



# City of North Port

## ORDINANCE NO. 2019-51

**AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, AMENDING THE CODE OF THE CITY OF NORTH PORT, FLORIDA, TO PROVIDE CONSISTENCY AND TO BRING MEETING NOTICE AND ADVERTISEMENT REQUIREMENTS OF THE ROAD AND DRAINAGE DISTRICT INTO CONFORMITY WITH FLORIDA STATUTES, BY AMENDING CHAPTER 66 – SPECIAL DISTRICTS, ARTICLE III – ROAD AND DRAINAGE DISTRICT, SECTION 66-51 – GOVERNING BODY, AND SECTION 66-60 – MEETINGS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

1 **WHEREAS**, Chapter 189, Florida Statutes, entitled the “Uniform Special District Accountability Act,”  
2 authorizes the City of North Port to create and operate Dependent Special Districts within its municipal  
3 boundary lines; and  
4

5 **WHEREAS**, the City Commission has utilized this authority to create the Road and Drainage District; and  
6

7 **WHEREAS**, the Road and Drainage District is provided for in Chapter 66, Article III of the Code of the City  
8 of North Port, Florida (the “Code”); and  
9

10 **WHEREAS**, Section 189.015, Florida Statutes, entitled “meetings; notice; required reports,” provides  
11 certain filing, notice, and advertisement requirements for the governing body of each special district; and  
12

13 **WHEREAS**, on July 28, 2008, the City Commission adopted Ordinance No. 2008-11, amending and restating  
14 Chapter 66, Road and Drainage District, Article III, Section 66-51, to provide a governing body for the  
15 District, and Section 66-60 to provide for meetings; and  
16

17 **WHEREAS**, the City Commission desires to amend Section 66-51 to provide for consistency amongst the  
18 other special districts established and provided for in Chapter 66 of the Code; and  
19

20 **WHEREAS**, the City Commission desires to amend Section 66-60 of the Code to provide consistency with  
21 the statutory requirements for meeting notices provided by Section 189.015, Florida Statutes; and  
22

23 **WHEREAS**, the City Commission has determined that the proposed amendments serve the public health,  
24 safety, and welfare of the citizens of the City of North Port, Florida.  
25

26 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA:**  
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28

29 **SECTION 1 – FINDINGS**

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31 1.01 The recitals outlined above are incorporated by reference as findings of fact as if expressly set  
32 forth herein.

33  
34 **SECTION 2 – ADOPTION**

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36 2.01 The City Commission hereby approves and adopts the following amendments to the Code of the  
37 City of North Port, Florida:

38  
39 **“Chapter 66 – SPECIAL DISTRICTS**

40 . . .

41 **ARTICLE III. – ROAD AND DRAINAGE DISTRICT**

42 . . .

43 **Sec. 66-51. – Governing body of district.**

44  
45 ~~The City Commission of the City of North Port, Florida, is governing body of the District, and shall~~  
46 ~~have the full authority granted by the Florida Statutes, the City of North Port Charter, this Article,~~  
47 ~~and the City’s home rule authority, conferred under applicable Florida law to carry out the intent~~  
48 ~~and purpose of this Article.~~

49 (a) The governing body of the District shall be the City Commission of the City of North Port,  
50 Florida, hereinafter called the “Board,” and will meet as set forth within F.S. chs. 119, 189,  
51 and 286, to conduct the business of the District.

52  
53 (b) The Board is hereby recognized as the legislative and governing body of the District and shall  
54 have the full authority granted by the Florida Statutes, the City of North Port Charter, this  
55 Article, and the City’s home rule authority conferred under applicable Florida law, to carry  
56 out the intent and purpose of this Article.

57  
58 . . .

59  
60 **Sec. 66-60. – Meetings.**

61  
62 (a) The Board shall govern itself as set forth in F.S. chs. 119, 189 and 286.

63  
64 (b) The Board shall schedule and convene regular public meetings, ~~pursuant to~~ in accordance  
65 with F.S. § 189.417 189.015, as may be amended from time to time. The schedule of the  
66 District’s regular meetings, which shall include the date, time, and location of each scheduled  
67 meeting, shall be filed with the City Clerk and the schedule shall be published quarterly,  
68 semiannually, or annually in a newspaper of general circulation. Notice of the District’s  
69 regular meetings not annotated on the schedule, other than emergency or recessed  
70 meetings, shall be advertised at least seven days prior to such meetings in a newspaper of  
71 general circulation. Emergency meetings may be convened after reasonable notice has been  
72 given in the same manner in which such meetings are called by the City Commission.”  
73

74 **SECTION 3 – CONFLICTS**

75  
76 3.01 In the event of any conflict between the provisions of this ordinance and any other ordinance or  
77 provisions thereof, the provisions of this ordinance shall prevail to the extent of such conflict.  
78

79 **SECTION 4 – SEVERABILITY**

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81 4.01 If any section, subsection, sentence, clause, phase, or provision of this ordinance is for any reason  
82 held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be  
83 deemed a separate, distinct, and independent provision and such holding shall not affect the  
84 validity of the remaining portions hereof.  
85

86 **SECTION 5 – CODIFICATION**

87  
88 5.01 In this ordinance, additions are shown as underlined and deletions as ~~striketrough~~. Any  
89 additional codification information and notations appear in *italics*. These editorial notations shall  
90 not appear in the codified text.  
91

92 **SECTION 6 – EFFECTIVE DATE**

93  
94 6.01 This ordinance shall take effect immediately after adoption by the City Commission of the City of  
95 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 \_\_ day of \_\_\_\_\_ 2019.

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 \_\_\_ day of \_\_\_\_\_ 2019.

CITY OF NORTH PORT, FLORIDA

\_\_\_\_\_

MAYOR

ATTEST

\_\_\_\_\_  
HEATHER TAYLOR, CMC  
INTERIM CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS

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AMBER L. SLAYTON  
CITY ATTORNEY