

RESOLUTION No. 17-70

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, OPPOSING HOUSE BILL 17 (HB17) 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; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE

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 cosponsored by Representative Paul Renner (R - Palm Coast); 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 adopted without general law authority; moreover, such pre-existing regulations would expire July 1, 2020; and

WHEREAS, under CS/HB 17, even if a local government had enacted a business regulation authorized by general law prior to January 1, 2017, the existing regulation could not be 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 DORAL, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above recitals are confirmed, adopted, and incorporated herein and made a part hereof by this reference.

Section 2. Opposition to Legislation. The 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 3. Transmittal. The City Clerk is hereby directed to transmit this Resolution to leadership of the Florida House of Representatives and Senate, as well as the members of the Miami-Dade County legislative delegation.

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

The foregoing Resolution was offered by Councilmember Fraga who moved its adoption. The motion was seconded by Councilmember Rodriguez and upon being put to a vote, the vote was as follows:

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Pete Cabrera	Not Present at Time of The Vote
Councilwoman Christi Fraga	Yes
Councilwoman Claudia Mariaca	Yes
Councilwoman Ana Maria Rodriguez	Yes

PASSED AND ADOPTED this 12 day of April, 2017.



JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:



CONNIE DIAZ, CMC
CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFIENCY
FOR THE USE AND RELIANCE OF THE CITY OF DORAL ONLY:



WEISS, SEROTA, HELFMAN, COLE & BIERMAN, P.L.
CITY ATTORNEY