

after recording, Return to
CITY OF MARCO ISLAND
950 N. COLLIER BLVD. SUITE 308
MARCO ISLAND, FL 34145

CITY OF MARCO ISLAND

ORDINANCE # 98-19

AN ORDINANCE RELATING TO THE ACCUMULATION OF LITTER, ABANDONED PROPERTY, WEEDS, GRASSES, NOXIOUS PLANTS; PROVIDING DEFINITIONS; PROHIBITING NUISANCES AND DUMPING; PROVIDING FOR USAGE OF INERT WASTE MATERIALS; PROHIBITING NOXIOUS PLANTS AND PUBLIC NUISANCES; PROVIDING FOR RIGHT OF WAY MAINTENANCE, TRASH RECEPTACLES AT ESTABLISHMENTS AND USE OF TRASH RECEPTACLES; PROHIBITING WEEDS, LITTER, POLLUTION AND WIND DRIVEN DEBRIS; PROVIDING FOR ABATEMENT OF PUBLIC NUISANCES, RIGHT TO HEARING ON DECLARATION OF PUBLIC NUISANCE AND ASSESSMENT; ESTABLISHING ENFORCEMENT PROCEDURES; PENALTIES; REPEAL OF ORDINANCES; CONFLICT AND SEVERABILITY; INCLUSION IN THE CODE OF LAWS AND ORDINANCES; INCORPORATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Article VIII of the State Constitution and Chapter 166 of the Florida Statutes provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, Section 1.01 of the Marco Island City Charter empowers the city to adopt, amend, or repeal ordinances, resolutions and codes as may be required for the good governing of the city; and

WHEREAS, the City of Marco Island has determined that land which is allowed to become overgrown with weeds, grass, other vegetative material, or other prohibited exotic or noxious plants, or land on which abandoned properties such as trash is allowed to accumulate is detrimental to the health, safety, and welfare of the citizens of Marco Island, and thus constitutes a public nuisance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MARCO ISLAND, FLORIDA:

2456414 OR: 2530 PG: 0672

RECORDED in OFFICIAL RECORDS of COLLIER COUNTY, FL
04/01/1999 at 11:14AM DWIGHT B. BROCK, CLERK
RBC FEB 46.50

Retn:
CITY OF MARCO ISLAND FLORIDA
950 N COLLIER BLVD #308
MARCO ISLAND FL 34145

SECTION 1. FINDINGS AND PURPOSE. The City Council for the City of Marco Island does hereby find the following facts:

1. That the accumulation of litter and abandoned property on public and private property constitutes a hazard and is detrimental to the health, safety, and welfare of the citizens of Marco Island.

2. That the accumulation of weeds, grass, or prohibited noxious plants on or in close proximity to residentially, commercially, or industrially zoned land is detrimental to the health, safety, and welfare of the citizens of Marco Island.

3. That the obstruction of the public right of ways with litter, weeds, bushes, trees, or other objects is a hazard to the citizens of Marco Island in that injuries can occur from the obstruction of sight triangles and from striking objects that should be cleared from the right of way.

4. That protection of the quality of life and economy for the City of Marco Island, its businesses, and its citizens can be accomplished by maintaining a good community appearance.

SECTION 2. TITLE AND CITATION. This ordinance shall be known and may be cited as the “City of Marco Island Nuisance, Litter, Weed, Plant, and Right of Way Control Ordinance.”

SECTION 3. APPLICABILITY. This ordinance shall apply to and be enforced within the corporate limits of the City of Marco Island.

SECTION 4. DEFINITIONS.

Abandoned Property. Any wrecked, inoperative, unregistered, derelict or partially dismantled property having little, if any, value other than nominal salvage value, which has been left unattended and unprotected from the elements, which shall include, but not be limited to, motor vehicles, trailers, boats, machinery, appliances, refrigerators, washing machines, dryers, construction materials and/or equipment, plumbing fixtures, furniture, and any other similar article. However, any property which is located on the premises of a lawfully established commercial enterprise that is customary and incidental to the operations and services provided by that establishment shall not be construed as abandoned property.

