

**MEMORANDUM**

**Date:** September 25, 2012

**To:** Jeff Klatzkow, County Attorney  
County Attorney's Office

**From:** Ann Jennejohn, Deputy Clerk  
Minutes & Records Department

**Re:** **(Validated) Ordinance 2012-31: Repealing an Ordinance  
Codified as Sec. 98-1 (Expenditures for lighting) in the  
Code of Laws and Ordinances of Collier County**

OFFICE OF THE  
COUNTY ATTORNEY  
2012 SEP 25 PM 1:53

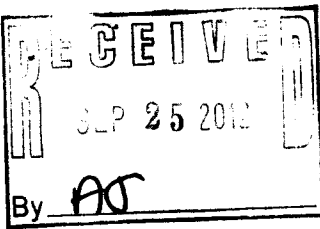
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Attached for your records is a copy of the document referenced above, **(Item #17B)** adopted by the Board of County Commissioners **Tuesday, September 11, 2012.**

The original will be held in the Minutes and Records Department for the Board's official record.

If you have any questions, please contact me at 252-8406.

Thank you.



ORDINANCE NO. 2012 - 31

**AN ORDINANCE REPEALING SEC. 98-1 OF THE CODE OF LAWS AND ORDINANCES OF COLLIER COUNTY (EXPENDITURES FOR LIGHTING); PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Ch. 63-713, Sec. 1, Laws of Florida, created a local law in Collier County validating certain expenditures authorized by the Board of County Commissioners for the lighting of public parks and playgrounds; and

**WHEREAS**, this Act, codified as Sec. 98-1 in the Code of Laws and Ordinances of Collier County by the Municipal Code Corporation, provides as follows:

**“Sec. 98-1. - Expenditures for lighting.**

Expenditures made during the preceding biennium by the board of county commissioners for the lighting of public parks and playgrounds are valid. Such expenditures are declared to have been for a valid county purpose;” and

**WHEREAS**, pursuant to Ch. 71-29, Laws of Florida, this provision was repealed as a State of Florida Act and assumed status as a local ordinance; and

**WHEREAS**, the Board of County Commissioners desires to repeal this ordinance in its entirety as serving no present public purpose.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA**, that:

**SECTION ONE: Repeal of Sec. 98-1, Collier County Code of Laws and Ordinances.**

Sec. 98-1 of the Code of Laws and Ordinances of Collier County (Expenditures for lighting) is hereby repealed in its entirety.

**SECTION TWO: Inclusion in the Code of Laws and Ordinances.**

The provisions of this Ordinance shall become and be made a part of the Code of Laws and Ordinances of Collier County, Florida. The sections of the Ordinance may be renumbered or

DEPARTMENT OF STATE  
TALLAHASSEE, FLORIDA  
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re-lettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

**SECTION THREE: Conflict and Severability.**

In the event this Ordinance conflicts with any other Ordinance of Collier County or other applicable law, the more restrictive shall apply. If any phrase or portion of the 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 FOUR: Effective Date.**

This Ordinance shall take effect upon filing with the Florida Department of State.

**PASSED AND DULY ADOPTED** by the Board of County Commissioners of Collier County, Florida, this 11th day of September, 2012.

ATTEST:  
DWIGHT E. BROCK, CLERK

BOARD OF COUNTY COMMISSIONERS  
COLLIER COUNTY, FLORIDA

By: [Signature]  
Deputy Clerk  
Attest as to the  
signature and

By: Fred W. Coyle  
FRED W. COYLE, CHAIRMAN

Approved as to form  
and legal sufficiency:

[Signature]  
Jeffrey A. Klazkow  
County Attorney

This ordinance filed with the  
Secretary of State's Office the  
11th day of September 2012  
and acknowledgement of that  
filing received this 25th day  
of September 2012  
By: [Signature]  
Deputy Clerk

STATE OF FLORIDA)

COUNTY OF COLLIER)

I, DWIGHT E. BROCK, Clerk of Courts in and for the Twentieth Judicial Circuit, Collier County, Florida, do hereby certify that the foregoing is a true and correct copy of:

**ORDINANCE 2012-31**

which was adopted by the Board of County Commissioners on the 11th day of September, 2012, during Regular Session.

WITNESS my hand and the official seal of the Board of County Commissioners of Collier County, Florida, this 13th day of September, 2012.

DWIGHT E. BROCK  
Clerk of Courts and Clerk  
Ex-officio to Board of  
County Commissioners



By: Ann Jennejohn,  
Deputy Clerk