

**CITY OF SANIBEL
RESOLUTION 23-005**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, WAIVING THE TEMPORARY STRUCTURE DEVELOPMENT PERMIT FEE FOR A SIX-MONTH PERIOD RETROACTIVELY TO NOVEMBER 12, 2022, AND ENDING MAY 7, 2023; 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 November 11, 2022, after holding a public hearing, the City Council approved Emergency Ordinance 22-011 to allow the temporary placement of recreational vehicle or park trailers on residential lots to provide residents with a temporary housing option while their homes were being repaired; and

WHEREAS, on December 6, 2022, that the Temporary Structure fee of \$431 be waived for a period of six months, retroactively to November 12, 2022, and to be put in place temporarily by Mayoral Resolution while staff prepared proposed amendments to the Code of Ordinances; and

WHEREAS, on February 7, 2023, after a Public Hearing, the City Council approved Ordinance 23-003 amending Chapter 90, Fees 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 Temporary Structure development permit fee of \$431 for a period of six months, from November 12, 2022 through May 7, 2023.

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 Four Hundred Thirty-One Dollar (\$431) temporary structure development permit fee specified in Section 90-213, Sanibel Code, is hereby waived retroactively to November 12, 2022, for a period of six months, ending May 7, 2023, for recreational vehicles and park trailers on residential lots.

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	_____