

**CITY OF POMPANO BEACH  
Broward County, Florida**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 131, "OFFENSES AGAINST PERSON AND PROPERTY," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 131.24, "UNLAWFUL LODGING AND STORAGE OF PERSONAL PROPERTY," TO PROVIDE ADDITIONAL ENFORCEMENT OPTIONS AND PROCEDURES FOR VIOLATION COMPLAINTS AND NOTICE OF SAME; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to law, ten (10) days' notice has been given by publication in a paper of general circulation in the City, notifying the public of this proposed ordinance and of a public hearing in the City Commission Chambers of the City of Pompano Beach; and

**WHEREAS**, a public hearing before the City Commission was held pursuant to the published notice described above, at which hearing the parties in interest and all other citizens so desiring had an opportunity to be and were, in fact, heard; now, therefore,

**BE IT ENACTED BY THE CITY OF POMPANO BEACH, FLORIDA:**

**SECTION 1.** That Section 131.24, "Unlawful Lodging and Storage of Personal Property," of Chapter 131, "Offenses Against Persons and Property," is amended to read as follows:

**§ 131.24 UNLAWFUL LODGING AND STORAGE OF PERSONAL PROPERTY.**

...

(F) Subsection (D) above shall not apply to any person who is impaired by alcohol or drugs, who has outstanding warrants or other alerts through NCIC/FCIC, or who, within the past year, was previously charged with a violation

of this section. In such instances, an officer may take the person into physical custody or issue a notice to appear.

(G) *Storage of personal property prohibited.* It shall be unlawful, subject to the provisions in this subsection, for any person to store unattended items of personal property on public property, or store attended items of personal property on public property for over 24 hours. No public property may be used for storage of personal property at any time when such property is closed to the public. Violation of this provision shall be punishable as a civil infraction.

(1) A person shall not be charged with a violation of this subsection unless and until they have been given verbal, written or posted notice to remove their personal property, and then fails to do so.

...

(4) Juveniles in violation of this section may also be referred to the Juvenile Services Civil Citation Program authorized by Section 985.12, Florida Statutes.

...

(M) Enforcement.

(1) If an officer, as defined in § 131.24(A), finds a violation of this section, a civil citation may be issued. Only authorized law enforcement officers may issue a notice to appear or take a person into physical custody consistent with the provisions of this section.

...

(N) Complaints/Notice. To ensure the city is provided with proper notice of a Complaint with regard to this section a resident of the city, a business located in the city or the Florida Attorney General may provide written notice of a violation of subsection (B) of this section to the city.

(1) The City Manager shall designate an e-mail address or other electronic submission method to be displayed on the city's website, to serve as the primary means of receiving such written notice.

(2) To enable the city to take reasonable action within the limits of its authority to cure an alleged violation, the written notice must specify:

(a) The location of the violation;

(b) The date(s) of the alleged violation;

and (c) A description or photograph of the alleged violation;

(d) Any other information that will assist the city to address or otherwise cure the alleged violation.

**SECTION 2.** All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed to the extent of such conflict.

**SECTION 3.** If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision of application, and to this end the provisions of this Ordinance are declared to be severable.

**SECTION 4.** This Ordinance shall become effective upon passage.

**PASSED FIRST READING** this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

**PASSED SECOND READING** this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
**REX HARDIN, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**KERVIN ALFRED, CITY CLERK**

/jrm  
10/30/24  
L:ord/ch131/2025-31