

**AGENDA ITEM SUMMARY SHEET**  
**VILLAGE COUNCIL MEETING**  
**September 5, 2018**

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**Agenda Item:**

Ordinances Repealing Inapplicable Lee County-only Regulations

**Description:**

At the July 25, 2018 Council workshop, Assistant Village Attorney Derek Rooney provided an explanation of the re-codification process that will span over a period of several months. The first set of ordinances, those repealing inapplicable provisions of the Lee County code, number 31, and will be adopted in three groups; this is the first group.

**Action Requested:**

Motion to approve first reading of Ordinances No. 2018-12 through 2018-21 and schedule second reading/public hearing for September 20, 2018.

**Financial Impacts:**

Approximately \$190 per ordinance for advertising second reading/hearing of the ordinances.

**Attachments:**

1. Ordinances No. 2018-12 through 2018-21

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**VILLAGE OF ESTERO, FLORIDA**

**ORDINANCE NO. 2018 - 12**

**AN ORDINANCE OF THE VILLAGE COUNCIL OF THE  
VILLAGE OF ESTERO, FLORIDA, REPEALING  
PERSONNEL PROVISIONS OF THE LEE COUNTY  
CODE PREVIOUSLY ADOPTED BY REFERENCE; AND  
PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Village of Estero was incorporated by referendum held on November 4, 2014; and

**WHEREAS**, the Charter of the Village of Estero (“Charter”) at Section 11, “General Provisions,” paragraph (5) “Transitional Ordinances and Resolutions,” provides that all applicable lawful Lee County ordinances currently in place at the time of passage of the referendum, unless specifically referenced in the Charter, shall remain in place unless rescinded by the Village Council or unless they are in conflict with an ordinance, rule or regulation of the Village; and

**WHEREAS**, the Village Council has determined that it is in the best interests and welfare of the Village and its residents to rescind certain provisions of the Lee County Code that fall into one of the following categories: non-ordinance provisions, provisions pre-empted to counties, provisions specifically related to county departments, officers, agencies or areas outside of Estero, provisions that would apply within Estero without the Village’s adoption of same.

**NOW, THEREFORE**, be it ordained by the Village Council of the Village of Estero, Florida:

**Section 1. Lee County Code Sections repealed.**

The following sections were included in the Code of Laws and Ordinances, of the Village of Estero, Florida by virtue of their inclusion in the Lee County Code and are hereby are hereby rescinded and repealed as ordinances of the Village of Estero:

Lee County Code Sec. 1-5, Compensation to laid-off or terminated employees; Sec. 1-6, Guidelines for provision of legal counsel for officers and employees; Sec. 1-7, Moving expenses for county personnel; Sec. 1-10.10, Lee County Tax Collector employee buyout plan that were in place at the time of the incorporation of the Village of Estero, Sec. 1-342. Short title; Sec. 1-343. Voluntary separation incentive pay; Sec. 1-344. Administrative code; Sec. 1-345. Voluntary separation incentive pay; Sec. 1-346. Payments; Sec. 9½-40. Irrevocable trust; Sec. 9½-41. Trustee; Sec. 9½-42. Invest and manage; and Sec. 9½-43. Contributions and accumulating assets.



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**VILLAGE OF ESTERO, FLORIDA**

**ORDINANCE NO. 2018 - 13**

**AN ORDINANCE OF THE VILLAGE COUNCIL OF THE  
VILLAGE OF ESTERO, FLORIDA, REPEALING  
PURCHASING AND FINANCE PROVISIONS OF THE  
LEE COUNTY CODE PREVIOUSLY ADOPTED BY  
REFERENCE; AND PROVIDING AN EFFECTIVE  
DATE.**

**WHEREAS**, the Village of Estero was incorporated by referendum held on November 4, 2014; and

**WHEREAS**, the Charter of the Village of Estero (“Charter”) at Section 11, “General Provisions,” paragraph (5) “Transitional Ordinances and Resolutions,” provides that all applicable lawful Lee County ordinances currently in place at the time of passage of the referendum, unless specifically referenced in the Charter, shall remain in place unless rescinded by the Village Council or unless they are in conflict with an ordinance, rule or regulation of the Village; and

**WHEREAS**, the Village Council has determined that it is in the best interests and welfare of the Village and its residents to rescind certain provisions of the Lee County Code that fall into one of the following categories: non-ordinance provisions, provisions pre-empted to counties, provisions specifically related to county departments, officers, agencies or areas outside of Estero, provisions that would apply within Estero without the Village’s adoption of same.

**NOW, THEREFORE**, be it ordained by the Village Council of the Village of Estero, Florida:

**Section 1. Lee County Code Sections repealed.**

The following sections were included in the Code of Laws and Ordinances, of the Village of Estero, Florida by virtue of their inclusion in the Lee County Code and are hereby are hereby rescinded and repealed as ordinances of the Village of Estero:

Lee County Code Sec. 1-10.2. Method for county selection of services within the scope of the practices of architecture, professional engineering, landscape architecture or land surveying; Sec. 1-27. Definitions; Sec. 1-28. Qualification as a local contractor/vendor; Sec. 1-29. Reciprocity and by interlocal agreement; Sec. 1-30. Application of the local contractor/vendor preference; Sec. 1-31. Administrative procedures; Sec. 1-32. Supplemental authority; Sec. 1-101. Short title; Sec. 1-102. Art-in-public-places board; Sec. 1-103. Art-in-public-places account; Sec. 1-104. Appropriations; Sec. 1-105. Administrative procedure; Sec. 1-111. Authorization of improvements; Sec. 1-112. Authorization to issue bonds; Sec. 1-113.

