

**100.2 SUBJECT: CITY ORDINANCES**

**:1 OBJECTIVE:**

Establish a procedure for preparation, transmittal, and enactment of proposed City ordinances.

**:2 AUTHORITY:**

This procedure amended by City Council April 19, 1993.

**:3 DIRECTION:**

Mayor, City Council.

**:4 METHOD OF OPERATION:**

**A. Kinds of Ordinances**

Ordinances, for the purpose of this procedure, shall be processed as:

1. Ordinance, Abandonment
2. Ordinance, Annexation
3. Ordinance, Zoning
4. Ordinance, General Public
5. Ordinance, Other

**B. Ordinances - Preparation and Transmittal**

An ordinance or amendment thereto (hereinafter referred to as ordinance) shall be prepared by the City Attorney from information or material furnished by the authorized requesting official. No ordinance shall be prepared for presentation to City Council except as provided by City Charter or Code.

**1. Ordinance, Abandonment**

Ordinances for the annexation or abandonment of real property shall be processed as follows:

- a. Planning Bureau Chief - The Planning Bureau Chief shall be responsible for initiating the request for an ordinance concerned with abandonment of real property or land subdivision regulations as approved by City Council following recommendation by the Municipal Planning Board. Such a request shall include the legal description of the property using one or all of the following means:
  - (1) A survey certified by a registered land surveyor of the State of Florida.
  - (2) A rectangular or governmental survey.
  - (3) A recorded subdivision plat attached to the request.

The Planning Bureau Chief, when applicable, then shall submit the legal description of the property to the City Engineer for concurrence or correction.

b. City Engineer - Whenever applicable, the City Engineer shall review and concur with or correct the legal description of the property and return the legal description to the initiating department for transmittal to the City Attorney with other documentation.

c. City Attorney - the City Attorney shall prepare the ordinance, using a reproduction of the legal description approved by the City Engineer, when applicable, sign the

transmittal slip and forward the ordinance to the initiating department.

d. Initiating Department - The initiating department shall review the ordinance as to content, sign the transmittal slip and forward the ordinance as indicated on the transmittal.

e. Mayor - The Mayor shall review the ordinance and by signing the transmittal slip indicate approval or disapproval of the ordinance as to its contents and forward it to the City Clerk.

f. City Clerk - From information contained in the ordinance prepared by the City Attorney, the City Clerk shall prepare and place, once, in a newspaper a notice of the proposed ordinance. In the case of abandonment, the notice shall be published at least fourteen (14) days before the date stated for public hearing (which may be either 1st or 2nd reading), but never less than ten (10) days prior to its adoption. A copy of this legal notice shall be forwarded to the initiating department. The notice shall state the date, time and place where the proposed ordinance will be read, the title of the proposed ordinance, all property descriptions pertinent to the proposed ordinance, and the place where the proposed ordinance may be inspected by the public. The notice also shall advise that interested parties may appear at the meeting(s) and be heard with respect to the proposed ordinance. The ordinance will be placed on the agenda of the City Council for the scheduled meeting(s) as advertised.

## 2. Ordinance, Annexation

Ordinances for the annexation of real property into the corporate limits of the City of Orlando shall follow the guidelines set forth in Chapters 166 and 171 of the Florida Statutes.

## 3. Ordinance, Zoning

Ordinances for the zoning or rezoning of real property shall follow the guidelines set forth in Chapters 163 and 166 of the Florida Statutes.

## 4. Ordinance, General Public and Other

A request for a change in the City Code may be initiated by the Mayor, a Commissioner, a Department Director, or an Office Head.

a. City Attorney - The City Attorney shall prepare the ordinance, sign a transmittal slip and forward the document to the official making the request.

b. The Official - The official then shall review the document and on the transmittal slip note action taken, comment and forward as indicated on the transmittal.

c. Mayor - The Mayor shall review the ordinance and, by signing the transmittal slip, indicate approval or disapproval of the ordinance as to its contents and forward it to the City Clerk.

d. City Clerk - The City Clerk, upon receiving a proposed ordinance approved by the Major as to content, shall prepare and place, once, a notice of the proposed ordinance in a newspaper no less than ten (10) days prior to second reading. The notice shall

state the date, time and place where the proposed ordinance will be read, the title of the proposed ordinance and the place where the proposed ordinance may be inspected by the public.

The notice also shall advise that interested parties may appear at the meeting(s) and be heard with respect to the proposed ordinance. The ordinance will be placed on the agenda of the City Council for the scheduled meeting(s) as advertised.

The City Clerk shall have the ordinance reproduced and copies distributed to the Mayor and City Commissioners before the ordinance is presented to City Council.

C. Non-concurrence by the Director

Should a Department Director or Office Head disapprove the ordinance, a statement of objection shall be submitted to the Chief Administrative Officer.

D. Introducing Ordinances

1. All ordinances shall be advertised as stated in the foregoing sections and shall have two separate readings, except as provided by City Code.
2. Each ordinance shall be introduced in writing and embrace but one subject and matters properly connected therewith. The subject shall be clearly stated in the title. No ordinance shall be revised or amended by reference to its title only. Ordinances to revise or amend shall set out in full the revised or amended act, section, subsection, or paragraph of a section or subsection.
3. Nothing herein contained shall be deemed to prohibit the Council from considering or passing any ordinance of an emergency nature in the manner provided by the laws of the City or the State. However, emergency reading of annexation or zoning ordinances is prohibited by State law.
4. Department Directors and Office Heads shall be responsible for advising subordinates of ordinances adopted by Council affecting their operation and for implementation of such ordinances where applicable.

E. Statements and Signatures Required on Ordinances Adopted by City Council

The following shall be shown on an ordinance adopted by City Council as applicable:

1. Date(s) advertised in newspaper
2. Date(s) of readings
3. Signature of Mayor or Mayor Pro tem
4. Attestation by City Clerk
5. Documentary Number

F. Approval or Disapproval by Mayor

Within 24 hours after the adoption of an ordinance by City Council, such ordinance shall be submitted by the City Clerk to the Mayor for approval or disapproval. If the Mayor

disapproves the ordinance, it shall be returned, with the reason(s) for disapproval stated in writing, at the next regular meeting of the City Council; whereupon the City Council, by a four-fifths vote of the entire membership thereof, may pass the ordinance, the Mayor's disapproval to the contrary notwithstanding. If the Mayor fails to disapprove the ordinance within twenty-four hours after its passage by the City Council, the ordinance shall be considered as having been approved by the Mayor.

:5 FORMS:

Transmittal of Proposed Ordinance.

:6 COMMITTEE RESPONSIBILITIES:

None.

:7 REFERENCE:

City of Orlando Code, Chapter 2; City of Orlando Charter Chapter 2, Sections 24, 26, 27. Florida Statutes Chapters 166 and 171, and the Land Development Code of the Code of the City of Orlando. Procedure approved by City Council May 30, 1972, Item 55; amended October 16, 1972, Item 40; amended January 28, 1974, Item 20; amended July 14, 1975, Item 34; amended July 11, 1977, Item 12; amended February 25, 1985, Item 16 (A-12); amended January 6, 1992, Item 6/ZZ.

:8 EFFECTIVE DATE:

This procedure effective April 19, 1993.