

RESOLUTION NO. 21R-03-67

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA, OPPOSING SENATE BILL 266 AND HOUSE BILL 403, THAT WOULD PREEMPT LOCAL GOVERNMENTS FROM ADOPTING ANY ORDINANCES OR RESOLUTIONS THAT WOULD REGULATE HOME-BASED BUSINESSES; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY COMMISSIONER LAWRENCE "JABBOW" MARTIN).

WHEREAS, on December 14, 2020, Florida Senator Keith Perry filed Senate Bill 266, seeking to preempt local governments from adopting ordinances or other regulations that would regulate home-based businesses; and

WHEREAS, on January 25, 2021, a companion bill was filed in the House of Representatives, House Bill 403; and

WHEREAS, under the Florida Constitution and Section 166.021, Florida Statutes, municipalities are given broad home rule powers; and

WHEREAS, as part of their home rule powers, municipalities have the ability to regulate zoning and development standards, including building design standards; and

WHEREAS, municipalities should continue to have the power to decide what is consistent with the needs of their own communities; and

WHEREAS, if Senate Bill 266 and House Bill 403 are passed, it would violate the home rule powers of municipalities; and

WHEREAS, the City Commission continues to advocate for the protection of home rule powers and opposes Senate Bill 266 and House Bill 403; and

WHEREAS, the City Commission believes it is in the best interest of the City to approve this Resolution;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA, THAT:

Section 1: The foregoing recitals contained in the preamble to this Resolution are adopted and incorporated by reference herein.

Section 2: The City Commission of the City of Lauderhill opposes Senate Bill 266 and House Bill 403.

Section 3: The City Clerk is directed to distribute this Resolution to Governor Ron DeSantis, the President of the Florida Senate, the Speaker of the Florida House of Representatives, the Broward County Legislative Delegation,

the Florida League of Cities, the Florida Association of Counties, the Florida City County Management Association, the Board of County Commissioners for Broward County, the Broward County League of Cities, each of the municipalities in Broward County, the media and any interested party.

Section 4: The appropriate City officials are authorized to execute all necessary documents and to take any necessary action to effectuate the intent of this Resolution.

Section 5. This Resolution shall take effect immediately upon its passage.

DATED this _____ day of _____, 2021.

PASSED AND ADOPTED on first reading this _____ day of _____, 2021.

PRESIDING OFFICER

ATTEST:

CITY CLERK

MOTION _____
SECOND _____

M. DUNN _____
D. GRANT _____
L. MARTIN _____
S. MARTIN _____
K. THURSTON _____

Approved as to Form

W. Earl Hall
City Attorney