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

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at the time of passage of the referendum, unless specifically referenced in the Charter, shall remain in place unless rescinded by the Village Council or unless they are in conflict with an ordinance, rule or regulation of the Village; and

NOW, THEREFORE, IT IS HEREBY ORDAINED by the Village Council of the Village of Estero, Florida:

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and Ordinances, of the Village of Estero, Florida by virtue of their inclusion in the Lee County Code and are hereby rescinded and repealed as ordinances of the Village of Estero:

Sec. 25½-41. Adoption of rules and regulations; Sec. 25½-42. Article construction; Sec. 25½-43. Penalties; Sec. 25½-44. Civil remedies; Sec. 25½-45. Conflict/repealer; Sec. 25½-46. Rules and regulations of the Midpoint Memorial, Sanibel Causeway and Cape Coral

Toll Facilities; Sec. 25½-47. Waiver by board of county commissioners; Sec. 25½-57. Creation; Sec. 25½-58. Findings; Sec. 25½-59. Definitions; Sec. 25½-60. Board of supervisors; Sec. 25½-61. Powers of district; Sec. 25½-62. Expenditure and repayment plan; Sec. 25½-63. Availability of facilities; Sec. 25½-64. Responsibility for debt; Sec. 25½-65. Advisors; Sec. 25½-66. Budget; Sec. 25½-67. Collection of taxes; and Sec. 25½-68. Compliance with state law.

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

Section 2. Effective Date.

This ordinance shall become effective immediately upon adoption.

PASSED on first reading this 9th day of January, 2019.

PASSED AND ADOPTED BY THE VILLAGE COUNCIL of the Village of Estero, Florida this 23rd day of January, 2019.

Attest:

VILLAGE OF ESTERO, FLORIDA

By: Kathy Hall
Kathy Hall, MMC, Village Clerk

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

Reviewed for legal sufficiency:

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

| Vote: | AYE | NAY |
|-------------------------|-------------------------------------|--------------------------|
| Mayor Boesch | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Vice Mayor Ribble | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Councilmember Batos | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Councilmember Errington | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Councilmember Levitan | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Councilmember McLain | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Councilmember Wilson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |