

House Bill No. 1197

An act relating to Lee County and the City of Fort Myers; amending section 4, chapter 98-488, Laws of Florida; providing for an annexation referendum in certain enclaves only; allowing city the option to hold a referendum in the City of Fort Myers; providing for separate vote on an interlocal agreement by electors in the city and electors in certain enclave areas proposed to be annexed; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 4 of chapter 98-488, Laws of Florida, is amended to read:

Section 4. (1) Subsequent to the adoption of the interlocal agreement between the city and the county, and prior to the implementation of the proposed annexation by the city of the described “Dunbar” and “Belle Vue” enclaves, a referendum shall be held by the city ~~in the City of Fort Myers and within the proposed, described enclave areas to be annexed, or at the election of the city, in the city of Fort Myers and within the proposed, described enclave areas to be annexed,~~ for the ratification and approval of the interlocal agreement by the registered electorates therein pursuant to the provisions of s. 171.0413, Florida Statutes, as amended.

(2) The interlocal agreement shall be presented ~~separately~~ to the registered voters residing within the city and the registered voters residing within the proposed annexed areas as further described in section 2 of this act. The city may also elect to submit the interlocal agreement to a separate vote of the registered voters residing within the city at the same time the referendum is held in the proposed enclave areas. The procedures for conducting the referendum shall be pursuant to the requirements as set out at s. 171.0413(2), Florida Statutes. Upon a majority vote, of the registered electors of the City of Fort Myers and a majority of the votes cast by the combined registered electors residing in both the “Dunbar” and “Belle Vue” areas, or if the city elects to submit the interlocal agreement to a separate vote of the registered voters residing within the city, upon a majority vote of the electors of the City of Fort Myers and a majority vote by the combined electors residing in both “Dunbar” and “Belle Vue” areas, the interlocal agreement shall be deemed to be ratified and approved, and shall become effective as provided for in the interlocal agreement, but otherwise for not more than 1 year following the referendum. The referendum for ratification and approval of the interlocal agreement for annexation may be conducted by the city at any regular election following the adoption of the interlocal agreement by the city and the county.

Section 2. This act shall take effect upon becoming a law.

Approved by the Governor May 25, 2000.

Filed in Office Secretary of State May 25, 2000.