

**PROPOSED RESOLUTION NO. 2018-R-40**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, URGING AND REQUESTING THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES TO DEPUTIZE THE CITY OF PEMBROKE PINES CODE ENFORCEMENT OFFICERS IN ORDER TO ALLOW THE CITY'S CODE ENFORCEMENT OFFICERS TO INSPECT GAS PUMPS TO PROTECT RESIDENTS FROM CREDIT CARD SKIMMER DEVICES AT FUELING STATIONS WITHIN THE CITY OF PEMBROKE PINES; AUTHORIZING ALL NECESSARY ACTIONS TO IMPLEMENT THE INTENT OF THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, "Skimmers" inserted in self-service Gasoline Dispensers are used to steal Consumer Card data from consumers paying at the Service and Filling Station dispensers across the City; and

**WHEREAS**, Ch. 155.76, F.S., entitled Consumer Card Security Measures, provides for the regulation and enforcement against Skimmers.

**WHEREAS**, Ch. 525, F.S., entitled "Gasoline and Oil Inspection", establishes statewide uniformity related to the regulation and use of petroleum fuel measuring devices, including providing the Department with authority to enforce the provisions relating to credit card skimmers at fuel pumps; and;

**WHEREAS**, section 570.65, F.S. provides that the Department may maintain a law enforcement agency; and

**WHEREAS**, the City desires to reduce the victimization of credit card skimming and increase apprehension of criminals associated with this crime;

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**WHEREAS**, in an effort to increase credit card security and prevent future victimization, the City requests that the Department deputize the City's Code Enforcement Officers in order to allow the City's Code Enforcement Officers to conduct investigations and enforce the law related to credit card skimming devices; and

**WHEREAS**, the City Commission deems it to be in the best interests of the health, safety, welfare of the citizens and residents of the City for the Department to deputize the City's Code Enforcement Officers to assist with the enforcement of state law prohibiting skimmers at fueling stations.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION  
OF THE CITY OF PEMBROKE PINES, FLORIDA, THAT:**

**Section 1.** The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution.

**Section 2.** The City Commission of the City of Pembroke Pines, Florida, hereby urges the Department to deputize the City's Code Enforcement Officers in order to allow the City's Code Enforcement Officers to conduct investigations and enforce the law related to credit card skimming devices.

**Section 3.** The City Clerk is hereby directed to transmit a copy of this Resolution to the Department.

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**Section 4.** The City authorizes the City Manager and his/her designees to take all action necessary to implement the intent of this Resolution.

**Section 5.** All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

**Section 6.** If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

**Section 7.** This Resolution shall become effective immediately upon its passage and adoption.

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**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF  
PEMBROKE PINES, FLORIDA, THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2018.**

CITY OF PEMBROKE PINES, FLORIDA

ATTEST:

\_\_\_\_\_  
MARLENE GRAHAM, CITY CLERK

By: \_\_\_\_\_  
MAYOR FRANK C. ORTIS

ORTIS \_\_\_\_\_

CASTILLO \_\_\_\_\_

GOOD \_\_\_\_\_

APPROVED AS TO FORM:

SCHWARTZ \_\_\_\_\_

SIPLE \_\_\_\_\_

\_\_\_\_\_  
OFFICE OF THE CITY ATTORNEY