

PROPOSED

ORDINANCE NO.

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO AIRPORT SECURITY AT THE FORT LAUDERDALE-HOLLYWOOD INTERNATIONAL AIRPORT; AMENDING SECTIONS 2-39 AND 8½-16 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE"); IMPOSING DISPLAY REQUIREMENTS UPON HOLDERS OF PUBLIC AREA BUSINESS PURPOSE MEDIA, MODIFYING THE DEADLINE TO RETURN AIRPORT ISSUED IDENTIFICATION MEDIA AND PUBLIC AREA BUSINESS PURPOSE MEDIA, AND EXPANDING THE RESTRICTIONS AGAINST ENTRANCE PIGGYBACKING; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

WHEREAS, Section 2-39 of the Broward County Code of Ordinances ("Code") sets forth, among other things, certain display requirements related to Airport Issued Identification Media, the return deadline for Airport Issued Identification Media and Public Area Business Purpose Media, and restrictions against entrance piggybacking;

WHEREAS, Section 8½-16 of the Code sets forth, among other things, certain fines in connection with violations of the return deadline contained in Section 2-39 of the Code; and

WHEREAS, the Broward County Board of County Commissioners desires to amend Sections 2-39 and 8½-16 of the Code as set forth herein,

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA:

1 Section 1. Section 2-39 of the Broward County Code of Ordinances is hereby
2 amended to read as follows:

3 **Sec. 2-39. Airport security and animal control at Fort Lauderdale-Hollywood**
4 **International Airport.**

5 (a) *Airport Restricted Area*. It shall be the responsibility of all tenants,
6 permittees, contractors, and other persons having an Airport Issued Identification Media
7 to prevent the entry of unauthorized persons into Restricted Areas.

8 (1) No person, other than the following, shall enter a Restricted Area, unless
9 otherwise authorized by the Airport Security Program:

10 a. Those persons performing assigned duties in a Restricted Area and
11 displaying a proper Airport Issued Identification Media or Public
12 Area Business Purpose Media;

13 . . .

14 (9) Unless under the supervision of an Aviation Department approved escort, it
15 shall be the responsibility of each person in, entering, or exiting a Restricted
16 Area to continuously display, at all times, on his/ or her outermost garment,
17 above waist level on the front portion of the torso, Airport Issued
18 Identification Media or Public Area Business Purpose Media in accordance
19 with the Airport Security Program.

20 . . .

21 (12) No person, regardless of whether such person possesses Airport Issued
22 Identification Media or Public Area Business Purpose Media, shall attempt
23 to access a Restricted Area by using the access privileges of another
24 person (i.e., piggybacking), except as authorized in the Airport Security

Coding: Words in ~~struck-through~~ type are deletions from existing text. Words in
underscored type are additions.

1 Program. In addition, no person shall use his or her access privileges to
2 enable (intentionally or unintentionally) another person, ~~with or without~~
3 ~~Airport Issued Identification Media~~ regardless of whether such other person
4 possesses Airport Issued Identification Media or Public Area Business
5 Purpose Media, to gain access to a Restricted Area (i.e., piggybacking),
6 except as authorized in the Airport Security Program.

7 (b) *Airport Issued Identification Media and Public Area Business Purpose*
8 *Media.*

9 . . .

10 (2) The sponsors of persons with Airport Issued Identification Media or Public
11 Area Business Purpose Media shall return the Airport Issued Identification
12 Media or Public Area Business Purpose Media to the Aviation Department
13 within ~~twenty-four (24) hours~~ ten (10) days after any change in status,
14 including as described in subsection (b)(1) above, ~~and within twenty-four~~
15 ~~(24) hours~~ or within ten (10) days after the Airport Issued Identification
16 Media or Public Area Business Purpose Media become inactive as a result
17 of an audit.

18 . . .

19
20 Section 2. Section 8½-16 of the Broward County Code of Ordinances is hereby
21 amended to read as follows:

22 **Sec. 8½-16. Schedule of civil penalties.**

23 . . .

24 (k) *Violations of Chapter 2 of the Broward County Code of Ordinances.*

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...

<i>Fine</i>				
<i>Violation</i>	<i>First Violation</i>	<i>*Second Violation</i>	<i>*Third Violation</i>	<i>*Four or More Violations</i>
...				
(45) The failure of any sponsor of persons with Airport Issued Identification Media or Public Area Business Purpose Media to return the Airport Issued Identification Media or Public Area Business Purpose Media to the Aviation Department within twenty-four (24) hours <u>ten (10) days</u> after any change in status or within twenty-four (24) hours <u>ten (10) days</u> after the Airport Issued Identification Media or Public Area Business Purpose Media become inactive as a result of an audit (sec. 2-39(b)(2))	175.00	300.00	600.00	1,000.00
...				

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1 Section 3. Severability.

2 If any portion of this Ordinance is determined by any court to be invalid, the invalid
3 portion will be stricken, and such striking will not affect the validity of the remainder of this
4 Ordinance. If any court determines that this Ordinance, in whole or in part, cannot be
5 legally applied to any individual, group, entity, property, or circumstance, such
6 determination will not affect the applicability of this Ordinance to any other individual,
7 group, entity, property, or circumstance.

8
9 Section 4. Inclusion in the Broward County Code of Ordinances.

10 It is the intention of the Board of County Commissioners that the provisions of this
11 Ordinance become part of the Broward County Code of Ordinances as of the effective
12 date. The sections of this Ordinance may be renumbered or relettered and the word
13 “ordinance” may be changed to “section,” “article,” or such other appropriate word or
14 phrase to the extent necessary in order to accomplish such intention.

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Section 5. Effective Date.

This Ordinance is effective as of the date provided by law.

ENACTED

PROPOSED

FILED WITH THE DEPARTMENT OF STATE

EFFECTIVE

Approved as to form and legal sufficiency:
Andrew J. Meyers, County Attorney

By /s/ Israel Fajardo 11/08/2021
Israel Fajardo (date)
Assistant County Attorney

By /s/ Alexander J. Williams 11/08/2021
Alexander J. Williams (date)
Senior Assistant County Attorney

IF/ch
Ch. 2 Security Ordinance
11/08/2021
41002.0002.

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