

CITY OF MARCO ISLAND
ORDINANCE 02- 16

AN ORDINANCE TO AMEND CHAPTER 6 OF THE CODE OF ORDINANCES OF THE CITY OF MARCO ISLAND, ARTICLE II – CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS, BY AMENDING SECTION 6-36 TO ALLOW CITY COUNCIL TO DESIGNATE ITSELF AS A BODY TO SERVE AS THE CITY'S CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS; PROVIDING FOR INCORPORATION AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the function of the Construction Board of Adjustment and Appeals is to provide an equitable, expeditious, effective and inexpensive method to hear appeals to decisions and interpretations of the building official and to consider variances of the technical codes and chapter 26, article II, and

WHEREAS, the City Council desires the ability to designate itself as a body to serve as the City's Construction Board of Adjustment and Appeals.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARCO ISLAND, FLORIDA:

SECTION 1: Amendment to Section 6-36 – Membership; compensation of members; appointment and terms of members.

That Section 6-36 be amended by adding new subsection (g) to read as follows:

- (g) Notwithstanding the provisions outlined in subsections (a)-(f) above, City Council may, by resolution, designate itself as a body to serve as the City's Construction Board of Adjustment and Appeals, consistent with the powers and duties contained in this article.

SECTION 2: Incorporation and severability.

- [A] It is the intention of the City Council and it is hereby ordained that the provisions of this Ordinance shall become and be made part of the Code of Ordinances of the City of Marco Island, Florida, and that the sections of this ordinance may be renumbered or relettered and that the word "ordinance" may be changed to "section", "article" or other appropriate word.

[B] If any word, phrase, clause, subsection or section of this Ordinance is for any reason held unconstitutional or invalid by any court of competent jurisdiction, the invalidity thereof shall not affect the validity of any remaining portions of the Ordinance.

SECTION 3. Effective date.

This Ordinance shall take effect immediately upon adoption by the Marco Island City Council.

Passed in open and regular session through roll call vote the City Council of the City of Marco Island, Florida this 6th day of May, 2002.

Attest:

CITY OF MARCO ISLAND, FLORIDA

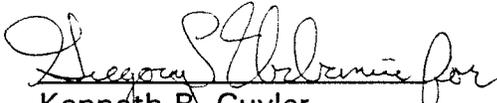


A. William Moss
City Manager/City Clerk

By: 

E. Glenn Tucker, Chairman

Approved as to form and
Legal sufficiency:



Kenneth B. Cuyler
City Attorney