

ORDINANCE No. 00-16

AN ORDINANCE AMENDING THE TOWN OF FORT MYERS BEACH CODE OF ORDINANCES CHAPTER 78, TOWN OF FORT MYERS BEACH SPECIAL EVENTS ORDINANCE; SECTION THREE: PERMIT REQUIRED; SECTION FOUR: PERMIT APPLICATION; PROVIDING AUTHORITY; AMENDMENT TO CHAPTER 78 SECTION FOUR: PERMIT APPLICATION; 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. AMENDMENT. Chapter 78 SECTION THREE., of the ordinance establishing the Town of Fort Myers Beach Special Events Ordinance is hereby amended to read as follows:

78. SECTION THREE: PERMIT REQUIRED

No person, corporation, partnership, or other organization shall advertise, conduct, maintain, or sell or furnish tickets for more than six events in one calendar year ~~an event~~ within the boundaries of the Town of Fort Myers Beach and no such event shall be held unless and until that person or entity has obtained a permit from Town of Fort Myers Beach to conduct such event.

SECTION 3. AMENDMENT. Chapter 78 SECTION FOUR., of the ordinance establishing the Town of Fort Myers Beach Special Events Ordinance is hereby amended to read as follows:

78. SECTION FOUR: PERMIT APPLICATION

No person, corporation, partnership, or other organization shall advertise, conduct, maintain, or sell or furnish tickets within the boundaries of the Town of Fort Myers Beach

An application shall be made on a standard application form, approved by the Town Manager or designee, for an event permit. The application form may be obtained from Town Hall. At least twenty-one (21) days prior to the scheduled commencement of the event, or prior to January 1, if the event is to be held during the season (February through April), the completed application with descriptive plans for all arrangements

must be submitted along with the applicable fee if any. The applicant shall comply with any and all conditions set forth in the application and as required by the Town Manager or designee, including but not limited to contacting and making sufficient and acceptable arrangements with the following agencies:

- (a) Lee County Sheriff's Department.
- (b) Fort Myers Beach Fire Department
- (c) Any/or other agencies deemed appropriate or necessary by the Town Manager or designee.

Pursuant to these provisions, the Town Manager or designee is provided authority to prepare said application form and revise same from time to time as needed.

SECTION 4. 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 5. EFFECTIVE DATE. This ordinance shall take effect immediately upon its adoption.

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

Anita T. Cereceda	<u>aye</u>
Daniel Hughes	<u>aye</u>
Garr Reynolds	<u>aye</u>
Ray Murphy	<u>aye</u>
Terry Cain	<u>aye</u>

DULY PASSED AND ENACTED this 6th day of November, 2000.

ATTEST:

By: Marsha Segal-George
Marsha Segal-George, Town Clerk

TOWN OF FORT MYERS BEACH

By: Daniel Hughes
Daniel Hughes, Mayor

Approved as to form by:

Richard V.S. Roosa
Richard V.S. Roosa, Town Attorney