

ORDINANCE 05-15

AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH
AMENDING THE CHARTER, PROVIDING AUTHORITY;
AMENDMENT – EARLY VOTING FOR TOWN ELECTIONS; SEVERABILITY;
REPEALING CLAUSE AND EFFECTIVE DATE

IT IS HEREBY ORDAINED BY THE TOWN OF FORT MYERS BEACH AS FOLLOWS:

SECTION 1. AUTHORITY. The Ordinance is enacted pursuant to the provisions of Chapter 95-494, Laws of Florida, Section 100.3605, Florida Statutes, Section 101.657, Florida Statutes, Chapter 166, Florida Statutes, and other applicable provisions of law.

SECTION 2. AMENDMENT – EARLY VOTING FOR TOWN ELECTIONS. The Charter for the Town of Fort Myers Beach, adopted as Chapter 95-494, Laws of Florida, is amended to add a new section, as follows:

Section 5.09. Exemption from Early Voting Requirement. The Town of Fort Myers Beach hereby exempts itself from all requirements to conduct early voting in and for Town elections, as such requirements are set forth in Section 101.657, Florida Statute, and hereby opts out of the early voting process for any Town election. Such exemption is in the best interests of the citizens of the Town of Fort Myers Beach, Florida.

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 as 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. REPEALING CLAUSE. All ordinances or parts thereof in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.

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 Rynearson and seconded by Council Member Massucco and, upon being put to a vote, the result was as follows:

Howard Rynearson	<u>Aye</u>
Don Massucco	<u>Aye</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