

Meeting Date:

March 10, 2015

Agenda Item

24

REQUESTED COMMISSION ACTION:

Consent

Ordinance

Resolution

Consideration/
Discussion

Presentation

SHORT TITLE

A resolution supporting the passage of HB 4015, which, among other things, would restore home rule authority to the City to regulate vacation home rentals.

Summary of Purpose and Why:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, URGING ALL MEMBERS OF THE FLORIDA LEGISLATURE TO SUPPORT SENATE BILL (HB) NO. 4015, AN ACT RELATING TO PUBLIC LODGING ESTABLISHMENTS AND PUBLIC FOOD SERVICE ESTABLISHMENTS (AND ANY SIMILAR FLORIDA HOUSE OF REPRESENTATIVES OR SENATE BILLS) WHICH DELETES PROVISIONS THAT PREEMPT TO THE STATE THE REGULATION OF PUBLIC LODGING ESTABLISHMENTS AND PUBLIC FOOD SERVICE ESTABLISHMENTS; DIRECTING THE CITY CLERK TO TRANSMIT A CERTIFIED COPY OF THIS RESOLUTION TO THE BROWARD LEAGUE OF CITIES, THE FLORIDA LEAGUE OF CITIES, THE BROWARD COUNTY LEGISLATIVE DELEGATION, AND ANY OTHER INTERESTED PARTIES; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.

- (1) Origin of request for this action: City Commission
- (2) Primary staff contact: Gordon B. Linn, City Attorney Ext. 4614
- (3) Expiration of contract, if applicable: _____
- (4) Fiscal impact and source of funding: _____

DEPARTMENTAL
COORDINATION

DATE

DEPARTMENTAL
RECOMMENDATION

DEPARTMENTAL HEAD SIGNATURE

City Attorney

2/25/15

See City Attorney's Comm. #2015-639 



City Manager



ACTION TAKEN BY COMMISSION:

Ordinance

Resolution

Consideration

Workshop

1st Reading

1st Reading

Results:

Results:

2nd Reading



City Attorney's Communication #2015-639

February 25, 2015

TO: Dennis W. Beach, City Manager
FROM: Gordon B. Linn, City Attorney
RE: Resolution Supporting Senate Bill (HB) No. 4015

Attached please find the following captioned Resolution addressing the above-referenced matter:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, URGING ALL MEMBERS OF THE FLORIDA LEGISLATURE TO SUPPORT SENATE BILL (HB) NO. 4015, AN ACT RELATING TO PUBLIC LODGING ESTABLISHMENTS AND PUBLIC FOOD SERVICE ESTABLISHMENTS (AND ANY SIMILAR FLORIDA HOUSE OF REPRESENTATIVES OR SENATE BILLS) WHICH DELETES PROVISIONS THAT PREEMPT TO THE STATE THE REGULATION OF PUBLIC LODGING ESTABLISHMENTS AND PUBLIC FOOD SERVICE ESTABLISHMENTS; DIRECTING THE CITY CLERK TO TRANSMIT A CERTIFIED COPY OF THIS RESOLUTION TO THE BROWARD LEAGUE OF CITIES, THE FLORIDA LEAGUE OF CITIES, THE BROWARD COUNTY LEGISLATIVE DELEGATION, AND ANY OTHER INTERESTED PARTIES; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.

Please place this matter on the March 10, 2015 City Commission Agenda. I have attached a Commission Agenda Cover Sheet for your convenience.

Should you have any questions regarding this matter, please feel free to contact me.



GORDON B. LINN

GBL/jrm
l:cor/manager/2015-639

Attachments

RESOLUTION NO. 2015-_____

CITY OF POMPANO BEACH
Broward County, Florida

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, URGING ALL MEMBERS OF THE FLORIDA LEGISLATURE TO SUPPORT SENATE BILL (HB) NO. 4015, AN ACT RELATING TO PUBLIC LODGING ESTABLISHMENTS AND PUBLIC FOOD SERVICE ESTABLISHMENTS (AND ANY SIMILAR FLORIDA HOUSE OF REPRESENTATIVES OR SENATE BILLS) WHICH DELETES PROVISIONS THAT PREEMPT TO THE STATE THE REGULATION OF PUBLIC LODGING ESTABLISHMENTS AND PUBLIC FOOD SERVICE ESTABLISHMENTS; DIRECTING THE CITY CLERK TO TRANSMIT A CERTIFIED COPY OF THIS RESOLUTION TO THE BROWARD LEAGUE OF CITIES, THE FLORIDA LEAGUE OF CITIES, THE BROWARD COUNTY LEGISLATIVE DELEGATION, AND ANY OTHER INTERESTED PARTIES; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, HB 4015, among other things, deletes in its entirety Subsection (7)(a) of Section 509.032, Florida Statutes, giving preemptive authority to the State for the regulation of public lodging establishments and public food service establishments including, but not limited to, sanitation standards, inspections, training and testing of personnel, and matters related to the nutritional content and marketing of foods offered in such establishments; and

WHEREAS, HB 4015, among other things, deletes in its entirety Subsection (7)(b) of Section 509.032, Florida Statutes, preventing a local law, ordinance or regulation from prohibiting the regulation of vacation rental or regulation of the duration of vacation rentals; and

WHEREAS, HB would restore home rule authority to the City to regulate vacation home rentals; and

WHEREAS, the City Commission believes the adoption of HB 4015 would be in the

best interests of the residents and businesses of the City of Pompano Beach and the State of Florida; now, therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, 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 City Commission of the City of Pompano Beach urges all members of the Florida Legislature to support HB 4015 and any similar Florida House of Representatives or Senate bills.

SECTION 3. The City Commission further directs the City Clerk to transmit a certified copy of this Resolution to the Broward League of Cities, the Florida League of Cities, the Broward County Legislative Delegation and any other interested parties.

SECTION 4. All resolutions or parts of resolutions in conflict herewith be and the same are repealed to the extent of such conflict.

SECTION 5. This Resolution shall become effective upon passage.

PASSED AND ADOPTED this _____ day of _____, 2015.

LAMAR FISHER, MAYOR

ATTEST:

ASCELETA HAMMOND, CITY CLERK

GBL/jrm
2/25/15
l:reso/2015-229