procurement, and Community Development Department utilize legal means other than publication of newspaper advertisement for noticing the public under the requirements of these sections. Changes to these sections is necessary to provide maximum flexibility in public notice under these requirements moving forward.

**NMB Water intends to coordinate with the Office of the City Clerk (interdepartmental budget transfer) for its one (1) annual required notification as well as any extraordinary required public notifications.

***Projected cost includes three (3) Office of the City Clerk staff Miami-Dade County (MDC) website user licenses and publication of one (1) advertisement annually in the Miami Herald notifying the public of the publication of the City of North Miami Beach public notices and legal advertisements on the MDC – legalads.miamidade.gov – website, as required by Florida Statute.

Based on the 2025 legal advertising and public notice costs, staff estimates that the transition to publication of legal advertisements and public notices from the Miami Herald newspaper to the Miami-Dade County – legalads.miamidade.gov – website would result in the City of North Miami Beach avoiding approximately \$18,000 per year in costs to the taxpayers.

Based on analysis of the Section 50.311, Florida Statute and current City of North Miami Beach Code of Ordinance provisions City staff makes the following recommendations:

Proposed revisions to City of North Miami Beach Code of Ordinances:

Chapter II Structure of Government; Article III. Office of the City Clerk; Section 2-4 City Clerk.

- Replacing references to “newspaper” advertisement with “on the designated publicly accessible website of Miami-Dade County in accordance with the requirements of Section 50.0311, Florida Statute”
- Renumbering provisions to provide greater consistency throughout the entirety of the currently adopted Code of Ordinances.

Chapter II Structure of Government; Article V. Departments of City Government; Section 2-9 Department of Public Safety.

- Replacing references to “newspaper” advertisement with “on the designated publicly accessible website of Miami-Dade County in accordance with the requirements of Section 50.0311, Florida Statute”
- Renaming the Section from “Department of Public Safety” to “Police Department” to ensure consistency of language with the City Charter.
- Renumbering provisions to provide greater consistency throughout the entirety of the currently adopted Code of Ordinances.
- Revising the minimum holding period prior to disposal of abandoned property from one hundred and twenty (120) days to ninety (90) days to align with requirements of Chapter 705 Florida Statute
- Adding clarifying language including references to the City Charter, adopted budget, and cross-references to other relevant and supporting Sections of the City Code of Ordinances.

Chapter III Purchasing, Section 3-3. Formal Contracting Procedures.; 3-3.4 Notice Inviting Bids

- Replacing references to “newspaper” advertisement with “on the designated publicly accessible website of Miami-Dade County in accordance with the requirements of Section 50.0311, Florida Statute”
- Renumbering provisions to provide greater consistency throughout the entirety of the currently adopted Code of Ordinances.

Chapter III Purchasing; Section 3-4 Miscellaneous Provisions.; 3-4.4 Open Market Procedures.

- Replacing references to “newspaper” advertisement with “on the designated publicly accessible website of Miami-Dade County in accordance with the requirements of Section 50.0311, Florida Statute”
- Renumbering provisions to provide greater consistency throughout the entirety of the currently adopted Code of Ordinances.

Chapter VII Elections; Section 7-7 Vacancy in Candidacy, Elective Offices.

- Replacing references to “newspaper” advertisement with “on the designated publicly accessible website of Miami-Dade County in accordance with the requirements of Section 50.0311, Florida Statute”
- Renumbering provisions to provide greater consistency throughout the entirety of the currently adopted Code of Ordinances.
- Correcting cross-references to other relevant and supporting Sections of the City Code of Ordinances and City Charter.

Chapter XIV Building and Housing; Section 14-8 Administration and Enforcement of Building, Planning, and Zoning Regulations; 14-8.20 Notices.

- Replacing references to “newspaper” advertisement with “on the designated publicly accessible website of Miami-Dade County in accordance with the requirements of Section 50.0311, Florida Statute”
- Renaming sub-section 14-8.20 from “Notices” to “Notices of Violation” to ensure consistency language and provide greater clarity regarding the nature of the provision.
- Renumbering provisions to provide greater consistency throughout the entirety of the currently adopted Code of Ordinances.
- Deleting provisions of subsection “b.” in its entirety, as repetitive and redundant to the provisions stated in “(1).” and “(2).” as renumber [formerly numbered “a.” “1. Thru 5” and “6. (a) thru (c)”.]

Chapter XVI Property Maintenance; Section 16-2 Upkeep of Lots, Parcels, and Tracts; 16-2.8 Work by City, Publication of Notice of Lien.

- Replacing references to “newspaper” advertisement with “on the designated publicly accessible website of Miami-Dade County in accordance with the requirements of Section 50.0311, Florida Statute”

Chapter XVI Property Maintenance; Section 16-3 Procedure for Sale of Liens; 16-3.3 Publication of Notice.

- Replacing references to “newspaper” advertisement with “on the designated publicly accessible website of Miami-Dade County in accordance with the requirements of Section 50.0311, Florida Statute”

Chapter XVII Streets and Sidewalks; Section 17-7 Abandonment and Vacation of Right of Ways and Easements.

- Replacing references to “newspaper” advertisement with “on the designated publicly accessible website of Miami-Dade County in accordance with the requirements of Section 50.0311, Florida Statute”
- Renaming Section 17-7 to replace “Right of Ways” with the more grammatically correct “Rights of Way” to ensure consistency language and provide greater clarity regarding the nature of the provision.
- Renumbering provisions to provide greater consistency throughout the entirety of the currently adopted Code of Ordinances.

Chapter XIX Water and Sewers; Section 19-9 Miscellaneous Provisions.

- Replacing references to “newspaper” advertisement with “on the designated publicly accessible website of Miami-Dade County in accordance with the requirements of Section 50.0311, Florida Statute”
- Renumbering provisions to provide greater consistency throughout the entirety of the currently adopted Code of Ordinances.

RECOMMENDATION:

Move to approve Ordinance 2026-XX Public Notice General Ordinance Amendment, enabling the use of the Miami-Dade County designated publicly accessible website for publication of advertisements and public notices related to Chapter II, Structure of City Government; Chapter III, Purchasing; Chapter VII, Elections; Chapter XIV, Building and Zoning; Chapter XVI, Property Maintenance; Chapter XVII, Streets and Sidewalks; and Chapter XIX, Water and Sewers, by finding it consistent with Section 50.311, Florida Statute; Resolution R2025-188 Interlocal agreement with Miami Dade County; and the City of North Miami Beach Comprehensive Plan.

FISCAL/ BUDGETARY IMPACT:

Proposed Ordinance 2026-XX Public Notice General Ordinance Amendment, based on a staff analysis of 2025 legal advertising and public notice costs other than those directly related to Chapter XXIV Zoning and Land Development, is estimated to result in the City of North Miami Beach avoiding approximately \$18,000 per year in direct costs to the City of North Miami Beach budget.