

Sec. 2-30. - Rules and procedures for virtual public hearings using communications media technology.

- (a) *Scope and applicability.* These procedures shall apply to all public hearings held virtually and using communications media technology, and held by the city council, and the boards and committees of the city council.**
- (b) *Proceedings.* The presiding officer shall conduct the proceedings and maintain order. The city attorney shall represent the city council, its boards and committees (hereafter referred to collectively as "governing bodies") and advise the governing bodies as to the applicable law and necessary factual findings. Formal rules of procedure or evidence shall not apply except as set forth herein; however, fundamental due process shall be accorded.**
- (c) *Witnesses and supporting materials.***
 - (1) *Quasi-judicial hearings.* At least five calendar days prior to a quasi-judicial hearing:
 - a. Staff shall prepare a report, recommendation and supporting materials, a copy of which shall be available to the applicant and to the public at the city clerk's office. Included in the supporting materials will be copies of all exhibits and documents upon which staff's recommendation is based.**
 - b. The applicant shall submit via electronic mail (e-mail) to the city clerk and any city department from which material relevant to the matter has been received, a detailed outline of the argument in support of their application, copies of all documents, exhibits, and other items which will be presented at the hearing, and the names and addresses of all witnesses who will be called to testify in support of the application (including resumes for any witness the party intends to qualify as an expert). All items must be reduced to a size of 8.5 inches by 11 inches and stored in a portable document format (.pdf) and filed with the city clerk with the name and case number included in the subject line of the e-mail.**
 - c. The five-calendar days deadline is necessary to ensure the governing body has a sufficient opportunity to review the written submissions prior to the hearing and shall be strictly observed. Should the five-calendar day deadline be missed by either staff or the applicant, the item may be continued at the discretion of the governing body to the next available agenda.****

(2) *Other hearings.* At least one calendar day prior to any hearing that is not a quasi-judicial hearing:

- a. Staff may prepare a report, recommendation and supporting materials, a copy of which shall be available to the applicant and to the public at the city clerk's office. Included in the supporting materials will be copies of all exhibits and documents upon which staff's recommendation is based.**
- b. The applicant shall submit via electronic mail (e-mail) to the city clerk and any city department from which material relevant to the matter has been received, a detailed outline of the argument in support of their application, copies of all documents, exhibits, and other items which will be presented at the hearing, and the names and addresses of all witnesses who will be called to testify in support of the application (including resumes for any witness the party intends to qualify as an expert). All items must be reduced to a size of 8.5 inches by 11 inches and stored in a portable document format (.pdf) and filed with the city clerk with the name and case number included in the subject line of the e-mail.**
- c. The one-calendar day deadline is necessary to ensure the governing body has a sufficient opportunity to review the written submissions prior to the hearing and shall be strictly observed. Should the one-calendar day deadline be missed by either staff or the applicant, the item may be continued at the discretion of the governing body to the next available agenda.**

(d) *Unauthorized communications related to quasi-judicial hearings.*

- (1) All rulings in quasi-judicial hearings must be based only upon the evidence presented at the respective hearing.**
- (2) Any person not otherwise prohibited by statute, Charter provision, or ordinance may discuss with any member of a governing body the merits of any matter on which action may be taken by any governing body on which the individual is a member. The communication is presumed to prejudice any parties to a matter on which action may be taken who were not present during the communication.**
- (3) The following procedure relating to ex parte communications is intended to protect the fundamental due process rights of all parties to a matter on which action may be taken by making public the ex parte communications.**

- a. The substance of any ex parte communication with a member of a governing body which relates to a quasi-judicial action pending before a governing body is not presumed prejudicial to the action if the subject of the communication and the identity of the person, group or entity with whom the communication took place is disclosed and made a part of the record before the final action on the matter.**
- b. A member of a governing body may read a written communication from any person. However, a written communication that relates to a quasi-judicial action pending before the governing body shall not be presumed prejudicial to the action, and such written communication shall be made a part of the records before final action on the matter.**
- c. At times members of a governing body may conduct investigations and site visits and may receive expert opinions regarding quasi-judicial action pending before them. Such activities shall not be presumed prejudicial to the action if the existence of the investigation, site visit, or expert opinion is made a part of the record before final action on the matter.**
- d. Disclosure made pursuant to subsections (3)a, b, and c, must be made before or during the public meeting at which a vote is taken on such matters, so that persons who have opinions contrary to those expressed in the ex parte communication are given reasonable opportunity to refute or respond to the communication.**

