

RESOLUTION NO. 2017-03

A RESOLUTION OF THE TOWN OF BELLEAIR, FLORIDA, URGING ALL MEMBERS OF THE FLORIDA LEGISLATURE TO OPPOSE HB17 AND SB 1158 WHICH PREEMPTS LOCAL BUSINESS REGULATIONS, PROHIBITS LOCAL GOVERNMENT FROM IMPOSING OR ADOPTING ANY NEW REGULATIONS ON BUSINESSES UNLESS EXPRESSLY AUTHORIZED BY THE LEGISLATURE; DIRECTING TOWN ADMINISTRATION TO TRANSMIT A CERTIFIED COPY OF THIS RESOLUTION TO THE SUNCOAST LEAGUE OF CITIES, THE FLORIDA LEAGUE OF CITIES, THE PINELLAS COUNTY LEGISLATIVE DELEGATION, AND ANY OTHER INTERESTED PARTIES;

WHEREAS, Cities are voluntarily created and chartered by their citizens as the embodiment of local self-determination; and

WHEREAS, In 1968, Florida voters amended the state constitution to confer broad “Home Rule” powers to municipal government, under Article VIII, Section 2(b); and

WHEREAS, municipalities have the power to act for any valid municipal purpose except as prohibited by law; and

WHEREAS, municipality’s ability to timely act on local problems and opportunities will be limited by HB 17 and SB 1158 to a state Legislature that holds session only once a year, and whose ability to address local problems will be contingent on the relative effectiveness of its representative in the state Legislature; and

WHEREAS, HB 17 and SB 1158 contradicts the will of the people of Florida, who expressed an unequivocal desire for broad Home Rule powers in their state constitution; and

WHEREAS, HB 17 and SB 1158 undercut the intent of municipal citizens, who voted to incorporate their communities and exercise the broad Home Rule powers granted by the Florida Constitution to govern themselves and, thereby, effectively address the unique concerns of their communities; and

WHEREAS, HB 17 and SB 1158 could impair municipal charter provisions specifically adopted and approved by local voters to define their preferred form of self-government and safeguard issues of perennial importance to their communities; and

WHEREAS, state legislators may find themselves spending increasing amounts of time arbitrating over local problems and legislating on local issues, and less time attending to pressing statewide needs; and

WHEREAS, the Town Commission believes the opposition of HB 17 and SB 1158 would be in the best interests of the residents and businesses of the Town of Belleair and the State of Florida.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF BELLEAIR, FLORIDA:

Section 1. The foregoing “WHEREAS” clauses are hereby ratified and confirmed as being true and correct and are incorporated herein by this reference.

Section 2. The Town Commission of the Town of Belleair urges all members of the Florida Legislature to oppose the adoption of HB17 and SB 1158.

Section 3 The Town Commission further directs Town Administration to transmit a certified copy of this Resolution to the Suncoast League of Cities, the Florida League of Cities, the Pinellas County Legislative Delegation, and any other interested parties.

Section 3. All Resolutions or parts of Resolutions in conflict herewith, be and the same are repealed to the extent of such conflict.

Section 4. If any section, sentence, clause or phrase of this Resolution is held to be invalid or unconstitutional by any court of contempt jurisdiction, then said holding shall in no way affect the validity of the reaming portions of this Resolution.

Section 5. This Resolution shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED BY TOWN OF BELLEAIR, FLORIDA this 21st day of March, A.D., 2017.

Mayor

ATTEST:

Town Clerk