

ORDINANCE NO. 02-07-10

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, AMENDING SECTION 1-2 OF THE CITY CODE "RULES OF CONSTRUCTION AND DEFINITIONS"; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Marathon adopted the Code of Monroe County as its City Code by Charter and again in Ordinance 01-01-01; and

WHEREAS, it was always the intent of the City in adopting the Code of Monroe County that any reference to unincorporated Monroe County in the City Code should, where appropriate, be read as applying to the City; and

WHEREAS, the City desires to make its intent clear;

NOW, THEREFORE, BE IT **ORDAINED** BY THE CITY COUNCIL OF THE **CITY OF MARATHON, FLORIDA, AS FOLLOWS:**¹

Section 1. The above recitals are true and correct and incorporated herein by this reference.

Section 2. Section 1-2 of the Code of Ordinances is hereby amended to read as follows:

City. The terms "county," "the county" or "this county," "Monroe County or "unincorporated Monroe County" shall mean the City of Marathon in the County of Monroe in the Sate of Florida, unless the context clearly requires

¹ / Additions to existing text are shown by underline; deletions are shown by ~~strikethrough~~.

otherwise. If the context clearly requires otherwise, and in any ordinance adopted after November 30, 1999, the above terms shall refer to Monroe County.

City limits shall mean the legal boundaries of the City of Marathon unless the context clearly requires otherwise. If the context clearly requires otherwise, and in ordinances adopted after November 30, 1999, the above term shall mean the legal boundaries of Monroe County.

~~County. The term "county," "the county" or "this county" shall mean the County of Monroe in the State of Florida~~

~~County limits shall mean the legal boundaries of Monroe County.~~

Section 3. Severability. The provisions of this Ordinance are declared to be severable if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 4. Inclusion in the Code. It is the intention of the City Council and it is hereby ordained that the provisions of this Ordinance shall become and made a part of the code of the City of Marathon, Florida, that the sections of the Ordinance may be renumbered or relettered to accomplish such intentions, and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 5. Effective Date. This Ordinance shall be effective upon adoption on the second reading.

The foregoing Ordinance as offered by Councilman Greenman, who moved for its adoption. This motion was seconded by Councilman Repetto, and upon being put to a vote, the vote was as follows:

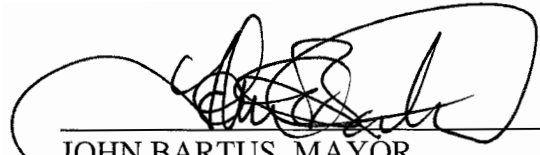
Mayor John Bartus	<u>Yes</u>
Vice Mayor Randy Mearns	<u>Yes</u>
Councilman Frank Greenman	<u>Yes</u>
Councilman John Repetto	<u>Yes</u>
Councilman Pete Worthington	<u>Yes</u>

PASSED on first reading this 11th day of June, 2002.

The foregoing Ordinance as offered by Councilman Greenman, who moved for its adoption. This motion was seconded by Councilman Repetto, and upon being put to a vote, the vote was as follows:


Mayor John Bartus	<u>Yes</u>
Vice Mayor Randy Mearns	<u>Yes</u>
Councilman Frank Greenman	<u>Yes</u>
Councilman John Repetto	<u>Yes</u>
Councilman Pete Worthington	<u>Yes</u>

PASSED AND ADOPTED on second reading this 9th day of July, 2002.



JOHN BARTUS, MAYOR

ATTEST:



KATHERINE V. SELCHAN
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY:



CITY ATTORNEY

SCANNED

7/15/02 #6001 KS✓