

RECENT DEVELOPMENTS*

STETSON LAW REVIEW CITY, COUNTY, AND LOCAL GOVERNMENT LAW DIRECTORY OF TOPICS FOR RECENT DEVELOPMENTS

Annexation

(see also Municipal Authority)
.....04-689, 691; 06-609
Land Use Planning 02-423
Legal Requirements 01-1073

City Government

Prerequisite Functions 01-1077

Condemnation & Eminent Domain

Attorney Fees 03-559
Due Process 05-823
Injunctive Relief 06-611
Inverse Condemnation 06-613, 615
Valuation 04-693; 05-826;
..... 06-617, 619, 622

Constitutional Law

(see also Land Use Planning &
Zoning and Public Employment)
Amendments 03-561, 563; 05-863
Civil Rights § 1983 02-427;
..... 04-697, 701, 703, 706;
..... 06-625, 628, 631
Due Process 01-1081, 1086, 1090;
..... 02-430, 433; 03-565;
..... 04-709, 712, 714; 05-829
Education
School Vouchers 02-436
Eleventh Amendment 02-439
Equal Protection 01-1092; 03-570;
..... 04-717; 05-832; 06-632
Fifth Amendment 01-1095, 04-720
First Amendment
..... 04-723, 726, 730; 05-832; 06-635

Adult Business Use ...01-1096; 02-447;
.....03-581, 637; 06-638
Elections 03-568, 586
Ordinances 05-834
Privacy 06-641
Religious Freedom 03-573; 05-838
Signs & Billboards 03-592; 05-842;
..... 06-645
Sound Ordinance 02-449
Fourth Amendment 01-1099
Search & Seizure 02-453
Fourth & Fourteenth Amendments
Search & Seizure 01-1101
Immunity 01-1105
Inverse Condemnation
Takings 02-455; 04-720
Liberty Interests 05-845
Privacy 05-846
Religious Freedom
FRFRA 05-849
RLUIPA 06-649
Standing 03-597; 04-732, 735
State Action 04-735
Voting Rights 05-853

Education

(see Constitutional Law and
Public Education)

Elections & Voting Rights

(see also Constitutional Law)
Ballot Summary
.....01-1109, 1110; 03-601
Challenges 05-857
Legal Fees 01-1253
Provisional Ballots 05-860

* Decisions editorially summarized as nationally reported through December 2005. Our editorial summaries in this Recent Developments Section will emphasize subjects of direct interest to municipal-corporation and local-government-entity practitioners and academics. Citation style has been adapted for these purposes. For information about a case's procedure, pleadings, and other subjects, you should read the case directly.

Redistricting.....	01-1257
School Boards.....	02-565
Vote Dilution.....	01-1261; 03-722
Voting Rights Act of 1965.....	02-567

Environment

Endangered Species.....	03-634
-------------------------	--------

Finance & Taxation..... 04-739

Abatement for Development.....	01-1185
Ad Valorem.....	02-541, 543;
.....	03-561, 605, 607;
.....	04-745, 748, 750, 753, 755;
.....	05-863, 866, 868;
.....	06-655, 657, 662
Bond Financing.....	03-610
Budget.....	02-505
Deeds.....	02-546; 03-619
Franchise Fees.....	06-665
Impact Fees.....	01-1179
Nontax Revenues	
Environment, Water &	
Waste Handling.....	04-743
Special Assessment.....	01-1188; 03-617;
.....	06-667, 670, 671
Tax Certificate.....	01-1244
Tax Deed Sale.....	02-547; 05-871
Taxation.....	01-1241
Standing.....	04-756
Non-Ad Valorem Tax.....	03-614

Government Contracting

.....	01-1115, 1129; 04-759; 06-675
Breach.....	05-875
Contracts & Agreements.....	03-704
Commission Powers.....	02-521
Franchise Agreements.....	03-623
Franchise Fees.....	05-877
Indemnification	
.....	01-1118; 02-461; 03-625
Indemnification & Equitable	
Public Bidding.....	01-1120; 05-879, 882

Government Property

Disability Access.....	01-1123
Fee Titles & Easements.....	06-679
Nuisance.....	01-1125

Health & Safety

Codes & Enforcement.....	04-763
--------------------------	--------

Home Rule (Charter & Non-Charter)

.....	01-1109; 06-683
Commission Powers.....	01-1141
State Supremacy.....	04-767

Immunity

(see Tort Liability &
Governmental Immunity)

