

**CITY OF MARCO ISLAND
ORDINANCE NO. 99-12**

AN ORDINANCE PROVIDING FOR THE DESIGNATION OF A CITY SEAL; PROVIDING FOR THE INDUCTION OF CITY COUNCIL MEMBERS INTO OFFICE AND THE OATH OF OFFICE; PROVIDING FOR REGULAR MEETINGS, SPECIAL MEETINGS, AGENDA AND NOTICE OF MEETINGS, AND RECESS OF CITY COUNCIL MEETINGS; PROVIDING FOR PARLIAMENTARY RULES AND THE CONDUCT OF MEETINGS; PROVIDING FOR INCORPORATION, CONFLICT, AND SEVERABILITY; AND PROVIDING 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 1.01 of the Marco Island City Charter empowers the City to adopt, amend, or repeal such ordinances, resolutions, and codes as may be required for the good governing of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARCO ISLAND, FLORIDA:

ARTICLE 1. GENERAL

Sec. 1. Designation and Use of City Seal.

- (a) There is hereby designated an Official Seal of the City of Marco Island.
- (b) The City Manager/City Clerk shall be the custodian of the City Seal.
- (c) The manufacture, use, display, or employment of any facsimile or reproduction of the City Seal, except by municipal officials or employees in the performance of their duties, without express approval of the City Council is prohibited.
- (d) Nothing in this section shall be construed to prohibit the City Manager/City Clerk from using a corporate seal, which reflects the name of the City and the State of incorporation, for certification of official documents.

ARTICLE 2. CITY COUNCIL

Sec. 1. Induction Into Office: Oath.

The newly elected City Council members shall take office at noon on the Monday following their election, and shall be inducted into office at a special meeting called for that purpose. At that time, the City Attorney or any judicial officer shall administer an oath of office to the newly elected City Council members. The oath of office shall be as follows:

"I solemnly swear (or affirm) that I will support the Constitution and will obey the Laws of the United States and of the State of Florida; that I will, in all respects, observe the provisions of the Charter and the Ordinances of the City of Marco Island, and will faithfully discharge the duties of the office of City Council."

Sec. 2. Regular Meetings.

The City Council shall hold regular meetings at least once in every month at such times and places as prescribed by City Council's Rules of Procedure. The City Council shall cause to be published annually a schedule of regular City Council meetings.

Sec. 3. Special Meetings.

City Council may hold special meetings at any time pursuant to due notice, and whenever practicable, upon no less than twenty-four (24) hours notice to each member and the public. Special meetings may be held on the call of the Chairman, or by the City Manager, when a majority of Council Members express desire to call a special meeting

Sec. 4. Agenda and Notice of Meetings.

The procedure for the preparation of the agenda for regular meetings, and the "Notice of Meetings" of City Council shall be established by resolution and incorporated with the City Council Rules of Procedure.

Sec. 5. Recess.

The City Council may recess at any regular or special meeting, provided such recessed meetings shall be to a future day and hour to be specifically provided for in the motion for such recess. A recessed meeting shall not be later than the next regular meeting, and any such recessed meeting shall not be held at any hour or time other than as specified in such motion.

Sec. 6. Parliamentary Rules; Conduct of Meetings.

Parliamentary rules and conduct of meetings shall be established by resolution and incorporated in the City Council Rules of Procedure.

Sec. 7. Incorporation, Conflict, and Severability.

(a) 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 re-lettered and that the word "ordinance" may be changed to "section", "article" or other appropriate word.

(b) 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.

(c) In the event this Ordinance conflicts with any other Ordinance of the City of Marco Island or other applicable law, the more restrictive shall apply. 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.

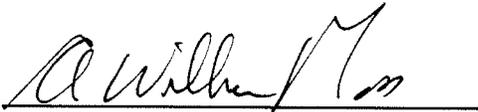
Sec. 8. Effective Date.

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

Passed in open and regular session through roll call vote by the City Council of the City of Marco Island, Florida, this 21st day of June, 1999.

Attest:

CITY OF MARCO ISLAND, FLORIDA

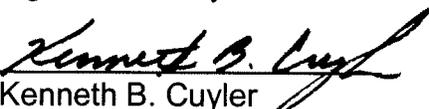


A. William Moss
City Manager/City Clerk

BY: 

David E. Brandt, Chairman

Approved as to form and legal sufficiency:



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
57890353 SECOND READING & PUB

State of Florida
County of Collier

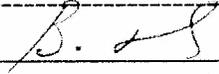
Before the undersigned authority, personally appeared B. Lamb, who on oath says that she serves as the Assistant Corporate Secretary of the Naples Daily News, a daily newspaper published at Naples, in Collier County, Florida: that the attached copy of advertising was published in said newspaper on dates 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 coporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

PUBLISHED ON: 06/11

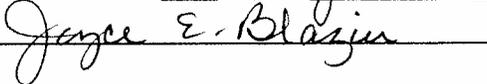
AD SPACE: 44.000 INCH
FILED ON: 06/11/99

Signature of Affiant



Sworn to and Subscribed before me this 15 day of June 1999

Personally known by me



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 June 21, 1999, at the Marco Island YMCA, 101 Sandhill Street, Marco Island, Florida will consider:

AN ORDINANCE PROVIDING FOR THE DESIGNATION OF A CITY SEAL; PROVIDING FOR THE INDUCTION OF CITY COUNCIL MEMBERS INTO OFFICE AND THE OATH OF OFFICE; PROVIDING FOR REGULAR MEETINGS, SPECIAL MEETINGS, AGENDA AND NOTICE OF MEETINGS, AND RECESS OF CITY COUNCIL MEETINGS; PROVIDING FOR PARLIAMENTARY RULES AND THE CONDUCT OF MEETINGS; PROVIDING FOR INCORPORATION, CONFLICT, AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Members of the Public are invited to make oral or written comments in regards to this Ordinance.
June 11 No. 1429414



Joyce E. Blazier
MY COMMISSION # CC702521 EXPIRES
April 10, 2002
BONDED THRU TROY FAIN INSURANCE, INC.