

CITY OF MARCO ISLAND
ORDINANCE NO. 98- 13

AN ORDINANCE AMENDING ORDINANCE NUMBER 91-102, THE COLLIER COUNTY LAND DEVELOPMENT CODE IN EFFECT ON AUGUST 28, 1997, WHICH IS THE LAND DEVELOPMENT CODE FOR THE CITY OF MARCO ISLAND, TO ADD NEW SECTION 2.5.5.2.3.8.1. TO ALLOW ONE HOUSE (COMMERCIAL) FLAG PER BUSINESS LOCATION, TO ESTABLISH A DEFINITION OF HOUSE FLAG, TO ESTABLISH CRITERIA AND STANDARDS FOR HOUSE FLAGS, PROVIDING FOR INCORPORATION, CONFLICT AND SEVERABILITY, PROVIDING PENALTIES, PROVIDING AN EFFECTIVE DATE.

WHEREAS, the flying of house (commercial) flags at business locations is currently prohibited under the sign regulations of the Collier County Land Development Code; and,

WHEREAS, the flying of house (commercial) flags can provide a low impact method of business identification; and,

WHEREAS, the City Council of Marco Island desires to allow businesses to fly one house (commercial) flag per business location.

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

SECTION ONE: Ordinance No. 91-102, the Collier County Land Development Code in effect on August 28, 1997, which is the Land Development Code for the City of Marco Island, be amended as follows:

1. Section 2.5.5.2.3.8.1. is hereby added to read as follows:

2.5.5.2.3.8.1. House (commercial) flags. In addition to the provisions under section 2.5.5.2.3.8., one house (commercial) flag may be displayed on any developed commercial lot regardless of parcel size, provided: that the American flag shall also be flown at the establishment on a separate flagpole and that the house (commercial) flag be no larger than the American flag or larger than four (4) feet by six (6) feet, whichever is smaller. Developed commercial lots that have water frontage may fly one additional house flag on the waterfront side of the lot. For purposes of this section, house

(commercial) flags shall be defined as a cloth flag displayed with the intent of conveying a business identification by name, corporate symbol, or registered trademark only. Any attempt to use the house (commercial) flag to convey or advertise merchandise, services or entertainment provided by, or at, the business establishment is prohibited.

SECTION TWO: 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 relettered 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 THREE: 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 a Code Enforcement Board established by the City of Marco Island.

SECTION FOUR: EFFECTIVE DATE

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

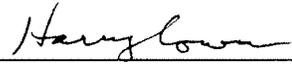
Passed in open and regular session through roll call vote by the City Council of the City of Marco Island, Florida, this 2nd day of November, 1998.

Attest:

CITY OF MARCO ISLAND, FLORIDA

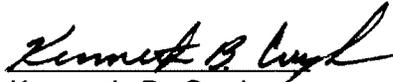


A. William Moss
City Manager/City Clerk

By: 

Harry Cowin, Chairman

Approved as to form and
legal sufficiency:



Kenneth B. Cuyler
City Attorney

Marco Island Eagle

Published Weekly
Marco Island, Florida

Affidavit of Publication

State of Florida

County of Collier

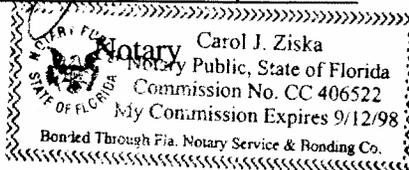
Before the undersigned authority, personally appeared
Cheryl Ferrara, who on oath says that he is the
Publisher of Marco Island Eagle, a weekly newspaper,
published at Marco Island, Collier County, Florida, that the attached
copy of advertising, being a Legal Notice - Second Reading
& Public Hearing, City of Marco Island
in matter of Ordinance No. 98-13 in the
_____ Court was published in
said newspaper in the issues of
September 2, 1998

Affidavit further says that the said Marco Island Eagle
is a newspaper published at Marco Island, in said Collier County,
Florida and that said newspaper has heretofore been continuously
published in said Collier County, Florida, each week, and has been
entered as second class mail matter at the post office in Marco, in
said Collier County, Florida, for a period of one year next preceding
the first publication of the attached copy of advertisement; and affi-
ant further says that he has neither paid nor promised any person,
firm or corporation any discount, rebate, commission or refund for
the purpose of securing this advertisement for publication in the said
newspaper.

Cheryl S. Ferrara

Sworn to and subscribed before this 2nd day
of September, A.D. 1998.

