

ORDINANCE NO. 10-10

AN ORDINANCE ADOPTING A CODIFICATION AND REVISION OF CERTAIN ORDINANCES OF THE TOWN OF FORT MYERS BEACH, FLORIDA; REPEALING ALL ORDINANCES THAT ARE INCONSISTENT THEREWITH AND SAVING FROM REPEAL CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING FOR A PENALTY FOR VIOLATION OF THE CODE OF ORDINANCES; PROVIDING FOR THE MANNER OF AMENDING THE CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. The Code entitled "Code of Ordinances, Town of Fort Myers Beach, Florida," published by Municipal Code Corporation, consisting of chapters 1 through 32, each inclusive, is hereby adopted.

Section 2. All ordinances of a general and permanent nature enacted on or before August 2, 2010, that are inconsistent with any provision of the Code of Ordinances are hereby repealed as of the effective date of this Ordinance, provided, however, that the enactment of the Code of Ordinances shall not be construed to affect a right or liability accrued or incurred under any ordinance in effect prior to the effective date of this ordinance, or any action or proceeding for the enforcement of such right or liability.

Section 3. Unless another penalty is expressly provided, every person convicted of a violation of any provision of the Code of Ordinances or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be punished by a fine not exceeding \$500.00 or imprisonment for a term not exceeding sixty (60) days, or by both fine and imprisonment. Each act of violation and each day upon which any such violation shall continue or occur shall constitute a separate offense. The penalty provided by this section, unless another penalty is expressly provided, shall apply to the amendment of any Code section, whether or not such penalty is reenacted in the amending ordinance. In addition to the penalty prescribed above, the Town may pursue other remedies such as abatement of nuisances, injunctive relief and revocation of licenses or permits.

Section 4. Additions or amendments to the Code of Ordinances when passed in such form as to indicate the intention of the Town Council to make the same a part of the Code of Ordinances shall be deemed to be incorporated in the Code of Ordinances, so that reference to the Code of Ordinances includes the additions and amendments.

Section 5. Ordinances adopted after August 2, 2010 that amend or refer to ordinances that have been codified in the Code of Ordinances shall be construed as if they amend or refer to like provisions of the Code of Ordinances.

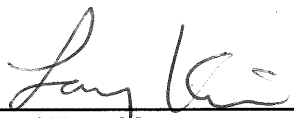
Section 6. Effective Date. This Ordinance shall take effect immediately upon adoption by the Town.

The foregoing Ordinance was adopted by the Town Council upon a motion by Council Member Babcock and seconded by Council Member List and upon being put to a vote, the result was as follows:

Larry Kiker, Mayor	aye	Bob Raymond, Vice Mayor	aye
Tom Babcock	aye	Jo List	aye
Alan Mandel	aye		

DULY PASSED AND ADOPTED THIS 6th DAY OF DECEMBER 2010, BY THE

TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH

By: 
Larry Kiker, Mayor

ATTEST:
By: 
Michelle D. Mayher, Town Clerk

Approved as to form and legal sufficiency:

By: 
FOWLER WHITE BOGGS, Town Attorney