Code Compliance Official. Any person employed by the City who is authorized by the City Manager to investigate and enforce code violations. This includes the Chief of Code Compliance, Code Compliance Officers, Chief of Building Services, Building Division Inspectors, Zoning Administrator, Public Safety Director, Public Safety Officers, the Sheriff and Deputy Sheriffs of Collier County, or any other law enforcement officer of the State of Florida.

Clearance Zone of Sidewalks. An area of improved public right of way in which no encroachments are permitted. The clearance zone encompasses the entire width of the sidewalk by seven and one half (7 ½) feet in height, as measured from the sidewalk surface. Vegetative encroachments, including tree limbs and branches, palm fronds, bushes, shrubs, or weeds and grasses are not permitted. Additionally, sidewalks are to remain free of objects.

Litter and Pollution. Any garbage, trash, fluid other than uncontaminated water, household waste, furniture, aluminum or tin cans, refuse, lawn waste, palm fronds, leaves, paper, glass, metal, plastic, cloth, wood, sweepings, tree limbs and roots, downed trees, grass clippings, abandoned property, oil, grease, dead animal carcass, animal waste, bacterial growth, algae, insects, larvae, or other foreign matter which is obnoxious or offensive or any item which is likely to injure any person or create a traffic or pedestrian hazard.

Mowable Lot. A lot, 50% or more of which can be mowed with a bushhog-type, or smaller mowing equipment without damage to the lot or equipment.

Noxious Plants: Any living plant, which is exotic, invasive, and poses a risk to human health, safety, and welfare. The following is a list of plants, which are considered exotic or not native to the environment, or property and are considered to be noxious:

- Brazilian Pepper (*Schinus terebinthifolius*)
- Australian Pine (*Casuarina* spp.)
- Downy Rose-myrtle (*Rhodomyrtus tomentosus*)
- Bischofia (*Bischofia javanica*)
- Melaleuca (*Melaleuca quinquenervia*)
- Carrotwood (*Cupaniopsis anacardiodes*)
- Java Plum.

Owner . Owner, occupant, lessee, or agent of an owner of any developed or undeveloped lot or property.

Public Nuisance. A public nuisance is the commission or omission of any act, by any person, or the keeping, maintaining, propagation, existence or permitting of anything, by any person, by which the life, health, safety, or welfare of any person may be threatened or impaired.

Additionally, permitted uses and conditional uses in any residentially zoned area which create smoke, dust, noise, odor, vibration, or glare which by themselves or in combination may be harmful or injurious to human health or welfare or which unreasonably interferes with the customary use and enjoyment of life or property is a public nuisance. Nothing in this subsection shall be construed to prevent a person from using a barbecue grill or fireplace.

Weeds Over 15 Inches. Excessive growth of grasses or weeds and undergrowth exceeding 15 inches in height.

SECTION 5. PROHIBITIONS.

The following activities and conditions are considered to be a nuisance and are not permitted in the City:

- (a) **Dumping.** No person shall dump any litter in any manner or any amount or pollute any public property, private property, public right of way, public street, highway, or body of water. This prohibition shall not be construed as to prohibit the placement of trash or yard wastes for removal by the waste management authority as per section 5(h).
- (b) **Inert Waste Materials.** Inert waste materials may be buried on-site on a parcel of property after a valid building permit for such property has been obtained and provided that such disposal is in conformance with federal, state, and local laws and regulations. Inert waste materials as used herein are specifically limited to brick, block, concrete, rock, stone, earth, and sand that is free from contamination and of other types of waste, and that is capable of serving as fill material without environmental harm to, or pollution of, ground or surface waters. All other wastes, including garbage, hazardous waste, rubbish, refuse, paper products, containers, cloth, wood and wood products, sweepings, liquids other than water, sludge, tree limbs and trunks, undergrowth, and materials produced by clearing and grubbing, and other horticultural wastes, shall not be buried on a parcel of property but shall be otherwise lawfully disposed of.
- (c) **Noxious Plants.** The growth of certain noxious plants on developed and undeveloped lots in all areas of the City is hereby prohibited except for existing trees which were allowed to remain on developed property before June 11, 1991 when county ordinance 91-47 initially prohibited the practice. At the time of development of undeveloped land, all noxious plants shall be removed from the site. When an existing structure is renovated which causes changes to the square footage as authorized by building permit, all noxious plants will be removed from the property prior to the issuance of a certificate of occupancy or certificate of completion. No person shall plant, sell, or distribute noxious plants or their seeds within the city.
- (d) **Public Nuisance.** No owner, lessee, occupant, guest, or agent for the owner shall allow the keeping of a public nuisance on any property, developed or undeveloped.
- (e) **Right of Way (Swale) Construction, placement of items.** All owners, lessees, occupants or agents for the owner(s) of developed and undeveloped lots shall control all excessive growth of grasses or weeds within the right of way adjacent to their property by cutting or removing the grasses and weeds, and shall maintain the right of way free from any accumulation of abandoned property, litter, pollution, or other matter. No owner, lessee, occupant, guest, or person shall place or construct any

