

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, CHAPTER 66, ENTITLED "MARINE STRUCTURES, FACILITIES AND VESSELS," BY AMENDING, ARTICLE III, SECTION 66-107, ENTITLED "MAINTENANCE OF PUBLIC PIERS" TO ALLOW EXTENDED DOCKAGE OF DINGHIES AND TENDERS AT THE CITY PIER AT MAURICE GIBB PARK WITH A VALID DINGHY AND TENDER DOCKAGE AGREEMENT WITH THE CITY; AND AUTHORIZING THE CITY MANAGER TO ENTER INTO DINGHY AND TENDER DOCKAGE AGREEMENTS OF A FORM TO BE APPROVED BY RESOLUTION OF THE CITY COMMISSION; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND FOR AN EFFECTIVE DATE.

WHEREAS, public piers and other facilities may be maintained by the city for the purpose of loading and unloading passengers, supplies and boating gear and for similar purposes. It is the policy of the city to maintain such facilities in a manner that will permit the greatest public use and avoid continuous occupancy, congestion or blocking thereof; and

WHEREAS, Sec. 66-107 currently prohibits docking any vessel at any public pier or other facility for a period of more than 20 minutes;

WHEREAS, the Mayor and City Commission recognize that persons that utilize a dinghy or tender to travel between a vessel temporarily anchored or otherwise moored in Biscayne Bay and Maurice Gibb Park may need to dock to conduct activities such as grocery shopping, doctors' visits, and engage in other activities; and

WHEREAS, the Mayor and City Commission ordain that the City Administration shall, solely in its proprietary capacity as the operator of the dock at Maurice Gibb Park, create a Dinghy and Tender Dockage Agreement that will allow for extended dockage for small dinghies and tenders issued only to those owners who the City Administration, in its sole discretion, deems qualified, on a form which terms and conditions shall be approved by the City Commission prior to implementation.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA:

SECTION 1. That Section 66.107, of the Code of the City of Miami Beach is/are hereby amended as follows:

CHAPTER 66

MARINE STRUCTURES, FACILITIES AND VESSELS

* * *

ARTICLE III. - PIERS, DOCKS AND BOAT RAMPS

Sec.66-107 - Maintenance of public piers

- (a) Public piers and other facilities may be maintained by the city for the purpose of loading and unloading passengers, supplies and boating gear and for similar purposes. It is the policy of the city to maintain such facilities in a manner that will permit the greatest public use and avoid continuous occupancy, congestion or blocking thereof. Where necessary to achieve public use and avoid extended occupancy, congestion or blocking thereof, the city manager is authorized and directed to post signs limiting the time during which a vessel may be docked or supplies or gear may be placed at or on any such pier or facility to 20 minutes. A person shall not dock a vessel at any such facility for a period of time longer than 20 minutes, or permit any public pier or such other supplies or gear to remain for a period of time longer than 20 minutes.
- (b) Notwithstanding the 20 minute time limitation set forth in subsection (a), a person may dock a dinghy or tender at the city pier at Maurice Gibb Park, which the city owns and operates solely in its proprietary capacity, for a longer period if the dinghy or tender operator enters into a valid Dinghy And Tender Dockage Agreement with the city or registers as a daily user, which terms shall be formulated and drafted by the city manager with the approval of the city commission by resolution.

SECTION 2. REPEALER.

All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

SECTION 3. SEVERABILITY.

If any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

SECTION 4. CODIFICATION.

It is the intention of the Mayor and City Commission of the City of Miami Beach, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of the City of Miami Beach, Florida. The sections of this ordinance may be renumbered or re-lettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

SECTION 5. EFFECTIVE DATE.

This Ordinance shall take effect on the _____ day of _____, 2024.

PASSED AND ADOPTED this _____ day of _____, 2024.

ATTEST:

Steven Meiner, Mayor

Rafael E. Granado, City Clerk

Underline denotes additions

~~Strikethrough~~ denotes deletions

(Sponsored by Commissioner Tanya K. Bhatt and Commissioner David Suarez)

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney *PRK* 3-5-24
Date