



City Attorney's Communication #2019-485

January 31, 2019

TO: Mayor and City Commission

FROM: James E. Saunders III, Assistant City Attorney

VIA: Mark E. Berman, City Attorney

RE: Text Amendment – Chapter 131
§ 131.24. Unlawful Lodging and Storage of Personal Property

Upon the request of City Management and staff as well as the Broward County Sheriff's Office (BSO), the City Attorney's Office prepared text amendments to Section 131.24 of the Code of Ordinances. I have attached a copy of the Ordinance for your review.

Specifically, the amended Ordinance revises the term "lodging" to further define activities that constitute the use of a public place as a home. The amended Ordinance also restricts enforcement to properties owned or controlled by the City or other public property. Finally, the amended Ordinance refines enforcement against violators by clarifying instances where violators will receive civil citations or notice to appear or be taken into physical custody. Recently, the Chief Judge of the 17th Judicial Circuit created the Community Courts through Administrative Order to handle municipal ordinance violations with a particular focus on addressing root causes of each defendant's behavior and to apply a therapeutic and community service based component to punishment. The amended Ordinance provides the violator an ability to elect to participate in Community Court or for the attendant law enforcement officer to refer the violator to Community Court.

The other provisions remain unchanged.

Thank you for your consideration of this matter. Should you wish to discuss this matter further please contact me at (954) 786-4616.


JAMES E. SAUNDERS III

JES:jrm
L:cor/comsn/2019-485

Attachment