



**CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING**

#22-0721

TO: Honorable Mayor & Members of the
Fort Lauderdale City Commission

FROM: Alain E. Boileau, City Attorney

DATE: August 16, 2022

TITLE: Ordinance Repealing Ordinance No. C-12-10 adopted May 1, 2012, and Amending Chapter 16, Article VI of the Code of Ordinances of the City of Fort Lauderdale, Florida, to Delete and Replace Section 16-82 entitled “Panhandling, Begging or Solicitation” with Section 16-82 entitled “Obstructing Public Streets and Rights-of-Way.” **(Commission Districts 1, 2, 3 and 4)**

Recommendation

It is recommended that the City Commission adopt the attached proposed Ordinance repealing City of Fort Lauderdale Ordinance No. C-12-10 and delete and replace Section 16-82 entitled “Panhandling, begging or solicitation” from the City of Fort Lauderdale, Florida Code of Ordinances with Section 16-82 entitled “Obstructing public streets and rights-of-way.”

Background

On May 1, 2012, the City Commission of the City of Fort Lauderdale adopted Ordinance No. C-12-10 providing for the prohibition of begging, panhandling or soliciting in, on or at certain designated locations. The regulations were codified in Section 16-82 entitled “Panhandling, begging or solicitation” of the City of Fort Lauderdale, Florida Code of Ordinances. Court opinions issued after the adoption of Ordinance No. C-12-10 have found similar ordinances to be an unconstitutional regulation of speech. Consistent with those court opinions, this proposed ordinance will repeal Ordinance No. C-12-10 and delete and replace Section 16-82 with regulations that address the safety of public streets and rights-of-way.

Resource Impact

The adoption of this Ordinance has no direct fiscal impact on the City of Fort Lauderdale.

Attachments

Exhibit 1 – Ordinance No. C-12-10

Exhibit 2 – Proposed Ordinance

Prepared by: D'Wayne M. Spence, Assistant City Attorney

Charter Officer: Alain E. Boileau, City Attorney