

**CITY OF MARCO ISLAND
ORDINANCE NO. 98 - 16**

AN ORDINANCE ADOPTING BY REFERENCE THE FOLLOWING CODES, AS AMENDED PURSUANT TO THIS ORDINANCE: TO ESTABLISH THE CITY OF MARCO ISLAND BUILDING CONSTRUCTION CODE, BY ADOPTING; THE STANDARD BUILDING CODE, 1997 EDITION, INCLUDING ONLY APPENDIXES A, D, AND F; THE STANDARD MECHANICAL CODE, 1997 EDITION, INCLUDING ONLY APPENDIX A; THE STANDARD PLUMBING CODE, 1997 EDITION, INCLUDING ONLY APPENDIXES B, C, D, E, AND F; THE NATIONAL ELECTRICAL CODE, 1996 EDITION; THE STANDARD GAS CODE, 1997 EDITION, INCLUDING ONLY APPENDIXES A AND E; THE STANDARD SWIMMING POOL CODE, 1997 EDITION; THE STANDARD AMUSEMENT DEVICE CODE, 1997 EDITION; THE STANDARD UNSAFE BUILDING ABATEMENT CODE, 1985 EDITION; THE STATE OF FLORIDA ACCESSIBILITY CODE, 1997 EDITION, INCLUDING STATE AMENDMENTS; THE STATE OF FLORIDA ENERGY EFFICIENCY CODE FOR BUILDING CONSTRUCTION, 1997 EDITION, THE LIFE SAFETY CODE, NFPA 101, 1997 EDITION; AND THE NATIONAL FIRE CODES, VOLUMES 1-11, 1994 EDITION; THE COLLIER COUNTY SEAWALL AND REVETMENT ORDINANCE NO. 86-05 AND 85-02; PROVIDING FOR INCORPORATION, CONFLICT AND SEVERABILITY; PROVIDING FOR PENALTIES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Article VIII of the State Constitution and Chapter 166 of the Florida Statutes provide that 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, except when expressly prohibited by law; and,

WHEREAS, the City of Marco Island desires to regulate construction activities to provide for the health, welfare and safety of existing and future residents and visitors by enacting and enforcing construction related regulations; and,

WHEREAS, Section 553.73(4)(a), Florida Statutes, authorizes Florida municipalities to make local amendments to its building related codes.

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

SECTION ONE: STANDARD BUILDING CODE

(a) Adoption. There is hereby adopted by reference the Standard Building Code, 1997 edition, including only appendixes A, D, and F, as published by the Southern Building Code Congress, Inc. (hereafter "SBCCI").

(b) **Amendments.** The Standard Building Code, 1997 edition, including appendixes A, D and F, adopted in this section is hereby amended by local amendment as follows:

Chapter 1 Administration

Chapter 1 of the Standard Building Code is deleted in its entirety. Refer to the City of Marco Island Administrative Construction Code (hereafter "ACC"). All references to Chapter 1 of the Standard Building Code shall be interpreted to mean the City of Marco Island "ACC" Ordinance.

Chapter 2 Definitions

Chapter 2, Section 202, entitled "Definitions": is hereby amended by amending or adding thereto the following definitions:

"ACC" The City of Marco Island Administrative Construction Code.

ACCESS AISLE. An element of off-street vehicular use areas providing paved accessibility from the accessway to off-street parking or loading spaces or other vehicular use areas.

ADDITION TO AN EXISTING BUILDING. Any walled and roofed expansion to a building in which the addition is connected by a common load-bearing wall other than a firewall. Any walled and roofed addition which is separated by a firewall or an independent perimeter load-bearing wall is new construction.

BALCONY. A platform enclosed by a parapet or railing that projects from the wall of a building and is not within the general outline or profile of the building.

BASE FLOOD. The flood having a 1% chance of being equaled or exceeded in any given year.

BASE FLOOD ELEVATION (BFE). The elevation in relation to mean-sea-level National Geodetic Vertical Datum (NGVD) expected to be reached by a flood having a 1% chance of being equaled or exceeding in any given year.

BASEMENT. A portion of a dwelling located partly underground but having less than half its clear floor-to-ceiling height below the average grade of the adjoining ground.

BOARDWALKS. An elevated wooden walkway structure. The site and construction of the boardwalk will provide for the least amount of disturbance to the natural area. The width of the boardwalks in conservation areas should be minimized. Generally, the following guidelines should be followed: If boardwalks lead to a public access site, then their width should be no greater than eight (8) feet to allow for a small vehicle to collect trash from that area; and boardwalks for pedestrian passage only should be narrower and should not disturb an area of greater width than five (5) feet. Construction should follow State Department of Environmental Protection Standards and the State Of Florida Accessibility Standards for boardwalk construction.

