

**CHAPTER 1 – GENERAL PROVISIONS PURPOSE AND
APPLICABILITY**

Table of Contents

Section 100. Title 1

Section 101. Authority and Purpose 1

Section 102. Administrative Procedures 1

Section 103. Applicability 1

 103.1. General Applicability 1

 103.2. Exceptions 1

Section 104. Consistency with Comprehensive Plan 2

Section 105. Rules of Interpretation 3

 105.1. Generally 3

 105.2. Computation of Time 3

 105.3. Delegation of Authority 3

 105.4. Gender 3

 105.5. Non-Technical and Technical Words 3

 105.6. Number 3

 105.7. Shall, May 4

 105.8. Tense 4

 105.9. Written or in Writing 4

 105.10. Year 4

 105.11. Boundaries of Transportation Construction Districts 4

 105.12. Used For 4

 105.13. Connected Terms 4

 105.14. References to Other Laws 4

Section 106. Enforcement, Violations, and Penalties 4

 106.1. Purpose and Intent 4

 106.2. Violations 5

 106.3. Enforcement 5

 106.4. Penalties 6

 106.5. Other Remedies Preserved 8

Section 107. Nonconformities 8

 107.1. Purpose and Intent 8

 107.2. Legally Existing Nonconforming Uses Structures and Lots 9

 107.3. Applicability 9

 107.4. Signs 9

 107.5. Nonconforming Uses 9

 107.6. Nonconforming Structures 10

 107.7. Nonconforming Densities in Residential Projects 12

 107.8. Nonconforming Lots 12

 107.9. Nonconformities Resulting From Exercise of Power of Eminent Domain 13

Section 108. Public Works Standards Manual 14

CHAPTER 1 – ~~GENERAL PROVISIONS~~ PURPOSE AND APPLICABILITY

~~Section 100.~~ Section 101. Title.

This Manatee County Land Development Code may also be referred to as the Land Development Code ~~or Code~~.

~~Section 101.~~ Section 102. Authority and Purpose.

This Land Development Code is enacted pursuant to the requirements and authority of ~~Section 163.3202~~ Chapter 163, Part II, Florida Statutes, et seq. (the ~~Local Government Comprehensive~~ "Community Planning and Land Development Regulation Act") and the general powers established in Chapter 125, Florida Statutes (County Government) and the Constitution of the State of Florida.

The purpose of this Land Development Code is to implement the Comprehensive Plan of the County by establishing regulations, procedures and standards for review and approval of all development and use of land in the unincorporated portions of the county. Further, this Land Development Code is adopted in order to foster and preserve public health, safety, comfort and welfare in the unincorporated areas of the County. It is the intent of this Code that the development process in Manatee County be efficient, in terms of time and expense, effective, in terms of addressing the natural resource and public facility implications of proposed development, and equitable, in terms of consistency with established regulations and procedures, respect for the rights of property owners, and the consideration of the interests of the citizens of the County.

~~Section 102.~~ Section 105. Administrative Procedures.

The County Administrator is authorized to establish administrative procedures for the implementation of this Code by County departments and staff. Such administrative procedures shall establish the technical standards and staff protocols for reviewing and processing development applications. Provided, however, any requirement that constitutes a substantive regulation of land development shall be included in this Code by amendment to the text hereof in accordance with applicable law.

~~Section 103.~~ Section 103. Applicability.

~~103.1.~~ 103.1. General Applicability.

~~The provisions of this Land Development Code shall apply to all development in unincorporated Manatee County. No development shall be undertaken without prior approval and issuance of a development order pursuant to the provisions of this Land Development Code, except as provided noted in this Section 103.2. The provisions of this Land Development Code shall apply to all development in unincorporated Manatee County.~~

~~103.2.~~ 103.2. Exceptions.

~~A. 103.2.1.~~ Projects which have Special Exception status under Chapter 1, Section ~~4B-D.2~~ of the Comprehensive Plan, to the extent of that status, shall not be required to meet the requirements of ~~the following Sections:~~

- ~~1. Section 360.540, Certificate of Level of Service Compliance;~~
- ~~2. Section 403.8.D.604.3.4 Coastal High Hazard Area Overlay District/Limitations on Permitted Uses;~~
- ~~3. Section 403.8.E.604.3.5 Coastal High Hazard Area Overlay District/Setback Requirements and Wetland Buffers;~~

4. [Section 401.3.D.9, 702-6-8 Waterfront Yards](#);

5. [Section 706, 719 Wetland Protection](#); and

6. ~~a~~Any other Section of this Code where the applicant can clearly demonstrate that the Section is a direct result of the Comprehensive Plan and could not have been required under the previous Comprehensive Plan.

~~Amendments to such projects shall be reviewed for consistency with Chapter 11 of this Code if non-conforming.~~

~~B. 103.2.2. ——— Projects which have Special Exception status under Chapter 1, Section 4B of the Plan, or projects which that have an approved Development of Regional Impact development order, preliminary development plan, preliminary site plan, preliminary subdivision plat, final development plan, final site plan, final subdivision plat development order or building permit prior to the effective date of this Code may continue to be developed in a manner consistent with the most recent approval for such project; provided that such approval was lawfully granted and has not expired or otherwise been terminated. However, All such projects which elect to be reviewed under this Section 103.2.2 shall be subject to all provisions of this Code which are not specifically addressed in such approval or are not inconsistent with such approval subject to the provisions of Section 103.2.1 above.~~

~~C. Amendments to such a the projects addressed in A and B, above, shall be reviewed for consistency with Chapter 11, Section 107 of this Code if non-conforming.~~

~~103.2.3. ——— Flag Lot. Within one (1) year from the effective date of this Code, an individual flag lot may be permitted to be created as outlined in Section 202B.4 of the 1981 Manatee County Comprehensive Zoning and Land Development Code (Ordinance 81-4) as amended. After one (1) year from the effective date of this Code no new flag lots shall be created.~~

~~D. 103.2.4. ——— Except where specifically provided for in this Code, the following structures and uses shall be exempt from the regulations of this Code:~~

~~1. 103.2.4.1. Utility Installations. Wires, cables, conduits, vaults, laterals, pipes, mains, valves or other similar equipment for the distribution to consumers of telephone or other communications, electricity, gas, or water, or the collection of sewage or storm water operated or maintained by a governmental entity or a public utility including customary meter pedestals, telephone pedestals and distribution transformers, whether any such installation is located underground or aboveground but not including any substation located on or above the surface of the ground.~~

~~2. 103.2.4.2. Railroad Facilities. Railroad tracks, signals, bridges and similar facilities and equipment located on a railroad rights-of-way, and maintenance and repair work on such facilities and equipment.~~

~~3. 103.2.4.3. Public Schools. Public Schools shall be required to adhere to all requirements of this Code except those requirements which public schools are not required to meet under Chapter 2351013, Florida Statutes, the State Requirements for Educational Facilities, and the Amended and Restated Interlocal Agreement for Public School Facility Planning between the School Board of Manatee County, the County and certain municipalities.~~

~~4. 103.2.4.4. Public Parks. Passive activity recreation and temporary recreation uses conducted on county designated park land. This exemption does not apply to either structures greater than one thousand (1,000) square feet or vehicle use areas larger than twenty-five (25) parking spaces located within County park land.~~

~~(Ord. No. 91-23, § 3, 2-19-91; Ord. No. 92-60, § 3, 12-14-92; Ord. No. 06-20, § 2, 2-24-06)~~

Section 104. Consistency with Comprehensive Plan.