(e) *Conduct of hearing.*

- (1) The presiding officer shall call the proceeding to order and announce that the hearing has begun.**
- (2) The petitioner or applicant shall be asked whether they waive all informalities as well as any other known, or unknown, consequences associated with the communications media technology employed by the city and, if such are waived the proceeding shall continue. If the petitioner or applicant does not wish to waive the aforementioned informalities as well as any consequences, then the proceeding shall be terminated and be set for an in-person hearing at a time and date to be determined.**
- (3) An authorized individual shall swear in all witnesses who are to testify at the hearing pursuant to Administrative Order 20-16, of the Florida Supreme Court, available at: www.floridasupremecourt.org.**

(4) The order of proof shall be governed in a manner that substantially complies with the following:

a. *Legislative hearings:*

- 1. A representative of the city's staff shall briefly describe the item, introduce and review all relevant exhibits and evidence, report staff's recommendation, and present any testimony in support of staff's recommendation. Staff shall have a maximum of ten minutes to make their full presentation, including opening statement and all direct presentation by the witnesses, but excluding any cross-examination or questions from the governing body.**
- 2. Any persons interested in the item shall have a maximum of three minutes each to present their position. Members of the public will be permitted to present their non-expert opinions, but the governing body will be expressly advised that public sentiment is not relevant to the decision.**

b. *Quasi-judicial hearings:*

- 1. A representative of the city's staff shall briefly describe the applicant's request, introduce and review all relevant exhibits and evidence, report staff's recommendation, and present any testimony in support of staff's recommendation. Staff shall have a maximum of 20 minutes to make their full presentation, including opening statement and all direct presentation by the witnesses, but excluding any cross-examination or questions from the governing body.**
- 2. Any ex parte communications are to be disclosed by the members of the government body so that persons who have opinions contrary to those expressed in the ex parte communication are given reasonable opportunity to refute or respond to the communication.**
- 3. Any party intervenor (or a representative or counsel) shall present evidence and testimony in support of or opposed to the application. A party intervenor shall have a maximum of 20 minutes to make a full presentation, including opening statement and all direct presentation by witnesses, but excluding any cross-examination or questions from the governing body. A party intervenor shall file a written notice of such intervening along with supporting documentation at five calendar days prior to a hearing.**

4. **The applicant (or a representative or counsel) shall present evidence and testimony in support of the application. The applicant shall have a maximum of 20 minutes to make a full presentation, including opening statement and all direct presentation by witnesses, but excluding any cross-examination or questions from the governing body.**
 5. **Any other persons present who wish to submit relevant information to the governing body shall speak next for a maximum of three minutes each (excluding any cross-examination or questions from the governing body). Members of the public will be permitted to present their non-expert opinions, but the governing body will be expressly advised that public sentiment is not relevant to the decision, which must be based only upon competent and substantial evidence.**
 6. **The applicant will be permitted to make final comments.**
 7. **The party intervenor will be permitted to make final comments.**
 8. **The city's staff will make final comments.**
 9. **At the discretion of the presiding officer, the applicant may be permitted to respond to the final party intervenor and staff comments and recommendations.**
- (5) The governing body will conduct open deliberation of the application. The presiding officer shall have the discretion to reopen the proceeding for additional testimony or argument by the parties when an outcome substantially different than either the granting or denial of the application is being considered. After deliberations, a vote shall be taken to approve, approve with conditions, or deny the application. The final decision shall be reduced to writing and executed by the chairperson to establish a period for review.**
- (f) *Examination by governing body and city attorney.* Governing body members and the city attorney may ask questions, for clarification, of persons presenting testimony of evidence at any time during the proceedings until commencement of deliberation.**
- (g) *Cross-examination of witnesses.* Cross-examination is permitted only in quasi-judicial proceedings. After each witness testifies, the city staff representative, the applicant's representative or the party intervenor's representative shall be permitted to question the witness, but such cross-examination shall be limited to matters about which the witness testified and shall be limited to five minutes per side. Members of the public will not**

be permitted to cross-examine witnesses. Cross-examination shall be permitted only as would be permitted in a Florida court of law.