BREAKAWAY WALLS. Any type of walls using approved materials which are not a part of the structural support of the building and which are so designed to breakaway, under abnormally high tides or wave action, without damage to the structural integrity of the building or supporting foundation system on which they are used. There shall be no electric or mechanical systems attached to these walls.

BUILDING. Any structure having a foundation and/or a roof and used or built for the shelter or enclosure of persons, animals or property of any kind.

BUILDING CODE. The Standard Building Code and those technical codes, as adopted by the City of Marco Island Administrative Construcion Code.

BUILDING HEIGHT. The vertical distance measured from the greater of:

1. The FEMA first habitable floor height requirement;
2. 18 inches above the State Department of Environmental Protection requirement for the first habitable floor structural support;
3. 18 inches above the elevation of the average crown of the adjacent roads; or
4. The average natural grade (the natural contours of a land area generally unaltered by man's intervention), to the highest point of the roof surface or parapet, or to the highest elevation as the SBCCI definition.

COASTAL BARRIER ISLAND. A geological feature which is completely surrounded by marine waters that front upon the open waters of the Gulf of Mexico, Atlantic Ocean, Florida Bay or Straits of Florida, and are composed of quartz sands, clays, limestone, oolites, rock, coral, coquina, sediment or other material, including spoil disposal, which feature lies above the line of mean high water. Mainland areas which were separated from the mainland by artificial channelization for the purpose of assisting marine commerce shall not be considered coastal barrier islands.

COASTAL BUILDING ZONE. The land area from the seasonal high water line to a line 5,000 feet land ward from the Coastal Construction Control Line as established by the State of Florida.

COASTAL HIGH-HAZARD AREA. The area subject to high-velocity waters caused by forces such as, but not limited to, hurricane wave wash or tsunamis. The area is designated on a FIRM as zone VE. Also see SBCCI definition.

DEVELOPMENT ORDER PERMIT. Any building permit, zoning permit, subdivision approval, rezoning, certification, special exception or variance, or any other official action of local government having the effect of permitting the development of land.

DOCK. Any structure, otherwise known as a pier, wharf or loading platform, which is constructed on pilings over open water, or which is supported by flotation on the water.

DORMER. A small gable projecting from a sloping roof holding a window set vertically. The size of the dormer is relative to the proportion of the roof it projects from and is not a dominant element of this roof slope.

DRAWING. Any or all of the following: survey, site plan, floor plan, elevation, or sections. All of these must be drawn to scale.

DWELLING UNIT. An assemblage of rooms or spaces that could provide living accommodations for a single family, whether in a single-family residence, a residence in a multifamily residential building or a single-family living unit in a transient lodging facility. Also see the SBCCI definition.

ELEVATED BUILDING. A non-basement building built to have the bottom of the lowest horizontal structural member elevated above the ground level by means of pilings, columns (posts or piers), or shear walls parallel to the flow of water. Except for buildings located in a coastal high hazard area, elevation can also utilize fill or solid foundation perimeter walls.

ELEVATION CERTIFICATE. The FEMA Form 81-31, which is to be completed by a land surveyor, engineer, or architect who is authorized by the state or local law to certify elevation information when the elevation information is required.

ERECT. To build, construct, attach, hang, place, suspend, or affix.

FEMA. The Federal Emergency Management Agency.

FHBM. The Flood Hazard Boundary Map, which is an official map of a community, issued by the Federal Emergency Management Agency, where the boundaries of the areas of special flood hazard have been defined as zone A.

FIRM. The Flood Insurance Rate Map, which is an official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

FLOOD OR FLOODING. A general and temporary condition of partial or complete inundation of normally dry land from: (1) the overflow of inland or tidal waters; (2) the unusual and rapid accumulation or runoff of surface waters from any source.

FLOOD INSURANCE STUDY. The official report provided by the Federal Emergency Management Agency. The report contains flood profiles, as well as the flood boundary-floodway map and the water surface elevation of the base flood.

FLOODPLAIN MANAGEMENT REGULATIONS. Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance, erosion control ordinance and court order) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

FLOODPROOFING. A combination of structural modifications which result in a building, including the attendant utility and sanitary facilities, being watertight with walls substantially impermeable to the passage of water and with structural components having the capacity of resisting hydrostatic and hydrodynamic loads and effects of buoyancy to the flood proofed design level.

FLOOR. The top surface of an enclosed area in a building, including basement, i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking vehicles.

IMPACT FEES. Impact fees (other than building permit fees), collected by a legally authorized entity and normally used for Capital Improvements. These funds shall not be used in the Building Services Division.

INFRASTRUCTURE. Public facilities serving the needs of the population, including roads, bridges, sewage, disposal and potable water systems, solid waste disposal sites, piers, and docks.

