

ORDINANCE 2024-

AN ORDINANCE OF THE CITY OF NAPLES, FLORIDA, FOR THE PURPOSE OF ESTABLISHING AN ADMINISTRATIVE FEE FOR MILESTONE INSPECTION REPORTS BY CREATING A NEW SECTION 16-344, MILESTONE INSPECTION REPORT FEES, IN CHAPTER 16 “CONSTRUCTION, REHABILITATION AND PROPERTY MAINTENANCE REGULATIONS” OF ARTICLE X “MANDATORY INSPECTION OF AGING CONDOMINIUM AND COOPERATIVE BUILDINGS ORDINANCE”; PROVIDING FOR CONFLICT, SEVERABILITY, AND CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City is authorized and has the power to inspect all buildings, structures, and facilities within its jurisdiction to protect the public’s health, safety, and welfare through enforcement of the Florida Building Code; and

WHEREAS, during the 2023 Legislative Session, the Florida Legislature amended existing law to further provide for mandatory inspection for maintenance of previously permitted existing buildings to avoid catastrophic building collapses, such as the collapse of the building in the Town of Surfside in 2021 killing 98 people; and

WHEREAS, an advertisement of the public hearing for adoption of the proposed ordinance was published in the Naples Daily News on the ____ day of _____, 2024, as required by Section 166.041, Florida Statutes and City of Naples Code of Ordinances; and

WHEREAS, adoption of the regulations contained in this Ordinance is in compliance with the recent 2024 changes to Florida law and is in the best interest of the City of Naples to promote the health, safety and welfare of the City’s residents; and

WHEREAS a business impact statement was not prepared and posted on the City’s website since the ordinance is exempt from the requirement of Section 166.041(4), Florida Statutes because it is required to meet state law and is included in the Florida Building Code; and

WHEREAS, for purposes of this Ordinance, underlined type shall constitute additions to the original text, *** shall constitute ellipses to omitted original text, and strikethrough shall constitute deletions to the original text;

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

Section 1. The above “Whereas” clauses are ratified, confirmed, and incorporated by reference as if set forth herein as the City Council’s legislative findings.

Section 2. That the Code of Ordinances, City of Naples, Florida, is hereby amended by adding a Section 16-344 to Chapter 16, Construction, Rehabilitation and Property Maintenance of Article X Mandatory Inspection of Aging Condominium and Cooperative Building Ordinance, which said section reads as follows:

16-344. Milestone inspection report fee.

Fees as set forth in appendix A to this Code shall be assessed for a milestone inspection reports and a milestone resubmittals.

Section 3. That if any word, phrase, clause, subsection, or section of this Ordinance is for any reason held unconstitutional, invalid, or ineffective, the same shall not affect the validity of any remaining portions of this Ordinance. In such event, the pre-existing word, phrase, clause, subsection, or section, will be revived.

Section 4. That all sections or parts of sections of the Code of Ordinances, City of Naples, and all resolutions or parts of resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict. This Ordinance shall be codified and made a part of the official Code of Ordinances of the City of Naples.

Section 5. That this Ordinance will take effect immediately upon adoption.

APPROVED AT FIRST READING ON THE 3rd DAY OF April 2024.

ADOPTED AT SECOND READING AND DURING A PUBLIC HEARING BY THE CITY COUNCIL ON THIS 17TH DAY OF APRIL 2024.

Attest:

Patricia L. Rambosk, City Clerk

Teresa Lee Heitman, Mayor

Date filed with City Clerk: _____

Approved as to form and sufficiency:

/s/ Ralf Brookes, Esq.
Ralf Brookes, Interim City Attorney