RESOLUTION NO. 2026-57

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEVY COUNTY, FLORIDA, AUTHORIZING THE PUBLICATION OF LEGALLY REQUIRED ADVERTISEMENTS AND PUBLIC NOTICES ON THE COUNTY'S PUBLICLY ACCESSIBLE WEBSITE IN ACCORDANCE WITH SECTION 50.0311, FLORIDA STATUTES; MAKING FINDINGS REGARDING PUBLIC ACCESS TO THE INTERNET; DESIGNATING THE COUNTY'S OFFICIAL WEBSITE FOR PUBLICATION OF SUCH NOTICES; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR EXCEPTIONS WHEN OTHERWISE REQUIRED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 50.011, Florida Statutes, provides for the publication of legal notices and advertisements either in a qualifying newspaper or on a publicly accessible website in accordance with Section 50.0311, Florida Statutes; and

WHEREAS, Section 50.0311, Florida Statutes, authorizes governmental agencies, including counties, to publish legally required advertisements and public notices on a publicly accessible website when the requirements of that section are satisfied; and

WHEREAS, Levy County meets the population criteria of at least 75 percent of its population located within a county with a population of fewer than 160,000 residents and is therefore subject to the requirements of Section 50.0311(4), Florida Statutes; and

WHEREAS, Section 50.0311(4), Florida Statutes, requires the governing body, at a public hearing noticed in a newspaper in accordance with Chapter 50, Florida Statutes, to determine that residents have sufficient access to the Internet by broadband service or other means such that publication of advertisements and public notices on a publicly accessible website will not unreasonably restrict public access; and

WHEREAS, on November 17, 2026, the Board of County Commissioners conducted the duly noticed hearing, received and considered information concerning internet access available to Levy County residents, and provided an opportunity for public comments; and

WHEREAS, based upon the information presented and considered at the public hearing, the Board finds that Levy County residents have sufficient access to the Internet by broadband service or other means such that publication of legally required advertisements and public notices on the County's publicly accessible website will not unreasonably restrict public access; and

WHEREAS, the Board further finds that publication of legally required advertisements and public notices on the County's publicly accessible website, when authorized by law, will provide an accessible and searchable source of public information which is less than the cost of publishing such advertisements and public notices in a newspaper; and

WHEREAS, the Board desires to authorize publication of legally required advertisements and public notices on the County's publicly accessible website in accordance with Sections 50.011 and 50.0311, Florida Statutes, subject to compliance with all applicable statutory requirements.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LEVY COUNTY, FLORIDA, THAT:

SECTION 1. FINDINGS AND DETERMINATIONS.

The foregoing recitals are hereby incorporated into this Resolution as findings of the Board of County Commissioners.

Following the duly noticed public hearing required by Section 50.0311(4), Florida Statutes, the Board of County Commissioners hereby finds and determines that:

A. Levy County satisfies the population criteria established by Section 50.0311(4), Florida Statutes.

B. The cost to Levy County of publishing legally required advertisements and public notices on the County's publicly accessible website is less than the cost of publishing such advertisements and public notices in a newspaper, as required by Section 50.0311(3), Florida Statutes.

C. Levy County residents have sufficient access to the Internet by broadband service, as defined by Florida law, or by other means, such that publishing legally required advertisements and public notices on the County's publicly accessible website will not unreasonably restrict public access, as required by Section 50.0311(4), Florida Statutes.

D. Subject to continuing compliance with all applicable statutory requirements, Levy County satisfies the requirements of Section 50.0311, Florida Statutes, for publication of legally required advertisements and public notices on a publicly accessible website.

SECTION 2. ELECTION TO USE WEBSITE PUBLICATION.

The Board hereby authorizes the use of Levy County's official publicly accessible website for the publication of legally required advertisements and public notices pursuant to Sections 50.011 and 50.0311, Florida Statutes, whenever publication by such means is authorized by applicable law.