(h) *Rules of evidence.* Formal rules of evidence shall not apply except as set forth herein; however, fundamental due process shall be accorded.

(1) All evidence of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs shall be admissible, whether or not such evidence would be admissible in a court of law in Florida. Irrelevant, immaterial, defamatory, or unduly repetitive evidence shall be excluded.

(2) "Hearsay" is a statement, other than one made by the declarant while testifying at the hearing, offered in evidence to prove the truth of the matter asserted. Hearsay may be used for the purposes of supplementing or explaining other evidence but shall not be sufficient by itself to support a finding unless it would be admissible over objection in a civil action.

(3) Documentary evidence may be presented in the form of a copy or the original. Upon request, parties shall be given an opportunity to compare the copy with the original.

(i) *Statements of legal counsel.* Statements of counsel, or any non-attorney representative, shall only be considered as advisory, or argument, and not testimony unless counsel or the representative is sworn in and the testimony is based on actual personal knowledge of the matters which are the subject of the statements.

(j) *Standard of proof.*

(1) Quasi-judicial hearings are proceedings where a limited number of persons or property owners, on identifiable parties and interests, are being decided. The decisions in quasi-judicial proceedings are functionally viewed as a policy application (as opposed to policy setting). In a quasi-judicial proceeding the decision of the governing body to approve, deny or modify any applicant's request shall be based on competent substantial evidence. Competent substantial evidence is evidence which will establish a substantial basis from which the fact at issue can reasonably be inferred. Competent substantial evidence includes fact or opinion evidence offered by an expert on a matter that requires specialized knowledge and that is relevant to the issues to be decided. Competent substantial evidence is evidence a reasonable mind could accept as having probative weight and adequate to support a legal conclusion. Hypothetical, speculative, fear or emotion-based generalized statements that do not address the relevant issues and

that cannot be reasonably said to support the action advocated, are not competent substantial evidence.

- (2) In legislative hearings, which are not quasi-judicial in nature, large portions of the public are affected. The decisions in legislative hearings are functionally viewed as policy setting.
- (k) ***Continuances and deferrals.*** The governing body shall consider requests for continuances made by city staff, the applicant or a party intervenor and may grant continuances in its sole discretion. If, in the opinion of the governing body, any testimony or documentary evidence or information presented at the hearing justifies allowing additional research or review in order to properly determine the issue presented, the governing body may continue the matter to a time certain to allow for such research.
- (l) ***Transcription of hearing.***
 - (1) The city clerk or staff liaison shall preserve the official transcript of the hearing through audio or video recording.
 - (2) The applicant or party intervenor may arrange, at its own expense, for a court reporter to transcribe the hearing.
 - (3) The applicant or party intervenor may request that all or a part of the transcript of a hearing be transcribed into verbatim, written form. In such case, the applicant or party intervenor requesting the transcript shall be responsible for the cost of production of the transcription and the transcription shall become the official transcript.
- (m) ***Maintenance of evidence and other documents.*** The office of the city clerk shall retain, or make arrangements for the retention of, all evidence and documents presented prior to, and introduced at, a hearing.

(Ord. No. 2020-2145, § 2, 4-2-20; Ord. No. 2150, § 1(Exh. A), 5-4-20)

Sec. 2-31. – Meetings of the City Council.

- (a) The City Council shall determine and establish by ordinance or resolution the rules governing its own proceedings and the time and place for holding its meetings.
- (b) The presiding officer of the city council shall be the mayor or, in his or her absence, the vice-mayor. The presiding officer, or a majority of the city council shall preserve strict order and decorum at all regular and special meetings of the council.

