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Ordinance No. 2018-29

ORDINANCE NO. 2018 - 29

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF ESTERO, FLORIDA, REPEALING COUNTY ADMINISTRATIVE 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at the time of passage of the referendum, unless specifically referenced in the Charter, shall remain in place unless rescinded by the Village Council or unless they are in conflict with an ordinance, rule or regulation of the Village; and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, IT IS HEREBY 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 Lee County Code Sections repealed.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of the Village of Estero, Florida by virtue of their inclusion in the Lee County Code and are hereby are hereby rescinded and repealed as ordinances of the Village of Estero: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. 1-4. County branch offices; Sec. 1-8. Reimbursement of expenses incurred at county-sponsored functions; Sec. 1-10.3. Investment of surplus public funds; Sec. 1-10.8. Petitions for proposed initiative ordinances or amendments to the Home Rule Charter; Sec. 1-10.11. Bonds for county commissioners and officers; Sec. 1-11. Power to borrow money generally; limitations; Sec. 1-12. Power to borrow money from banking institutions; Sec. 1-13. Purchase of vehicles for use of commissioners; automobile allowance in lieu of purchase; Sec. 1-14. Power to purchase, rent, maintain uniforms for county employees; manner of payment; Sec. 1-15. Budget for entertainment purposes authorized; Sec. 1-17. Power to lease, acquire new or previously purchased or leased property; Sec. 1-172. Types of recognition and

46 47 48 49	incentives; Sec. 1-173. Empl consideration of suggestion Severability.				-					
50 51 52	This repeal is not int County.	ended to affec	et the validi	ty of the	se prov	visions as	laws o	of Lee		
53 54	Section 2. Effecti	ve Date.								
55 56	This ordinance shall become effective immediately upon adoption.									
57 58	PASSED on first reading this 7 th day of November, 2018.									
59 60 61	PASSED AND ADO! Florida this 28 th day of Nover		E VILLAG	E COU	NCIL o	f the Villa	age of I	Estero,		
62 63	Attest:		VILLA	GE OF E	STER	O, FLOF	RIDA			
64 65 66 67 68	By: <u>Kathy Hull</u> Kathy Hall, MMC, Villag	ge Clerk	Ву:	James I	R. Boes	Maya ch, Mayo	V or	_		
69 70	Reviewed for legal sufficience	y:								
71 72 73 74	By: Burt Saunders, Esq., Vill	age Attorney								
75 76 77 78 79 80 81 82	Vote: Mayor Boesch Vice Mayor Ribble Councilmember Batos Councilmember Errington Councilmember Levitan Councilmember McLain Councilmember Wilson	AYE V V V V V V	NAY							
81	Councilmember Levitan Councilmember McLain Councilmember Wilson									