

LEE COUNTY RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE LEE COUNTY BOARD OF COUNTY COMMISSIONERS RELATING TO AMENDMENTS TO THE LEE COUNTY ADMINISTRATIVE CODE AS ADOPTED BY LEE COUNTY ORDINANCE NO. 97-23; PROVIDING FOR APPROVAL OF CERTAIN AMENDMENTS TO THE LEE COUNTY ADMINISTRATIVE CODE PERTAINING TO MEDICAL EXAMINER FEES FOR CREMATION AUTHORIZATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Board of County Commissioners (Board) is the governing body in and for Lee County, a political subdivision of the State of Florida; and,

**WHEREAS**, the Board has previously enacted Lee County Ordinance No. 96-01, creating a charter form of government for Lee County pursuant to Section 125.80, et seq., Florida Statutes, and which was approved and ratified by the Electorate of Lee County on November 5, 1996; and,

**WHEREAS**, the Board subsequently repealed and replaced Ordinance No. 96-01, as amended, by enacting Lee County Ordinance No. 08-15, the "Lee County Charter"; and

**WHEREAS**, the Board has previously enacted Lee County Ordinance No. 97-23, which adopted the Lee County Administrative Code pursuant to the Lee County Charter; and,

**WHEREAS**, Lee County Ordinance No. 97-23 at Section III provides that amendments to the Lee County Administrative Code are to be made by Resolution of the Board at a regularly scheduled Board meeting; and,

**WHEREAS**, certain amendments to the Lee County Administrative Code are now proposed, and the Board finds that the proposed amendments are acceptable, serve a public purpose and are consistent with the terms and conditions of the Lee County Charter.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS THAT:**

1. The above preamble is hereby accepted and approved as true and accurate, and is adopted and incorporated herein as if set out further at length.
2. The proposed amendment to Lee County Administrative Code AC-3-10 pertaining to External Fees and Charges Manual, EX 17-2, Medical Examiner Cremation Authorization Fee (attached hereto as Exhibit A), is approved, and is hereby directed to be incorporated into the Lee County Administrative Code as indicated in the amendment(s).
3. The provisions of this Resolution are severable, and it is the intention to confer to the whole or any part of this Resolution, the powers herein provided for. If any provision of this Resolution is held unconstitutional by a court of competent jurisdiction, the decision of such court will not affect or impair the remaining provisions of this Resolution. It is hereby declared to be the Board's legislative intent that this Resolution would have been adopted had such an unconstitutional provision not been included herein.
4. To the extent that there are typographical and/or administrative errors that do not change the tone, tenor or concept of this Resolution, then this

Resolution may be revised without subsequent approval by the Board of County Commissioners.

5. This Resolution will become effective immediately upon its adoption by the Board of County Commissioners.

Commissioner Mann made a motion to adopt the foregoing resolution. The Motion was seconded by Commissioner Manning. The vote was as follows:

Kevin Ruane  
Cecil L Pendergrass  
Ray Sandelli  
Brian Hamman  
Frank Mann

DULY PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2021.

ATTEST:  
LINDA DOGGETT, CLERK

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

BY: \_\_\_\_\_  
Deputy Clerk

BY: \_\_\_\_\_  
Kevin Ruane, Chair

APPROVED AS TO FORM FOR THE  
RELIANCE OF LEE COUNTY ONLY

\_\_\_\_\_  
Office of the County Attorney