

**Lee County Board of County Commissioners
Agenda Item Summary**

Blue Sheet No. 20041316

1. REQUESTED MOTION:

ACTION REQUESTED: Conduct a public hearing to consider and adopt an Ordinance amending Lee County Ordinance No. 88-13, relating to the Enhanced 9-1-1 Emergency Response System.

WHY ACTION IS NECESSARY: A public hearing is necessary for the Board of County Commissioners to amend County Ordinances.

WHAT ACTION ACCOMPLISHES: Insures consistent street-naming and sequential building numbers.

2. DEPARTMENTAL CATEGORY:

COMMISSION DISTRICT # CW 5:00 #4

3. MEETING DATE:

10-26-2004

4. AGENDA:

CONSENT
 ADMINISTRATIVE
 APPEALS
 PUBLIC
 WALK ON
 TIME REQUIRED:

5. REQUIREMENT/PURPOSE:
(Specify)

STATUTE
 ORDINANCE 88-13
 ADMIN. CODE
 OTHER

6. REQUESTOR OF INFORMATION:

A. COMMISSIONER
 B. DEPARTMENT County Attorney
 C. DIVISION General Services
 BY: Andrea R. Fraser
Assistant County Attorney

7. BACKGROUND:

The amendment to the current Lee County Ordinance, No. 88-13, would provide a consistent naming of streets and sequential building numbers.

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL:

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services				G County Manager
N/A	N/A	N/A	N/A	<i>Andrea Fraser</i>	OA	OM	RISK	GC	<i>AS 10-14-04</i>
					<i>10/12/04</i>	<i>10/12/04</i>	<i>10/12/04</i>	<i>10/12/04</i>	

10. COMMISSION ACTION:

APPROVED
 DENIED
 DEFERRED
 OTHER

CO. ATTY
FORWARDED
TO CO. ADMIN.
10/15/04

RECEIVED BY
COUNTY ADMIN:
10/15/04
6:30 AM
COUNTY ADMIN
FORWARDED TO: *PK*
10/15/04
3PM.

RK
75

LEE COUNTY
NOTICE OF INTENT TO ENACT A COUNTY ORDINANCE

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on Tuesday, the 26th day of October, 2004, at 5:00 o'clock p.m., in the County Commissioners' Meeting Room, Old Lee County Courthouse, 2120 Main Street, Fort Myers, Florida, the Board of County Commissioners of Lee County, Florida, will consider the enactment of a County Ordinance pursuant to Article VIII, Section 1, of the Florida Constitution and Chapter 125, Florida Statutes. The title of the proposed County Ordinance is as follows:

AN ORDINANCE PROVIDING FOR THE REPEAL OF LEE COUNTY ORDINANCES NUMBERS 80-25, 82-2, 83-29 AND 88-13, ESTABLISHING ORDERLY BUILDING NUMBERS, STREET NAMING AND RENAMING WITHIN THE UNINCORPORATED AREAS OF LEE COUNTY, PROVIDING FOR AN EFFECTIVE EMERGENCY RESPONSE SYSTEM IN COMPLIANCE WITH THE LEE COUNTY ENHANCED 9-1-1 PROGRAM; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

1. Copies of this Notice and the proposed Ordinance are on file in the Minutes Office of the Clerk of Courts of Lee County. The public may inspect or copy the proposed Ordinance during regular business hours at the Office of Public Resources. The Minutes Office and Public Resources are located in the Courthouse Administration Building, 2115 Second Street, Fort Myers, Florida. Public Resources is located on the first floor and the Minutes Office is located on the second floor of the Courthouse Administration Building.

2. Interested parties may appear at the meeting in person or through counsel, and be

heard with respect to the adoption of the proposed Ordinance.

3. Anyone wishing to appeal the decision(s) made by the Board with respect to any matter considered at this meeting, will need a record of the proceedings for such appeal, and may need a verbatim record, to include all testimony and evidence upon which the appeal is to be based.

4. The Ordinance will take effect upon its filing with the Office of the Secretary of the Florida Department of State, or as may be otherwise prescribed in the Ordinance.

5. If you have a disability that will require special assistance or accommodations for your attendance at the public hearing, please call the Lee County Division of Public Resources at 335-2269 for information.

PLEASE GOVERN YOURSELF ACCORDINGLY.

