

**ORDINANCE NO. 2023 - 1759**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY AMENDING SECTION 2-206 "PUBLIC PARTICIPATION" RELATING TO CITIZENS PRESENTATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

1       **WHEREAS**, Article VIII, Section 2 of the Florida Constitution, and Chapter 166,  
2 Florida Statutes, provide municipalities with the authority to exercise any power for  
3 municipal purposes, except where prohibited by law, and to adopt ordinances in  
4 furtherance of such authority; and

5       **WHEREAS**, the Town Commission of the Town of Surfside ("Town") finds it  
6 periodically necessary to amend its Code of Ordinances ("Code") in order to update  
7 regulations and procedures to maintain consistency with state law and to implement  
8 municipal goals and objectives for the general health, safety and welfare of the Town  
9 residents and occupants; and

10       **WHEREAS**, Rule 7.02 of Section 2-206 of the Code provides that any citizen may  
11 request to be placed on the official agenda of a regular meeting of the town commission  
12 and be heard concerning any matter within the scope of the jurisdiction of the town  
13 commission outside of Good and Welfare; and

14       **WHEREAS**, only members of the town commission and the town manager may place  
15 a citizen on the official agenda; and

16       **WHEREAS**, at a regular meeting of the Town Commission held on September 12,  
17 2023, the Town Commission directed the Town Attorney to present an ordinance  
18 amending the procedures for citizens presentations to provide that: (i) any citizen may  
19 make one citizen's presentation per calendar year, subject to placement on the agenda  
20 by any member of the town commission or the town manager, and (ii) additional citizen's  
21 presentations by the same citizen within the calendar year shall require sponsorship and  
22 approval by three or more members of the town commission at a regular meeting; and



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**Section 3. Severability.** If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

**Section 4. Inclusion in the Code.** It is the intention of the Town Commission, and it is hereby ordained that the provisions of this Ordinance shall become and made a part of the Town of Surfside Code of Ordinances, that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and the word "Ordinance" may be changed to "Section" or other appropriate word.

**Section 5. Conflicts.** Any and all ordinances and resolutions or parts of ordinances or resolutions in conflict herewith are hereby repealed.

**Section 6. Effective Date.** This ordinance shall become effective upon adoption on second reading.

**PASSED** on first reading on the 10th day of October, 2023.

**PASSED AND ADOPTED** on second reading on the 14th day of November, 2023.

**First Reading:**

Motion by: Vice Mayor Rose

Second by: Commissioner Landsman

**Second Reading:**

Motion by: Vice Mayor Rose

Second by: Commissioner Landsman

**FINAL VOTE ON ADOPTION**

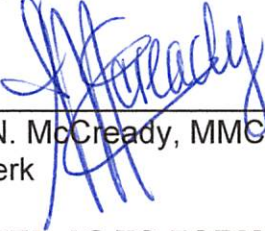
Commissioner Fred Landsman	<u>Yes</u>
Commissioner Marianne Meischeid	<u>Absent</u>
Commissioner Nelly Velasquez	<u>No</u>
Vice Mayor Jeff Rose	<u>Yes</u>
Mayor Shlomo Danzinger	<u>Yes</u>

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Shlomo Danzinger, Mayor

**ATTEST:**



Sandra N. McCready, MMC  
Town Clerk



**APPROVED AS TO FORM AND LEGALITY FOR THE USE  
AND BENEFIT OF THE TOWN OF SURFSIDE ONLY:**



Weiss Serota Helfman Cole & Bierman, P.L.  
Town Attorney