

**CITY OF SANIBEL
RESOLUTION 22-057**

A RESOLUTION ISSUING A TEMPORARY MORATORIUM ON ISSUANCE OF CERTAIN PERMITS FOR BUILDING OR DEVELOPMENT; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, on September 28, 2022, Hurricane Ian made landfall on the City of Sanibel as a strong Category 4 hurricane, causing catastrophic property damage; and

WHEREAS, damages directly impacting the City of Sanibel include widespread destruction and major damage to infrastructure, public and private property; and

WHEREAS, the City of Sanibel remains under a federally-declared, state-declared, and locally-declared state of emergency related to Hurricane Ian's destruction; and

WHEREAS, based upon the broad damage to buildings and other structures throughout the City, it is expected that thousands of building or development permits will be sought to repair homes and businesses or to rebuild substantially damaged structures; and

WHEREAS, based upon the recommendations of professional planning and building staff, the City Council finds that in order to expedite review and repair efforts, it is in the best interest of the City to prioritize initial efforts seeking to repair existing structures that do not have substantial damage or require substantial improvement; and

WHEREAS, the City Council finds 45 days to be a reasonable duration to impose a temporary moratorium upon the processing or issuance of building and development permits which would involve new construction or the approval of substantial improvements; and

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANIBEL, FLORIDA:

SECTION 1. Moratorium on Issuance of Certain Permits for Building or Development. A 45-day moratorium is hereby imposed on the acceptance or approval of applications for building permits, development permits, and any other construction or development approvals which would involve new construction or constitute "substantial improvement" as defined in Section 94-124.

SECTION 2. Effective date. This Resolution shall be effective immediately upon adoption and have a 45-day duration, unless otherwise terminated or amended by City Council.

Attest:



Scotty Lynn Kelly, City Clerk



Holly D. Smith, Mayor

Approved as to form and legality:



John D. Agnew, City Attorney

Date filed with City Clerk: November 1, 2022

Vote of Council Members:

Smith	<u>Yea</u>
Johnson	<u>Yea</u>
Crater	<u>Yea</u>
Henshaw	<u>Yea</u>
Miller	<u>Yea</u>