

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, DIRECTING THE CITY ADMINISTRATION TO FORMULATE A PLAN, TO INCLUDE THE UTILIZATION OF DEDICATED CODE COMPLIANCE OFFICER(S) AND OTHER CITY PERSONNEL, TO PROACTIVELY MONITOR AND ENFORCE THE CITY'S LAWS WITH REGARD TO VESSELS ILLEGALLY DOCKED AT THE BARRY KUTUN BOAT RAMP AND SURROUNDING DOCKS WITHIN MAURICE GIBB MEMORIAL PARK, AND TO ROUTINELY MONITOR CITY SEAWALLS AND OTHER PUBLIC PROPERTY FOR VESSELS THAT ARE ILLEGALLY DOCKED, MOORED, AND/OR TIED TO CITY PROPERTY OR INFRASTRUCTURE; AND FURTHER, DIRECTING THE CITY ADMINISTRATION TO PRESENT ITS PLAN AT THE MARCH 13, 2024 CITY COMMISSION MEETING.

WHEREAS, the Barry Kutun Boat Ramp (the "Purdy Boat Ramp") is City property that is located within Maurice Gibb Memorial Park in a Government Use ("GU") zoning district operated as a no-fee marine vessel launch facility; and

WHEREAS, historically, the City has frequently received complaints (and even engaged in litigation) concerning the commercial use of the Purdy Boat Ramp, vessels docked or tied up to the docks surrounding the Purdy Boat Ramp, and various safety issues occurring between vessel operators; and

WHEREAS, the City's public docks and boat ramps are maintained for the purpose of launching and removing vessels from the water, and temporary docking for the loading and unloading of passengers, supplies and boating gear; and

WHEREAS, it is the policy of the City to maintain such areas in a manner that will permit the greatest public use and avoid the continuous occupancy, congestion, and/or blocking thereof; and

WHEREAS, Section 66-107 of the City Code authorizes the City Manager to limit the amount of time that a vessel may be docked, or supplies or gear may be placed, at or on any pier or facility, to twenty (20) minutes; and

WHEREAS, the City Manager has posted appropriate signage to inform vessel operators that the Purdy Boat Ramp and surrounding docks are limited to a maximum of twenty (20) minutes; however, many vessels continually remain tied up to the docks for hours (or even days) at a time; and

WHEREAS, additionally, the City's seawalls and other shoreline protection structures are designed to prevent erosion and flooding caused by tidal flood conditions and coastal water levels associated with sea level rise and weather-related events; and

WHEREAS, Section 66-151 of the City Code prohibits the docking of unauthorized vessels at public seawalls in residential neighborhoods, except in the case of an emergency involving safety to life or property; and

WHEREAS, the City has recently experienced an increase in the number of vessels illegally docking, mooring, or tying up to the seawalls and other City property or infrastructure,

which can damage or cause instability to such seawalls and other property, in addition to increasing the City's potential legal liability if vessel operators or their passengers were to injure themselves or others during such actions.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby direct the City Administration to formulate a plan, to include the utilization of dedicated Code Compliance officer(s) and other City personnel, to proactively monitor and enforce the City's laws with regard to vessels illegally docked at the Barry Kutun Boat Ramp and surrounding docks within Maurice Gibb Memorial Park, and to routinely monitor City seawalls and other public property for vessels that are illegally docked, moored, and/or tied to City property or infrastructure; and further, directing the City Administration to present its plan at the March 13, 2024 City Commission meeting.

PASSED AND ADOPTED this ____ day of _____, 2024.

ATTEST:

Steven Meiner, Mayor

Rafael E. Granada, City Clerk

(Sponsored by Commissioner David Suarez)

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

2-7-24

Date

MAF