46 By whom authority exercised; Sec. 1-114. Article supplemental authority; Sec. 1-115.  
47 Construction and authority of article; Sec. 1-116. Security for bonds; Sec. 1-117. Conditions  
48 under which special assessment levied; Sec. 1-118. Resolution declaring improvements and  
49 assessment; Sec. 1-119. Issuance of bonds; Sec. 1-120. Denomination of bonds; interest; place  
50 of payment; form; signatures; delivery; Sec. 1-121. Publication of resolution; Sec. 1-122.  
51 Assessment roll; Sec. 1-123. Equalizing board to hear complaints and adjust assessments;  
52 rebate of difference in cost and assessment; Sec. 1-124. Priority of lien; interest; method of  
53 payment; Sec. 1-125. Legal proceedings instituted upon failure of property owner to pay  
54 special assessment or interest when due; foreclosure; service of process; Sec. 1-126. Alternate  
55 method of enforcement; Sec. 1-127. Board required to make new assessments until valid  
56 assessment is made if special assessment is omitted or held invalid; Sec. 1-128. Assessment  
57 roll sufficient evidence of assessment and other proceedings; variance not material unless party  
58 objecting materially injured thereby; Sec. 1-129. Amendment or substitution of improvements  
59 or benefited property; Sec. 1-130. Bonds negotiable; Sec. 1-131. Financing of multiple  
60 improvements; Sec. 1-132. Board's expenditures for improvements; Sec. 1-133. No  
61 referendum required; Sec. 1-134. No impairment of contract; Sec. 1-135. Refunding bonds;  
62 Sec. 1-146. Definitions; Sec. 1-147. Interpretation; Sec. 1-148. General findings; Sec. 1-149.  
63 Repeal of Ordinance No. 87-28; Sec. 1-150. Alternative method; Sec. 1-161. Creation of  
64 improvement areas; Sec. 1-162. Landowner petition process; Sec. 1-170.1. Authority; Sec. 1-  
65 170.2. Initial assessment resolution; Sec. 1-170.3. Assessment roll; Sec. 1-170.4. Notice by  
66 publication; Sec. 1-170.5. Notice by mail; Sec. 1-170.6. Adoption of final resolution; Sec. 1-  
67 170.7. Effect of assessment resolutions; Sec. 1-170.8. Lien of assessments; Sec. 1-170.9.  
68 Revisions to assessments; Sec. 1-170.10. Procedural irregularities; Sec. 1-170.11. Correction  
69 of errors and omissions; Sec. 1-170.24. Method of collection; Sec. 1-170.25. Alternative  
70 method of collection; Sec. 1-170.26. Responsibility for enforcement; Sec. 1-170.27.  
71 Government property; Sec. 1-170.28. Levy and collection of assessments; Sec. 1-170.39.  
72 General authority; Sec. 1-170.40. Terms of the obligations; Sec. 1-170.41. Variable rate  
73 obligations; Sec. 1-170.42. Temporary obligations; Sec. 1-170.43. Anticipation notes; Sec. 1-  
74 170.44. Taxing power not pledged; Sec. 1-170.45. Trust funds; Sec. 1-170.46. Remedies of  
75 holders; Sec. 1-170.47. Refunding obligations. Sec. 1-191. General policy; Sec. 1-192.  
76 Definitions; Sec. 1-193. Determination of disadvantage; Sec. 1-194. Application of article  
77 provisions; Sec. 1-195. Incentive programs; Sec. 1-196. Reports of contracts, subcontracts with  
78 non-DBE's; Sec. 1-197. Transfer of ownership, permanent change in management, etc., of  
79 certified DBE's; Sec. 1-198. Compliance by county; Sec. 1-199. County to adopt rules for  
80 implementation of division; Sec. 1-200. Sunset review and sundown provisions; Sec. 1-201.  
81 Severability; Sec. 1-211. Establishment; application; Sec. 1-212. Administrative procedure;  
82 Sec. 1-213. Small disadvantaged business enterprise council; Sec. 1-214. Annual goals; Sec.  
83 1-215. Goals in excess of annual goals; Sec. 1-216. "Good faith" efforts at compliance; Sec. 1-  
84 221. Described; Sec. 1-222. Utilization; approval; Sec. 1-223. Rejection of award; Sec. 1-224.  
85 Purpose; identification standards; Sec. 1-316. Definitions; Sec. 1-317. Fee schedule; Sec. 1-  
86 318. Disposition of fees; annual monitoring report; Sec. 1-319. Penalties.  
87 Sec. 1-321. Confirmation of existing financial procedures; Sec. 1-322. Confirmation  
88 and approval of certain specified actions by circuit court's finance division; Sec. 1-323.  
89 Investment authority of clerk of circuit court's finance division - Generally; Sec. 1-324. Same  
90 - S.E.C.-registered money market mutual funds; Sec. 1-325. Same—Investment companies

91 and trusts; Sec. 1-326. Same—State municipal securities and domestic bankers' acceptances;  
92 Sec. 1-327. Other investment procedures; Sec. 1-328. Change in authorized signatures; Sec. 1-  
93 450. Findings; Sec. 1-451. Designation of recovery zone; Sec. 1-452. Issuance of recovery  
94 zone bonds; Sec. 1-453. Recovery zone economic development bonds—Eligible  
95 activities/projects; Sec. 1-454. Recovery zone facility bonds—Eligible activities/projects; and  
96 Sec. 1-455. Project process.

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98 This repeal is not intended to affect the validity of these provisions as laws of Lee  
99 County.

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101 **Section 2. Effective Date.**

102

103 This ordinance shall become effective immediately upon adoption.

104

105 **PASSED** on first reading this \_\_\_\_ day of \_\_\_\_, 2018.

106

107 **PASSED AND ADOPTED BY THE VILLAGE COUNCIL** of the Village of Estero,  
108 Florida this \_\_\_\_ day of \_\_\_\_, 2018.

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110 Attest: **VILLAGE OF ESTERO, FLORIDA**

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113 By: \_\_\_\_\_ By: \_\_\_\_\_  
114 Kathy Hall, MMC, Village Clerk James R. Boesch, Mayor

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117 Reviewed for legal sufficiency:

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119

120 By: \_\_\_\_\_  
121 Burt Saunders, Esq., Village Attorney

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123	Vote:	AYE	NAY
124	Mayor Boesch	_____	_____
125	Vice Mayor Ribble	_____	_____
126	Councilmember Batos	_____	_____
127	Councilmember Errington	_____	_____
128	Councilmember Levitan	_____	_____
129	Councilmember McLain	_____	_____
130	Councilmember Wilson	_____	_____

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**VILLAGE OF ESTERO, FLORIDA**

**ORDINANCE NO. 2018 - 14**

**AN ORDINANCE OF THE VILLAGE COUNCIL OF THE  
VILLAGE OF ESTERO, FLORIDA, REPEALING  
TELECOMMUNICATIONS NETWORK ORDINANCE  
PROVISIONS OF THE LEE COUNTY CODE  
PREVIOUSLY ADOPTED BY REFERENCE; AND  
PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Village of Estero was incorporated by referendum held on November 4, 2014; and

**WHEREAS**, the Charter of the Village of Estero (“Charter”) at Section 11, “General Provisions,” paragraph (5) “Transitional Ordinances and Resolutions,” provides that all applicable lawful Lee County ordinances currently in place at the time of passage of the referendum, unless specifically referenced in the Charter, shall remain in place unless rescinded by the Village Council or unless they are in conflict with an ordinance, rule or regulation of the Village; and

**WHEREAS**, the Village Council has determined that it is in the best interests and welfare of the Village and its residents to rescind certain provisions of the Lee County Code that fall into one of the following categories: non-ordinance provisions, provisions pre-empted to counties, provisions specifically related to county departments, officers, agencies or areas outside of Estero, provisions that would apply within Estero without the Village’s adoption of same.

