

**EMERGENCY RESOLUTION OF THE TOWN OF
FORT MYERS BEACH, FLORIDA
RESOLUTION NUMBER 05-33**

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

WHEREAS, Chapter 252, Florida Statutes, and Chapter Sixty-four of the Town of Fort Myers Beach Code of Ordinances authorizes the Town of Fort Myers Beach to exercise various emergency procedures in the interest of public safety, health, and welfare, including but not limited to ordering a mandatory evacuation of the Town; and

WHEREAS, pursuant to the aforesaid emergency procedures, the Town of Fort Myers Beach, Florida declared a state of local emergency within its borders, effective October 19, 2005, due to the approach of Hurricane Wilma; and

WHEREAS, Hurricane Wilma has the potential for causing extensive damage to public utilities, public buildings, public communication systems, public streets and roads, and posing significant threat to the public safety, health and welfare; and

WHEREAS, under a State of Local Emergency, Section 252.38(3), Florida Statutes, provides authority for a political subdivision such as the Town of Fort Myers Beach to waive the procedures and formalities otherwise required of a political subdivision in order to take whatever action is necessary to ensure the health, safety, and welfare of the community; and

WHEREAS, the Town of Fort Myers Beach has adopted emergency regulations; and

WHEREAS, the Town Council finds and declares that the following regulations are necessary to protect and safeguard the safety, health and welfare of the people of the Town of Fort Myers Beach;

NOW, THEREFORE, BE IT RESOLVED that:

Section 1. Based upon the forgoing findings, it is in the best interests of the public health, safety, and welfare for all persons within the territorial boundaries of Fort Myers Beach to evacuate from the island to safer location.

Section 2. The Town, through the undersigned, hereby exercises its authority to order a mandatory evacuation of Fort Myers Beach, Florida, effective at 12:00 noon on Saturday, October 22, 2005.

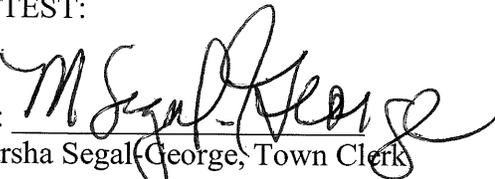
Section 3. This resolution shall take effect immediately upon adoption and continue during the term of the State Local Emergency as adopted by the Town Council..

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

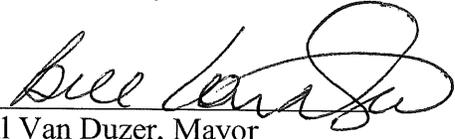
DULY PASSED AND ADOPTED this 22nd day of October, 2005.

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|------------------|---------------|
| Ken Katcko | <u>Aye</u> |
| Garr Reynolds | <u>Aye</u> |
| Howard Rynearson | <u>Absent</u> |
| Bill Van Duzer | <u>Aye</u> |
| Don Massucco | <u>Aye</u> |

ATTEST:

By: 
Marsha Segal-George, Town Clerk

Town of Fort Myers Beach

By: 
Bill Van Duzer, Mayor

Town of Fort Myers Beach

By: 
Anne Dalton, Town Attorney