

PROPOSED

ORDINANCE NO.

1 AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD
2 COUNTY, FLORIDA, PERTAINING TO THE BROWARD COUNTY TOURIST
3 DEVELOPMENT COUNCIL; AMENDING SECTION 31½-18 OF THE BROWARD
4 COUNTY CODE OF ORDINANCES (“CODE”) TO CLARIFY MEMBERSHIP
5 CLASSIFICATIONS; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE
6 CODE, AND AN EFFECTIVE DATE.

7 (Sponsored by the Board of County Commissioners)

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9 WHEREAS, Section 125.0104(4)(e), Florida Statutes, authorizes the
10 establishment of a Tourist Development Council;

11 WHEREAS, Chapter 2009-259, Laws of Florida, expanded the Broward County
12 Tourist Development Council’s membership and outlined criteria for future appointments
13 to the Council; and

14 WHEREAS, the Board of County Commissioners of Broward County desires to
15 amend the membership classifications of the Broward County Tourist Development
16 Council,

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

19 Section 1. Section 31½-18 of the Broward County Code of Ordinances is
20 hereby amended and replaced in its entirety to read as follows:

21 [Underlining omitted]

22 **Sec. 31½-18. Tourist development council.**

23 (a) *Creation.* There is hereby established, pursuant to the provisions of
24 Section 125.0104, Florida Statutes, and Section 1 of Chapter 2009-259, Laws of Florida,
25 an advisory council to be known as the “Broward County Tourist Development Council,”
26 hereinafter referred to as the “Council.”

27 (b) *Council Membership.* The members of the Council shall be appointed by
28 the Board of County Commissioners of Broward County. All members of the Council shall
29 be electors of Broward County. The Council shall be composed of eleven (11) members
30 as follows:

31 (1) The Mayor or any other member of the Board of County Commissioners as
32 designated by the Mayor.

33 (2) Two (2) members shall be elected municipal officials, one (1) of whom shall
34 be from the most populous municipality in Broward County as determined
35 from the most recent decennial census;

36 (3) Six (6) members shall be persons who are involved in the tourist industry
37 and who have demonstrated an interest in tourist development, of which
38 members, not less than three (3), no more than four (4), shall be owners or
39 operators of motels, hotels, recreational vehicle parks, or other tourist
40 accommodations in Broward County and subject to the Tourist
41 Development Tax;

42 (4) One (1) member shall be a person involved in the tourist industry who has
43 demonstrated an interest in tourist development as set forth in
44 Chapter 2009-259, Laws of Florida; and

45 (5) One (1) member shall be a person from an area with a multipurpose
46 Broward County regional park capable of hosting local, national, and
47 international sports championship events.

48 The appointment of Council members shall be determined by draw by the Board of County
49 Commissioners. The draw shall establish the classification and term of the Council
50 member that is assigned to each member of the Board of County Commissioners.

51 (c) *Chair and Term of Council Members.*

52 (1) The Mayor of Broward County shall have the option of designating the chair
53 of the Council or allowing the Council to elect a chair. The chair shall be
54 appointed or elected annually and may be reelected or reappointed.

55 (2) Except for the member of the Board of County Commissioners who serves
56 on the Council, the members of the Council shall serve for staggered terms
57 of four (4) years. Members of the Council may be reappointed, provided
58 they continue to meet the qualifications of membership.

59 (3) Qualifications of membership must be demonstrated annually on or before
60 October 1 of each year by each member of the Council.

61 (4) The Board of County Commissioners may remove any member of the
62 Council for cause or if said member ceases to meet the qualifications of
63 membership.

64 (5) A vacancy on the Council not occurring by expiration of a term shall be filled
65 by the Board of County Commissioners by appointment for the unexpired
66 term.

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(d) *Powers and Duties.*

(1) The Council hereby established shall, from time to time, make recommendations to the Board of County Commissioners for the effective operation of the special projects or uses of the Tourist Development Tax revenue and perform such other duties as may be prescribed by ordinance or resolution.

(2) The Council shall continuously review all expenditures of revenue from the tourist development trust fund and shall receive at least quarterly expenditure reports from the Board of County Commissioners or its designee. Expenditures that the Council believes to be unauthorized by the provisions of this article shall be reported to the Board of County Commissioners and the Florida Department of Revenue. The Board of County Commissioners, upon receiving notification of expenditures believed by the Council to be unauthorized, shall review the Council's findings and take such administrative or judicial action as it sees fit to ensure compliance with this article and the provisions of Section 125.0104, Florida Statutes.

Section 2. Severability.

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

89 determination will not affect the applicability of this Ordinance to any other individual,
90 group, entity, property, or circumstance.

91 Section 3. Inclusion in the Broward County Code of Ordinances.

92 It is the intention of the Board of County Commissioners that the provisions of this
93 Ordinance become part of the Broward County Code of Ordinances as of the effective
94 date. The sections of this Ordinance may be renumbered or relettered and the word
95 “ordinance” may be changed to “section,” “article,” or such other appropriate word or
96 phrase to the extent necessary to accomplish such intention.

97 Section 4. Effective Date.

98 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/ Adam Katzman 01/14/2025
Adam Katzman (date)
Deputy County Attorney

AMK/ji
2025 TDC Ordinance Amendment
01/14/2025
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Coding: Words ~~stricken~~ are deletions from existing text. Words underlined are additions to existing text.