

**ORDINANCE NO. 2020-36**

**AN ORDINANCE OF THE CITY OF VENICE FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 90, BUILDINGS AND BUILDING REGULATIONS; ARTICLE I, IN GENERAL; BY ADDING SECTION 90-8, TEMPORARY COVERINGS OF NON-RESIDENTIAL WINDOWS; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the City recognizes the value of improving and maintaining the visual appearance of the City by requiring temporary coverings on certain windows of vacant or unoccupied non-residential structures; and

**WHEREAS**, minimum standards are required to provide a visual barrier between public sidewalks and streets and the interior of vacant or unoccupied non-residential establishments; and

**WHEREAS**, the detrimental effects sought to be remedied by this amendment include the reduction of property value caused by unsightly window coverings, the spread of blight, and to preserve and promote the aesthetics of the city; and

**WHEREAS**, this ordinance will establish minimum design and maintenance standards for certain public-facing non-residential windows.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA:**

**SECTION 1.** The Whereas clauses above are ratified and confirmed as true and correct.

**SECTION 2.** Chapter 90, Buildings and Building Regulations, Article I, In General, Section 90-8, Temporary Coverings of Non-Residential Windows, is added to read as follows:

**Sec. 90-8. Temporary Coverings of Non-Residential Windows.**

- (a) The purpose of this section is to require the temporary covering of certain windows in non-residential buildings and structures within the city to screen the interior from view while the property is unoccupied due to vacancy, abandonment, or renovation.
- (b) For purposes of this section, windows shall include, but not be limited to, individual panes and glass in display windows, exterior doors and transoms.
- (c) This section shall only apply to non-residential buildings and structures, or portions thereof, that are unoccupied for 30 days or more.
- (d) Temporary window coverings are only required on those windows that are ground level and front or abut a public right-of-way or publicly accessible road or sidewalk.
- (e) Temporary window coverings shall be one or more of the following materials:
  - (1) Printed vinyl or similar material, with or without a decorative design. Any proposed decorative design is subject to review and approval by the city manager or his designee. Any vinyl graphics shall be of the same type or style in all windows of the

- building or structure, the intent being uniformity in style and appearance.
- (2) Sheet plywood painted to match the primary color of the building or structure.
  - (3) Paper, either white or a uniform shade of brown/tan, affixed neatly and securely to the inside of a window or door and trimmed to match the width and height of the window or door.
- (f) Temporary window covers shall not be comprised of any of the following:
- (1) Blank or incomplete painters' canvas
  - (2) Plastic garbage bags or other plastic sheets or coverings
  - (3) Tarps
  - (4) Hand written signage
  - (5) Real estate signage
  - (6) Soap solution
  - (7) Paint
  - (8) Newspapers
  - (9) Torn construction paper and masking tape
  - (10) Clear plastic or fabric drop cloths
- (g) Temporary window coverings under this section shall not be considered signs.
- (h) Exceptions. Any provision of this section may be waived or modified due to hardship or unique circumstances at the discretion of the city manager or his designee.
- (i) Violations of this section shall be subject to the code enforcement provisions and procedures provided in Section 1-14 and Chapter 2, Article VI of this code.

Secs. 90-9 – 90-30. Reserved.

**SECTION 3.** Severability. If for any reason a provision of this Ordinance or the application thereof to any person, group of persons, or circumstances is held invalid, the invalidity shall not effect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of the Ordinance are severable.

**SECTION 4.** Effective Date. This Ordinance shall take effect immediately upon its adoption, as required by law.

**PASSED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA, THIS 17TH DAY OF NOVEMBER, 2020.**

First Reading: October 27, 2020  
Final Reading: November 17, 2020

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Ron Feinsod, Mayor

ATTEST:

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Lori Stelzer, MMC, City Clerk

I, LORI STELZER, MMC, City Clerk of the City of Venice, Florida, a municipal corporation in Sarasota County, Florida, do hereby certify that the foregoing is a full and complete, true and correct copy of an Ordinance duly adopted by the Venice City Council, at a meeting thereof duly convened and held on the 17th day of November 2020, a quorum being present.

WITNESS my hand and the official seal of said City this 17th day of November 2020.

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Lori Stelzer, MMC, City Clerk

APPROVED AS TO FORM:

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City Attorney