



RESOLUTION

68-2022

A RESOLUTION OF THE CITY OF BOCA RATON
AMENDING THE "SCHEDULE OF MINIMUM CIVIL
PENALTIES FOR VIOLATIONS ENFORCED PURSUANT TO
SECTION 9-60, CODE OF ORDINANCES," (RESOLUTION
NO. 163-2018, AS AMENDED) TO PROVIDE FOR A CIVIL
PENALTY FOR VIOLATIONS OF SECTION 9-6
(PROHIBITING SMOKING OF ELECTRONIC CIGARETTES)
AND FOR SECTION 9-7 (PROHIBITING SMOKING IN PARKS
AND ON BEACHES OWNED BY THE CITY); PROVIDING
FOR SEVERABILITY; PROVIDING FOR REPEALER;
PROVIDING AN EFFECTIVE DATE

WHEREAS, Section 9-60, Code of Ordinances, authorizes the issuance of citations by
Code Enforcement Officers, as defined therein, directly to individuals for violations of certain
provisions of the Code of Ordinances expressly set forth in Section 9-60(2), Code of Ordinances;
and

1 WHEREAS, Section 9-60(6)(d), Code of Ordinances, provides that the minimum civil
2 penalties for violations of the Code of Ordinances enforced pursuant to Section 9-60, Code of
3 Ordinances, shall be established by the City Council by resolution; and

4 WHEREAS, the City Council previously adopted a "Schedule of Minimum Civil
5 Penalties for Violations Enforced Pursuant to Section 9-60, Code of Ordinances" (Resolution No.
6 163-2018); and

7 WHEREAS, the City Council previously adopted Ordinance No. 5303, which created
8 Section 9-6, prohibiting smoking of electronic cigarettes in enclosed indoor workplaces within the
9 city, and it now desires to amend the "Schedule of Minimum Civil Penalties for Violations Enforced
10 Pursuant to Section 9-60, Code of Ordinances;" (Resolution No. 163-2018, as amended) to add
11 Section 9-6 to Section 9-60 for enforcement; and

12 WHEREAS, the City Council is concurrently considering Ordinance No. 5624, which
13 would provide for the prohibition of smoking in parks and on beaches owned by the City; and

14 WHEREAS, the City Council desires to amend the "Schedule of Minimum Civil
15 Penalties for Violations Enforced Pursuant to Section 9-60, Code of Ordinances" (Resolution No.
16 163-2018, as amended) to add Section 9-7 of the Code of Ordinances for enforcement; now
17 therefore

18
19 BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BOCA RATON:
20

21 Section 1. The City Council hereby amends the "Schedule of Minimum Civil Penalties
22 for Violations Enforced Pursuant to Section 9-60, Code of Ordinances," (Resolution No.
23 163-2018) as reflected in the attached Exhibit "A."

24 Section 2. If any section, subsection, clause or provision of this resolution is held
25 invalid, the remainder shall not be affected by such invalidity.
26

Section 3. All resolutions or parts of resolutions in conflict herewith shall be and hereby are repealed.

Section 4. This resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED by the City Council of the City of Boca Raton this 23rd day of August, 2022.

CITY OF BOCA RATON, FLORIDA

ATTEST:



Scott Singer, Mayor

Mary Siddons
Mary Siddons, City Clerk

MA
R22107

COUNCIL MEMBERS	YES	NO	ABSTAINED
MAYOR SCOTT SINGER	✓		
DEPUTY MAYOR ANDREA LEVINE O'ROURKE	✓		
COUNCIL MEMBER YVETTE DRUCKER	✓		
COUNCIL MEMBER MONICA MAYOTTE	✓		
COUNCIL MEMBER ANDY THOMSON	✓		

Exhibit A

**Schedule of Minimum Civil Penalties for Violations Enforced Pursuant to Section 9-60,
Code of Ordinances**

Code Section	Description	Minimum Civil Penalty
Sec. 4-2	Hours of Operation	\$250.00
Sec. 5-39	Number of Dogs and Cats Restricted	\$50.00
Sec. 7-26	Florida Fire Prevention Code - Chapter 14 (Means of Egress inside a Building or Structure)	\$250.00
Sec. 7-26	Florida Fire Prevention Code - Chapter 18 (Fire Department Access, Roads, Fire Lanes)	\$150.00
<u>Sec. 9-6</u>	<u>Regulation of electronic cigarettes in a similar manner as tobacco cigarettes</u>	<u>\$100.00</u>
<u>Sec. 9-7</u>	<u>Prohibition of smoking in parks and on beaches owned by the city</u>	<u>\$100.00</u>
Sec. 10-1	Maintenance of Lots, Structures	\$50.00
Sec. 10-27	Litter, Untended Vegetation and Stagnant Water – Prohibited, Declared Public Nuisance	\$50.00
Sec. 10-54	Creation of excessive noise unlawful	\$150.00
Sec. 10-55	Noise from buildings or premises	\$100.00
Sec. 10-60(1)	Animal Noises	\$25.00

Sec. 10-118	Storing, parking or leaving on private property (wrecked or inoperable vehicles)	\$75.00
Sec. 13-1	Distribution of Handbills, Other Printed Material	\$50.00
Sec. 14-7	Solid Waste Precollection Procedures	\$25.00
Sec. 14-20(1)- (4), (6)-(13)	Prohibited Activities (Solid Waste)	\$50.00
Sec. 14-20(5)	Littering, general penalty	\$50.00
	(a) Littering in or upon storm drains, canals, lakes, or other bodies of water	\$100.00
	(b) Littering of facemasks, face shields, gloves, or other personal protective equipment anywhere within the city	\$250.00
Sec. 18-46	Certificate of Convenience and Necessity Required to Operate a Taxicab or Limousine	\$100.00
Sec. 19-168	Impact of Construction	\$150.00
Sec. 19-169	Site Debris (Construction)	\$50.00
Sec. 19-170	Site Debris & Material Hurricane Declaration Warning	\$500.00
Sec. 24-6	Unlawful Signs, Sign Structures	\$25.00
Sec. 25-255	Personal Property Permitted in Swale Areas; Standards for Placement	\$25.00
Sec. 28-720(d)	Outdoor Storage of Motor Vehicles in the NCB Zoning District	\$100.00

Sec. 28-720(e)	Outdoor Storage of any Kind in the NCB Zoning District	\$50.00
Sec. 28-721	Conformance with Requirements for Retail and Business Uses in the NCB Zoning District	\$50.00
Sec. 28-1266	Downtown Development of Regional Impact Regulations	\$50.00
Sec. 28-1311	Garage Sales	\$150.00
Sec. 28-1328	Emission or Creation of Noise, Vibration, Smoke, Dust or other Particulate Matter, Toxic or Noxious Waste Materials, Odors, Fire and Explosive Hazard or Glare	\$75.00
Sec. 28-1507	Parking, Storage, Keeping of Certain Vehicles	\$50.00
Sec. 28-1509	Parking in residential districts - parking on grass, unscreened recreational vehicle, boat or trailer	\$50.00
Sec. 28-1532	Outdoor Display of Merchandise	\$50.00
Sec. 28-1651	Unlawful Elimination of Required Parking or Landscaping	\$100.00