

ORDINANCE NO. C-25-

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING CHAPTER 2, ARTICLE VIII OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, TO PROHIBIT LOBBYING OR LOBBYING ACTIVITIES BY CITY BOARD MEMBERS OR CITY COMMITTEE MEMBERS, MORE SPECIFICALLY AMENDING SECTION 2-261 TO PROVIDE FOR NEW DEFINITIONS, CREATING SECTION 2-265 TO PROHIBIT THE APPOINTMENT OF LOBBYISTS TO CITY BOARDS AND CITY COMMITTEES AND TO PROHIBIT LOBBYING OR LOBBYING ACTIVITIES BY MEMBERS OF CITY BOARDS AND CITY COMMITTEES, AND AMENDING SECTION 2-266 TO PROVIDE PENALTIES FOR VIOLATING ARTICLE VIII; PROVIDING FOR CORRECTION OF SCRIVENER'S ERRORS, SEVERABILITY, REPEAL OF CONFLICTING ORDINANCES, AND AN EFFECTIVE DATE.

WHEREAS, under both the United States Constitution and the Florida Constitution, people have the fundamental right to petition their government, which includes a right to lobby their government; and

WHEREAS, the City of Fort Lauderdale also has a compelling interest in protecting against both the appearance of and actual government corruption, and may regulate lobbying to accomplish this compelling interest; and

WHEREAS, when regulating lobbying, the City must balance fundamental First Amendment freedoms against its compelling interests, including its interests in preserving and maintaining the integrity of and public confidence in the governmental decision-making process, while also ensuring that its regulation is closely tailored to this end so that the City does not burden more speech than necessary; and

WHEREAS, the City, through this enactment, seeks to establish lobbying restrictions for members of City Boards, Committees, taskforces and the like, to protect against the appearance of and actual government corruption;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That Section 2-261 of the Code of Ordinances of the City of Fort Lauderdale, Florida, is hereby amended to provide as follows:

Sec. 2-261. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this article, except where the context clearly indicates a different meaning:

City Board means a group of persons established by city ordinance who are collectively charged with specific powers and duties and function as a collegial body as provided within their respective establishing ordinance.

City Committee means a group of persons established by city resolution who are collectively charged with specific powers and duties and function as a collegial body as provided within their respective establishing resolution. This term also includes task forces and the like.

Lobbying or *lobbying activities* shall be defined as in the Broward County Code of Ordinances, section 1-19, Code of Ethics for Elected Officials.

Lobbyist shall be defined as in the Broward County Code of Ordinances, section 1-19, Code of Ethics for Elected Officials.

Person means any individual, business, corporation, association, firm, partnership, nonprofit organization or other organization or group.

SECTION 2. That Section 2-265 of the Code of Ordinances of the City of Fort Lauderdale, Florida, is hereby created to provide as follows:

Sec. 2-265. – Reserved. Lobbying or Lobbying Activities by City Board Members and City Committee Members; Prohibition.

The restrictions stated in this section shall apply to any person nominated, appointed, or both, to serve as a member of a city board or city committee. For the purposes of this section the terms city board or city committee shall exclude authorities, special districts, and similar collegial bodies created by an act of the Florida Legislature and the Citizens' Committee of Recognition.

CODING: Words, symbols, and letters ~~stricken~~ are deletions; words, symbols, and letters underlined are additions.

- (a) Prohibition on appointment of lobbyists to city boards and city committees. No person who is required to register with the city clerk as a lobbyist, other than professionals who prepare documents or provide expert advice in their field of expertise, such as architects, engineers and consultants who interpret plans (Design Professional), shall serve on any city board or city committee. Any person who is required to register as a lobbyist, other than Design Professionals, subsequent to being appointed to a city board or city committee shall be disqualified from participating on the city board or city committee from the date that the person knew, or reasonably should have known, that he or she was required to register. No person, other than Design Professionals, shall be appointed to a city board or city committee for a period of nine (9) months from the time the person files a statement with the city clerk withdrawing his or her registration as a lobbyist.
- (b) Prohibition on lobbyists serving on city boards and city committees. No member of a city board or city committee, other than Design Professionals, shall, during the member's term of appointment, engage in lobbying or lobbying activities, as those terms are defined in this Article, with the City Commission, a City board, committee, taskforce and the like, or any member thereof, or the City Manager or City staff.

SECTION 3. That Section 2-266 of the Code of Ordinances of the City of Fort Lauderdale, Florida, is hereby amended to provide as follows:

Sec. 2-266. - Penalties.

Violation of any provision of this article shall be punishable by reprimand, censure or a prohibition of the violator from lobbying the city commission, city board or committee or any member thereof or the city manager or city staff for a period not to exceed two (2) years. The City Commission, through the adoption of a resolution by majority vote, may remove for cause any member who violates the provisions of this Article, except when inconsistent with City Charter, general or special law. This authority of the City Commission to remove members for cause shall be cumulative with any other legislation governing city boards and city committees

SECTION 4. At the direction of the City Manager, the publisher of the Code of Ordinances of the City of Fort Lauderdale, Florida, is authorized to conform chapter, article, section, subsection, and clause numbers and letters, and capitalization, set forth in the Code of Ordinances of the City of Fort Lauderdale, Florida, and to correct any non-substantive scrivener's errors in the codification of this Ordinance without the need for a public hearing.

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SECTION 5. That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby but shall remain in full force and effect.

SECTION 6. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 7. That this Ordinance shall be in full force and effect upon final passage.

PASSED FIRST READING this ____ day of _____, 2025.

PASSED SECOND READING this ____ day of _____, 2025.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
DAVID R. SOLOMAN