LAND DEVELOPMENT CODE (LDC). The Collier County Land Development Code in effect on the date of incorporation of the City of Marco Island which is the Land Development Code for the City of Marco Island

MANUFACTURED HOME. A building that is transportable in one or more sections, built on a permanent chassis and constructed to the Federal Mobile Home Construction and Safety Standards and rules and regulations promulgated by the U.S. Department of Housing and Urban Development. The term also includes mobile homes, park trailers, travel trailers, and similar transportable structures placed on a site for 180 consecutive days or longer, and intended to be improved property.

MARINA. An establishment with a waterfront location designed to service watercraft. A marina may include such activities as refueling and lubrication of

watercraft, covered or uncovered boat slips or dock space, dry storage of watercraft, charter and sightseeing boat dockage, boat and boat motor sales or rentals, outfitting, maintenance and repair, including haul-out facilities, boat launching, retail sale of boating or fishing supplies and accessories, restaurants or refreshment facilities, laundry facilities or other customary accessory facilities. No boat manufacturing or major reconstruction is permitted.

MARKET VALUE. Pertaining to the salable cost of a structure, prior to any damage or addition to that structure, but not including the land or any detached accessory structures, minus the accrued depreciation.

MOBILE HOME. A single-family dwelling designed for transportation, after fabrication, on streets and highways on its own wheels or a flatbed or other trailer, and arriving at the site where it is to be occupied as a dwelling complete and ready for occupancy, except for minor and incidental unpacking and assembly operations, location on jacks or permanent foundations, connection to utilities and the like. For purposes of this article, the term "*mobile home*" is synonymous with the term *manufactured home*".

MODEL HOME. A residential structure used for demonstration purposes not occupied as a dwelling unit and open to the public for inspection.

MULTIFAMILY. Two (2) or more families.

NATIONAL GEODETIC VERTICAL DATUM (NGVD). A geodetic datum established by the National Ocean Service. It is frequently referred to as the 1929 Mean Sea Level Datum and synonymous with the average height of the seal for all stages and tides.

NATURAL GRADE. The existing ground surface elevation of a land area generally unaltered by man's intervention, prior to any new construction.

NONCONFORMITY. A lot, structure or use of land, or any combination thereof, which was lawful before the adoption of the Land Development Code was passed or amended, but which would be prohibited under the terms of the Land Development Code.

OBSERVATION TOWER. A wooden platform designed to enable the public to see a natural area from an elevated location. (Development limits shall not exceed 35 feet in height and the maximum square footage shall not exceed 144 square feet.)

PENALTY FEES. Additional fees imposed upon the project for failure to comply with the requirements of this ordinance.

PERMIT FEES. Fees collected for the processing of permits, field inspections, administration and the operation of the Building Services Division.

PLAN REVIEW FEES. Fees collected at the time an application for a permit is submitted to the Building Services Division to cover the cost of reviewing the plans and specifications for code compliance. This fee will be charged for all construction projects involving habitable structures and accessory structures where plans have to be submitted for permit.

REPLACEMENT COST. The cost of construction utilizing current prices, as established by proposals of a Collier County licensed contractor, for a new structure being built with modern materials and according to current construction codes, ordinances, standards, design, and layout.

RESIDENCE. A single-family dwelling, or dwelling unit in a multi-family complex, which contains sleeping, bathroom and kitchen facilities.

RIGHT-OF-WAY. Land to which the state, county, or city owns the fee simple title or has an easement for transportation or utility use.

RIPRAP. Broken, random size stone used as filling and stabilizing material.

RIPRAP SLOPE PROTECTION. Any shore protection device constructed of loose rock, rubble or other material in a sloping configuration.

SEAWALL. Any solid upright structure, which serves to separate real property and any improvements there upon from any natural or manmade body of water.

SFWMD. South Florida Water Management District.

SHORELINE. A straight or smoothly curved line which, on tidal waters, follows the general configuration of the mean high-water line (1.09 feet above mean sea level, or as determined by U.S. Coast and Geodetic Survey datum), and which, on non-tidal waters, is determined by the annual average water level. Recessed boat slips and other minor indentations shall be construed as lying landward of the shoreline and are considered upland when measuring required yards or computing the lot area of waterfront property.

START OF CONSTRUCTION. The date of permit issuance, provided actual start of construction is within 180 days after the date of issuance. The actual start of construction means the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of a slab or footings, installation of pilings or construction of columns. Permanent construction does not include land preparation (such as clearing, excavation, grading or filling), or the installation of streets or walkways, or excavation for a basement, footings, piers or foundations, or the erection of temporary forms, or the installation of accessory buildings such as garages or sheds that are part of the main building.

STORY. That portion of a building included between a floor and the floor or roof next above it, including a loft area, carport or garage. If any part of a building is two-story, the entire building is considered two-story.

STRUCTURE. Any permanent vertical structure, a building that is principally above ground including a mobile or manufactured home, a gas or liquid storage tank, or other man-made facilities.

