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VILLAGE OF ESTERO, FLORIDA

ORDINANCE NO. 2018 - 35

**AN ORDINANCE OF THE VILLAGE COUNCIL OF THE
VILLAGE OF ESTERO, FLORIDA, REPEALING
HOUSING 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at the time of passage of the referendum, unless specifically referenced in the Charter, shall remain in place unless rescinded by the Village Council or unless they are in conflict with an ordinance, rule or regulation of the Village; and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 Lee County Code Sections repealed.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of the Village of Estero, Florida by virtue of their inclusion in the Lee County Code and are hereby are hereby rescinded and repealed as ordinances of the Village of Estero: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. 18½-21. Short title; Sec. 18½-22. Findings; Sec. 18½-23. Created; purpose; Sec. 18½-24. Powers; Sec. 18½-25. Interim provisions; Sec. 18½-26. Obligations of authority not to be construed as debts of county; Sec. 18½-70. Title; Sec. 18½-71. Definitions; Sec. 18½-72. Purpose and objectives; Sec. 18½-73. Establishment of the local housing assistance program; Sec. 18½-74. Designation of responsibility for implementation of the local housing assistance program; Sec. 18½-75. Local housing assistance plan; Sec. 18½-76. Local affordable housing trust fund; Sec. 18½-77. Affordable housing committee; Sec. 18½-78. Severability; and Sec. 18½-79. Effective date.

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 7th day of November, 2018.

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55 **PASSED AND ADOPTED BY THE VILLAGE COUNCIL** of the Village of Estero,
56 Florida this 28th day of November, 2018.

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58 Attest:

VILLAGE OF ESTERO, FLORIDA

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

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

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64
65 Reviewed for legal sufficiency:

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

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