

SUNRISE, FLORIDA

ORDINANCE NO. 438-09-A

AN ORDINANCE OF THE CITY OF SUNRISE, FLORIDA, AMENDING SECTIONS 2-400 AND SECTION 2-401 OF THE CITY CODE; REVISING THE REQUIREMENTS FOR OFF-DUTY POLICE DETAILS AND OFF-DUTY FIRE-RESCUE DETAILS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CITY CODE; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SUNRISE, FLORIDA:

Section 1. That section 2-400 of the Code of the City of Sunrise, Florida, is hereby amended to read as follows:

Sec. 2-400. Off-duty police details.

(b) The department may facilitate the employment of city police officers and public service aides by separate and independent private employers needing off-duty police or traffic control services. Such employment may be by either annual permit, contract, or both, as may be approved by the city attorney's office. No permit or contract shall in any way limit or restrict officers from discharging their primary law enforcement responsibilities or preventing and detecting crime. The department will maintain a roster of personnel

who, at their sole option, wish to perform such work. The department will select the personnel for such off-duty details from the roster of those who wish to participate. Police officers serving in executive/management may not participate in off-duty details, except that the Police Chief or designee may assign executive/management personnel, except the Chief and Deputy Chief, to supervise significant events in an off-duty detail capacity as he deems necessary.

Section 2. That section 2-401 of the Code of the City of Sunrise, Florida, is hereby amended to read as follows:

Sec. 2-401. Off-duty fire-rescue details.

(b) The department may facilitate the employment of city firefighters by separate and independent private employers needing off-duty fire-rescue services. Such employment may be by either permit, contract, or both, as may be approved by the city attorney's office, or by order of the fire chief in the case of a standby firewatch. No permit or contract shall in any way limit or restrict firefighters from discharging their primary responsibilities of preventing and detecting fires or other life threatening conditions. The department will maintain a roster of firefighters who, at their sole option, wish to perform such work. The department will select the

firefighters for such off-duty details from the roster of those who wish to participate. Firefighters serving in executive/management positions may not participate in off-duty details, except that the Fire Chief or designee may assign executive/management personnel, except the Chief and Deputy Fire Chief, to supervise significant events in an off-duty detail capacity as he deems necessary.

Section 3. Conflict. All ordinances or parts of ordinances, all City Code sections or parts of City Code sections, and all resolutions or parts of resolutions in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 4. 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 5. Inclusion in the City Code. It is the intention of the City Commission, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of the City of Sunrise, Florida.

Section 6. Effective Date. This Ordinance shall be effective immediately upon its passage.

PASSED AND ADOPTED upon this first reading this 8TH DAY OF SEPTEMBER, 2009.

PASSED AND ADOPTED upon this second reading this 21ST DAY OF SEPTEMBER, 2009.

Mayor Roger B. Wishner

Authentication:

Felicia M. Bravo
City Clerk

FIRST READING

SECOND READING

MOTION: SCUOTTO
SECOND: ROSEN

MOTION: ROSEN
SECOND: SCUOTTO

ALU: YEA
ROSEN: NAY
SCUOTTO: YEA
SOFIELD: YEA
WISHNER: YEA

ALU: YEA
ROSEN: YEA
SCUOTTO: YEA
SOFIELD: YEA
WISHNER: YEA

Approved by the City Attorney
As to Form and Legal Sufficiency.

Stuart R. Michelson