

PROPOSED

ORDINANCE NO. 2017-

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, REPEALING SECTION 21-3 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE") PERTAINING TO THE UNLAWFUL SALE OF HYPODERMIC SYRINGES OR NEEDLES; AND PROVIDING FOR INCLUSION IN THE CODE AND AN EFFECTIVE DATE.

(Sponsored by Mayor Barbara Sharief)

WHEREAS, on December 22, 1970, the Board of County Commissioners ("Board") enacted Ordinance No. 70-10, codified at Section 21-3 of the Broward County Code of Ordinances ("Code"), which makes it unlawful for any person to sell or distribute on a retail basis any hypodermic syringe or needle, designed principally for subcutaneous injection, unless authorized by prescription by a person authorized under Florida law; and

WHEREAS, when enacted in 1970, Section 21-3 of the Code was intended to help prevent drug use by limiting access to syringes for drug users; however, drug recovery support groups indicate that an unintended consequence of restricting access to syringes is an increase in the sharing of needles with the associated risk of spreading of diseases; and

WHEREAS, as the nation's heroin epidemic worsens, there are concerns the problems associated with the sharing of needles will only get worse, and the Centers for Disease Control and Prevention supports the benefits of distributing clean needles to addicts through needle exchange programs; and

WHEREAS, the restrictions under Section 21-3 of the Code also prevent pharmacists from providing syringes to visitors to Broward County who need such

1 syringes to administer their prescribed medication but who did not travel with a copy of
2 their prescription, thereby preventing such visitors from accessing needed medication;
3 and

4 WHEREAS, the Board desires to repeal Section 21-3 of the Code and finds that
5 doing so is in the best interest of the health, safety, and welfare of the people in
6 Broward County, Florida,

7 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
8 BROWARD COUNTY, FLORIDA:

9 Section 1. Section 21-3 of the Broward County Code of Ordinances is hereby
10 repealed in its entirety.

11 Section 2. INCLUSION IN CODE.

12 It is the intention of the Board of County Commissioners that the provisions of
13 this Ordinance shall become and be made a part of the Broward County Code.

14 Section 3. EFFECTIVE DATE.

15 This Ordinance shall become effective as provided by law.

16
17 ENACTED

18 FILED WITH THE DEPARTMENT OF STATE

19 EFFECTIVE

20
21 Approved as to form and legal sufficiency:
Andrew J. Meyers, County Attorney

22 By /s/Patrice M. Eichen 10/11/17
23 Patrice M. Eichen (Date)
Assistant County Attorney

24 PME/dp
10/11/17
Unlawful Sale of Hypodermic Syringes.Ord.doc
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