

LEE COUNTY ORDINANCE NO 97-23

AN ORDINANCE OF LEE COUNTY, FLORIDA, ADOPTING AN ADMINISTRATIVE CODE PROVIDING FOR THE ORGANIZATION OF THE ADMINISTRATION OF LEE COUNTY GOVERNMENT AND SETTING FORTH THE DUTIES, POWERS AND RESPONSIBILITIES OF LEE COUNTY OFFICIALS AND AGENCIES; PROVIDING FOR SUBSEQUENT AMENDMENTS, REVISIONS, AND/OR MODIFICATIONS TO THE ADMINISTRATIVE CODE; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF LEE COUNTY ORDINANCE NO. 82-37; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners ("Board") is the governing body in and for Lee County, a political subdivision of the State of Florida, and,

WHEREAS, on January 3, 1996, the Board adopted Lee County Ordinance No 96-01, ~~"The Lee County Home Rule Charter"~~ pursuant to the provisions of Section 125 80, Florida Statutes, and,

WHEREAS, on November 5, 1996, Lee County Ordinance No 96-01 was ratified by the electorate of the County at a General Referendum Election; and,

WHEREAS, Section 2 2 E. of Lee County Ordinance No. 96-01 requires that the Board adopt an Administrative Code for the organization of the administration of Lee County Government and setting forth the duties, powers and responsibilities of the several Lee County officials and agencies; and,

WHEREAS, in order to comply with the terms and conditions of Lee County Ordinance No 96-01, the Board now desires to adopt an Ordinance adopting a Lee

County Administrative Code pursuant to Section 2 2.E of the Lee County Home Rule Charter; and,

WHEREAS, the Board finds that it serves a public purpose and is to the public benefit to adopt an Ordinance adopting the Lee County Administrative Code

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS that.

SECTION I. The above recitations are hereby ratified and incorporated herein as if set out at length

SECTION II. The Lee County Administrative Code as set out in Books I and II, located in the Office of Lee Cares, and dated as of December 10, 1997, providing for the organization of the administration of Lee County Government, and setting forth the duties, responsibilities and powers of County officials and agencies, is hereby incorporated herein in its entirety by reference, and is hereby officially adopted by this Ordinance as the Administrative Code of Lee County pursuant to Lee County Ordinance No 96-01, Section 2 2 E

SECTION III. Subsequent amendments, revisions and/or modifications to the Lee County Administrative Code as adopted by this Ordinance, to include but not be limited to additions, deletions, corrections, elaborations, explanations, reclassifications, reinstatements, supplements or refinements shall be made by Resolution of the Board adopted at a regularly scheduled, advertised Board of County Commissioners meeting and placed on the regular meeting agenda

SECTION IV. **CODIFICATION, INCLUSION IN CODE AND
SCRIVENER'S ERRORS**

it is the intention of the Board of County Commissioners that the provisions of this Ordinance shall become and be made a part of the Lee County Code; and that sections of this Ordinance may be renumbered or relettered and that the word "ordinance" may be changed to "section", "article", or such other appropriate word or phrase in order to accomplish such intention, and regardless of whether such inclusion in the code is accomplished, sections of this Ordinance may be renumbered or relettered and typographical errors which do not affect the intent may be authorized by the County Manager, or his designee, without need of further public hearing, by filing a corrected or recodified copy of same with the Clerk of Circuit Court

SECTION V. Upon the adoption of this Ordinance, Lee County Ordinance No 82-37 is hereby repealed, and shall be of no further force or effect

SECTION VI. The provisions of this Ordinance are severable, and it is the intention to confer to the whole or any part of this Ordinance, the powers herein provided for. If any of the provisions of this Ordinance shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the other remaining provisions of this Ordinance. It is hereby declared to be the Board's legislative intent that this Ordinance would have been adopted had such an unconstitutional provision not been included herein.

SECTION VII. This Ordinance will become effective upon receipt of official notice from the Florida Secretary of State that the Ordinance has been duly filed with

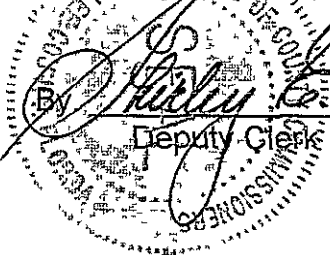
that office

The foregoing Ordinance was offered by Commissioner coy, who moved its adoption. The motion was seconded by Commissioner Judah and being put to a vote, the vote was as follows

JOHN MANNING	<u>AYE</u>
DOUGLAS ST. CERNY	<u>ABSENT</u>
RAY JUDAH	<u>AYE</u>
ANDREW COY	<u>AYE</u>
JOHN ALBION	<u>AYE</u>

DULY PASSED AND ADOPTED this 23rd day of December, 1997.

ATTEST CHARLIE GREEN
CLERK OF THE COURT



By Charlie Green
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By John Manning
Chairman

APPROVED AS TO FORM

By [Signature]
Office of the County Attorney