

RESOLUTION NO. 17R-03-72

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA, OPPOSING HOUSE BILL 17; URGING THE FLORIDA LEGISLATURE TO REJECT HOUSE BILL 17 RELATED TO ADOPTING OR IMPOSING A NEW REGULATION ON A BUSINESS, PROFESSION AND OCCUPATION AFTER JANUARY 1, 2017 UNLESS THE REGULATION IS EXPRESSLY AUTHORIZED BY GENERAL LAW; DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE GOVERNOR, THE BROWARD LEGISLATIVE DELEGATION AND OTHER MEMBERS OF THE FLORIDA LEGISLATURE, AND THE BOARD OF COUNTY COMMISSIONERS FOR BROWARD COUNTY; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (REQUESTED BY COMMISSIONER HAYWARD J. BENSON, JR.)

WHEREAS, on January 31, 2017, Florida House of Representatives Bill 17 ("HB17") was filed, which prevents a local government from adopting or imposing a new regulation on a business, profession, and occupation after January 1, 2017 unless the regulation is expressly authorized by general law; and

WHEREAS, the Bill also provides the preemption of the regulation of businesses, professions, and occupations to the State and supersedes any local government regulation of businesses, professions and occupations. Any local government regulation of businesses, professions, and occupations adopted prior to January 1, 2017 without general law authority would expire on January 1, 2020; and

WHEREAS, if passed, HB17 would take away the City's home rule authority to regulate businesses, professions, and occupations; and

WHEREAS, local governments are in a better position to craft regulations that particularly address problems specific to their community without the need for state intervention; and

WHEREAS, the City Commission deems it to be in the best interests of the citizens and residents of the City to oppose HB17, and further urges the Florida Legislature to reject the same;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LAUDERHILL, 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 Lauderhill, Florida hereby opposes HB17 and urges all municipalities in Broward County to join in this opposition. The City Commission hereby further urges the Florida Legislature to reject HB17.

Section 3. The City Clerk is hereby directed to provide a certified copy of this Resolution to the Governor of the State of Florida, the Broward County Legislative Delegation and other members of the Florida Legislature, and the Board of County Commissioners for Broward County.

Section 4. All resolutions or parts of resolutions on in conflict herewith be, and the same are hereby repealed to the extent of such conflict.

Section 5. If any clause, section, other part of 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 6. This Resolution shall take effect immediately upon its passage.

DATED this _____ day of _____, 2017.

PASSED AND ADOPTED on first reading this _____ day of _____, 2017.

PRESIDING OFFICER

ATTEST:

CITY CLERK

MOTION _____
SECOND _____

M. BATES _____
H. BENSON _____
H. BERGER _____
K. THURSTON _____
R. KAPLAN _____

Approved as to Form

W. Earl Hall
City Attorney