

CITY OF POMPANO BEACH
Broward County, Florida

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 91, "BOATS AND WATER RECREATION," OF THE POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 91.10, "DOCKING AND LIVING ABOARD BOATS," TO PERMIT NON-PARALLEL DOCKING OF UP TO FOUR PERSONAL WATERCRAFT STORED OUT OF THE WATER ON A FLOATING PLATFORM; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to law, ten (10) days' notice has been given by publication in a paper of general circulation in the City, notifying the public of this proposed ordinance and of a public hearing in the City Commission Chambers of the City of Pompano Beach; and

WHEREAS, a public hearing before the City Commission was held pursuant to the published notice described above, at which hearing the parties in interest and all other citizens so desiring had an opportunity to be and were, in fact, heard; now, therefore,

BE IT ENACTED BY THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. That Section 91.10, "Docking and Living Aboard Boats," of the Pompano Beach Code of Ordinances is hereby amended as follows:

§ 91.10 DOCKING AND LIVING ABOARD BOATS.

...

(C) Dockage.

(1) In canals or waterways adjacent to single-family zoned lots where the property is improved and has been issued a Certificate of Occupancy for single-family use in canals or waterways adjacent to property which has been improved and issued a Certificate of Occupancy for single-family use, docking of boats or watercraft shall be permitted under the following conditions: :

(a) No boat or watercraft shall be docked in any canal or waterway in such a manner as to have any part of the boat or watercraft extended within five feet of an extended boundary lot line or encroach into the "navigational channel" as defined in Chapter 151.

...

(c) The parallel docking restriction for boats or watercraft located in a canal or waterway shall not apply in the following situations; however, all other applicable restrictions must be met:

1. Where the city or other applicable and authorized agency has issued a permit for a dock, wharf, pier, dolphin mooring or other such structure for the purpose of docking of boats or watercraft perpendicular to a seawall or shoreline prior to December 14, 1993, and where the structure is in conformance with the approved plans.

...

6. Up to four personal watercraft, which for purposes of this section are defined as vessels less than thirteen feet in length, which use either an outboard or an inboard motor powered by a jet pump as its primary source of propulsion, provided that the personal watercraft are stored out of the water on a floating platform which is in compliance with Chapter 151.

67. Nothing contained in this subsection (C) shall prohibit the docking of boats or watercraft parallel to the seawall or shoreline provided all the applicable restrictions have been met.

...

SECTION 2. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 3. This Ordinance shall become effective upon passage.

PASSED FIRST READING this _____ day of _____, 2017.

PASSED SECOND READING this _____ day of _____, 2017.

LAMAR FISHER, MAYOR

ATTEST:

ASCELETA HAMMOND, CITY CLERK

MEB:sh:jrm
6/13/17
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