~~103.3. — In the event of a conflict between the regulations in the Land Development Code and the Comprehensive Plan, in all instances the Comprehensive Plan shall supersede the Code.~~

Commented [LDI1]: I. Combined with B and moved to C, below.

Commented [LDI2]: 2. Section 103.2.3 is now obsolete as the one year has passed.

Section 105.202-Rules of Construction Interpretation.

In the interpretation of the language of this Land Development Code, the rules set out in this section shall be observed unless such construction would be inconsistent with the manifest intent of the Board.

Commented [LD13]: 3.Sec. 104 (Official Zoning Atlas) moved to Ch. 4. Sec. 105 (Admin Procedures) moved to Chap. 3.

105.1. 202.1. Generally.

- A.** All provisions, terms, phrases and expressions contained in these regulations shall be liberally construed in order that the true intent and meaning of the Board may be fully carried out. Terms used in these regulations, unless otherwise specifically provided, shall have the meanings prescribed by the statutes of this State for the same terms. The terms used in this Code are intended for use with this Code only and may not apply to other codes or regulations. When a Section number within this Code is referred to, then all Subsections shall apply.
- B.** In the interpretation and application of any provision of these regulations, the provision shall be held to be the minimum requirement adopted for the promotion of the public health, safety, comfort, convenience and general welfare. Where any provision of this Land Development Code imposes greater restrictions upon the subject matter than a general provision imposed by another provision of these regulations or other County ordinance, unless stated otherwise the provision imposing the greater restriction or regulation shall be deemed to be controlling. References to Statutes in this Code are deemed to include successive and replacement regulations.
- C.** It is not the intent of this Code to interfere with, abrogate or annul any order of a court of competent jurisdiction, statute, or other provision of law. Further, this Code is not intended to abrogate any legally enforceable easement, covenant, or any other private agreement, or restriction; provided that where the provisions of this Code are more restrictive or impose higher standards or regulations than such easement, covenant or other private agreement or restriction, the requirements of this Code shall govern.

105.2. 202.2. Computation of Time.

The time within which an act is to be done shall be computed by excluding the first and including the last day; if the last day is a Saturday, Sunday or legal holiday recognized by the Board, that day shall be excluded. The next regular business day shall then be considered the last day.

105.3. 202.3. Delegation of Authority.

Whenever a provision of this Code requires any County officer or employee to do some act or perform some duty, this Code shall be construed to authorize delegation to professional-level subordinates to perform the required act or duty unless the terms of the provision or section specify otherwise.

Whenever the Code refers to any specific County department or other agency to do some act or perform some duty, this Code shall be construed to allow the performance of such act or duty by the department or its successor that normally performs such act or duty.

In the instance of a conflicting delegation, the County Administrator shall designate the department, County Officer or employee responsible for such act or duty.

105.4. 202.4. Gender.

Words importing the masculine gender shall be construed to include the feminine and neuter.

105.5. 202.5. Non-Technical and Technical Words.

Words and phrases shall be construed according to the common and approved usage of the language, but technical words and phrases and such others as may have acquired a peculiar and appropriate meaning of law shall be construed and understood according to such meaning.

105.6. 202.6. Number.

A word importing the singular number may extend and be applied to several persons and things as well as to one person and thing. The use of a plural number shall be deemed to include any single person or thing.

105.7. ~~202.7.~~ Shall, May.

The word "shall" is mandatory; "may" is permissive.

105.8. ~~202.8.~~ Tense.

Words used in the past or present tense include the future as well as the past or present.

105.9. ~~202.9.~~ Written or in Writing.

The term "written" or in writing" shall be construed to include any representation of words, letters or figures, whether by printing or otherwise.

105.10. ~~202.10.~~ Year.

The word "year" shall mean a calendar year, unless otherwise indicated.

105.11. ~~202.11.8.~~ Boundaries of Transportation Construction Districts.

Any road used as a boundary of a transportation construction district may be considered within any district it bounds for the purpose of using the transportation impact fees.

105.12. ~~202.12.~~ Used For.

For the purposes of administration and enforcement of Chapter [118](#) (Impact Fees) of this Code, the phrase "used for" includes "arranged for," "designed for," "maintained for," or "occupied for."

105.13. ~~202.13.~~ Connected Terms.

Unless the context clearly indicates the contrary, where a regulation involves two (2) or more items, conditions, provisions, or events connected by a conjunction "and," "or," "either...or," the conjunction shall be interpreted as follows:

- A. ~~202.13.1.~~ "And" indicates that all the connected terms, conditions, provision, or events shall apply.
- B. ~~202.13.2.~~ "Or" indicates that the connected terms, conditions, provisions or event may apply singularly and in any combination.
- C. ~~202.13.3.~~ "Either...Or" indicates that the connected items, conditions, provisions, or events shall apply singularly, but not in combination.

105.14. References to Other Laws.

References to applicable laws such as Florida Statutes, the Florida Administrative Code, the United States Code, and to provisions of this Code or the County's Code of Ordinances shall include all amendments and successor provisions thereto.

(Ord. No. 91-23, § 3, 2-19-91; Ord. No. 91-29, § 3, 11-20-91; Ord. No. 92-60, § 3, 12-14-92; Ord. No. 01-31, § 3, 6-5-04)

Section 106. Enforcement, Violations, and Penalties. ~~Chapter 12-- Enforcement~~**106.1. ~~Section 1201.~~ Purpose and Intent.**

This ~~Chapter~~ Section is intended to establish enforcement responsibilities, define Code violations and provide penalties for violations.

- A. ~~1201.1.~~ **Authority.** In conducting investigations of suspected or known violations, the Department Director shall have the authority, where otherwise lawful, to inspect property, obtain the signed statements of prospective witnesses, photograph violations, and do such other gathering of evidence as is necessary for the complete investigation of a violation.

