

## ATTACHMENT II

### ORDINANCE NO. 2026-03

**AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AMENDING CHAPTER XXIV, ENTITLED ZONING AND LAND DEVELOPMENT, ARTICLE XV. OTHER DEVELOPMENT REVIEW PROCEDURES, SECTION 24-180 DENIALS, NOTICES, AND FEES; ARTICLE XIX DEVELOPMENT AGREEMENTS, SECTION 24-214 DEVELOPMENT AGREEMENTS; AND APPENDIX A LAND DEVELOPMENT FEE SCHEDULE, 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 R2025-196 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 CODIFICATION, FINDINGS OF FACT, 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](http://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 of North Miami Beach has determined that the cost of legally required advertising and public notices associated with Chapter XXIV Zoning and Land Development will be reduced by approximately \$120,000 annually; and

**WHEREAS**, the City of North Miami Beach desires to utilize the Miami-Dade County designated publicly accessible website – [legalads.miamidade.gov](http://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](http://legalads.miamidade.gov); and

**WHEREAS**, the provisions of this Ordinance shall enable the City of North Miami Beach to utilize the Miami-Dade County website for the publication of legally required advertisements and public notices for all matters concerning Chapter XXIV Zoning and Land Development Regulations; and

**WHEREAS**, the City's Planning and Zoning Board, as the Local Planning Agency, held a duly noticed public hearing on November 10, 2025, and reviewed the proposed ordinance for consistency with the City of North Miami Beach's Comprehensive Plan, and recommended approval by a vote of 5 to 0; and

**WHEREAS**, the Mayor and City Commission find the proposed ordinance to be consistent with 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 Chapter XXIV Zoning and Land Development.
2. Reducing direct costs to the city budget of an estimated \$60,000 annually.
3. Reducing the collective direct costs to property owners filing quasi-judicial zoning applications requiring public hearings by an estimated \$1,673 per legally required advertisement.

**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.

**APPROVED** on the first reading this **17** day of **February**, 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 Lynn Su               |     |    |         |        |
| Commissioner Jay Chernoff        |     |    |         |        |
| Commissioner Daniel Jean         |     |    |         |        |
| Commissioner Fortuna Smukler     |     |    |         |        |
| Commissioner McKenzie Fleurimond |     |    |         |        |
| Commissioner Phyllis Smith       |     |    |         |        |