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MUNICIPAL ORDINANCE - FLORIDA

Anderson v. City of St. Pete Beach

District Court of Appeal of Florida, Second District - October 15, 2014 - So.3d - 39 Fla. L. Weekly D2180

Challenger brought action against city, alleging amendment to city's comprehensive plan was void due to failure to publish notice, and that city violated the Sunshine Law. The Circuit Court rejected the challenge to the amendment, and granted summary judgment in favor of city on challenger's Sunshine Law claim. Challenger appealed.

The District Court of Appeal held that:

- Commission's failure to comply with the notice provisions of statute that governed adoption of a municipal ordinance rendered ordinance that purported to amend city's comprehensive plan null and void;
- Commission's discussions at a series of seven closed shade meetings exceeded the scope of the Sunshine Law exemption for shade meetings; and
- The doctrine of cure did not apply to reinstate or cure city commission's violation of the Sunshine Law.