Commented [LD14]: 4.Section 202.11 (1 to 7) moved to Chapter 4

Commented [LD15]: 5.Added per CAO's recommendation.

B. ~~1204.2.~~Responsibility. The provisions of this Code, any local Codes or Ordinances, or other Codes, Statutes, Regulations as allowed by law may be enforced by the [Department](#) Director.

C. ~~1204.3.~~Initiation. Investigations of violations under this Section shall be initiated by the [Department](#) Director upon a complaint provided by any person, ~~the Planning Director, Building Official, the Public Works Director and other~~ County officials ~~and or~~ employees, or upon direction of the Board of County Commissioners.

~~106.2.~~ — Section 1202 – Violations.

A. ~~1205.1.~~Definition. In this section "violation of this Code" means:

1. ~~a.~~ Doing an act that is prohibited or made or declared unlawful, an offense or a misdemeanor by ordinance or by rule or regulation authorized by ordinance;
2. ~~b.~~ Failure to perform an act that is required to be performed by ordinance or by rule or regulation authorized by ordinance; or
3. ~~c.~~ Failure to perform an act if the failure is declared a misdemeanor or an offense or unlawful by ordinance or by rule or regulation authorized by ordinance.

In this section "violation of this Code" does not include the failure of a County officer or County employee to perform an official duty unless it is provided that failure to perform the duty is to be punished as provided in this Section.

B. ~~1202.1.~~Persons in Violation. Any person whether owner, lessee, principal, agent, employee, occupant of any land or part thereof, and any architect, builder, contractor, agent or other person who participates, assists, directs, creates or maintains any situation that: (a) violates any provision of this Code, (b) permits any such violation, (c) fails to comply with any of the provision or requirements hereof, including any conditions, stipulations, or safeguards attached to any permit, variance, or other such final authorization or approval hereunder, or (d) who erects, constructs or reconstructs any building or structure, or uses any land in violations of any written statement or plan submitted and approved pursuant to this Code, shall be in violation of this Code.

1. ~~1202.1.1.~~ Any person(s) in violation of this Code shall be held responsible for due violation and be subject to the penalties and remedies provided herein. Such person(s) upon conviction shall be subject to punishment as provided by law.
2. ~~1202.1.2. Separate Offense.~~ Each and every person who commits, participates in, assists in, or maintains such violation may individually be found guilty of a separate offense. Each day that such violation continues to exist shall constitute an additional and separate offense.
3. ~~1202.2. Structures and Uses in Violation.~~ Any structure or lot erected, constructed, altered, occupied or used contrary to any provisions of this Code and all other applicable codes, stipulations, conditions, approvals and variances shall be declared to be unlawful.

~~Section 1203 Reserved.~~

~~106.3.~~ — Section 1204 – Enforcement and Penalty.

A. ~~1204.1.~~Remedies. The Board of County Commissioners or any aggrieved person may have recourse to such remedies in law and equity as may be necessary to insure compliance with the provisions of this Code, including injunctive relief to enjoin and restrain any person violating the provisions of this Code, and any rules and regulations adopted under this Code, and the court shall, upon proof of the violation of the Code, have the duty to forthwith issue such temporary and permanent injunctions as are necessary to prevent the violation of the Code.

B. ~~1204.2.~~Penalty. Any person violating the provisions of this Code or who shall fail to abide by and obey all regulations and orders adopted under this Code shall be punished as provided in ~~s~~Section ~~1205~~~~106.4~~. Each day that the violation shall continue shall constitute a separate violation.

~~—1204.3. A purchaser of land sold in violation of this Code or any regulation or order adopted under this Code shall be entitled to the same remedies provided to purchasers by law; provided that failure to comply with the provisions of this Code shall not impair the title of land so transferred.~~

(Ord. No. 07-59, § 6, 10-23-07)

Commented [LD16]: 6. Section 1204.3 deleted per CAO's recommendation. Beyond legal authority of the County.

106.4. ~~Section 1205. Penalties General Penalty; Continuing Violations; Cessation of Building and Other Land Use Permits.~~

A. ~~1205.2. General Penalty.~~ Except as otherwise provided by law or ordinance, a person convicted of a violation of this Code shall be punished by a fine not to exceed five hundred dollars (\$500.00) or by imprisonment in the county jail for a term not exceeding sixty (60) days, or by both such fine and imprisonment. With respect to violations of this Code that are continuous with respect to time, each day the violation continues is a separate offense.

~~1. a. — The imposition of a penalty does not prevent revocation or suspension of a license, permit or franchise, the imposition of civil fines or other administrative actions.~~

~~2. b. — Violations of this Code that are continuous with respect to time may be abated by injunctive or other equitable relief. The imposition of a penalty does not prevent equitable relief.~~

~~c. — The Board may order the County Administrator and applicable County employees to cease, and thereupon the County Administrator and applicable County employees shall cease, issuance of any Building Permits or renewals or extensions thereof, and all review of applications for, and issuance of, land use permits for any location in unincorporated Manatee County to any person, or anyone acting on behalf of, for the benefit of or in concert with such person, who, on or after February 7, 1992, has been found through a code enforcement hearing or by a court of competent jurisdiction to have two (2) or more violations of this Code pertaining to the use of land, or one (1) violation of this Code pertaining to the use of land which violation poses an imminent threat to the public health, safety and welfare, unless such building or land use permit is required in order to cure the violation. Issuance of permits may resume once the violation has been cured or the person has provided a letter of credit to the County in an amount that, in the judgment of the County Administrator, would be sufficient for the County to perform the work necessary to cure the violation in the event that the person fails to cure it.~~

~~d. — In addition to the enforcement mechanisms set forth above, the Planning Director may revoke any administratively approved development order subject to the appeal provisions of Section 516.~~

(Ord. No. 07-59, § 6, 10-23-07)

~~Section 1206 Additional Penalties.~~

B. ~~1206.4. Stop Work Order.~~ The ~~Department~~ Director may issue a Stop Work Order on a premises, lot or parcel that is in alleged violation of any provision of this Code, or is being done in a dangerous or unsafe manner. A Stop Work Order may be issued in place of or in conjunction with the actions and procedures identified in this Chapter. Such notice shall be in writing and shall be given to the owner of the property, or to his agent, or to the person doing the work, and shall state the conditions under which work may be resumed. Where an emergency exists, the ~~Department~~ Director shall not be required to give a written notice prior to stopping the work. Upon receipt of a Stop Work Order, all work associated with the violation shall immediately cease. Any person, whether owner, lessee, principal, agent, employee, or other person who continues to work shall be in violation of this Code and upon conviction, may be punished as provided by law. The issuance of a Stop Work Order may be appealed in accordance with ~~Chapter 3, Part X Section 516~~, Appeals, for Land Development Code matters and the Construction Code Board of Appeals for Building Code related matters, by any aggrieved person. An inspection fee shall be paid before any reinspection is conducted. Stop Work Orders may be issued by the ~~Department Director Building Official~~ pursuant to the Manatee County Building Code.

