

For the International Municipal Lawyer's Association - IMLA's 5 things to know for December 18th.

1. Where local governments have strong mayors and a council, often a battle looms over who the attorney represents. Apparently, that is the case in Bridgeport Connecticut where the debate made the local paper. For attorneys, the answer is driven by the law and the lawyers' rules of ethics. Generally, the attorney represents the organization and not the constituent parts or individuals. Most local government attorneys would tell you that their opinion will be the same no matter who asks, but the form of the question and the facts may change the answer.

<https://www.ctpost.com/local/article/Debate-continues-on-role-of-Bridgeport-s-city-12435892.php>

2. On Friday, the effect of the political winds of change could be seen at the National Labor Relations Board where the new majority overturned several recent policies. Among them, the new majority overturned rules on "micro-units" allowing employers to expand the base of who might be considered a unit for unionizing; and also reversed a policy change that affected when an employer is required to bargain. The day before the Board overturned a policy regarding "joint employers". While local governments are not covered by the National Labor Relations Act, these rules can sometimes inform judicial decisions affecting the local government workplace.

<https://www.nlr.gov/news-outreach/news-story/board-overrules-specialty-healthcare-eliminates-%E2%80%9Coverwhelming-community>

<https://www.nlr.gov/news-outreach/news-story/nlr-clarifies-duty-bargain-over-%E2%80%9Cchanges%E2%80%9D-are-consistent-past-practice-0>

<https://www.nlr.gov/news-outreach/news-story/nlr-overrules-browning-ferris-industries-and-reinstates-prior-joint>

3. In Westfield Massachusetts, the city adopted new standards affecting lighting to try to better protect abutting properties from bright lighting.

http://www.masslive.com/news/index.ssf/2017/12/westfield_has_adopts_new_light.html

4. Scotusblog has been holding a symposium on the issue of compelled speech in the case out of California where the state directed pregnancy centers to advise clients about other options to continuing a pregnancy. While the issue of life vs. choice polarizes opinions in the case, the question of whether the government can require a vendor to make truthful statements under the First Amendment extends beyond that debate, to cigarette packages, menus, drug packaging and securities trading among other areas where government requires speech.

www.scotusblog.com

5. Issues involving short term rentals in Kitsap County Washington reflect the problems faced by local governments dealing with the increasing effects of apps such as AirBnb on communities. Issues of balancing the older form of Bed and Breakfast regulations with uses difficult to regulate but which confound neighbors and communities compete with balancing occupancy tax collections and single family home restrictions. IMLA has worked

with communities interested in developing short term rental regulations and has filed an amicus brief in Florida in support of the City of Miami's regulatory efforts.

<http://www.king5.com/article/news/local/kitsap-county-seeks-to-clamp-down-on-vacation-rentals/281-498436801?scroll=0>

IMLA's distance learning programs are not just for lawyers. The issues discussed inform policies and discussions across the spectrum of local government officials' need to know. Joining IMLA allows members to get up to date training and information on a wide range of legal issues. Sign up at www.imla.org. Not a member? Contact us. Have a great day and make it an inspirational one.