

**EMERGENCY RESOLUTION OF THE TOWN OF
FORT MYERS BEACH, FLORIDA
RESOLUTION NUMBER 05-38**

WHEREAS, the State of Florida has issued an Executive Order recognizing the danger posed to this area by Hurricane Wilma; and,

WHEREAS, Chapter 252, Florida Statutes, and Ordinances 05-16, 05-17, 96-19 and 99-6 of the Town of Fort Myers Beach, Florida authorize the Town of Fort Myers Beach to exercise various emergency procedures in the interest of public safety, health, and welfare, including, but not limited to, ordering a mandatory curfew of the Town; and

WHEREAS, the Town of Fort Myers Beach imposed a mandatory curfew within its territorial limits, via Resolution Number 05-36, which took effect on Monday, October 24, 2005, until further notice;

WHEREAS, the Town Council finds and declares that a mandatory curfew within its territorial limits is no longer necessary to protect and safeguard the safety, health and welfare of the people of the Town of Fort Myers Beach.

NOW, THEREFORE, BE IT RESOLVED that:

Section 1. Based upon the foregoing findings, it is in the best interest of the public health, safety, and welfare for a mandatory curfew within the territorial limits of the Town of Fort Myers Beach to be lifted and rescinded, effective October 26, 2005.

Section 2. The Town, through the undersigned, hereby exercises its authority to lift and rescind the mandatory curfew which it imposed on October 24, 2005.

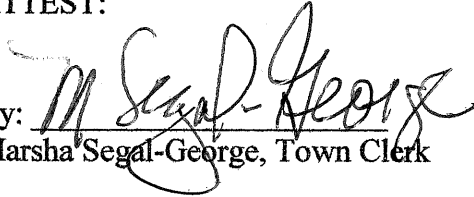
Section 3. This resolution shall take effect immediately upon adoption.

The foregoing Resolution was adopted by the Town Council present after reasonable notice.

DULY PASSED AND ADOPTED this 26th day of October, 2005.

Ken Katcko	<u>AYE</u>
Garr Reynolds	<u>ABSENT</u>
Howard Rynearson	<u>ABSENT</u>
Bill Van Duzer	<u>AYE</u>
Don Massucco	<u>AYE</u>


ATTEST:

By: 
Marsha Segal-George, Town Clerk

Town of Fort Myers Beach

By: 
Bill Van Duzer, Mayor

Town of Fort Myers Beach

By: 
Anne Dalton, Town Attorney