**NOW, THEREFORE**, be it ordained by the Village Council of the Village of Estero, Florida:

**Section 1. Lee County Code Sections repealed.**

The following sections were included in the Code of Laws and Ordinances, of the Village of Estero, Florida by virtue of their inclusion in the Lee County Code and are hereby are hereby rescinded and repealed as ordinances of the Village of Estero:

Lee County Code Sec. 1-401. Short title; Sec. 1-402. Intent; Sec. 1-403. Nuisance; Sec. 1-404. Review procedure; Sec. 1-405. Appeals from application denial; Sec. 1-406. Remedies and penalties; Sec. 1-407. Conflicts of law; Sec. 1-408. Severability; and Sec. 1-409. Microwave Corridor Plan Overlay - Exhibit A.

This repeal is not intended to affect the validity of these provisions as laws of Lee County.

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**Section 2. Effective Date.**

This ordinance shall become effective immediately upon adoption.

**PASSED** on first reading this \_\_\_\_ day of \_\_\_\_\_, 2018.

**PASSED AND ADOPTED BY THE VILLAGE COUNCIL** of the Village of Estero, Florida this \_\_\_\_ day of \_\_\_\_\_, 2018.

Attest:

**VILLAGE OF ESTERO, FLORIDA**

By: \_\_\_\_\_  
Kathy Hall, MMC, Village Clerk

By: \_\_\_\_\_  
James R. Boesch, Mayor

Reviewed for legal sufficiency:

By: \_\_\_\_\_  
Burt Saunders, Esq., Village Attorney

Vote:	AYE	NAY
Mayor Boesch	_____	_____
Vice Mayor Ribble	_____	_____
Councilmember Batos	_____	_____
Councilmember Errington	_____	_____
Councilmember Levitan	_____	_____
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Councilmember Wilson	_____	_____

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**VILLAGE OF ESTERO, FLORIDA**

**ORDINANCE NO. 2018 - 15**

**AN ORDINANCE OF THE VILLAGE COUNCIL OF THE  
VILLAGE OF ESTERO, FLORIDA, REPEALING  
AIRPORTS AND AIRCRAFT PROVISIONS OF THE LEE  
COUNTY CODE PREVIOUSLY ADOPTED BY  
REFERENCE; AND PROVIDING AN EFFECTIVE  
DATE.**

**WHEREAS**, the Village of Estero was incorporated by referendum held on November 4, 2014; and

**WHEREAS**, the Charter of the Village of Estero (“Charter”) at Section 11, “General Provisions,” paragraph (5) “Transitional Ordinances and Resolutions,” provides that all applicable lawful Lee County ordinances currently in place at the time of passage of the referendum, unless specifically referenced in the Charter, shall remain in place unless rescinded by the Village Council or unless they are in conflict with an ordinance, rule or regulation of the Village; and

**WHEREAS**, the Village Council has determined that it is in the best interests and welfare of the Village and its residents to rescind certain provisions of the Lee County Code that fall into one of the following categories: non-ordinance provisions, provisions pre-empted to counties, provisions specifically related to county departments, officers, agencies or areas outside of Estero, provisions that would apply within Estero without the Village’s adoption of same.

**NOW, THEREFORE**, be it ordained by the Village Council of the Village of Estero, Florida:

**Section 1. Lee County Code Sections repealed.**

The following sections were included in the Code of Laws and Ordinances, of the Village of Estero, Florida by virtue of their inclusion in the Lee County Code and are hereby are hereby rescinded and repealed as ordinances of the Village of Estero:

Lee County Code Sec. 3-36. Creation - Lee County Port Authority; Sec. 3-37. Same - Board of port commissioners; Sec. 3-38. Properties, facilities, systems, personnel and material subject to Lee County Port Authority; Sec. 3-39. Creation of special management committee for Lee County airports; Sec. 3-40. Bond obligations of Lee County; Sec. 3-41. Transfer of Lee County airports' real and personal properties and facilities; Sec. 3-42. Adoption of port authority policy manual; Sec. 3-43. Repeal; Sec. 3-44. Severability; Sec. 3-45. Effective date; Sec. 3-51. [Airport Rules and Regulations] Short title, purpose and applicability; Sec. 3-52. Rules of construction; Sec. 3-53. Rules and regulations.

46 This repeal is not intended to affect the validity of these provisions as laws of Lee  
47 County.

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49 **Section 2. Effective Date.**

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51 This ordinance shall become effective immediately upon adoption.

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53 **PASSED** on first reading this \_\_\_\_ day of \_\_\_\_\_, 2018.

54

55 **PASSED AND ADOPTED BY THE VILLAGE COUNCIL** of the Village of Estero,  
56 Florida this \_\_\_\_ day of \_\_\_\_\_, 2018.

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58 Attest:

**VILLAGE OF ESTERO, FLORIDA**

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61 By: \_\_\_\_\_  
62 Kathy Hall, MMC, Village Clerk

By: \_\_\_\_\_  
James R. Boesch, Mayor

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65 Reviewed for legal sufficiency:

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68 By: \_\_\_\_\_  
69 Burt Saunders, Esq., Village Attorney

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71	Vote:	AYE	NAY
72	Mayor Boesch	_____	_____
73	Vice Mayor Ribble	_____	_____
74	Councilmember Batos	_____	_____
75	Councilmember Errington	_____	_____
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77	Councilmember McLain	_____	_____
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**VILLAGE OF ESTERO, FLORIDA**

**ORDINANCE NO. 2018 - 16**

**AN ORDINANCE OF THE VILLAGE COUNCIL OF THE  
VILLAGE OF ESTERO, FLORIDA, REPEALING  
AMBULANCE AND RESCUE SERVICES PROVISIONS  
OF THE LEE COUNTY CODE PREVIOUSLY ADOPTED  
BY REFERENCE; AND PROVIDING AN EFFECTIVE  
DATE.**

**WHEREAS**, the Village of Estero was incorporated by referendum held on November 4, 2014; and

**WHEREAS**, the Charter of the Village of Estero (“Charter”) at Section 11, “General Provisions,” paragraph (5) “Transitional Ordinances and Resolutions,” provides that all applicable lawful Lee County ordinances currently in place at the time of passage of the referendum, unless specifically referenced in the Charter, shall remain in place unless rescinded by the Village Council or unless they are in conflict with an ordinance, rule or regulation of the Village; and

**WHEREAS**, the Village Council has determined that it is in the best interests and welfare of the Village and its residents to rescind certain provisions of the Lee County Code that fall into one of the following categories: non-ordinance provisions, provisions pre-empted to counties, provisions specifically related to county departments, officers, agencies or areas outside of Estero, provisions that would apply within Estero without the Village’s adoption of same.