Carol J. Ziska



My Commission Expires _____

111 LEGAL NOTICES

**SECOND READING & P
ORDINANCE N
CITY OF MARCO**

The City of Marco Island, meeting in r
October 5, 1998, at the Marco Island YM
Island, Florida, will consider:

AN ORDINANCE AMENDING OF 646 Condos/
COLLIER COUNTY LAND DEVE Furnishe
AUGUST 28, 1997, WHICH IS T
FOR THE CITY OF MARCO IS 647 Condos/
2.5.5.2.3.8.1 TO ALLOW ONE HC Unfurnis
BUSINESS LOCATION, TO EST/ 648 Homes/
FLAG, TO ESTABLISH CRITERI Townho
FLAGS, PROVIDING FOR INC Furnishe
SEVERABILITY, PROVIDING 649 Homes/
EFFECTIVE DATE. Townho
Unfurnis

Members of the Public are invited to n
regards to this Ordinance.

Naples Daily News
Naples, FL 33940

Affidavit of Publication
Naples Daily News

CITY OF MARCO ISLAND
ATT: DEE PHILLIPS
950 N COLLIER BLVD #308
MARCO ISLAND FL 34145

REFERENCE: 054361
57744076 SECOND READING & PUB

State of Florida
County of Collier

Before the undersigned authority, personally appeared B. Lamb, who on oath says that she serves as the Assistant Corporate Secretary of the Naples Daily News, a daily newspaper published at Naples, in Collier County, Florida: that the attached copy of advertising was published in said newspaper on dates listed.

Affiant further says that the said Naples Daily News is a newspaper published at Naples, in said Collier County, Florida, and that the said newspaper has heretofore been continuously published in said Collier County, Florida, each day and has been entered as second class mail matter at the post office in Naples, in said Collier County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or coporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

PUBLISHED ON: 09/03

AD SPACE: 45.000 INCH
FILED ON: 09/03/98

Signature of Affiant B-Lamb

Sworn to and Subscribed before me this 3 day of Sept 1998

Personally known by me Judith A. Flanigan

**0110 ORDINANCES
AND PETITIONS**

SECOND READING
& PUBLIC HEARING
ORDINANCE NO. 98-13
CITY OF MARCO ISLAND
The City Council of Marco
Island, meeting in regular
session at 6:00 p.m. on
October 5, 1998, at the
Marco Island YMCA, 101
Sand Hill Street, Marco Is-
land, Florida, will consid-
er:

AN ORDINANCE
AMENDING ORDI-
NANCE NUMBER
91-102, THE COLLIER
COUNTY LAND DE-
VELOPMENT CODE IN
EFFECT ON AUGUST
28, 1997 WHICH IS THE
LAND DEVELOPMENT
CODE FOR THE CITY
OF MARCO ISLAND TO
ADD NEW SECTION
2.5.5.2.3.8.1 TO ALLOW
ONE HOUSE (COM-
MERCIAL) FLAG PER
BUSINESS LOCATION,
TO ESTABLISH A DEFINI-
TION OF HOUSE
FLAG TO ESTABLISH
CRITERIA AND STAND-
ARDS FOR HOUSE
FLAGS, PROVIDING
FOR INCORPORATION,
CONFLICT AND SEVE-
RABILITY, PROVIDING
PENALTIES, PROVID-
ING AN EFFECTIVE
DATE.

Members of the Public
are invited to make oral
or written comments in
regards to this Ordinance -
Sept. 3 No. 1267197



Judith A. Flanigan
MY COMMISSION # CC508787 EXPIRES
February 19, 2000
BONDED THRU TROY FAIN INSURANCE, INC.

Naples Daily News
Naples, FL 33940

Affidavit of Publication
Naples Daily News

CITY OF MARCO ISLAND
ATT: DEE PHILLIPS
950 N COLLIER BLVD #308
MARCO ISLAND FL 34145

REFERENCE: 054361
57740212 NOTICE OF PUBLIC HEA

State of Florida
County of Collier

Before the undersigned authority, personally appeared B. Lamb, who on oath says that she serves as the Assistant Corporate Secretary of the Naples Daily News, a daily newspaper published at Naples, in Collier County, Florida: that the attached copy of advertising was published in said newspaper on dates listed.

