



38           **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE**  
39 **CITY OF MARCO ISLAND, FLORIDA<sup>1</sup>:**

40  
41           **SECTION 1. Recitals.**

42  
43           The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true,  
44 correct and reflective of the legislative intent underlying this Ordinance.

45  
46           **SECTION 2. Amendments to City of Marco Island Noise Control Ordinance.**

47  
48           The Code of Ordinances, Marco Island, Florida, is hereby revised by amending Article IV,  
49 entitled "Noise Control," Sections 18-101 through 18-140, inclusive, in Chapter 18, entitled  
50 "Environment," as follows:

51  
52           **Chapter 18, ENVIRONMENT**

53           ....

54           **ARTICLE IV. - NOISE CONTROL**

55           **Sec. 18-101. - Short title.**

56           This article shall be known and may be cited as the "City of Marco Island Noise  
57 Control Ordinance."

58  
59           **Sec. 18-102. - Intent and purpose.**

60           It is the intent and purpose of this article to regulate uses and activities in the city in  
61 such a manner as to prevent excessive noises, which degrade the quality of life, disturb  
62 the public peace, and jeopardize the health, safety and welfare of the citizens of the city.  
63 It is further the intent of this article to recognize that factors such as the time of day,  
64 location (e.g. proximity to residences), necessity of public projects for the public good,  
65 and necessity of sounds incidental to allowed uses and activities must be considered in  
66 balancing the protection of public peace and individual freedoms.

67  
68           **Sec. 18-103. - Definitions.**

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<sup>1</sup> Proposed additions to existing City Code text are shown by underlining; proposed deletions from existing City Code text are shown by ~~striketrough~~.

69 ~~All terminology used in this article, not specifically defined herein, shall be in~~  
70 ~~conformance with applicable publications of the American National Standards Institute~~  
71 ~~(ANSI) or its successor body.~~

72 ~~A-weighted sound level means the sound pressure level in decibels as measured~~  
73 ~~on a sound level meter using the A-weighting network. The level so read is designated~~  
74 ~~dBA.~~

75 Code Compliance Official means the City Manager or any designated employee or  
76 agent of the City whose duty it is to ensure compliance with codes and ordinances  
77 enacted by the City. Employees or agents hereby designated as Code Compliance  
78 Officials include, but are not limited to, inspectors, zoning administrator, building  
79 officials, code compliance officers, code administrator, police officers, community  
80 service officers, fire safety inspectors, city environmentalists or other designated  
81 employees of the City designated by the City Manager.

82 *Construction* means any site preparation, assembly; erection, substantial repair,  
83 alteration (or similar action) of structures, utilities, public or private right-of-way or similar  
84 things. Construction does not include demolition.

85 ~~Decibel (dB) means a unit for measuring the volume of sound; it is a logarithmic~~  
86 ~~(dimensionless) unit of measure used in describing the amplitude of sound. Decibel is~~  
87 ~~denoted as dB.~~

88 *Demolition* means any dismantling, intentional destruction or removal of structures,  
89 utilities, public or private right-of-way surfaces, or similar property.

90 *Device* means a mechanism which is intended to produce or which actually  
91 produces noise when operated or handled.

92 *Emergency* means any occurrence or set circumstances involving actual or  
93 imminent physical injury to persons or property which demands immediate action. It  
94 shall be the burden of the alleged violator to prove the "emergency".

95 *Emergency vehicle* means a motor vehicle used in response to a public calamity or  
96 to protect persons or property from imminent danger.

97 *Emergency work* means work made necessary to restore property to a safe  
98 condition following a public calamity, work to restore public utilities, or work required to  
99 protect persons or property from an imminent exposure to danger.