**NOW, THEREFORE**, be it ordained by the Village Council of the Village of Estero, Florida:

**Section 1. Lee County Code Sections repealed.**

The following sections were included in the Code of Laws and Ordinances, of the Village of Estero, Florida by virtue of their inclusion in the Lee County Code and are hereby are hereby rescinded and repealed as ordinances of the Village of Estero:

Lee County Code Sec. 5-1. Short title, purpose and territorial scope; Sec. 5-2. Definitions; Sec. 5-16. Requirement for certificate; Sec. 5-17. Classification of certificates; Sec. 5-18. Procedure for obtaining certificate; Sec. 5-19. Performance criteria for evaluating COPCN application; Sec. 5-20. Review of application; Sec. 5-21. Requirements for board approval in granting certificate; Sec. 5-22. Rights and duties granted by certificate; Sec. 5-23. Renewal of certificate; Sec. 5-24. Modification, suspension or revocation of certificate; Sec. 5-25. Transfer or assignment of certificates; Sec. 5-26. Revocation, alteration or suspension grounds; Sec. 5-36. General operating regulations; Sec. 5-37. Central place of business; Sec.



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**VILLAGE OF ESTERO, FLORIDA**

**ORDINANCE NO. 2018 - 17**

**AN ORDINANCE OF THE VILLAGE COUNCIL OF THE  
VILLAGE OF ESTERO, FLORIDA, REPEALING  
BUILDING AND LAND USE REGULATIONS  
PROVISIONS OF THE LEE COUNTY CODE  
PREVIOUSLY ADOPTED BY REFERENCE; AND  
PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Village of Estero was incorporated by referendum held on November 4, 2014; and

**WHEREAS**, the Charter of the Village of Estero (“Charter”) at Section 11, “General Provisions,” paragraph (5) “Transitional Ordinances and Resolutions,” provides that all applicable lawful Lee County ordinances currently in place at the time of passage of the referendum, unless specifically referenced in the Charter, shall remain in place unless rescinded by the Village Council or unless they are in conflict with an ordinance, rule or regulation of the Village; and

**WHEREAS**, the Village Council has determined that it is in the best interests and welfare of the Village and its residents to rescind certain provisions of the Lee County Code that fall into one of the following categories: non-ordinance provisions, provisions pre-empted to counties, provisions specifically related to county departments, officers, agencies or areas outside of Estero, provisions that would apply within Estero without the Village’s adoption of same.

**NOW, THEREFORE**, be it ordained by the Village Council of the Village of Estero, Florida:

**Section 1. Lee County Code Sections repealed.**

The following sections were included in the Code of Laws and Ordinances, of the Village of Estero, Florida by virtue of their inclusion in the Lee County Code and are hereby are hereby rescinded and repealed as ordinances of the Village of Estero:

Lee County Code Sec. 8-1. Expired commercial and residential building permits; Sec. 8-2. Reinstatement of residential dwelling unit building permits; Sec. 8-3. Purpose; Sec. 8-4. Reinstatement of commercial building permits; Sec. 8-5. Conflicts of law; Sec. 8-6. Severability; Sec. 8-7. Effective date; Sec. 8-83. [Lee County Construction Licensing Board] Short title; Sec. 8-84. Applicability; Sec. 8-85. Exemptions; Sec. 8-86. Creation of construction licensing board; Sec. 8-87. Definitions; Sec. 8-88. Certificates of competency and licensure requirements; Sec. 8-89. Violations and penalties; Sec. 8-90. Disciplinary

45 proceedings; Sec. 8-91. Action against unlicensed contractors; citation procedure; Sec. 8-92.  
46 Disciplinary action reporting requirements; and Sec. 8-93. Conflicts of law.

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48 This repeal is not intended to affect the validity of these provisions as laws of Lee  
49 County.

50  
51 **Section 2. Effective Date.**

52 This ordinance shall become effective immediately upon adoption.

53  
54 **PASSED** on first reading this \_\_\_\_ day of \_\_\_\_\_, 2018.

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56  
57 **PASSED AND ADOPTED BY THE VILLAGE COUNCIL** of the Village of Estero,  
58 Florida this \_\_\_\_ day of \_\_\_\_\_, 2018.

59  
60 Attest: **VILLAGE OF ESTERO, FLORIDA**

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62  
63 By: \_\_\_\_\_ By: \_\_\_\_\_  
64 Kathy Hall, MMC, Village Clerk James R. Boesch, Mayor

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67 Reviewed for legal sufficiency:  
68  
69  
70 By: \_\_\_\_\_  
71 Burt Saunders, Esq., Village Attorney

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73 Vote: AYE NAY  
74 Mayor Boesch \_\_\_\_\_  
75 Vice Mayor Ribble \_\_\_\_\_  
76 Councilmember Batos \_\_\_\_\_  
77 Councilmember Errington \_\_\_\_\_  
78 Councilmember Levitan \_\_\_\_\_  
79 Councilmember McLain \_\_\_\_\_  
80 Councilmember Wilson \_\_\_\_\_

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**VILLAGE OF ESTERO, FLORIDA**

**ORDINANCE NO. 2018 - 18**

**AN ORDINANCE OF THE VILLAGE COUNCIL OF THE  
VILLAGE OF ESTERO, FLORIDA, REPEALING  
COURTS PROVISIONS OF THE LEE COUNTY CODE  
PREVIOUSLY ADOPTED BY REFERENCE; AND  
PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Village of Estero was incorporated by referendum held on November 4, 2014; and

**WHEREAS**, the Charter of the Village of Estero (“Charter”) at Section 11, “General Provisions,” paragraph (5) “Transitional Ordinances and Resolutions,” provides that all applicable lawful Lee County ordinances currently in place at the time of passage of the referendum, unless specifically referenced in the Charter, shall remain in place unless rescinded by the Village Council or unless they are in conflict with an ordinance, rule or regulation of the Village; and

**WHEREAS**, the Village Council has determined that it is in the best interests and welfare of the Village and its residents to rescind certain provisions of the Lee County Code that fall into one of the following categories: non-ordinance provisions, provisions pre-empted to counties, provisions specifically related to county departments, officers, agencies or areas outside of Estero, provisions that would apply within Estero without the Village’s adoption of same.