- (c) Before proceeding with the business of the city council, the city clerk shall call the roll of the councilmembers, the city manager, the city attorney, and the sergeant-at-arms.**
- (d) Every question coming before the city council shall be stated and the decision of the council shall be announced.**
- (e) Unless a councilmember declares a conflict, his or her silence shall be recorded as an affirmative vote.**
- (f) The presiding officer shall vote on all questions; the presiding officer shall be the last named called on the roll.**
- (g) The presiding officer shall sign all ordinances and resolutions adopted by the council during the officer's presence. The city clerk and city attorney shall also sign as appropriate.**
- (h) The city clerk, or a designee, shall be present at all meetings of the city council and shall keep a record of the council proceedings as required by law. The city clerk shall also enter in full all ordinances and resolutions in an ordinance book and a resolution book, provided and kept for those purposes. Said books may be maintained electronically and shall be public records. Furthermore, the city clerk shall cause all ordinances to be codified in the Code of Ordinances.**
- (i) Unless otherwise duly scheduled and properly noticed, the city council shall hold regular meetings on the first and third Monday of each month commencing at 6:00 p.m. However, when the day fixed for any regular meeting of the city council falls upon a day designated by law as a legal or national holiday, such meeting shall be held at the same hour on the next succeeding day that is not a holiday without further notice.**
- (j) *Place.* All regular or special meetings of the city council shall be held in the city council's chambers at the City Hall in Lake City, Florida, or at such other location anywhere, within Columbia County, Florida, as may be designated by the caller of the meeting in the notice calling the meeting.**

(Code 1968, § 2-1; Ord. No. 99-855, § 1, 8-2-99; Ord. No. 2006-1051, § 1, 1-3-06; Ord. No. 2017-2087, § 1, 4-17-17; Ord. No. 2020-2171, § 2, 11-2-20, Ord. No. 2021-2178, 3-1-21)

Charter reference— Procedure of council, § 309.

Sec. 2-32. - Special meetings.

The mayor, the city manager or three or more councilmembers may call special or emergency meetings of the council; provided, however, that each councilmember shall be given reasonable notice. Such notice shall be served upon each councilmember: personally, electronically, or left at his or her usual place of residence. The notice calling the special meeting shall state the date and hour of the meeting and the purpose for which such meeting is called, and no business shall be transacted at such meeting, except such as is stated in the notice.

(Code 1968, § 2-2; § Ord. No. 2021-2178, 3-1-21)

Sec. 2-33. - Meetings open to public.

Except as specifically permitted by law, all meetings of the city council shall be open to the public, and the public shall have access to the minutes and records of such meetings at all reasonable times.

(Code 1968, §§ 2-3, 2-9; § Ord. No. 2021-2178, 3-1-21)

Sec. 2-34. - Agenda.

All reports, communications, ordinances, resolutions, contract documents, or other matters to be submitted to the city council shall be delivered to the city clerk, whereupon the city clerk shall immediately arrange a list of such matters according to the order of business, the Agenda, and furnish each councilmember, the city manager, and the city attorney with a copy of the Agenda prior to the council meeting as far in advance of the meeting as time for preparation will permit. No matter shall be considered by the city council at any meeting unless it shall have been first submitted to the city clerk and placed upon the Agenda as provided in this section; unless such requirement is waived by the unanimous consent of the councilmembers.

(Code 1968, § 2-4; Ord. No. 2021-2178, 3-1-21)

Sec. 2-35. – Intentionally left blank

Sec. 2-36. - Intentionally left blank

Sec. 2-37. Intentionally left blank

Sec. 2-38. - Quorum.

Three councilmembers shall constitute a quorum at any regular or special meeting of the city council. In the absence of a quorum, the presiding officer may, or shall at the insistence of plurality of the councilmembers present, adjourn the meeting from day to day until such time as a quorum may be present. A councilmember may be compelled to attend any meeting of the council upon unanimous vote of those attending the meeting. The presiding officer shall instruct the sergeant-at-arms or the designated officer to bring such absent councilmember or councilmembers to said meeting forthwith; provided, however, that no councilmember shall be compelled to attend any meeting if such councilmember is sick or ill or otherwise incapacitated and unable to physically be present.

(Code 1968, § 2-8; Ord. No. 2021-2178, 3-1-21)

Sec. 2-39. - Order of business.

At the hour set by the city council, for each regular or special meeting, the councilmembers, the city manager, the city clerk, the city attorney, and the sergeant-at-arms shall take their regular stations at the meeting site, and the business of the council shall be taken up for consideration and disposition. The Agenda prepared by the city clerk in accordance with Section 2-34 shall initially be considered as the order of business. It may be amended as necessary or appropriate prior to adoption by the council.

