

CITY OF SANIBEL
ORDINANCE 25-020

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 66, TRAFFIC, ARTICLE II, PARKING, STOPPING AND STANDING, DIVISION 2, BEACH AREA PARKING RESTRICTIONS, SUBDIVISION II, PERMITS, SECTION 66-76, TYPES OF PERMITS, AND SECTION 66-85, FEES; HOURS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERANCE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, based upon the severity of the impacts of Hurricanes Ian, Helene, and Milton, certain beach parking closures and other restrictions by Mayoral Proclamation have been necessary and appropriate to maintain order throughout the City of Sanibel; and

WHEREAS, such Mayoral Proclamations have been issued weekly since Sanibel was impacted by Hurricane Ian; and

WHEREAS, such restrictions have been, and continue to be, necessary and appropriate to maintain order and to safeguard property and the safety, health, and welfare throughout the City of Sanibel; and

WHEREAS, the City Council wishes to permanently increase the civil penalty for parking violations at the boat ramp, consistent with penalties temporarily imposed through Mayoral Proclamations.

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

SECTION 1. The recitals above are true and correct and made a part hereof.

SECTION 2. Sanibel Code of Ordinances, Chapter 66, is hereby amended with ~~strike through~~ language indicating deletions and underlined language indicating additions as follows:

Chapter 66 - TRAFFIC

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ARTICLE II. – PARKING, STOPPING₁ AND STANDING

...

DIVISION 2. – PARKING, STOPPING₁ AND STANDING

...

Subdivision II. - Permits

Sec. 66-76. - Types of permits.

(a) Parking permits issued under this subdivision shall consist of the following:

- (1) *Residential parking permits.* A residential parking permit ("A" decal) shall be available to any vehicle owned by or leased to a city resident and/or Sanibel ad valorem taxpayer property owner. Subject to availability of space, it shall entitle the vehicle to which it is issued and upon which it is properly displayed to be parked in those zones designated residential, non-residential, or general on the city's official parking zone map. A nonrefundable fee as established in section 66-85 shall be charged for each such permit.
- (2) *Non-residential parking permits.* A non-residential parking permit ("B" decal) shall be available to any vehicle owned by or leased to any person. A non-residential parking permit shall entitle the vehicle to which it is issued and upon which it is properly displayed to be parked in those zones designated non-residential or general on the city's official parking zone map. A nonrefundable fee as established in section 66-85 shall be charged for each such permit.
- (3) *Residential boat ramp use and parking permits.* A residential boat ramp parking permit ("AC" decal) shall be available to any vehicle owned by or leased to a city resident and/or Sanibel ad valorem taxpayer property owner. Subject to availability of space it shall entitle the vehicle, to which it is issued and upon which it is properly displayed, to be parked at the city's boat ramp in those spaces designated vehicle and trailer parking and in those beach parking zones designated residential or non-residential on the city's official parking zone map (no trailers) with residential parking permits ("A" decal). A nonrefundable fee as established in section 66-85 shall be charged for each permit.
- (4) *Non-residential boat ramp parking permits.* A non-residential boat ramp parking permit ("BC" decal) shall be available to any vehicle owned by or leased to any person. Subject to availability of space, it shall entitle the vehicle, to which it is issued and upon which it is properly displayed, to be parked at the city's boat ramp in those spaces designated vehicle and trailer parking, and in those beach parking zones designated residential or non-residential on the city's official parking zone map (no trailers) with non-residential parking permits ("B" decal). A non-refundable fee as established in section 66-85 shall be charged for each permit.
- (5) *Day parking permits at city beach parks.* A day parking permit may be purchased through ~~a city pay box or~~ the city's internet pay application and shall be available to any vehicle owned by or leased to any person. Subject to availability of space and upon paying a non-refundable fee as established in section 65-85, it shall entitle the vehicle to which it has been issued to be parked at the following locations:
 - a. Blind Pass Beach Park;
 - b. Bowman's Beach Park;
 - c. Causeway Beach;
 - d. Gulfside City Park (Algiers);
 - ~~e.~~ Lighthouse Beach and Fishing Pier; ~~and~~
 - f. Tarpon Bay Beach Park and Trost parking lot; and
 - g. Turner Beach Park (Captiva).

A non-refundable fee as established in section 66-85 shall be charged at an hourly rate.

- (6) Boat ramp – Daily boat ramp use ~~Day use and daily parking permits at city boat ramp.~~ A daily boat ramp day-use and daily parking permit may be purchased through ~~a city pay box or~~ the city's internet pay application at the city boat ramp and shall be available to any vehicle owner by or leased to any person. Subject to availability of space, and upon paying a non-refundable fee as established in section 66-85, it shall entitle the vehicle, to which it is issued and upon which it is properly displayed, to use the boat ramp to either launch or retrieve a watercraft and to be parked at the city's boat ramp in those spaces designated vehicle and trailer parking on weekdays and non-holidays only. Weekend and holiday parking at the city's boat ramp requires a residential boat ramp permit ("AC" decal) or a non-residential boat ramp permit ("BC" decal). The day use and parking permits for the city boat ramp on any Friday or the day before any holiday must remove their vehicle and trailer from the city boat ramp parking lot by 11:59 p.m. before the weekend or holiday begins. Vehicles without boat trailers are prohibited from parking in boat ramp parking spaces reserved for AC, BC, or daily parking permit holders.

For the purposes of this section, the weekend is defined as the period beginning at 12:00 a.m. on any Saturday and ending at 11:59 p.m. on any Sunday.

For the purposes of this section, holidays are defined at the period beginning at 12:00 a.m. on the holiday and ending at 11:59 p.m. on the holiday.