100 ~~Enforcement officer means any law enforcement officer, code enforcement officer,~~  
101 ~~or animal control officer for the City of Marco Island or Collier County Sheriff's Office.~~

102 *Motor vehicle* means any self-propelled vehicle, such as, but not limited to,  
103 passenger cars, trucks, truck trailers, semitrailers, campers, motorcycles, minibikes, go-  
104 carts, amphibious craft on land, and dune buggies or racing vehicles which are  
105 propelled by mechanical power.

106 *Motorboat* means any vehicle which is primarily operated on water or which does  
107 operate on water, such as boats, barges, amphibious craft, or hover craft, and which is  
108 propelled by mechanical power.

109 *Muffler* means any apparatus consisting of baffles, chambers, or acoustical  
110 absorbing material whose primary purpose is to transmit liquids or gases while causing  
111 a reduction in sound emission at one end.

112 *Noise* means any sound, which because of its volume level, duration, and  
113 character, annoys, disturbs, injures, endangers the comfort, health, peace, or safety, or  
114 is a nuisance to reasonable persons of ordinary sensibilities 24 hours a day, 7 days a  
115 week, 365 days a year. Noise includes any sound which is audible to code compliance  
116 officials while standing or in a vehicle with engine off and windows rolled down in  
117 excess of 50 feet from the noise generating property's adjacent closest property line. or  
118 exceeds the noise levels as defined in section 18-106.

119 ~~*Ambient noise level* means the sound pressure level of the all-encompassing~~  
120 ~~noise associated with a given environment, being usually a composite of sounds from~~  
121 ~~many sources; the A-weighted sound pressure level exceeded 90 percent of the time~~  
122 ~~based on the one-hour period.~~

123 ~~*Continuous noise* means a steady, fluctuating, or impact noise, which exists~~  
124 ~~essentially without interruption, for a period of one hour or more.~~

125 ~~*Cyclically-varying noise* means a steady, fluctuating, or impulsive noise, which~~  
126 ~~may or may not contain a pure tone, which varies in sound pressure level such that the~~  
127 ~~same level is obtained repetitively at reasonably uniform intervals of time.~~

128 ~~*Fluctuating noise* means the sound pressure level of a fluctuating noise that~~  
129 ~~varies more than six dB(A) during the period of observation, when measured with the~~  
130 ~~slow meter characteristic of sound level meter, and does not equal the previously~~  
131 ~~existing ambient noise level more than once during the period of observation.~~

132 ~~*Impulsive noise* means a sound of short duration, usually less than one second,~~  
133 ~~of sound pressure level 20 dB(A) or more over the ambient noise pressure level, using~~  
134 ~~the fast meter characteristic, with an abrupt onset and rapid decay. Examples of~~  
135 ~~sources of impulsive noise includes explosions and the discharge of firearms.~~

136 ~~*Steady noise* means a sound pressure level which remains essentially constant~~  
137 ~~during the period of observation, i.e., the fluctuations are too small to meet the criteria~~  
138 ~~for fluctuating noise.~~

139 ~~*Period of observation* means the time interval during which acoustical data noise~~  
140 ~~and facts are obtained by law enforcement, community service officer or a e-Code e~~  
141 ~~Compliance Official. officer. All periods of observation made hereunder shall be~~  
142 ~~determined with regard to the character of the noise being measured and the particular~~

143 ~~instrument used to make the measurement. It shall be ANSI S.1.13-1971, or latest~~  
144 ~~revision, of the American National Standards Institute.~~

145 *Person* means any natural person, individual, association, partnership, corporation,  
146 municipality, governmental agency, business trust, estate, trust, two or more persons  
147 having a joint or common interest or any other legal entity and includes any officer,  
148 employee, department, agency or instrumentality of the United States, a state or any  
149 political subdivision of a state or any other entity whatsoever or any combination of  
150 such, jointly or severally.

151 *Powered model vehicles* means any powered vehicles, either airborne, waterborne  
152 or landborne, which are designed not to carry persons or property, such as, but not  
153 limited to, model airplanes, boats, cars, rockets, and which are being propelled by  
154 mechanical means.