object other than one mail box or change the landscaping in the public right of way without first obtaining a city permit. Any lawfully permitted encroachment into the public right of way may be continued unless such encroachment causes a nuisance as prescribed herein. For purposes of this sub-section, excessive growth is defined as grasses or weeds exceeding 15 inches in height.

- (f) **Right of Way (Sidewalk) Maintenance.** All owners, lessees, occupants or agents for the owner(s) of developed and undeveloped lots shall control bushes, trees, grasses, litter, or other objects which cover, impede, delay or restrict the public's access to the sidewalk. All owners, lessees, occupants or agents for the owner shall maintain a clearance zone for all sidewalks adjacent to their properties and this clearance zone shall remain clear to allow for public access.
- (g) **Trash Receptacles-Establishments.** Each person, corporation, or company owning any establishment open to the public shall provide receptacles adequate to contain litter generated from said establishment.
- (h) **Use of Trash Receptacles.** All owners, lessees, commercial businesses, or occupants of any property will not place their trash receptacle, bagged garbage, yard waste, recycle bin, or other waste or abandoned property out by the curb of their property for trash pick-up before 6 P.M. of the evening before the scheduled pick up day. All owners, lessees, commercial businesses, or occupants of any property shall remove any such containers and place them inside their garage or to the side or rear of their dwelling or structure by 7 P.M. on the evening of trash pick-up.
- (i) **Wind Driven Debris, Litter.** All owners, contractors, disposal contractors, cleaning persons, and commercial businesses shall store their litter in such a manner as to eliminate wind-driven debris and litter in and about the city, their residence, or their business. Spillage and overflow around containers shall constitute an illegal accumulation of litter and shall be cleaned up immediately.
- (j) **Weeds, Litter, Pollution.** Owners, lessees, occupants, or agents of the owner of any lot, developed or undeveloped, shall control all excessive growth of grasses or weeds over 15 inches by cutting the grasses and weeds. Owners, lessees, occupants or agents for the owner(s) of developed and undeveloped lots shall control all excessive growth of grasses or weeds within the right of way adjacent to their property by cutting or removing the grasses and weeds. The practice of scalping or removing grass or weeds by clearing the topsoil is prohibited except when done as part of the building process when a permit has been issued for the property. All accumulation of litter, pollution, abandoned property, downed trees or other matter on or within the aforementioned lots or public right of way adjacent to the lot shall be removed by the owner, occupant, lessee, or agent of an owner except that trash may be placed in the right of way as part of trash pick-up as outlined in Section 5(h).

SECTION 6. ABATEMENT OF NUISANCE.

