

**CITY OF MARCO ISLAND
ORDINANCE NO. 00-05**

**AN ORDINANCE TO PROVIDE FOR A REFERENDUM
ELECTION BY THE ELECTORATE ON SEPTEMBER 5, 2000
TO DETERMINE WHETHER POLICE SERVICE SHALL BE
PROVIDED BY THE CITY OF MARCO ISLAND; PROVIDING
FOR INCORPORATION, CONFLICT AND SEVERABILITY;
AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, Article VIII of the State Constitution and Chapter 166 of the 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 services, and exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, Section 101.161, Florida Statutes, provides the form and content for referenda ballots; and

WHEREAS, on April 10, 2000, the Marco Island City Council determined that there shall be a referendum of the electorate on September 5, 2000, to determine whether Marco Island shall continue to provide police services.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Marco Island, Florida:

Section 1. Vote of Electors at the September 5, 2000 Primary Election.

Included in the primary election of September 5, 2000 shall be a ballot question to determine whether the City of Marco Island shall continue to provide police services.

Section 2. Language on the Ballot.

The ballot to be used in said referendum election shall be in the following form:

**REFERENDUM TO DETERMINE WHETHER POLICE SERVICES
SHALL BE PROVIDED BY THE CITY OF MARCO ISLAND**

Police services are currently provided by the City of Marco Island. Prior to January 2000, law enforcement was provided exclusively by the County Sheriff. Shall the City continue to provide police services to Marco Island? A "yes" vote will authorize continuation of police services by the City. A "no" vote will authorize

termination of police services by the City, and a return to sole reliance for law enforcement by the County Sheriff.

YES _____

NO _____

Section 4. Incorporation, Conflict and Severability

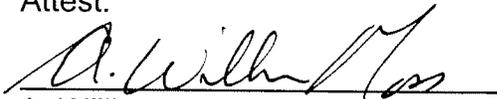
- (1) It is the intention of the City Council and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Marco Island, Florida, and that the sections of this Ordinance may be renumbered or relettered and that the word "ordinance" may be changed to "section," "article," or other appropriate word.
- (2) All sections or parts of sections of the Code of Laws and Ordinances of Collier County, Florida, all Collier County Ordinances or parts of ordinances and all Collier County Resolutions or parts of resolutions made applicable by the City Charter in conflict herewith are hereby repealed to the extent of such conflict.
- (3) If any word, phrase, clause, subsection, or section of this Ordinance is for any reason held unconstitutional or invalid by a court of competent jurisdiction, the invalidity thereof shall not affect the validity of any remaining portions of the Ordinance.

Section 5. Effective Date.

This Ordinance shall take effect immediately upon adoption by the Marco Island City Council

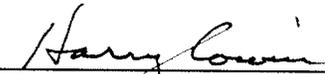
Passed in open and regular session of the City Council of the City of Marco Island, Florida, this 1st day of May 2000.

Attest:



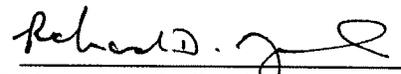
 A. William Moss
 City Manager/City Clerk

CITY OF MARCO ISLAND, FLORIDA

BY: 

 Harry Cowin, Chairman

Approved as to form and legal sufficiency:


 for _____
 Kenneth B. Cuyler
 City Attorney

Naples Daily News
Naples, FL 34102

Affidavit of Publication
Naples Daily News

CITY OF MARCO ISLAND
ATT: DEE PHILLIPS
950 N COLLIER BLVD #308
MARCO ISLAND FL 34145

REFERENCE: 054361
58049817 SECOND READING & PUB

State of Florida
County of Collier

Before the undersigned authority, personally appeared Angela Bryant, who on oath says that she serves as Assistant Secretary of the Naples Daily News, a daily newspaper published at Naples, in Collier County, Florida: that the attached copy of the advertising was published in said newspaper on dates listed.

Affiant further says that the said Naples Daily News is a newspaper published at Naples, in said Collier County, Florida, and that the said newspaper has heretofore been continuously published in said Collier County, Florida, each day and has been entered as second class mail matter at the post office in Naples, in said Collier County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

PUBLISHED ON: 04/20

AD SPACE: 41.000 INCH
FILED ON: 04/20/00

Signature of Affiant *Angela L Bryant*
Sworn to and Subscribed before me this 20 day of April 2000
Personally known by me *SFlora*

SECOND READING &
PUBLIC HEARING
ORDINANCE
CITY OF
MARCO ISLAND
The City Council of Marco Island, meeting in regular session at 6:00 p.m., on May 1, 2000, at the Frank E. Mackle, Jr. Community Park, 1361 Andalusia Terrace, Marco Island, Florida will consider:
AN ORDINANCE TO PROVIDE FOR A REFERENDUM ELECTION BY THE ELECTORATE ON SEPTEMBER 5, 2000 TO DETERMINE WHETHER POLICE SERVICE SHALL BE PROVIDED BY THE CITY OF MARCO ISLAND; PROVIDING FOR INCORPORATION, CONFLICT AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.
This Ordinance is available for inspection by the Public in the Deputy City Clerk's office located at City Hall. Members of the Public are invited to make oral or written comments in regards to this Ordinance.
April 20 No. 1603986



Susan D Flora
My Commission CC581717
Expires Dec. 10, 2000