The County Manager, or designee, is authorized and directed to establish procedures necessary to comply with Section 50.0311, Florida Statutes, before the

County commences publication of legally required advertisements and public notices on its publicly accessible website in lieu of newspaper publication.

SECTION 3. DESIGNATION OF PUBLICLY ACCESSIBLE WEBSITE.

The official Levy County website is hereby designated as the County's publicly accessible website for purposes of Section 50.0311, Florida Statutes.

The County Manager, or designee, is authorized to establish and maintain a dedicated webpage or portion of the County website for the publication of legal advertisements and public notices.

All advertisements and public notices published pursuant to this Resolution shall be maintained in searchable form and shall indicate the date on which the advertisement or public notice was first published, together with any other information or functionality required by applicable law.

A link to the advertisement and public notices shall be conspicuously placed on the County website's homepage or on a page accessible through a direct link from the homepage, as required by Section 50.0311(7), Forida Statutes.

SECTION 4. IMPLEMENTATION.

The County Manager, County Attorney, and their respective designees are authorized and directed to take all actions reasonably necessary to implement this Resolution and ensure compliance with Chapter 50, Florida Statutes. Such actions shall include, but are not limited to:

A. Establishing procedures for the publication, maintenance, retention, documentation, and verification of legally required advertisements and public notices published on the County's publicly accessible website.

B. Maintaining a registry of the names, addresses, and e-mail addresses of property owners and residents who have requested in writing to receive legally required advertisements and public notices from the County by first-class mail or e-mail, in accordance with Section 50.0311(6), Florida Statutes.

C. Providing notice at least once per year in a newspaper of general circulation or another publication mailed or delivered to all residents and property owners throughout Levy County, indicating that property owners and residents may receive legally required advertisements and public notices from the County by first-class mail or e-mail upon registering their name and address or e-mail address with the County.

D. Establishing procedures for providing legally required advertisements and public notices by first-class mail or e-mail to property owners and residents registered to receive such notices.

E. Ensuring that a conspicuous link to legally required advertisements and public notices is maintained on the County's website in accordance with Section 50.0311(7), Florida Statutes.

F. Ensuring that any public bid advertisement published on the County's publicly accessible website includes a method to accept electronic bids, as required by Section 50.0311(9), Florida Statutes.

G. Establishing procedures to ensure that advertisements and public notices are published for the duration and within the time periods required by applicable law.

County departments shall coordinate the publication of legally required advertisements and public notices with the County Manager or the County Manager's designee to ensure compliance with applicable statutory publication requirements.

SECTION 5. EXCEPTIONS.

Nothing in this Resolution shall be construed to authorize website publication when a specific provision of federal law, state law, administrative rule, court order, grant requirement, contractual obligation, or other controlling authority expressly requires publication by another method or requires publication in addition to website publication.

The County Manager or County Attorney may direct that any particular advertisement or public notice also be published in a newspaper or by another method when determined appropriate to provide additional public notice or to ensure compliance with applicable law.

SECTION 6. CONTINUING COMPLIANCE.

Publication pursuant to this Resolution shall at all times comply with Chapter 50, Florida Statutes, including Section 50.0311, as may be amended from time to time.

If the County’s publicly accessible website becomes temporarily unavailable or circumstances otherwise prevent compliance with applicable statutory website-publication requirements, the County shall utilize another legally authorized method of publication as necessary.

SECTION 7. EFFECTIVE DATE.

This Resolution shall take effect immediately upon adoption.

DULY ADOPTED in regular session this _____ day of _____, 2026.

BOARD OF COUNTY COMMISSIONERS
LEVY COUNTY, FLORIDA

_____
Tim Hodge, Chair

Date: _____

ATTEST: Clerk of the Circuit Court and
Ex-Officio Clerk of the Board of County Commissioners

_____
Matt Brooks, Clerk

Approved as to form and legal sufficiency

_____
Ray Poole, County Attorney