

EXHIBIT 1  
ORDINANCE NO. 2022-

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF  
THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING  
SECTION 13-36 CHAPTER 13, ARTICLE II, "CLEANLINESS  
AND SAFETY OF PUBLIC AND PRIVATE PREMISES";  
CREATING SECTION 13-43 ENTITLED "ILLEGAL DUMPING";  
PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION;  
PROVIDING FOR SEVERABILITY; AND PROVIDING AN  
EFFECTIVE DATE.

**WHEREAS**, the City of Hallandale Beach continues to be plagued with inordinate amounts of littering and illegal dumping on the public rights-of-way and private properties; and

**WHEREAS**, in the past five (5) months, the City's code enforcement cases related to illegal dumping increased to forty-eight percent (48%) of overall code cases; and

**WHEREAS**, to facilitate the goal of reducing and abating illegal dumping and trash violations throughout the City, among other focused strategies, staff recommends amending city code section 13-36 (c), by re-categorizing illegal dumping into newly created code section 13-43 and also reclassifying illegal dumping as a class IV civil violation subject to a five hundred dollar fine; and

**WHEREAS**, the Mayor and City Commission have determined that the proposed amendments are in the best interest of the City of Hallandale Beach and its residents and hereby adopt this ordinance, amending section 13-36 and creating code section 13-43.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA:**

**SECTION 1:** Chapter 13, Section 13-36, Article II of the City of Hallandale Beach's Code of Ordinances is hereby amended and reads as follows:

**Sec. 13-36. Accumulation or storage of junk.**

- (a) It shall be unlawful for any person to cause or permit junk, scrap metal, scrap lumber, wastepaper products, discarded building materials, any unused abandoned vehicle, or abandoned vehicle parts, machinery or machinery parts, or other waste materials to be

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in or upon any yard, garden, lawn, outbuilding or premises in the city. Any business enterprise must obtain a special license or permit to store or stock any such items of this nature, the license or permit to show the items to be stored.

(b) It shall be unlawful to permit any accumulation of any such waste materials to be in or upon any yard, lawn, garden, outbuilding or premises in the city if the accumulation constitutes a fire hazard, a hazard to the safety of persons or property, or an unsanitary condition.

~~(c) It shall be unlawful for any person to discard or abandon any of the waste materials mentioned in subsection (a) of this section upon premises not owned or occupied by such person with or without the consent of the owner or the person occupying the premises.~~

**SECTION 2:** Section 13-43, Article II of the City of Hallandale Beach's Code of Ordinances is hereby created and reads as follows:

**Sec. 13-43. Illegal Dumping**

It shall be unlawful for any person or business to discard or abandon any of the waste materials listed in Sec. 13-36 (a) upon premises not owned or occupied by such person or business with or without the consent of the owner or the person occupying the premises.

a) Any Code Enforcement action taken under this section shall not preclude criminal prosecution of the violator pursuant to city code section 1-8.

b) Any business found in violation of this section may result in revocation of certificate of use issuance pursuant to code section 32-19.

c) Any residential rental property cited three (3) times in a 12-month period may result in revocation of certificate of use issuance pursuant to code section 32.19.

d) A violation of this code section when cited as a civil citation shall be cited as a Class IV violation.

Secs. 13-4344—13-60. - Reserved.

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**SECTION 3. Conflict.** All ordinances or portions of the Code of Ordinances of the City of Hallandale Beach in conflict with the provisions of this ordinance shall be repealed to the extent of such conflict.

**SECTION 4. Codification.** It is the intention of the Mayor and City Commission that the provisions of this ordinance be incorporated into the Code of Ordinances; to effect such intention the words "ordinance" or "section" may be changed to other appropriate words.

**SECTION 5. Severability.** Should any provision of this ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part declared to be invalid.

**SECTION 6. Effective Date.** This Ordinance shall become effective upon adoption.

PASSED AND ADOPTED ON 1<sup>ST</sup> reading on \_\_\_\_\_, 2022.

PASSED AND ADOPTED ON 2<sup>ND</sup> reading on \_\_\_\_\_, 2022.

\_\_\_\_\_  
JOY F. COOPER  
MAYOR

SPONSORED BY: CITY ADMINISTRATION

ATTEST:

\_\_\_\_\_  
JENORGEN M. GUILLEN, CMC  
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY  
AND FORM

\_\_\_\_\_  
JENNIFER MERINO  
CITY ATTORNEY

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