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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at the time of passage of the referendum, unless specifically referenced in the Charter, shall remain in place unless rescinded by the Village Council or unless they are in conflict with an ordinance, rule or regulation of the Village; and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 Lee County Code Sections repealed.**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and Ordinances, of the Village of Estero, Florida by virtue of their inclusion in the Lee County Code and are hereby rescinded and repealed as ordinances of the Village of Estero: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.

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

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48 **Section 2. Effective Date.**  
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50 This Ordinance shall become effective immediately upon adoption.

51  
52 **PASSED** on first reading this 3<sup>rd</sup> day of October, 2018.  
53

54 **PASSED AND ADOPTED BY THE VILLAGE COUNCIL** of the Village of Estero,  
55 Florida this 17<sup>th</sup> day of October, 2018.  
56

57 Attest:

**VILLAGE OF ESTERO, FLORIDA**

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59  
60 By: Kathy Hall  
61 Kathy Hall, MMC, Village Clerk  
62

By: James R. Boesch  
James R. Boesch, Mayor  
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64 Reviewed for legal sufficiency:

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66  
67 By: Burt Saunders  
68 Burt Saunders, Esq., Village Attorney  
69

70 Vote:	AYE	NAY
71 Mayor Boesch	<u>✓</u>	<u>      </u>
72 Vice Mayor Ribble	<u>✓</u>	<u>      </u>
73 Councilmember Batos	<u>✓</u>	<u>      </u>
74 Councilmember Errington	<u>✓</u>	<u>      </u>
75 Councilmember Levitan	<u>✓</u>	<u>      </u>
76 Councilmember McLain	<u>✓</u>	<u>      </u>
77 Councilmember Wilson	<u>✓</u>	<u>      </u>