~~1206.2. Suspension of Development Review Proceedings. The Director shall suspend consideration of any application for development approval during a code enforcement proceeding involving all or a portion of the proposed for development. The Director may suspend consideration of any application for development approval if the premises, lot or parcel has any non-compliance of any applicable code, ordinance or regulations. Approvals may be issued that bring the premises into full and complete compliance with all the requirements of this and applicable codes in a reasonable time, provide [provided] the use is a permitted use.~~

~~1206.3. Citations. This subsection establishes a schedule of violations and civil penalties for enforcement of this Code through citations under Section 162.21, Florida Statutes.~~

C. ~~1206.3.1. Schedule of Violations and Civil Penalties.~~ A violation of any provision of this Code is a civil infraction. The civil penalties to be assessed for violation of any provision of specific sections of this Code shall be

Commented [LDI7]: 7.Item c deleted per CAO's recommendation. Beyond legal authority of the County.

Commented [LDI8]: 8.Item d deleted per CAO's recommendation.

Commented [LDI9]: 9.Sec. 1206.2 deleted per CAO's recommendation.

as follows:

Commented [LDI10]: I0.Restored table as directed by staff. To be moved out of LDC at a later phase.

Schedule of Violations and Penalties

SECTION NUMBER	TITLE	CIVIL PENALTY (DOLLAR) FIRST VIOLATION	REPEAT VIOLATIONS
6053163	Special Permit	150	400
6063152	Administrative Permit	100	250
6073547	Temporary Use <u>Permits</u>	100	250
608Ch. 3, Part IV	Site Plans	150	400
6143470	Certificate of Appropriateness	150	400
702401.3	Bulk and Dimensional Regulations	100	250
703Ch. 5, Part II	<u>Standards for Accessory Uses and Structures</u>	100	250
704Ch. 5, Part IV	<u>Conditional Use Criteria</u> <u>Standards for Specific Uses</u>	100	250
705Ch. 5, Part III	<u>Standards for Temporary Uses</u> <u>Criteria</u>	100	250
7061004.2	Access and Drainage Regulations	150	400
707531.5249	<u>Adult Entertainment Uses</u> <u>Sexually Oriented Businesses</u>	150	400
708531.4	<u>Sale of Alcoholic Beverages</u> <u>Establishments</u>	150	400
7098067	<u>Outdoor</u> Lighting	100	250
71010056	Off-Street Parking <u>and Loading</u>	100	250
10067	<u>Off-Street Loading</u>	100	250
727	<u>Handicap Requirements</u>	150	400
71410045	Driveway Access Regulations	100	250
7121001.1	Required Access to Lots	100	250
71310023.1	Visibility Triangles	100	250
714700	Tree Protection	150	400
715701	Landscape and Screening Standards	150	400
716511.4	Emergency Storm Shelters <u>and Evacuation Program</u>	150	400
717801	Stormwater Management	150	400
718802	Floodplain Management	150	400
719706	Wetland Protection	150	400
721705	Habitat, Wildlife and Endangered Species Protection	150	400
72233727	Installation of Required Improvements	150	400
723Ch. 5, Part V	Adverse Impact Performance Standards	150	400
724Ch. 6	Signs	100	250
725403.2.K	<u>Airport Zones and Airspace</u> <u>Tall Structure and Object Height Limitation</u>	150	400
726531.5	<u>Animal Services (Wild and Exotic Animals)</u>	100	250
7288043.3	Solid Waste Regulations	150	400
73010056.9	Fire Access Requirements	150	400
731531.33	Moored Water Craft	100	250
732702	Earthmoving	150	400
7331001.72.6	Traffic <u>Control</u> Standards	100	250
734511.173	Waterfront Structures	150	400
737900	Entranceways	100	250
738704	Groundwater/Wellhead Protection	150	400
7421001.8	Street and Structure Numbering Standards	100	250
1206.4.106.4.B	Stop Work Order	150	400
1206.4.347.4106.4.E	<u>Historical and Archaeological Protection</u> <u>Penalties and Remedies</u>	150	400
1206.6106.4.C	<u>Water Shortage Plan</u>	400	250

~~1206.6. Water Shortage Plan. The Sheriff, duly appointed deputies, the Director or designee, and other enforcement officials shall diligently enforce the provisions of the Water Shortage Plan and the Water Shortage Emergency.~~

~~1206.6.1. In situations where Chapter 373, Florida Statutes, is specifically applicable, any violation may be enforced as~~

Commented [LDI11]: 11.1206.4 (HP Enforcement) and 1206.5 (Wetland Enforcement) moved to chapter 7.

Commented [LDI12]: 12. Sections 1206.6 and 1206.6.1 deleted as recommended by the CAO. This issue does not belong in the LDC.

allowed by Section 373.613, Florida Statutes.

1206.7. Obstacles Within the Rights-of-Way. All items including but not limited to signs, boulders, posts, building materials, solid waste, hazardous waste, trash, debris, junk vehicles within the right-of-way may be removed without attempting to notify the owner or other persons. However, fences within the right-of-way require a Notice of Violation. Public Works Department may remove the above obstacles. For the removal of signs on the rights-of-way, also see Section 724.11.7.

~~1206.8. Junk Vehicles.~~ Manatee County declares that junk vehicles per se are a nuisance due primarily to safety, aesthetics, and visual impact on surrounding areas and, as such may be removed when found to be in violation of this Code. Such junk vehicles constitute a breeding ground for mosquitoes, snakes, rats, rodents, and other vermin. Further, junk vehicles constitute a fire hazard, a dangerous attraction to children, and a haven for drug dealers. When a junk vehicle is found:

