

**RESOLUTION OF THE LOCAL PLANNING AGENCY OF THE  
TOWN OF FORT MYERS BEACH, FLORIDA  
RESOLUTION NUMBER 2008-24**

WHEREAS, the Local Planning Agency (LPA) is mandated by Florida Statutes Section 163.3174; and

WHEREAS, the LPA is statutorily responsible for the review of proposed land development regulations, land development codes, or amendments thereto, and for making recommendations to the Town Council as to the consistency of such proposals with the adopted Comprehensive Plan (Plan); and

WHEREAS, Section 34-120(4) of the Town Land Development Code (LDC) states that the LPA will review proposed LDC amendments and make recommendations to the Town Council regarding their consistency with the Plan, and

WHEREAS, Section 34-120 (12) of the LDC states that the LPA will aid Town officials charged with the direction of projects or improvements embraced within the Plan and generally promote the realization of the Plan; and

WHEREAS, Section 34-120 (14) of the LDC states that the LPA will perform any other duties which lawfully may be assigned to it by Town Council; and

WHEREAS, the Town Council has directed the LPA to review various issues related to the Town Animal Control Ordinance; and

WHEREAS, Lee County has proposed a revision to the current Interlocal Agreement for Animal Control Services with the Town which requires the Town to adopt the Lee County Animal Control Ordinance in toto or be charged a ten (10%) percent administrative fee for all services under the Interlocal.

IT IS HEREBY RESOLVED BY THE LPA OF THE TOWN OF FORT MYERS BEACH, FLORIDA as follows:

1. At its regularly scheduled meeting of June 3, 2008, the LPA reviewed the Lee County Animal Control Ordinance and determined that it is not in the best interest of the Town to adopt the entire Lee County Animal Control Ordinance, for the following reasons: the Lee County Ordinance fails to address the unique characteristics of the environment of the Town and fails to address known and specific animal nuisance problems such as iguanas, coyotes, and similar issues.
2. The LPA intends to present proposed revisions of the Town Animal Control Ordinance to the Town Council that would sufficiently address these and other issues affecting public health and safety within the Town.

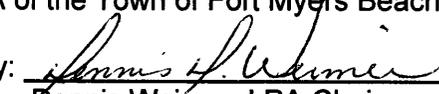
The foregoing Resolution was adopted by the LPA upon a motion by LPA Member Yerkes and seconded by LPA Member Van Duzer and upon being put to a vote, the result was as follows:

Dennis Weimer, Chair aye  
Evie Barnes aye  
Joanne Champ aye  
Joe Yerkes aye

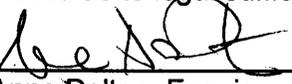
Alan Mandel, Vice Chair aye  
Rochelle Kay aye  
Bill Van Duzer aye

DULY PASSED AND ADOPTED THIS 3<sup>rd</sup> day of June, 2008.

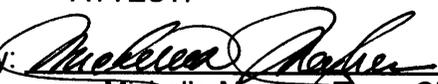
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LPA of the Town of Fort Myers Beach

By:   
Dennis Weimer, LPA Chair

Approved as to legal sufficiency:

By:   
Anne Dalton, Esquire  
LPA Attorney

ATTEST:

By:   
Michelle Mayher, Town Clerk