

ORDINANCE 09-07

AN ORDINANCE AMENDING THE MEMBERSHIP REQUIREMENTS OF THE ANCHORAGE ADVISORY COMMITTEE, COMMUNITY RESOURCE ADVISORY BOARD, CULTURAL AND ENVIRONMENTAL LEARNING CENTER ADVISORY BOARD, MARINE RESOURCE TASK FORCE, PUBLIC SAFETY TASK FORCE, TIMES SQUARE ADVISORY BOARD, AND TRAFFIC MITIGATION AGENCY TO ALLOW FOR MEMBERSHIP ON MULTIPLE TOWN COMMITTEES; PROVIDING AUTHORITY; STATEMENT OF EFFECT ON ORDINANCE 07-08 AND ORDINANCE 08-12; SEVERABILITY; EFFECT OF ORDINANCE AND 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, Chapters 163 and 166, Florida Statutes, and other applicable provisions of law.

SECTION 2. Town Advisory Committees Affected. This Ordinance amends membership requirements for the following Town advisory bodies: Anchorage Advisory Committee ("AAC"); Community Resource Advisory Board ("CRAB"); Cultural and Environmental Learning Center Advisory Board ("CELCAB"); Marine Resource Task Force ("MRTF"); the Public Safety Task Force ("PSTF"); Times Square Advisory Board ("TSA"), and Traffic Mitigation Agency ("TMA"). All other requirements for membership, including but not limited to those set forth in Ordinances 07-0 and 08-12, continue in full force and effect, except as specifically modified below.

SECTION 3. Termination of Restriction Regarding Membership on Multiple Town Committees.

Language being deleted from Ordinance 06-01, Section 3 is indicated with ~~strikethroughs~~ and language being added is indicated with underlining, as follows:

".... Any person who is otherwise eligible for membership on a Town advisory committee may be appointed to membership on more than one (1) Town advisory committee in the discretion of the Town Council." ~~Membership on the AAC shall render a person ineligible for membership on any other advisory committee for the Town of Fort Myers Beach during his/her term of office..~~

SECTION 4. Modification of Additional Advisory Committee Ordinances. Although the specific ordinance being amended is Ordinance 06-01, Section 3, other Town ordinances which set forth the same provision are CELCAB Ordinance 06-02, Section 2; CRAB Ordinance 06-03, Section 3; MRTF Ordinance 06-04, Section 3; PSTF Ordinance 06-05, Section 3; TSA Ordinance 06-07, Section 3; and TMA Ordinance 06-06, Section 3. All such ordinances shall be deemed amended with the language set forth in SECTION 3 above as though each were individually amended via separate Ordinance.

SECTION 5 Severability. If any one of the provisions of this ordinance should be held contrary to any express provision of law or contrary to the policy of express law, although not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, then such provision shall be null and void and shall be deemed separate from the

remaining provisions of this ordinance, and in no way affect the validity of all other provisions of this ordinance.

SECTION 6. Effect of Ordinance. The provisions of this Ordinance shall be deemed cumulative and supplemental and shall have no legal effect upon the ordinances of the Town of Fort Myers Beach, except as expressly provided.

SECTION 7. Effective Date. This ordinance shall become effective immediately upon its adoption.


The foregoing ordinance was enacted by the Town Council upon a motion by Council Member Babcock and seconded by Council Member List and, upon being put to a vote, the result was as follows:

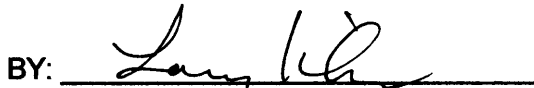
| | | | |
|----------------------------|-----|----------------------------|-----|
| Larry Kiker, Mayor | nay | Herb Acken, Vice Mayor | aye |
| Jo List, Councilmember | aye | Bob Raymond, Councilmember | aye |
| Tom Babcock, Councilmember | aye | | |

DULY PASSED AND ENACTED this 7th day of December, 2009.


Attest:

Town of Fort Myers Beach, Florida

BY: 
Michelle Mayher, Town Clerk

BY: 
Larry Kiker, Mayor

Approved as to Legal Form:


Anne Dalton, Esquire, Town Attorney