

RESOLUTION NO. 16-27

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, FORMALLY ELECTING NOT TO PARTICIPATE IN BROWARD COUNTY'S CIVIL CITATION PROGRAM, DIRECTING THE CITY MANAGER TO DEVELOP AN ADULT CIVIL CITATION PROGRAM, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, On November 10, 2015, the Broward County Board of County Commissioners adopted Ordinance No. 2015-45, which created Section 21-5¹ of the Broward County Code effective November 17, 2015; and

WHEREAS, Section 21-5 of the Broward County Code provides for the issuance of a civil citation for possession of twenty grams or less of cannabis, and provides for associated financial penalties, community service, and education and treatment programs; and

WHEREAS, Subsection 21-5(c)(1) of the Broward County Code provides that the Section "shall be enforceable throughout Broward County, except within the boundaries of any municipality that, by majority vote of the governing body of the municipality, has enacted a conflicting ordinance or has formally elected not to be subject to the provisions of this section."; and

WHEREAS, the City Prosecutor's Office has a diversion program that can be tailored to meet the needs of a civil citation program,

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

SECTION 1. That the City of Fort Lauderdale, by majority vote of its City Commission, formally elects not to be subject to the provisions of Section 21-5. Possession of twenty (20) grams or less of Cannabis, of the Broward County Code.

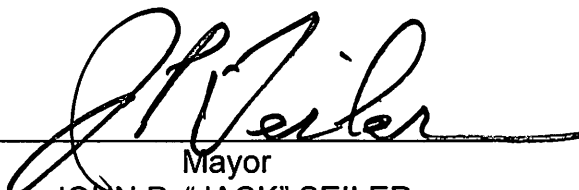
SECTION 2. That the City Commission directs the City Manager to develop an adult civil citation program, subject to review by the City Attorney, that would provide for the issuance of civil citations to individuals found in possession of twenty grams or less of cannabis and individuals charged with other municipal ordinance violations, and that would include an educational program and a treatment program, as appropriate.

¹ Although ordained as Section 21-5 in Ordinance 2015-45, the section was renumbered as Section 21-6 in the Broward County Code. References to Section 21-5 in this Resolution are as provided in Ordinance No. 2015-45.

SECTION 3. That the City Clerk is directed to e-mail a copy of this Resolution to Gretchen Cassini, Assistant to County Administrator, at GCassini@broward.org.


SECTION 4. That this Resolution shall be in full force and effect upon final passage.

ADOPTED this the 16th day of February, 2016.



Mayor
JOHN P. "JACK" SEILER

ATTEST:



City Clerk
JEFFREY A. MODARELLI

L:\COMM 2016\Resolutions\Feb 16\16-27.doc