

**RESOLUTION NUMBER 21-14**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, ADOPTING A POLICY OPPOSING THE CONSTRUCTION OR PLACEMENT OF PUBLIC BATHROOM FACILITIES AT PUBLIC BEACH ACCESS POINTS IN RESIDENTIAL NEIGHBORHOODS, EXCLUDING REPLACEMENT BATHROOM FACILITIES, WITHOUT THE CONSENT OF THE ADJACENT PROPERTY OWNERS, AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Florida Statutes provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal service, and exercise any power for municipal purposes, except when expressly prohibited by law; and

**WHEREAS**, Article X of the Town Charter of the Town of Fort Myers Beach (“Town”) empowers the Town to adopt, amend, or repeal such ordinances and resolutions as may be required for the proper governing of the Town; and

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF FORT MYERS BEACH, AS FOLLOWS:**

Section 1. The above recitals are true and correct and are hereby incorporated by reference as though fully set forth herein and are hereby adopted as the legislative and administrative findings of the Town Council.

Section 2. The Town Council hereby adopts a policy opposing the construction or placement of public bathroom facilities at public beach access points in residential neighborhoods, excluding replacement bathroom facilities, without the consent of the adjacent property owners.

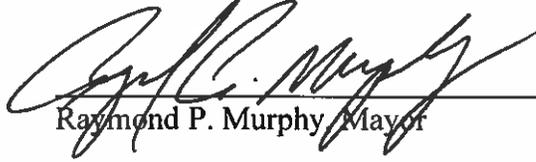
Section 3. This resolution shall take effect immediately upon its adoption by the Town Council of the Town of Fort Myers Beach.

The foregoing Resolution was adopted by the Town Council upon a motion by Mayor Murphy and seconded by Council Member Veach, and upon being put to a vote, the result was as follows:

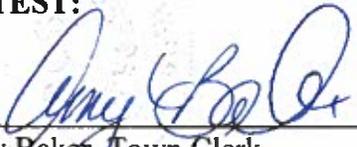
Raymond P. Murphy, Mayor	Aye
Rexann Hosafros, Vice Mayor	Aye
Dan Allers, Councilmember	Aye
Bill Veach, Councilmember	Aye
Jim Atterholt, Councilmember	Aye

ADOPTED this 16<sup>th</sup> day of February 2021 by the Town Council of the Town of Fort Myers Beach, Florida.

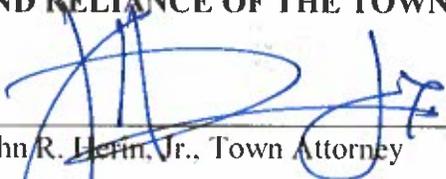
**TOWN OF FORT MYERS BEACH**

  
Raymond P. Murphy, Mayor

**ATTEST:**

  
Amy Baker, Town Clerk

**APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE  
AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:**

  
John R. Helm, Jr., Town Attorney

This Resolution was filed in the Office of the Town Clerk on this 18 day February 2021.