- (a) Whenever the City Manager or designated Code Compliance Official shall determine that an activity or condition as described in Section 5 (a) through (i) exists, then a notice of violation may be served on the owner or owners of record of said property. The notice shall include a property description, date, ordinance code number which has been violated, description of violation, name of recorded owner(s), a correction deadline date to be no more than twenty (20) days from the date of the letter or notice, and the name of the City Manager or designated Code Compliance Official. Notice shall be deemed served by personal service, certified or registered mail with return receipt requested, or by posting a notice at the property and City Hall for a period of seven (7) days when the property owner refuses to accept the certified letter or the letter is returned as not deliverable. For the purposes of this section, delivery by certified or registered mail shall be deemed to occur upon deposit in the US mail with sufficient postage attached. In the event the activity or condition described in the notice is not abated after the correction date passes, the City Manager or designated Code Compliance Official may initiate abatement of the activity or condition as prescribed in Section 6(c).
- (b) Annually, the City Manager or designated Code Compliance Official shall publish the Code compliance Policy and Abatement Procedure regarding violations of Section 5(j). Whenever the City Manager or Code Compliance Official shall determine that a developed or undeveloped lot is in violation of Section 5(j) of this Ordinance (weeds over 15 inches) a Notice of Violation shall be posted on said lot and at the Code Compliance Office. The Notice shall include the date, location, type of violation, ordinance number, date by which the violation must be corrected, and the name and phone number of the investigating Code Compliance Officer. Notice shall require corrective action in no less than seven (7) days from the date the Notice is posted. In the event the overgrown weeds are not truly abated as described in the Notice after the passing of seven (7) days, the City Manager or his designated Code Compliance Official may initiate abatement of the overgrown weeds as prescribed in Section 6(c).
- (c) After the property owner or his agent has refused to abate the activity or condition described in the Notice by the specified date, the City may, through its employees, servants, agents, or contractors, enter upon the property and take such steps as are reasonably required to affect the abatement of the nuisance.
- (d) After the abatement of the nuisances by the City the cost to the City shall be calculated and shall include an administrative fee of One Hundred Dollars (\$100) per parcel. An invoice shall be sent to the property owner or his agent and shall be paid within twenty (20) days of the mailing of the invoice.
- (e) If the invoice is not paid in full, a certified letter, return receipt requested, shall be mailed to the property owner or agent advising that a Notice of Assessment of Lien shall be recorded in the Official Records of Collier county and, thereafter, shall constitute a lien against the land on which the violation occurred or exists and upon any other real or personal property owned by the violator. The Notice of

Assessment of Lien shall include the lien number, date, legal description of the property, name of recorded owners, and an explanation of the cause of the Lien. The owner or agents shall be afforded the opportunity to pay all assessments due, plus a Twenty-five Dollar (\$25) late fee, within fourteen (14) days from the date of mailing. If full payment is not received within the fourteen (14) day period, the City Manager or his designee shall record the Notice of Assessment of Lien in the Official Records of Collier County, Florida. Such assessment shall be a legal, valid, and binding obligation which shall run with the property until paid.

- (f) After the expiration of one (1) year from the date of recording of the Notice of Assessment of Lien, as provided herein, a suit may be filed to foreclose said lien. Such foreclosure proceedings shall be instituted, conducted, and enforced in conformity with the procedures for the Foreclosure of Municipal Special Assessment Liens, as set forth in Chapter 173, Florida Statutes, which provisions are incorporated herein in their entirety to the same extent as if such provisions were set forth herein verbatim.
- (g) The liens for delinquent assessments imposed herein shall remain liens co-equal with the lien of all state, county, district, and municipal taxes superior in dignity to all other file liens and claims until paid as provided herein.
- (h) Nothing in this section shall be construed to limit the right of any Code Compliance Official to cite the owner into court or before the Code Enforcement Board after giving notice as required by Florida State Statutes in addition to the abatement of the nuisance.

SECTION 7. APPEALS AND ADJUSTMENTS.

- (a) Any property owner receiving notice for failure to pay an invoice in full for nuisance abatement may file an appeal to the City Manager within fourteen (14) days from the date the notice was mailed.
- (b) The appeal must specifically address the reason(s) for failing to pay the invoice, including any unusual or special circumstances that the property owner deems pertinent to justify their failure or refusal to pay.
- (c) Upon receipt of the appeal the City Manager may, at his discretion:
 - (i) Adjust fees assessed and/or administrative costs imposed for corrective action taken by the City; or
 - (ii) Instruct the Code Compliance Official to initiate proceedings before the Code Enforcement Board.
- (d) The Code Enforcement Board will be empowered to act as the City's Board of Adjustments and Appeals.

SECTION 8. RIGHT TO HEARINGS ON DECLARATION OF PUBLIC NUISANCE AND ASSESSMENT.