**NOW, THEREFORE**, be it ordained by the Village Council of the Village of Estero, Florida:

**Section 1. Lee County Code Sections repealed.**

The following sections were included in the Code of Laws and Ordinances, of the Village of Estero, Florida by virtue of their inclusion in the Lee County Code and are hereby are hereby rescinded and repealed as ordinances of the Village of Estero:

Lee County Code Sec. 10-27. Authority for [Imposition and Collection of an Additional Surcharge and Court Costs] article and repealer; Sec. 10-28. Collection of additional surcharge and court costs; Sec. 10-29. Establishment of funding accounts; Sec. 10-30. Vesting the board of county commissioners with authority to provide for awards of grants and appropriations; and Sec. 10-31. Modification.

This repeal is not intended to affect the validity of these provisions as laws of Lee County.

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**Section 4. Effective Date.**

This ordinance shall become effective immediately upon adoption.

**PASSED** on first reading this \_\_\_\_ day of \_\_\_\_\_, 2018.

**PASSED AND ADOPTED BY THE VILLAGE COUNCIL** of the Village of Estero, Florida this \_\_\_\_ day of \_\_\_\_\_, 2018.

Attest:

**VILLAGE OF ESTERO, FLORIDA**

By: \_\_\_\_\_  
Kathy Hall, MMC, Village Clerk

By: \_\_\_\_\_  
James R. Boesch, Mayor

Reviewed for legal sufficiency:

By: \_\_\_\_\_  
Burt Saunders, Esq., Village Attorney

Vote:	AYE	NAY
Mayor Boesch	_____	_____
Vice Mayor Ribble	_____	_____
Councilmember Batos	_____	_____
Councilmember Errington	_____	_____
Councilmember Levitan	_____	_____
Councilmember McLain	_____	_____
Councilmember Wilson	_____	_____

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**VILLAGE OF ESTERO, FLORIDA**

**ORDINANCE NO. 2018 - 19**

**AN ORDINANCE OF THE VILLAGE COUNCIL OF THE  
VILLAGE OF ESTERO, FLORIDA, REPEALING  
DISCRIMINATION PROVISIONS OF THE LEE  
COUNTY CODE PREVIOUSLY ADOPTED BY  
REFERENCE; AND PROVIDING AN EFFECTIVE  
DATE.**

**WHEREAS**, the Village of Estero was incorporated by referendum held on November 4, 2014; and

**WHEREAS**, the Charter of the Village of Estero (“Charter”) at Section 11, “General Provisions,” paragraph (5) “Transitional Ordinances and Resolutions,” provides that all applicable lawful Lee County ordinances currently in place at the time of passage of the referendum, unless specifically referenced in the Charter, shall remain in place unless rescinded by the Village Council or unless they are in conflict with an ordinance, rule or regulation of the Village; and

**WHEREAS**, the Village Council has determined that it is in the best interests and welfare of the Village and its residents to rescind certain provisions of the Lee County Code that fall into one of the following categories: non-ordinance provisions, provisions pre-empted to counties, provisions specifically related to county departments, officers, agencies or areas outside of Estero, provisions that would apply within Estero without the Village’s adoption of same.

**NOW, THEREFORE**, be it ordained by the Village Council of the Village of Estero, Florida:

**Section 1. Lee County Code Sections repealed.**

The following sections were included in the Code of Laws and Ordinances, of the Village of Estero, Florida by virtue of their inclusion in the Lee County Code and are hereby are hereby rescinded and repealed as ordinances of the Village of Estero:

Lee County Code Sec. 11½-1. Purpose; Sec. 11½-2. Definitions; Sec. 11½-3. Unlawful discriminatory practices, generally; Sec. 11½-4. Investigation procedures—Human relations officer; Sec. 11½-5. Same - Hearing examiner; Sec. 11½-6. Same—Human relations review board; Sec. 11½-7. Procedural rules; Sec. 11½-8. Enforcement powers of the board; Sec. 11½-9. Exclusivity; Sec. 11½-10. Limitations and exceptions; Sec. 11½-11. Civil remedies; Sec. 11½-26. Lee county policy on fair housing; Sec. 11½-27. Purposes and intent; Sec. 11½-28. Definitions; Sec. 11½-29. Discrimination in the sale or rental of housing and other prohibited practices; Sec. 11½-30. Discrimination in the provision of brokerage services; Sec. 11½-31.

46 Discrimination in the financing of housing or in residential real estate transactions; Sec. 11½-  
47 32. Exemptions; Sec. 11½-33. Housing for older persons; Sec. 11½-34. Private enforcement;  
48 Sec. 11½-35. Intervention by the county attorney; Sec. 11½-35.1. Additional unlawful  
49 practices; Sec. 11½-36. Prohibited practices; AND Sec. 11½-37. Exemption.

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51 This repeal is not intended to affect the validity of these provisions as laws of Lee  
52 County.

53

54 **Section 2. Effective Date.**

55

56 This ordinance shall become effective immediately upon adoption.

57

58 **PASSED** on first reading this \_\_\_\_ day of \_\_\_\_\_, 2018.

59

60 **PASSED AND ADOPTED BY THE VILLAGE COUNCIL** of the Village of Estero,  
61 Florida this \_\_\_\_ day of \_\_\_\_\_, 2018.

62

63 Attest:

**VILLAGE OF ESTERO, FLORIDA**

64

65

66 By: \_\_\_\_\_  
67 Kathy Hall, MMC, Village Clerk

By: \_\_\_\_\_  
James R. Boesch, Mayor

68

69

70 Reviewed for legal sufficiency:

71

72

73 By: \_\_\_\_\_  
74 Burt Saunders, Esq., Village Attorney

75

76 Vote:	AYE	NAY
77 Mayor Boesch	_____	_____
78 Vice Mayor Ribble	_____	_____
79 Councilmember Batos	_____	_____
80 Councilmember Errington	_____	_____
81 Councilmember Levitan	_____	_____
82 Councilmember McLain	_____	_____
83 Councilmember Wilson	_____	_____

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**VILLAGE OF ESTERO, FLORIDA**

**ORDINANCE NO. 2018 - 20**

**AN ORDINANCE OF THE VILLAGE COUNCIL OF THE  
VILLAGE OF ESTERO, FLORIDA, REPEALING  
DEVELOPMENT DISTRICT PROVISIONS OF THE LEE  
COUNTY CODE PREVIOUSLY ADOPTED BY  
REFERENCE; AND PROVIDING AN EFFECTIVE  
DATE.**

**WHEREAS**, the Village of Estero was incorporated by referendum held on November 4, 2014; and

**WHEREAS**, the Charter of the Village of Estero (“Charter”) at Section 11, “General Provisions,” paragraph (5) “Transitional Ordinances and Resolutions,” provides that all applicable lawful Lee County ordinances currently in place at the time of passage of the referendum, unless specifically referenced in the Charter, shall remain in place unless rescinded by the Village Council or unless they are in conflict with an ordinance, rule or regulation of the Village; and

**WHEREAS**, the Village Council has determined that it is in the best interests and welfare of the Village and its residents to rescind certain provisions of the Lee County Code that fall into one of the following categories: non-ordinance provisions, provisions pre-empted to counties, provisions specifically related to county departments, officers, agencies or areas outside of Estero, provisions that would apply within Estero without the Village’s adoption of same.

