

ORDINANCE NO. 98- 1

AN EMERGENCY ORDINANCE RELATING TO PARKING; DIRECTING THAT A REPORT BE PROVIDED TO CITY COUNCIL WITHIN THIRTY (30) DAYS REGARDING VEHICLE PARKING IN SWALES; REQUESTING A STAY OF ENFORCEMENT FOR A PERIOD OF FORTY-FIVE (45) DAYS TO PROVIDE CITY COUNCIL WITH SUFFICIENT TIME TO RECEIVE, CONSIDER AND, IF APPROPRIATE, ACT UPON SUCH REPORTS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, it has been brought to the attention of the City Council that it is necessary and appropriate for the Council to review certain issues relating to vehicle parking in swales at one or more locations on Marco Island; and

WHEREAS, in order to provide an opportunity to review the matter, it is appropriate that a stay of enforcement occur during the period of review;

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

SECTION ONE: Report Relating to Parking in Swales.

It is hereby directed that the City Manager prepare, or cause to be prepared, a report to be provided to the City Council within thirty (30) days addressing the issue of vehicle parking on roadsides and in swales on Marco Island. Such report may include, but shall not be limited to, an explanation of the issues involved, specific geographical areas of concern, if any, considerations relating to traffic patterns or safety, historical parking patterns on Marco Island and such other considerations as deemed necessary or appropriate to inform the City Council regarding the issue.

SECTION TWO: Abatement or Stay of Enforcement.

In order to provide a minimum time period for the City Council to receive and consider a report regarding parking in swales, and to act upon such report if it deems appropriate, the Collier County Sheriff's Office is hereby requested to abate or stay its enforcement regarding parking in swales on Marco Island within that area generally described as the Elkcam Circle area and more particularly described in Exhibit "A", attached hereto and incorporated herein. Such abatement or stay shall be for a period of forty-five (45) days (until April 16, 1998). However, in the event the Collier County Sheriff's Department or any officer thereof with citation authority finds a specific parking-in-swales situation to be an immediate threat or an emergency situation that is likely to cause a threat to the health and safety of the citizens of Marco Island, such violation shall be addressed as such officer deems appropriate in accordance with the law.

SECTION THREE: Effective Date.

This Ordinance shall become effective immediately upon adoption.

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 March, 1998.

Attest:

CITY OF MARCO ISLAND, FLORIDA

Charles W. McCool
Interim City Manager/Interim City Clerk

By: Harry J. Cowin
Harry J. Cowin, Chairman

Approved as to form and
legal sufficiency:

Kenneth B. Cuyler
Kenneth B. Cuyler
City Attorney