

No. 794

**A RESOLUTION OF THE
TOWN OF SEWALL'S POINT
IN OPPOSITION TO HOUSE BILL 703
REGARDING ENVIRONMENTAL REGULATION**

WHEREAS, HB 703, an act relating to environmental regulation was filed for consideration by the Florida Legislature on January 21, 2014; and

WHEREAS, HB 703 would require that all comprehensive plan amendments be adopted by a simple majority of the local government; and

WHEREAS, this provision would negate the current plan policy requiring a majority vote of the total membership of the local elected officials then in office; and

WHEREAS, HB 703 places a limitation on local regulatory authority over agricultural lands; including a retroactive provision, applying to regulations adopted prior to 2003; and

WHEREAS, HB 703 would prohibit local governments from rescinding a comprehensive plan amendment that authorizes land uses other than agricultural use if the land continues to be used primarily for bona-fide agricultural purposes and qualifies for an agricultural tax classification under s. 193.461; and

WHEREAS, HB 703 would provide a preemption of local government well construction criteria and standards, allow for the proof of insurance to satisfy mitigation bank financial responsibility requirements and provide for the creation of a Solid Waste Landfill Closure account to fund closures and long-term care of solid waste management facilities; and

WHEREAS, provisions contained in HB 703 undermine the stated purpose of the Community Planning Act as described in Section 163.3161 Florida Statutes which is to "utilize and strengthen the existing role, processes, and powers of local governments in the establishment and implementation of comprehensive planning programs to guide and manage future development consistent with the proper role of local government;" and

WHEREAS, HB 703 would undermine home rule, the Community Planning Act and local government's ability to retain unique comprehensive plans and environmental regulations appropriate for their communities;

NOW THEREFORE, be it resolved, that the Town Commission of the Town of Sewall's Point advises the Florida Legislature, and in particular the members of its local delegation, of the Town's opposition to House Bill 703 and calls on the Florida Legislature to protect home rule.

<u>AYE</u>	<u>NAY</u>	<u>AYE</u>	<u>NAY</u>
MAYOR PAMELA BUSHA		✓	—
PAUL LUGER, VICE MAYOR		✓	—
VINCENT N. BARILE, Commissioner		✓	—
THOMAS P. BAUSCH, Commissioner		✓	—
JACQUI THURLOW-LIPPISCH, Commissioner		✓	—

The Mayor thereupon declared this Resolution No. 794 approved and adopted by the Town Commission of the Town of Sewall's Point on this 25th day of February, 2014.

TOWN OF SEWALL'S POINT, FLORIDA

Pamela M. Busha
Pamela Busha, Mayor

ATTEST:

Ann-Marie S. Basler
Ann-Marie S. Basler, Town Clerk

(TOWN SEAL)

Glen J. Torcivia
Glen J. Torcivia, Town Attorney
Florida Bar No. 343374
Approved as to form and legal sufficiency