- ~~1. A Code Enforcement Officer shall place a written notice on the vehicle indicating that it is in violation of this Code and that it must be removed within ten (10) calendar days or it will be subject to removal by the County. After the expiration of the ten (10) day period, the Code Enforcement Officer shall make a reasonable attempt to determine the owner of the vehicle or the owner of the property, and shall attempt to notify such owner(s) with a written notice delivered by registered or certified mail, return receipt requested, or personal service at their current address, last known address or the address appearing on the certificate of title for the vehicle. The written notice shall specify that the junk vehicle must be removed within forty-eight (48) hours from receipt of the notice.~~
 - ~~2. Within the period specified in the notice, the owner of the vehicle or the owner of the property or an authorized agent may appeal the written notice to the Planning Director. If appealed, the Planning Director shall review the violation, and based upon the evidence shall either affirm or dismiss the violation. The Planning Director may also, for good cause, extend the time for compliance or removal. No removal shall commence while an appeal is pending.~~
 - ~~3. After the time period for removal has expired, the Planning Director may cause such vehicle to be removed to a storage facility and thereafter disposed of, in accordance with applicable state law, if not reclaimed and disposed of properly by the owner. The County may assess the reasonable costs related to the removal, towing and storage of the vehicle, as determined by the Planning Director, prior to its release to the vehicle owner. The salvage value of the junk vehicle, if any, shall be retained by the County to be applied against the cost of removal, towing, storage and destruction thereof.~~
 - ~~4. The property or vehicle owner(s) may appeal the Planning Director's final decision to the Circuit Court.~~
 - ~~5. The authorization in this Section for the towing of junk vehicles shall not be construed to preclude the county from pursuing other remedies available under this Code or other county ordinances or State law to enforce this section.~~
- ~~(Ord. No. 91-23, § 3, 2-19-91; Ord. No. 91-29, § 3, 11-20-91; Ord. No. 93-27, § 2, 9-1-93; Ord. No. 98-19, § 3, 12-15-98; Ord. No. 06-49, §§ 1-6, 8-29-06; Ord. No. 07-59, § 6, 10-23-07)~~

106.5. ~~Section 1207~~ Other Remedies Preserved.

~~1207.1.~~ The foregoing provisions shall not be construed to preclude initiation by the County at any time of any lawful civil action or criminal action relating to the violation of a County ordinance upon authorization by the Board of County Commissioners, nor to preclude the operation of any other enforcement procedure.

~~(Ord. No. 07-59, § 6, 10-23-07)~~

Section 107. ~~Chapter 11~~ Nonconformities

107.1. ~~Section 1101~~ Purpose and Intent.

~~1101.1.~~ The purpose of this ~~Section~~Chapter is to provide for the regulation and limit the development and continued existence of uses, structures, and lots established prior to the effective date of this Code which do not conform to the requirements of this Code and to address nonconformities that result from the exercise of eminent domain powers. ~~Many nonconformities may continue subject to the provisions of this Code or the Comprehensive Plan.~~ It is the general intent of this ~~Section~~Chapter to reduce nonconformities and eventually bring them into conformance.

Commented [LDI13]: 13.in the ROW are not relevant to land development. Fences are addressed under violations of code. No need to have a separate section.

Commented [LDI14]: 14.Moving Sec. 1206.8, Junk Vehicles, to the code of ordinances

107.2. Legally Existing Nonconforming Uses Structures and Lots.

~~1101.2.~~ Any nonconforming use, structure, or lot which lawfully existed as of the effective date of this Code and which remains nonconforming, and any use, structure, or lot which has become nonconforming as a result of the adoption of this Code or any subsequent amendment to this Code or as a result of an acquisition of real property by Manatee County or a state agency through the exercise or threat of exercise of its power of eminent domain may be continued or maintained only in accordance with the terms of this ~~Section~~Chapter.

(Ord. No. 06-17, § 2A, 1-10-06)

107.3. ~~Section 1108 Otherwise Illegal Uses and Structures Prohibited- Applicability.~~

~~1108.1.~~ All of the foregoing ~~The~~ provisions relating to nonconforming uses and structures shall apply to all nonconforming uses and structures existing, or created on the effective date of this Code, and to all uses and structures that become nonconforming by reasons of any amendment thereof. The provisions shall not apply, however, to any use established or structures erected or expanded in violation of law, regardless of the time of establishment or erection.

107.4. ~~Section 1109 Signs.~~

~~1109.1.~~ Signs on nonconforming uses of land or structures and nonconforming signs shall be controlled by the provisions of ~~Chapter 6 Section 724~~ of this Code.

107.5. ~~Nonconforming Uses.~~**A. ~~Section 1102 Change or Expansion of Nonconforming Use.~~****Section 1104 Change of Use.**

1. ~~1104.1.~~ A legally existing nonconforming use may be changed to a permitted use or conditional use for the zoning district in which the property is located, in accordance with the procedures of Chapter 35 of this Code. A nonconforming use shall not be changed to another nonconforming use.
2. ~~1102.1.~~ Except as provided in this ~~Section~~Chapter, a lawful nonconforming use shall not be changed, intensified, expanded, extended or enlarged in any manner beyond the floor area or lot area that it occupied on the effective date of this Code or the effective date of any amendment to this Code rendering such use nonconforming. Residential Accessory Uses and Home Occupations are exempted from this provision provided they otherwise comply with this Code.

~~1102.2.~~ All existing, accessory use of Parking of Commercial Vehicles and Restricted Vehicles shall comply with Section 703.2.14 and 703.2.15 of this Code, by June 1, 1993 and thereafter.

3. ~~1102.3.~~ A ~~lawfully existing nonconforming use classified as a "Special Permit" per this Code~~ When a lot is used lawfully, as a legal non-conforming use, on the effective date of this Code, and Chapter 46 of this Code classifies such use as a "Special Permit" in the zoning district in which it is located, such use is hereby deemed a lawful Special Permit for the purpose of this Code and shall be subject to the following:
 - a. ~~1102.3.1.~~ No ~~Such~~ use existing prior to the effective date of this Code which is allowed by special permit by the provisions of this Code, shall not be replaced or ~~enlarged~~ expanded except in accordance with the provisions of Section ~~505~~316, Special Permit and this section.
 - b. ~~1102.3.2.~~ Use of a ~~The~~ structure or land which has occupied been approved by such use special permit after the effective date of this Code, or which was an approved special exception prior to the effective date of the Code, or meeting the provisions above, may be expanded or enlarged by not more than one thousand (1,000) square feet within any period of three (3) years without requiring an additional special permit approval; and provided that all ~~yard and other~~ dimensional requirements can be met, unless this Code or the special permit approval specifically prohibits such expansion or enlargement.
4. ~~1102.4.~~ These ~~legal~~ A lawfully existing non-conforming uses that would now require an A administrative ~~P~~ permit shall be deemed to have A administrative ~~P~~ permit approval and shall be subject to the following:
 - a. ~~No Such~~ use existing prior to the effective date of this Code which is allowed by Administrative Permit by the provisions of this Code, shall not be replaced or ~~enlarged~~ expanded except in accordance with the

Commented [LDI15]: 15.This section differentiates between "special" and "administrative" permit uses. The only difference between the 2 is the max. Size of the permitted expansion. We would recommend consolidating into a single section and using the 2,000 sf provision (later phase)

Commented [LDI16]: 16.Deleted section 1102.2 because Parking of Commercial Vehicles regulations were moved to the code of ordinances.

provisions of Section ~~506~~315, Administrative Permits, and this section.

