

ORDINANCE 19-06

AN ORDINANCE OF THE CITY OF MARCO ISLAND, FLORIDA, AMENDING THE CITY CODE OF ORDINANCES CHAPTER 50 "TRAFFIC AND VEHICLES," ARTICLE II "STOPPING, STANDING AND PARKING," SECTION 50-37 "PROHIBITED PARKING," TO ALLOW PARKING IN SWALES AND ALLEYS ADJACENT TO COMMERCIAL ZONED DISTRICTS BETWEEN 7:00 AM AND MIDNIGHT; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, due to the lack of readily available legal parking options for patrons of commercial businesses, City Council has determined it to be in the best interest of the public to allow vehicle parking in swales and alleys in commercial areas between the hours of 7:00 a.m. and midnight; and

WHEREAS, City Council finds that the City has a significant and substantial interest in amending the City Code to allow for parking in swales and alleys adjacent to commercially zoned districts between the hours of 7:00 a.m. and midnight.

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

SECTION 1. Recitals.

The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true, correct, and reflective of the legislative intent underlying this Ordinance.

SECTION 2. City Code Amended.

That Section 50-37 "Prohibited Parking" of Article II "Stopping, Standing and Parking" of Chapter 50 "Traffic and Vehicles" of the Code of Ordinances of Marco Island, Florida, is hereby amended by adding a new paragraph (l) to Subsection (3) to read as follows:

Chapter 50 – TRAFFIC AND VEHICLES

ARTICLE II. – STOPPING, STANDING AND PARKING

Sec. 50-37. – Parking Prohibited.

(3) Stand or park a vehicle on a swale, or in a swale area, whether the vehicle is occupied or not, except momentarily to pick up or discharge a passenger, or passengers, or property, under the following circumstances:

- (l) Except between the hours of 7:00 a.m. and midnight for vehicles parking in swales and alleys adjacent to commercially zoned districts, unless otherwise temporarily modified by Council by Resolution, as deemed in the best interest of the City.

SECTION 3. Codification.

It is the intention of the City Council that the amendments to the City of Marco Island Code of Ordinances made by this Ordinance shall constitute a revised Section 50-37 of the City of Marco Island Code of Ordinances, and that the sections of this Ordinance may be renumbered and re-lettered as necessary, and that the word "Ordinance" may be changed to "Section", "Article", or other appropriate word.

SECTION 4. Conflicts.

All ordinances or parts of ordinances and all resolutions or parts of resolutions in conflict with the provisions of this Ordinance are hereby superseded and replaced to the extent of any conflict by the provisions of this Ordinance.

SECTION 5. Severability.


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

SECTION 6. Effective Date.

This Ordinance shall become effective upon its adoption.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF MARCO ISLAND THIS 18TH DAY OF MARCH 2019.

ATTEST:



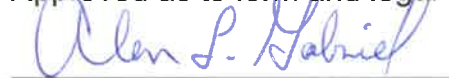
Laura M. Litzan, City Clerk

CITY OF MARCO ISLAND, FLORIDA

By: 

Erik Brechnitz, Chairman

Approved as to form and legal sufficiency:



Alan L. Gabriel, City Attorney