

RESOLUTION 26-08

A RESOLUTION OF THE CITY OF BELLE ISLE, FLORIDA, EXEMPTING CITY FROM SECTION 50-102(A)(9) OF THE LAND DEVELOPMENT CODE; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City of Belle Isle (the "City") is vested with home rule authority pursuant to Article VII, Section 2 of the Constitution of the State of Florida and Chapter 166, Florida Statutes, to enact ordinances and resolutions; and

WHEREAS, Section 41-3 of the Belle Isle City Code grants the City Council authority to exempt the City from any requirement of the Land Development Code upon an affirmative vote of a supermajority of its members; and

WHEREAS, Section 50-102(a)(9) of the Belle Isle Land Development Code prohibits canopy shelters, which include any fabric structure built in a tent-like manner used as a shelter for the storage of vehicles or equipment, in residential districts; and

WHEREAS, certain departments of the City have facilities located in residential districts and require canopy shelters to protect sensitive equipment used for law enforcement or other public purposes from exposure to the elements, and it is not feasible to place such equipment inside a permanent structure due to the nature of the equipment and the need for potential rapid deployment of such equipment in the interest of public health and safety; and

WHEREAS, the City Council desires to exempt the City from the restrictions of Section 50-102(a)(9) of the Land Development Code and finds such exemption to be in the best interest of the public welfare of the residents of the City of Belle Isle.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BELLE ISLE, FLORIDA, AS FOLLOWS:

SECTION 1. RECITALS. The foregoing recitals are true and correct and are incorporated in this Resolution by reference.

SECTION 2. EXEMPTION FROM LAND DEVELOPMENT CODE. The City Council hereby exempts the City from Section 50-102(a)(9) of the Belle Isle Land Development Code, as it may be amended from time to time. The City Council also ratifies and authorizes any use of canopy structures by the City prior to the effective date of this Resolution.

SECTION 3. EFFECTIVE DATE. This Resolution shall take effect upon its adoption.

SECTION 4. SEVERABILITY. If any provision of this Resolution or application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are declared severable.

ADOPTED by a _____ vote at a regular meeting of the City Commission of the City of Belle Isle, Florida, this ____ day of _____, 2026.

**CITY COMMISSION
CITY OF BELLE ISLE, FLORIDA**

[SEAL]

By: _____
Jason Carson, Mayor

ATTEST:

Yolanda Quiceno, City Clerk

Approved as to form and legality for use and reliance by the City of Belle Isle, Florida only:

Daniel W. Langley, City Attorney