

ORDINANCE NO. 1651

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AMENDING SECTION 7-3 OF THE CITY'S CHARTER RELATED TO THE CONDUCT OF MUNICIPAL ELECTIONS; AMENDING SECTION 2-16 OF THE CITY'S CODE RELATED TO THE DATE OF THE CITY'S NOVEMBER COUNCIL MEETINGS DURING ELECTION YEARS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; SCRIVENER'S ERRORS; LIBERAL INTERPRETATION; MODIFICATIONS; CODIFICATION; EFFECT ON EXISTING TERMS; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PANAMA CITY BEACH, AS FOLLOWS:

SECTION 1. From and after the effective date of this ordinance, Section 7-3 of the City Charter of Panama City Beach City is amended to read as follows (new text **bold and underlined**, deleted text ~~struck through~~):

Sec. 7-3. - Conduct, generally.

- (a) Except as otherwise specifically provided by this Charter, all elections held by the City shall be conducted in accordance with all applicable provisions of the Florida Election Code.
- (b) Regular elections for the offices of Mayor and City Councilperson shall be held on ~~the third Tuesday of April after the third Monday of April~~ **the Tuesday next after the first Monday in November** of each even-numbered year **to coincide with federal, state, and county elections**. Each candidate for City Councilperson shall run City-wide. Each candidate for Mayor shall run City-wide. Electors shall be entitled to vote for one candidate from each ward and for one candidate for Mayor. The candidate receiving the highest number of the votes cast for that particular office shall be elected. In the event two or more persons receive an equal and highest number of votes for the same office, such persons shall draw lots to determine who shall be elected to the office.

SECTION 2. From and after the effective date of this ordinance, Section 2-16 of the City's Code of Ordinances is amended to read as follows (new text **bold and underlined**, deleted text ~~struck through~~):

Sec. 2-16. Meetings.

- (a)** Except in November and December, the regular meetings of the City Council shall be held on the second Thursday of each month beginning at 6:00 p.m. and the fourth Thursday of each month beginning at 9:00 a.m. in City Hall. In November and December, the regular meeting of the City Council shall be held on the second Thursday beginning

at 9:00 a.m. and the regular meeting of the City Council scheduled for the fourth Thursday in November and December may be cancelled or rescheduled by the City Council.

(b) In any year in which a general municipal election is held in the month of November, the City Council shall only conduct one regular meeting which shall be held on the first Thursday following the certification of the election results, unless that day falls on the Thanksgiving holiday, in which case the regular meeting of the City Council shall be held on the second Thursday following the certification of the election results.

SECTION 3. EFFECT ON EXISTING TERMS. In accordance with section 2-2 of the City Charter, the terms of all members of the City Council affected by this Ordinance shall be extended until each Councilmember's successor is duly elected.

SECTION 4. CONFLICT WITH OTHER ORDINANCES OR CODES. All Ordinances or parts of Ordinances of the Code of Ordinances of Panama City Beach, Florida, in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 5. SEVERABILITY. If any provision of this Ordinance is held to be illegal, invalid, or unconstitutional by a court of competent jurisdiction, the other provisions of this ordinance shall remain in full force and effect.

SECTION 6. SCRIVENER'S ERRORS. It is the intention of the City, and it is hereby provided that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of Panama City Beach, Florida, and to that end, the sections of this ordinance may be renumbered or re-lettered and the word "ordinance" may be changed to "section" or "article" or other appropriate designation. Additionally, corrections of typographical errors which do not affect the intent of this Ordinance may be authorized by the City Attorney without public hearing, by filing a corrected or recodified copy with the City Clerk.

SECTION 7. ORDINANCE TO BE LIBERALLY CONSTRUED. This ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed not to adversely affect public health, safety, or welfare.

SECTION 8. MODIFICATIONS. It is the intent of the City that the provisions of this ordinance may be modified as a result of considerations that may arise during a public hearing. Such modifications shall be incorporated into the final version of the ordinance adopted by the City.

SECTION 9. CODIFICATION. The appropriate officers and agents of the City are authorized and directed to codify, include, and publish in electronic format the provisions of this Ordinance within the Panama City Beach Code of Ordinances, and unless a contrary ordinance is adopted within ninety (90) days following such publication, the codification of this Ordinance shall become the final and official record of the matters herein ordained. Section numbers may be assigned and changed whenever necessary or convenient.

SECTION 10. EFFECTIVE DATE. This Ordinance shall take effect immediately upon passage.

PASSED, APPROVED AND ADOPTED at the regular meeting of the City Council of the City of Panama City Beach, Florida, this 12th day of September 2024.

CITY OF PANAMA CITY BEACH

By: 
Stuart Tetteimer, Mayor

ATTEST:


Lynne Fasone, City Clerk

EXAMINED AND APPROVED by me this 12th day of September 2024.


