

**CITY OF MARATHON, FLORIDA  
RESOLUTION 2007-69**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, EXEMPTING VENDORS OF ALCOHOLIC BEVERAGES WITHIN THE CITY OF MARATHON FROM SECTION 2.1-6 OF THE MONROE COUNTY CODE REQUIRING WARNING SIGNS TO PREGNANT WOMEN ABOUT THE DANGERS OF DRINKING ALCOHOLIC BEVERAGES TO UNBORN CHILDREN; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, on April 18, 2007, the County Commission of Monroe County, Florida (the “County”), adopted an ordinance that created Section 2.1-6 of the Monroe County Code which requires all vendors of alcoholic beverages in the County to post warning signs about the dangers to unborn children of women who drink alcoholic beverages while pregnant; and

**WHEREAS**, Section 2.1-6(e) provides that all incorporated municipalities within the County may by resolution or ordinance exempt vendors of alcoholic beverages within their municipal limits from the provisions of Section 2.1-6; and

**WHEREAS**, although the City of Marathon (the “City”) does not recognize the jurisdiction of the County to impose such an ordinance on vendors within City limits, the City Council wishes to make it clear that vendors of alcoholic beverages within the City shall not be subject to this ordinance.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THAT:**

**Section 1.** The above recitals are true and correct and incorporated herein.

**Section 2.** The City Council hereby exempts all vendors of alcoholic beverages within the city limits of the City of Marathon from the application of Section 2.1-6 of the Monroe County Code. The City Council does not, however, waive its objection to the applicability of this ordinance within the City nor does it waive the right to object to any future ordinances from the County that similarly impede upon the City Council’s jurisdiction to regulate such matters in the City.

~~**Section 3.** This resolution shall take effect immediately upon its adoption.~~


**PASSED AND APPROVED** by the City Council of the City of Marathon, Florida, this 8<sup>th</sup> day of May, 2007.

**THE CITY OF MARATHON, FLORIDA**

  
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Christopher M. Bull, Mayor

AYES:           Cinque, Tempest, Vasil, Bull  
NOES:           None  
ABSENT:        Worthington  
ABSTAIN:       None

**ATTEST:**

  
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Diane Clavier  
City Clerk

(City Seal)

**APPROVED AS TO FORM AND LEGALITY FOR THE USE AND RELIANCE OF THE CITY OF MARATHON, FLORIDA ONLY:**

  
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City Attorney