

**CITY OF SANIBEL  
ORDINANCE 26-002**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, AMENDING THE SANIBEL CODE OF ORDINANCES, CHAPTER 14, BUILDINGS AND BUILDING REGULATIONS, ARTICLE VII, MANDATORY INSPECTION OF AGING CONDOMINIUM AND COOPERATIVE BUILDINGS, SECTION 14-323, INSPECTION, REPORTING, AND REPAIRS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERANCE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City is authorized and has the power to inspect all buildings, structures, and facilities within its jurisdiction to protect the public's health, safety, and welfare through enforcement of the Florida Building Code; and

**WHEREAS**, during the 2025 Legislative Session, HB 913 was passed by the Florida Legislature and signed into law, revising the requirements for milestone inspections to apply to condominium and cooperative buildings that are three habitable stories or more in height instead of three or more stories under current law; and

**WHEREAS**, adoption of the regulations contained in this ordinance is in compliance with recent 2025 changes to Florida law and is in the best interest of the City of Sanibel to promote the health, safety, and welfare of the City's residents.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA:**

**SECTION 1.** The above "Whereas" clauses are ratified, confirmed, and incorporated by reference as if set forth herein as the City Council's legislative findings.

**SECTION 2.** Sanibel Code of Ordinances, Subpart B. Land Development Code, is hereby amended with strikethrough language indicating deletions and underlined language indicating additions as follows:

**Chapter 14. - BUILDING AND BUILDING REGULATIONS**

...

**Sec. 14-323. –  
Inspection, Reporting, and Repairs.**

- (a) Milestone Inspection Required. An Association must have a milestone inspection performed for each building that is three habitable stories or more in height by December 31 of the year in which the building reaches 30 years of age, based on the date the certificate of occupancy for the building was issued, and every 10 years thereafter. If a building reached 30 years of age before July 1, 2022, the building's initial milestone inspection must be performed before December 31, 2024. If a building reaches 30 years of age on or after July 1, 2022, and before December 31, 2024, then the building's milestone inspection must be performed before December 31, 2025. An Association must arrange for the milestone inspection to be performed and is responsible for ensuring compliance with the requirements of this article. The

Association is responsible for all costs associated with the inspection. This subsection does not apply to a single-family, two-family, GF-three-family, or four- family dwelling with three or fewer habitable stories above ground.

**SECTION 3.** Codification. The City Manager is hereby authorized and directed to indicate these amendments in future City Code publications.

**SECTION 4.** Conflict. All ordinances and parts of ordinances in conflict herewith shall be and the same 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 5.** 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 6.** Effective date. This Ordinance shall be effective immediately upon adoption.

**ADOPTED AT SECOND READING AND PUBLIC HEARING IN OPEN AND SPECIAL SESSION OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, ON THE 17TH DAY OF MARCH 2026.**

Attest:

\_\_\_\_\_  
Scotty Lynn Kelly, City Clerk

\_\_\_\_\_  
Mike Miller, Mayor

Approved as to form and legality:

\_\_\_\_\_  
John D. Agnew, City Attorney

Date filed with City Clerk: \_\_\_\_\_

Vote of Council Members:

Miller \_\_\_\_\_  
Smith \_\_\_\_\_  
DeBruce \_\_\_\_\_  
Henshaw \_\_\_\_\_  
Johnson \_\_\_\_\_

First Reading: March 3, 2026  
Publication Date: March 6, 2026  
Second Reading: March 17, 2026