

RESOLUTION 17-36
A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
FORT MYERS BEACH RELATING TO AMENDMENT OF THE
TOWN OF FORT MYERS BEACH PUBLIC RIGHT-OF-WAY FEE
SCHEDULE; PROVIDING FOR SEVERABILITY AND AN
EFFECTIVE DATE.

WHEREAS, the Fort Myers Beach Town Council is the governing body in and for the Town of Fort Myers Beach, a municipality of the State of Florida, County of Lee; and

WHEREAS, the Town of Fort Myers Beach is a charter municipality incorporated on December 31, 1995 pursuant to Laws of Florida chapter 95-494, adopted in July 1995; and

WHEREAS, Town Charter sections 10.01 and 10.03 provide for the adoption of administrative provisions by Resolution of the Town Council; and

WHEREAS, certain amendments to the Town of Fort Myers Beach Public Right-of-Way Fee Schedule are now being proposed and the Town Council finds that the proposed amendments are acceptable, serve a public purpose, and are consistent with the terms and conditions of the Town Charter.

NOW THEREFORE, BE IT RESOLVED BY THE FORT MYERS BEACH TOWN COUNCIL AS FOLLOWS:

1. The above recitals are true and correct and incorporated herein as though fully set forth below.
2. The proposed amendment to Town of Fort Myers Beach Public Right-of-Way Fee Schedule (attached as Exhibit A) are approved and are hereby directed to be incorporated into the Town of Fort Myers Beach Fee Schedule.
3. The provisions of this Resolution are severable, and it is the intention to confer to the whole or any part of the Resolution, the powers herein provided. If any provisions of this Resolution are held unconstitutional by any court of competent jurisdiction, the decision of the court will not affect or impair any of the remaining provisions of this Resolution. It is hereby declared to be the Town Council's legislative intent that this Resolution would have been adopted had such unconstitutional provision not been included.
4. This Resolution becomes effective immediately upon its adoption by the Town Council.

THE FOREGOING RESOLUTION was adopted by the Town Council upon a motion by _____ and seconded by _____ and upon being put to a vote, the result was as follows:

Dennis C. Boback, Mayor
Bruce Butcher, Council Member
Joanne Shamp, Council Member

Tracey Gore, Vice Mayor
Anita Cereceda, Council Member

DULY PASSED AND ADOPTED on this 6th day of November, 2017.

ATTEST:

TOWN OF FORT MYERS BEACH

By: _____
Michelle Mayher, Town Clerk

By: _____
Dennis C. Boback, Mayor

Approved as to form

By: _____
Peterson Law Group, Town Attorney

DRAFT