

PROPOSED

RESOLUTION NO.

1 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD
2 COUNTY, FLORIDA, REPEALING SECTIONS 22.175 THROUGH 22.177 OF THE
3 BROWARD COUNTY ADMINISTRATIVE CODE ("ADMINISTRATIVE CODE"),
4 RELATING TO THE BROWARD COUNTY PROPERTY ASSESSED CLEAN ENERGY
5 ("PACE") PROGRAM REQUIREMENTS; AND PROVIDING FOR SEVERABILITY,
6 INCLUSION IN THE ADMINISTRATIVE CODE, AND AN EFFECTIVE DATE.

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8 WHEREAS, Section 163.08, Florida Statutes, et seq., establishes Florida's
9 Property Assessed Clean Energy ("PACE") program, which allows property owners to
10 apply to PACE program administrators to finance certain qualifying improvements;

11 WHEREAS, Broward County adopted various consumer protections as conditions
12 to program administrators being permitted to enter into financing agreements with
13 property owners, including disclosure and income-based requirements;

14 WHEREAS, these protections are currently located in various portions of the
15 Broward County Administrative Code and the Broward County Code of Ordinances
16 ("Code"); and

17 WHEREAS, the County wishes to reorganize the applicable PACE provisions in a
18 single location in the Code for the convenience and benefit of both program administrators
19 and property owners utilizing the PACE program, NOW, THEREFORE,

20 BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF
21 BROWARD COUNTY, FLORIDA:

22 Section 1. Sections 22.175 through 22.177 of the Broward County
23 Administrative Code are hereby repealed in their entirety.

24 Section 2. Severability.

25 If any portion of this Administrative Code Resolution is determined by any court to
26 be invalid, the invalid portion will be stricken, and such striking will not affect the validity
27 of the remainder of this Administrative Code Resolution. If any court determines that this
28 Administrative Code Resolution, in whole or in part, cannot be legally applied to any
29 individual, group, entity, property, or circumstance, such determination will not affect the
30 applicability of this Administrative Code Resolution to any other individual, group, entity,
31 property, or circumstance.

32 Section 3. Inclusion in the Broward County Administrative Code.

33 It is the intention of the Board of County Commissioners that the provisions of this
34 Administrative Code Resolution become part of the Broward County Administrative Code
35 as of the effective date. The sections of this Administrative Code Resolution may be
36 renumbered or relettered and the word "resolution" may be changed to "section," "article,"
37 or such other appropriate word or phrase to the extent necessary to accomplish such
38 intention.

