

ORDINANCE No. 03-01

AN ORDINANCE AMENDING THE TOWN OF FORT MYERS BEACH PARKS AND RECREATION ORDINANCE; SECTION THIRTEEN: INTOXICATING BEVERAGES/ILLEGAL SUBSTANCES; PROVIDING AUTHORITY; AMENDMENT TO SECTION THIRTEEN: INTOXICATING BEVERAGES/ILLEGAL SUBSTANCES; PROVIDING 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, Chapter 166, Florida Statutes, and other applicable provisions of law.

SECTION 2. Amendment. SECTION THIRTEEN: Intoxicating Beverages/Illegal Substances of Ordinance 97-05, an ordinance establishing The Town Of Fort Myers Beach Parks And Recreation Ordinance, is hereby amended to read as follows:

GENERAL PROHIBITION No person shall possess, consume, use, sell or distribute alcoholic or intoxicating beverages, illegal substances in any park. Further, no person shall enter or remain in any park under the influence of alcohol, other intoxicants, or illegal substances.

A person under a written contract with the Town may sell, serve and/or permit to be sold or served beer and wine at events designated by the Town, and persons may consume said beer and wine sold therein on the premises only without violating the provisions of this section.

Notwithstanding, the foregoing, the Town Council is hereby authorized to designate by resolution for a onetime event any recreation facility wherein the sale and consumption of alcoholic beverages may be allowed when the private group making application for the resolution must secure a permit or license authorized by Chapter 561, Florida Statutes. Such beverages must be served only in plastic containers and ~~t~~The Town Manager may place further restrictions or limitations.

SECTION 3. Effective Date. This ordinance shall take effect immediately upon its adoption.

The foregoing ordinance was enacted by the Town Council upon a motion by Council Member Bill Van Duzer and seconded by Council Member Bill Thomas.

and, upon being put to a vote, the result was as follows:

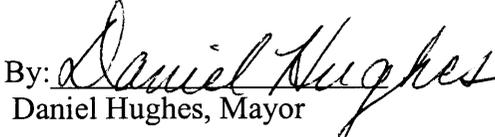
Howard Rynearson	<u>aye</u>
Daniel Hughes	<u>aye</u>
Bill Thomas	<u>aye</u>
W. H. "Bill" Van Duzer	<u>aye</u>
Terry Cain	<u>aye</u>

DULY PASSED AND ENACTED this 3<sup>rd</sup> day of February, 2003.

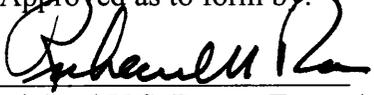
ATTEST:

TOWN OF FORT MYERS BEACH

By:   
Marsha Segal-George, Town Clerk

By:   
Daniel Hughes, Mayor

Approved as to form by:

  
Richard V.S. Roosa, Town Attorney