



AGENDA MEMORANDUM

City Manager

City Council Regular Meeting Date: September 8, 2025

To: City Council
From: Dana A. Souza, City Manager
Date: August 25, 2025

SUBJECT: Local State of Emergency – Hurricane Ian

BACKGROUND:

At the May 6, 2025, City Council meeting, City Councilmembers discussed whether the State of Local Emergency related to Hurricane Ian, Hurricane Helene, and Hurricane Milton should remain in effect or be discontinued. It was the City Council's consensus that the State of Local Emergency related to the aforementioned hurricanes should remain in effect until the Governor suspends the Executive Order for each of the storms.

- Hurricane Ian – Executive Order Number 25-125 – Issued June 12, 2025 – Extends the State of Emergency for 60-days to August 11, 2025. Governor Desantis did not extend the State of Emergency for Hurricane Ian prior to the August 11, 2025, expiration date.

EXECUTIVE ORDERS

Title	Date
#2025-125 extends Executive Order 22-218 – Emergency Management – Hurricane Ian	06/12/2025
#2025-81 extends Executive Order 22-218 – Emergency Management – Hurricane Ian	04/14/2025
#2025-42 extends Executive Order 22-218 – Emergency Management – Hurricane Ian	02/14/2025

- Hurricane Helene – Executive Order Number 25-143 – Issued July 11, 2025 – Extends the State of Emergency for 60-days to September 9, 2025.
- Hurricane Milton – Executive Order Number 25-50 – Issued July 28, 2025 – Extends the State of Emergency for 60-days to September 26, 2025.

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City Council Discussion

1. The City Council should discuss ending the Local State of Emergency related to Hurricane Ian. Should the City Council wish to discontinue the local State of Emergency, no formal action is necessary. The local State of Emergency will simply expire if not renewed today by Mayoral Proclamation.
2. Consistent with the City Council's decision on May 6, 2025, the Local State of Emergency for Hurricane's Helene and Milton will be further extended by Mayoral Proclamation. The City Council should discuss whether this matter should be brought back to City Council once Governor DeSantis ends the State of Emergency related to Hurricanes Helene and Milton or, if the Mayoral Proclamation should simply not be renewed once the Governor ends the State of Emergency for each storm.

Staff recommends the Mayoral Proclamation should not be renewed once the Governor ends the State of Emergency for each storm.

3. There are several matters that the Mayoral Proclamations address that the City Council should discuss and determine if the Code of Ordinances should be amended to continue these provisions permanently or allow the temporary provisions to expire. A list is provided below.
 - a. Sanibel Boat Ramp – The Mayoral Proclamation increases the penalty for parking violations at the boat ramp from \$250/incident to \$500/incident. Upon expiration of the Mayoral Proclamations, penalties for violations will be \$250.
 - b. Pool and Spa Dewatering Restriction – The Mayoral Proclamation prohibits the dewatering of a pool or spa directly into a waterbody, into the City's stormwater system, or onto any third-party's property without the third-party's permission. It also specifies that the speed of dewatering shall be at a rate slow enough to allow all water to percolate down through the owner's property to ensure prohibited runoff does not occur.

Once the local state of emergency ends, the regulations [in Section 30-39 – Unlawful dumping into water storage areas](#) will apply. This section of the code (Section 30-39(l)) allows for swimming pool dewatering into the City's storm drain system (including swales) if the pool water is dechlorinated to less than 1 part per million of chlorine.

There is nothing in the City's code that prohibits discharging pool water onto an adjacent property or specifically directs property owners to discharge onto their own property, as required in the Mayoral Proclamation.

- c. Temporary Reduction of Fence Permit Fees – The Mayoral Proclamation reduces the development permit fees for fences specified in [Section 90-104](#) \$215.00 for up to 300 lineal feet of fence, plus \$54.00 for each additional 100 lineal feet, or fraction thereof, to 1% of the total cost of materials and installation,

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with a maximum fee of \$150. This fee will be updated when the Planning Department proposes revisions to development permit fees in December 2025.

The City Council should discuss the items listed above and provide staff with direction on any desired amendments to the code of ordinances.

FUNDING SOURCE: N/A

RECOMMENDED ACTION: Discussion and direction.

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