

1 obtaining and maintaining a current and valid locksmith license or a current and valid  
2 apprentice locksmith license pursuant to the provisions of this division.

3 (b) An apprentice locksmith may perform locksmith services for compensation  
4 only under the supervision of a licensed locksmith. "Supervision" means, at a minimum,  
5 that the licensed locksmith reviews the work of the apprentice locksmith before the  
6 locksmith services are completed and before final payment is accepted from the  
7 customer.

8 (c) Each locksmith and each apprentice locksmith must display a current and  
9 valid license certificate issued by Broward County in full view of the customer at the  
10 locksmith's primary place of business.

11 (d) The license number of the licensed locksmith must appear on all  
12 advertisements, forms, quotations, invoices, and commercial motor vehicles of the  
13 licensed locksmith. The license number of the licensed apprentice locksmith and the  
14 supervising licensed locksmith must appear on all advertisements, forms, quotations,  
15 invoices, and commercial motor vehicles of the licensed apprentice locksmith.

16 (e) Locksmiths who were working as locksmiths on the effective date of this  
17 ordinance shall have ninety (90) days ~~ninety (90) days~~ six (6) months from the effective date to submit a  
18 fully completed application for a license. ECPD shall then have forty five (45) days to  
19 either grant or deny the license. Locksmiths who commence practice after the effective  
20 date during the first ninety (90) days after the effective date of this division ordinance must  
21 meet all requirements of this division within ninety (90) days of the effective date of this  
22 ordinance prior to commencement of work as a locksmith. Such locksmiths may continue  
23 to work as locksmiths during this these periods.

Commented [SA1]: Language added by Commissioner Bogen and changed by Mayor Holness.

24 Coding: Words in ~~struck through~~ type are deletions from existing text. Words in  
underscoring type are additions.

1 (d) Each locksmith business must employ or retain the services of at least  
2 one (1) locksmith licensed by Broward County. The licensed locksmith may be an owner,  
3 employee, or independent contractor of the locksmith business.

4 (e) If the only licensed locksmith employed or retained by a locksmith business  
5 leaves the employ or retention of the locksmith business, the locksmith business must  
6 promptly notify ECPD, and may not perform locksmith services until the locksmith  
7 business hires or retains the services of a licensed locksmith.

8 (f) Existing locksmith businesses as of the effective date of this division shall  
9 have ~~twelve (12) months~~ ninety (90) days ~~six (6) months~~ from the effective date of this  
10 ~~division ordinance to apply for a registration~~ to come into full compliance with the  
11 requirements of this division. ~~ECPD shall then have forty five (45) days to either grant or~~  
12 ~~deny the registration.~~ Locksmith businesses that commence operation during the first  
13 ninety (90) days after the effective date of this ~~division ordinance~~ must meet all  
14 requirements of this division within ninety (90) days after the effective date of this  
15 ordinance prior to commencement of business operations. Such locksmith businesses  
16 may continue to operate during these periods.

**Commented [SA2]:** Language added by Commissioner Bogen and modified by Mayor Holness.

17 **Sec. 20-176.135. Application for locksmith business registration; criteria for**  
18 **registration.**

19 (a) Each application for a locksmith business registration must contain the  
20 following information:

- 21 (1) Legal business name and trade name (if any);
- 22 (2) Current telephone number (rotating voice over internet protocol (VOIP)  
23 telephone numbers are not permitted); the telephone number may be a

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1 ~~(1) Been convicted within the last seven (7) years of a felony, or been released~~  
2 ~~from incarceration from a prison within the last six (6) months as a result of~~  
3 ~~a felony conviction as shown on any publicly accessible website made~~  
4 ~~available by any state or federal Department of Corrections or similar~~  
5 ~~governmental agency unless their civil or residency rights have been~~  
6 ~~restored;~~

7 ~~(2)~~ (1) Been convicted of any criminal offense involving moral turpitude relating to  
8 sex crimes; the use of a deadly weapon; homicide; violent offense against  
9 a law enforcement officer under Section 775.0823, Florida Statutes; sexual  
10 misconduct with certain developmentally disabled clients and reporting of  
11 such sexual misconduct under Section 393.135, Florida Statutes; sexual  
12 misconduct with certain mental health patients and reporting of such sexual  
13 misconduct under Section 394.4593, Florida Statutes; manslaughter,  
14 aggravated manslaughter of an elderly person or disabled adult, or  
15 aggravated manslaughter of a child under Section 782.07, Florida Statutes;  
16 vehicular homicide under Section 782.071, Florida Statutes; killing of an  
17 unborn child by injury to the mother under Section 782.09, Florida Statutes;  
18 any offense under Section 784.048, Florida Statutes; kidnapping under  
19 Section 787.01, Florida Statutes; false imprisonment under Section 787.02,  
20 Florida Statutes; sexual battery under Section 794.011, Florida Statutes;  
21 unlawful sexual activity with certain minors under Section 794.05,  
22 Florida Statutes; lewd or lascivious offenses committed upon or in the  
23 presence of an elderly person or disabled adult under Section 825.1025,

