

CITY OF SANIBEL

ORDINANCE 16-004

AN ORDINANCE AMENDING THE SANIBEL CODE, SUBPART A, GENERAL ORDINANCES, AMENDING CHAPTER 90, FEES, ARTICLE I, IN GENERAL, SECTION 90-4 – PAYMENT OF FEES, OF THE CODIFIED ORDINANCES OF THE CITY OF SANIBEL; ADDING A NEW SUBSECTION TO SECTION 90-4 TO ESTABLISH A FEE EQUAL TO THE CITY’S ACTUAL COST WHERE NO OTHER FEE IS SET FORTH FOR A REQUESTED OR REQUIRED NOTICE OR ADVERTISEMENT; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT AND SEVERANCE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, there are occasions where an applicant or other entity requests or requires that the City advertise or provide notice of certain matters pursuant to state or federal regulations; and

WHEREAS, it is necessary and appropriate that the City recover its actual costs in such circumstances;

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

SECTION 1. The Code of Ordinances of the City of Sanibel, Chapter 90, Fees, Article I, In General, is hereby amended by adding a new subsection to Section 90-4 entitled “Payment of fees” with underlining indicating additions, to read as follows:

Sec. 90-4. Payment of fees; fee equal to actual cost when no other fee applicable.

(a) No application for any permit, approval, review, relief or other procedure or consideration provided for in this Land Development Code shall be deemed to be complete and properly filed until the applicable fee, if any, established pursuant to section 90-3, has been paid.

(b) In those instances where an applicant or other entity requests or requires that the City notice or advertise an application, announcement or other publication required by state or federal government regulation, the fee to the applicant or other entity for such notice or advertisement shall be equal to the actual cost to the City where no other application fee or advertisement fee is set forth in this Code.

SECTION 2. Codification. The City Manager is hereby authorized and directed to indicate these amendments in future City Code publications.

SECTION 3. Conflict. All ordinances and parts of ordinances in conflict herewith shall be and the same are hereby repealed. If any part of this ordinance conflicts with any other part, it shall be severed and the remainder shall have full force and effect and be liberally construed.

SECTION 4. Severance. If any section, subsection, sentence, clause, phrase or portion of this ordinance, or application hereof, is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion or application shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion or application hereof.

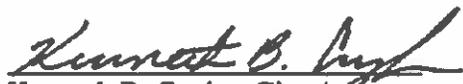
SECTION 5. Effective date. This Ordinance shall be effective immediately upon adoption.

DULY PASSED AND ENACTED by the Council of the City of Sanibel, Florida, this 5 day of April, 2016.


Kevin Ruane, Mayor

AUTHENTICATION:

Pamela Smith, City Clerk

APPROVED AS TO FORM: 
Kenneth B. Cuyler, City Attorney

Date 4/5/16

First Reading: March 1, 2016
Publication Notice: March 24, 2016
Second Reading: April 5, 2016

Vote of Council Members:

Ruane	<u>yea</u>
Denham	<u>yea</u>
Goss	<u>yea</u>
Harrity	<u>yea</u>
Jennings	<u>yea</u>

Date Filed With City Clerk: April 5, 2016