

# PROPOSED

ORDINANCE NO. 2019-

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO CONSUMER PROTECTION; CREATING SECTION 20-126 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE"); PROVIDING FOR EXEMPTIONS FROM CURRENT REQUIREMENTS FOR CERTAIN TRANSACTIONS BY SECONDHAND DEALERS; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by Commissioner Barbara Sharief)

WHEREAS, the Broward County Code of Ordinances (the "Code") currently requires all secondhand dealers to follow more stringent requirements than the state statute regulating holding secondhand goods and recording transactions; and

WHEREAS, the Board of County Commissioners desires to ease holding and reporting requirements under the Code for several categories of low-risk secondhand sales,

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

Section 1. Section 20-126 of the Broward County Code of Ordinances is hereby created to read as follows:

**Sec. 20-126. Exemptions.**

The following exemptions apply to the requirements of this Article: the secondhand sale of media (such as music, movies, and games); musical instruments; video games and video game consoles; and electronics purchased by secondhand dealers for less than \$250.

Section 2. Severability.

If any portion of this Ordinance is determined by any court to be invalid, the invalid portion will be stricken, and such striking will not affect the validity of the remainder of this Ordinance. If any court determines that this Ordinance, in whole or in part, cannot be legally

1 applied to any individual, group, entity, property, or circumstance, such determination will not  
2 affect the applicability of this Ordinance to any other individual, group, entity, property, or  
3 circumstance.

4 Section 3. Inclusion in the Broward County Code of Ordinances.

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

10 Section 4. Effective Date.

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

**PROPOSED**

13 ENACTED

14 FILED WITH THE DEPARTMENT OF STATE

15 EFFECTIVE

16 Approved as to form and legal sufficiency:  
17 Andrew J. Meyers, County Attorney

18 By /s/ Damaris Y. Henlon 12/12/18  
19 Damaris Y. Henlon (date)  
20 Assistant County Attorney

21 By /s/ Angela J. Wallace 12/12/18  
22 Angela J. Wallace (date)  
23 Deputy County Attorney

24 DYH/hb  
12/26/18  
Secondhand Ord.doc  
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Coding: Words in ~~struck-through~~ type are deletions from existing text. Words in underscored type are additions.