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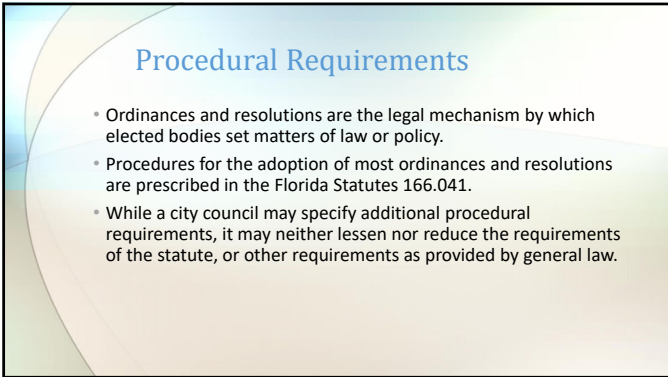
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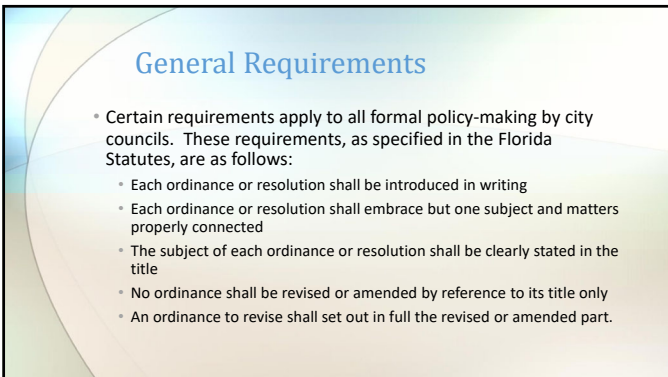
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**General Requirements (cont'd)**

- A proposed ordinance must be read, either by title or in full, on at least two separate days.
- At least 10 days prior to adoption, a proposed ordinance must be noticed once in a newspaper of general circulation in the city; this notice shall state the date, time, and place of the meeting at which the ordinance may be adopted, title of the proposed ordinance, and places where the proposed ordinance may be inspected. The notice shall also advise that interested parties may be heard at the meeting.
- By a two-thirds vote, the council may enact an **emergency ordinance without complying with these notice requirements**; however, neither changes to land uses or zoning nor amendment of a land-use plan may be done by emergency ordinance.

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**General Requirements (cont'd)**

- A majority of the council's members shall constitute a quorum; any ordinance or resolution must be approved by an affirmative vote of a majority of the quorum present, except that two-thirds of all members is required for enactment of an emergency ordinance.
- Votes on final passage shall be entered on the official record of the meeting.
- All ordinances and resolutions become effective as provided therein or, otherwise, 10 days after passage.
- Every approved ordinance or resolution shall be recorded in a book kept for that purpose and shall be signed by the presiding officer and the clerk of the governing body.

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**Form and Content of Ordinances**

- Florida law does not prescribe a form for ordinances. Most Florida municipalities, however, follow a few general rules which determine the form of their ordinances. Under these rules, each ordinance contains three principal parts:
  - The preamble, which contains the number, title and enacting clause of the ordinance;
  - The body, which contains the exact text of the ordinance; and
  - The trailer, which contains the effective date and any posting and publication information.

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**Preamble**

- In the preamble the number of the ordinance or resolution usually relates to the date of enactment.
- Most municipalities use a numbering system that identifies the year and the order of enactment in that year (e.g. 2015-01, 2015-02 etc.).
- There is no legal requirement for an ordinance number at all, but numbering is a custom followed by municipalities , as a matter of convenience.

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**Preamble (cont'd)**

- The title should be brief and descriptive.
- It should clearly identify the subject of the ordinance.
- It should include a statement of the effect of the ordinance.
- If a section of municipal code is being amended or repealed, this should be noted in the title.
- The enacting clause contains formal language which introduces the legislative language which follows; for example: "Be it ordained by the City Council of the City of ....."
- The enacting clause may also contain "Whereas" statements, a statement of purpose, a statement of objectives, or other introductory material which is not part of the essential legislative content of the ordinance.

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**Body**

- The body of the ordinance contains the exact text which is to be added to the municipal code.
- If the ordinance relates to a section of the municipal code, the number and title of that section must be clearly identified.
- The body is the only portion of the ordinance which will be incorporated into the municipal code; therefore, all essential content of the ordinance must be contained in the body of the ordinance.

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**Trailer**

- The trailer contains the effective date of the ordinance, if required.
- State law provides that all ordinances or resolutions “shall become effective 10 days after passage or as otherwise provided therein;” therefore, an effective date should be provided in the ordinance only if it is to be different from this automatic date.
- Publication of ordinances and resolutions after final passage is not required by state law, nor is it required by all municipal charters.

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**Trailer (cont'd)**

- If the charter does require publication, the trailer should include notice of where a copy of the enactment will be posted, the newspapers in which and the number of times it will be advertised, and the other governmental offices which will receive a copy of the document.

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**Maintaining a Record**

- Each municipality must keep records of all ordinances and of all resolutions which may have long-range effects, such as a resolution appointing a municipal official – pursuant to the State Records Retention Schedule, ordinances and resolutions have a permanent retention.

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### The Municipal Code

- The city must keep a copy of every ordinance enacted, every amendment to that ordinance, any official listing of the ordinance in local newspapers, and any information pertaining to its repeal.
- Copies of all ordinances must be made available for inspection by any person.
- The complete set of ordinances is commonly referred to as the "municipal code." As individual ordinances are adopted, each may be integrated into the body of existing ordinances, producing a body of laws not unlike state statutes.

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### The Municipal Code (cont'd)

- The process of integrating new ordinances into the existing body of municipal law in a systematic fashion is called "codification."
- Most cities have their ordinances re-codified on a regular schedule; the frequency is dependent upon the volume of ordinances.

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### The Municipal Log

- Many municipalities also keep a log or journal of all ordinances, reflecting certain key information. Ideally, log entries for each ordinance will reflect:
  - The date of enactment, the vote by which it was enacted, and its effective date
  - Its location in the municipal code
  - All amendments to it
  - Full reference to any related court cases and
  - Any relation to other earlier or later ordinances
- A log is not a legal record, but it can serve as an excellent administrative tool which will enable the municipality to record the entire life of an ordinance.

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