

CITY OF MARCO ISLAND  
ORDINANCE 00- 14

**AN ORDINANCE ADOPTING AND ENACTING A NEW CODE FOR THE CITY OF MARCO ISLAND, FLORIDA; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.**

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.

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

**Section 1.** The Code entitled "Code of Ordinances, City of Marco Island, Florida," published by Municipal Code Corporation, consisting of chapters 1 through 54, each inclusive, is adopted.

**Section 2.** All ordinances of a general and permanent nature enacted on or before February 7, 2000, and not included in the Code or recognized and continued in force by reference therein, are repealed.

**Section 3.** The repeal provided for in section 2 hereof shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance that is repealed by this ordinance.

**Section 4.** Unless another penalty is expressly provided, every person convicted of a violation of any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be punished by a fine not exceeding \$500.00 or imprisonment for a term not exceeding 60 days, or by both such fine and imprisonment in the discretion of the court.

Each act of violation and each day upon which any such violation shall occur shall constitute a separate offense. The penalty provided by this section, unless another penalty is expressly provided, shall apply to the amendment of any Code Section, whether or not such penalty is reenacted in the amendatory ordinance. In addition to the penalty prescribed above, the City may pursue other remedies such as abatement of nuisances, injunctive relief and revocation of licenses or permits.

**Section 5.** Additions or amendments to the code when passed in such form as to indicate the intention of the City Council to make the same a part of the code shall be deemed to be incorporated in the Code, so that reference to the code includes the additions and amendments.

**Section 6.** Ordinances adopted after February 7, 2000, that amend or refer to ordinances that have been codified in the Code shall be construed as if they amend or refer to like provisions of the Code.

**Section 7.** This ordinance shall become effective immediately upon adoption by the Marco Island City Council.

Passed in open and regular session through roll call vote by the City Council of the City of Marco Island, Florida, this 6th day of November, 2000.

CITY OF MARCO ISLAND, FLORIDA

By: Harry Cowin  
Harry Cowin, Chairman

Attest:

A. William Moss  
A. William Moss  
City Manager/City Clerk

Approved as to form and legal  
sufficiency:

Kenneth B. Cuyler  
Kenneth B. Cuyler  
City Attorney