- ~~b. 1102.4.1.A~~The structure ~~on land which used lawfully as occupied by such use a legal non-conforming use as provided above,~~ may be expanded or enlarged by not more than one thousand (1,000) square feet or ten (10) percent of the gross floor area, whichever is greater, not to exceed two thousand (2,000) square feet in area within any period of three (3) years without requiring ~~A~~administrative ~~P~~permit approval, and; provided that all ~~yard and other~~dimensional requirements can be met, unless this Code or previous approvals specifically prohibits such expansion or enlargement. An existing or new ~~A~~administrative ~~P~~permit shall not authorize or otherwise exempt a project from the ~~se~~ square foot provisions ~~above.~~

(Ord. No. 92-60, § 3, 12-14-92; Ord. No. 07-59, § 5(Exh. C), 10-23-07)

~~Section 1103~~ Discontinuation of Nonconforming Use.

- ~~B. 1103.1.~~If a nonconforming use is discontinued for a period of one (1) year or more, including any period of discontinuation before the effective date of this Code except where governmental action impedes, such use, then that use shall not be renewed or re-established thereafter and any subsequent use of the lot or structure shall conform to the use regulations of the zoning district in which it is located.

Standard agriculture practice which results in allowing a field to lie fallow will not be considered a discontinuation of a non-conforming use. Said non-conforming use is subject to verification by the property owner, Agricultural and Natural Resources Department, and other County staff as deemed appropriate.

(Ord. No. 93-27, § 2, 9-1-93)

107.6. Nonconforming Structures

~~Section 1105~~ Repair or Reconstruction of Nonconforming Structure.

- ~~A. 1105.1.~~ Only ordinary repairs and maintenance as defined by this Code may be made to a nonconforming structure, unless exempted below.

~~1105.1.1.~~The rebuilding, reconstruction, or relocation of an otherwise conforming structure or use rendered nonconforming as a result of the acquisition of a portion of the real property on which such structure or use is located by the County or a state agency through the exercise or threat of exercise of its power of eminent domain shall be governed by the provisions of Section 1112.3. Any expansion of such use or structure shall be governed by Section 1102 or 1106, respectively.

- ~~1. 1105.1.2.~~If a nonconforming structure is damaged by a fire, flood, windstorm, or similar event, and the cost of restoring the structure to its condition immediately prior to the event is not considered constitutes a substantial improvement then the structure may be restored to its original nonconforming condition, provided that:
- ~~a. A~~ Building ~~P~~permit is secured.
 - ~~r~~ Reconstruction is started within one (1) year ~~or less~~ from the date of the damage, and
 - ~~s~~ Such reconstruction is diligently pursued to completion.

Cost of restoration shall be determined in the manner established by the ~~Department Director~~Building Division of the Planning Department.

- ~~2. 1105.1.3.~~If a nonconforming structure is destroyed or damaged by a fire, flood, windstorm, or similar event, and the cost of restoring the structure to its condition immediately prior to the event ~~is~~ constitutes a substantial improvement, then the structure shall not be restored unless the structure as restored, and the use thereof, will thereafter conform to all requirements of the land use zoning district in which it is located and this Code, Structures subject to the exception provision in Section 107.6~~1105.1.5~~ and/or ~~provided however that a structure subject to Section 107.9.C~~1112.3 may be restored ~~with such non-conformities as are permissible pursuant to Section 107.9.C~~1112.3, regardless of the cost of restoration. Cost of restoration shall be determined in the manner established by the ~~Department Director~~Building Division of the Planning Department.
- ~~3. 1105.1.4.~~All structures located in the one hundred (100) year floodplain, shall adhere to the provisions of Section 802, ~~the Manatee County Floodplain Management, Section 718~~ and the Manatee County Floodplain

Commented [LDI17]: 17.Section 1105.1.1 already addressed below under nonconformities created by eminent domain (1112.3)

Management Ordinance 89-10.

~~1105.1.5.~~ If Manatee County is declared a disaster area as a result of a storm, hurricane, tornado, flood or other similar act of God, by the Governor of the State of Florida or the President of the United States, then the provisions of Section ~~107.6.A.1~~ **1105.1.2** for the repair or reconstruction of a non-conforming structure, ~~damaged by such an event,~~ shall be hereby modified to allow the replacement or reconstruction of the structure on the original foundation.

4. This exception shall be allowed only if all of the following conditions are met:

- a. 4.**—The original structure was a multifamily residential building, ~~manufactured~~ mobile home in a ~~manufactured~~ mobile home park or subdivision, single-family detached home that is located in the Cortez Fishing Village HA Overlay District, or a single-family attached dwelling;
- b. 1.**—The original structure has Special Exception status as provided for in the Manatee County Comprehensive Plan;
- c. 2.**—The necessary ~~B~~ building ~~P~~ permits and ~~F~~ final ~~S~~ site ~~P~~ plans are issued within one (1) calendar year of the aforementioned storm, hurricane, tornado, flood or other similar acts of God; ~~and~~
- d. 3.**—The repair or reconstruction is done in a manner substantially consistent with the prior development approvals for those structures in regards to height, area, type of structures, setbacks and density. Other Code and Comprehensive Plan provisions not inconsistent with the foregoing must be met; ~~and~~

Any Building Permits issued under this modification may be allowed a maximum of one time extension not to exceed ninety (90) days as may be allowed by the Manatee County Building Code.

This modification shall not ~~exempt developments from meeting~~ ~~modify~~ the minimum floor elevation or other provisions of Section ~~802.7.18~~, (Floodplain Management), Section ~~403.8.H~~ ~~604.3.8~~ (Coastal High Hazard Area Overlay District/Reconstruction of Structures), and Manatee County Building Codes.

Section 1106. Alteration, or Enlargement or Movement of a Nonconforming Structure.

B. 1106.1. Except as provided in this Section or in Section ~~107.9~~ ~~1112~~ (Nonconformities Resulting From Exercise of Power of Eminent Domain), a nonconforming structure shall not undergo any substantial improvement or be enlarged or moved in any manner unless provided below:

- 1. 1106.1.1.** The enlargement, movement, or alteration itself conforms to the requirements of this Code; and/or such alteration or enlargement makes the structure conforming;
- 2. 1106.1.2.** The use of the structure is conforming; and
- 3. 1106.1.3.** The property owner or developer secures the ~~Planning Department~~ Director's approval for the enlargement or addition in accordance with this Code and other applicable regulations.

