

ORDINANCE No. 05-19

AN ORDINANCE AMENDING THE TOWN OF FORT MYERS BEACH MARINE RESOURCES TASK FORCE ORDINANCE, PROVIDING AUTHORITY; AMENDMENT TO SECTION 3. COMPOSITION AND APPOINTMENT; 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, Chapter 166, Florida Statutes, and other applicable provisions of law.

SECTION 2. Amendment. SECTION 3 of the ordinance establishing the Town of Fort Myers Beach MARINE RESOURCES TASK FORCE "MRTF" is hereby amended to read as set forth below. Additions to the Ordinance are indicated by underlining and deletions to the Ordinance are indicated by ~~strike-throughs~~.

SECTION 3. Composition and appointment. The MRTF shall consist of not less than five (5) nor more than seven (7) members appointed by the Town Council. ~~The number of members of MRTF in existence upon the effective date of this Ordinance shall be reduced to seven (7) by attrition. Therefore, upon the resignation, disqualification, or death of a member, or expiration (if any) of a member's term, no person shall be added to the membership of MRTF until the total membership of this Task Force is reduced to seven (7) persons. At that time, the normal process of selection of new members shall resume.~~ For the 2005-2006 Committee membership year only, the Town Council shall appoint not more than nine (9) members to the MRTF. If any MRTF member resigns, is disqualified, or is otherwise terminated during the 2005-2006 Committee membership year, that person will not be replaced unless the total membership on the MRTF is thereby reduced below seven (7) persons. If, by such action, the

MRTF membership is reduced below seven (7) persons, the Town Council shall have the ability to name such additional members as is required to bring the total membership to a maximum of seven (7) persons under its normal procedures. If, on February 28, 2006, the membership of the MRTF is in excess of seven (7) persons, the MRTF shall assembled a list of seven (7) or less recommendations for MRTF appointments for the 2006-2007 membership year at is regular March meeting and shall forward it for consideration by the Town Council no later than March 31, 2006. The MRTF shall have no more than seven (7) members for the 2006-2007 and future membership years.

SECTION 3. 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 beheld 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 4. Effect of Ordinance. The provisions of this Ordinance shall be deemed cumulative and supplemental and shall have no legal effect upon the ordinance establishing the Town of Fort Myers Beach Marine Resources Task Force except as expressly provided.

SECTION 5. 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 Ryneanson and seconded by Council Member Katcko and, upon being put to a vote, the result was as follows:

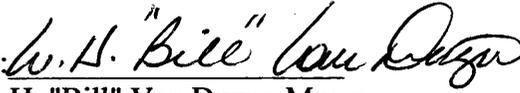
Howard Rynearson	<u>Aye</u>
Don Massucco	<u>Nay</u>
Ken Katcko	<u>Aye</u>
W. H. "Bill" Van Duzer	<u>Aye</u>
Garr Reynolds	<u>Aye</u>

DULY PASSED AND ENACTED this 27th day of June, 2005.

ATTEST:

TOWN OF FORT MYERS BEACH

By: 
Marsha Segal-George, Town Clerk

By: 
W. H. "Bill" Van Duzer, Mayor

Approved as to form by:


Anne Dalton, Town Attorney