



ORDINANCES

An ordinance is a local law adopted by the governing body that creates, amends, or repeals provisions of the municipal code. It carries the force and effect of law.



PURPOSE

- Creates municipal laws
- Establishes regulations
- Amends the municipal code
- Creates penalties
- Adopts fees or rates
- Regulates zoning, utilities, and more



AUTHORITY

Municipal ordinances are primarily governed by:

- Chapter 166, Florida Statutes
- Section 166.041, Florida Statutes (Procedures for adoption)



KEY ELEMENTS

- Title
- Legislative findings (Whereas clauses)
- Authority
- Definitions
- Applicability
- Regulatory language
- Enforcement
- Penalties (if applicable)
- Severability clause
- Repealer clause
- Codification instructions
- Effective date



EXAMPLES

- Noise ordinance
- Golf cart ordinance
- Animal control ordinance
- Building code amendments
- Utility rate regulations
- Vacation rental regulations
- Purchasing code revisions
- Impact fee ordinance
- Annexation ordinance



CHARACTERISTICS

- ✓ Creates law
- ✓ Codified in the municipal code
- ✓ Requires public hearing
- ✓ Permanent until amended or repealed



TIP

If the action creates, changes, or repeals law, it should almost always be accomplished by ordinance.



RESOLUTIONS

A resolution expresses the governing body's official opinion, intent, or administrative action. It does not create permanent law.



PURPOSE

- Approves administrative actions
- Expresses policy or intent
- Accepts grants or agreements
- Awards contracts
- Declares property surplus
- Appoints board members
- Supports legislation



TYPICAL EXAMPLES

- Awarding a construction contract
- Accepting FEMA funding
- Accepting a state grant
- Approving a purchasing agreement
- Declaring surplus equipment
- Appointing advisory board members
- Approving an interlocal agreement
- Supporting a legislative initiative



CHARACTERISTICS

- ✓ Does not create law
- ✓ Usually no public hearing
- ✓ Not codified
- ✓ Usually effective immediately
- ✓ Easier to amend
- ✓ Administrative in nature



TIP

Use a resolution for administrative decisions, approvals, and expressions of policy or intent that do not establish or change law.



MOTIONS

A motion is a formal proposal made during a public meeting requesting the governing body take an action. It becomes effective only after receiving a second (if required) and approval by the governing body.



PURPOSE

- Conducts the business of meetings
- Approves procedural items
- Directs staff
- Controls agenda flow
- Refers items for further study



TYPICAL EXAMPLES

- Approve meeting minutes
- Continue a public hearing
- Table an agenda item
- Direct staff to prepare an ordinance
- Authorize negotiations
- Approve workshop dates



CHARACTERISTICS

- ✓ Does not create law
- ✓ No public hearing required
- ✓ Not codified
- ✓ Recorded in meeting minutes
- ✓ Procedural in nature
- ✓ Effective only when approved



TIP

Use a motion to manage the conduct of the meeting or to direct procedural actions. It does not establish policy or create legal obligations.



PROCLAMATIONS

A proclamation is a ceremonial declaration recognizing an individual, organization, event, or cause. It has no legal effect.



PURPOSE

- Recognizes people or groups
- Honors events or observances
- Raises awareness
- Celebrates achievements



COMMON EXAMPLES

- ✓ Veterans Day
- ✓ Arbor Day
- ✓ National Public Works Week
- ✓ Police Week
- ✓ Fire Prevention Week
- ✓ Small Business Week
- ✓ Municipal Clerks Week



CHARACTERISTICS

- ✓ Honorary only
- ✓ No legal authority
- ✓ No enforcement
- ✓ No codification
- ✓ Ceremonial in nature



TIP

Use a proclamation to honor, recognize, or celebrate. It is a symbolic expression of the governing body and carries no legal or binding authority.

