

RESOLUTION NO. 2025-19

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA, SUPPORTING LEGISLATIVE AMENDMENTS TO CHAPTER 2025-190, FLORIDA STATUTES TO CLARIFY LEGISLATIVE INTENT AND RESTORE HOME RULE; PROVIDING FOR TRANSMISSION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Article VIII, Section 2(b) of the Florida Constitution provides that municipalities "shall have governmental, corporate and proprietary powers to enable them to conduct municipal government, perform municipal functions and render municipal services," and authorizes municipalities to exercise any power for municipal purposes except as otherwise provided by law; and

WHEREAS, pursuant to Section 2(b) of Article VIII of the Florida Constitution and Chapters 163 and 166, Florida Statutes, municipalities have broad authority to adopt comprehensive plans, enact land development regulations, issue development permits, and impose temporary moratoria in furtherance of local public health, safety, and welfare, including for purposes of orderly growth, environmental protection, disaster recovery, and community resiliency; and

WHEREAS, on June 26, 2025, Senate Bill 180 ("SB 180"), titled "Emergencies," was signed into law by Governor Ron DeSantis and became effective immediately as Chapter 2025-190, Florida Statutes; and

WHEREAS, among other things, Section 28 of SB 180 prohibits all local government-initiated ordinances that impose “more restrictive or burdensome” comprehensive plan amendments, land development regulations, or procedures concerning review, approval, or issuance of site plans, development permits, or development orders (collectively, “Land Use and Zoning Regulations”) for the period commencing retroactively from August 1, 2024, through October 1, 2027, even if such amendments, regulations or procedures are in no way related to any hurricane or other emergency and even if such amendments, regulations, or procedures were duly enacted prior to the enactment of SB 180; and

WHEREAS, Section 28 of SB 180 also bans local moratoria on construction, reconstruction, or redevelopment of property damaged by a hurricane during the same timeframe; and

WHEREAS, Section 18 of SB 180 further prohibits local governments that are located in counties that are entirely or partially within 100 miles of the track of any future hurricane from enacting “more restrictive or burdensome” Land Use and Zoning Regulations, and moratoria on construction, reconstruction, or redevelopment of any property, damaged or not, for a period of one year after the storm makes landfall; and

1 **WHEREAS**, SB 180's vague prohibitions on moratoria on construction,
2 reconstruction, and redevelopment of properties and Land Use and Zoning Regulations
3 that are "more restrictive or burdensome," and other ambiguous provisions create
4 uncertainty, chill local governance, and encourage preemptive, potentially frivolous,
5 litigation to force local governments into repealing legislation, even if it might otherwise
6 be a valid exercise of home rule authority; and

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8 **WHEREAS**, the Town of Juno Beach, Florida (the "Town"), like other municipalities
9 across the State of Florida, has felt the aforementioned impacts of SB 180, including
10 uncertainty regarding implementation of recommendations from the Town's Vulnerability
11 Assessment that was funded by a grant from the State of Florida; and

12
13 **WHEREAS**, the Town Council encourages the Florida Legislature to consider
14 amendments to SB 180 that would provide clarity to local governments and restore home
15 rule authority by defining what regulations are "more restrictive or burdensome,"
16 prohibiting *enforcement* of more restrictive or burdensome Land Use and Zoning
17 Regulations only against property damaged by a hurricane rather than *enactment* of said
18 Land Use and Zoning Regulations, and removing the retroactive application of SB 180;
19 and

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21 **WHEREAS**, the Town Council hereby directs the Town Manager to transmit this
22 resolution to the State of Florida Senators and Representatives serving the Town of Juno
23 Beach and Palm Beach County; and

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25 **WHEREAS**, the Town Council determines that the adoption of this Resolution in
26 the best interests of the residents and property owners of the Town of Juno Beach.

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28 **NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE**
29 **TOWN OF JUNO BEACH, FLORIDA, as follows:**

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31 **Section 1.** The foregoing recitals are hereby ratified as true and correct and are
32 incorporated herein.

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34 **Section 2.** The Town Council hereby encourages the Florida Legislature to
35 consider amendments to SB 180 that would provide clarity to local governments and
36 restore home rule authority by defining what regulations are "more restrictive or
37 burdensome," prohibiting *enforcement* of more restrictive or burdensome Land Use and
38 Zoning Regulations only against property damaged by a hurricane rather than *enactment*
39 of said Land Use and Zoning Regulations, and removing the retroactive application of SB
40 180.

1 **Section 3.** The Town Council hereby directs the Town Manager to transmit this
2 resolution to the State of Florida Senators and Representatives serving the Town of Juno
3 Beach and Palm Beach County.

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5 **Section 4.** The Town Council hereby authorizes the Town Manager to take any
6 action which is necessary to implement this Resolution.

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8 **Section 5.** This Resolution shall be effective immediately upon adoption.

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10 RESOLVED AND ADOPTED this _____ day of _____, 2025.

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13 _____
14 Peggy Wheeler, Mayor
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16 ATTEST:
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19 _____
20 Caitlin Copeland-Rodriguez, MMC
21 Town Clerk
22
23 _____
24 APPROVED AS TO FORM AND
25 LEGAL SUFFICIENCY:
26
27 _____
 TG Law PLLC, Town Attorney