

**CITY OF SANIBEL
RESOLUTION 23-004**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, WAIVING THE BUILDING PERMIT DEMOLITION FEE FOR A SIX-MONTH PERIOD RETROACTIVELY TO NOVEMBER 2, 2022, AND ENDING MAY 7, 2023 FOR ALL BUILDINGS SUBSTANTIALLY DAMAGED BY HURRICANE IAN; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, on September 28, 2022, Hurricane Ian made landfall in Sanibel and other parts of Lee County as a Category 4 hurricane, causing catastrophic property damage and loss of life; and

WHEREAS, damages directly impacting the City of Sanibel include widespread damage and destruction of infrastructure, public property, and private property; and

WHEREAS, on September 26, 2022, the City Council of the City of Sanibel passed Resolution No. 22-054, declaring a State of Local Emergency, based upon the severe threat to the health, safety, and welfare of the City posed by Hurricane Ian; and

WHEREAS, the City Council Resolution No. 22-054 declared an initial State of Local Emergency for a 7-day term, which State of Local Emergency has been extended continuously by Mayoral Proclamations since the initial issuance; and

WHEREAS, on December 6, 2022, the City Council asked that the Building Demolition fee of \$53.25 be waived for a period of six months, retroactively to November 7, 2022, and to be temporarily made effective by Mayoral Proclamation while staff prepared proposed amendments to the Code of Ordinances; and

WHEREAS, on January 17, 2023, after a Public Hearing, the City Council approved Ordinance 22-013 amending Chapter 14, Building and Building Regulations of the Code of Ordinances, to allow the City Council to waive fees by Resolution or Mayoral Proclamation following a natural or man-made disaster; and

WHEREAS, The City Council wishes to waive the Building Permit Demolition fee of \$53.25 for a period of six months, from November 7, 2022 through May 7, 2023 for all buildings substantially damaged by Hurricane Ian.

NOW, THEREFORE, BE IT RESOLVED 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. The Fifty-Three Dollars and 25 Cent (\$53.25) building permit demolition fee specified in Section 14-188, Code of Ordinances, is hereby waived retroactively to November 7, 2022, for a period of six months, ending May 7, 2023, for all buildings substantially damaged by Hurricane Ian.

SECTION 3. This Resolution shall be effective immediately upon adoption.

PASSED IN OPEN AND REGULAR SESSION OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA THIS 7TH DAY OF FEBRUARY 2023.

Attest:

Scotty Lynn Kelly, City Clerk

Holly D. Smith, Mayor

Approved as to form and legality:

John D. Agnew, City Attorney

Date filed with City Clerk: _____

Vote of Council Members:

Smith	_____
Johnson	_____
Crater	_____
Henshaw	_____
Miller	_____