



**TOWN OF MIAMI LAKES
MEMORANDUM**

To: Honorable Mayor & Councilmembers

From: Edward Pidermann, Town Manager

Subject: Publication Requirements

Date: February 13, 2024

Recommendation

It is recommended that the Town Council adopt the proposed amendments to the Town Code, providing for regulations to allow for the publication of required notices in accordance with Florida Statutes as recently amended. These amendments will allow continued compliance with State Law, while reducing costs in the form of advertising fees for both the Town and residents or other applicants that are legally required to advertise.

Background

In 2023 the Florida Legislature amended Section 50.311 Florida Statutes to allow municipalities the ability to publish legal notices and advertisements on a “publicly accessible website” which is defined as a county’s official website or other private website designated by the county for the publication of legal notices and advertisements that is accessible via the Internet. The Statute allows a governmental agency to use the website for legally required advertisements and public notices if the cost of publishing on such a website is less than the cost of publishing in a newspaper.

The Town primarily has utilized the Daily Business Review (DBR) for publishing all legal ads requiring newspapers of general circulation, however as of December 2023, the DBR no longer prints their newspapers. We have also used Miami Herald/El Nuevo Herald (Herald) for publishing legal ads that require placement in a newspaper of largest or widest circulation. As an added courtesy notice, the Town also regularly publishes notices in The Laker, although this publication does not meet the requirements of Florida Statute for some items.

In the last few years, a typical ad in DBR was priced between \$110 and \$180 depending on length and other considerations; a similar ad in the Community Newspaper is priced between \$240 to \$950, and in The Miami Herald, the ad runs between \$500 and as much as \$5000. The removal of the DBR as a publishing option limits the choices for publishing to the Miami Herald and Miami’s Community News, which is only published on Mondays. Publication in the Herald

would require a significant increase in the annual budget for advertising, and moreover, would greatly impact Town residents requesting variances or other administrative approvals that require publication by Statute. Publication in Miami's Community News is more affordable (between \$260 to \$500), but its limited publication schedule may create conflict for last minute hearing dates and deadlines.

The new Statute opens the possibility of online publication. There are some online publishing venues that are beginning to be used by Miami Dade County and other Florida municipalities, some of which offer publishing for as little as \$50 per posting. Staff will come back at the time of the second reading with more detailed proposals for venues as well as any required agreements.

Florida Statute § 50.0311(6) provides that all governmental agencies that use a publicly accessible website to publish legally required advertisements and public notices shall provide notice at least once per year in a newspaper of general circulation or other publication that is mailed or delivered to all residents and property owners throughout the government's jurisdiction, indicating that property owners, and residents may receive legally required advertisements and public notices from the governmental agency by first-class mail, or email upon registering their name and address or email address with the governmental agency. The governmental agency shall maintain a registry of names, addresses, and e-mail addresses of property owners and residents who have requested in writing that they receive legally required advertisements and public notices from the governmental agency by first-class mail or e-mail.