

LEE COUNTY ORDINANCE NO. 21-XX

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, REPEALING IN THE ENTIRETY, LEE COUNTY ORDINANCE NO. 88-24, AS AMENDED BY LEE COUNTY ORDINANCE NO. 99-20, AS AMENDED BY LEE COUNTY ORDINANCE NO. 96-08, RELATING TO MINIMUM STANDARDS OF HYGIENE FOR FOOD ESTABLISHMENTS AND FOOD VENDORS.

WHEREAS, the Board of County Commissioners of Lee County (BOCC), is the governing body in and for Lee County, Florida; and

WHEREAS, the Legislature of the State of Florida has, pursuant to Chapter 125, Florida Statutes, delegated the responsibility to local governmental units and authorization to adopt regulations designed to promote the public health, safety, and general welfare of its citizens; and

WHEREAS, on October 5, 2021, the BOCC found that limited regulation of mobile food vending is in the best interest of the health, safety, and welfare of the public, and directed staff to draft amendments to the Land Development Code; and

WHEREAS, Ordinance 88-24, relating to minimum standards of hygiene for food establishments and food vendors, has been found to be outdated as a result of the dissolution of the Florida Department of Health and Rehabilitative Services in 2013, and in conflict with the adoption of the mobile food vendor regulations directed by the BOCC;

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

SECTION ONE: PURPOSE, RESTATEMENT AND REPEALER

It is the intent of this Ordinance to repeal in the entirety, Lee County Ordinance No. 88-24, as amended by Ordinance No. 99-20, as amended by Ordinance No. 96-08. Accordingly, upon adoption of this Ordinance, Lee County Ordinance Nos. 88-24, 99-20, 96-08 are hereby duly repealed.

SECTION TWO: EFFECTIVE DATE

This ordinance will take effect upon its filing with the Office of the Secretary of the Florida Department of State.

Commissioner ____ made a motion to adopt the foregoing ordinance, seconded by Commissioner _____. The vote was as follows:

Kevin Ruane	_____
Cecil Pendergrass	_____
Raymond 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

By: _____
Office of the County Attorney

CAO DRAFT November 18, 2021