SUBSTANDARD. A housing unit lacking some or all utility facilities, or being overcrowded. Complete plumbing facilities include hot and cold running water inside the unit, flush toilet and a bathtub or shower for the exclusive use of the occupants within the unit.

SUBSTANTIAL DAMAGE. Damage of any origin, sustained by a structure whereby the cost of restoring the structure to its original condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

SURVEY. A scaled drawing of a property illustrating all boundaries and any existing buildings or structures on that property. A survey must be prepared by a land surveyor or engineer who is registered in the State of Florida.

SWALES. Depressions, commonly used in landscaping plans to retain and slow the movement of water.

TEMPORARY USE PERMITS. Permits issued for special activities or events that do not meet local zoning requirements. These permits are issued for a specific time period determined by the Building Official based on the applicant's request.

VIOLATION. The failure of a structure or other development to be fully compliant with the provisions of this Ordinance. A structure or other development without an elevation certificate or other certifications as required in this Ordinance is presumed to be in violation until such time as that documentation is provided.

WATER-DEPENDENT. Development directly carried out on, in or adjacent to a body of water; usage requires access to water.

WATER-RELATED. Developments or activities not directly dependent on water access, which may provide goods and services associated with water-dependent uses. All motels and hotels within the city are considered water-related due to their proximity to the beach or bay.

CHAPTER 4: SPECIAL OCCUPANCY

Chapter 4, Section 412.3, entitled “Alarm and communication systems” is hereby amended by adding new Section 412.3.5, entitled “Zone protection” to read as follows:

412.3.5 Zone protection. The alarm and communication systems shall be designed and installed such that damage to any terminal unit or speaker will not render more than one zone of the system inoperative.

Chapter 4, Section 412.3 entitled “Alarm and communication systems” is hereby amended by adding new Section 412.3.6, entitled “Protection of wiring” to read as follows:

Section 412.3.6 Protection of wiring. All main line horizontal and vertical runs of alarm and communication systems shall be installed in a 2-hour fire resistant assembly or shaft provided for that purpose, with protected access openings. Vertical enclosures shall be aligned vertically and be accessible from common or public area.

CHAPTER 9: FIRE PROTECTION SYSTEMS

Chapter 9, Section 905.2, entitled “Automatic fire detection” is hereby amended by deleting subsection 905.2.2 in its entirety and replacing with the following:

905.2.2 In dwellings and dwelling units, a smoke detector shall be mounted on the ceiling or wall at a point centrally located in the corridor or area giving access to each group of rooms used for sleeping purposes and inside each sleeping room.

Note: When a Group R occupancy permit is required, or when one or more sleeping rooms are added or created in existing group R occupancy, smoke detectors shall be installed in accordance with Sections 905.2.1 through 905.2.5.

CHAPTER 15: ROOFS AND ROOF STRUCTURES

Chapter 15, entitled “Roofs and roof structures”, is hereby amended to include new Section 1518, entitled “Treated palm fronds”, to read as follows:

Section 1518 Treated palm fronds. All palm fronds and/or reeds, etc. used for chickees and chickee type structures shall be treated with an approved fire retardant treatment material. The fire retardant treatment shall cause the treated fronds, etc. to self-extinguish when the test torch is removed. Fronds and/or reed roofs shall not be installed on structures other than open chickee structures, unless roof system has been tested and approved by the building official.

Exception: Palm fronds and/or reeds for roofs need not be treated on chickee structures on a lot zoned for single-family when distances to property lines and other buildings are maintained at 10 feet or more.

Chapter 15, entitled “Roofs and roof structures”, is hereby amended by adding new Section 1519, entitled “Chickee”, to read as follows:

Section 1519 Chickee. Site and building plans are required for review and approval of permits and shall be consistent with all the required building set back standards within the “LDC”.

Exception: A chickee adjacent to and appearing to be part of another building shall comply with all of the following;

1. Be separated from the building by not less than a one (1) hour protected or one (1) hour rated construction with protected openings. This includes window and door openings.
2. The chickee roof shall not extend above the adjacent one (1) hour exterior wall.

Chapter 15, entitled “Roofs and roof structures”, is hereby amended by adding new Section 1520, entitled “Roof coverings” to read as follows:

Section 1520 Roof coverings. All finished roof systems shall be installed as per the manufacturers recommendations.

Note: See exhibits 1 thru 21 which are hereby incorporated herein.

CHAPTER 19: CONCRETE

Chapter 19, Section 1906.4, entitled “Depositing”, is hereby amended by adding new Section 1906.4.9, entitled “New to existing” to read as follows:

Section 1906.4.9 New to Existing. When new concrete is being placed against existing concrete work during the construction of additions or structural remodels, dowels shall be installed to tie together the old footing and the new footing, the old floor and the new floor, or the old tie beam and the new tie beam. The dowels shall be epoxyed into the existing concrete a minimum of 8” and placed a maximum of 18” on center.

