

## **ADMINISTRATIVE ORDER AND IMPLEMENTING ORDER PREPARATION**

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### **SUMMARY**

Administrative Orders (A.O.s) and Implementing Orders (I.O.s) serve as vehicles to set forth legislation regarding County policies and procedures. Administrative Orders and Implementing Orders should be of a relatively permanent nature. The authority to create A.O.s and I.O.s is established in Sections 1.01, 2.02(A) and 5.02 of the Miami-Dade County Charter.

A.O.s set forth organizational and operating procedures under the authority of the Mayor. A.O.s are approved by the Mayor and reported to the Board.

I.O.s implement Board of County Commissioners (BCC) legislation or set forth specific policies that fall under their authority, including establishing fees that are charged to the public. I.O.s are submitted to the BCC for ratification.

Prior to 2007, A.O.s included policies that are currently more appropriately addressed by an I.O. However, all existing A.O.s remain in effect until amended by the Mayor or BCC, as appropriate for the subject matter.

### **ROLES AND RESPONSIBILITIES**

*County Departments* are responsible for:

- ensuring A.O.s/I.O.s under their respective purview are current
- preparing new and modified A.O.s/I.O.s as appropriate, to include obtaining the required reviews and approvals
- submitting A.O.s/I.O.s to the Office of Management and Budget (OMB) for initial review
- submitting A.O.s/I.O.s to the County Attorney's Office for approval
- submitting A.O.s to the Office of the Mayor for approval
- transmitting I.O.s to the Office of the Mayor for processing prior to placement on a Committee and Board of County Commissioners agenda, to include keeping track of the Committee and BCC meeting agenda deadlines
- providing a final copy of approved A.O.s/I.O.s to OMB for posting on the County's web site
- maintaining all necessary files related to their A.O.s/I.O.s; as a courtesy, OMB will assist in locating files to the extent possible

The *Office of the Management and Budget* is responsible for:

- assigning a specific number to each new A.O. or I.O. based on its topic or category
- reviewing A.O.s/I.O.s as to form, content, and potential fiscal impact to the County
- reviewing and coordinating the preparation of agenda items related to departmental fee schedules that are included as part of the County's annual budget process
- uploading final, approved A.O.s and I.O.s to the County web site upon receipt from the department, with assistance from the Information Technology Department

The *Office of the Mayor* is responsible for:

- reviewing and approving I.O. agenda items prior to submittal to the Office of Agenda Coordination for placement on a Committee and Board of County Commissioners agenda
- transmitting approved A.O.s to the Board

## **PROCEDURE**

### ADMINISTRATIVE ORDERS

1. The department drafts an A.O. package including:
  - The A.O. If it is a revision to an existing A.O., this should be a version with underlining and strikethrough marks that indicate revisions. Added text should be underlined while deleted text should be ~~stricken~~. Double brackets should not be used to indicate revisions.
  - Transmittal memo from the Mayor to the Board introducing the new A.O.
2. The department seeks input from other affected agencies, including the County Attorney's Office, if applicable.
3. The department forwards the draft package to the OMB for review.
4. Following OMB review, the department forwards the package to the County Attorney's Office for final review and approval.
5. The department forwards the package to the Mayor's Office for approval.
6. If the A.O. is approved, the Mayor's Office sends the transmittal memo and A.O. to the Board of County Commissioners.
7. The department notifies OMB and provides a "clean" copy of the A.O. in Microsoft Word, with any underlining and strikethrough marks removed, for posting on the County's web site.

### IMPLEMENTING ORDERS\*

1. The department drafts an I.O. package including:
  - The I.O. If it is a revision to an existing A.O./I.O., this should be a version with underlining and strikethrough marks that indicate revisions. Added text should be underlined while deleted text should be ~~stricken~~. Double brackets should not be used to indicate revisions.
  - Board of County Commissioners Resolution for approval of the I.O. The resolution should include the following language:
    - If it is a new I.O.: "Resolution creating Implementing Order No. X-X: *I.O. Title*"
    - If it is a revision to a pre-existing A.O.: "Resolution rescinding Administrative Order No. X-X: *A.O. Title* and approving Implementing Order No. X-X: *I.O. Title*."
    - If it is a revision to a pre-existing I.O.: "Resolution amending Implementing Order No. X-X: *I.O. Title*."
  - Draft cover transmittal memo in the standard agenda item format from the Mayor to the Board of County Commissioners. If policy directives have been received, they should be included in the Background Section.

2. The department seeks input from other affected agencies, including the County Attorney's Office, if applicable.
3. The department forwards the draft package to the OMB for review.
4. Following OMB review, the department forwards the package to the County Attorney's Office for final review and approval.
5. The department forwards the approved package to the Office of the Mayor for review and approval. The Department collaborates with the Office of the Mayor in following the standard process for placement of items on Committee and BCC agendas. (See County Procedure #101. Additional information regarding Agenda Item Preparation is available at: <https://intra.miamidade.gov/legislative/preparing-agenda.asp>.)
6. If the I.O. is approved, the department notifies OMB and provides a "clean" copy of the I.O. with underlining and strikethrough marks removed for posting on the County's web site.

*\*Note: Departmental fee schedules that are to be submitted for BCC approval as part of the County's annual budget process will be processed by OMB.*

CONTACT(S): Office of Management and Budget

REFERENCE DOCUMENT(S): Home Rule Charter, Sections 1.01, 2.02(A) and 5.02;  
Administrative Order 1-1: Administrative Orders and Implementing Orders