155 *Private right-of-way* means any street, avenue, boulevard, highway, sidewalk, bike  
156 path, or alley, or similar place, which is not owned or controlled by a governmental  
157 entity.

158 *Property boundary* means an imaginary line exterior to any enclosed structure, at  
159 the ground surface, which separates the real property owned by one person from that  
160 owned by another person, and its vertical extension.

161 *Public right-of-way* means any street, avenue, boulevard, highway, alley, or public  
162 space which is dedicated to, owned or controlled by a public governmental entity.

163 *Public space* means any property or structures thereon normally accessible to the  
164 public.

165 ~~*RMS (root means square)* means the square root of the mean of a set of squared~~  
166 ~~values.~~

167 ~~*RMS sound pressure* means the square root of the time averaged square of the~~  
168 ~~sound pressure.~~

169 ~~*Receiving land use* means the land which is receiving the noise as designated by~~  
170 ~~the City of Marco Island Zoning Map.~~

171 *Recreation vehicle* means a piece of mechanized equipment for conveyance for off-  
172 road use.

173 ~~*Sound* means an oscillation in pressure, particle displacement, particle velocity or~~  
174 ~~other physical parameter in a medium with internal forces that cause compression and~~  
175 ~~rarefaction of that medium. The description of sound may include any characteristic of~~  
176 ~~such sound, including duration, intensity and frequency.~~

177 ~~*Sound level* means the weighted sound pressure level obtained by the use of a~~  
178 ~~sound level meter and frequency weighting A, B or C as specified in American National~~  
179 ~~Standards Institute specifications for sound level meters ANSI S1.401971, or the latest~~

180 ~~version thereof. If the frequency weighting employed is not indicated, the A-weighting~~  
181 ~~shall apply.~~

182 ~~Sound level meter means an instrument of Type Two or better, as specified in the~~  
183 ~~American National Standards Institute Publication S1.4-1971, or the latest version~~  
184 ~~thereof, which includes a microphone, amplifier, RMS detector, integrator or time~~  
185 ~~averager, output meter and weighing networks used to measure sound pressure levels.~~

186 ~~Sound pressure means the instantaneous difference between the actual pressure~~  
187 ~~and the average or barometric pressure at a given point in space, as produced by~~  
188 ~~sound energy.~~

189 ~~Sound pressure level means 20 times the logarithm to the base 10 at the ratio of the~~  
190 ~~RMS sound pressure to the reference pressure of 20 micropascals ( $20 \times 10^{-6}$ )~~  
191 ~~N/m<sup>2</sup> (squared). The sound pressure level as denoted Lp or SPL and is expressed in~~  
192 ~~decibels.~~

193 ~~Sound "pure tone" means any sound which can be distinctly heard as a single pitch~~  
194 ~~or a set of single pitches. For the purposes of this article, a pure tone shall exist if the~~  
195 ~~one-third octave band sound pressure level in the band with the tone exceeds the~~  
196 ~~arithmetic average of the sound pressure of the two contiguous one-third octave bands~~  
197 ~~by five dB for center frequencies of 500 Hz and above and by eight dB for center~~  
198 ~~frequencies between 160 and 400 Hz and by 15 dB for center frequencies less than or~~  
199 ~~equal to 125 Hz.~~

200

#### 201 **Sec. 18-104. - General nNoise prohibitions.**

202 (a) It shall be unlawful for any person to make, continue, or cause to be made or  
203 continued any nNoise, as defined in this article within the limits of the city.

204 (b) It shall be unlawful for any person owning or in possession of any building or  
205 premises to use or rent the same for any business or residential use, or for any  
206 purpose of pleasure or recreation if such use makes, continues, or causes to be  
207 made or continued, any nNoise disturbance, as defined in this article within the  
208 limits of the city.

