

ORDINANCE 08-12

AN ORDINANCE AMENDING THE MEMBERSHIP REQUIREMENTS OF THE ANCHORAGE ADVISORY COMMITTEE, CULTURAL AND ENVIRONMENTAL LEARNING CENTER ADVISORY BOARD, COMMUNITY RESOURCE ADVISORY BOARD, MARINE RESOURCE TASK FORCE, PUBLIC SAFETY TASK FORCE, TIMES SQUARE ADVISORY BOARD, AND TRAFFIC MITIGATION AGENCY, PROVIDING AUTHORITY; SEVERABILITY; EFFECT OF ORDINANCE AND EFFECTIVE DATE.

IT IS HEREBY ORDAINED BY THE TOWN OF FORT MYERS BEACH AS FOLLOWS:

SECTION 1. Authority. This Ordinance is enacted pursuant to the provisions of Chapter 95-494, Laws of Florida, Chapters 163 and 166, Florida Statutes, and other applicable provisions of law.

SECTION 2. Town Advisory Bodies. This Ordinance amends membership requirements for the following Town advisory bodies: Anchorage Advisory Committee ("AAC"); Cultural and Environmental Learning Center Advisory Board ("CELCAB"); Community Resource Advisory Board ("CRAB"); Marine Resource Task Force ("MRTF"); the Public Safety Task Force ("PSTF"); Times Square Advisory Board ("TSA"), and Traffic Mitigation Agency ("TMA"). All other requirements for membership continue in full force and effect, except as specifically modified below.

SECTION 3. Modification of Provisions of Term of Office. Language deleted from Ordinance 06-11, Section 5 is indicated with strikethroughs and language being added is indicated with underlining, as follows: "The term of office of a member of the (advisory body) shall be for two (2) years or until a successor has been appointed and has qualified. ~~however, for 2008 only, at least two (2) members of each advisory body will be appointed for a one (1) year term only and the remaining members of each advisory body will be appointed for a two (2) year term. Thereafter, all terms of office shall be for two (2) years and~~ Terms shall be staggered so as to provide for continuity within each committee. An otherwise qualified person may be appointed to an unlimited number of successive terms, in the discretion of Town Council. Terms of office of all advisory body members serving at the time of the passage of this ordinance shall be automatically extended to the first Town Council meeting in October, 2008, or until their successors have been appointed, whichever is sooner. No member shall serve more than two (2) consecutive terms of two (2) years each, except that the member(s) appointed for a one (1) year term in 2008 as provided above may be appointed for one additional consecutive term, for a potential total of five (5) consecutive years. After one (1) year out of office with (this advisory body), any person who has previously served and is otherwise qualified may apply for an additional appointment hereto." Although the specific ordinance being amended is Ordinance 07-08, Section 4, prior ordinances which set forth relevant provisions are AAC Ordinance 06-01, Section 4; CELCAB Ordinance 06-02, Section 3; CRAB Ordinance 06-03, Section 4; MRTF Ordinance 06-04, Section 3; PSTF Ordinance 06-05, Section 4; TSA Ordinance 06-07, Section 3; and TMA Ordinance 06-06, Section 4.), with the name of the respective Town advisory body substituted for the language in the parens.

SECTION 4 Modifications of Application Requirements. The application process for all advisory committees specified in SECTION 2 of this Ordinance is hereby modified to delete the requirement of submitting an application on an 8-1/2" by 11" sheet of paper, as set forth below. Language being deleted from the involved Ordinances is indicated with strikethroughs and language being added is indicated with underlining, as follows: "All applicants must apply on or before September 1 [date

~~changed to September 1 by Ordinance 07-08]~~ of the appointment year, with each application being submitted on a one sheet, 8-12" by 11" paper, and including a short biography and short explanation as to why the applicant wishes to serve on (the advisory body)". The Ordinances being so modified are Ordinance 06-01, Section 3 (AAC), Ordinance 06-02, Section 2, (CELCAB), Ordinance 06-03, Section 3 (CRAB), Ordinance 06-04, Section 3 (MRTF), Ordinance 06-05, Section 2 (PSTF), Ordinance 06-06, Section 3 (TMA), and Ordinance 06-07, Section 3 (TSA).

SECTION 5. Severability. If any one of the provisions of this ordinance should be held contrary to any express provision of law or contrary to the policy of express law, although not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, then such provision shall be null and void and shall be deemed separate from the remaining provisions of this ordinance, and in no way affect the validity of all other provisions of this ordinance.

SECTION 6. Effect of Ordinance. The provisions of this Ordinance shall be deemed cumulative and supplemental and shall have no legal effect upon the ordinances of the Town of Fort Myers Beach, except as expressly provided.

SECTION 7 Effective Date. This ordinance shall become effective immediately upon its adoption.

The foregoing ordinance was enacted by the Town Council upon a motion by Council Member Raymond and seconded by Council Member Babcock and, upon being put to a vote, the result was as follows:

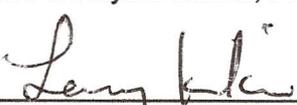
Larry Kiker, Mayor	aye	Herb Acken, Vice Mayor	aye
Tom Babcock	aye	Jo List	aye
Bob Raymond	aye		

DULY PASSED AND ENACTED this 3rd day of September, 2008.

Attest:

Town of Fort Myers Beach, Florida

BY: 
Michelle Mayher, Town Clerk

BY: 
Larry Kiker, Mayor

Approved as to Legal Form and Sufficiency:


Anne Dalton, Esquire, Town Attorney