

ORDINANCE 06-01

AN ORDINANCE AMENDING THE TOWN OF FORT MYERS BEACH ANCHORAGE MANAGEMENT ORDINANCE; PROVIDING AUTHORITY; AMENDMENT TO SECTION 6. COMPOSITION AND APPOINTMENT, SECTION 7. QUALIFICATIONS OF MEMBERS, AND SECTION 10, MEMBERS' TERMS AND VACANCIES; 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. Additions to the prior Ordinance(s) are indicated by underlining and deletions to the prior Ordinance(s) are indicated by ~~strikethroughs~~.

SECTION 2. The provisions of SECTION 6. Composition and appointment, of the Fort Myers Beach Anchorage Advisory Committee Ordinance 00-14, as amended by Ordinance 04-02 and Ordinance 05-12, are further amended to read as follows:

SECTION 6. Composition and appointment. The Anchorage Advisory Committee (AAC) shall consist of ~~not less than five (5) or more than seven (7)~~ members appointed by the Town Council. The Harbormaster shall be a non-voting, ex-officio member.

SECTION 3. The provisions of SECTION 7. Qualifications of members, of the Fort Myers Beach Anchorage Advisory Committee Ordinance 00-14, are amended to read as follows:

SECTION 7. Qualifications of members. ~~No members of the Anchorage Advisory Committee shall be salaried officials of the Town.~~ Two (2) members shall be environmentalists, two (2) members shall be boat owners, two (2) members shall be bay front property owners and one (1) member shall represent the marine industry. 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. One spouse per household will be eligible for membership on the AAC during any given term of office. No current member of Town Council shall be eligible to serve on the AAC. All members must be residents of the Town of Fort Myers Beach at the time of application for membership on the

AAC and during the period of service on the AAC. All applicants must apply on or before March 1 of the appointment year, with each application being submitted on a one sheet, 8 1/2" by 11" paper, and include a short biography and short explanation as to why the applicant wishes to serve on AAC.

SECTION 4. The provisions of SECTION 10. Member's Term and Vacancies, of the Fort Myers Beach Anchorage Advisory Committee Ordinance 00-14, are amended to read as follows:

SECTION 10. The term of office of a member of the Anchorage Advisory Committee shall be one year or until a successor has been appointed and has qualified. Appointments shall be made annually at the first available meeting of the council in ~~January~~ April and shall be effective immediately. Vacancies in the AAC shall, within thirty days, be filled by the council for the remainder of the term created by such vacancy.

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 ordinance establishing the Town Of Fort Myers Beach Anchorage Management Ordinance 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 Boback and seconded by Council Member Massucco and, upon being put to a vote, the result was as follows:

Garr Reynolds, Mayor	<u>Aye</u>
Don Massucco, Vice Mayor	<u>Aye</u>
Dennis Boback	<u>Aye</u>
Charles Meador, Jr.	<u>Nay</u>

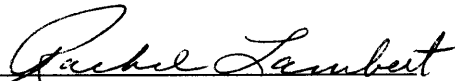
William Shenko, Jr.

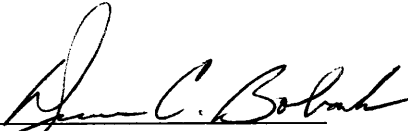
Aye

DULY PASSED AND ENACTED this 22nd day of February, 2006.

ATTEST:

TOWN OF FORT MYERS BEACH

By: 
Rachel Lambert, Town Clerk

By: 
Dennis Boback, Mayor

Approved as to form by:


Anne Dalton, Town Attorney