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ORDINANCE 24-15

AN ORDINANCE OF THE CITY OF MARCO ISLAND, FLORIDA; AMENDING CITY OF MARCO ISLAND CODE OF ORDINANCES CHAPTER 1 - GENERAL PROVISIONS, CHAPTER 2 - ADMINISTRATION, CHAPTER 4 - ALCOHOLIC BEVERAGES, CHAPTER 6 - BUILDINGS AND BUILDING REGULATIONS, CHAPTER 8 - BUSINESSES, CHAPTER 10 - CIVIL EMERGENCIES, CHAPTER 14 - CODE COMPLIANCE ORDINANCE, CHAPTER 18 – ENVIRONMENT, CHAPTER 22 – FIRE PREVENTION AND PROTECTION, CHAPTER 26 – FLOODS, CHAPTER 32 – LAW ENFORCEMENT, CHAPTER 34 – PARKS AND RECREATION, CHAPTER 38 – PLANNING, CHAPTER 40 – SPECIAL DISTRICTS, CHAPTER 42 – STREETS, SIDEWALKS AND OTHER PLACES, CHAPTER 46 – TELECOMMUNICATIONS, CHAPTER 50 – TRAFFIC AND VEHICLES, CHAPTER 52 – UTILITIES, AND CHAPTER 54 – WATERWAYS AND BEACHES, BY MAKING REVISIONS OF A HOUSEKEEPING, STREAMLINING AND ORGANIZATIONAL NATURE; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY/INTERPRETATION; AND PROVIDING AN EFFECTIVE DATE

24 **WHEREAS**, it is the intent City Council of the City of Marco Island (“City Council”) to make the City of Marco Island Code of Ordinances (“Code”) a more streamlined and efficient document; and

27
28 **WHEREAS**, the City Council directed revisions to the Code, effectuated by this Ordinance, that include reducing duplication of state statutory provisions, replacing fee schedules by Resolution, and centralizing and standardizing: appeal procedures; penalties for violations of Code provisions; nuisance abatement procedures; and, definitions used throughout the Code; and

33
34 **WHEREAS**, the City Council directed revisions to the Code, effectuated by this Ordinance, that include minor reorganization, eliminating outdated provisions, correcting errors and conflicts, clarifying ambiguous provisions, and simplifying language when possible; and

38
39 **WHEREAS**, the City Council finds that the above-captioned changes achieve its intent to streamline the Code and make it more efficient, effective and user-friendly.

41
42 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF**
43 **MARCO ISLAND, FLORIDA:**

44
45 **SECTION 1. Recitals.** Each and all the foregoing recitals be and the same are
46 hereby incorporated into this Ordinance as if specifically set forth herein.
47

48 **SECTION 2. Amendment and adoption.** That the Code be, and the same is
49 hereby amended pursuant to Exhibit "A," which is attached hereto and made a part hereof.
50

51
52 **SECTION 3. Conflict.** All ordinances or parts of ordinances, resolutions or parts
53 of resolutions in conflict herewith be, and the same are hereby repealed to the extent of
54 such conflict.
55

56 **SECTION 4. Severability/Interpretation.**
57

58 (a) If any term, section, clause, sentence or phrase of this Ordinance is for any
59 reason held to be invalid, illegal, or unconstitutional by a court of competent jurisdiction,
60 the holding shall not affect the validity of the other or remaining terms, sections, clauses,
61 sentences, or phrases portions of this Ordinance, and this Ordinance shall be read and/or
62 applied as if the invalid, illegal, or unenforceable term, provision, clause, sentence, or
63 section did not exist.
64

65 (b) In interpreting this Ordinance, underlined words indicate additions to
66 existing text, and ~~stricken through~~ words include deletions from existing text. Asterisks
67 (* * *) indicate that existing text is excluded from this Ordinance because it is not being
68 amended by this Ordinance. It is intended that the text in the Code of Ordinances denoted
69 by the asterisks and not set forth in this Ordinance shall remain unchanged from the
70 language existing prior to adoption of this Ordinance.
71

72 **SECTION 5. Effective Date.** This Ordinance shall be effective immediately upon
73 adoption by the City Council on second reading.
74

75 ADOPTED BY THE CITY COUNCIL OF THE CITY OF MARCO ISLAND this ____
76 day of _____, 2024.
77

78 **ATTEST:**

CITY OF MARCO ISLAND, FLORIDA

79
80 _____
81 Joan Taylor, City Clerk

By: _____
Jared Grifoni, Chair

82
83 Approved as to form and legal sufficiency:
84

85
86 _____
87 Alan L. Gabriel, City Attorney