

ORDINANCE No. 99-16

AN ORDINANCE AMENDING THE TOWN OF FORT MYERS BEACH LAND DEVELOPMENT CODE, CHAPTER 34 ZONING, DIVISION 4. AIRCRAFT LANDING FACILITIES, PRIVATE. SECTION 34-1238. PILOT'S AIRCRAFT LICENSE; PROVIDING AUTHORITY; ADDING SECTION 34-1238. PILOT'S AIRCRAFT LICENSE; PROVIDING 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, and other applicable provisions of law.

SECTION 2. Adding Division 4. Aircraft Landing Facilities, Private. Section 34-1238.

- (a) No person shall take off or land any aircraft that is propelled by an engine within the limits of the Town of Fort Myers Beach unless the aircraft is registered with the Federal Aviation Administration or an aircraft owned by a governmental agency.
- (b) In accordance with FAA requirements, no aircraft, as defined in sub-section (a), shall fly over the land of the Town of Fort Myers Beach.

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

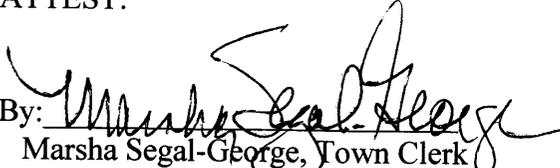
The foregoing ordinance was enacted by the Town Council upon a motion by Council Member Mulholland and seconded by Council Member Reynolds and, upon being put to a vote, the result was as follows:

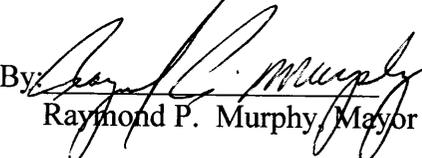
Anita T. Cereceda	nay
Daniel Hughes	aye
John Mulholland	aye
Garr Reynolds	aye
Ray Murphy	aye

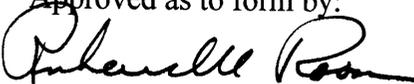
DULY PASSED AND ENACTED this 20th day of December, 1999.

ATTEST:

TOWN OF FORT MYERS BEACH

By: 
 Marsha Segal-George, Town Clerk

By: 
 Raymond P. Murphy, Mayor

Approved as to form by:

 Richard V.S. Roosa, Town Attorney