Stuart Tetteimer, Mayor

Posted on pcbfl.gov on the 28th day of Aug, 2024.

Posted on publicnoticesbaycountyfl.gov on the 27th day of Aug, 2024.

Business Impact Estimate

This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City's website by the time notice of the proposed ordinance is published. This Business Impact Estimate may be revised following its initial posting.

Proposed ordinance's title/reference:

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AMENDING SECTION 7-3 OF THE CITY'S CHARTER RELATED TO THE CONDUCT OF MUNICIPAL ELECTIONS; AMENDING SECTION 2-16 OF THE CITY'S CODE RELATED TO THE DATE OF THE CITY'S NOVEMBER COUNCIL MEETINGS DURING ELECTION YEARS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; SCRIVENER'S ERRORS; LIBERAL INTERPRETATION; MODIFICATIONS; CODIFICATION; EFFECT ON EXISTING TERMS; AND PROVIDING FOR AN EFFECTIVE DATE.

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City is of the view that a business impact estimate is not required by state law¹ for the proposed ordinance:

- The proposed ordinance is required for compliance with Federal or State law or regulation;
- The proposed ordinance relates to the issuance or refinancing of debt;
- The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- The proposed ordinance is an emergency ordinance;
- The ordinance relates to procurement; or
- The proposed ordinance is enacted to implement the following:
 - a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
 - b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
 - c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
 - d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

¹ See Section 166.041(4)(c), Florida Statutes.

If no exemption applies, in accordance with the provisions of controlling law, the City hereby publishes the following information:

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):

This ordinance changes the date of municipal elections from April to November to coincide with state and federal elections as permitted by sections 100.3605 and 166.021(4), Florida Statutes.

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City if any:

- (a) An estimate of direct compliance costs that businesses may reasonably incur;
- (b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
- (c) An estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

None

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

None

4. Additional information the governing body deems useful (if any):

AFFIDAVIT OF PUBLICATION

**Column Software, PBC
331 NW 26th St, Suite 304
Miami, FL, 33127**

Before the undersigned authority personally appeared Laquansay Nickson Watkins, who on oath says that he or she is an agent of Column Software, PBC; that the attached copy of advertisement, being a legal advertisement or public notice of Display Ad (document upload) in the matter of Notice Ord 1651 Second Reading, was published on the publicly accessible website of FL, hosted by Column Software, PBC on

Aug 27, 2024

and that the fees charged are legal.

Affiant further says that the website complies with all legal requirements for publication in chapter 50, Statutes; and affiant further says that he or she has neither paid nor promised any person, firm, or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication on said website.

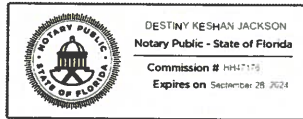
**Notice ID: R71AB1HdIoE42GGtTww7
Publication Fee: \$0.00**

Laquansay Nickson Watkins

Agent

VERIFICATION

State of Florida
County of Duval



Signed or attested before me on this: 08/28/2024

Destiny K. Jackson

Notary Public

Notarized remotely online using communication technology via Proof.

Published in Bay County
PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the following ordinance shall be presented to the City Council of the City of Panama City Beach, Florida, for a public hearing and second reading at its regular meeting to be conducted at 6 P.M on THURSDAY, SEPTEMBER 12, 2024, or as soon thereafter as the matter may be heard, at City Hall located at 17007 Panama City Beach Parkway, Panama City Beach, Florida, to-wit.

ORDINANCE NO. 1661

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AMENDING SECTION 7-3 OF THE CITY'S CHARTER RELATED TO THE CONDUCT OF MUNICIPAL ELECTIONS; AMENDING SECTION 2-16 OF THE CITY'S CODE RELATED TO THE DATE OF THE CITY'S NOVEMBER COUNCIL MEETINGS DURING ELECTION YEARS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; SCRIVENER'S ERRORS; LIBERAL INTERPRETATION; MODIFICATIONS; CODIFICATION; EFFECT ON EXISTING TERMS; AND PROVIDING FOR AN EFFECTIVE DATE.

This meeting will be held at City Hall. The live meeting will be live-streamed on www.pcbfl.gov. All persons wishing to be heard on the adoption of this Ordinance are invited to appear.

Any person requiring a special accommodation to participate in this meeting because of a disability or physical impairment should contact Lynne Fasone, the Panama City Beach City Clerk, Lynne.Fasone@pcbfl.gov or by phone at 850-233-5100 at least (5) calendar days prior to the meeting. If you are hearing or speech impaired, and you possess TDD equipment, you may contact the City Clerk using the Florida Dual Party Relay system which can be reached at (800) 955-8770 or (800) 955-8771 (TDD).

CITY OF PANAMA CITY BEACH, FL

BY: /s/ Lynne Fasone, City Clerk