C. 1106.1.4. Movement of a Nonconforming Structure. Except as provided in this Section or in Section 107.9 (Nonconformities Resulting From Exercise of Power of Eminent Domain), a nonconforming A-structure shall not be moved in whole or in part to any other location unless every portion of such structure and the use thereof is made to conform with all requirements for the zoning district to which such structure is moved. The relocation of the structure shall also comply with structure relocation the requirements and other applicable County regulations.

D. 1106.1.5. Changed to Conforming Use. If any nonconforming use is changed to a conforming use, it shall not thereafter be put into any nonconforming use.

E. 1106.2. Nonconforming Structures in the Cortez Fishing Village HA Overlay District. Single-family historic structures in the Cortez Fishing Village HA Overlay District which are legally non-conforming structures due to setbacks may be renovated and expanded at existing side yard setbacks for corner lots, or rear yard setbacks, provided that the renovation, expansion or addition meets the standards of other sections of this Code and the following additional standards:

- 1. 1106.2.1.** Any addition or renovation must receive a Certificate of Appropriateness by the Historic Preservation Board;
- 2. 1106.2.2.** The structure for which the renovation or addition is requested is residentially used;

3. ~~1106.2.3.~~The existing side yard setbacks for corner lots on one side, must be no less than two (2) feet and no less than ten (10) feet on the other side;
4. ~~1106.2.4.~~The addition or expansion shall be located no closer than ten (10) feet to another existing structure on an adjacent lot; ~~and~~
5. ~~1106.2.5.~~No fill shall be used to elevate the addition; ~~and~~
6. ~~1106.2.6.~~The addition or renovation must comply with the Cortez Design Guidelines.

(Ord. No. 91-23, § 3, 2-19-91; Ord. No. 91-29, § 3, 11-20-91; Ord. No. 92-60, § 3, 12-14-92; Ord. No. 04-66, § 2B, 12-14-04; Ord. No. 06-17, § 2D, 1-10-06)

F. ~~Section 1110. Unsafe Structure.~~

1. ~~1110.1.~~Any non-conforming structure determined to be unsafe by the ~~Department Director Building Official~~ may be restored to a safe condition, subject to the regulations for non-conforming structures, ~~Section 1106~~. Such work on any nonconforming structure shall not place it in greater nonconformity.
2. ~~1110.2.~~If a nonconforming structure or portion of a structure contains a nonconforming use and becomes physically unsafe or unlawful due to lack of repairs and maintenance, and is declared by the ~~Department Director Building Official~~ to be unsafe or unlawful by reason of physical condition, it shall not thereafter be restored, repaired or rebuilt except in conformity with the regulations for non-conforming structures and district in which it is located. (Refer also to the Manatee County Unsafe Structure Ordinance and ~~Section 106~~ **Chapter 12, Enforcement, Violations, and Penalties**).

(Ord. No. 91-29, § 3, 11-20-91)

107.7. ~~1105.1.5.1. Nonconforming dDensities in rResidential pProjects.~~

~~(eExisting projects that exceed the allowed density of the zoning district or future land use category)~~ are subject to the following provisions:

- A. ~~1105.1.5.2.~~If individual units within a nonconforming condominium, apartment or ~~manufactured~~mobile home park project are substantially damaged or destroyed by a fire, flood, windstorm, or similar act of God, such units may be replaced to their pre-existing density.
- B. ~~1105.1.5.3.~~No additions, expansions, movement or substantial alteration of existing units within the aforementioned nonconforming residential units and/or projects shall be allowed.

(Ord. No. 91-29, § 3, 11-20-91; Ord. No. 92-60, § 3, 12-14-92; Ord. No. 93-27, § 2, 9-1-93; Ord. No. 04-66, § 2B, 12-14-04; Ord. No. 06-17, §§ 2B, 2C, 1-10-06)

107.8. ~~Section 1107 Nonconforming Lots.~~

A. ~~1107.1. Applicability.~~ A lot which does not conform to the applicable district regulations for minimum lot area or minimum lot width, or both, shall be deemed a nonconforming lot. Permitted Uses specified in such district regulations shall be exempt from such minimum lot area and minimum lot width requirements on a nonconforming lot which:

1. ~~1107.1.1. Lot of Record.~~ Was a legally created lot of record on the effective date of this Code;
 2. ~~1107.1.2. Creation.~~ Was not created in violation of this Code ~~or the previous Code (Ord. 81-4), adopted May 4, 1981~~ **and,**
 3. ~~1107.1.3. Not Part of a Series of Lots.~~ Was not part of a series of two or more vacant lots ~~which:~~
 - a. ~~1107.1.3.1. were~~ ~~in~~ a single ownership, and
 - b. ~~1107.1.3.2. Ssharing~~ continuous street front-age along their front lot lines, and,
 - c. ~~1107.1.3.3. are S~~sufficient when taken together to meet the minimum lot area and width requirements of the zoning regulations of this Code or prior zoning Codes which first made the lot nonconforming.
- ~~1107.1.3.4.~~In the event that a nonconforming structure is located on a lot which is contiguous to one or more

Commented [LD118]: 18. Could this be changed to "previous codes" without specifying the date?

vacant lots, all under the same ownership, then the vacant lot(s) may be separated from the lot with a structure provided the lot with the structure maintains minimum district setbacks adjacent to the lot being separated.

