



Legislation Text

File #: 2021-R-54, **Version:** 1

MOTION TO ADOPT PROPOSED RESOLUTION 2021-R-54.

PROPOSED RESOLUTION 2021-R-54 IS A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA OPPOSING SENATE BILL 280 ENTITLED "LOCAL ORDINANCES" OR SIMILAR LEGISLATION THAT WOULD EFFECTIVELY PREEMPT AND RESTRICT LOCAL GOVERNMENTS FROM ENFORCING ADOPTED ORDINANCES; DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE GOVERNOR, SENATE PRESIDENT, THE SPEAKER OF THE FLORIDA HOUSE, TO THE CHAIR AND MEMBERS OF THE BROWARD COUNTY LEGISLATIVE DELEGATION, AND TO THE BOARD OF DIRECTORS OF THE BROWARD COUNTY LEAGUE OF CITIES AND THE FLORIDA LEAGUE OF CITIES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

SUMMARY EXPLANATION AND BACKGROUND:

1. On October 20, 2021 Commissioner Siple introduced this item for discussion and possible motion to direct the City Attorney's Office to draft a formal resolution of the City Commission opposing proposed Senate Bill 280 filed for consideration by Senator Hutson in the 2022 Florida Legislature.
2. SB 280 imposes new substantive requirements on municipalities for adopting and enforcing ordinances amounting to a substantial unfunded mandate requires a governing body of a municipality to prepare a business impact statement before the adoption of a proposed ordinance.
3. SB 280 requires a municipality to suspend enforcement of an ordinance that is the subject of a civil action, including any appeals, challenging the ordinance's validity on grounds that it is preempted by state law, is arbitrary or unreasonable, or is otherwise prohibited by law if the action was filed within twenty (20) days of the ordinance's effective date, where suspension of the ordinance is requested in the complaint, and the municipality was served with a copy of the complaint.
4. The City Commission finds that SB 280 is an encroachment on the City's authority under Section 166.021, Florida Statutes, to exercise its powers for municipal purposes.
5. Resolution 2021-R-54 shall become effective immediately upon its passage and adoption.

FINANCIAL IMPACT DETAIL: None.

