ORDINANCE NO. 26-031

AN ORDINANCE OF THE CITY OF BOYNTON BEACH, FLORIDA, REPEALING CHAPTER 2, ARTICLE XV, SECTIONS 2-201 THROUGH 2-220 AND ANY AMENDMENTS THEREAFTER, WHICH ESTABLISHED THE CITY'S SMALL AND MINORITY BUSINESS ENTERPRISE PROGRAM IN THE CITY OF BOYNTON BEACH; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 2, Article XV, Sections 2-201 through 2-220, of the Code of Ordinances of the City of Boynton Beach currently establishes the City's Small and Minority Business Enterprise Program; and

WHEREAS, during the 2026 Regular Session, the Florida Legislature enacted SB 1134, creating Section 166.04971, Florida Statutes, which prohibits a municipality from funding or promoting, directly or indirectly, or taking any official action, including the adoption or enforcement of ordinances, resolutions, rules, regulations, programs, or policies, as it relates to diversity, equity, and inclusion; and

WHEREAS, Section 166.04971, Florida Statutes, defines diversity, equity, and inclusion to include any effort to promote or provide preferential treatment or special benefits to a person or group based on that person's or group's race, color, sex, ethnicity, gender identity, or sexual orientation; and

WHEREAS, Section 166.04971, Florida Statutes, provides that any such existing ordinances, resolutions, rules, regulations, programs, or policies are void; and

WHEREAS, the City Commission finds the repeal of Chapter 2, Article XV, Sections 2-201 through 2-220, and any amendments, thereafter, is necessary to comply with Section 166.04971, Florida Statutes, and is in the best interest of the citizens and residents of the City of Boynton Beach.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF BOYNTON BEACH, FLORIDA, THAT:

Section 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

Section 2. The City Commission of the City of Boynton Beach hereby repeals in its entirety Chapter 2, Article XV, Sections 2-201 through 2-220, of the Code of Ordinances of the City of Boynton Beach, and any amendments thereafter, which established the City's Small and Minority Business Enterprise Program.

Section 3. Codification. It is the intention of the City Commission of the City of Boynton Beach, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code and Ordinances of the City of Boynton Beach, Florida, and that Sections of this Ordinance may be renumbered, re-lettered and the word "Ordinance" may be changed to "Section," "Article," or such other word or phrase in order to accomplish such intention.

Section 4. Severability. If any clause, section, or other part of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way affect the validity of the other provisions of this Ordinance.

Section 5. Conflicts. That all Ordinances or parts of Ordinances, Resolutions, or parts of Resolutions in conflict herewith, be and the same are repealed to the extent of such conflict.

Section 6. Effective Date. This Ordinance shall take effect immediately upon passage.

[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

ORDINANCE NO. 26-031

FIRST READING this _____ day of _____, 2026.

SECOND, FINAL READING AND PASSAGE this _____day of _____, 2026.

CITY OF BOYNTON BEACH, FLORIDA

	YES	NO
Mayor – Rebecca Shelton	_____	_____
Vice Mayor – Thomas Turkin	_____	_____
Commissioner – Angela Cruz	_____	_____
Commissioner – Mack McCray	_____	_____
Commissioner – Aimee Kelley	_____	_____
VOTE	_____	

ATTEST:

_____
Tammy Stanzione
City Clerk

(Corporate Seal)

_____
Rebecca Shelton
Mayor

APPROVED AS TO FORM:

_____
Shawna G. Lamb
City Attorney