

RESOLUTION NO. 3362

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, EXPRESSING THE CITY'S URGENT CONCERNS ARISING FROM RECENT MEDICAL SCIENCE REPORTS WHICH ADVISE OF THE POSSIBLE AND ADVERSE HEALTH EFFECTS DELIVERED UPON THOSE WHO USE CELL PHONES, INCLUDING, BUT NOT LIMITED TO, CANCER, AS A RESULT OF THE NON-IONIZED RADIATION EMITTED BY CELL PHONES; DIRECTING THE CITY CLERK TO FORWARD A COPY OF THIS RESOLUTION TO FLORIDA GOVERNOR RICK SCOTT, THE FLORIDA SENATE, THE FLORIDA HOUSE OF REPRESENTATIVES, THE FLORIDA LEAGUE OF CITIES, THE BROWARD COUNTY LEAGUE OF CITIES, THE BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS, THE SCHOOL BOARD OF BROWARD COUNTY, AND EACH MUNICIPALITY WITHIN BROWARD COUNTY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, cell phone use is pervasive in the City of Pembroke Pines;

and

**WHEREAS**, the City of Pembroke Pines considers the health of its residents and children a priority; and

**WHEREAS**, cell phone users typically receive a 200-to-300-page user manual or user guide that is found in a cell phone's purchase box and which is viewable via the Internet; and

**WHEREAS**, cell phone user manuals and user guides state in various ways that the cell phone will emit a form of non-ionized radiation into the user's body; and

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**WHEREAS**, cell phone user manuals and user guides in various ways refer to non-ionized radiation as “Radio Frequency” and “Specified Absorption Rate”; and

**WHEREAS**, cell phone user manuals and user guides state in various ways that the cell phone user should always keep it centimeters or millimeters away from their heads and bodies so as to reduce their bodies’ exposure to radiation; and

**WHEREAS**, said centimeters and millimeters are equivalent to one inch; and

**WHEREAS**, the majority cell phone users, particularly children and teenagers, are not keeping cell phones away from their heads and bodies; and

**WHEREAS**, there exists an ongoing scientific debate as to whether a person’s being exposed to cell phone emitted radiation causes cancer; and

**WHEREAS**, there exists an ongoing scientific debate as to whether children and teenagers are more susceptible than adults to the possible ill effects of being exposed to cell phone emitted radiation; and

**WHEREAS**, on or about May 31, 2011, the International Agency for Research on Cancer, part of the World Health Organization, put out a report that asserts, inter alia, that the chance of a cell phone user becoming a cancer patient doubles once he or she reaches the ten-year mark of using a cell phones for at least 30 minutes per day; and

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**WHEREAS**, on or about March 15, 2012, the Yale School of Medicine published a report which states, inter alia, that Yale has concluded that prenatal exposures to cell phone radiation may affect brain development and behavior in offspring; and

**WHEREAS**, on or about June 15, 2012, the Federal Communications Commission's Chairman, Mr. Julius Genachowski, stated that FCC wants to open an inquiry into whether cell phone emissions standards need to be changed amid concerns that the emitted radiation could cause brain cancer; and

**WHEREAS**, on or about July 24, 2012, the Government Accountability Office published a 46-page report which, inter alia, urges the Federal Communications Commission to revise phone radiation standards which date back to 1998; and

**WHEREAS**, several city commissions within the United States of America have introduced resolutions designed to more adequately warn their residents about keeping cell phones away from their heads and bodies; and

**WHEREAS**, several states of the United States of America have introduced legislation designed to more adequately warn their residents about keeping cell phones away from their heads and bodies; and

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**WHEREAS**, several countries, such as France and Israel, have issued cell phone radiation advisories to all citizens about the risks associated with cell phones; and

**WHEREAS**, a cell phone user may reduce his or her exposure to cell phone radiation by keeping the cell phone at least one inch away from their bodies, using a wired headset, using a speakerphone, communicating by way of text messages, electronic mail, et cetera.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, AS FOLLOWS:**

**SECTION 1.** The foregoing "WHEREAS" clauses are true and correct and hereby ratified and confirmed by the City Commission of the City of Pembroke Pines.

**SECTION 2.** The Pembroke Pines City Commission hereby expresses its concern regarding the amount of radiation that cell phones are emitting into users' bodies in light of the scientific debate that cell phone radiation exposure causes cancer.

**SECTION 3.** The Pembroke Pines City Commission strongly encourages everyone to carefully read through their cell phone user manuals and user guides and follow all instructions therein as to how to reduce the amount of radiation that will be emitted into their bodies.

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**SECTION 4.** The Pembroke Pines City Commission strongly encourages everyone, in addition to reading through their cell phone user manuals and user guides, to take all practical steps to keep themselves and their children well informed on the latest and ongoing scientific reports about the possible effects of cell phone radiation.

**SECTION 5.** The Pembroke Pines City Commission hereby resolves that additional scientific and medical research must be conducted by the public health community about the possible effects of cell phones' radiation upon adults, teenagers, and children.

**SECTION 6.** The Pembroke Pines City Commission hereby encourages that all local, state, and federal government agencies sworn to defend the public's health safety take all reasonable steps to vigilantly monitor and report publicly the information disclosed by ongoing scientific and medical research about the possible effects of cell phones' radiation upon adults, teenagers, and children.

**SECTION 7.** The City Clerk is hereby directed to transmit a copy of this resolution to Florida Governor Rick Scott, the Florida Senate, the Florida House of Representatives, the Florida League of Cities, the Broward League of Cities, the Broward County Board of County Commissioners, the School Board of Broward County, and each municipality within Broward County.

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**SECTION 8.** All Resolutions or parts of Resolutions in conflict herewith, be and the same are repealed to the extent of such conflict.

**SECTION 9.** If any clause, section or other part of this Resolution shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered eliminated and will in no way affect the validity of the other provisions of this Resolution.

**SECTION 10.** This Resolution shall become effective immediately upon its passage and adoption.

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, THIS 20th DAY OF NOVEMBER, 2012.**

CITY OF PEMBROKE PINES, FLORIDA

ATTEST: [Signature] 11/27/12  
JUDITH A. NEUGENT, CITY CLERK

BY: [Signature]  
MAYOR FRANK C. ORTIS

|          |            |
|----------|------------|
| ORTIS    | <u>AYE</u> |
| CASTILLO | <u>AYE</u> |
| SCHWARTZ | <u>AYE</u> |
| SHECHTER | <u>AYE</u> |
| SIPLE    | <u>AYE</u> |

APPROVED AS TO FORM:

[Signature]  
OFFICE OF THE CITY ATTORNEY

