

**EMERGENCY RESOLUTION OF THE TOWN OF
FORT MYERS BEACH, FLORIDA
RESOLUTION NUMBER 04-30**

WHEREAS, the National Hurricane Center recognizes the danger to coastal residents by identifying our area as in the potential three day strike area and stating that we should closely monitor the progress of dangerous Hurricane Ivan; and,

WHEREAS, Governor Jeb Bush and State Emergency Management officials are urging residents to prepare for the potential impact of Hurricane Ivan recognizing the danger posed to this area; and,

WHEREAS, forecasting specific to Lee County indicates a strong likelihood of significant impact on this area; and,

WHEREAS, Hurricanes Charlie and Ivan have caused substantial damage to the Town giving Hurricane Ivan the potential for causing extensive damage to public utilities, public buildings, public communication systems, public streets and roads; and,

WHEREAS, Chapter 252, Florida Statutes, and Ordinance Number 99-6, provides authority for the Town of Fort Myers Beach to declare a State of Local Emergency and to waive the procedures and formalities otherwise required of political subdivision by law pertaining to:

1. Performance of public work and taking whatever action is necessary to ensure the health, safety, and welfare of the community;
2. Entering into contracts;
3. Incurring obligations;
4. Employment of permanent and temporary workers;
5. Utilization of volunteer workers;
6. Rental of equipment;
7. Acquisition and distribution, with or without compensation, of supplies, materials and facilities;
8. Appropriation and expenditure of Public funds; and,

WHEREAS, the Town of Fort Myers Beach, pursuant to its home rule powers has adopted certain emergency procedure in its code of ordinances, specifically CHAPTER SIXTY FOUR of the Town of Fort Myers Beach Code of Ordinances;

NOW, THEREFORE, BE IT RESOLVED that:

Section 1. Based upon the forgoing findings a local emergency exists effective immediately within the Town of Fort Myers Beach.

Section 2. The Town hereby exercises its authority and waives the procedures and formalities required by law of a political subdivision, as provided in Chapter

252.38(6)(e), Florida Statutes and the Town Charter and implements Local Emergency Procedures contained in Chapter 64, Sections 1-10, and Chapter 65, Section 1-14.

Section 3. This resolution shall take effect immediately upon adoption and continue for the duration of the threat of Hurricane Ivan.

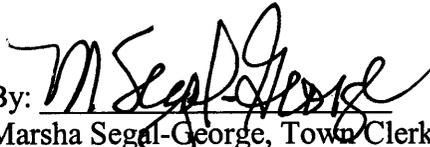
The foregoing resolution was adopted by the Fort Myers Beach Town Council upon being put to a vote, the result was as follows:

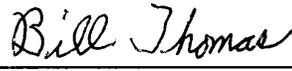
Bill Thomas	<u>Aye</u>
Garr Reynolds	<u>Aye</u>
Howard Rynearson	<u>Aye</u>
Bill Van Duzer	<u>Aye</u>
Don Massucco	<u>Aye</u>

DULY PASSED AND ADOPTED this 10th day of September, 2004.

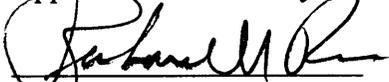
ATTEST:

Town of Fort Myers Beach

By: 
Marsha Segal-George, Town Clerk

By: 
Bill Thomas, Mayor

Approved as to form by:


Richard V.S. Roosa, Town Attorney