209

#### 210 **Sec. 18-105. - Specific nNoise prohibitions.**

211 The following specific standards and restrictions shall apply to specific uses and/or  
212 activities in the city except for such exemptions as are enumerated herein. The following  
213 acts are declared to be loud, disturbing, and/or excessive nNoise in violation of this  
214 article, but said acts shall not be deemed to be exclusive. Unless otherwise specified  
215 herein, all other unlawful nNoise generating activities are prohibited.

- 216 (1) *Radios, stereos, audio or visual equipment, sound equipment, sound*  
217 *amplification devices, television sets, exterior loudspeakers and similar devices.*  
218 Operating or permitting the use or operation of any radio receiving set, musical  
219 instrument, stereo, sound equipment, audio or visual equipment, sound  
220 amplification devices, television, phonograph, DVD player, tape player, CD  
221 player, turn table, microphone, drum, exterior loudspeaker, or other device for  
222 the production or reproduction of sound in such a manner as to cause noise.  
223 ~~The operation of any such device for the production or reproduction of sound,~~  
224 ~~between the hours of 10:00 p.m. and 7:00 a.m. in such a manner as to be~~  
225 ~~plainly audible at a distance of 50 feet from the building or structure in which it~~  
226 ~~is located, shall be deemed prima facie evidence of a violation of this section.~~
- 227 Radios, cassette players, disk players and similar devices associated with  
228 motor vehicles or motorboats, shall not be operated in such a manner as to  
229 create noise at 50 feet or more from such device, when operated on a public  
230 right-of-way, waterways, beaches, or public space.
- 231 (2) *Construction equipment and activity.* Operating or causing to be operated any  
232 equipment or performing any activity in furtherance of construction, repair,  
233 alteration or demolition work on buildings, structures, roads, or projects within  
234 the city:
- 235 a. Between the hours of 7:00 p.m. and 7:00 a.m.
- 236 b. For pile driving activities, between the hours of 7:00 p.m. and 8:00 a.m.
- 237 c. On Sundays, New Year's Day, Memorial Day, Fourth of July, Labor Day,  
238 Thanksgiving Day, and Christmas Day.
- 239 (3) *Engine mufflers.* Operating any internal combustion engine, including such an  
240 engine associated with a motorboat, or motor vehicle without a muffler or other  
241 device at least as effective as that installed as original equipment by the  
242 manufacturer, which will effectively prevent loud or explosive noises therefrom.
- 243 (4) *Motor vehicle, motorcycle or motorboat repair in residential areas.* The  
244 noncommercial repairing, rebuilding, modifying or testing any motor vehicle, off-  
245 road vehicle, or motorboat within or abutting any residential land use  
246 designation in such a manner as to create noise across a real property  
247 boundary. ~~between the hours of 10:00 p.m. and 7:00 a.m.~~
- 248 (5) *Activities in the vicinity of schools, churches, and health care facilities.* Creating  
249 any excessive noise on any street adjacent to any school, church, or health  
250 care facility, which unreasonably interferes with the workings of such institution,  
251 or which disturbs or unduly annoys patients in a health care facility.