- (a) Any property owner receiving notice from the City Manager or his designated Code Compliance Official of the existence of a public nuisance as described in Section 5 (a) through (i) of this Ordinance may contest this determination by filing an application for a hearing before the Code Enforcement Board within 15 days from the date affixed on the notice of violation. The owner of property posted for a public nuisance as described in Section 5 (j) may contest this determination by filing an application for a hearing before the Code Enforcement Board within 7 days from the posting date of the notice of violation.
- (b) Prior to the expiration of the Twenty (20) days provided in Section 6(d) of this Ordinance, any owner shall have a right to request a hearing before the Code Enforcement Board to show cause, if any, why the expense and charges incurred by the City under this Ordinance are excessive or unwarranted or why such expenses should not constitute a lien against said property.
- (c) If, after said hearing, the Code Enforcement Board determines that the assessment is fair, reasonable, and warranted, the assessment resolution shall be recorded forthwith. If the Code Enforcement Board determines that the charges are excessive or unwarranted, it shall direct the City Manager or his designated Code Compliance Official to re-compute the charges and the Code Enforcement Board shall hold a further hearing after notice to the owner upon the re-computed charges.

SECTION 9. ENFORCEMENT PROCEDURES. Officers of City Code Compliance Department are hereby empowered to issue written corrective notices and/or notices to appear in misdemeanor court to any person violating the provisions of this Ordinance. Officers are further empowered to process these cases for hearing before the City Code Enforcement Board.

Written corrective notices issued to violators of this Ordinance shall state the date observed, nature of the offense committed, corrective measures to be taken and the date on or before which such corrections shall be made. In the event the agent issuing the written corrective notice has reason to believe a violation presents a serious threat to the public health, safety or welfare of the public or that the violation is of such a nature as to require immediate correction, the violator may be required by the notice to effectuate immediate corrective measures upon receipt of the notice. The time period allowed for taking corrective measures shall not exceed twenty (20) days. All such notices issues shall be maintained by the issuing authority for public inspections during normal office hours. Notices mailed to the violator's address indicated on the records of the Collier County Property Appraiser's most current tax roll of such lot or parcel of land for ad valorem taxation purposes by registered or certified mail, return receipt requested, shall be deemed personal service upon the person, for the purpose of this Ordinance.

Any person who has been served with such notice in accordance with the provisions of this Ordinance, and who neglects or refuses or fails to fully comply with the corrective notices so ordered and/or to comply within the time frame so ordered therein, shall be in violation of this Ordinance.

SECTION 10. PENALTIES. In addition to the remedies set forth in Section 6 of this ordinance, if any person fails or refuses to obey or comply with or violates any of the provisions of this Ordinance, such person upon conviction of such offense, shall be guilty of a misdemeanor and shall be punished by a fine not to exceed Five Hundred Dollars (\$500.00) or by imprisonment not to exceed sixty (60) days in the County jail, or both, in the discretion of the Court. Each violation or non-compliance shall be considered a separate and distinctive offense. Further, each day of continued violation or non-compliance shall be considered as a separate offense.

Nothing herein contained shall prevent or restrict the City from taking such other lawful action in any court of competent jurisdiction as is necessary to prevent or remedy any violation or non-compliance. Such other lawful actions shall include, but shall not be limited to, an equitable action for injunctive relief or an action at law for damages.

Further, nothing in this Section shall be construed to prohibit the City from prosecuting any violation of this Ordinance by means of a Code Enforcement Board established pursuant to the authority of Chapter 162, Florida Statutes, and City Ordinance No. 98-4.

All remedies and penalties provided for in this Section shall be cumulative and independently available to the City and the City shall be authorized to pursue any and all remedies set forth in this Section to the full extent allowed by law.

SECTION 11. INCORPORATION, CONFLICT AND SEVERABILITY

1. It is the intention of the City Council and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Marco Island, Florida, and that the sections of this Ordinance may be renumbered or re-lettered and that the word "ordinance" may be changed to "section", "article" or other appropriate word.

2. All sections or parts of sections of the Code of Laws and Ordinances of Collier County, Florida, all Collier County Ordinances or parts of ordinances and all Collier County Resolutions or parts of resolutions made applicable by the City Charter in conflict herewith are hereby repealed to the extent of such conflict.

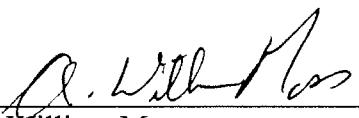
3. In the event this Ordinance conflicts with any other Ordinance of the City of Marco Island or other applicable law, then more restrictive shall apply. If any phrase or portion of this ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion.

