



CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING

#19-0589

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

FROM: Alain E. Boileau, City Attorney

DATE: June 4, 2019

TITLE: An Ordinance amending Chapter 16, Miscellaneous Provisions and Offenses of the Code of Ordinances of the City of Fort Lauderdale, Florida providing for a prohibition for sexual offenders convicted of crimes under certain Florida Statutes from Living within a certain distance of specified locations within the City of Fort Lauderdale (**Commission Districts 1, 2, 3, and 4**)

Recommendation

It is recommended that the City Commission approve an amendment to Chapter 16, Miscellaneous Provisions and Offenses, Sections 16-126 and 16-127 of the Code of Ordinances of the City of Fort Lauderdale, Florida to conform the residency restrictions contained therein with applicable United States and Florida Constitutional provisions and State law.

Background

On March 23, 2018, the Governor signed into law Florida Chapter 2018-105 which, in part, amended the definitions of “permanent residence”, “temporary residence”, and “transient residence”. Additionally, due to the limitations of affordable housing in the City of Fort Lauderdale, the present residency restrictions for offenders convicted of certain sexual offenses prevents these individuals from obtaining housing thereby causing these individuals to reside on the streets, which impedes law enforcement’s efforts to monitor their compliance with state sexual offender and predator registration laws. Lastly, for the reasons stated above, the present restrictions may raise potential constitutional issues under the Eighth Amendment of the United States Constitution and Article I, Section 17, of the Florida Constitution.

Resource Impact

There is no fiscal impact associated with this proposed ordinance revision.

Attachment

Exhibit 1 – Ordinance

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