

PROPOSED

ORDINANCE NO. 2021-

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO LOCKSMITHS AND LOCKSMITH BUSINESSES; REPEALING THE "BROWARD COUNTY LOCKSMITH ACT," SECTIONS 20-176.130 THROUGH 20-176.144 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE"); REPEALING SECTION 8½-16(DD) OF THE CODE RELATING TO FINES FOR VIOLATIONS OF THE BROWARD COUNTY LOCKSMITH ACT; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

WHEREAS, on June 29, 2021, Governor Ron DeSantis signed Chapter 2021-214, Laws of Florida, which, among other things, provides that the licensing of occupations is generally preempted to the state and supersedes local government licensing requirements for occupations;

WHEREAS, Chapter 2021-214, Laws of Florida, created a new Section 163.211, Florida Statutes, which became effective July 1, 2021, and precludes local licensing requirements enacted after January 1, 2021, that are not expressly permitted under Section 163.211 or authorized by general law;

WHEREAS, the Broward County Locksmith Act, Section 20-176.130, et seq., of the Broward County Code of Ordinances ("Code"), was enacted on February 9, 2021, and is preempted under Section 163.211, Florida Statutes; and

WHEREAS, the Board of County Commissioners finds it prudent to repeal the Broward County Locksmith Act,

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

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4 Section 1. Sections 20-276.130 through 20-176.44 of the Broward County Code
5 of Ordinances are hereby repealed in their entirety.

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7 Section 2. Section 8½-16(dd) of the Broward County Code of Ordinances is
8 hereby repealed in its entirety.

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10 Section 3. Severability.

11 If any portion of this Ordinance is determined by any court to be invalid, the invalid
12 portion will be stricken, and such striking will not affect the validity of the remainder of this
13 Ordinance. If any court determines that this Ordinance, in whole or in part, cannot be
14 legally applied to any individual, group, entity, property, or circumstance, such
15 determination will not affect the applicability of this Ordinance to any other individual,
16 group, entity, property, or circumstance.

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18 Section 4. Inclusion in the Broward County Code of Ordinances.

19 It is the intention of the Board of County Commissioners that the provisions of this
20 Ordinance become part of the Broward County Code of Ordinances as of the effective
21 date. The sections of this Ordinance may be renumbered or relettered and the word
22 "ordinance" may be changed to "section," "article," or such other appropriate word or
23 phrase to the extent necessary in order to accomplish such intention.

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

1 Section 5. Effective Date.

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

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4 ENACTED

PROPOSED

5 FILED WITH THE DEPARTMENT OF STATE

6 EFFECTIVE

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

10 By /s/ *Scott Andron* 07/20/2021
11 Scott Andron (date)
12 Assistant County Attorney

13 By /s/ *René D. Harrod* 07/20/2021
14 René D. Harrod (date)
15 Chief Deputy County Attorney

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23 RDH/jl
24 Locksmith Repeal Ordinance
07/20/2021
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Coding: Words in ~~struck-through~~ type are deletions from existing text. Words in underscored type are additions.