**NOW, THEREFORE**, be it ordained by the Village Council of the Village of Estero, Florida:

**Section 1. Lee County Code Sections repealed.**

The following sections were included in the Code of Laws and Ordinances, of the Village of Estero, Florida by virtue of their inclusion in the Lee County Code and are hereby are hereby rescinded and repealed as ordinances of the Village of Estero:

Lee County Code Sec. 11¼-21. Authority for article; Sec. 11¼-22. Establishment of the River Ridge Community Development District; Sec. 11¼-23. Governance; Sec. 11¼-24. Ordinance No. 98-07 amendment; Secs. 11¼-25—11¼-30. Reserved; Sec. 11¼-31. Authority for article; Sec. 11¼-32. Establishment of the Bay Creek Community Development District; Sec. 11¼-33. Authorization for the exercise of optional powers; Sec. 11¼-34. District name; Sec. 11¼-35. Statutory provisions governing district; Sec. 11¼-41. District name; Sec. 11¼-42. Authority for article; Sec. 11¼-43. Establishment of community development district; Sec. 11¼-44. Statutory provisions governing district; Sec. 11¼-51. District name; Sec. 11¼-52.

46 Authority for article; Sec. 11¼-53. Establishment of community development district; Sec.  
47 11¼-54. Statutory provisions governing district; Sec. 11¼-55. Authorization for exercise of  
48 optional powers; Sec. 11¼-61. District name; Sec. 11¼-62. Authority for article; Sec. 11¼-63.  
49 Establishment of community development district; Sec. 11¼-64. Designation of initial board  
50 members; Sec. 11¼-65. Statutory provisions governing district; Sec. 11¼-66. Authorization to  
51 modify boundaries; Sec. 11¼-71. District name and legal description; Sec. 11¼-72. Authority  
52 for article; Sec. 11¼-73. Establishment of community development district; Sec. 11¼-74.  
53 Designation of initial members of the board of supervisors; Sec. 11¼-75. Initial powers of the  
54 community development district; Sec. 11¼-76. Statutory provisions governing the community  
55 development district; Sec. 11¼-77. Additional conditions imposed on the community  
56 development district; Sec. 11¼-91. District name; Sec. 11¼-92. Authority for ordinance; Sec.  
57 11¼-93. Establishment of community development district; Sec. 11¼-94. Designation of  
58 initial board members; Sec. 11¼-95. Statutory provisions governing district; Sec. 11¼-96.  
59 Notice to subsequent property owners; Sec. 11¼-97. Authorization for exercise of special  
60 powers; Sec. 11¼-111. District name and legal description; Sec. 11¼-112. Authority for  
61 ordinance; Sec. 11¼-113. Establishment of community development district; Sec. 11¼-114.  
62 Designation of initial members of the board of supervisors; Sec. 11¼-115. Initial powers of  
63 the community development district; Sec. 11¼-116. Statutory provisions governing the  
64 community development district; Sec. 11¼-117. Additional conditions imposed on the  
65 community development district; Sec. 11¼-121. District name and legal description; Sec. 11¼-  
66 122. Authority for article; Sec. 11¼-123. Establishment of community development district;  
67 Sec. 11¼-124. Designation of initial members of the board of supervisors; Sec. 11¼-125.  
68 Initial powers of the community development district; Sec. 11¼-126. Statutory provisions  
69 governing the community development district; Sec. 11¼-127. Additional conditions imposed  
70 on the community development district; Sec. 11¼-128. Authorization for exercise of optional  
71 (special) powers; Sec. 11¼-129. Authorization to modify boundaries; Sec. 11¼-131. District  
72 name; Sec. 11¼-132. Authority for article; Sec. 11¼-133. Establishment of community  
73 development district; Sec. 11¼-134. Designation of initial board members; Sec. 11¼-135.  
74 Statutory provisions governing district; Sec. 11¼-136. Notice to subsequent purchasers; Sec.  
75 11¼-137. Authorization for exercise of optional powers; Sec. 11¼-141. District name; Sec.  
76 11¼-142. Authority for article; Sec. 11¼-143. Establishment of community development  
77 district; Sec. 11¼-144. Designation of initial board members; Sec. 11¼-145. Statutory  
78 provisions governing district; Sec. 11¼-146. Notice to subsequent purchasers; Sec. 11¼-151.  
79 District name; Sec. 11¼-152. Authority for article; Sec. 11¼-153. Establishment of community  
80 development district; Sec. 11¼-154. Designation of initial board members; Sec. 11¼-155.  
81 Statutory provisions governing district; Sec. 11¼-156. Notice to subsequent purchasers; Sec.  
82 11¼-171. District name; Sec. 11¼-172. Authority; Sec. 11¼-173. Establishment of community  
83 development district; Sec. 11¼-174. Designation of initial board members; Sec. 11¼-175.  
84 Statutory provisions governing district; Sec. 11¼-176. Authorization for exercise of special  
85 powers; Sec. 11¼-177. Notice to subsequent purchasers; Sec. 11¼-191. District name and legal  
86 description; Sec. 11¼-192. Authority; Sec. 11¼-193. Establishment of community  
87 development district; Sec. 11¼-194. Designation of initial members of the board of  
88 supervisors; Sec. 11¼-195. Initial powers of the community development district; Sec. 11¼-  
89 196. Statutory provisions governing the community development district; Sec. 11¼-197.  
90 Additional conditions imposed on the community development district; Sec. 11¼-201. District

