

**CITY OF SANIBEL  
MAYORAL PROCLAMATION 22-16**

**AN EMERGENCY PROCLAMATION OF THE MAYOR OF THE CITY OF SANIBEL RELATING TO THE DECLARED STATE OF LOCAL EMERGENCY PERTAINING TO HURRICANE IAN; EXTENDING STATE OF LOCAL EMERGENCY; TEMPORARILY WAIVING CERTAIN VEGETATION PERMITS; TEMPORARILY WAIVING CERTAIN DEVELOPMENT PERMIT DEMOLITION FEES FOR STRUCTURES; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, on September 26, 2022, the City Council of the City of Sanibel passed Resolution No. 22-054, declaring a State of Local Emergency, based upon the severe threat to the health, safety, and welfare of the City posed by Hurricane Ian; and

**WHEREAS**, the City's declaration followed similar declarations of emergency by Governor Ron DeSantis, President Joseph Biden, Jr., and the Board of County Commissioners of Lee County; and

**WHEREAS**, on the morning of September 27, 2022, Lee County issued a mandatory evacuation order, which included the entirety of the territory within the municipal limits of the City of Sanibel; and

**WHEREAS**, on September 28, 2022, Hurricane Ian made landfall in Lee County as a Category 4 hurricane, causing catastrophic property damage and loss of life; and

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

**WHEREAS**, Chapter 22 of the Sanibel Code of Ordinances authorizes and empowers the Mayor to issue public proclamations declaring a State of Local Emergency; and, during a state of emergency, impose certain prohibitions and restrictions to protect lives, safety, and property; and

**WHEREAS**, the City Council Resolution No. 22-054 declared an initial State of Local Emergency for a 7-day term, which State of Local Emergency has been extended continuously by Mayoral Proclamations since the initial issuance; and

**WHEREAS**, waiver of fees related to development permits for the demolition of buildings substantially damaged from Hurricane Ian is in the best interests of the City and would provide relief for those owners who suffered the most significant damages from Hurricane Ian; and

**WHEREAS**, based upon the significant vegetative damage from Hurricane Ian, it would benefit the City and its residents, property owners, and businesses to allow a temporary waiver of certain vegetation permits to help facilitate recovery.

**NOW, THEREFORE, BE IT PROCLAIMED** by the Mayor of the City of Sanibel, Florida:

## SECTION 1. Temporarily Waiving Certain Vegetation Permits.

Consistent with the "Sanibel Natural Resources Department — Vegetation Recovery Tips and Permitting Post Hurricane Ian" document dated 10/21/2022, the requirement for a vegetation permit to remove, prune or trim any native tree, as required in Section 122-145 and Section 12-146(5) of the Land Development Code are hereby waived to the extent that the following activities do not require a vegetation permit during this state of local emergency:


- (a) Removal of vegetation debris on private property, seaward of the CCCL, or within a mangrove fringe;
- (b) Removal of dead native plants OR live and dead exotic plants;
- (c) Removal of downed native or exotic plants or those leaning at an angle greater than 30 degrees; or
- (d) Restoration trimming and/or corrective pruning of hurricane damaged native or exotic vegetation (EXCLUDING mangroves or vegetation seaward of the CCCL). For native species, trimming may exceed 25% of the total leaf surface area but must be the minimum necessary to safely address the damage.

## SECTION 2. Temporarily Waiving Development Permit Demolition Fees for Structures.

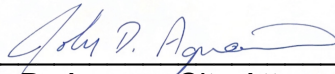
The \$281.00 per structure development permit fee specified in Section 90-127, Sanibel Code, for demolition of a structure, is hereby waived for buildings substantially damaged in Hurricane Ian, retroactively to November 7, 2022, for a period of six months, ending May 7, 2023.

**SECTION 3. Effective Date.** This Proclamation shall take effect immediately upon execution and shall remain in effect through the duration of this State of Local Emergency, unless modified or terminated by written Proclamation of the Mayor or by Resolution of City Council.

### AUTHENTICATION:

  
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Holly D. Smith, Mayor

 5:10 p.m.  
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Scotty Lynn Kelly, City Clerk a.m. / p.m.

**APPROVED AS TO FORM:**  12/20/22  
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John D. Agnew, City Attorney Date