

## RESOLUTION 16-37

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARCO ISLAND, FLORIDA REQUIRING GOLF COURSES TO PREVENT THEIR FERTILIZERS LEACHING INTO NEARSHORE WATERS, INCLUDING STORM WATER, AND TO ADHERE TO THE SAME FERTILIZER REGULATIONS AS ATHLETIC FIELDS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, as provided in Article VIII, Section 2(b) of the State Constitution, municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes; and

**WHEREAS**, Section 1.01 of the Marco Island Charter empowers the City to adopt, amend, or appeal ordinances, resolutions and codes as may be required for the benefit of the City; and

**WHEREAS**, the Marco Island City Council adopted Ordinance 16-02 to regulate the use of fertilizers containing nitrogen or phosphorous to minimize the negative environment effect these fertilizers have in and on the waterbodies in and around the City of Marco Island; and

**WHEREAS**, golf courses that perform landscaping within the provisions of the "Best Management Practices for the Enhancement of Environmental Quality on Florida Golf Courses," as updated, by a licensed superintendent or golf course manager, shall have the same exemptions as athletic fields.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARCO ISLAND, FLORIDA THAT:**

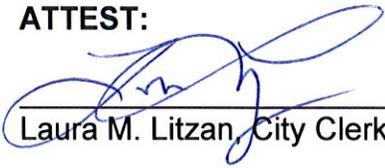
**Section 1.** The above recitals are true and correct and incorporated herein.

**Section 2.** The City of Marco Island recognizes golf courses and athletic fields, due to their extensive use, require specialized maintenance to remain in safe, playable condition, and providing their respective staff specifically take affirmative actions to prevent fertilizers leaching into nearshore waters, including storm water, shall be deemed in compliance with Ordinance 16-02.

**Section 3.** This Resolution shall take effect on April 18, 2016.

Passed in open and regular session of the City Council of the City of Marco Island, Florida, this 18<sup>th</sup> day of April 2016.

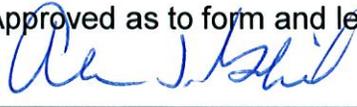
**ATTEST:**

  
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Laura M. Litzan, City Clerk

**CITY OF MARCO ISLAND, FLORIDA**

By:   
\_\_\_\_\_  
Robert C. Brown, Chairman

Approved as to form and legal sufficiency:

  
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Alan L. Gabriel, City Attorney