

RESOLUTION OF THE TOWN COUNCIL OF  
THE TOWN OF FORT MYERS BEACH, FLORIDA  
RESOLUTION NUMBER 96- 30

A RESOLUTION OF THE TOWN OF FORT MYERS BEACH, FLORIDA, IN OPPOSITION TO ADOPTION OF THE PROPOSED LEE COUNTY CHARTER, PROVIDING TOWN OPPOSITION AND AN EFFECTIVE DATE.

WHEREAS, the Town of Fort Myers Beach has the governmental, corporate, and proprietary "Home Rule Powers" pursuant to Article VIII, Section 2 of the Constitution of the state of Florida and Chapter 166 of the Florida Statutes to enable it to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, a County charter for Lee County is proposed by referendum in the November, 1996 general election; and

WHEREAS, an adopted County Charter may be subsequently amended by a Referendum of the countywide electorate to provide that County Ordinances prevail over municipal ordinances within municipal limits and may preempt or usurp certain municipal regulatory functions.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA:

Section 1. Town Opposition. The Town Council. of the Town of Fort Myers Beach hereby expresses its opposition to the adoption of a Charter for Lee County and supports the Town's ability to fully regulate and provide services under its Home Rule Powers.

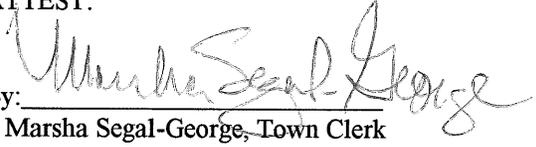
Section 2. Effective Date. This resolution shall take effect immediately upon its adoption by the Fort Myers Beach Town Council

The foregoing resolution was adopted by the Fort Myers Beach Town Council upon being put to a vote, the result was as follows:

|                       |               |
|-----------------------|---------------|
| Anita T. Cereceda     | <u>aye</u>    |
| Ted FitzSimons        | <u>absent</u> |
| William (Rusty) Isler | <u>aye</u>    |
| Garr Reynolds         | <u>aye</u>    |
| Ray Murphy            | <u>aye</u>    |

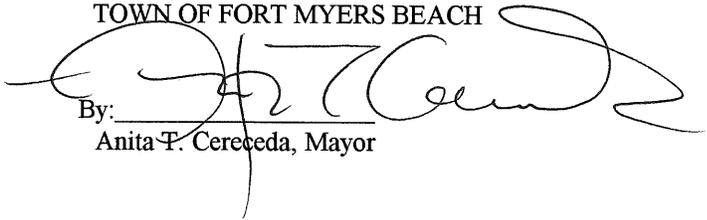
DULY ADOPTED this 21st day of October, 1996.

ATTEST:

By: 

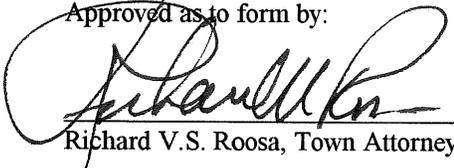
Marsha Segal-George, Town Clerk

TOWN OF FORT MYERS BEACH

By: 

Anita T. Cereceda, Mayor

Approved as to form by:

  
Richard V.S. Roosa, Town Attorney