

CITY OF SANIBEL
ORDINANCE 25-017

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 1, GENERALLY, SECTION 66-37, PENALTY; PAYMENT OF FINE; REFERRAL TO COUNTY COURT; AND DIVISION 2, BEACH AREA PARKING RESTRICTIONS, SUBDIVISION III, REGULATIONS, SECTION 66-101, PROHIBITIONS AND PENALTIES; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERANCE; AND PROVIDING AN EFFECTIVE DATE; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERANCE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on July 15, 2025, the City Council adopted Ordinance 25-009 amending Section 66-71 Penalties, and Section 66-245 Violations, of the Code of Ordinances, to establish a fine structure that progressively increases in cost for repeat offenders; and

WHEREAS, the City Council wishes to amend Section 66-37, Penalty; Payment of Fine; Referral to County Court, and Section 66-101, Prohibitions and Penalties, of the Code of Ordinances, to establish a fine structure that is consistent with the amendments adopted in Ordinance 25-009.

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 ~~striketrough~~ language indicating deletions and underlined language indicating additions as follows:

Chapter 66 - TRAFFIC

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ARTICLE II. – PARKING, STOPPING, AND STANDING

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DIVISION 1 – GENERALLY

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Sec. 66-37. - Penalty; payment of fine; referral to county court.

- (a) Unless otherwise provided in this article, violation of the provisions of this article shall subject the offender to a civil penalty of \$35.00, plus a filing fee of \$10.00, provided the penalty is paid within five days after issuance of the ticket. In the event the penalty is paid after five days, the payment required shall be a civil penalty of \$50.00, plus a filing fee of \$10.00.
- (b) Violation of section 66-39 of this article shall subject the offender to a civil penalty as follows:
 - (1) Upon a first offense, the person liable for the violation shall be issued a written

warning advising such person of the violation; provided, however, no civil penalty shall be assessed for a first offense.

- (2) Upon a second offense, a civil penalty of \$100.00, plus a filing fee of \$10.00; provided the penalty is paid within ~~fifteen five~~ days after issuance of the ticket. In the event the penalty is paid after ~~fifteen five~~ days, the payment required shall be a civil penalty of ~~\$125.00, \$150.00~~, plus a filing fee of \$10.00.
 - (3) Upon a third offense, a civil penalty of \$350.00, plus a filing fee of \$10.00.
 - (4) Upon a fourth or subsequent offense, a civil penalty of \$500.00, plus a filing fee of \$10.00.
- (c) Upon failure to pay the civil penalty in a timely manner and in the prescribed amount, or upon a court hearing request, the ticket may be referred to the county court for further action pursuant to, and in accordance with, penalties provided in F.S. §316.1967.

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DIVISION 2. – BEACH AREA PARKING RESTRICTIONS

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Subdivision II. – Regulations

Sec. 66-101. – Prohibitions and penalties

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- (b) Violation of the prohibitions in subsection (a) of this section shall subject the violator to the following:

...

- (2) Any person violating the provisions of subsection (a)(11) of this section shall be subject to a penalty as follows:
 - a. Upon a first offense, the person liable for the violation shall be issued a written warning advising such person of the violation provided, however, no civil penalty shall be assessed for a first offense.
 - b. Upon a second offense, a civil penalty of \$100.00, plus a filing fee of \$10.00, provided the penalty is paid within ~~fifteen five~~ days after issuance of the ticket. In the event the penalty is paid after ~~fifteen five~~ days, the payment required shall be a civil penalty of ~~\$125.00, \$150.00~~, plus a filing fee of \$10.00.
 - c. Upon a third offense, a civil penalty of \$350.00, plus a filing fee of \$10.00.
 - d. Upon a fourth or subsequent offense, a civil penalty of \$500.00, plus a filing fee of \$10.00.
 - e. Additionally, the city may pursue any fine or means of enforcement available to it under section 1-15 of this Code of Ordinances entitled

"Violations; general penalty".

. . .

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.

FIRST READING THIS 19TH DAY OF AUGUST 2025.

SCHEDULE FOR SECOND READING AND PUBLIC HEARING IN OPEN AND REGULAR SESSION OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, THE 8TH DAY OF SEPTEMBER 2025.

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: August 19, 2025

Publication Date: _____

Second Reading: _____