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ORDINANCE 15-09

AN ORDINANCE OF THE CITY OF MARCO ISLAND, FLORIDA RELATING TO TEMPORARY CONSTRUCTION AND DEVELOPMENT PERMITS; MAKING FINDINGS; REVISING SECTION 30-793(1), CITY CODE, TO PERMIT THE SPECIAL EXCEPTION OF GOVERNMENT OWNED AND OPERATED BUILDINGS AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council has requested staff change the language in Article XIII Section 30-791 of the Land Development Code, temporary use permits. The City Council has determined that the City of Marco Island Government owned and operated buildings are exempt from the 24 month time period.

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 are and the same are hereby incorporated in this Ordinance as if specifically set forth herein.

SECTION 2. Amendment and Adoption. That section 30-793(1) of the Code of Ordinance, Marco Island, Florida, is hereby amended to read as follows:

Sec. 30-793. - Construction temporary use permit.

During the construction of any development for which a site development plan has been approved or a building permit issued, the developer may request a temporary use permit subject to the following:

(1) The temporary use permit shall be granted initially for a period not to exceed 24 months in length and may be renewed annually based upon demonstration of need. A request for renewal shall be submitted to the city manager or designee in writing 30 days prior to the expiration of the temporary use permit.

a. Special Exceptions:

The Government owned and operated buildings may be extended beyond the 24 month time period providing the buildings are inspected on a yearly basis by both the City of Marco Island Fire Department and Building Services Department and the associated inspection fee is paid by the property owner. Any recommended work identified by the departments shall be completed as ordered. If either inspection fails the temporary structure shall lose its certificate of occupancy, any property occupied with a revoked certificate of occupancy is subject to a \$500.00 per day violation until the violation is corrected.

45 **SECTION 3. Severability/Interpretation.**

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

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

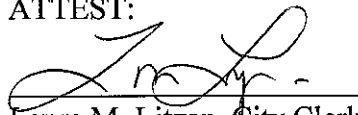
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59 **SECTION 4. Effective Date.** This Ordinance shall be effective immediately upon adoption by the
60 City Council on second reading.

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62 ADOPTED BY THE CITY COUNCIL OF THE CITY OF MARCO ISLAND this 4th day of May
63 2015.

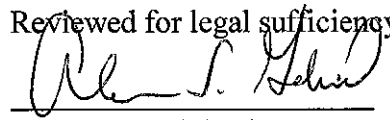
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66 **CITY OF MARCO ISLAND FLORIDA**

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69 By: 
70 Larry Sacher, Chairman

71
72 ATTEST:

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75 Laura M. Litzan, City Clerk

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77
78 Reviewed for legal sufficiency:

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80 Alan L. Gabriel, City Attorney
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