

ORDINANCE NO. 26-04

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF DUNDEE, FLORIDA, IMPLEMENTING THE REQUIREMENTS OF SECTION 177.071, FLORIDA STATUTES, AS AMENDED BY CHAPTER 2025-164, LAWS OF FLORIDA (SENATE BILL 784), RELATING TO THE ADMINISTRATIVE APPROVAL OF PLATS AND REPLATS; DESIGNATING THE TOWN MANAGER AS THE ADMINISTRATIVE AUTHORITY AUTHORIZED TO REVIEW, APPROVE, CONDITIONALLY APPROVE, DENY, AND EXECUTE FINAL PLATS AND REPLATS ON BEHALF OF THE TOWN; PROVIDING FOR ADMINISTRATIVE PROCEDURES; PROVIDING FOR LIMITATIONS ON DESIGNATION OF ADMINISTRATIVE AUTHORITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS; PROVIDING FOR CODIFICATION; PROVIDING FOR BUSINESS IMPACT ESTIMATE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Dundee (the "Town") is a Florida municipal corporation vested with home rule authority pursuant to the Municipal Home Rule Powers Act (F.S. Chapter 166) and Article VIII, §2 of the Florida Constitution; and

WHEREAS, the Florida Legislature adopted amendments to Section 177.071, Florida Statutes, through Chapter 2025-164, Laws of Florida (Senate Bill 784), which became effective July 1, 2025; and

WHEREAS, Section 177.071, Florida Statutes requires local governments to provide for administrative review and approval of plats and replats that comply with all applicable statutory requirements and local land development regulations; and

WHEREAS, Section 177.071, Florida Statutes authorizes the governing body of a municipality to designate an administrative authority, including an administrative officer or employee, to review, approve, conditionally approve, or deny plats and replats in accordance with law; and

WHEREAS, the Town Commission finds it appropriate and in the best interest of the Town to designate the Town Manager as the administrative authority responsible for reviewing and approving plats and replats in accordance with Chapter 177, Florida Statutes; and

WHEREAS, scrivener's errors, clerical mistakes, typographical errors, or minor technical inaccuracies in this Ordinance shall not affect its validity, and the Town Manager or Town Attorney may correct such errors administratively without altering the substantive intent of this Ordinance; and

WHEREAS, the Town Commission hereby declares that all of the foregoing WHEREAS clauses constitute findings of fact and determinations of the Town Commission.

NOW, THEREFORE, BE IT ENACTED BY THE TOWN COMMISSION OF THE TOWN OF DUNDEE, FLORIDA, AS FOLLOWS:

SECTION 1. INCORPORATION OF RECITALS

The above-referenced factual recitals (WHEREAS clauses) are incorporated herein as true and correct statements and form a factual and material basis for the adoption of this Ordinance. The Town Commission hereby adopts the above-referenced factual recitals as legislative findings supporting this Ordinance.

SECTION 2. ADMINISTRATIVE APPROVAL OF PLATS AND REPLATS

The Town Manager of the Town of Dundee is hereby designated as the administrative authority authorized to review, approve, conditionally approve, deny, and execute final plats and replats on behalf of the Town. The Town Manager may designate another qualified administrative officer or employee to act as the administrative authority, provided that all designees comply with the requirements of Chapter 177, Florida Statutes, including s. 177.091. Administrative approval shall be ministerial in nature, based solely on compliance with statutory and local requirements, and does not constitute acceptance of streets, easements, parks, drainage, utilities, or other dedicated land. Acceptance requires separate Town Commission action.

SECTION 3. AUTHORITY TO EXECUTE PLATS

Upon determination that a plat or replat complies with all statutory and local requirements, the Town Manager or authorized designee may sign and execute the plat or replat on behalf of the Town without further action by the Town Commission.

SECTION 4. REVIEW PROCESS

All plats and replats shall be reviewed by appropriate staff and consultants to verify compliance with statutory, engineering, and land development standards, including review by the Town Attorney for legal sufficiency. The administrative authority shall provide written notice to the applicant within seven business days of receipt of a plat or replat, acknowledging receipt and identifying any missing documents or information necessary to process the submittal. The notice shall also describe the approval process and applicable timeframes. Approval is not automatic if the administrative authority fails to respond.

SECTION 5. CONFLICTS

All ordinances or resolutions in conflict herewith are repealed only to the extent necessary to give this Ordinance full force and effect.

SECTION 6. SEVERABILITY

If any section, subsection, sentence, clause, phrase, or provision of this Ordinance is held invalid, unenforceable, or unconstitutional, the remaining provisions shall remain in full force and effect.

SECTION 7. ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS

Sections of this Ordinance may be renumbered or re-lettered and corrections of typographical or scrivener's errors may be made by the Town Manager or Town Attorney without public hearing, provided such corrections do not affect substantive intent.

SECTION 8. CODIFICATION

It is the intent of the Town Commission that Sections 2–4 shall be codified in the Code of Ordinances of the Town of Dundee. Sections 1, 5–10 shall not be codified.

SECTION 9. BUSINESS IMPACT ESTIMATE

This Ordinance will not have a direct economic impact on businesses located in the Town, and therefore, a business impact estimate is not required.

SECTION 10. EFFECTIVE DATE

This Ordinance shall become effective immediately upon adoption following second reading.

INTRODUCED AND PASSED on first reading by the Town Commission of the Town of Dundee, Florida, in regular session, this 10th day of March 2026.

PASSED AND ADOPTED on second reading by the Town Commission of the Town of Dundee, Florida, in regular session, this ____ day of April 2026.

TOWN OF DUNDEE

Sam Pennant, Mayor

ATTEST WITH SEAL:

Erica Anderson, Town Clerk

Approved as to form:

Markeishia Smith, Town Attorney