

**ORDINANCE NO. 2016-12**

**AN ORDINANCE ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, AMENDING CHAPTER 9 OF THE CITY OF GREENACRES CODE ENTITLED "MISCELLANEOUS OFFENSES" TO ADD SECTION 9-6 AND A REFERENCE TO THE PALM BEACH COUNTY SOLICITATION AND DISTRIBUTION ON PUBLIC ROADS REGULATIONS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on June 23, 2015, the Palm Beach County Board of County Commissioners adopted Ordinance 2015-025 establishing regulations concerning solicitation and distribution on public roads which was codified in Chapter 18, Article I, Section 18-7; and

**WHEREAS**, on August 18, 2015, the City executed a contract with the Palm Beach County Sheriff's Office for law enforcement services within the City of Greenacres; and

**WHEREAS**, effective February 1, 2016, the Palm Beach County Sheriff's Office took over law enforcement services within the City of Greenacres; and

**WHEREAS**, the Palm Beach County Code of Ordinances allows for the solicitation and distribution regulations to apply in municipalities that elect to have the regulations apply within their jurisdiction; and

**WHEREAS**, for improved efficiency and public safety, the City desires to implement the County solicitation and distribution ordinance within the City limits.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF GREENACRES, FLORIDA AS FOLLOWS:**

**Section 1.** Chapter 9, Article I is hereby amended as follows:

\* \* \* \* \*

Sec. 9-8 – Solicitation and Distribution on Public Roads.

Regulations concerning solicitation and distribution on public roads are contained in Chapter 18, Article I, Section 18-7 of the Palm Beach County Code.

DIVISION 2. - Reserved.

Secs. ~~9-8~~ 9-9 – 9.15. - Reserved.

*[Sections 9-1 through 9-7 are unchanged and are omitted for brevity]*

\* \* \* \* \*

**Section 2. Repeal of Conflicting Ordinances.**

All Ordinances or parts thereof or parts of the Code conflicting or inconsistent with the provisions of this Ordinance are hereby repealed.

**Section 3. Severability.**

If any section, part of a section, paragraph, sentence, clause, phrase or word of this Ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holdings of invalidity shall not affect the remaining portion of this Ordinance and it shall be construed to have been the legislative intent to pass the Ordinance without such unconstitutional, invalid or inoperative part therein, and the remainder of this Ordinance after the exclusion of such part or parts shall be deemed to be held valid as if such part or parts had not been included therein, or if this Ordinance or any of the provisions thereof shall be held inapplicable to any person, group of persons, property, kind of property, circumstances, or set of circumstances, such holdings shall not affect the applicability thereof to any other person, property or circumstances.

**Section 4.**     **Inclusion in Code.**

It is the intention of the City Council, entered as hereby ordained, that the provisions of this Ordinance shall become and be made a part of the Code of Laws and Ordinances of the City of Greenacres, Florida; that the Section(s) of this Ordinance may be renumbered or re-lettered to accomplish such intention, and that the word "Ordinance" may be changed to "Section", "Article" or another word.

**Section 5.**     **Effective Date.**

The provisions of this Ordinance shall become effective upon its adoption.

Passed on the first reading this 22<sup>nd</sup> day of February, 2016.

PASSED AND ADOPTED on the second reading this 7<sup>th</sup> day of March,  
2016.

Voted

\_\_\_\_\_  
Samuel J. Ferreri  
Mayor

\_\_\_\_\_ ( )  
Jonathan G. Pearce  
Deputy Mayor

Attest:

\_\_\_\_\_  
Denise McGrew  
City Clerk

\_\_\_\_\_ ( )  
Lisa Rivera  
Councilwoman, District I

\_\_\_\_\_ ( )  
Peter Noble  
Councilman, District II

\_\_\_\_\_ ( )  
Judith Dugo  
Councilwoman, District III

\_\_\_\_\_ ( )  
Paula Bousquet  
Councilwoman, District V

Approved as to Form and Legal Sufficiency:

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James D. Stokes  
City Attorney