Exception: When the plans are signed and sealed by an architect or engineer, and alternative details are provided for the connection between the old work and the new work, the detail of the design professional shall govern.

Chapter 19, Section 1907.1, entitled “Design of formwork”, is hereby amended by adding new item 4 under subsection 1907.1.5 to read as follows:

Section 1907.1.5 (4) All monolithic slab systems shall have the thickened vertical edges, and the entire perimeter edges, formed in conformance with all parts of section

1907 and shall not use earth as the forming material. Exceptions to this may be appealed to the Building Official in writing. Determining factors will include existing soil conditions of the property and general location of the property in question.

Note: See exhibits 1 thru 21 which are hereby incorporated herein.

CHAPTER 21: MASONRY

Chapter 21, Section 2103.2, entitled “Emperical Masonry Design”, is hereby amended by adding new Section 2103.2.4, entitled “Tie of perimeter beams”, to read as follows:

Section 2103.2.4, Tie of perimeter beams. Reinforced continuous concrete tie beams around the perimeter are required in all masonry construction. Where the beam cannot be continuous, a poured in place, vertical reinforced concrete column tied to the foundation is required. Tie beams shall be designed by a registered architect or engineer. Where roof structures bear directly on continuous concrete tie beams, galvanized metal strap anchors of an approved design shall be installed per the manufacturer’s published installation instructions. (See sec. 2306.2.1)

Chapter 21, Section 2103.2, entitled “Emperical Masonry Design”, is hereby amended by adding new Section 2103.2.5, entitled “Alternate precast system”, to read as follows:

Section 2103.2.5 Alternate precast system. An engineered precast tie beam system consisting of approved masonry units, precast or prestressed concrete lintels and vertical tie downs may be used as an alternate to 2103.2.4 subject to an architect or engineer certification and/or the approval of the Building Official.

Note: See exhibits 1 thru 21 which are hereby incorporated herein.

CHAPTER 23: WOOD

Chapter 23, Section 2306, entitled “Fastenings”, is hereby amended by adding new Section 2306.4, entitled “Connectors”, to read as follows:

Section 2306.4 Connectors. Fasteners and connections shall be galvanized. Connectors, fasteners and light gauge metal trusses shall be either (1) hot dipped galvanized, coated with 1.5 ounces of zinc per one square foot of steel, (2) triple zinc coated under ASTM A90 Triple Spot Test, (3) stainless steel, or (4) painted prior to the installation with one of the following:

- (a) Epoxy-Polyamide Primer (SSPC-Paint 22)
- (b) Coal-Tar Epoxy-Polyamide Black or Dark Red paint (SSPC-Paint 16)
- (c) Basic Zinc Chromate-Vinyl Butyral Wash Primer (SSP-Paint 27) and cold applied Asphaltic Mastic (Extra Thick Film) paint (SSPC-Paint 12)

Chapter 23, Section 2310.4 entitled “Wood Structural Panel Shearwall Construction”, is hereby amended by adding new Section 2310.5, entitled “Exterior shearwalls”, to read as follows:

Section 2310.5 Exterior shearwalls. All exterior walls and roof sheathing shall be a minimum 4 ply 15/32" thick. All perimeter walls and gable ends, (see exhibits herein) shall have solid backing of 2" x 4". Plywood clips may be allowed on roof sheathing. Nail spacing shall be 6" oc. on all edges, and 12" oc. in the field. All interior shear walls, when required, shall be constructed with exterior wall requirements. The plywood sheathing of all roofs, shall be glued from the leading edge of the roof overhang to the inside face of the bearing wall, to resist the wind forces. If a vapor barrier is laminated to the underside of roof sheathing, an alternate nail pattern shall be specified and certified by a professional and noted on the plans.

Note: See exhibits 1 thru 21 which are hereby incorporated within.

CHAPTER 25: GYPSUM BOARD AND PLASTER

Chapter 25, Section 2504.4, entitled "Application of Gypsum Wall Board", is hereby amended by adding new Section 2504.4.4, entitled "Wet areas", to read as follows:

Section 2504.4.4 Wet areas. Shower compartments and built-in tubs with showers shall have floors and walls constructed of smooth, corrosion-resistant and non-absorbent water-resistant materials to a height of not less than 70" above the compartment floor or tub at the drain. The backing for the water-resistant surface material may include lath and Portland cement plaster, a cementitious board, or an alternate material that remains unaffected by water, steam, or moisture. Drywall and greenboard shall not be permitted.