SECTION 12. EFFECTIVE DATE. This Ordinance shall take effect on October 1, 1998.

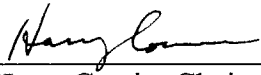
Passed in open and regular session through roll call vote by the City Council of the City of Marco Island, Florida, this 2nd day of November, 1998.

Attest:

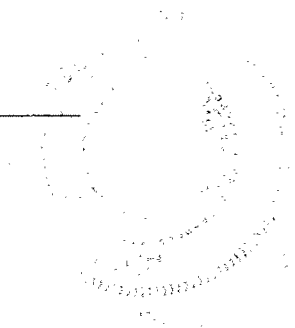
CITY OF MARCO ISLAND, FLORIDA



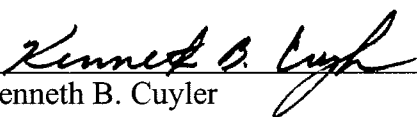
A. William Moss
City Manager/City Clerk

BY: 

Harry Cowin, Chairman



Approved as to form and
Legal sufficiency:



Kenneth B. Cuyler
City Attorney

Naples Daily News
Naples, FL 33940

Affidavit of Publication
Naples Daily News

CITY OF MARCO ISLAND
ATTY: BEE PHILLIPS
900 N COLLIER BLVD #308
MARCO ISLAND FL 34145

REFERENCE: 054361
57746515 SECOND READING & PUB

State of Florida
County of Collier

Before the undersigned authority, personally appeared B. Lamb, who on oath says that she serves as the Assistant Corporate Secretary of the Naples Daily News, a daily newspaper published at Naples, in Collier County, Florida; that the attached copy of advertising was published in said newspaper on dates listed.

Affiant further says that the said Naples Daily News is a newspaper published at Naples, in said Collier County, Florida, and that the said newspaper has heretofore been continuously published in said Collier County, Florida, each day and has been entered as second class mail matter at the post office in Naples, in said Collier County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

PUBLISHED ON: 09/09

AD SPACE: 61.000 INCH
FILED ON: 09/09/98

Signature of Affiant B. Lamb

Sworn to and Subscribed before me this 10 day of Sept 1998

Personally known by me Judith A. Flanigan

SECOND READING &
PUBLIC HEARING
ORDINANCE NO. 98-19
CITY OF MARCO ISLAND
The City Council of Marco Island, meeting in regular session at 6:00 p.m. on September 21, 1998, at the Marco Island YMCA, 101 Sand Hill Street, Marco Island, Florida, will consider:

AN ORDINANCE RELATING TO THE ACCUMULATION OF LITTER, ABANDONED PROPERTY, WEEDS, GRASSES, NOXIOUS PLANTS; PROVIDING DEFINITIONS; PROHIBITING ATTRACTIVE NUISANCES AND DUMPING; PROVIDING FOR USAGE OF INERT WASTE MATERIALS; PROHIBITING NOXIOUS PLANTS AND PUBLIC NUISANCES; PROVIDING FOR RIGHT OF WAY MAINTENANCE, TRASH RECEPTACLES AT ESTABLISHMENTS AND USE OF TRASH RECEPTACLES; PROHIBITING WEEDS, LITTER, POLLUTION AND WIND DRIVEN DEBRIS; PROVIDING FOR ABATEMENT OF PUBLIC NUISANCES, RIGHT TO HEARING ON DECLARATION OF PUBLIC NUISANCE AND ASSESSMENT; ESTABLISHING ENFORCEMENT PROCEDURES; PENALTIES; REPEAL OF ORDINANCES; CONFLICT AND SEVERABILITY; INCLUSION IN THE CODE OF LAWS AND ORDINANCES; INCORPORATION; AND PROVIDING AN EFFECTIVE DATE.

Members of the Public are invited to make oral or written comments in regards to this Petition. September 9 No. 1269979



Judith A. Flanigan
MY COMMISSION # CC508787 EXPIRES
February 19, 2000
BONDED THRU TROY FAIN INSURANCE, INC.

