

RESOLUTION NO. 2014-R-45

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, OPPOSING HOUSE BILL 17 (HB 17) AND ANY SIMILAR OR SUBSTITUTE LEGISLATION THAT WOULD PREEMPT THE LOCAL REGULATION OF BUSINESSES, PROFESSIONS, AND OCCUPATIONS TO THE STATE BY PROHIBITING LOCAL GOVERNMENTS FROM IMPOSING OR ADOPTING CERTAIN RULES, REGULATIONS, LICENSES, PERMITS, OR REQUIREMENTS, AND ANY ASSOCIATED FEES; THAT WOULD SUNSET EXISTING LOCAL REGULATIONS; OR THAT WOULD LIMIT LOCAL GOVERNMENTS IN MODIFYING OR IMPOSING ADDITIONAL REGULATIONS ON BUSINESSES, PROFESSIONS, AND OCCUPATIONS.

WHEREAS, House Bill 17 (HB 17) was filed for consideration during the Florida Legislature's 2017 Session by Representative Randy Fine (R - Palm Bay), and is co-sponsored by Representative Paul Renner (R - Palm Coast); and the City of North Miami ("City") established the North Miami Community Redevelopment Agency ("CRA") to promote and enhance the quality of life in the City by eliminating and preventing slum and blighted conditions in the Community Redevelopment Area through redevelopment activities and projects pursuant to Part III of Chapter 163, Florida Statutes, known as the Community Redevelopment Act of 1969 (the "Act"); and

WHEREAS, on February 22, 2017, the Careers & Competition Subcommittee of the House Commerce Committee voted favorably on a similar Committee Substitute Bill (CS/HB 17); and

WHEREAS, CS/HB 17 would expressly preempt the local regulation of businesses, professions, and occupations to the State of Florida by prohibiting local governments from imposing or adopting certain rules, regulations, licenses, permits, or requirements, and any associated fees; and

WHEREAS, CS/HB 17 would supersede all local government regulations on businesses, professions, and occupations, even those regulations adopted prior to January 1, 2017, if they were

amended to impose additional regulations on business, professions, or occupations; moreover, a local government could not modify such regulation, except to repeal or reduce the regulation; and

WHEREAS, in addition, a local regulation not authorized under the CS/HB 17, or expressly authorized by general law, would be a nullity and not enforceable; and

WHEREAS, CS/HB 17, and any similar or substitute legislation, would have far-reaching negative impacts upon local governments throughout the State and would severely limit their ability to tailor local laws to their community needs, would sunset current laws, and would prevent the enactment of new laws that address, among other things, fair wages, human rights, environmental protections, and neighborhood quality-of-life; and

WHEREAS, the Mayor and City Council strongly oppose CS/HB 17 and any similar or substitute legislation that would preempt the local regulation of businesses, professions, and occupations to the State of Florida, sunset existing local regulations, or that would limit local governments in modifying or imposing additional regulations.

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

Section 1. **Mayor and City Council Recommendation.** The Mayor and City Council hereby oppose House Bill 17 and any similar or substitute legislation that would preempt the local regulation of businesses, professions, and occupations to the State by prohibiting local governments from imposing or adopting certain rules, regulations, licenses, permits, or requirements, and any associated fees; that would sunset existing local regulations; or that would limit local governments in modifying or imposing additional regulations on businesses, professions, and occupations.

Section 2. **Effective Date.** This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED by a 5 - 0 vote of the Mayor and City Council of the City of North Miami, Florida, this 28th day of March, 2017

DR. SMITH JOSEPH
MAYOR

ATTEST:



MICHAEL A. ETIENNE, ESQ.
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



JEFF P. H. CAZEAU, ESQ.
CITY ATTORNEY

SPONSORED BY: COUNCILMAN DESULME

Moved by: Keys

Seconded by: Joseph

Vote:

- Mayor Smith Joseph, D.O., Pharm. D.
- Vice Mayor Scott Galvin
- Councilwoman Carol Keys, Esq.
- Councilman Philippe Bien-Aime
- Councilman Alix Desulme

- X (Yes) (No)
- X (Yes) (No)
- X (Yes) (No)
- X (Yes) (No)
- x (Yes) (No)