

RESOLUTION 26 - 41

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARCO ISLAND, FLORIDA, AMENDING THE RIGHT-OF-WAY PERMIT AND INSPECTION FEE SCHEDULE PROVIDED FOR IN THE CITY OF MARCO ISLAND CODE OF ORDINANCES, CHAPTER 42, "STREETS, SIDEWALKS, AND OTHER PUBLIC PLACES", ARTICLE III "PRIVATE CONSTRUCTION ACTIVITIES IN PUBLIC RIGHTS-OF-WAY"; PROVIDING FOR CONFLICTS, SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Marco Island Public Works Department administers the City's Right-of-Way Permit Program, including the review of engineering plans, traffic control plans, permit applications, construction inspections, and restoration of public infrastructure associated with work performed within the public rights-of-way; and

WHEREAS, the City Council has the authority to establish and amend fees for services provided by the City in accordance with Chapter 42, "Streets, Sidewalks, And Other Public Places", Article III, "Private Construction Activities In Public Rights-Of-Way, the City of Marco Island Code of Ordinances; and

WHEREAS, the City's current Right-of-Way Permit Plan Review and Inspection Fee Schedule was adopted in 2014 through Resolution No. 14-03 and has remained unchanged despite significant increases in the cost and complexity of administering the Right-of-Way Permit Program; and

WHEREAS, the proposed fee adjustments have been evaluated to more accurately reflect the City's costs associated with providing plan review, permit administration, construction inspection, compliance monitoring, and related administrative services; and

WHEREAS, the City Council finds that updating the Right-of-Way Permit Plan Review and Inspection Fee Schedule is necessary to promote equitable cost recovery, protect the City's public infrastructure, and ensure the continued efficient administration of the Right-of-Way Permit Program; and

WHEREAS, the City Council further finds that adoption of the updated Right-of-Way Permit Plan Review and Inspection Fee Schedule is in the best interest of the public health, safety, and welfare of the citizens and visitors of the City of Marco Island.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARCO ISLAND, FLORIDA, THAT:

Section 1. Adoption of Updated Fee Schedule. The Right-of-Way Permit Plan Review and Inspection Fee Schedule attached hereto as Exhibit A is hereby adopted and shall supersede and replace the fee schedule previously adopted by Resolution No. 14-03.

Section 2. Conflicts. All resolutions or parts of resolutions in conflict with this Resolution are hereby repealed to the extent of such conflict.

Section 3. Severability. If any provision of this Resolution is determined to be invalid or unenforceable by a court of competent jurisdiction, such determination shall not affect the validity of the remaining provisions, which shall remain in full force and effect.

Section 4. This Resolution shall become effective immediately upon adoption.

Passed in open and regular session of the City Council of the City of Marco Island, Florida, this 17th day of August, 2026.

ATTEST:

CITY OF MARCO ISLAND, FLORIDA

Joan Taylor, City Clerk

By: _____
Darrin Palumbo, Chairman

Approved as to form and legal sufficiency:

Alan L. Gabriel, City Attorney