91 name and legal description; Sec. 11¼-202. Authority for article; Sec. 11¼-203. Establishment  
92 of community development district; Sec. 11¼-204. Designation of initial members of the board  
93 of supervisors; Sec. 11¼-205. Initial powers of the community development district; Sec. 11¼-  
94 206. Statutory provisions governing the community development district; Sec. 11¼-207.  
95 Additional conditions imposed on the community development district; Sec. 11¼-208.  
96 Authorization for exercise of optional (special) powers; Sec. 11¼-211. District name and legal  
97 description; Sec. 11¼-212. Authority for article; Sec. 11¼-213. Establishment of community  
98 development district; Sec. 11¼-214. Designation of initial members of the board of  
99 supervisors; Sec. 11¼-215. Initial powers of the community development district; Sec. 11¼-  
100 216. Statutory provisions governing the community development district; Sec. 11¼-217.  
101 Additional conditions imposed on the community development district; Sec. 11¼-231. District  
102 name; Sec. 11¼-232. Authority for article; Sec. 11¼-233. Establishment of community  
103 development district; Sec. 11¼-234. Designation of initial board members; Sec. 11¼-235.  
104 Statutory provisions governing district; Sec. 11¼-236. Notice to subsequent purchasers; Sec.  
105 11¼-251. District name; Sec. 11¼-252. Authority for article; Sec. 11¼-253. Establishment of  
106 community development district; Sec. 11¼-254. Designation of initial board members; Sec.  
107 11¼-255. Statutory provisions governing district; Sec. 11¼-256. Notice to subsequent  
108 purchasers; Sec. 11¼-261. District name; Sec. 11¼-262. Authority for article; Sec. 11¼-263.  
109 Establishment of community development district; Sec. 11¼-264. Designation of initial board  
110 members; Sec. 11¼-265. Statutory provisions governing district; Sec. 11¼-266. Notice to  
111 subsequent purchasers; Sec. 11¼-271. District name; Sec. 11¼-272. Authority for article; Sec.  
112 11¼-273. Establishment of community development district; Sec. 11¼-274. Designation of  
113 initial board members; Sec. 11¼-275. Statutory provisions governing district; Sec. 11¼-276.  
114 Notice to subsequent purchasers; Sec. 11¼-281. District name; Sec. 11¼-282. Authority for  
115 article; Sec. 11¼-283. Establishment of community development district; Sec. 11¼-284.  
116 Designation of initial board members; Sec. 11¼-285. Statutory provisions governing district;  
117 Sec. 11¼-286. Notice to subsequent purchasers; Sec. 11¼-291. District name; Sec. 11¼-292.  
118 Authority for article; Sec. 11¼-293. Establishment of community development district; Sec.  
119 11¼-294. Designation of initial board members; Sec. 11¼-295. Statutory provisions governing  
120 district; Sec. 11¼-296. Notice to subsequent purchasers; Sec. 11¼-301. District name; Sec.  
121 11¼-302. Authority for article; Sec. 11¼-303. Establishment of community development  
122 district; Sec. 11¼-304. Designation of initial board members; Sec. 11¼-305. Statutory  
123 provisions governing district; Sec. 11¼-306. Notice to subsequent purchasers; Sec. 11¼-311.  
124 District name; Sec. 11¼-312. Authority for article; Sec. 11¼-313. Establishment of community  
125 development district; Sec. 11¼-314. Designation of initial board members; Sec. 11¼-315.  
126 Statutory provisions governing district; Sec. 11¼-316. Notice to subsequent purchasers; Sec.  
127 11¼-321. District name; Sec. 11¼-322. Authority for article; Sec. 11¼-323. Authorization for  
128 exercise of special powers; Sec. 11¼-324. Establishment of community development district;  
129 Sec. 11¼-325. Designation of initial board members; Sec. 11¼-326. Statutory provisions  
130 governing district; Sec. 11¼-327. Notice to subsequent purchasers; Sec. 11¼-330. Short title;  
131 Sec. 11¼-332. Name; Sec. 11¼-333. Location; Sec. 11¼-334. Ownership; Sec. 11¼-335.  
132 General goals of development; Sec. 11¼-336. General plan of development; Sec. 11¼-337.  
133 Interpretation of community plan; Sec. 11¼-338. Permitted variations; Sec. 11¼-339. Reserve  
134 area; Sec. 11¼-340. Fractionalization of tracts; Sec. 11¼-341. General; Sec. 11¼-342. Specific  
135 definitions; Sec. 11¼-343. General conditions and procedures; Sec. 11¼-344. Procedures for

136 area master plan approval; Sec. 11¼-345. Procedures for final plan and plat approvals; Sec.  
137 11¼-346. Procedures for parcel plan approval; Sec. 11¼-347. Procedures for site plan  
138 approval; Sec. 11¼-348. Purpose; Sec. 11¼-349. Creation of a Uniform Community  
139 Development District; Sec. 11¼-350. Water system; Sec. 11¼-351. Sewer system; Sec. 11¼-  
140 352. Surface water management; Sec. 11¼-353. Utilities; Sec. 11¼-354. Energy; Sec. 11¼-  
141 355. Streets; Sec. 11¼-356. Purpose; Sec. 11¼-357. Agricultural uses; Sec. 11¼-358.  
142 Alcoholic beverages; Sec. 11¼-359. Animals in residential areas; Sec. 11¼-360. Cluster  
143 developments; Sec. 11¼-361. Essential infrastructure facilities; Sec. 11¼-362. Excavations;  
144 Sec. 11¼-363. Fences, walls and hedges; Sec. 11¼-364. Guest houses; Sec. 11¼-365. Major  
145 recreational equipment and commercial vehicles in residential areas; Sec. 11¼-366. Model  
146 units; Sec. 11¼-367. Oil and gas resources; Sec. 11¼-368. Setbacks; Sec. 11¼-368.1.  
147 Unaddressed uses; Sec. 11¼-368.2. Zero lot line development; Sec. 11¼-369. Purpose; Sec.  
148 11¼-370. Designation of use; Sec. 11¼-371. Conservation Area District; Sec. 11¼-372. Golf  
149 Course District; Sec. 11¼-373. Residential districts (general); Sec. 11¼-374. Commercial  
150 districts (general); Sec. 11¼-374.1. Utility District and Park/Utility District; Sec. 11¼-375.  
151 Purpose; Sec. 11¼-376. Landscaping; Sec. 11¼-377. Signs; Sec. 11¼-378. Administration;  
152 Sec. 11¼-379. Appeals from decision of administrative official; Sec. 11¼-380. Fees; and Sec.  
153 11¼-381. Civil and criminal enforcement.

154

155 This repeal is not intended to affect the validity of these provisions as laws of Lee  
156 County.

157

158 **Section 2. Effective Date.**

159

160 This ordinance shall become effective immediately upon adoption.

161

162 **PASSED** on first reading this \_\_\_\_ day of \_\_\_\_\_, 2018.

163

164 **PASSED AND ADOPTED BY THE VILLAGE COUNCIL** of the Village of Estero,  
165 Florida this \_\_\_\_ day of \_\_\_\_\_, 2018.