Land Use Planning & Zoning... 04-771

Administrative/Judicial.....	03-634, 654;
.....	04-775
Adult Business.....	01-1155; 03-581, 637
Breach of Contract.....	05-887
Communication Towers..	03-648; 06-687
Comprehensive Plan.....	05-890
Amendments	
.....	01-1159; 02-468; 03-639; 05-892
In Compliance	
.....	01-1161; 02-473; 04-778
Development Orders.....	06-689
Equitable Estoppel.....	03-643
Federal Preemption.....	02-477; 03-648
Injunctions/Permitted Uses.	06-692, 694
Mobile Modular Homes, Trailers &	
Recreational Vehicles.....	03-651
Nonconforming Use.....	05-896
Permitting.....	01-1163, 1167
Challenges.....	06-696
Ripeness.....	06-698
Rezoning.....	04-780, 782
Small Scale.....	01-1159
Standard of Judicial	
Review.....	05-898, 901; 06-701, 703
Standing	
.....	01-1171; 03-654; 04-784; 05-904
Substantive Due Process.....	03-565
Takings... 01-1173; 02-480, 483; 05-887;	
.....	06-706
Temporary Takings.....	05-906
Variance... 01-1176; 02-491; 03-655, 657	
Vested Rights.....	03-629; 05-909

Meetings & Procedures

(see Public Records & Meetings)

Municipal Authority

(see also Ordinances & Regulations)

Annexation.....	05-913
Bonding Authority.....	02-495
City Charters....	01-1183; 05-914; 06-709
Code Enforcement.....	06-710
Commission Powers.....	01-1141
Ordinance.....	02-498
Police Power Controls.....	05-916
Fluoridation.....	03-661
Parading	
Street Management.....	02-502

2006]

Recent Developments

605

Municipal Finance

(see Finance & Taxation)

Ordinances & Regulations(see also Municipal Authority and
Constitutional Law)

Billboards 03-592
 Curfew 01-1086; 03-665
 Due Process 05-921
 Injunctions 05-925; 06-715
 Loitering 01-1081

Municipality-Sponsored

Monopolies 05-928
 Noise 01-1197
 Noise Nuisance 01-1193
 Nuisance Abatement 05-916
 Public Nuisance 05-931
 Sign Code 05-934
 Special Assessment 02-509
 State Preemption 04-789, 791;
 06-717, 718, 720, 722
 Usage Restrictions 05-937

Police(see also Tort Liability &
Governmental Immunity)

Civil Rights 01-1199
 Forfeiture 03-669; 04-793, 796;
 06-725, 728, 730
 Immunity 01-1200; 03-671, 673, 677
 Probable Cause 06-732
 Qualified 01-1202, 1205; 02-511
 Sovereign 01-1208
 Pursuit 01-1101
 Stop & Frisk 01-1101
 Training 04-703

Police Powers

(see Municipal Authority)

Practice & Procedure 04-799

Appellate 01-1211, 1213;
 02-515; 03-706
 Class Certification 06-735
 Attorney Fees 01-1215
 Collateral Estoppel 04-803
 Discovery 06-737
 Evidence 02-516
 Filing 02-518
 Home Venue Privilege 06-740
 Preservation of Error 06-742
 Scope of Review 04-806
 Trial
 Jurisdiction 04-809

Pleading 01-1218

Venue 03-681

Public Contracts

(see also Government Contracting)

Contracts & Agreements 03-704

Public Education(see also Public Employment and
Tort Liability & Governmental

Immunity) 04-815

Boards

Discipline 02-527; 04-706

Harassment & Misconduct 04-817

Immunity 01-1223, 1227

Public Employment

(see also Police) 04-821

ADA, Disability 04-823, 825; 05-941

Civil Procedure 05-944, 952

Demotion 03-685

Discharge

..... 01-1183, 1231; 02-531; 05-947

Discrimination

..... 01-1199; 02-533; 04-825

Due Process 05-950, 952

Ethics 05-954

FLSA 01-1149

Grievance 02-536

Labor Relations 03-688; 04-828;

..... 05-957; 06-745, 747

Patents 03-691

Salaries, Pensions & Benefits

..... 03-693; 05-960

Tort Claims 06-749

Unlawful Compensation 05-962

Whistle-blower's Act 01-1233

Workers' Compensation 01-1236;

..... 04-832; 06-751, 753, 755

Public Records & Meetings 04-835

Copyrights 06-759

Electronically Stored

Communications 03-697

Exemptions 03-699, 701; 04-838;

..... 06-761, 762

Sunshine Law 03-704, 706; 05-965

Public Utilities

Public Bidding 01-1120

Rates 02-539; 04-743; 06-765

Water & Sewer 01-1239

Referendum

(see Home Rule)

606

Stetson Law Review

[Vol. 35]

Signs & Billboards

(see Constitutional Law)

State Preemption 04-841**Sunshine Law**

(see Public Records & Meetings)

Taxation

(see Finance & Taxation)

**Tort Liability & Governmental
Immunity**

(see also Police)

Claims against Governmental

Entity 02-551

Duty of Care 05-969, 974; 06-767

Jurisdiction..... 03-681, 711

Personal Injury 01-1249; 02-552

Public Lands..... 01-1136; 03-716

Scope of Employment..... 05-976

Sexual Harassment..... 02-558

Sovereign Immunity

..... 01-1129, 1131, 1133;

..... 02-465; 04-845; 06-769

Swimming Area.... 01-1136; 03-713, 716;

..... 06-770

Third-Party Contracts 03-718; 06-773

Transportation

Mass Transit 02-561