



# Broward County

## Legislation Text

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File #: 20-2161, Version: 1

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### **Broward County Commission Regular Meeting**

**Director's Name:** Andrew J. Meyers

**Department:** County Attorney

### **Information**

#### **Requested Action**

**MOTION TO ADOPT** Resolution No. 2020-761 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, January 12, 2021, at 10:00 a.m., in Room 422 of the Governmental Center to consider enactment of a proposed Ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO PRIVATE COURIER SERVICES; AMENDING SECTIONS 20-11 AND 20-164 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE") TO INCREASE THE BOND REQUIREMENTS FOR PRIVATE COURIER SERVICES, RESTRICT SUCH BUSINESSES FROM ENGAGING IN FALSE AND MISLEADING ADVERTISING, AND PROVIDE FOR PENALTIES FOR NONCOMPLIANCE; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by Mayor Steve Geller)

#### **Why Action is Necessary**

The proposed Ordinance was prepared by the Office of the County Attorney at the direction of the Board of County Commissioners at its meeting of October 6, 2020.

#### **What Action Accomplishes**

Enables the setting of a public hearing during which the Board may consider enacting the Ordinance.

#### **Is this Action Goal Related**

No

#### **Previous Action Taken**

#### **Summary Explanation/Background**

Certain businesses operate as private courier services and accept money from customers in exchange for obtaining license plates, motor vehicle titles and tags, and other materials (collectively, "Tag and Title Documents") from the County or a Private Tag Agency under contract with the County. These businesses charge consumers a fee in addition to the charges that the County or Private Tag Agencies are authorized to charge for Tag and Title Documents, and may engage in marketing and promotion of their activities in a manner that does not adequately disclose to consumers that they are not, in fact, a tag and title agency authorized to sell Tag and Title Documents. Because these

businesses are not legally authorized to sell Tag and Title Documents, the potential exists for customers to be misled as to the true nature of private courier services.

This Ordinance, if enacted, would update the amount of bond that private courier services must have, add new limitations on the terms and images private courier services may use in their names and marketing materials to avoid potentially misleading the public, and provide for penalties for violations.

**Source of Additional Information**

Nathaniel A. Klitsberg, Senior Assistant County Attorney, 954-357-7600

**Fiscal Impact**

**Fiscal Impact/Cost Summary**

The Fiscal Impact Statement by the Office of Management and Budget will be provided at the time of the public hearing, in compliance with Section 18.5(e)(7) of the Broward County Administrative Code.