

ORDINANCE No. 2024-03

AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AMENDING SECTION 1-2 “DEFINITIONS AND RULES OF CONSTRUCTION”; SECTION 2-71 “NOTICE OF MEETINGS”; SECTION 2-353 “PROCEDURES”; SECTION 11-53 “NOTICES”; AND SECTION 38-63 “NOTIFICATION FOR STREET NAMES” OF THE CITY OF DORAL CODE OF ORDINANCES, TO PROVIDE FOR A DEFINITION OF PUBLICATION AND TO ELIMINATE THE REQUIREMENT FOR NEWSPAPER PUBLICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCORPORATION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, certain Florida statutory provisions require that public notices and advertisements of a municipality be given in the manner prescribed by state statute (“Legal Notices”); and

WHEREAS, specifically, Chapter 50, Florida Statutes, previously provided that legal notices were required to be published in a newspaper, and meet certain minimum requirements; and

WHEREAS, the City of Doral (“City”), consistent with the aforementioned statutory provisions, advertised and published its Legal Notices in newspapers of general circulation, which publication requirements are also incorporated into the City’s Code of Ordinances (“Code”); and

WHEREAS, effective January 1, 2023, pursuant to House Bill 7049, Chapter 50, Florida Statutes, was amended to permit municipalities to publish all required Legal Notices on a “publicly accessible website”, in lieu of utilizing a newspaper, as specified in Section 50.0311, Florida Statutes; and

WHEREAS, for purposes of Legal Notice under the newly amended Section 50.0311, Florida Statutes, “publicly accessible website” means a county’s official

website or other private website designated by a county for the posting of Legal Notices and advertisements that is accessible via the Internet; and

WHEREAS, Miami-Dade County (the “County”) is in the process of designating a County-wide website for Legal Notices, as required in Florida Statutes, which the City is able to utilize for Legal Notices; and

WHEREAS, the newspaper historically utilized by the City for purposes of publishing its Legal Notices will no longer be providing said service, and with limited options available, and the significant costs associated with publishing on the one (1) remaining newspaper option in the City, the City Council finds that it is in the best interest in the City to avail itself of the ability to publish its Legal Notices on a publicly accessible website provided by the County for said purposes, as specified in Section 50.0311, Florida Statutes; and

WHEREAS, the City will proceed to publish annual notices in a newspaper of general circulation directing residents to the City’s online notices as required in Florida Statutes, and also providing notice that property owners and residents may receive legal notices from the City by first-class mail or e-mail upon registering with the City; and

WHEREAS, the City estimates that the utilizing a publicly accessible website for purposes of Legal Notice will result in over fifty percent (50%) savings in annual publication costs; and

WHEREAS, in furtherance of publishing Legal Notice utilizing a publicly accessible website in lieu of a newspaper as permitted by the recent amendments to Florida Statute, the City’s Code needs to be amended accordingly.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY
COUNCIL OF THE CITY OF DORAL, FLORIDA AS FOLLOWS:**

Section 1. Recitals. The foregoing “WHEREAS” clauses are hereby ratified and confirmed as being true and correct and are hereby made a part of this Ordinance upon adoption hereof.

Section 2. Amendments to Chapter 1 of the City Code. Chapter 1 “General Provisions” of the Code of Ordinances of the City of Doral is hereby amended to read as follows:

Sec. 1-2. - Definitions and rules of construction.

In the construction of this Code, and of all ordinances, the following definitions and rules shall be observed, unless the context clearly indicates otherwise:

Publication. The term “publication” or “publish” means to publish a legal notice in any manner permitted by Chapter 50, Florida Statutes, as may be amended. Publication may be achieved by one of the following: publication in a newspaper, on a publicly accessible website as detailed in Chapter 50 Florida Statutes, or in any other manner so authorized by Florida Statutes, Miami-Dade County, or any other relevant authority.

Section 3. Amendments to Chapter 2 of the City Code. Chapter 2 “Administration” of the Code of Ordinances of the City of Doral is hereby amended to read as follows:

CODING: Additions to existing text are shown by underline, changes to existing text on second reading are shown by double underline, and deletions are shown as ~~strikethrough~~.

Sec. 2-71. - Notice of meetings.

(a) The city clerk shall publish monthly ~~in a newspaper of general circulation in the city~~ and post a statement in at least three locations of the dates, times and places (subject to change) of the city council meetings regularly scheduled for the upcoming month. Said publication shall occur no later than the day preceding the first regular meeting of the month. The city clerk may use any other medium appropriate for notice of public meetings.

