



Broward County

Legislation Details (With Text)

File #: 20-1840 **Version:** 1

Status: Agenda Ready

In control: PUBLIC HEARING

On agenda: 10/20/2020 **Final action:** 10/20/2020

Title: MOTION TO ENACT Ordinance, the title of which is as follows (continued from October 6, 2020 - Item No. 51):

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, CREATING THE "BROWARD COUNTY LOCKSMITH ACT"; CREATING DIVISION 8 OF ARTICLE VII OF CHAPTER 20 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE"); PROVIDING FOR LICENSING OF LOCKSMITHS AND REGISTRATION OF LOCKSMITH BUSINESSES; PROVIDING FOR ENFORCEMENT AND PENALTIES; AMENDING SECTION 8½-16 OF THE CODE RELATING TO FINES FOR VIOLATIONS; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.
(Sponsored by Commissioner Mark D. Bogen)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Exhibit 1 - Copy of Proposed Ordinance, 2. Exhibit 2 - Copy of Fiscal Impact Statement, 3. Exhibit 3 - Copy of Commissioner Bogen's revised ordinance with County Attorney's Office memorandum, 4. Exhibit 4 - Copy of Mayor Holness' amendments, 5. Exhibit 5 - Copy of Vice Mayor Geller's amendments, 6. Exhibit 6 - Copy of Commissioner Ryan's amendments, 7. Exhibit 7 - County Attorney's Office amendment, 8. Exhibit 8 - Matrix of proposed amendments from Commissioners

Date	Ver.	Action By	Action	Result
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Broward County Commission Regular Meeting

Director's Name: Andrew J. Meyers

Department: County Attorney

Information

Requested Action

MOTION TO ENACT Ordinance, the title of which is as follows (**continued from October 6, 2020 - Item No. 51**):

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, CREATING THE "BROWARD COUNTY LOCKSMITH ACT"; CREATING DIVISION 8 OF ARTICLE VII OF CHAPTER 20 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE"); PROVIDING FOR LICENSING OF LOCKSMITHS AND REGISTRATION OF LOCKSMITH BUSINESSES; PROVIDING FOR ENFORCEMENT AND PENALTIES; AMENDING SECTION 8½-16 OF THE CODE RELATING TO FINES FOR VIOLATIONS; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by Commissioner Mark D. Bogen)

Why Action is Necessary

A Resolution directing the County Administrator to publish notice of public hearing was approved by the Board of County Commissioners on September 10, 2020.

What Action Accomplishes

Permits the Board to consider enactment of an Ordinance regulating locksmiths and locksmith businesses.

Is this Action Goal Related

No

Previous Action Taken

Summary Explanation/Background

Locksmiths have access to the homes, businesses, and vehicles of residents and visitors of Broward County. Currently, Broward County does not regulate or license locksmiths.

The proposed Ordinance, if enacted, would create a comprehensive regulatory program for locksmiths and locksmith businesses. Locksmiths would be required to obtain a locksmith license and locksmith businesses would be required to register. The regulatory scheme would require background checks for locksmiths (which might result in certain individuals being denied licensure), minimum insurance coverage for locksmith businesses, and the customer's written approval of the quoted price prior to the locksmith commencing work. The proposed Ordinance also requires the locksmith obtain adequate assurance that the customer has authority over the home, vehicle, or other object at issue prior to commencing work.

This item was continued from the October 6, 2020, public hearing, including to allow the sponsor, Commissioner Bogen, to receive additional input from the locksmith community on the proposed Ordinance.

Prior to the public hearing, Commissioner Bogen proposed a revised Ordinance (Exhibit 3), which is the operative version of the proposed Ordinance for the public hearing. Proposed amendments were submitted by Mayor Holness (Exhibit 4), Vice-Mayor Geller (Exhibit 5), Commissioner Ryan (Exhibit 6), and the County Attorney's Office (Exhibit 7; this amendment addresses only one technical change). Vice-Mayor Geller's amendments were modified during Board discussion on October 6, 2020 (as modified, misdemeanor trespass would not be a disqualifying criminal offense). A matrix of the proposed amendments from Commissioners, which shows the only substantive differences between Commissioner Bogen's proposal (Exhibit 3) and those respective amendments, is attached as Exhibit 8.

Source of Additional Information

René D. Harrod, Deputy County Attorney, 954-357-7600

Fiscal Impact

Fiscal Impact/Cost Summary

Fiscal Impact Statement by the Office of Management and Budget is attached as Exhibit 2.