



CITY COUNCIL RESEARCH DIVISION LEGISLATIVE SUMMARY

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Bill Type and Number: Ordinance 2023-187

Introducer/Sponsor(s): Council President at the request of the Mayor

Date of Introduction: March 14, 2023

Committee(s) of Reference: R, F, LUZ

Date of Analysis: March 14, 2023

Type of Action: Establishment of public notice website, *Ordinance Code* amendments and designation of oversight agency

Bill Summary: This bill establishes a public website for the posting of legally required advertisements and public notices. The Information Technologies Division will provide website maintenance. The *Ordinance Code* is amended to include permissible electronic advertisements and notices in the following sections:

- Section 122.425 (Disposition by auction or sealed bid) and Section 122.430.3 (Exchanges), Subpart B (Real Property Dispositions and Exchanges), Part 4 (Real Property), Chapter 122 (Public Property);
- Section 122.811 (Sales of tangible personal property; prohibition of sales to certain persons), and Section 122.814 (Disposal of surplus timber), Part 8 (Tangible Personal Property), Chapter 122 (Public Property);
- Section 362.203 (Declaration of water pollution emergency) and Section 362.209 (Modification, extension and cancellation of declaration), Part 2 (Water Pollution Emergency), Chapter 362 (Air and Water Pollution);
- Section 382.302 (Adjustment of service areas) and Section 382.306 (Public hearing on award of new contract), Part 3 (Selection of Waste Collection and Disposal Service Areas and Contractors), Chapter 382 (Waste Collection and Disposal Service by Contractors and City);
- Section 501.109 (Filing reports), Chapter 501 (Jacksonville Enterprise Zone);
- Section 656.1015 (Public Awareness), Subpart B (Requirements for Both Civilian and Military Airports), Part 10 (Regulations Related to Airports and Lands Adjacent Thereto), Chapter 656 (Zoning Code)

Background Information: As permitted by a recent change in state law, the purpose of this legislation is to enable the City to utilize a publicly available website for the posting of legally required advertisements and public notices. Currently the *Ordinance Code* specifies that such notices/ads be published in a newspaper of general circulation. With this bill, several sections of the *Ordinance Code* related to public notice requirements are amended to include language about posting notices/ads through the City website. Notices/advertisements to be posted on the website are: real estate auctions, exchanges and sealed bids; tangible and surplus property sales; water pollution emergencies; adjustment of waste collection service areas and contracts; Enterprise Zone report filings; and Airport Noise and Airport Notice Zone maps.

Electronic notice posting is permitted under Section 50.0311(2), *Florida Statutes*, if the cost of publishing via a website is determined to be less than publishing in a newspaper. A governmental agency that uses a publicly accessible website to publish legally required advertisements and public notices is required to provide notice at least once per year in a newspaper of general circulation or another publication that is mailed or delivered to all

residents and property owners throughout the government's jurisdiction, indicating that property owners and residents may receive legally required advertisements and public notices from the governmental agency by first-class mail or e-mail upon registering their name and address or e-mail address with the governmental agency. The governmental agency shall maintain a registry of names, addresses, and e-mail addresses of property owners and residents who have requested in writing that they receive legally required advertisements and public notices from the governmental agency by first-class mail or e-mail.

Policy Impact Area: Public notices and advertisements

Fiscal Impact: Nominal cost for public notice website maintenance on the City webpage. Development and maintenance of postal mail/email directories and mailing of notices via first class mail or email if requested by a resident or property owner will be the responsibility of the individual noticing departments and will vary depending on the volume of registrations and notices distributed, particularly by first class mail.

Analyst: Hampsey