(b) The city clerk shall also post a statement of the date, time, and place of each council meeting, regular or otherwise, a minimum of 24 hours prior to the meeting.

ARTICLE VI. - QUASI-JUDICIAL PROCEEDINGS

Sec. 2-353. Procedures.

(a) [...]

(b) Notification. Notification and required forms shall be completed by affected persons, the petitioner and the city as follows:

(1) At least 14 calendar days prior to the proceeding, the city shall provide a legal advertisement to be published, ~~in a newspaper of general paid circulation in the county and of general interest and readership in the community, not one of limited subject matter.~~ Said which notice shall state the name of the petitioner for the requested action, the date, time and location of the proceeding, and the location and times where and when the petition and any back up information may be reviewed. In addition, the notice shall inform all affected persons that they will be allowed to present evidence at the hearing, bring

forth witnesses, and cross examine witnesses provided they notify and file the required forms provided by the city clerk's office, the substance of which is described in subsection (d) of this section, at least seven calendar days prior to the proceeding.

Section 4. Amendments to Chapter 11 of the City Code. Chapter 11 “Code Enforcement” of the Code of Ordinances of the City of Doral is hereby amended to read as follows:

ARTICLE III. - ENFORCEMENT PROCEDURE

Sec. 11-53. Notices.

(a) All notices required by this chapter shall be provided to the alleged violator by:
[...]

(b) In addition to providing notice as set forth in subsection (a) of this section, at the option of the special magistrate, notice may also be served by publication or posting, as follows:

(1) Such notice shall be published once during each week for four consecutive weeks, four publications being sufficient, ~~in a newspaper of general circulation in the county. The newspaper shall meet such requirements as are prescribed under F.S. ch. 50 for legal and official advertisements.~~ Proof of publication shall be made as provided in F.S. §§ 50.041 and 50.051.

Section 4. Amendments to Chapter 38 of the City Code. Chapter 38 “Streets,

Sidewalks and Other Public Places” of the Code of Ordinances of the City of Doral is hereby amended to read as follows:

ARTICLE III. - PROCEDURES FOR NAMING, RENAMING OR CO-DESIGNATING STREETS, SIDEWALKS AND OTHER PUBLIC PLACES

Sec. 38-63. Notification for street names.

(a) Notification regarding the name change shall be mailed, by the city, to the all residents within one mile of the affected street.

(b) Notification shall be mailed, by the city, to the owners of all properties adjacent or addressed from the affected street.

(c) Notification shall be advertised, by the city, ~~in the local newspaper~~ a minimum of ten days prior to the city council meeting consideration or as noted. Notification shall include the request, location, time and date of the meeting.

(d) The affected street shall be posted, by the city, for a minimum of ten days prior to consideration by the city council at the beginning and end of the affected street and between these two points, at intervals of not more than 1,000 feet.

Section 5. **Repealer.** All ordinances, or parts of ordinances in conflict herewith be, and the same, are hereby repealed.

Section 6. **Severability.** If any section, subsection, clause or provision of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, the remainder shall not be affected by such invalidity.

Section 7. **Incorporation Into the Code.** It is the intention of the Mayor and the

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City Commission, and it is hereby ordained, that the provisions of this Ordinance shall become and made a part of the Code of Ordinances of the City of Doral; that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word, as required.

Section 8. **Effective Date.** This Ordinance will become effective ten (10) days after adoption at second reading, and when Miami-Dade designates their website.

The foregoing Ordinance was offered by Councilmember Cabral who moved its adoption.
The motion was seconded by Councilmember Pineyro upon being put to a vote, the vote was as follows:

Mayor Christi Fraga	Yes
Vice Mayor Oscar Puig-Corve	Yes
Councilwoman Digna Cabral	Yes
Councilman Rafael Pineyro	Yes
Councilwoman Maureen Porras	Yes

PASSED AND ADOPTED on FIRST READING this 10 day of January, 2024.

PASSED AND ADOPTED on SECOND READING this 14 day of February, 2024.



CHRISTI FRAGA, MAYOR

ATTEST:



CONNIE DIAZ, MMC
CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY
FOR THE USE AND RELIANCE OF THE CITY OF DORAL ONLY:



VALERIE VICENTE, ESQ. for
NABORS, GIBLIN & NICKERSON, P.A.
CITY ATTORNEY