



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 17-00524

City Council

9/14/2017

LEGISLATIVE ACTION ITEM

SPONSOR: Ashton J. Hayward, III, Mayor

SUBJECT:

RECODIFICATION OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA

RECOMMENDATION:

That the City Council review and approve the Recodification of the Code of the City of Pensacola, Florida, prior to or at its November 9, 2017 meeting and authorize the Mayor to direct the code publisher, Municode Corporation of Tallahassee, Florida, to prepare a finalized Code for adoption by ordinance of the City Council.

HEARING REQUIRED: No Hearing Required

SUMMARY:

The purpose of recodification of the city code is to bring the code up to date, to conform it with the city charter and state and federal statutes, and to eliminate provisions and procedures that are outdated or no longer applicable. The recodification process is not intended to implement significant policy changes or sweeping new substantive regulations.

The Pensacola code was based upon the original 1931 Charter, and was recodified in 1968 and again in 1986. Since that time, the city's previous charter has been replaced, many provisions of statutory law have changed significantly, and the current code contains references to regulations and procedures that are no longer applicable. Under these circumstances, after 30 years, a recodification of the city's code of ordinances is warranted.

All of the input from the Municode Corporation and that of the city staff has been incorporated into the attached final draft of the recodification. In order to complete the project, City Council input and approval is required. If Council approves this recommendation, the final draft will be sent to Municode for formatting, renumbering and indexing, the preparation of a legislative history for each of the sections, and a final version with a proposed adopting ordinance will be presented to the City Council for adoption

PRIOR ACTION:

The Municode Corporation was engaged to review the current code and provide a legal assessment in May of 2016. A legal memorandum and suggested revisions were received from Municode in March 2017. All city offices that are regulated by the code or that have responsibility in applying the code have provided input and

suggestions. All of the Municode and staff recommendations have been incorporated into the draft recodification. Council has held two workshops and cancelled a third workshop that was scheduled for July.

FUNDING:

The City Council included \$36,150 in the current year budget, of which \$8,900 has been expended on Municode's legal review.

FINANCIAL IMPACT:

N/A

CITY ATTORNEY REVIEW: Yes

9/5/2017

STAFF CONTACT:

Eric W. Olson, City Administrator

William D. Wells, Special Assistant to the City Administrator

ATTACHMENTS:

- 1) Code Recodification - Summary of Recommendations
- 2) Code Recodification Draft 1

PRESENTATION: No