

ORDINANCE NO. C-25-

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING CHAPTER 2, ARTICLE III., OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, BY AMENDING SECTION 2-43 TITLED "RESTRICTIONS ON EMPLOYMENT OF RELATIVES" TO REMOVE THE RESTRICTION THAT RELATIVES CANNOT WORK IN THE SAME DEPARTMENT; ADDING A RESTRICTION ON SUPERVISING RELATIVES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCE PROVISIONS; PROVIDING FOR CORRECTION OF SCRIVENER'S ERRORS, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 2-43, Restrictions on Employment of Relatives, of the Code of Ordinances of the City of Fort Lauderdale, Florida, among the restrictions on the employment of relatives is the employment of relatives in the same City department; and

WHEREAS, Section 112.3135, Florida Statutes (2025), which also governs the employment practices of the City of Fort Lauderdale, Florida, and provides restrictions on the employment of relatives, does not prohibit the employment of relatives in the same City department provided one employee relative was not appointed, employed, promoted, or advanced by the other, and provided one employee relative did not advocate for the appointment, employment, promotion, or advancement, of the other; and

WHEREAS, it is the City's intent to ease the restrictions on the employment of relatives in City departments while adhering to Section 112.3135, Florida Statutes (2025), as may be amended or revised;

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

SECTION 1. That Section 2-43, Restrictions on Employment of Relatives, of the Code of Ordinances of the City of Fort Lauderdale, Florida, is hereby amended as follows:

Sec. 2-43. - Restrictions on employment of relatives.

- (a) In this section, unless the context clearly requires otherwise, the following words and phrases shall have the meaning herein ascribed to them:
- (1) *Appointing authority* means any officer or employee of the city in whom is vested the authority by law, rule or regulation or to whom the authority has been delegated to appoint, employ, promote or advance individuals or to recommend individuals for appointment, employment, promotion or advancement in connection with employment by the city.
- (2) *City official or employee* means any officer or employee of the city and specifically including every person engaged in any employment relationship with the city under any appointment or contract of hire, whether express or implied, oral or written, for remuneration and including all full-time, part-time, seasonal, permanent and temporary employees. ~~Notwithstanding the provisions of subsections (e) and (g) of this section, the city manager may authorize temporary employment of individuals for any continuous period of four (4) months and assign those individuals to a department in which a relative of such individual is serving, which relative is related to such individual within the degrees of relationship as set forth in paragraph (a)(3) of this subsection.~~
- (3) *Relative* means any individual related to a city official or employee of the city by a degree of consanguinity or affinity as set forth below:

Consanguinity

Father
Mother
Son
Daughter
Sister
Brother
Uncle
Aunt
Nephew
Niece

First cousin
Half brother
Half sister

Affinity

Husband
Wife
Father-in-law
Mother-in-law
Son-in-law
Daughter-in-law
Brother-in-law
Sister-in-law
Stepfather
Stepmother
Stepson
Stepdaughter
Stepsister
Stepbrother

- (b) An appointing authority may not appoint, employ, promote or advance or advocate for appointment, employment, promotion or advancement in or to a position in a department or agency of the city in which such appointing authority is serving or over which such appointing authority exercises jurisdiction or control any individual who is a relative of the appointing authority. An individual may not be appointed, employed, promoted or advanced in or to a position in a department or agency of the city if such appointment, employment, promotion or advancement has been advocated by an appointing authority serving in or exercising jurisdiction or control over the department or agency and who is a relative of the individual.
- (c) Mere approval of budgets shall not be sufficient to constitute "jurisdiction or control" for the purposes of this section.
- (d) Except as provided in this section, an individual appointed, employed, promoted or advanced in violation of this section is not entitled to pay and money may not be paid to an individual so appointed, employed, promoted or advanced.

- (e) The appointing authority may only, to the extent that it does not violate applicable law or any other provision of this section 2-43, authorize the appointment, employment, promotion, or advancement of individuals to a department in which a relative of such individual is serving provided (1) neither relative will directly supervise or otherwise exercise jurisdiction or control over the other relative, and (2) neither relative will supervise or otherwise exercise jurisdiction or control over the direct supervisor of the other relative. ~~No person who is related to an incumbent city employee or official within the degrees of relationship set forth in paragraph (a)(3) of this section shall be hired for employment in the same department in which such incumbent employee is employed or holds an appointive position.~~
- (f) ~~When persons employed in the same department become related to each other within any degree or degrees as set forth in paragraph (a)(3) of this section through acts of affinity or other processes of law~~ and such relationship results in a violation of this section, the city manager will may, where practical and reasonable, transfer one (1) of such employees to another ~~department~~ position that will not be in violation of this section.
- (g) ~~No employee who is related to another city employee within any degree of relationship as set forth in paragraph (a)(3) of this section shall be transferred into the department in which the related employee is assigned or in which he holds an appointive position.~~

SECTION 2. At the direction of the City Attorney, the publisher of the Code of Ordinances of the City of Fort Lauderdale, Florida, is authorized to conform chapter, article, section, subsection, and clause numbers and letters, and capitalization, set forth in the Code of Ordinances of the City of Fort Lauderdale, Florida, and to correct any non-substantive scrivener's errors in the codification of this Ordinance without the need for a public hearing.

SECTION 3. 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 4. That all ordinances or part of ordinances in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

SECTION 5. That this Ordinance shall be in full force and effect immediately upon its passage on second reading.

PASSED FIRST READING this ____ day of _____, 2025.

PASSED SECOND READING this ____ day of _____, 2025.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
DAVID R. SOLOMAN