



TOWN OF HIGHLAND BEACH PROPOSED RESOLUTION

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF HIGHLAND BEACH, FLORIDA ADOPTING PROCEDURES FOR THE INITIATION AND ADOPTION OF TOWN ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Highland Beach is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes, and may exercise such power and authority through the adoption of ordinances; and

WHEREAS, Section 166.041(1)(a), Florida Statutes, defines an “ordinance” as an official legislative action of the governing body, which action is a regulation of a general and permanent nature and enforceable as a local law; and

WHEREAS, the procedures set forth in Section 166.041, Florida Statutes, constitute the uniform method for the adoption and enactment of municipal ordinances; however, a municipality may specify additional requirements or procedures over and above the statutory requirements; and

WHEREAS, the Town Commission wishes to establish formal procedures for the initiation and adoption of Town ordinances and determines that the adoption of this Resolution is in the best interests of the Town and its residents.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE
TOWN OF HIGHLAND BEACH, FLORIDA, AS FOLLOWS:**

Section 1. The foregoing recitals are ratified and incorporated herein.

Section 2. In addition to the statutory requirements set forth in Section 166.041, Florida Statutes, the Town Commission hereby adopts the following procedures for the initiation and adoption of ordinances:

A. *Ordinance Initiation.* A new ordinance may be initiated by several different sources, including, but not limited to:

1. Commissioner or staff initiative;
2. Advisory board initiative;
3. Resident concerns expressed through public comments; or
4. Response to state or federal actions or requirements.

- B. *Introduction to the Town Commission.* Proposals for a new ordinance shall first be presented to the Town Commission for consideration. If approved in concept, the Commission shall direct the Town Manager, Town Staff, and the Town Attorney to research the subject matter and create a draft ordinance and may assign one of its members as the Ordinance sponsor.
- C. *Advisory Board Recommendation.* The Commission may forward the draft ordinance to one or more advisory boards. As required by state statute and the Town Code, all amendments to the Town's land development regulations or zoning code must first be considered by the Town's Planning Board at a public hearing. The advisory board(s) shall review the ordinance and propose any edits over the course of one or more public meetings. Once a majority of the board members agree to a final draft, the advisory board(s) shall provide a recommendation to the Town Commission along with the final draft.
- D. *First Reading by the Town Commission.* On first reading, the Town Commission shall hear public comments and discuss the merits of the ordinance, along with the recommendation of the advisory board, if applicable. The Commission may either adopt the ordinance on first reading or send it back to the board and/or staff for modification or additional research.
- E. *Second Reading.* Once the ordinance is approved on first reading, it shall be presented to the Town Commission for public hearing and final discussion on second reading. Once the public hearing and Commission discussion is complete, the Town Commission votes to approve and enact the ordinance. The Town Commission may modify the ordinance previously adopted on first reading so long as the modifications do not materially alter the substance of the ordinance. If the substance of the ordinance is materially altered, Staff shall reinitiate the adoption process and proceed back to first reading.
- F. *Adoption and Implementation.* Once an ordinance is adopted, Town Staff shall take all appropriate steps to implement the ordinance.
- G. *Intent and Waiver.* The Town Commission's intent is to ensure that the public is adequately notified of pending ordinances and ensure full public participation in the ordinance adoption process. However, the Town Commission, in the exercise

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of its discretion, reserves the right to waive the requirements of this Resolution when warranted under the particular circumstances. The Town's failure to follow the requirements of this Resolution shall not render any ordinance invalid provided that the Town followed all statutory requirements for adoption of ordinances set forth in Section 166.041, Florida Statutes.

Section 3. This Resolution shall be effective immediately upon adoption.

DONE AND ADOPTED by the Town Commission of the Town of Highland Beach, Florida, this ____ day of _____, 2026.

Natasha Moore
Mayor

ATTEST:

**REVIEWED FOR LEGAL
SUFFICIENCY:**

Lanelda Gaskins, MMC
Town Clerk

Leonard G. Rubin
Town Attorney

VOTES:

YES NO

Mayor Natasha Moore
Vice Mayor David Stern
Commissioner Donald Peters
Commissioner Judith M. Goldberg
Commissioner Jason Chudnofsky