The text of this Notice is in conformance with Section 125.66, Florida Statutes (2003), and other relevant sections of Florida law.

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By: _____
Charlie Green, Ex-Officio Clerk
to the Board of County Commissioners
of Lee County, Florida

APPROVED AS TO FORM:

By: Andrea B. Javes
Office of the County Attorney

Ad Size: 2 x 5

Publishing Dates: 10/13/04 & 10/20/04

LEE COUNTY ORDINANCE NO. _____

AN ORDINANCE PROVIDING FOR THE REPEAL OF LEE COUNTY ORDINANCES NUMBERS 80-25, 82-2, 83-29 AND 88-13, ESTABLISHING ORDERLY BUILDING NUMBERING, STREET NAMING AND RENAMING WITHIN THE UNINCORPORATED AREAS OF LEE COUNTY, PROVIDING FOR AN EFFECTIVE EMERGENCY RESPONSE SYSTEM IN COMPLIANCE WITH THE LEE COUNTY ENHANCED 9-1-1 PROGRAM; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 365.171, Florida Statutes, provides for the implementation of a 9-1-1 Emergency Communication System within the confines of Lee County; and,

WHEREAS, an effective, Enhanced 9-1-1 Response System is dependent upon a verified building numbers system; and,

WHEREAS, there is a need to insure consistent street naming and sequential building numbers; and,

WHEREAS, the Lee County Board of County Commissioners has determined that it is in the best interests of the public health, safety and welfare to establish and implement the Enhanced 9-1-1 Emergency Telephone System.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, that:

SECTION ONE REPEALER

Lee County Ordinance No. 80-25, and Amending Ordinances Numbers 82-2, 83-29 and 88-

13 are hereby repealed in their entirety. Additions are illustrated by underlined text, and deletions are illustrated by ~~struck-through type~~.

SECTION TWO DUTIES OF THE ENHANCED 9-1-1 EMERGENCY TELEPHONE SYSTEM PROGRAM MANAGER ~~COORDINATOR~~

The Enhanced 9-1-1 Emergency Telephone System Program Manager ~~Coordinator~~ within the Lee County Division of Public Safety ~~Communications Engineering~~ shall:

- A. Be responsible for maintaining the numbering system established by this Ordinance.
- B. ~~Approve~~ Submit for approval to Present for BoCC approval the Board of County Commissioners naming of street names and the changing street names ~~changes~~ of existing plats within the unincorporated areas of Lee County, to be filed in the office of the Clerk of Courts.
- C. Approve new street names and changes to street names of unrecorded subdivisions and any private ways as necessary for the unincorporated area and territorial enclaves within the Lee County boundaries.
- D. Monitor all new street names to insure that duplicate street names and numbers are prevented.
- E. Review and make necessary corrections of existing or future nonconforming numbering systems to include, but not be limited to: out of sequence numbers, odd or even numbers on the wrong side of the street, and rural box numbers.

SECTION THREE DUTIES OF LEE COUNTY CITIZENS

It shall be the duty of the owners and occupants of each building, as citizens of Lee County:

- A. To post the assigned building number on the property regardless of whether mail is

received at the structure.

- B. To properly display the building number so that the numbers are easily visible from the street.
- C. To provide street signs on private ways for which they have received an approved street name.

SECTION FOUR SEVERABILITY

~~It is declared to be the legislative intent that if any section, subsection, sentence, clause or provision of this ordinance is held to be invalid, the remainder of the ordinance shall not be affected.~~

If any phrase or portion of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portion.

SECTION FIVE EFFECTIVE DATE

- ~~A. This ordinance shall become effective as provided by law.~~
- A. This Ordinance shall take effect upon receipt of notice from the Secretary of State that this Ordinance has been filed with the Secretary of State.
- B. Notification to property owners becomes effective immediately on receipt of written notice by the owner.

The foregoing Ordinance was offered by Commissioner _____, who moved its adoption.

The motion was seconded by Commissioner _____ and being put to a vote, the vote was as

follows:

BOB JANES _____

DOUGLAS ST. CERNY _____

RAY JUDAH _____

ANDREW COY _____

JOHN ALBION _____

DULY PASSED AND ADOPTED this ____ day of _____, 20__.

ATTEST: CHARLIE GREEN
CLERK OF THE COURT

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chairman

APPROVED AS TO FORM:

By: _____
Office of the County Attorney