- 252 (6) *Peddlers, hawkers, or vendors.* It shall be unlawful for peddlers, hawkers, or  
253 vendors to shout or cry along or on a roadway to the disturbance of the peace  
254 or quiet of a neighborhood.
- 255 (7) *Yelling, shouting, etc.* Yelling, shouting, hooting, whistling, singing, or the  
256 making of similar ~~noise~~<sup>noises</sup>, and loud, boisterous conduct other than normal  
257 conversation at reasonable levels, inside of or on the grounds of any public or  
258 private property ~~between the hours of 10:00 p.m. to 7:00 a.m.~~, so as to annoy or  
259 disturb the quiet, comfort, or repose of other persons or create a disturbance.
- 260 (8) *Horns, signal devices.* No person shall sound any horn or audible signal device  
261 of any motor vehicle, boat, engine, or machine of any kind while not in motion,  
262 nor shall such horn or signal device be sounded under any circumstances  
263 except as required by law, or as a danger warning, nor shall it be sounded for  
264 any unnecessary or unreasonable period of time.
- 265 (9) *Fans and air conditioners.* Operating any ~~noise~~<sup>noise</sup> creating fan or blower, air  
266 conditioner, compressor unit, pool heaters, pool pumps, heat pumps, or the  
267 electric motor or any engine used to drive such device, the operation of which  
268 causes excessive and unnecessary noise, unless such ~~noise~~<sup>noise</sup> is muffled and  
269 deadened by adequate noise compression and muffling devices to minimize  
270 annoyance and disturbance to persons within range of hearing.
- 271 (10) *Drums, cymbals, musical instruments and loudspeakers.* Creating, making, or  
272 maintaining any ~~noise~~<sup>noise</sup> by the use of any drum, cymbals, loudspeaker, or other  
273 similar instruments in the city for the purpose of attracting attention to any  
274 performance, show, sale, or display of merchandise, or place of business. This  
275 provision shall not apply to permitted special events.
- 276 (11) *Bells or sirens on vehicles.* Using, in connection with an unauthorized vehicle,  
277 any bell or siren similar to that used on ambulances or vehicles of the sheriff,  
278 fire departments, and other public safety agencies.
- 279 (12) *Skateboard ramps.* Using any skateboard ramp or similar configuration for  
280 skateboarding or rollerblading ~~between 10:00 p.m. and 7:00 a.m.~~ in a residential  
281 land use designation in such a manner that would result in ~~noise~~<sup>noise</sup> across a real  
282 property boundary.
- 283 (13) *Air blow or vacuum cleaners.* Operating any air-blow or vacuum cleaning  
284 equipment or similar devices for the cleaning of parking lots, walkways,  
285 driveways, or similar areas ~~between the hours of 9:00 p.m. and 7:00 a.m.~~ that  
286 would result in ~~noise~~<sup>noise</sup> across a real property boundary.
- 287 (14) Commercial Activities. Creating, making, or maintaining any noise at properties  
288 zoned for commercial activities and operations in such a manner as to create

289 Noise across a real property boundary between the hours of 10:00 p.m. and  
290 7:00 a.m. This provision shall not apply to permitted special events.

291  
292 (15) (14) Landscape maintenance. Undertaking landscape maintenance activities in  
293 such a manner as to create ~~an~~Noise across a real property boundary between  
294 the hours of 9:00 p.m. and 7:00 a.m. Golf courses engaged in the regular  
295 maintenance of greens, fairways, practice areas, etc. are exempt from this  
296 provision.

297 (16) (15) Powered model vehicles. Operating or permitting the operation of powered  
298 model vehicles in such a manner as to create ~~an~~Noise across a real property  
299 boundary. ~~between the hours of 9:00 p.m. and 7:00 a.m.~~

300 (17) (16) Animal ~~an~~Noises. It shall be unlawful for the owner or custodian of any  
301 animal to permit such animal to habitually bark, whine, howl, squawk, screech,  
302 crow or cause any other ~~an~~Noise which is objectionable due to pitch, frequency,  
303 timing, or any combination thereof.

304 a. ~~The Code Compliance Officials enforcement officer shall investigate an~~  
305 ~~alleged violation of this section upon the receipt of two sworn affidavits of~~  
306 ~~complaint signed by two unrelated residents living in separate dwellings in~~  
307 ~~the close vicinity of the alleged violation, or upon the receipt of one sworn~~  
308 ~~affidavit, together with the conclusive video and audible recording of the~~  
309 ~~alleged violation. and the witness of the act by an enforcement officer.~~

310 b. The affidavit shall specify the address or location of the alleged violation,  
311 the nature, time, and date(s) of the act, the name and address of the owner,  
312 if known, and a description of the animal, if known.

313 (18) Fireworks. The use of fireworks is prohibited at any time without a permit within  
314 the incorporated limits of the City of Marco Island pursuant to Section 791.014  
315 (4)(a) and (b), Florida Statutes.

