

A RESOLUTION OF THE BARRIER ISLANDS GOVERNMENTAL COUNCIL (BIG-C), OF PINELLAS COUNTY, UNANIMOUSLY SUPPORTS HOME RULE POWERS AND REQUESTS THE FLORIDA LEGISLATURE TO AMEND S. 509.032, F.S.; BY AUTHORIZING LOCAL LAWS, ORDINANCES, AND REGULATIONS TO PROHIBIT VACATION RENTALS OR REGULATE THE DURATION AND FREQUENCY OF RENTALS OF VACATION RENTALS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, s. 509.032(7)(b) provides preemption authority for vacation rentals; and

WHEREAS, in 2011, the Florida Legislature, passed HB 883, amending s. 509.032(7)(b), by adding the restriction preventing local laws, ordinances, or regulations from regulating the use of vacation rentals based solely on their classification, use, or occupancy. This paragraph does not apply to any local laws, ordinances, or regulation adopted on or before June 1, 2011; and

WHEREAS, in 2014, the Florida Legislature, passed SB 356, amending s. 509.032(7)(b) as follows: A local law, ordinance, or regulation may not ~~restrict the use of vacation rentals,~~ prohibit vacation rentals or regulate the duration or frequency of rentals of vacation rentals. ~~based solely on their classification, use, or occupancy~~ This paragraph does not apply to any local laws, ordinances, or regulation adopted on or before June 1, 2011; and

WHEREAS, s. 509.032(7)(b), F.S., has had a negative impact on Pinellas County municipalities by prohibiting municipalities from regulating vacation rentals; and

WHEREAS, the BIG-C of Pinellas County supports legislation that repeals the state preemption of the regulation of vacation rental properties in order to allow local governments to regulate such properties to protect the health and welfare of residents, visitors, and business; and

WHEREAS, the most precious powers a city in Florida has are its Home Rule powers. The ability to establish its form of government through the charter, and to then enact ordinances, codes, plans, and resolutions without prior state approval is a tremendous authority. To further be able to enforce them "at home" and to make necessary changes as a city grows is a great reflection of the trust that citizens have in their respective leaders.

NOW, THEREFORE, BE IT RESOLVED BY THE BARRIER ISLANDS GOVERNMENTAL COUNCIL (BIG-C):

Section 1. The BIG-C of Pinellas County unanimously supports Home Rule powers and requests the Florida Legislature to amend s. 509.032, F.S.; by authorizing local laws, ordinances, and regulations to prohibit vacation rentals or regulate the duration and frequency of rentals of vacation rentals.

Section 2. The BIG-C of Pinellas County strongly believes and will continue to protect the Home Rule powers of Florida's municipalities during the 2017 Legislative Session.

Section 3. This resolution shall be forwarded to the Governor of Florida, the Pinellas County Legislative Delegation, and all Pinellas County Municipalities.