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ORDINANCE 15-07

AN ORDINANCE OF THE CITY OF MARCO ISLAND, FLORIDA RELATING TO STOPPING, STANDING, OR PARKING OF MOTOR VEHICLES; MAKING FINDINGS; INCORPORATING RECITALS; AMENDING SECTION 50-37(4) TO REVISE PROVISIONS RELATING TO STOPPING, STANDING, OR PARKING WITHIN AN ALLEY; PROVIDING FOR SEVERABILITY AND INTERPRETATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, this Ordinance has been reviewed by the Planning and Zoning Board of the City of Marco Island and recommended to the City Council for adoption;

WHEREAS, the City Council finds that this Ordinance will clarify the intent of stopping, standing, and parking prohibitions within alleys within the Town.

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

SECTION 1. Recitals. Each and all of the foregoing recitals be and the same are hereby incorporated in this Ordinance as if specifically set forth herein.

SECTION 2. Amendment and Adoption. That section 50-37 of the Code of Ordinance, Marco Island, Florida, is hereby amended to read as follows:

Sec. 50-37. –Prohibited parking.

Except when necessary to avoid conflict with other traffic, or in compliance with law or the direction of a law enforcement officer or official traffic control device, no person shall:

* * *

(4) ~~It is unlawful for any person or persons to~~ Willfully willfully obstruct the free, convenient, and normal use of any public street, highway or road, by impeding, hindering, stifling, retarding or restraining traffic or passage thereon, or by endangering the safe movement of vehicles or pedestrians travelling thereon:

(a) ~~Nor No person shall~~ any person stop, stand or park a vehicle within an alley in a business district in such a manner as to obstruct the free movement of emergency vehicles or vehicular traffic except when otherwise noted by street signage or while the driver remains with the vehicle and is actually engaged in the ~~for the~~ expeditious loading or unloading of material, and in no event for a period of more than 20 minutes, ~~and no person shall stop, stand or park a vehicle in any other alley in such a manner as to obstruct the free movement of vehicular traffic;~~

(b) ~~Nor No shall~~ any person shall stop, stand or park a vehicle within an alley in such position as to block the driveway or entrance to any abutting property.

47 **SECTION 3. Severability/Interpretation.**

48
49 (a) If any term, section, clause, sentence or phrase of this Ordinance is for any reason
50 held to be invalid, illegal, or unconstitutional by a court of competent jurisdiction, the holding shall
51 not affect the validity of the other or remaining terms, sections, clauses, sentences, or phrases
52 portions of this Ordinance, and this Ordinance shall be read and/or applied as if the invalid, illegal,
53 or unenforceable term, provision, clause, sentence, or section did not exist.

54 (b) That in interpreting this Ordinance, underlined words indicate additions to existing text,
55 and ~~stricken through~~ words include deletions from existing text. Asterisks (* * *) indicate a
56 deletion from the Ordinance of text, which exists in the Code of Ordinances. It is intended that the
57 text in the Code of Ordinances denoted by the asterisks and not set forth in this Ordinance shall
58 remain unchanged from the language existing prior to adoption of this Ordinance.

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60 **SECTION 4. Effective Date.** This Ordinance shall be effective immediately upon adoption by the
61 City Council on second reading.

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63 ADOPTED BY THE CITY COUNCIL OF THE CITY OF MARCO ISLAND this 6th day of
64 April 2015.

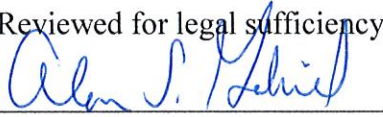
65
66 **CITY OF MARCO ISLAND FLORIDA**

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68
69 By: 
70 Larry Sacher, Chairman

71 Attest:

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73 
74 Laura M. Litzan, City Clerk

75
76 Reviewed for legal sufficiency:

77 
78 Alan L. Gabriel, City Attorney
79