Naples Daily News
Naples, FL 33940

Affidavit of Publication
Naples Daily News

CITY OF MARCO ISLAND
ATT: DEE PHILLIPS
950 N COLLIER BLVD #308
MARCO ISLAND FL 34145

REFERENCE: 054361
57748755 SECOND READING & PUB

State of Florida
County of Collier

Before the undersigned authority, personally appeared B. Lamb, who on oath says that she serves as the Assistant Corporate Secretary of the Naples Daily News, a daily newspaper published at Naples, in Collier County, Florida: that the attached copy of advertising was published in said newspaper on dates listed.

Affiant further says that the said Naples Daily News is a newspaper published at Naples, in said Collier County, Florida, and that the said newspaper has heretofore been continuously published in said Collier County, Florida, each day and has been entered as second class mail matter at the post office in Naples, in said Collier County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or coporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

PUBLISHED ON: 09/14

AD SPACE: 60.000 INCH
FILED ON: 09/14/98

Signature of Affiant B. Lamb

Sworn to and Subscribed before me this 15 day of Sept 1998

Personally known by me Judith A. Flanigan

**0110 ORDINANCES
AND PETITIONS**

SECOND READING &
PUBLIC HEARING
ORDINANCE NO. 98-19
CITY OF MARCO ISLAND
The City Council of Marco Island, meeting in regular session at 6:00 p.m. on October 5, 1998, at the Marco Island YMCA, 101 Sand Hill Street, Marco Island, Florida will consider:
AN ORDINANCE RELATING TO THE ACCUMULATION OF LITTER, ABANDONED PROPERTY, WEEDS, GRASSES, NOXIOUS PLANTS; PROVIDING DEFINITIONS; PROHIBITING ATTRACTIVE NUISANCES AND DUMPING; PROVIDING FOR USAGE OF INERT WASTE MATERIALS; PROHIBITING NOXIOUS PLANTS AND PUBLIC NUISANCES; PROVIDING FOR RIGHT OF WAY MAINTENANCE, TRASH RECEPTACLES AT ESTABLISHMENTS AND USE OF TRASH RECEPTACLES; PROHIBITING WEEDS, LITTER, POLLUTION AND WIND DRIVEN DEBRIS; PROVIDING FOR ABATEMENT OF PUBLIC NUISANCES, RIGHT TO HEARING ON DECLARATION OF PUBLIC NUISANCE AND ASSESSMENT; ESTABLISHING ENFORCEMENT PROCEDURES; PENALTIES; REPEAL OF ORDINANCES; CONFLICT AND SEVERABILITY; INCLUSION IN THE CODE OF LAWS AND ORDINANCES; INCORPORATION; AND PROVIDING AN EFFECTIVE DATE.

Members of the Public are invited to make oral or written comments in regards to this Ordinance.
September 14 No. 1272076



Judith A. Flanigan
MY COMMISSION # CC508787 EXPIRES
February 19, 2000
BONDED THRU TROY FAIR INSURANCE, INC.

Naples Daily News
Naples, FL 33940

Affidavit of Publication
Naples Daily News

CITY OF MARCO ISLAND
ATT: DEE PHILLIPS
950 N COLLIER BLVD #308
MARCO ISLAND FL 34145

REFERENCE: 054361
57757418 SECOND READING & PUB

State of Florida
County of Collier

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PUBLISHED ON: 10/04

AD SPACE: 61.000 INCH
FILED ON: 10/05/98

Signature of Affiant _____

Sworn to and Subscribed before me this 5 day of Oct 1998

Personally known by me _____



Joyce E. Blazier
MY COMMISSION # CC702521 EXPIRES
April 10, 2002
BONDED THRU TROY FAIN INSURANCE, INC.

