

**TO: ALL COUNTY PERSONNEL**  
**FROM: VERDENIA C. BAKER**  
**COUNTY ADMINISTRATOR**  
**PREPARED BY: COUNTY ATTORNEY**  
**SUBJECT: COUNTYWIDE ORDINANCES: APPLICABILITY; AND**  
**NOTIFICATION TO MUNICIPALITIES**  
**PPM #: CW-O-041**

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**ISSUE DATE**  
**August 10, 2018**  
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**EFFECTIVE DATE**  
**August 10, 2018**  
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**PURPOSE:**

1. To provide clear policy direction regarding countywide ordinances and their applicability as mutually agreed upon between the Board of County Commissioners (BCC) and the Palm Beach County League of Cities (League); and
2. To ensure notification to Palm Beach County municipalities of all ordinances, new or revised, having countywide impacts that are under consideration by the BCC and to request municipal input on countywide ordinances.

**UPDATES:**

Future updates to this PPM are the responsibility of the County Attorney.

**AUTHORITY:**

Board Directive 92-1677, dated October 1, 1991.

**POLICY:**

1. New Ordinances.
  - a. Countywide Ordinances.

When staff initiates and prepares a new ordinance for BCC consideration, there shall be a presumption that such ordinance will apply only in the unincorporated

area. Should staff be of the opinion or should the BCC direct that the ordinance apply countywide, a draft of such ordinance shall be sent to the League's Executive Director for review and input by the League's General Membership prior to first reading of such ordinance.

b. Ordinances Not Applicable Countywide.

When staff prepares a new ordinance for BCC consideration intended to apply only in the unincorporated area, it shall provide a courtesy copy to the League. Municipalities may choose to opt-in to unincorporated area ordinances.

2. Revisions to Existing Ordinances.

a. Countywide Ordinances.

When ordinances of countywide applicability are proposed for revision, there shall be a presumption that countywide applicability shall continue. Proposed revisions shall be sent to the League's Executive Director for review and input by the League's General Membership prior to first reading of such ordinance. Staff should consider the comments of the League regarding all aspects of the ordinance and may modify the ordinance accordingly. Should municipalities object to continued countywide applicability, they may voice such objection directly to the BCC and this may be considered by the BCC during its deliberations.

b. Ordinances Not Applicable Countywide.

For ordinances not applicable on a countywide basis, there will be a presumption that the status of such ordinances will remain unchanged and proposed revisions should not address applicability. A courtesy copy of proposed revisions should be sent to the League. Should staff be of the opinion or should the BCC direct a change in status regarding countywide applicability, a draft of the ordinance shall be sent to the League's Executive Director for review and input by the League's General Membership prior to first reading. When the item is first presented to the BCC for consideration, it shall not include language mandating countywide applicability unless it was previously authorized by the BCC.

**PROCEDURES:**

1. a. When County staff undertakes the consideration and preparation of a proposed ordinance, or an ordinance revision, for presentation to the BCC, the initiating department shall notify, in writing, their County Attorney at the time such consideration is initiated. Subsequent substantive revisions, as well as the final draft of the ordinance, shall also be forwarded to the County Attorney's Office. Each draft shall show the draft number (first, second, third, etc.) and date of the draft at the top of the ordinance.
  
2. b. Upon receipt of such notification, the County Attorney or designee shall send notification with appropriate backup and the draft ordinance to the League's Executive Director requesting input on the ordinance. Subsequent substantive revisions to the ordinance will be handled similarly.

  
**VERDENIA C. BAKER**  
**COUNTY ADMINISTRATOR**

**Supersession History:**

1. PPM# CW-O-041, effective, 12/01/1991
2. PPM# CW-O-041, effective, 06/01/1992
3. PPM# CW-O-041, effective, 12/01/1994
4. PPM# CW-O-041, effective, 04/12/1999
5. PPM# CW-O-041, effective, 05/13/2013