316

317 ~~Sec. 18-106. -- Maximum noise level by receiving land use designation.~~

318 ~~No person shall operate or cause to be operated any source of sound in such a~~  
319 ~~manner as to create a sound level exceeds the limits set forth for the receiving land use~~  
320 ~~category in Table I and Table II, when measured at or within the property line of the~~  
321 ~~receiving land use, as specified in this article, which establishes uniform guidelines for~~  
322 ~~measuring and recording sound levels for the enforcement of this subsection. The~~  
323 ~~measurement period shall not be less than one minute (continuous).~~

<sup>1</sup> Proposed additions to existing City Code text are shown by underlining; proposed deletions from existing City Code text are shown by ~~strikethrough~~.

324  
325

TABLE I  
Sound Levels by Receiving Land Use

Receiving Land Use	Time Sunday—Thursday	Time Friday—Saturday Day Before Federal Holiday	Sound Level Limit (dBA)
Residential	7:00 a.m.—10:00 p.m.	7:00 a.m.—11:00 p.m.	60
	After 10:00 p.m. to 6:59 a.m.	After 11:00 p.m. to 6:59 a.m.	55
Commercial or Resort Tourist	7:00 a.m.—10:00 p.m.	7:00 a.m.—11:00 p.m.	65
	After 10:00 p.m. to 6:59 a.m.	After 11:00 p.m. to 6:59 a.m.	60

326

327 (1) ~~District boundaries. When a noise source can be identified and its noise~~  
328 ~~measured in more than one land use designation, the pressure level limits of~~  
329 ~~the most restrictive use district shall apply at that designation boundary.~~

330 TABLE II  
331 Maximum Unweighted Sound Pressure Levels (in unweighted decibels)  
332  
333 Day and Night Steady Sound

Octave Band Center Freq. (In Hertz)	Residential Use	Commercial or Resort Tourist Use
31.5	Day <del>69</del> —Night 64	Day 74—Night 69
63	Day <del>69</del> —Night 64	Day 74—Night 69
125	Day 66—Night 61	Day 71—Night 66
250	Day 62—Night 57	Day 67—Night 62
500	Day 58—Night 53	Day 63—Night 58

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4000	<del>Day 53—Night 48</del>	<del>Day 58—Night 53</del>
2000	<del>Day 49—Night 44</del>	<del>Day 54—Night 49</del>
4000	<del>Day 46—Night 41</del>	<del>Day 51—Night 46</del>
8000	<del>Day 42—Night 37</del>	<del>Day 47—Night 42</del>
DBA	<del>Day 60—Night 55</del>	<del>Day 65—Night 60</del>

334 -

335 Correction for character of sound:

336 ~~(1) For any source of sound, which emits a pure tone the maximum sound level~~  
 337 ~~limits set forth in Table I shall be reduced by five dBA.~~

338 ~~(2) For any source of impulsive sound, which is of short duration with an abrupt~~  
 339 ~~onset, the maximum sound level limits set forth in Table [I] shall be increased~~  
 340 ~~by ten dBA from 7:00 a.m. to 10:00 p.m.~~

341

342 **Sec. 18-1067. - Exemptions.**

343 The following ~~n~~Noises shall be exempt from the restrictions set forth in the other  
 344 sections of this article:

345 (1) Noises of authorized safety signals and warning devices.

346 (2) Noises resulting from any authorized emergency vehicle, when responding to  
 347 an emergency call or acting in time of emergency or any other public safety  
 348 operation.

349 (3) Noises resulting from emergency work, which is to be construed as work made  
 350 necessary to restore property to a safe condition following a public calamity, or  
 351 work required to protect persons or property from any imminent exposure to  
 352 danger.

353 (4) Noises incidental to city approved refuse collection.

354 (5) Noises associated with uses or activities whereby an administrative approval to  
 355 produce such ~~n~~Noises contrary to the restrictions of this article has been  
 356 obtained.