- B. ~~1107.2.Reduction in Size Prohibited.~~** Except where necessitated by government action, a lot which is nonconforming by reasons of area shall not be reduced by area, and a lot which is nonconforming by width shall not be reduced by width. No lot shall be reduced in width or area where such reduction will make such lots nonconforming, unless necessitated by government action.
- C. ~~1107.3.Use of Nonconforming Lots.~~** Nonconforming lots may be developed notwithstanding the failure of the lot to meet minimum lot area or minimum lot width requirements specified in the applicable district regulations, provided that the proposed development is a permitted use in the applicable district. All other regulations of this Code, including minimum yards, shall be met.
1. ~~1107.3.1.Use of Nonconforming Lots for Affordable Housing.~~ Nonconforming lots which were legally created and are in single ownership, sharing continuous street frontage, if taken together would meet the minimum zoning district regulations, do not have to combine lots to meet the zoning district regulations if all of the lots are developed as affordable housing.
 2. ~~1107.3.2.~~ Nonconforming lots created prior to this Code that contained more than one dwelling unit, ~~were~~ not in violation of previous Codes, ~~that and~~ did not increase the density within the approved subdivision may now gain access by easement per Section ~~1001.1.C.5~~ ~~712.2.7~~.
 3. ~~1107.3.3.~~ Nonconforming lots which were legally created and are in single ownership, sharing continuous street frontage, if taken together would meet the minimum zoning district regulations, do not have to combine lots to meet the zoning district regulations if the nonconformity exists only as a result of the exercise of eminent domain powers by the County or a state agency.
- D. ~~1107.4.Procedure.~~** As part of the application for a ~~B~~uilding ~~P~~ermit for a nonconforming lot, the applicant shall file the following documents with the ~~Department~~ ~~Planning~~ Director:
1. ~~1107.4.1.Drawing.~~ Scaled drawing with dimensions and distances showing boundary lines of the lot and the proposed location, size and use of the structure.
 2. ~~1107.4.2.Certificate.~~ Certificate of apparent ownership, or title opinion, stating that the Nonconforming lot of record is exempted from the minimum lot area and width requirements of this Code or prior zoning ordinances which made the lot nonconforming, the date and identification of the instrument by which the lot was created, and the basis for claiming nonconforming status.
- (Ord. No. 91-29, § 3, 11-20-91; Ord. No. 92-60, § 3, 12-14-92; Ord. No. 93-27, § 2, 9-1-93; Ord. No. 06-17, § 2E, 1-10-06)
- ~~Section 1111.Lots in Non-C~~onforming ~~Manufactured~~ ~~Mobile~~ Home, Recreational Vehicle Parks and Subdivisions.
- E. ~~1111.1.~~** In ~~Manufactured~~ ~~Mobile~~ Home and Recreational Vehicle Parks without recorded lots or lot lines, the midpoint of the shortest line that can be drawn between two structures shall be employed as the lot line for the purpose of this Code.
- 107.9. ~~Section 1112.~~ Nonconformities Resulting From Exercise of Power of Eminent Domain.**
- A. ~~1112.1.Applicability.~~** The provisions of this Section shall apply to real property of which a portion is acquired by Manatee County or a state agency through the exercise or threat of exercise of eminent domain powers on or after February 1, 2006. This Section shall apply without regard to whether the real property acquisition is pursuant to an order of a court of competent jurisdiction or is pursuant to a process of negotiated purchase. This Section shall apply without regard to whether the acquisition was initiated by Manatee County or a state agency.
- B. ~~1112.2.Existing Nonconformities Preserved.~~** A nonconformity, of any nature whatsoever, which existed at the time of the real property acquisition shall not be deemed to be permitted, exempted, or reduced, in any manner, nor to any extent, by the application of this Section.
- C. ~~1112.3.~~ Nonconformities Created by Eminent Domain Proceedings.**

1. ~~1112.3.1.~~ A nonconformity created through the exercise of eminent domain powers shall not constitute a violation of this Code, and the owner of any property that is the subject of such nonconformity shall not be required to cure such nonconformity.
2. ~~1112.3.2.~~ Any structure or site improvement subject to this Section may be rebuilt, relocated, or reconstructed to cure the adverse impacts that result from the exercise of eminent domain powers, even if such rebuilding, relocation, or reconstruction does not conform to this Code with respect to area, width, depth, setbacks, required yards, landscape buffer, location of improvements, location of signs, or parking, so long as the following criteria are met:
- a. ~~1112.3.2.1.~~ The proposed rebuilding, relocation, or reconstruction is necessary to allow use of the property consistent with or similar to the pre-acquisition use of the property;
- b. ~~1112.3.2.2.~~ The size or intensity of the structure or use is not expanded in violation of Section ~~107.5.A 1102~~ or ~~107.6.B 1106~~ hereof; and
- c. ~~1112.3.2.3.~~ The rebuilding, relocation, or reconstruction will not result in a violation of the Comprehensive Plan.
3. ~~1112.3.3.~~ Either Manatee County or the state agency exercising its eminent domain powers, as the case may be, is authorized to apply for such permits or approvals necessary to carry out the rebuilding, relocation, or reconstruction of a structure or site improvement pursuant to this Section ~~107.9.C 1112.3~~.
4. ~~1112.3.4.~~ Following any acquisition of a portion of real property subject to this Section by Manatee County, the County shall endeavor to record with the Clerk of the Circuit Court a notice of severance on the remainder of the real property not acquired. The failure to record such notice shall not limit or prevent the application of this Section to the subject property.
- D. ~~1112.4.~~ Future Right-of-Way and Fire Safety Regulations.** The provisions of Sections ~~107.9.A 1112.1~~ to ~~107.9.C 1112.3~~ shall not apply nor be interpreted to waive or alter the provisions of this Code pertaining to future right-of-way lines, nor shall the provisions of this Section waive or alter the application of any fire prevention code or fire prevention requirements, either current or in the future, or applicable provisions of the Manatee County Building Codes.

(Ord. No. 06-17, § 2F, 1-10-06)

~~103.4. Severability of Sign Regulations.~~

~~If any part or provision of the sign regulations contained in Chapters 2 and 6 Sections 724, 201 and other provisions of the Land Development Code regulating signs or application thereof to any person or circumstance is adjudged invalid by a court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of these sign regulations or the application thereof to other persons or circumstances. The Board of County Commissioners hereby declares that it would have enacted the remainder of these sign regulations even without any such part, provision, or application. It is the specific intent of the Board of County Commissioners that each provision of the sign regulations contained in Chapters 2 and 6 Sections 724, 201 and other provisions of the Land Development Code regulating signs shall stand alone and operate independently of any other provision herein. If any section, subsection, sentence, phrase, or portion of the sign regulations in Chapter 2 and 6, Sections 724, 201 or other provisions of the Land Development Code containing sign regulations, is declared invalid for any reason, it is specifically declared by the Board of County Commissioners that such section, subsection, sentence, phrase, or portion is separate, distinct and independent of all other sections, subsections, sentences, phrases, or portions of the sign regulations in the Land Development Code such that all other provisions are intended to remain valid and enforceable.~~

(Ord. No. 91-23, § 3, 2-19-91; Ord. No. 92-60, § 3, 12-14-92; Ord. No. 06-20, § 2, 2-24-06)

Section 108. Public Works Standards Manual

In order to fully implement the requirements of the Comprehensive Plan and the Code, the County adopted the

Commented [LDI19]: 19. This section repeats section 724.22 (now 614). Not needed in both places.

[Manatee County Public Works Standards Manual. All development shall be reviewed by the County for compliance with the applicable criteria of this Manual.](#)

[A violation of any provision of the Public Works Standards Manual shall be deemed a violation of this Section and enforceable as provided in Section 106 of this Code.](#)

DRAFT