

ORDINANCE NO. C-03-41

AN ORDINANCE AMENDING SECTION 26-8, IMPOUNDMENT OF VEHICLES, OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE.

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WHEREAS, Section 26-8 of the City Code of Ordinances enumerates the circumstances under which enforcement personnel are authorized to cause to be removed and impounded certain vehicles; and

WHEREAS, upon occasion a tribunal convened pursuant to Chapter 162, Florida Statutes, may make a finding that a particular vehicle is located on private property in violation of City Ordinance and thereby presents a serious threat to the public health, safety, and welfare, and recommends that the City remove the vehicle should the property owner fail to; and

WHEREAS, it is now necessary to amend the enumerated circumstances under which enforcement personnel are authorized to cause to be removed and impounded certain vehicles to include this circumstance; and

WHEREAS, it is the desire of the City Commission of the City of Fort Lauderdale, to amend the enumerated circumstances to amend the enumerated circumstances under which enforcement personnel are authorized to cause to be removed and impounded certain vehicles to authorize enforcement personnel to remove and impound those vehicles included in an order of a tribunal convened pursuant to Chapter 162, Florida Statutes.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That Section 26-8, Impoundment of Vehicles, of the Code of Ordinances of the City of Fort Lauderdale, Florida, is hereby amended to include the following paragraph:

(9) When any tribunal convened pursuant to Chapter 162 Florida Statutes enters a Finding of Fact and Order that any vehicle present on private property is there in violation of the Code of Ordinances of the City of Fort Lauderdale, Florida and this presence is a serious threat to the public health, safety,

and welfare and advises the violator that the City may remove the vehicle should the violator fail to remove it in the time the Order provides, and that a fine and costs of repairs may be imposed; and then finds that the violation persists and enters an Order Imposing a Fine and Cost of Repairs.

SECTION 2. That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

SECTION 3. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 4. That this Ordinance shall be in full force and effect on the date of final passage.

PASSED FIRST READING this the 18th day of November, 2003.

PASSED SECOND READING this the 2nd day of December, 2003.

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Mayor  
JIM NAUGLE

ATTEST:

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City Clerk  
LUCY KISELA