CHAPTER 33: SITE WORK, DEMOLITION AND CONSTRUCTION

Chapter 33, entitled "Site work, demolition and construction", is hereby amended by adding new Section 3315, entitled "Job safety", to read as follows:

Section 3315 Job safety. As agent of the owner, permittee acknowledges responsibility for access control and site safety at all times prior to the issuance of a Certificate of Occupancy. The permittee shall determine which ingress and safety measures, if any, such as temporary fencing, barricades, gates, signage, covered walkways and the like, are necessary to assure public safety on or near the site of the work under his control.

Chapter 33, entitled "Site work, demolition and construction", is hereby amended by adding new Section 3316, entitled "Unsafe conditions", to read as follows:

Section 3316 Unsafe conditions. In the course of carrying out inspection assignments, the City Inspectors may observe conditions contrary to federal, state and local safety standards. Wherever this occurs, each case will be brought to the attention of the person in charge at the site. The City Inspectors shall not subject themselves to unsafe conditions in order to perform building inspections. Such personnel shall advise the permittee of the inability to conduct an inspection; the subject inspection shall be considered as rejected and shall be rescheduled. However, if corrections are made immediately the inspection may then be continued. Where manifestly unsafe conditions

are allowed to remain uncorrected, the Chief Building official or desingee shall direct operations in the vicinity to cease until remedied. .

APPENDIX D: STANDARDS FOR DEMOLITION

Appendix D, entitled “Standards for demolition”, is hereby amended by adding new Section D106, entitled “Demolition of buildings”, to read as follows:

Section D106 Demolition of buildings

1. Where a building is under the jurisdiction of this article, the building may be demolished by the owner provided that the following requirements are met:
 - (a) The owner shall obtain a demolition permit from the City of Marco Island, Building Services Division.
 - (b) All sewer, gas, water and similar taps or connections shall be properly closed and disconnected as per approval from the appropriate utility company.
 - (c) All debris from the building shall be removed from the site. This requirement is for the removal of all debris that is above the street level of the building.
 - (d) The lot shall be graded to a smooth, even, finished grade, free from building material, debris, holes and depressions. Where building debris, such as foundations, remains on the site below street level, the owner must backfill the lot with 12 inches of clean fill, which shall be graded to a smooth, even, finished grade.
 - (e) Where walls of adjacent buildings become exposed as a result of the demolition, the walls must have all doors, windows, vents or other similar openings closed with material of the type composing the wall. No protrusions or loose material shall be in the wall. The revamped structure, when complete, shall match and have all construction be consistent in appearance with the existing building so as not to detract from the aesthetics and value of adjacent property, and weatherproofed to prevent deterioration of the wall.
2. As a condition to obtaining the demolition permit from the city, a performance bond is required to cover the cost of the work. The performance bond shall be in a form acceptable to the City Attorney and shall cover 125 percent of the cost estimate. The cost estimate shall be established by the contract signed for the demolition and for subsequent construction as per this section. The performance bond shall cover:
 - (a) In the event of total demolition of a building, a bond is required to cover the cost to demolish the structure, remove all debris, grade the lot and repair adjacent buildings.
 - (b) In the event of partial demolition of a building, the cost to demolish, remove, grade and repair, plus construction or reconstruction so that the exterior of any partially demolished building appears complete, finished and enclosed to match the existing construction and finishes.
 - (c) When buildings are destroyed by fire or other acts of God, the requirements of this section shall apply.

SECTION TWO: STANDARD MECHANICAL CODE

- (a) **Adoption.** There is hereby adopted by reference the Standard Mechanical Code, 1997 edition, including only appendix A, as published by SBCCI.

(b) **Amendments.** The Standard Mechanical Code, 1997 edition, including appendix A, adopted in this section is hereby amended by local amendment as follows:

Chapter 1 of the Standard Mechanical Code is deleted in its entirety. Refer the City of Marco Island ACC. All references to Chapter 1 of the Standard Mechanical Code shall be interpreted to mean the City of Marco Island ACC Ordinance.

Chapter 15, Section 1507.1, entitled “Label “, is hereby amended by adding new Section 1507.1.1, to read as follows:

Section 1507.1.1 All solar collectors shall be certified by the Florida Solar Energy Center except owner-constructed solar collectors for one and two-family dwellings. All solar collectors shall be shown on the submitted plans.

SECTION THREE: STANDARD PLUMBING CODE

(a) **Adoption.** There is hereby adopted by reference the Standard Plumbing Code, 1997 edition, including only appendixes B, C, D, E, and F, as published by SBCCI.

(b) **Amendment.** The Standard Plumbing Code, 1997 edition, including appendixes B, C, D, E, and F, adopted in this section is hereby amended by local amendment as follows:

Chapter 1 of the Standard Plumbing Code is deleted in its entirety. Refer to the City of Marco Island ACC.

All references to Chapter 1 of the Standard Mechanical Code shall be interpreted to mean the City of Marco Island ACC Ordinance.

