

CITY OF SANIBEL

ORDINANCE NO. 12-008

AN ORDINANCE PERTAINING TO CHAPTER 90 OF THE SANIBEL CODE ENTITLED "FEES", ARTICLE I, IN GENERAL, AMENDING SECTION 90-17, VEGETATION PERMITS, SUBSECTION 2(b) TO REDUCE THE PERMIT FEE FOR MANGROVE TRIMMING AND REMOVAL; ESTABLISHING SUCH REDUCED FEE AND SUPERSEDING AND REPEALING ALL PRIOR ORDINANCES AND RESOLUTIONS INCONSISTENT HERewith; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Sanibel's Natural Resources Department recommends that City Council consider reducing the amount of fees required for property owners to obtain vegetation permits for mangrove trimming and removal; and

WHEREAS, this recommendation of reduction in fees is to encourage and promote property owners to obtain permits or exemption letters prior to any mangrove trimming and further provides the opportunity for Natural Resources Staff to meet with owners to educate them on the City's Mangrove Trimming and Preservation Program;

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Sanibel, Florida:

SECTION 1. AMENDMENT OF FEES.

CHAPTER 90. FEES; ARTICLE I. In General, Section 90-17, Vegetation Permits, Subsection 2(b) of the Sanibel Land Development Code is hereby amended to read as follows, with additions indicated by underlining and deletions indicated by ~~strikeout~~, to read as follows:

Sec. 90-17. Vegetation permits.

For requests filed pursuant to chapter 122, article III:

- (1) There shall be no fee for the following activities requiring a vegetation permit:
 - a. A request for a vegetation permit as a part of the development permit process.
 - b. Removal of native species (other than mangroves) from grounds around an existing building.
 - c. Removal of Brazilian pepper or melaleuca, earleaf acacia, lead tree, java plum, air potato, exotic inkberry and mother-in-law's tongue from undeveloped property.
 - d. Chemical control of aquatic plants.

- (2) Fees for the activities listed in this subsection which require a vegetation permit are as follows:
- a. Removal or trimming of any vegetation seaward of the 1974 coastal construction control line: \$108.00.
 - b. Mangrove trimming and removal: ~~\$108.00~~ \$72.00.
 - c. Mechanical removal or alteration of vegetation. This activity requires a development permit, and the fee is set forth in article II, division 5, of this chapter.

(3) For an appeal filed pursuant to section 122-142, requesting planning commission review of the city manager's decision as it relates to the vegetation standards, the Sanibel Plan, and the land development code the fee shall be \$2,025.00.

SECTION 2. All prior resolutions and ordinances relating to the above amended fees are superceded.

The Planning, Development Review, Administrative Services and related fees set forth in this Ordinance (noted by underlining) shall constitute the currently adopted fees of the City of Sanibel and all prior ordinances and resolutions are hereby repealed and superceded to the extent of any conflict herewith.

SECTION 3. Codification.

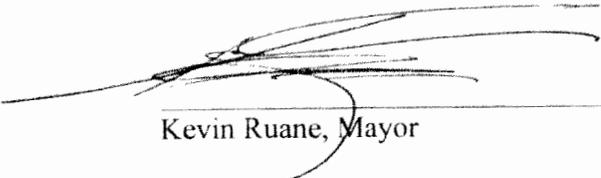
This ordinance shall be deemed an amendment to the Code of Ordinances of the City of Sanibel and the Sanibel Code of Ordinances is hereby amended.

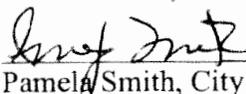
SECTION 4. Effective Date.

This Ordinance shall be effective immediately upon adoption.

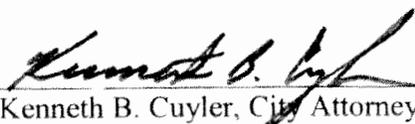
DULY PASSED AND ENACTED by the Council of the City of Sanibel, Florida, this 2nd day of October, 2012.

AUTHENTICATION:


Kevin Ruane, Mayor


Pamela Smith, City Clerk

APPROVED AS TO FORM:


Kenneth B. Cuyler, City Attorney

8/28/12
Date

Vote of Council Members:

Ruane	yea
Denham	yea
Congress	yea
Harrity	yea
Jennings	excused

Date Filed with City Clerk: October 02, 2012

Publication Date: September 21, 2012

First Reading: September 08, 2012

Second Reading: October 02, 2012