

ORDINANCE 2016-04

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING CHAPTER 78 OF THE CODE OF ORDINANCES TO CREATE A SECTION PROVIDING FOR UNOBSTRUCTED USE OF PUBLIC DOCKS AND BOAT LAUNCHING RAMPS AND RESTRICTIONS TO THE SECURING OR TYING OF VESSELS TO PUBLIC PROPERTY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, public docks and boat launching ramps are intended for unobstructed use by residents and visitors alike of the City of Madeira Beach; and

WHEREAS, the tying, securing, docking or anchoring of any boat or vessel to public property without specific authorization to do by the City Manager causes for interference with the public's enjoyment of the public property; and

WHEREAS, City staff has recommended amendments to the City of Madeira Beach Code of Ordinances to provide for docking and unloading regulations; and

WHEREAS, the Board of Commissioners has determined it is necessary to adopt provisions to ensure the unobstructed use of public docks and boat launching ramps and to restrict the securing or tying of vessels to public property.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA:

SECTION 1. That Section 78-40 of Article II of Chapter 78 of the Code of Ordinances of the City of Madeira Beach, Florida is hereby created to read as follows:

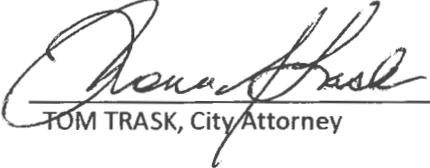
Sec. 78-40. – Restrictions on use of public property.

- (a) No person shall secure any boat or vessel of any kind to any public dock or boat launching ramp in such a manner as to interfere with the landing or docking of other boats or vessels, except when such boat or vessel is actually engaged in the loading or discharging of persons or freight. No person shall secure, tie, dock or anchor a boat or vessel of any kind in such a manner as to interfere with the use of any public dock or launching ramp.
- (b) No person shall secure, tie, dock, or anchor any boat or vessel of any kind to any public property, including any beach, tree, pole, bulk-head or seawall adjacent to any public right of way or easement, within the city, except public docks or boat launching ramps under those conditions provided in subsection (a) upon the issuance of a permit by the city manager, authorizing specific use of the public property for docking or unloading.
- (c) The limitations in subsection (a) of this section on use of public docks and boat launching ramps shall not be applicable where emergency conditions exist with respect to the boat or vessel using the facility.
- (d) Any boat or vessel of any kind found in violation of this section may be impounded by the city. The city is directed to clearly publish the provisions contained in subsections (a), (b), (c) and (d) of this section on each public dock or public launching ramp. Further, the city shall clearly notify the public that violations of the posted subsections (a), (b) and (c) of this section will result in the impounding of the boat or vessel.

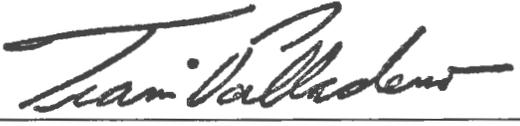
SECTION 2. That this Ordinance shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF MADEIRA BEACH, FLORIDA, this
12th day of APRIL, 2016.

APPROVED AS TO FORM:

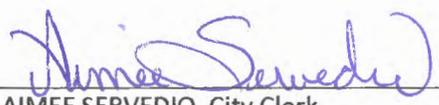


TOM TRASK, City Attorney



TRAVIS PALLADENO, Mayor

ATTEST:



AIMEE SERVEDIO, City Clerk

PASSED ON FIRST READING:	03/16/2016
PUBLISHED:	03/25/2016
PASSED ON SECOND READING:	04/12/2016

NOTICE OF PUBLIC HEARING THE CITY OF MADEIRA BEACH, FLORIDA

In accordance with the City of Madeira Beach Code of Ordinances, the City of Madeira Beach Charter, and Florida Statutes §166.041 (3)(c)(2):

NOTICE IS HEREBY GIVEN, the Board of Commissioners of the City of Madeira Beach will conduct a second and final reading of Ordinances 2016-02, 2016-03, and 2016-04 on Tuesday, April 12, 2016 at 6:00 p.m. City of Madeira Beach Commission Chambers, located at 300 Municipal Drive, Madeira Beach, FL 33708.

The titles of said Ordinances are as follows:

ORDINANCE 2016-02

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING SECTION 82-2 OF THE CODE OF ORDINANCES TO CREATE A DEFINITION FOR "RESIDENTIAL PROPERTY"; AND PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2016-03

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING CHAPTER 42 OF THE CODE OF ORDINANCES TO CREATE AN ARTICLE PROHIBITING AND REGULATING THE OVERNIGHT ABANDONMENT OF PERSONAL PROPERTY ON THE PUBLIC BEACHES OF THE CITY AND TO BE COMMONLY REFERRED TO AS "MADEIRA BEACH LEAVE NO TRACE ORDINANCE"; AND PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2016-04

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING CHAPTER 78 OF THE CODE OF ORDINANCES TO CREATE A SECTION PROVIDING FOR UNOBSTRUCTED USE OF PUBLIC DOCKS AND BOAT LAUNCHING RAMPS AND RESTRICTIONS TO THE SECURING OR TYING OF VESSELS TO PUBLIC PROPERTY; AND PROVIDING FOR AN EFFECTIVE DATE.

Copies of the proposed Ordinance are available for inspection in the Office of the City Clerk between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday.

All persons are hereby advised that any presentation they make to the Board of Commissioners will be encouraged to be as precise as possible. The Board of Commissioners may limit the time of each individual to permit maximum participation by the public at large. Any person who decides to appeal any decision of the Board of Commissioners with respect to any matter considered at this meeting will need a record of proceedings, and for such purposes may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Therefore, the applicant must make the necessary arrangements with a private reporter or private recording firm and bear the resulting expense. Any person with a disability requiring reasonable accommodation in order to participate in this meeting should call (727) 391-9951 or fax a written request to (727) 391-1131.

Aimee Servedio

City Clerk