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1 Florida Statutes; sexual performance by a child under Section 827.071,  
2 Florida Statutes; sexual misconduct with certain forensic clients and  
3 reporting of such sexual misconduct under Section 916.1075,  
4 Florida Statutes; inflicting cruel or inhuman treatment on an inmate resulting  
5 in great bodily harm under Section 944.35(3), Florida Statutes; sexual  
6 misconduct in juvenile justice programs under Section 985.701,  
7 Florida Statutes; theft, robbery, or related crimes under Chapter 812,  
8 Florida Statutes; offenses involving abuse and exploitation of elderly  
9 persons under Chapter 825, Florida Statutes; burglary and felony trespass  
10 offenses under Chapter 810, Florida Statutes; or been adjudicated a  
11 habitual violent felony offender under Section 775.084, Florida Statutes; or  
12 (3) (2) Been convicted of any other offense, involving moral turpitude (unrelated to  
13 sex crimes) including, but not limited to, drug offenses to the extent they  
14 may be considered under Section 775.16, Florida Statutes, when, in the  
15 discretion of the ECPD Director, approval of such license or registration  
16 would constitute a threat to the health, welfare, or safety of the public or  
17 property.

**Commented [SA3]:** Change by Mayor Holness.

18 (e) (f) An applicant who was working as a locksmith or owned a locksmith  
19 business on December 31, 2019 ("Active Locksmith"), and was convicted of a  
20 disqualifying offense as described in Subsection (e) before the date this ordinance takes  
21 effect, may, while the application is pending before ECPD, present evidence to ECPD  
22 that the applicant or applicable individual has been rehabilitated and that such conviction  
23 should therefore not preclude approval of the application. In such event, a locksmith

**Commented [SA4]:** Language added by Commissioner Bogen and removed by Commissioner Holness.

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1 license or locksmith business registration may, in ECPD's discretion, either be denied or  
2 may be issued by ECPD subject to such conditions, limitations, and restrictions imposed  
3 by ECPD as ECPD deems necessary to protect the public, provided such conditions,  
4 limitations, and restrictions are consistent with the purpose and provisions of this division.  
5 A violation of such a condition, limitation, or restriction imposed by ECPD shall be a  
6 violation of this division, and may be cause for suspension or revocation of a license or  
7 registration. In determining whether to grant a license or registration to ~~an Active~~  
8 ~~Locksmith~~ with an otherwise disqualifying offense, ECPD shall consider the following  
9 factors:

Commented [SA5]: Changed by Mayor Holness.

- 10 (1) The level of seriousness of the offense;
- 11 (2) The date of the offense, considering that offenses committed more than  
12 seven (7) years before the date of the application should be given reduced  
13 weight unless the individual re-offended or the offense was a sex crime;
- 14 (3) The age of the individual at the time of the conviction;
- 15 (4) The circumstances surrounding the commission of the offense, if known;
- 16 (5) The nexus between the criminal conduct of the individual and the provision  
17 of locksmithing services;
- 18 (6) The individual's prison, jail, probation, parole, rehabilitation, and  
19 employment records since the date of conviction; and
- 20 (7) The subsequent commission by the individual of an offense listed in  
21 Subsection (e) of this section.

22 The foregoing language notwithstanding, no person who was a locksmith or owned a  
23 locksmith business in the five (5) years preceding the effective date of this ordinance shall

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1 be disqualified solely because of any offense that occurred more than five (5) years before  
2 the enactment of this ordinance. ECPD may require such a locksmith to provide evidence  
3 showing that the locksmith was in business at the relevant times.

Commented [SA6]: New language for Mayor Holness.

4 **Sec. 20-176.138. Cost estimates; quotations; invoices.**

5 (a) In response to a customer inquiry or request for services, the locksmith or  
6 locksmith business must provide a cost estimate to the customer. The cost estimate may  
7 be verbal and may be a price range (for example, between \$50.00 and \$75.00).

8 (b) Prior to performing any locksmith services, the locksmith must provide a  
9 written quotation to the customer specifying the total cost to the customer of the goods or  
10 services to be provided. The locksmith must obtain the customer's signature on the  
11 written quotation prior to commencing locksmith services.

12 (c) If, after commencing locksmith services, the locksmith determines that the  
13 work required to be provided will exceed the cost of the written quotation signed by the  
14 customer, the locksmith must perform one of the following, as elected by the customer:

15 (1) Restore the subject of the locksmith services to the same status or condition  
16 it was in prior to any work by the locksmith, and not charge the customer  
17 any amount whatsoever; or

18 (2) Provide the customer with an updated written quotation, obtain the  
19 customer's signature on the updated written quotation, and complete the  
20 locksmith services as stated on the updated written quotation approved by  
21 the customer.

22 (d) After completing locksmith services, the locksmith must provide a written  
23 invoice to the customer. The amount of the written invoice may not exceed the amount

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