(Code 1968, § 2-9; Ord. No. 2021-2178, 3-1-21)

Sec. 2-40. - Reading of minutes.

Unless a reading of the minutes of a council meeting is requested by a councilmember, such minutes may be approved without reading. At least three days prior to each meeting, the city clerk shall furnish each councilmember and the city attorney with a copy of the minutes of the preceding meeting.

(Code 1968, § 2-10; Ord. No. 2021-2178, 3-1-21)

Sec. 2-41. - Rules of debate.

(a) *Debate from chair.* The mayor or vice-mayor or such other councilmember as may be presiding may move, second and debate from the chair, subject

only to such limitations of debate as are by these rules imposed on all councilmembers and shall not be deprived of any of the rights and privileges of the councilmember by reason of being the presiding officer.

- (b) ***Getting the floor; improper references to be avoided.*** Every councilmember desiring to speak shall address the chair, and, upon recognition by the presiding officer, shall confine all comments to the question under debate, avoiding all personalities and indecorous language.
- (c) ***Interruptions.*** A councilmember, once recognized, shall not be interrupted when speaking unless it be to call him or her to order, or as otherwise provided in this section. If a councilmember, while speaking, is called to order, the councilmember shall cease speaking until the question of order be determined, and, if in order, the councilmember shall be permitted to proceed.
- (d) ***Privilege of closing debate.*** The councilmember moving the adoption of an ordinance or resolution or any motion shall have the privilege of closing the debate.
- (e) ***Motion to reconsider.*** A motion to reconsider any action taken by the council may be made only on the day such action was taken. It may be made either immediately during the same session, or at a recessed or adjourned session of the council. Such motion shall be made by one of the prevailing side, but may be seconded by any councilmember, and may be made at any time and have precedence over all other motions or while a councilmember has the floor; it shall be debatable. Nothing in this section shall be construed to prevent any councilmember from making or remaking the same or any other motion at a subsequent meeting of the council.
- (f) ***Remarks of councilmember; entry in minutes.*** A councilmember may request, through the presiding officer, the privilege of having an abstract of the councilmember's statement on any subject under consideration by the councilmember entered in the minutes. If the city council consents thereto, such statement shall be entered in the minutes.
- (g) ***Synopsis of debate; entry in minutes.*** The clerk may enter in the minutes a synopsis of the discussion on any question coming regularly before the council.
- (h) ***Rules of order.*** Except in conflict with the provisions of this section, Robert's Rules of Order, Newly Revised, shall govern the deliberations of the council.

(Code 1968, § 2-11; Ord. No. 2021-2178, 3-1-21)

Sec. 2-42. - Addressing the council through presentation.

Any person desiring to address the council through presentation shall first notify the city clerk of such desire and state the purpose or matter he desires to bring before the council. If the proposal and presenter are sponsored by a city councilmember the city clerk shall place the request upon the agenda under its proper heading of business, provided the person seeking to address the council has made his request of the city clerk prior to the final completion of the Agenda.

Interested parties or their authorized representatives may address the council or councilmembers by written communications at any time.

(Code 1968, § 2-12; Ord. No. 2021-2178, 3-1-21; Ord. No. 2022-2229, 7-5-22)

Sec. 2-43. - Addressing the council after motion made.

After a motion is made by the council, no person shall address the council without first securing the permission of the presiding officer so to do.

(Code 1968, § 2-13)

Sec. 2-44. – Public Participation; manner of addressing council; time limit.

During the Public Participation Portion of the meeting, any member of the public may address the city council concerning; an Agenda item, the city's business, or any matter over which the council has control. The address may include the reading of protests, petitions, or communications.

Each person addressing the council shall stand at the podium or take a seat in front of the council, shall give his or her name and address in an audible tone of voice for the records, and unless further time is granted by the council, shall limit his or her address to 3 minutes. All remarks shall be addressed to the council as a body and not to any councilmember or other individual. No person, other than the council and the person having the floor, shall be permitted to enter into any discussion, either directly or through a councilmember, without the permission of the presiding officer.

(Code 1968, § 2-14; Ord. No. 2021-2178, 3-1-21)

Sec. 2-45. - Intentionally left blank

Sec. 2-46. - Decorum.

