

COMMISSION MEMORANDUM

TO: Mayor Steven Meiner and Members of the City Commission

FROM: Rafael A. Paz, City Attorney



FIRST READING

DATE: March 13, 2024

SUBJECT: 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; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND FOR AN EFFECTIVE DATE.

At the request of the sponsors, Commissioner Tanya K. Bhatt and Commissioner David Suarez, this proposed ordinance is presented to the Mayor and City Commission for your consideration on first reading.

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 of the facility.

City Code Sec. 66-107 ("Maintenance of public piers") currently prohibits docking any vessel at any public pier or other facility for a period of more than 20 minutes. However, 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.

The proposed ordinance amends Sec. 66-107, by adding subsection (b), which provides 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 by resolution prior to implementation.

A copy of a draft proposed resolution, containing suggested terms and conditions for the new Dinghy and Tender Dockage Agreement that would be presented to the City Commission if this ordinance is adopted, is attached here for discussion purposes.

RAP/RFR/mmm
Attachment