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MEMORANDUM

TO: Village Council

CC: Steve Sarkozy, Village Manager

FROM: Derek Rooney, Assistant Village Attorney

DATE: July 17, 2018

SUBJECT: Codification Adoption Schedule

In the coming months we will be bringing forward a series of ordinances for the Council's consideration. Those ordinances are intended to localize the current Village Code adopted from Lee County at the time of incorporation (change references from County to Village, etc.). The process of re-codification involves the review of the Lee County code to eliminate irrelevant sections, incorporate changes made by the Council since incorporation, and identify areas of regulation where the Village may wish to adopt a different policy direction. The result will be a single comprehensive set of regulations, easily accessible by the public under our arrangement with Municode for continuing codification services.

The ordinances being considered will be of general application addressing internal Village operations, such as ethics and procurement, as well as areas of health, safety, and general welfare, including but not limited to, animal control or regulation of utility providers. None of the proposed ordinances will make amendments to the Village's land development code.

The purpose of this memorandum is to inform the Council that a significant number of ordinances will be coming forth for consideration but that the vast majority of such ordinances are ministerial in nature and do not have any practical regulatory effect. The remaining ordinances will likely be modifications of the existing regulatory regime as Council or staff desire to make amendments through the localization process. Overall, the forthcoming ordinances can be classified into two generic groups: (1) ordinances repealing inapplicable Lee County-only regulations and (2) ordinances localizing regulations of general application to the Village but which may require additional policy direction before adoption.

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Because Florida law limits the adoption of regulations to a single subject item, the majority of the changes cannot be accomplished through an omnibus ordinance and will be considered separately. Each ordinance will require a separate notice and public hearing. In the interest of Council time management I am recommending that the ordinances be adopted in small batches, beginning when the Council returns in September. The first set of ordinances, those repealing inapplicable provisions of Lee County's code, number 31 and with the Council's blessing would be adopted in at least two groups. The second set of ordinances, those requiring further review, are set forth by subject area below:

1. Ch. 1 – Administrative Code
2. Ch. 3 – Abandoned Property Registration
3. Ch. 4 – Alcoholic Beverages
4. Ch. 6 – Animals and Fowl
5. Ch. 8 – Waterways
6. Ch. 12 – Water Quality Management
7. Ch. 13.5 – Emergency Management / Post-Disaster Recovery
8. Ch. 14 – Fire Control
9. Ch. 16.5 – Utility Franchises
10. Ch. 17 – Health and Sanitation (including nuisances and waste)
11. Ch. 17.5 – Historic Preservation
12. Ch. 22 – Licenses and Business (including transient merchants and sexually oriented businesses)
13. Ch. 22.5 – Mobile Homes
14. Ch. 24 – Motor Vehicles (including parking, cabs, and towing)
15. Ch. 24.5 – Noise
16. Ch. 25 – Special Events
17. Ch. 25.5 – Parks and Recreation
18. Ch. 26 - Landscaping
19. Ch. 28 – Roads and Bridges (including use of rights-of-way)
20. Ch. 30 – Sewage and Waste

During the break and subsequent adoption of repealing ordinances this fall, **please review** the subject areas listed above and identify which areas the Council would like to consider for further review and policy direction. Requested items will be set for a workshop and after Council direction, staff and my office will make revisions and prepare final ordinances for adoption. If no areas are selected for further review by the Council or staff, final localized versions of the existing Lee County regulations in these respective areas will be set for final adoption. If you have any questions regarding the existing regulations, please feel free to contact the Village Manager and Burt or myself.