Affiant further says that the said Naples Daily News is a newspaper published at Naples, in said Collier County, Florida, and that the said newspaper has heretofore been continuously published in said Collier County, Florida, each day and has been entered as second class mail matter at the post office in Naples, in said Collier County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or coporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

PUBLISHED ON: 08/28

AD SPACE: 41.000 INCH
FILED ON: 08/28/98

NOTICE OF
PUBLIC HEARING
AMENDMENT TO CITY
OF MARCO ISLAND
LAND DEVELOPMENT
CODE TO ALLOW ONE
HOUSE (COMMERCIAL)
FLAG PER
BUSINESS LOCATION

The City of Marco Island is considering the adoption of an ordinance to allow one house (commercial) flag to be displayed at the entrance to any commercial lot regardless of parcel size, subject to conditions. The Marco Island Planning Board will conduct a public hearing on this subject at 9:00 AM, September 11, 1998 at the Boardroom of the YMCA, 101 Sandhill Street. Persons wishing to give written or oral testimony are encouraged to do so. All testimony will become a part of the written record that will be forwarded to the City Council prior to final consideration of this draft ordinance. Copies of the draft ordinance may be obtained from the Deputy City Clerk at City Hall, 950 N. Collier Boulevard, Suite 308, Marco Island, FL 34145.
August 28 No. 1263923

Signature of Affiant B. Lamb

Sworn to and Subscribed before me this 18 day of Aug 1998

Personally known by me Judith A. Flanigan



Judith A. Flanigan
MY COMMISSION # CC508787 EXPIRES
February 19, 2000
BONDED THRU TROY FAIR INSURANCE, INC.

Naples Daily News
Naples, FL 33940

Affidavit of Publication
Naples Daily News

COOPER INSTITUTE, THE
600 5TH AVE S #205
NAPLES FL 34102-6625

REFERENCE: 002802
57764276 PUBLIC NOTICE The An

State of Florida
County of Collier

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Affiant further says that the said Naples Daily News is a newspaper published at Naples, in said Collier County, Florida, and that the said newspaper has heretofore been continuously published in said Collier County, Florida, each day and has been entered as second class mail matter at the post office in Naples, in said Collier County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or coporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

PUBLISHED ON: 10/18

AD SPACE: 21.000 INCH
FILED ON: 10/19/98

SECOND READING
& PUBLIC HEARING
ORDINANCE NO. 98-13
CITY OF MARCO ISLAND
The City Council of Marco
Island, meeting in regular
session at 6:00 p.m., on
November 2, 1998, at the
Marco Island YMCA, 101
Sand Hill Street, Marco Is-
land, Florida, will consid-
er:

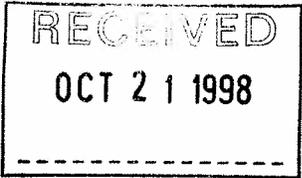
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AND STANDARDS FOR
HOUSE FLAGS, PRO-
VIDING FOR INCORPO-
RATION, CONFLICT
AND SEVERABILITY,
PROVIDING PENALI-
TIES, PROVIDING AN
EFFECTIVE DATE.

Members of the Public
are invited to make oral
or written comments in
regards to this Ordinance.
October 17 No. 1288693

Signature of Affiant [Signature]
Sworn to and Subscribed before me this 19 day of Oct 1998
Personally known by me Joyce E Blazier



Joyce E. Blazier
MY COMMISSION # CC702521 EXPIRES
April 10, 2002
BONDED THRU TROY FAIN INSURANCE, INC.



Naples Daily News
Naples, FL 33940

Affidavit of Publication
Naples Daily News

CITY OF MARCO ISLAND
ATT: DEE PHILLIPS
950 N COLLIER BLVD #308
MARCO ISLAND FL 34145

REFERENCE: 054361
57757409 SECOND READING & PUB

State of Florida
County of Collier

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PUBLISHED ON: 10/04

AD SPACE: 45.000 INCH
FILED ON: 10/05/98

Signature of Affiant _____

Sworn to and Subscribed before me this 5 day of Oct 1998

Personally known by me Joyce E. Blazier



Joyce E. Blazier
MY COMMISSION # CC702521 EXPIRES
April 10, 2002
BONDED THRU TROY FAIN INSURANCE, INC.

SECOND READING &
PUBLIC HEARING
ORDINANCE NO. 98-13
CITY OF MARCO ISLAND
The City Council of Marco
Island, meeting in regular
session at 6:00 p.m., on
October 19, 1998, at the
Marco Island YMCA, 101
Sand Hill Street, Marco Is-
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AN ORDINANCE
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October 4 No. 1280613