SECOND READING &
PUBLIC HEARING
ORDINANCE NO. 98-19
CITY OF MARCO ISLAND
The City Council of Marco
Island, meeting in regular
session at 6:00 p.m., on
October 19, 1998, at the
Marco Island YMCA, 101
Sand Hill Street, Marco Is-
land, Florida, will consid-
er:
AN ORDINANCE RE-
LATING TO THE ACCU-
MULATION OF LITTER,
ABANDONED PROPER-
TY, WEEDS, GRASSES,
NOXIOUS PLANTS;
PROVIDING DEFINI-
TIONS; PROHIBITING
ATTRACTIVE NUI-
SANCES AND DUMP-
ING; PROVIDING FOR
USAGE OF INERT
WASTE MATERIALS;
PROHIBITING NOXIOUS
PLANTS AND PUBLIC
NUISANCES; PROVID-
ING FOR RIGHT OF
WAY MAINTENANCE,
TRASH RECEPTACLES
AT ESTABLISHMENTS
AND USE OF TRASH
RECEPTACLES; PRO-
HIBITING WEEDS, LIT-
TER, POLLUTION AND
WIND DRIVEN DEBRIS;
PROVIDING FOR
ABATEMENT OF PUB-
LIC NUISANCES; RIGHT
TO HEARING ON DEC-
LARATION OF PUBLIC
NUISANCE AND AS-
SESSMENT; ESTAB-
LISHING
ENFORCEMENT PRO-
CEDURES; PENALTIES;
REPEAL OF ORDI-
NANCES; CONFLICT
AND SEVERABILITY;
INCLUSION IN THE
CODE OF LAWS AND
ORDINANCES; INCOR-
PORATION; AND PRO-
VIDING AN EFFECTIVE
DATE.
Members of the Public
are invited to make oral
or written comments in
regards to this Ordinance.
October 4 No. 1280607

Naples Daily News
Naples, FL 33940

Affidavit of Publication
Naples Daily News

COLLIER COUNTY PUBLIC SCHOOLS
3710 ESTEY AVE
NAPLES FL 34104

REFERENCE: 002537
57764709 (LEGAL NOTICE) ADVER

State of Florida
County of Collier

Before the undersigned authority, personally appeared B. Lamb, who on oath says that she serves as the Assistant Corporate Secretary of the Naples Daily News, a daily newspaper published at Naples, in Collier County, Florida: that the attached copy of advertising was published in said newspaper on dates listed.

Affiant further says that the said Naples Daily News is a newspaper published at Naples, in said Collier County, Florida, and that the said newspaper has heretofore been continuously published in said Collier County, Florida, each day and has been entered as second class mail matter at the post office in Naples, in said Collier County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or coporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

PUBLISHED ON: 10/12 10/19

AD SPACE: 122.000 INCH
FILED ON: 10/19/98

Signature of Affiant B. Lamb
Sworn to and Subscribed before me this 19 day of Oct 1998
Personally known by me Joyce E. Blazier

SECOND READING & PUBLIC HEARING
ORDINANCE NO. 98-19
CITY OF MARCO ISLAND
The City Council of Marco Island, meeting in regular session at 6:00 p.m., on November 2, 1998, at the Marco Island YMCA, 101 Sand Hill Street, Marco Island, Florida, will consider:
AN ORDINANCE RELATING TO THE ACCUMULATION OF LITTER, ABANDONED PROPERTY, WEEDS, GRASSES, NOXIOUS PLANTS; PROVIDING DEFINITIONS; PROHIBITING ATTRACTIVE NUISANCES AND DUMPING; PROVIDING FOR USAGE OF INERT WASTE MATERIALS; PROHIBITING NOXIOUS PLANTS AND PUBLIC NUISANCES; PROVIDING FOR RIGHT OF WAY MAINTENANCE, TRASH RECEPTACLES AT ESTABLISHMENTS AND USE OF TRASH RECEPTACLES; PROHIBITING WEEDS, LITTER, POLLUTION AND WIND DRIVEN DEBRIS; PROVIDING FOR ABATEMENT OF PUBLIC NUISANCES, RIGHT TO HEARING ON DECLARATION OF PUBLIC NUISANCE AND ASSESSMENT; ESTABLISHING ENFORCEMENT PROCEDURES; PENALTIES; REPEAL OF ORDINANCES; CONFLICT AND SEVERABILITY; INCLUSION IN THE CODE OF LAWS AND ORDINANCES; INCORPORATION; AND PROVIDING AN EFFECTIVE DATE.
Members of the Public are invited to make oral or written comments in regards to this Ordinance.
October 17 No. 1288698



Joyce E. Blazier
MY COMMISSION # CC702821 EXPIRES
April 10, 2002
BONDED THRU TROY FAIN INSURANCE, INC.

RECEIVED
OCT 21 1998