## **PROPOSED**

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1	ORDINANCE NO. 2019-
2	AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS
3	OF BROWARD COUNTY, FLORIDA, PERTAINING TO CONSUMER PROTECTION; CREATING SECTION 20-126 OF THE BROWARD
4	COUNTY CODE OF ORDINANCES ("CODE"); PROVIDING FOR EXEMPTIONS FROM CURRENT REQUIREMENTS FOR CERTAIN
5	TRANSACTIONS BY SECONDHAND DEALERS; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.
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7	(Sponsored by Commissioner Barbara Sharief)
8	WHEREAS, the Broward County Code of Ordinances (the "Code") currently requires
9	all secondhand dealers to follow more stringent requirements than the state statute regulating
10	holding secondhand goods and recording transactions; and
11	WHEREAS, the Board of County Commissioners desires to ease holding and
12	reporting requirements under the Code for several categories of low-risk secondhand sales,
13	BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWARD
14	COUNTY, FLORIDA:
15	Section 1. Section 20-126 of the Broward County Code of Ordinances is hereby
16	created to read as follows:
17	Sec. 20-126. Exemptions.
18	The following exemptions apply to the requirements of this Article: the secondhand
19	sale of media (such as music, movies, and games); musical instruments; video games and
20	video game consoles; and electronics purchased by secondhand dealers for less than \$250.
21	Section 2. <u>Severability</u> .
22	If any portion of this Ordinance is determined by any court to be invalid, the invalid
23	portion will be stricken, and such striking will not affect the validity of the remainder of this
24	Ordinance. If any court determines that this Ordinance, in whole or in part, cannot be legally
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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. Inclusion in the Broward County Code of Ordinances. 4 Section 3. 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. 12 **PROPOSED** 13 **ENACTED** 14 FILED WITH THE DEPARTMENT OF STATE 15 **EFFECTIVE** 16 Approved as to form and legal sufficiency: Andrew J. Meyers, County Attorney 17 18 By /s/ Damaris Y. Henlon 12/12/18 19 Damaris Y. Henlon (date) **Assistant County Attorney** 20 21 By /s/ Angela J. Wallace 12/12/18 22 Angela J. Wallace (date) **Deputy County Attorney** 23 DYH/hb 12/26/18 24 Secondhand Ord.doc #398386 Words in struck-through type are deletions from existing text. Words in Coding:

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