- (a) ***By councilmembers.*** While the council is in session, the councilmembers must preserve order and decorum, and a councilmember shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the council nor disturb any councilmember while speaking or refuse to obey the orders of the council or its presiding officer, except as otherwise provided in this section.
- (b) ***By persons.*** Except as specifically set forth herein, any member of the public making oral comments to the council shall abide by all rules of discussion and decorum applicable to councilmembers. Any person making personal, impertinent, or slanderous remarks or who shall become boisterous while attending a meeting shall be removed by the presiding officer from the meeting, unless permission to continue is granted by a majority vote of the council.

(Code 1968, § 2-16; Ord. No. 2021-2178, 3-1-21)

Sec. 2-47. - Enforcement of decorum.

The chief of police, or such members of the police department as may be designated, shall be sergeant-at-arms of the council meetings. The sergeant-at-arms shall carry out all orders and instructions given by the presiding officer for the purpose of maintaining order and decorum at the council meeting. Upon instructions of the presiding officer, it shall be the duty of the sergeant-at-arms to remove from the meeting any person who violates the order and decorum of the meeting. It shall also be the duty of the sergeant-at-arms to compel absent members of the council to attend any meetings upon instructions from the presiding officer or other members of the council as provided in this Article.

(Code 1968, § 2-17; § Ord. No. 2021-2178, 3-1-21)

Sec. 2-48. - Special standing committees.

- (1) ***Creation of additional committees.*** The city council may, from time to time, by resolution, establish and create additional advisory committees of the city council or other citizens' committees. The number of members, the purpose, function and responsibilities of any such additional committees or boards shall be stated in the resolution creating any additional

committee. The members of any such additionally created committee shall be appointed by the mayor with the consent and approval by resolution adopted by the city council with one of such members being appointed chairperson thereof by the mayor.

(Code 1968, § 2-18; Ord. No. 2006-1052, § 1, 1-17-06; Ord. No. 2007-1133, § 1, 4-7-08; Ord. No. 2008-1172, § 1, 12-15-08; Ord. No. 2009-1183, § 1, 4-20-09; Ord. No. 2009-1191, § 1, 9-21-09; Ord. No. 2011-2011, § 1, 8-1-11 ; Ord. No. 2013-2043 , § 1, 1-21-14; Ord. No. 2021-2178; 3-1-21§ Res. No. 2021-057; 4-5-21 § Ord. No. 2022-2229; 7-18-22 § Ord. No. 2023-2254, 8-21-23)

Editor's note— Ord. No. 2011-2011, § 1, adopted Aug. 1, 2011 , changed the title of § 2-48, from special standing advisory committees and advisory boards to special standing committees.

Cross reference— Utilities, Ch. 102.

Sec. 2-49. - Committee of the whole council.

- (a) *Committee of the whole council.* There is hereby created and established the committee of the whole, which shall consist of all councilmembers. The mayor shall be the chairman of the committee.**
- (b) *Functions and responsibilities of the committee of the whole council.* The committee of the whole council shall:
 - (1) Schedule and conduct workshop meetings to consider any matter pertaining to the functioning of the city, including any of the functions and responsibilities assigned to any of the special committees created in section 2-48 of this article;**
 - (2) Represent the city and serve on any joint city-county committee composed of the councilmembers, the Columbia County Board of Commissioners and, when applicable, the Mayor of Fort White.****
- (c) The mayor, or in his or her absence, the vice mayor, shall preside at all meetings of the committee of the whole and the rules of proceedings of the council shall apply and be observed in all meetings of the committee of the whole as far as such rules may be applicable. The committee of the whole shall meet as often as is necessary to do so in order to carry out the business or matters referred to it by the council. The mayor or any two councilmembers may call a meeting of the committee of the whole upon reasonable written notice to all members, the city manager, the city**

attorney and the city clerk. All meetings shall be open to the public. The city clerk shall serve as the secretary of the committee of the whole.

(Code 1968, § 2-19; Ord. No. 2006-1052, § 2, 1-17-06; Ord. No. 2007-1133, § 2, 4-7-08; Ord. No. 2011-2011, § 2, 8-1-11 ; Ord. No. 2021-2178, 3-1-21)

Editor's note— Ord. No. 2011-2011, § 2, adopted Aug. 1, 2011 , changed the title of § 2-49, from advisory committee of the whole council to committee of the whole council.

