

ORDINANCE NO. 2004-4

AN ORDINANCE OF VILLAGE OF KEY BISCAYNE, FLORIDA, AMENDING THE VILLAGE CODE BY CREATING ARTICLE IX "LOBBYING" CONSISTING OF SECTION 2-161 "LOBBYISTS" OF CHAPTER 2 "ADMINISTRATION," ADOPTING SECTION 2-11.1(S) OF THE MIAMI-DADE COUNTY CODE CONCERNING LOBBYING, AS MODIFIED HEREIN; PROVIDING FOR RELATED FEES AND OTHER PROVISIONS CONCERNING LOBBYISTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR EFFECTIVE DATE.

WHEREAS, the Miami-Dade County (the "County") Commission has recently comprehensively revised the County lobbyist ordinance (the "County Lobbying Ordinance") as set forth in Section 2-11.1(s) of the Miami-Dade County Code (the "County Code"); and

WHEREAS, the staff of the County Ethics Commission has recommended that the revised County Lobbying Ordinance be adopted and followed by municipalities within the County; and

WHEREAS, the Village Council desires to adopt and follow the provisions of the County Lobbying Ordinance, as described herein, along with the modifications and other requirements specified herein.

IT IS HEREBY ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AS FOLLOWS:

Section 1. Recitals Adopted. That each of the above stated recitals is hereby adopted and confirmed.

Section 2. Code Amended. That the Village Code of the Village of Key Biscayne, Florida, is hereby amended by creating Article IX "Lobbying" consisting of Section 2-161, "Lobbyists" of Chapter 2 "Administration," to read as follows:

ARTICLE IX - LOBBYING

Section 2-161. Lobbyists.

The provisions of Section 2-11.1(s) "Lobbying," of the Miami-Dade County Code (the "County Lobbying Ordinance") as it currently exists, as set forth in Exhibit "A" attached hereto and incorporated herein, are hereby adopted and shall apply within the Village of Key Biscayne, except that in lieu of the fee for annual lobbyist registration which is specified by Section 2-11.1(s)(2)(b) of the County Lobbying Ordinance, the fee payable to the Village for registration of each lobbyist for the representation of each principal of the lobbyist shall be One Hundred (\$100.00) Dollars (per principal represented), and the fee payable to Village for annual lobbyist registration for each lobbyist shall be Two Hundred (\$200.00) Dollars. References in the County Lobbying Ordinance to County personnel shall be deemed to be references to Village personnel who serve in comparable capacities to the County personnel referred to. References in the County Lobbying Ordinance to the County Commission or to a "County board or committee" shall be deemed to be references to the Village Council or to the Village's boards, as applicable.

Section 3. Severability. That the provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 4. Inclusion in the Code. That it is the intention of the Village Council, and it

is hereby ordained that the provisions of this Ordinance shall become and made a part of the Village of Key Biscayne Code; that the sections of this Ordinance may be renumbered or relettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 5. **Effective Date.** That this Ordinance shall be effective immediately upon adoption on second reading.

PASSED AND ADOPTED on first reading this 10th day of February, 2004.

PASSED AND ADOPTED on second reading this 9th day of March, 2004.

MAYOR ROBERT OLDAKOWSKI

ATTEST:

CONCHITA H. ALVAREZ, CMC, VILLAGE CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

VILLAGE ATTORNEY