

**EMERGENCY RESOLUTION OF THE TOWN OF
FORT MYERS BEACH, FLORIDA
RESOLUTION NUMBER 05-20**

WHEREAS, the National Hurricane Center recognizes the danger to coastal residents from Hurricane Dennis, by posting a Tropical Storm watch and warning for Lee County; and,

WHEREAS, the State of Florida has issued an Executive Order recognizing the danger posed by Hurricane Dennis to this area; and

WHEREAS, forecasting specific to Lee County indicates the possibility of significant impact on this area; and,

WHEREAS, Hurricane Dennis has the potential for causing extensive damage to public utilities, public buildings, public communication systems, public streets and roads,

WHEREAS, Chapter 252, Florida Statutes, and Ordinance Number 99-6, provides authority for the Town of Fort Myers Beach to declare a State of Local Emergency and to waive the procedures and formalities otherwise required of political subdivision by law pertaining to:

1. Performance of public work and taking whatever action is necessary to ensure the health, safety, and welfare of the community;
2. Entering into contracts;
3. Incurring obligations;
4. Employment of permanent and temporary workers;
5. Utilization of volunteer workers;
6. Rental of equipment;
7. Acquisition and distribution, with or without compensation, of supplies, materials and facilities;
8. Appropriation and expenditure of Public funds; and,

WHEREAS, the Town of Fort Myers Beach, pursuant to its home rule powers has adopted certain emergency procedure in its code of ordinances, specifically CHAPTER SIXTY FOUR of the Town of Fort Myers Beach Code of Ordinances;

NOW, THEREFORE, BE IT RESOLVED that:

Section 1. Based upon the forgoing findings a state of local emergency exists effective immediately within the Town of Fort Myers Beach.

Section 2. The Town, through the undersigned, hereby exercises its authority and waives the procedures and formalities required by law of a political subdivision, as provided in Chapter 252.38(6)(e), Florida Statutes and the Town Charter and implements Local Emergency Procedures contained in Chapter 64, Sections 1-10, and Chapter 65, Section 1-14.

Section 3. The Town expressly waives section 4, sub (2) of Ordinance 99-6 and any amendments thereto, relative to an automatic imposition of a curfew as a result of this declaration.

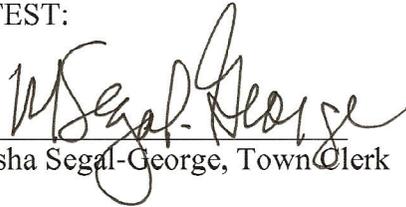
Section 4. This resolution shall take effect immediately upon adoption and continue for the duration of the threat of Hurricane Dennis.

The foregoing Resolution was adopted by the two members of the Town Council present after reasonable notice.

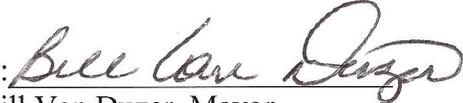
DULY PASSED AND ADOPTED this 8th day of July, 2005.

Ken Katcho	<u>Present</u>
Garr Reynolds	<u>Absent</u>
Howard Rynearson	<u>Absent</u>
Bill Van Duzer	<u>Present</u>
Don Massucco	<u>Absent</u>

ATTEST:

By: 
Marsha Segal-George, Town Clerk

Town of Fort Myers Beach

By: 
Bill Van Duzer, Mayor