166

167 Attest:

**VILLAGE OF ESTERO, FLORIDA**

168

169

170 By: \_\_\_\_\_  
171 Kathy Hall, MMC, Village Clerk

By: \_\_\_\_\_  
James R. Boesch, Mayor

172

173

174 Reviewed for legal sufficiency:

175

176

177 By: \_\_\_\_\_  
178 Burt Saunders, Esq., Village Attorney

179

180

	Vote:	AYE	NAY
182	Mayor Boesch	_____	_____
183	Vice Mayor Ribble	_____	_____
184	Councilmember Batos	_____	_____
185	Councilmember Errington	_____	_____
186	Councilmember Levitan	_____	_____
187	Councilmember McLain	_____	_____
188	Councilmember Wilson	_____	_____

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**VILLAGE OF ESTERO, FLORIDA**

**ORDINANCE NO. 2018 - 21**

**AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF ESTERO, FLORIDA, REPEALING DRAINAGE AND WATER CONTROL PROVISIONS OF THE LEE COUNTY CODE PREVIOUSLY ADOPTED BY REFERENCE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Village of Estero was incorporated by referendum held on November 4, 2014; and

**WHEREAS**, the Charter of the Village of Estero ("Charter") at Section 11, "General Provisions," paragraph (5) "Transitional Ordinances and Resolutions," provides that all applicable lawful Lee County ordinances currently in place at the time of passage of the referendum, unless specifically referenced in the Charter, shall remain in place unless rescinded by the Village Council or unless they are in conflict with an ordinance, rule or regulation of the Village; and

**WHEREAS**, the Village Council has determined that it is in the best interests and welfare of the Village and its residents to rescind certain provisions of the Lee County Code that fall into one of the following categories: non-ordinance provisions, provisions pre-empted to counties, provisions specifically related to county departments, officers, agencies or areas outside of Estero, provisions that would apply within Estero without the Village's adoption of same.

**NOW, THEREFORE**, be it ordained by the Village Council of the Village of Estero, Florida:

**Section 1. Lee County Code Sections repealed.**

The following sections were included in the Code of Laws and Ordinances, of the Village of Estero, Florida by virtue of their inclusion in the Lee County Code and are hereby are hereby rescinded and repealed as ordinances of the Village of Estero:

Lee County Code Sec. 12-187. Effect of prior acts; Sec. 12-188. Creation of district [West Coast Inland Navigation District]; district to operate through a board of commissioners; Sec. 12-189. Effect of congressional "River and Harbor Act."; Sec. 12-190. Board of commissioners of district; Sec. 12-191. Officers of board of commissioners; quorum; required votes; special meetings; Sec. 12-192. Reimbursement for expenses incurred by board members; Sec. 12-193. Acquisition of right-of-way and other needed lands; Sec. 12-194. Condemnation proceedings; Sec. 12-195. Authority to issue bonds; Sec. 12-196. Power to borrow money; Sec. 12-197. Power to convey property; Sec. 12-198. Power to levy tax; Sec.

46 12-199. Tax assessment and collection procedure; Sec. 12-200. Construction, reconstruction,  
47 maintenance and operation of bridges over waterway; Sec. 12-201. Delegation of powers by  
48 district; Sec. 12-202. Power to furnish data to federal government and public; Sec. 12-203.  
49 General power to perform acts in furtherance of construction of waterway; Sec. 12-204. Power  
50 to perform administrative procedures in furtherance of objectives; power to contract; Sec. 12-  
51 205. Franchises and privileges to conduct services on property under control of district; Sec.  
52 12-206. Land owned by district tax exempt; Sec. 12-207. Depositories for district funds;  
53 payment of funds out of district; Sec. 12-208. Annual statement to be published; Sec. 12-209.  
54 Agreements relating to bridge construction and alteration; Sec. 12-210. Annual audit; Sec. 12-  
55 211. Liberal construction; Sec. 12-261. Short title, purpose and territorial scope; Sec. 12-262.  
56 Definitions; Sec. 12-263. Permanent water restrictions, declaration of water shortage, and  
57 water shortage emergency; Sec. 12-264. Enforcement and penalties; Sec. 12-265. Water  
58 service provided by public and private utilities; Sec. 12-266. Florida Administrative Codes  
59 incorporated by reference; Sec. 12-267. Conflict; Secs. 12-268—12-280. Reserved. Sec. 12-  
60 281. Authority; Sec. 12-282. Findings and determinations; Sec. 12-283. Definitions; Sec. 12-  
61 284. Establishment of water conservation utility; Sec. 12-285. Operating budget; Sec. 12-286.  
62 Required levels of rates for utility fees and assessments; Sec. 12-287. Imposition of utility fees;  
63 Sec. 12-288. Establishing area of operation, benefit areas and utility fees; Sec. 12-289. Rate  
64 schedule; Sec. 12-290. Assessments; Sec. 12-291. Establishing benefit areas for assessments;  
65 Sec. 12-292. Credits against utility fees and assessments; Sec. 12-293. Notice requirements for  
66 resolutions establishing or modifying area of operation, benefit areas and setting or modifying  
67 rates; Sec. 12-294. Billing and payment of utility fee or assessments; penalties; adjustments;  
68 Sec. 12-295. Adjustment of utility fee and assessments; correction; Sec. 12-296. Fees-in-lieu-  
69 of and availability charges; Sec. 12-297. Establishment of funds; Sec. 12-298. Issuance of  
70 bonds; and Sec. 12-299. Petition to courts.

71  
72 This repeal is not intended to affect the validity of these provisions as laws of Lee  
73 County.

74  
75 **Section 2. Effective Date.**

76  
77 This ordinance shall become effective immediately upon adoption.

78  
79 **PASSED** on first reading this \_\_\_\_ day of \_\_\_\_\_, 2018.

80  
81 **PASSED AND ADOPTED BY THE VILLAGE COUNCIL** of the Village of Estero,  
82 Florida this \_\_\_\_ day of \_\_\_\_\_, 2018.

83  
84 Attest: **VILLAGE OF ESTERO, FLORIDA**

85  
86  
87 By: \_\_\_\_\_  
88 Kathy Hall, MMC, Village Clerk

87 By: \_\_\_\_\_  
88 James R. Boesch, Mayor

91 Reviewed for legal sufficiency:

92

93

94 By: \_\_\_\_\_

95 Burt Saunders, Esq., Village Attorney

96

97 Vote: AYE NAY

98 Mayor Boesch \_\_\_\_\_

99 Vice Mayor Ribble \_\_\_\_\_

100 Councilmember Batos \_\_\_\_\_

101 Councilmember Errington \_\_\_\_\_

102 Councilmember Levitan \_\_\_\_\_

103 Councilmember McLain \_\_\_\_\_

104 Councilmember Wilson \_\_\_\_\_