Chapter 9, Section 917.2, entitled “Installation“, is hereby amended by adding new Section 917.2, entitled “Installation of air admittance valves”, to read as follows:

Section 917.2 Installation of air admittance valves. Air admittance valve locations shall be shown on the plans. All air admittant valve locations shall be clearly identified at the tub set inspection.

Chapter 10, Section 1003 entitled “Interceptors and Separators“, is hereby amended by adding new Section 1003.14, entitled “Interceptors, separators and backwater valves”, to read as follows:

Section 1003.14 Interceptors, separators and backwater valves. Grease interceptors shall be designed in accordance with Florida Administrative Code Chapter 10D-6, and shall be installed in any commercial location where food is prepared. A 750 gallon interceptor is the minimum size allowable. No under-cabinet grease interceptor will be accepted without written consent of the plumbing inspector, the building official, and the utilities department.

SECTION FOUR: NATIONAL ELECTRICAL CODE

(a) **Adoption.** There is hereby adopted by reference the National Electrical Code, 1996 edition, as published by the National Fire Protection Association.

(b) **Administration and Authority.** For administration and authority jurisdiction under this section, refer to the City of Marco Island ACC Ordinance.

(c) **Amendments.** The National Electrical Code, 1996 edition, adopted in this section is hereby amended by local amendment as follows:

Article 215, Section 215-5, entitled “Diagrams and Feeders” has been amended by adding the following: Electrical plans shall show all electrical work being installed. This shall include locations of receptacles, lights, switches, smoke detectors, fans, panels and size of new and existing service.

Article 230, Section 230-1, entitled “Scope” has been amended by adding the following: Plans indicating a service of more than 400 amps shall be prepared, signed and sealed by a Florida registered professional architect or engineer appropriately qualified in the area of electrical engineering.

Article 230, Section 230-2(a), entitled “Number of Services” has been amended by adding the following: Accessory buildings such as garages, storage buildings, guesthouses, sleeping quarters, sheds and the like, shall not have separate services.

Article 230, Section 230-21, entitled “Overhead Supply” has been deleted in its entirety.

Article 230 - Section 230-30, entitled “Insulation” has been amended by adding the following: All new and change of service shall be installed underground.

Article 230 - Section 230-42(a), entitled “Size and Rating” has been amended by adding the following: A minimum of 100-amp service shall be provided for each separate store or tenant space or approved unit of space in a commercial building.

Article 230 - Section 230-50, entitled “Protection of Open Conductors and Cables Against Damage – Above Ground” has been amended by adding the following: For protection, all services shall be run in rigid metal conduit or rigid nonmetallic conduit.

Article 300 - Section 300-1(c), has been added to read as follows: Separately metered conductors shall not be installed in the same raceway. Line and load conductors (nonfused with fused) shall not run in the same raceway, trough or wire way.

Article 410 - Section 410-65(d), has been amended by adding the following: All recessed light fixtures, where insulation is to be installed or required, shall be “IC” rated.

Article 440 - Section 440-14, entitled “Location”, has been deleted (exception remains): Disconnecting devices shall be located within six (6) feet and readily accessible from the air conditioning or refrigerating equipment. The disconnecting devices shall be permitted to be installed on or within the air conditioning or refrigerating equipment. Exception No. 1 shall be deleted.

Article 680 - Section 680-22, entitled “Bonding”, has been amended by adding the following: The bonding of screen enclosure frames shall use a through-bolt for the bonding connection.

Permit required - (Has been added). An electrical permit must be obtained from the building official and all fees paid before any installation or construction of any electrical equipment or wiring may commence. All low voltage systems over 100 watts shall require a licensed electrical contractor and must conform to the 1996 National Electrical Code. However, in a single-family dwelling, a permit may be issued to the property owner provided requirements for owner/builder, per state statute chapter 489, are met.

SECTION FIVE: STANDARD GAS CODE

(a) Adoption. There is hereby adopted by reference the Standard Gas Code, 1997 edition, including only appendixes A and E, as published by SBCCI.

(b) Amendments. The Standard Gas Code, 1997 edition, including appendixes A and E, adopted in this section is hereby amended by local amendment as follows:

Chapter 1 of the Standard Gas Code: is deleted in its entirety. Refer to the City of Marco Island ACC. All reference to Chapter 1 of the Standard Gas Code shall be interpreted to mean the City of Marco Island ACC Ordinance.

Chapter 2, Definitions: is hereby amended by adding the follow definition:

GAS OFFICIAL. When used in this code, gas official shall mean the Building Official.

SECTION SIX: STANDARD SWIMMING POOL CODE

(a) Adoption. There is hereby adopted by reference the Standard Swimming Pool Code, 1997 edition, as published by SBCCI.

