

ORDINANCE 06-23

AN ORDINANCE ESTABLISHING THE TOWN OF FORT MYERS BEACH FINANCE DEPARTMENT, PUBLIC WORKS DEPARTMENT AND COMMUNITY DEVELOPMENT DEPARTMENT, FINDING OF NECESSITY; PROVIDING AUTHORITY; ESTABLISHING DEPARTMENTS; DEPARTMENT FUNCTIONS; SEVERABILITY 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, Section 9.01 of the Town Charter, and other applicable provisions of law.

SECTION 2. Finding Of Necessity. The Town Council finds that the establishment of the Town Finance Department, the Public Works Department and the Community Development Department as set forth elsewhere in this Ordinance is necessary for the efficient administration and operation of the Town, as set forth in Article IX, Section 9.01 of the Town Charter.

SECTION 3. Finance Department Established. A department to be known as the Town of Fort Myers Beach Finance Department is hereby established. A director of this department shall be selected by the Town Manager. The director will possess such qualifications as the town manager determines are necessary to efficiently direct the effective functioning of this department and shall serve at the pleasure of the Town Manager.

SECTION 4. Public Works Department Established. A department to be known as the Town of Fort Myers Beach Public Works Department is hereby established. A director of this department shall be selected by the Town Manager. The director will possess such qualifications as the town manager determines are necessary to efficiently direct the effective functioning of this department and shall serve at the pleasure of the Town Manager.

SECTION 5. Community Development Department Established. A department to be known as the Town of Fort Myers Beach Community Development Department is hereby established. A director of this department shall be selected by the Town Manager. The director will possess such qualifications as the town manager determines are necessary to efficiently direct the effective functioning of this department and shall serve at the pleasure of the Town Manager.

SECTION 6. Department Functions. The Town Manager shall assign such functions

and duties to each department hereunder as would in the normal course of business be performed by such department.

SECTION 7. 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.

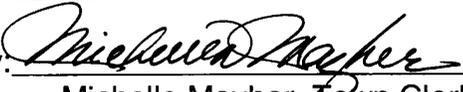
SECTION 8. Effective Date. This ordinance shall become effective immediately upon its adoption.

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

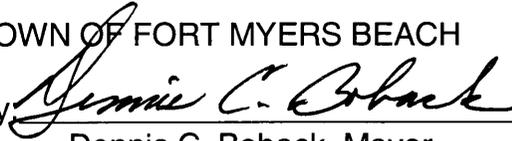
Dennis C. Boback, Mayor	AYE
Don Massucco, Vice Mayor	AYE
Charles Meador, Jr.	AYE
Garr Reynolds	AYE
Bill Shenko, Jr.	AYE

DULY PASSED AND ENACTED this 11TH day of December, 2006.

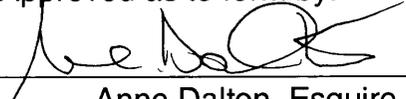
ATTEST:

By: 
Michelle Mayher, Town Clerk

TOWN OF FORT MYERS BEACH

By: 
Dennis C. Boback, Mayor

Approved as to form by:


Anne Dalton, Esquire
Town Attorney