

RESOLUTION NO. 21-17

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, URGING ALL MEMBERS OF THE FLORIDA LEGISLATURE TO OPPOSE FLORIDA HOUSE BILL 17 AND FLORIDA SENATE BILL 1158 RELATING TO THE PREEMPTION OF MUNICIPAL HOME RULE POWERS AS APPLIED TO BUSINESSES, PROFESSIONS AND OCCUPATIONS; DIRECTING THE CITY CLERK TO TRANSMIT A CERTIFIED COPY OF THIS RESOLUTION TO GOVERNOR RICK SCOTT, THE FLORIDA SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE FLORIDA PRESIDENT OF THE SENATE, THE PALM BEACH COUNTY LEAGUE OF CITIES, AND THE FLORIDA LEAGUE OF CITIES; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, in 1968, Florida voters amended the State Constitution to confer broad “Home Rule” powers to municipal governments, 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, HB 17 and SB 1158 contradict the will of the people of the State of Florida and undercut the intent of municipal voters, who voted to incorporate their communities and exercise the broad “Home Rule” powers granted by the Florida Constitution to govern themselves and 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 importance to their local communities; and

WHEREAS, the City of Delray Beach supports the preservation of “Home Rule” and opposes any legislation that seeks to diminish powers granted to local government; and

WHEREAS, the City Commission of the City of Delray Beach believes the opposition of HB 17 and SB 1158 to be in the best interests of the residents and businesses of the of the City of Delray Beach and the State of Florida.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AS FOLLOWS:

Section 1. That the foregoing recitals are hereby confirmed and ratified.

Section 2. That the City Commission hereby expresses its opposition to House Bill 17 and Senate Bill 1158, relating to the preemption of municipal home rule powers, and respectfully urges the members of the Florida Legislature to reject House Bill 17 and Senate Bill 1158.

Section 3. The City Clerk is hereby directed to distribute copies of this Resolution pursuant to the list attached hereto and incorporated herein as Exhibit "A."

Section 4. That this resolution shall become effective immediately upon passage.

PASSED AND ADOPTED this _____ day of _____, 2017.

M A Y O R

ATTEST:

City Clerk

Exhibit A

Governor Rick Scott
State of Florida
The Capitol
400 S. Monroe Street
Tallahassee, FL 32399

Representative Richard Corcoran
Florida Speaker of the House
420 The Capitol
402 South Monroe Street
Tallahassee, FL 32399

Senator Joe Negron
Florida President of the Senate
305 Senate Office Building
404 South Monroe Street
Tallahassee, FL 32399

League of Cities
301 S. Bronough Street
Suite 300
Tallahassee, FL 32302

Palm Beach County League of Cities
P.O. Box 1989, Governmental Center
West Palm Beach, FL 33402