Sec. 2-50. - Councilmembers may file protests against council action.

Any member shall have the right to have the reasons for his dissent from, or protest against, any action of the council entered on the minutes.

(Code 1968, § 2-20; Ord. No. 2021-2178, 3-1-21)

Sec. 2-51. - Ordinances, resolutions, motions and contracts.

- (a) *Preparation of ordinances.* All ordinances shall be reviewed by the city attorney. No ordinance shall be prepared for presentation to the council unless ordered by a majority vote of the council, or requested in writing by the mayor or the City Manager, or prepared by the city attorney on his or her own initiative.**
- (b) *Approval by city attorney.* All ordinances, resolutions and contract documents shall, before presentation to the council, have been approved as to form and legality by the city attorney.**
- (c) *Introduction for passage or approval.* Introduction for passage of ordinances, motions and contracts shall be as follows:
 - (1) Ordinances, resolutions, and other matters or subjects requiring action by the council must be introduced and sponsored by a councilmember, or the city attorney may present ordinances, resolutions, and other matters or subjects to the council, and any councilmember may assume sponsorship thereof by moving that such ordinances, resolutions, matters or subjects be adopted; otherwise, they shall not be considered.**
 - (2) Every proposed ordinance or resolution shall be introduced in written or printed form and shall not contain more than one subject and matters properly connected therewith. The subject shall be clearly stated in the title.****

- (3) Except as provided in F.S. § 166.041(3)(c), a proposed ordinance may be read by title, or in full, on at least two separate days and shall, at least ten days prior to adoption, be noticed once in a newspaper of general circulation in the city.**
- (4) The city council may, by a two-thirds vote, enact an emergency ordinance without complying with the requirements of subsection (c)(3) of this section. However, no emergency ordinance or resolution shall be enacted which establishes or amends the actual zoning map designation of a parcel of land or that changes the actual list of permitted, conditional, or prohibited uses within a zoning category.**
- (5) All ordinances or resolutions passed by the council shall become effective ten days after passage or as otherwise provided therein.**
- (6) The enacting clause of all ordinances shall be "be it enacted by the people of the City of Lake City, Florida." The affirmative vote of a majority of councilmembers present shall be necessary to adopt any ordinance or resolution, and the passage of all ordinances and resolutions shall be taken by yeas and nays and be entered upon the minutes.**

(Code 1968, § 2-21; Ord. No. 2021-2178, 3-1-21)

Sec. 2-52 - Adjournment

A motion to adjourn shall always be in order and decided without debate.

(Code 1968, § 2-22)

Sec. 2-53. - Compensation of mayor and councilmembers.

- (a) The annual compensation paid to the mayor shall be \$9,540.00, and the annual compensation paid to each city councilmember shall be \$8,480.00. Such compensation shall be paid in 12 equal monthly payments.**
- (b) Commencing fiscal year October 1, 1989, the annual compensation provided for herein shall be adjusted annually by that same percentage adjustment in annual compensation granted to general employees of the city.**

(Ord. No. 88-631, §§ 1, 2, 10-17-88)

Sec. 2-54. Implementation of Statutory Mandate to Perform Business Impact Estimates.

The City Council hereby adopts an ordinance to implement the Florida statutory mandate contained in § 166.041(4), Florida Statutes, to perform business impact estimates prior to the adoption of certain ordinances as specified in the statute. The City Council shall perform a business impact statement in accordance with the requirements of the statute for all ordinances not exempted by §§ 166.041(4)(c) or 166.0411, Florida Statutes, and may in its sole discretion determine to perform a business impact statement for any ordinance that is exempt under the statute. Nothing contained herein is intended to create additional mandates for performing the business impact estimates of exempt ordinances or to waive any exemption. The City hereby authorizes and adopts a pass through charge applicable to any person, firm, entity, or business which requests or sponsors the adoption of an ordinance solely to assess, cover, and collect the fees, deposits, costs, and expenses relating to pertaining to the preparation of the business impact estimate. The City may in its sole discretion waive this pass through charge.

(Ord. No. 2023-2264, 10-16-23)

Secs. 2-55—2-80. - Reserved.