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357 (6) Community events such as parades, festivals, sporting events, or fairs being  
358 conducted in accordance with the conditions contained in a special event permit  
359 granted by the city manager or designee.

360 (7) Noises associated with city operations, ~~public works construction~~ or  
361 maintenance.

362 (8) Noises associated with police or fire training.

363 (9) Community and organized sporting events and school activities.

364 (10) Noise associated with lightning warning systems.

365

366 **Sec. 18-1078. - Waiver.**

367 (a) Applications for a permit for relief from the noise levels designated herein may be  
368 made to the city manager on the basis of hardship. A permit granted hereunder  
369 shall contain all conditions upon which the permit has been granted and shall  
370 specify a reasonable time period during which the permit shall be in effect. Relief  
371 may be granted if:

372 (1) Additional time is required for the applicant to modify his activity to comply with  
373 this article;

374 (2) The activity or ~~noise~~ source is of a temporary nature;

375 (b) The city manager may prescribe any condition he deems necessary to minimize any  
376 adverse effect upon the community.

377 (c) Any party feeling aggrieved by the denial of its application for waiver by the city  
378 manager or designee may appeal such denial to the city council, such appeal to be  
379 filed no later than 30 days from the date of denial.

380

381 **Sec. 18-1089. - Penalties.**

382 Any person or persons, property owner, firm or corporation, or any agent thereof,  
383 who violates any of the provisions of this Article may be prosecuted and shall be  
384 punishable as provided in section 1-14, of the City of Marco Island Code of Ordinances,  
385 including but not limited to (i) a fine of up to \$500 per violation, per day for continuing  
386 repeating violations; (ii) by civil citation up to \$500 per offense; (iii) by the seeking of  
387 injunctive relief through the courts, or; (iv) any combination thereof. Each incident of  
388 violation shall constitute a separate and distinct violation of this Article. ~~any subsection~~  
389 of this article may receive a citation (fine) or be cited to appear before the city code  
390 enforcement board, or in the Collier County Court. The code enforcement board or

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391 ~~Collier County Court may impose fines or penalties against the owner upon conviction~~  
392 ~~of the violation in the amount of up to \$500.00 per day for each day the violation~~  
393 ~~continues without correction.~~

394

395 **Sec. 18-1190. - Civil remedies.**

396 In addition to the penalties provided in section 18-1089, the city manager is hereby  
397 authorized to institute any appropriate action or proceeding including suit for injunctive  
398 relief in order to prevent or abate violations of this subsection.

399

400 **Sec. 18-110. Jurisdiction and enforcement.**

401 (a) This Article is enforceable by the Marco Island Police Department and Code  
402 Compliance Official and any other state or federally authorized law  
403 enforcement.

404 (b) Such officers and officials shall have the power and duty to issue such orders  
405 and to make such investigations, reports and arrest in connection with the  
406 provisions of this article, or cause any inspections to be made for noise  
407 violations in accordance with this Article and the Florida Statutes.

408

409 **Sec. 18-111. Public Nuisance.**

410 In addition to the penalties provided in this Article, any condition caused or  
411 permitted to exist in violation of any of the provisions of this Article shall be  
412 deemed a public nuisance and may be abated by the city as provided by law,  
413 and each day that such condition continues shall be regarded as a new and  
414 separate offense.

415

416 **Secs. 18-1121—18-140. - Reserved.**

417

418 **SECTION 3. Codification.**

419

420 It is the intention of the City Council, and it is hereby ordained that the amendments to  
421 the City of Marco Island Code of Ordinances made by this Ordinance shall constitute a new  
422 Article V to Chapter 8 of the City of Marco Island Code of Ordinances, and that the sections of  
423 this Ordinance may be renumbered and re-lettered as necessary, and that the word "Ordinance"  
424 may be changed to "Section," "Article" or other appropriate word.

425

