

ORDINANCE NO. 2024-08

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL, AMENDING WELLINGTON'S LAND DEVELOPMENT REGULATIONS, MORE SPECIFICALLY, A ZONING TEXT AMENDMENT TO MODIFY SECTIONS 5.2.3 AND 5.2.4 RELATED TO PUBLIC NOTICE REQUIREMENTS, AS MORE SPECIFICALLY CONTAINED HEREIN, IN ACCORDANCE WITH WELLINGTON'S CODE OF ORDINANCES AND SECTION 50.0311, FLORIDA STATUTES; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Wellington Council, as the governing body, pursuant to the authority vested in Chapter 163, Chapter 166, and Chapter 177, Florida Statutes, is authorized and empowered to consider changes to its Land Development Regulations (LDR); and

WHEREAS, Section 50.0311, Florida Statutes, was enacted to allow a governmental agency the option to publish certain legally required advertisements and public notices on a publicly accessible website of the county in which it lies, rather than in a newspaper of general circulation if certain requirements are met; and

WHEREAS, Wellington has determined that all such statutory requirements have been met and the Wellington Council desires to amend the LDR to acknowledge the opportunity provided in the Florida Statutes to publish certain notices and advertisements electronically; and

WHEREAS, the cost associated with legal notices and advertisements has significantly increased over the last several years and the threshold requirement for the use of such a website is that the cost of publishing advertisements and public notices on the website is less than the cost of publishing advertisements and public notices in a newspaper of general circulation; and

WHEREAS, Wellington finds that its use of the county website will promote efficiency and provide a cost savings benefit to Wellington, Wellington taxpayers, businesses, applicants/agents, and property owners in matters that require legal notice or advertisement; and

WHEREAS, pursuant to section 50.0311(6), the Code of Ordinances (Ordinance No. 2024-07) provides for an annual notification to all residents and property owners in Wellington regarding the option to receive legally required advertisements and public notices from Wellington by first-class mail or e-mail, and to establish a registry for this purpose; and

WHEREAS, the Planning, Zoning and Adjustment Board, sitting as the Local Planning Agency, after notice and public hearing on July 17, 2024, has reviewed the proposed ordinance and made a recommendation for approval with a vote of 4 to 0; and

49 **WHEREAS**, Wellington’s Council has taken the recommendations from the Local
50 Planning Agency and Wellington staff, along with the comments from the public, into
51 consideration for the proposed amendments to the LDR that are the subject of this
52 ordinance.

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54 **NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF WELLINGTON,**
55 **FLORIDA THAT:**

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57 **SECTION 1.** Wellington’s Council hereby adopts, with this ordinance, regulations
58 pertaining to the required public notice procedures that comply with Section 50.0311 of the
59 Florida Statutes and with various sections of Wellington’s Code of Ordinances referenced
60 in Ordinance No. 2024-07.

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62 **SECTION 2.** Sections 5.2.3 and 5.2.4 of Wellington LDR are hereby amended as
63 specifically provided in Exhibit A.

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65 **SECTION 3.** Should any section, paragraph, sentence, clause, or phrase of this
66 ordinance conflict with any section, paragraph, clause, or phrase of any prior Wellington
67 ordinance, resolution, or municipal code provision, then in that event, the provisions of this
68 ordinance shall prevail to the extent of such conflict.

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70 **SECTION 4.** Should any section, paragraph, sentence, clause, or phase of this
71 ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall
72 not affect the validity of this ordinance as a whole, or any portion of part thereof, other than
73 the part so declared to be invalid.

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75 **SECTION 5.** This ordinance shall become effective immediately upon adoption by
76 the Wellington Council following second reading.

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PASSED this 13th day of August, 2024, upon first reading.

PASSED AND ADOPTED this ____ day of _____, 2024, upon second and final reading.

WELLINGTON

	FOR	AGAINST
BY: _____ Michael J. Napoleone, Mayor	_____	_____
_____	_____	_____
John T. McGovern, Vice Mayor	_____	_____
_____	_____	_____
Tanya Siskind, Councilwoman	_____	_____
_____	_____	_____
Amanda Silvestri, Councilwoman	_____	_____
_____	_____	_____
Maria Antuña, Councilwoman	_____	_____

ATTEST:

BY: _____
Chevelle D. Hall, MMC, Village Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

BY: _____
Laurie Cohen, Village Attorney