

AN ORDINANCE AMENDING THE CITY OF CAPE CORAL LAND DEVELOPMENT CODE, BY AMENDING ARTICLE 5, "DEVELOPMENT STANDARDS", CHAPTER 1, "GENERAL REQUIREMENTS FOR ALL DEVELOPMENT", TO CREATE SECTION 5.1.20., "RESIDENTIAL STORM SHUTTERS", REGARDING THE INSTALLATION, PLACEMENT, AND MAINTENANCE OF STORM SHUTTERS ON OR OVER WINDOWS AND DOORS OF RESIDENTIAL DWELLING UNITS; PROVIDING SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City Council desires to preserve and protect the quality of life of its residents; and

WHEREAS, the City Council finds that the adoption of code provisions relating to the regulation of residential storm shutters and requiring their prompt removal will serve the best interest and promote the life safety of the citizens of the City of Cape Coral; and

WHEREAS, the City Council hereby finds that this ordinance is in the best interest of the public health, safety, and welfare.

NOW, THEREFORE, THE CITY OF CAPE CORAL, FLORIDA, HEREBY ORDAINS THIS ORDINANCE AS FOLLOWS:

SECTION 1. The City of Cape Coral Land Development Code, Article 5, Chapter 1, Section 5.1.20., "Residential storm shutters", is hereby created as follows:

Section 5.1.20. Residential storm shutters.

A. Protection from windborne debris is encouraged for all structures certified for occupancy in the City. The requirements of this section shall apply to all residential structures and residential dwelling units located within a mixed-use building. All storm shutters installed, placed, or maintained on or over windows and doors of residential dwelling units in the City shall be designed and installed in conformance with the Florida Building Code and maintained in conformance with the International Property Maintenance Code.

B. During the period from December 1 to May 31 of each calendar year, it shall be prohibited to place, allow, or maintain storm shutters, or any other materials, products, or devices, in a closed/secured position on a residential dwelling unit so as to impede egress, light, or ventilation, unless the City falls within the National Hurricane Center's forecast cone for a tropical storm or hurricane, and for up to 30 calendar days thereafter.

C. Notwithstanding anything to the contrary in this section, storm shutters may be temporarily placed in a closed/secured position on a residential dwelling unit for testing, maintenance, or repair purposes for a period of time not to exceed 24 continuous hours.

D. For the purposes of this section, storm shutters shall mean any material, product, or device placed on the exterior of a window or door of a residential dwelling unit which is designed and intended to protect the interior of the residence from wind damage during hurricanes or other similar weather events. This definition shall not include canopies, awnings, louvres, and traditional shutters that are designed to provide a shading or aesthetic benefit.

SECTION 3. Effective Date. This ordinance shall become effective immediately after its adoption by the Cape Coral City Council.

ADOPTED BY THE COUNCIL OF THE CITY OF CAPE CORAL AT ITS REGULAR SESSION THIS _____ DAY OF _____, 2022.

JOHN GUNTER, MAYOR

VOTE OF MAYOR AND COUNCILMEMBERS:

GUNTER _____
TATE _____
SHEPPARD _____
HAYDEN _____

NELSON _____
WELSH _____
LONG _____
COSDEN _____

ATTESTED TO AND FILED IN MY OFFICE THIS _____ DAY OF _____, 2022.

KIMBERLY BRUNS
CITY CLERK

APPROVED AS TO FORM:

DOLORES D. MENENDEZ
CITY ATTORNEY
Ord/StormShutters.DRAFT-031622

