

PROPOSED

ORDINANCE NO.

1 AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD
2 COUNTY, FLORIDA, PERTAINING TO THE SALE OF APPOINTMENTS FOR
3 CERTAIN PUBLIC SERVICES; CREATING SECTION 21-5 AND AMENDING
4 SECTION 8½-16 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE");
5 AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN
6 EFFECTIVE DATE.

7 (Sponsored by Commissioner Hazelle P. Rogers)

8
9 WHEREAS, residents of Broward County have been experiencing
10 extraordinary delays when seeking an appointment with the Florida Department of
11 Highway Safety and Motor Vehicles ("DMV"), with appointments often unavailable for
12 months in advance;

13 WHEREAS, as recently advised by the Broward County Tax Collector, part of
14 the delay results from scalpers reserving multiple appointments on the DMV website
15 and then selling the appointments to residents, sometimes for hundreds of dollars;
16 and

17 WHEREAS, the Board of County Commissioners of Broward County, Florida,
18 finds it appropriate to address this issue by enactment of an ordinance prohibiting the
19 marketing or sale of appointments for certain public services,

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

Section 1. Section 21-5 of the Broward County Code of Ordinances is hereby created to read as follows:

[Underlining omitted]

Sec. 21-5. Sale of appointments for public services.

(a) It shall be unlawful and a violation of this section for any person or entity to advertise, market, or sell, or to facilitate the advertising, marketing, or sale of, appointments for public services offered by the Florida Department of Highway Safety and Motor Vehicles ("Department") or by the Broward County Tax Collector ("Tax Collector") without the prior written consent of the Department or the Tax Collector, as applicable.

(b) *Enforcement.*

(1) This section shall be applicable countywide, except in any municipality that has enacted a conflicting ordinance.

(2) This section may be enforced by law enforcement officers pursuant to applicable law, and may also be enforced by code inspectors using the procedures provided in Chapter 8½ of the Broward County Code of Ordinances ("Code"), except where this section expressly provides otherwise. Each local government may enforce this section within its jurisdictional area. For purposes of enforcing this section pursuant to Chapter 8½ of the Code, all municipal code enforcement officers are "code inspectors" within the meaning of Section 8½-9 of the Code. Additional code inspectors may be designated in writing by the County Administrator.

(3) A violation of this section shall constitute irreparable harm, such that the code inspector is not required to provide the alleged violator with time to correct the violation before issuing a citation.

(4) Any person who violates any provision of this section shall be subject to fines in accordance with Section 8½-16(dd) of the Code. Each violation of this section shall constitute a separate offense.

(5) Nothing herein prohibits enforcement of this section through any other lawful means, including, but not limited to, applicable municipal enforcement procedures.

Section 2. Section 8½-16 of the Broward County Code of Ordinances is hereby amended to read as follows:

Sec. 8½-16. Schedule of civil penalties.

...

SCHEDULE OF CIVIL PENALTIES

...

(dd) Violations of Section 21-5, relating to sale of appointments for public services:

62		<u>Fine</u>	
63		<u>First</u>	<u>Repeat</u>
64	<u>Violation</u>	<u>Violation</u>	<u>Violation</u>
65	(1) <u>Advertising, marketing, or selling</u>	<u>\$250.00</u>	<u>\$500.00</u>
66	<u>appointments for public services,</u>		
67	<u>or facilitating the same (sec. 21-5)</u>		

68 Section 3. Severability.

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

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

76 It is the intention of the Board of County Commissioners that the provisions of
77 this Ordinance become part of the Broward County Code of Ordinances as of the
78 effective date. The sections of this Ordinance may be renumbered or relettered and
79 the word "ordinance" may be changed to "section," "article," or such other appropriate
80 word or phrase to the extent necessary to accomplish such intention.

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

PROPOSED

EFFECTIVE

By: /s/ Scott Andron 05/06/2025
Scott Andron (date)
Assistant County Attorney

By: /s/ René D. Harrod 05/06/2025
René D. Harrod (date)
Chief Deputy County Attorney

Coding: Words ~~stricken~~ are deletions from existing text. Words underlined are additions to existing text.