Holidays where day parking permits will not be available to the public include:

- a. New Year's Day;
 - b. Martin Luther King Day;
 - c. President's Day;
 - d. Memorial Day;
 - e. July 4th ;
 - f. Labor Day;
 - g. Thanksgiving;
 - h. Day after Thanksgiving;
 - i. December 24th - Christmas Eve Day;
 - j. Christmas;
 - k. December 31st - New Year's Eve Day.
- (7) *Lee County regional parks pass.* Vehicles displaying a current and valid Lee County regional park pass may park without charge at Bowman's Beach Park in Sanibel and Turner Beach Park in Captiva.
- (8) Residential and non-residential parking permits and residential and non-residential boat ramp permits are issued annually and expire on November 30 of each year; none are prorated.
- (b) General parking shall be provided to all persons free of charge in those zones designated "General Parking—Free" on such map, subject to availability of parking space. No permit is necessary.

(c) With respect to subsection (a)(1) above, in the event that a resident and/or Sanibel ad valorem taxpayer property owner does not own or lease the vehicle for which a parking permit is sought, the resident and/or Sanibel ad valorem taxpayer property owner may be issued such permit under the following conditions:

- (1) The vehicle for which the permit is sought is under the sole control of the resident and/or Sanibel ad valorem taxpayer property owner and a sworn affidavit is provided to the Sanibel Police Chief, or his/her designee, attesting to such sole control and identifying the vehicle.
- (2) The Sanibel Police Chief, or his/her designee, in the event the sworn affidavit is found to meet the requirements of this section, shall issue such parking permit conditioned upon the continued sole control of the vehicle by the applicant during the term of the permit.

. . .

Sec. 66-85. - Fees; hours.

(a) The following schedule shall constitute the parking permits schedule of fees:

(1) Resident beach park parking permits ("A" decal):

- a. Resident and/or Sanibel ad valorem taxpayer property owners parking permits\$14.00
- b. Full-time and part-time City of Sanibel employees and City of Sanibel retirees14.00

(2) Non-Resident beach park parking permits ("B" decals):

- a. Non-resident and non-Sanibel ad valorem taxpayer property owners300.00

(3) City Boat Ramp use and parking permits:

- a. Resident ("AC" decals)113.00
- b. Nonresident ("BC" decals)399.00

(4) Day beach park parking permits ("pay and display" receipts):

- a. Day parking permits, per hour or any fraction5.00
- b. Day parking or boat ramp use to launch or retrieve a watercraft at the public boat ramp facility located at 888 Sextant Drive, per day or any fraction40.00

(b) The fees set forth in this section for day parking permits shall apply 24 hours per day for all city facilities with paid parking, including, without limitation, Blind Pass Beach Park, boat ramp, Bowman's Beach Park, Causeway Beach, Gulfside City Park (Algiers), Lighthouse Beach and fishing pier, and Tarpon Bay Beach Park / Trost parking lot, and Turner Beach Park facilities.

- (c) Civil penalty:
- (1) Boat ramp – boat launching or retrieval without an annual or day beach parking permit, unauthorized parking, no meter receipt:
 - a. First offense - \$250.00 plus a filing fee of \$10.00
 - b. Second and subsequent offenses - \$500.00 plus a filing fee of \$10.00
 - (2) All other facilities150.00
- (d) It is unlawful for any vehicle to park in unauthorized locations or without the appropriate parking permit. The driver and the owner of the vehicle in violation of this section shall be subject to the penalty set forth in subsection (c) above. If the vehicle in violation of this section is parked in an authorized location and the sole violation is an expired permit and payment is received within 14 calendar days from the date the ticket is written, a discount of \$50.00 will be granted.
- (e) Each citation issued for a violation shall advise that the court shall assess an additional charge of \$40.00 in court costs against the defendant pursuant to F.S. § 34.045(1)(b), in the event that the court finds a defendant in violation of this section.
- (f) It shall be unlawful and a violation of this section to provide false information or to make misrepresentations of residency, taxpayer status or any other matter in order to obtain, or attempt to obtain, a parking permit or decal as required by the ordinance from which this section derives. Any such violation shall be subject to the penalty and shall be prosecuted in accordance with the provisions of subsections 1-15(a) through (g) of the Sanibel Code of Ordinances.
- (g) For purposes of efficient administration in increasing and charging fees pursuant to subsections (a)(1)—(3) of this section, the following rules shall be used in calculating the fee increases. Commencing with the 2021-2022 fiscal year, and for each fiscal year of the city thereafter, all fees set forth subsections (a)(1)—(3) of this section shall be automatically increased by a percentage amount equal to the prior 12 month average of the Consumer Price Index For All Items For South Urban Consumers, as published monthly by the Bureau of Labor Statistics, United States Department of Labor. In the event the immediately preceding 12 months of the Consumer Price Index are not available, the last 12 published and available months of the Consumer Price Index shall be used to determine the average monthly percentage increase. The new fees for each fiscal year, as increased pursuant to this section, shall be effective commencing October 1 of each such fiscal year and the increased fees shall be adopted by resolution of the city council and available from the city clerk and city police department.
- (1) For any fee between \$10.00 and \$99.99 prior to the applicable fiscal year increase, the increased fee, if ending in a fraction of \$0.25, shall be rounded to the next highest \$0.25; provided, however, that the minimum increase of any such fee shall be \$0.25; and
 - (2) For any fee of \$100.00 or more prior to the applicable fiscal year increase, the increased fee, if ending in a fraction of \$1.00, shall be rounded to the next highest \$1.00; provided, however, that the minimum increase of any such fee shall be \$1.00.

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.

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: October 7, 2025

Publication Date: _____

Second Reading: _____