



1 Attorney seeks ratification of the filing by the Board at the next  
2 regularly scheduled Board meeting;

3 b. Any Claim arising out of the same incident or occurrence at issue in  
4 a pending lawsuit;

5 c. A lien, levy, garnishment, proof of claim, administrative action,  
6 adversary action, or any other action to collect or enforce payment of  
7 taxes, fines, or penalties (including attorneys' fees, costs, and  
8 interest) due to the county;

9 d. Any action to allocate tax deed surplus funds;

10 e. Any action to pursue a subrogation claim;

11 f. Any code enforcement action to enforce the county's regulatory code  
12 provisions including, but not limited to, temporary injunctions to  
13 prevent further disturbance to historic resources or archaeological  
14 sites; and

15 g. Any action in connection with a County Claim that is not addressed  
16 elsewhere in this subpart (c) for which the Claim Amount does not  
17 exceed twenty-five thousand dollars (\$25,000.00).

18 (2) Except as otherwise stated in this section or authorized by any other  
19 provision of the Broward County Code of Ordinances or the Broward County  
20 Administrative Code, approval of the Board is required for the County  
21 Attorney to file an original action to assert a Claim.

22 . . .

23 Section 2. Section 5-539 of the Broward County Code of Ordinances is hereby  
24 amended to read as follows:

**Sec. 5-539. Public nuisance.**

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

1           The County Commission hereby finds that the unauthorized alteration, demolition,  
2 or demolition by neglect of structures or sites designated as historic resources or  
3 archaeological sites is a violation of this article, constituting a public nuisance; and, as  
4 such, the County Attorney, ~~upon approval of the County Commission, or the municipal~~  
5 ~~attorney, upon approval of the governing body of the local government having jurisdiction,~~  
6 may seek an injunction to prevent further disturbances of such historic resources or  
7 archaeological sites without seeking approval from the County Commission, in addition  
8 to any other legal remedies available. A municipal attorney who represents a municipality  
9 within which this ordinance is effective, upon obtaining any approval(s) required by the  
10 applicable municipal charter or code, may also seek an injunction to prevent further  
11 disturbances of such historic resources or archaeological sites in addition to any other  
12 legal remedies available.

13           Section 3.   Severability.

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

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

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

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underscored type are additions.

1 Section 5. Effective Date.

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

3  
4 ENACTED April 26, 2022

5 FILED WITH THE DEPARTMENT OF STATE April 28, 2022

6 EFFECTIVE April 28, 2022

7  
8 Approved as to form and legal sufficiency:  
9 Andrew J. Meyers, County Attorney

10 By /s/ Matthew Haber 03/15/2022  
11 Matthew Haber (date)  
12 Assistant County Attorney

13 By /s/ Maite Azcoitia 03/15/2022  
14 Maite Azcoitia (date)  
15 Deputy County Attorney

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18  
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21 MH/tb  
22 Historic and Archaeological Sites Ordinance  
23 03/15/2022  
24 #41005-0001

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