(b) Amendment. The Standard Swimming Pool Code, 1997 edition, adopted in this section is hereby amended by local amendment as follows:

Chapter 1 of the Standard Swimming Pool Code: is deleted in its entirety. Refer to the City of Marco Island ACC. All references to Chapter 1 of the Standard Swimming Pool Code shall be interpreted to mean the City of Marco Island ACC Ordinance.

Chapter 3, Section 304.4, entitled “Piping to heater”, has been amended by adding the following:

Section 304.4 Piping to heater. When approved plastic pipe is used for pool piping, 17” minimum of approved metal piping shall be installed on the downstream side of any gas water heating equipment, and a check valve shall be installed adjacent to

heating equipment on the upstream side prior to the connection of the plastic pipe. This does not apply to heat pumps and solar units.

Exception: For rapid or high-rate and filters, check valve may be excluded.

Chapter 3, Section 315, entitled “Enclosure”, has been amended to include an interpretation to read as follows:

Section 315 Interpretation. This section requires that swimming pools for public, commercial, multi-family and single family uses shall be enclosed by a fence as per the Standard Swimming Pool Code, 97 edition, or an approved screen enclosure.

SECTION SEVEN: STANDARD AMUSEMENT DEVICE CODE

(a) **Adoption.** There is hereby adopted by reference the Standard Amusement Device Code, 1997 edition, as published by SBCCI.

(b) **Amendment.** The Standard Amusement Device Code, 1997 edition, adopted in this section, is hereby amended by local amendment as follows:

Chapter 1 of the Standard Amusement Device Code: is deleted in its entirety. Refer to the City of Marco Island ACC. All references to Chapter 1 of the Standard Amusement Device Code shall be interpreted to mean the City of Marco Island ACC Ordinance.

SECTION EIGHT: STANDARD UNSAFE BUILDING ABATEMENT CODE

(a) **Adoption.** There is hereby adopted by reference the Standard Unsafe Building Abatement Code, 1985 edition, as published by SBCCI.

(b) **Amendment.** The Standard Unsafe Building Abatement Code, 1985 edition, adopted in this section is hereby amended by local amendment as follows:

Chapter 1 of the Standard Unsafe Building Abatement Code: is deleted in its entirety. Refer to the City of Marco Island ACC. All reference to Chapter 1 of the Standard Unsafe Building Abatement Code shall be interpreted to mean the City of Marco Island ACC Ordinance.

SECTION NINE: THE STATE OF FLORIDA ACCESSIBILITY CODE, THE STATE OF FLORIDA ENERGY EFFICIENCY CODE FOR BUILDING CONSTRUCTION, THE LIFE SAFETY CODE - NFPA 101, AND THE NATIONAL FIRE CODES - VOLUMES 1-11.

(a) **Adoption.** That the following Codes are hereby adopted by reference in their entirety:

1. The State of Florida Accessibility Code, 1997 edition, including amendments.

2. The State of Florida Energy Efficiency Code for Building Construction, 1997 edition.
3. The Life Safety Code, NFPA 101, 1994 edition, published by the National Fire Protection Association.
4. The National Fire Codes, Volumes 1-11, 1994 edition, published by the National Fire Protection Association.

SECTION TEN: TECHNICAL SPECIFICATIONS FOR SEAWALLS

There is hereby, adopted by reference, the Collier County Seawall and Revetment Ordinance No. 86-5 and Ordinance No. 85-2, in its entirety.

SECTION ELEVEN: INCORPORATION, CONFLICT AND SEVERABILITY

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

2. All sections or parts of sections of the Code of Laws and Ordinances of Collier County, Florida, all Collier County Ordinances or parts of ordinances and all Collier County Resolutions or parts of resolutions made applicable by the City Charter in conflict herewith are hereby repealed to the extent of such conflict.

3. 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 this Ordinance.

SECTION TWELVE: PENALTIES FOR VIOLATION

1. Pursuant to Section 162.22, Florida Statutes, a person found to be in violation of this Ordinance may be charged a fine, not to exceed \$500.00, and may be sentenced to a definite term of imprisonment, not to exceed 60 days.

2. Violations of this ordinance may also be prosecuted before the Code Enforcement Board, as established by the City of Marco Island, pursuant to Ordinance 98-4.

SECTION THIRTEEN: 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 by the City Council of the City of Marco Island, Florida, this 21st day of September, 1998.

Attest:

CITY OF MARCO ISLAND, FLORIDA

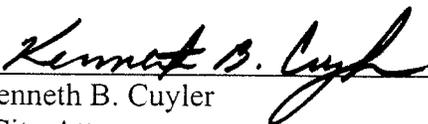


A. William Moss
City Manager/City Clerk

BY: 

Harry Cowin, Chairman

Approved as to form and
Legal sufficiency:



Kenneth B. Cuyler
City Attorney