

ORDINANCE NO. C-22-41

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, DELETING CHAPTER 3, ARTICLE I, SECTION 3-1 ENTITLED "ADVERTISING VEHICLES OR WATERCRAFT PROHIBITED" OF THE CITY OF FORT LAUDERDALE, FLORIDA CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS AND REPEAL; PROVIDING FOR CORRECTION OF SCRIVENER'S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission desires to repeal Chapter 2 – entitled "Advertising", Article I – entitled "In General", Section 3-1 entitled "Advertising vehicles or watercraft prohibited" of the City of Fort Lauderdale Code of Ordinances ("Code") in response to recent case law;

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

SECTION 1. That Chapter 2 – entitled "Advertising", Article I – entitled "In General", Section 3-1 entitled "Advertising vehicles or watercraft prohibited" of the Code is hereby deleted as follows:

~~Sec. 3-1. Advertising vehicles or watercraft prohibited.~~

~~(a) It is unlawful for any person to operate, or cause to be operated, any advertising vehicle or watercraft in or upon any roadway, waterway, marine area, or other public place within the city in which the public has the right of travel. An advertising vehicle or watercraft is any wheeled conveyance or any waterborne craft designed or used for the primary purpose of displaying advertisements.~~

~~(b) This section shall not apply to:~~

~~(1) Any vehicle or watercraft which displays an advertisement or business notice of its owner, so long as such vehicle or craft is engaged in the usual business or regular work of the owner, and not used merely, mainly or primarily to display advertisements;~~

~~(2) Buses; or;~~

~~(3) Taxicabs.~~

CODING: Words, symbols, and letters ~~stricken~~ are deletions; words, symbols, and letters underlined are additions.

SECTION 2. That Chapter 2 – entitled “Advertising”, Article I – entitled “In General”, Section 3-2 – 3.25 - entitled “Reserved” of the Code is hereby amended to read as follows:

Sec. ~~3-2~~ 3-1 – 3-25 – Reserved.

SECTION 3. CODIFICATION AND SCRIVENER'S ERRORS. The City intends that this Ordinance will be made part of the Code of Ordinance; that sections of this Ordinance can be re-numbered or re-lettered to accomplish codification and, regardless of whether this Ordinance is ever codified, the Ordinance can be re-numbered or re-lettered, and typographical errors that do not affect the intent can be corrected with the authorization of the City Manager, or his designee, without the need for a public hearing.

SECTION 4. 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 5. That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 6. That this Ordinance shall be in full force and effect upon final passage.

PASSED FIRST READING this 22nd day of September, 2022.

PASSED SECOND READING this ____ day of _____, 2022.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
DAVID R. SOLOMAN

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