



City of North Port

ORDINANCE NO. 2020 -37

AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, AMENDING THE CODE OF THE CITY OF NORTH PORT, FLORIDA, SECTION 2-55. - AGENDA, TO REVISE SUBSECTION (d) RELATED TO PROCEDURES FOR PUBLIC COMMENT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Code of the City of North Port, Florida, Section 2-55(d) provides the policies and procedures for conducting public comment in a public meeting; and

WHEREAS, the City Commission finds that such a policy should be adopted via resolution rather than codified in the Code; and

WHEREAS, on the date this ordinance becomes effective, Resolution No. 2020-R-30, adopting a City Commission policy on public comment, also becomes effective; and

WHEREAS, the City Commission has determined that the proposed amendments serve the public health, safety, and welfare of the citizens of the City of North Port, Florida.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA:

SECTION 1 – FINDINGS

1.01 The recitals outlined above are incorporated by reference as findings of fact.

SECTION 2 – ADOPTION

2.01 Chapter 2 of the Code of the City of North Port, Florida is hereby amended to read as follows:

“Chapter 2 – ADMINISTRATION

...

ARTICLE II. – CITY COMMISSION

...

DIVISION 2. - MEETINGS

...

Sec. 2-55. – Agenda

...

(d) *Public comments.* Public comment will be heard by the city commission in accordance with the commission policy established by city commission resolution.

~~(1) *Public comment.* Any person may speak on any matter, excluding quasi-judicial matters.~~

~~(2) *Public comment on agenda items.* When the commission considers an agenda item, the mayor will recognize individuals wishing to speak on the agenda item. If a speaker reflects intent to provide comments which, in the mayor's opinion, are not germane to the agenda item, the mayor may rule the speaker out of order.~~

~~Anyone seeking to speak before the city commission is requested to submit to the city clerk a speaker's card which may contain all information requested on said card. Speaker's cards shall be accepted up to the closing of the public comment period for each item. The speaker shall be permitted to speak for a maximum of three minutes. All questions from the public to the commission shall be addressed through the mayor, and shall be handled in the manner that the mayor sees fit. Each person who addresses the commission shall approach the speaker's podium, shall give his or her name and state whether he or she is a resident or taxpayer of the city. A speaker's time may not be transferred to another speaker.~~

[subsections following to be renumbered]

...”

SECTION 3 – CONFLICTS

3.01 In the event of any conflict between the provisions of this ordinance and any other ordinance or provisions thereof, the provisions of this ordinance shall prevail to the extent of such conflict.

SECTION 4 – SEVERABILITY

4.01 If any section, subsection, sentence, clause, phase, or provision of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION 5 – CODIFICATION

5.01 In this ordinance, additions are shown as underlined and deletions as ~~striketrough~~. Any additional codification information and notations appear in *italics*. These editorial notations shall not appear in the codified text.

SECTION 6 – EFFECTIVE DATE

6.01 This ordinance shall take effect immediately after adoption by the City Commission of the City of North Port, Florida.

READ BY TITLE ONLY at first reading by the City Commission of the City of North Port, Florida, in public session on the 22nd day of September 2020.

PASSED and DULY ADOPTED by the City Commission of the City of North Port, Florida, on the second and final reading in public session this 13th day of October 2020.

CITY OF NORTH PORT, FLORIDA

DEBBIE MCDOWELL
MAYOR

ATTEST

HEATHER TAYLOR, CMC
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS

AMBER L. SLAYTON
CITY ATTORNEY