**RESOLUTION NO. _____**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, SUPPORTING HOUSE BILL 307 AND SENATE BILL 356, WHICH WOULD REMOVE A PREEMPTION PLACED ON LOCAL GOVERNMENTS IN 2011 AND WOULD RETURN TO CITIES THE AUTHORITY TO REGULATE SHORT TERM VACATION RENTALS; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.**

**WHEREAS,** prior to the adoption of Section 509.032 (7)(b) (2011) by the Florida Legislature, in 2011, local governments had the authority to enact ordinances related to the regulation of short term rental vacations; and

**WHEREAS,** during the 2011 Legislative Session, the Florida Legislature passed Section 509.032 (7)(b), which removed control from local governments to regulate short-term vacation rental properties; and

**WHEREAS,** only cities with vacation rental ordinances that were adopted prior to June 1, 2011 are allowed to regulate these properties and all other cities are preempted by the 2011 legislation; and

**WHEREAS,** because of the preemption, a city with a vacation rental ordinance will lose its ordinance if it attempts to amend it; and

**WHEREAS,** House Bill 307 and Senate Bill 356, currently in the Florida legislature would remove the preemption and once again allow cities to regulate short term vacation rentals; and

**WHEREAS,** the Mayor and Council believe that the Florida legislature must pass legislation to remove the preemption language from Florida Statute 509.032 (7)(b) (2011), to return to cities the authority to regulate short term vacation rentals and allow local governments to properly control the health, welfare and safety of their cities.

**NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA:**

**Section 1.** **Recitals.** The recitals in the whereas clauses are true and correct, and incorporated into this Resolution.

**Section 2.** **Support.** The Mayor and City Council of the City of North Miami, Florida, hereby strongly urge the Florida Legislature to pass House Bill 307 and Senate Bill 356 to remove state preemption for short term vacation rentals.

**Section 3.** **Directions to Clerk.** The City Clerk is hereby directed and authorized to send a copy of this resolution to Governor Rick Scott, all State Representatives, State Senators, the presiding Officers and Council members of the municipalities in Miami-Dade County, and to Richard Kuper, Esquire, Executive Director of the Miami-Dade County League of Cities.

**Section 4.** **Effective Date.** This Resolution shall become effective immediately upon adoption.

**PASSED AND ADOPTED** by a _____ vote of the Mayor and City Council of the City of North Miami, Florida, this _____ day of _____ 2014.

_____
LUCIE M. TONDREAU
MAYOR

ATTEST:

_____
MICHAEL A. ETIENNE, ESQ.
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

_____
REGINE M. MONESTIME
CITY ATTORNEY

SPONSORED BY: COUCILWOMAN CAROL KEYS, ESQ.

Moved by: _____

Seconded by: _____

**Vote:**

| | | |
|---|---|---|
| Mayor Lucie M. Tondreau | _____ (Yes) | _____ (No) |
| Vice Mayor Scott Galvin | _____ (Yes) | _____ (No) |
| Councilperson Carol Keys, Esq. | _____ (Yes) | _____ (No) |
| Councilperson Philippe Bien-Aime | _____ (Yes) | _____ (No) |
| Councilperson Marie Erlande Steril | _____ (Yes) | _____ (No) |