

CITY OF POMPANO BEACH
Broward County, Florida

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 155, "ZONING CODE," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 155.4201., "GENERAL," TO PROVIDE RESTRICTIONS FOR THE SALE OF NEW OR USED MERCHANDISE AND/OR GOODS ON CERTAIN CITY PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City's parks, recreational facilities and cultural facilities are intended for use by families and residents of all ages; and

WHEREAS, the City Commission of the City of Pompano Beach desires to ensure that events and activities at all City and Community Redevelopment Agency (CRA) facilities are appropriate for residents of all ages; and

WHEREAS, in accordance with Florida Statutes, Section 166.041(3)(c)2, advertisements in accordance with said statute have been published in a newspaper of general paid circulation in the City of Pompano Beach and of general interest and readership in the community, notifying the public of two public hearings on this proposed Ordinance; and

WHEREAS, two public hearings have been held pursuant to said published hearings and all persons so desiring had the opportunity to be, and were, in fact, heard; now, therefore,

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

SECTION 1. That the preceding "Whereas" clauses are ratified and incorporated as a record of the legislative intent of this Ordinance.

SECTION 2. That the City of Pompano Beach Zoning Code is hereby amended to read as follows:

§ 155.4201. GENERAL

...

B. STANDARDS APPLICABLE TO ALL USES

The following use standards shall be applicable to all uses:

...

12. Sale of new or used merchandise and/or goods.

Unless specifically provided for in a use's definition or a use-specific standard, the sale, exhibition or display of goods or materials that pursuant to state law, may not be sold or transferred to, possessed or viewed by minors is prohibited in any city park, recreational or cultural facility or building owned or leased by the City or the Community Redevelopment Agency (CRA) located in any zoning district within the City. The vending or distribution of beverages lawfully provided to adults for on premise consumption at an event approved by the City or CRA at a city park, recreational or cultural facility, shall not violate this subsection.

...

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 or 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 _____, 2018.

PASSED SECOND READING this _____ day of _____, 2018.

LAMAR FISHER, MAYOR

ATTEST:

ASCELETA HAMMOND, CITY CLERK

MEB/jrm
5/25/18
l:ord/ch155/2018-210