

# PROPOSED

## ORDINANCE NO. 2019-

1 AN ORDINANCE OF THE BOARD OF COUNTY  
2 COMMISSIONERS OF BROWARD COUNTY, FLORIDA,  
3 PERTAINING TO THE WASHINGTON PARK, ROOSEVELT  
4 GARDENS, AND BOULEVARD GARDENS  
5 NEIGHBORHOOD PRESERVATION AND ENHANCEMENT  
6 DISTRICTS; REPEALING ORDINANCES AUTHORIZING  
7 PARTICIPATION IN THE NEIGHBORHOOD  
8 PRESERVATION AND ENHANCEMENT PROGRAM,  
9 CREATING THE NEIGHBORHOOD PRESERVATION AND  
10 ENHANCEMENT DISTRICTS, AND ADOPTING THE  
11 ASSOCIATED NEIGHBORHOOD ENHANCEMENT PLANS  
12 AND AMENDMENTS THERETO; AND PROVIDING FOR  
13 SEVERABILITY AND AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

10 WHEREAS, Section 163.524, Florida Statutes, provides that any municipality or  
11 county may adopt local ordinances authorizing its participation in the Neighborhood  
12 Preservation and Enhancement Program, creating a Neighborhood Preservation and  
13 Enhancement District, and adopting a Neighborhood Enhancement Plan and  
14 amendments thereto;

15 WHEREAS, on January 14, 1997, the Broward County Board of County  
16 Commissioners ("Board") enacted Ordinance No. 97-03, authorizing participation by  
17 Broward County in the Neighborhood Preservation and Enhancement Program;

18 WHEREAS, on March 13, 2001, January 28, 2003, and January 24, 2006, the  
19 Board enacted Ordinance No. 2001-07, Ordinance No. 2003-05, and Ordinance No.  
20 2006-03, authorizing the creation of the Washington Park, Roosevelt Gardens, and  
21 Boulevard Gardens Neighborhood Preservation and Enhancement Districts, respectively;

22 WHEREAS, on October 8, 2002, March 9, 2004, and April 24, 2007, the Board  
23 enacted Ordinance No. 2002-44, Ordinance No. 2004-06, and Ordinance No. 2007-03,  
24 adopting the Washington Park Neighborhood Enhancement Plan, the Roosevelt Gardens

1 Neighborhood Enhancement Plan, and the Boulevard Gardens Neighborhood  
2 Enhancement Plan (collectively "Neighborhood Enhancement Plans"), respectively;

3 WHEREAS, the Board has subsequently enacted Ordinance Nos. 2003-26 and  
4 2004-12 amending the Washington Park Neighborhood Enhancement Plan; Ordinance  
5 Nos. 2005-05, 2006-02, and 2009-24 amending the Roosevelt Gardens Neighborhood  
6 Enhancement Plan, and Ordinance Nos. 2008-50 and 2010-60 amending the Boulevard  
7 Gardens Neighborhood Enhancement Plan;

8 WHEREAS, on September 27, 2012, the Board enacted Ordinance No. 2012-25,  
9 creating the "Central County Community Overlay District" in the Broward Municipal  
10 Services District neighborhoods of Washington Park, Roosevelt Gardens, Boulevard  
11 Gardens, and Franklin Park;

12 WHEREAS, the Central County Community Overlay District incorporates the  
13 requirements of the Neighborhood Enhancement Plans, thereby making retention of the  
14 Neighborhood Enhancement Plans redundant;

15 WHEREAS, in accordance with Section 163.524(11), Florida Statutes, on  
16 February 22, 2019, the Environmental Protection and Growth Management Department,  
17 as the planning agency for Broward County, and the Neighborhood Councils held a joint  
18 public meeting, with due public notice, regarding this proposed Ordinance;

19 WHEREAS, the Environmental Protection and Growth Management Department,  
20 as the local planning agency for the elements of the Broward County Comprehensive  
21 Plan for the unincorporated area, held its public hearing on February 22, 2019, regarding  
22 the consistency of the proposed Ordinance with the adopted Broward County  
23 Comprehensive Plan; and

24

1 WHEREAS, the Board deems it in the best interest of the residents of Broward  
2 County to repeal the ordinances authorizing participation in the Neighborhood  
3 Preservation and Enhancement Program; creating the Washington Park, Roosevelt  
4 Gardens, and Boulevard Gardens Neighborhood Preservation and Enhancement  
5 Districts; and adopting the Neighborhood Enhancement Plans and all amendments  
6 thereto,

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

9 Section 1. The following ordinances are hereby repealed in their entirety:

10	Ordinance No. 97-03	Enacted January 14, 1997
11	Ordinance No. 2001-07	Enacted March 13, 2001
12	Ordinance No. 2002-44	Enacted October 8, 2002
13	Ordinance No. 2003-05	Enacted January 28, 2003
14	Ordinance No. 2003-26	Enacted September 9, 2003
15	Ordinance No. 2004-06	Enacted March 9, 2004
16	Ordinance No. 2004-12	Enacted June 22, 2004
17	Ordinance No. 2005-05	Enacted February 22, 2005
18	Ordinance No. 2006-02	Enacted January 10, 2006
19	Ordinance No. 2006-03	Enacted January 24, 2006
20	Ordinance No. 2007-03	Enacted April 24, 2007
21	Ordinance No. 2008-50	Enacted December 9, 2008
22	Ordinance No. 2009-24	Enacted April 28, 2009
23	Ordinance No. 2010-60	Enacted October 26, 2010

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1 Section 2. Severability.

2 If any portion of this Ordinance is determined by any court to be invalid, the invalid  
3 portion will be stricken, and such striking will not affect the validity of the remainder of this  
4 Ordinance. If any court determines that this Ordinance, in whole or in part, cannot be  
5 legally applied to any individual, group, entity, property, or circumstance, such  
6 determination will not affect the applicability of this Ordinance to any other individual,  
7 group, entity, property, or circumstance.

8 Section 3. Effective Date.

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

10 **PROPOSED**

11 ENACTED

12 FILED WITH THE DEPARTMENT OF STATE

13 EFFECTIVE

14  
15 Approved as to form and legal sufficiency:  
Andrew J. Meyers, County Attorney

16  
17 By /s/ Maite Azcoitia 02/13/19  
18 Maite Azcoitia (date)  
19 Deputy County Attorney

20  
21  
22 MA/gmb  
23 02/13/19  
24 NEP Repeal Ordinance  
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