

RESOLUTION 18-06

A RESOLUTION OF THE TOWN OF FORT MYERS BEACH STRONGLY OPPOSING CS/SENATE BILL 1400 AND 1640 (NOW COMBINED) AND ANY SUBSTITUTE OR SIMILAR SENATE BILLS WHICH PREEMPT THE AUTHORITY OF LOCAL GOVERNMENTS TO PROTECT THEIR CITIZENS FROM ANY DETRIMENTAL EFFECTS OF SHORT-TERM VACATION RENTALS IN RESIDENTIAL DISTRICTS; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, proposed CS/Senate Bill 1400 and 1640 (now combined) purports, under the guise of “property rights,” to preempt all regulation and control of short-term vacation rentals in residential districts to the State of Florida; and

WHEREAS, proposed CS/Senate Bill 1400 and 1640, in fact, disrupts and intrudes upon the private property rights of thousands of citizens in local government jurisdictions who have purchased in residential subdivisions and would then find themselves potentially surrounded by transient “residential” rental properties; and

WHEREAS, the subject of residential vacation rentals is a prime example of where intrusion by the state legislature on the home rule authority of local governments leads to obvious and severe impacts to the health, safety and welfare of citizens residing within local government jurisdictions; and

WHEREAS, with respect to residential vacation rentals, the proponents of CS/Senate Bill 1400 and 1640 and similar Senate bills should recognize that citizens of the State of Florida do not want the house next to theirs to be operated as a motel to the detriment of their property values, peace and quiet; and

WHEREAS, it is a local governing body’s jurisdiction to determine the appropriate zoning regulations and locations of uses within the local government jurisdiction for the safety and benefit of all of its property owners and citizens and CS/Senate Bill 1400 and 1640 proponents’ concept of “one size fits all” state regulation in this case results in “one size fits no one” and is a detriment to the great majority of Florida residents.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Fort Myers Beach, Florida, that:

SECTION 1. The Town Council of the Town of Fort Myers Beach, Florida, hereby expresses its strong opposition to proposed CS/Senate Bill 1400 and 1640 (now combined) and any substitute or similar Senate bill which preempts the authority of local governments to protect their citizens from the serious detrimental effects of short term vacation rentals in residential districts. The Fort Myers Beach Town Council strongly urges that all members of Southwest Florida’s legislative delegation and all other Florida legislators stand for the residential property rights of citizens of the State of Florida and stand against proposed CS/Senate Bill 1400 and 1640 and others of its kind.

SECTION 2. The Town Clerk is hereby directed to forward a copy of this resolution to the Southwest Florida legislative delegation, the President of the Florida Senate and Speaker of the Florida House of Representatives, and to the Mayor of each municipality within Lee County, Florida.

THE FOREGOING RESOLUTION was adopted by the Town Council upon a motion by Council Member Cereceda and seconded by Council Member Shamp and upon being put to a vote, the result was as follows:

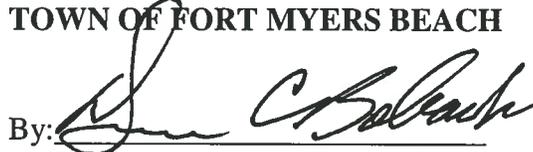
Dennis C. Boback, Mayor	aye	Tracey Gore, Vice Mayor	aye
Bruce Butcher, Council Member	aye	Anita Cereceda, Council Member	aye
Joanne Shamp, Council Member	aye		

DULY PASSED AND ADOPTED on this 5th day of March, 2018.

ATTEST:

TOWN OF FORT MYERS BEACH

By: 
Michelle D. Mayher, Town Clerk

By: 
Dennis C. Boback, Mayor

Approved as to form

By: 
Peterson Law Group, Town Attorney