

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," ARTICLE III, ENTITLED "PIERS, DOCKS AND BOAT RAMPS," BY AMENDING SECTION 66-107, ENTITLED "USE OF THE BARRY KUTUN BOAT RAMP AND ASSOCIATED PIERS/DOCKS AT MAURICE GIBB PARK," TO ESTABLISH A DOCKAGE AGREEMENT PROGRAM AT THE BARRY KUTUN BOAT RAMP AT MAURICE GIBB PARK; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND FOR AN EFFECTIVE DATE.

WHEREAS, Sec. 66-107 currently does not allow dockage of any vessel at the Barry Kutun Boat Ramp at Maurice Gibb Park; and

WHEREAS, the Mayor and City Commission desire to establish a dockage agreement program for the Barry Kutun Boat Ramp at Maurice Gibb Park; and

WHEREAS, the Mayor and City Commission shall, by resolution, following enactment of this Ordinance, enumerate terms and conditions for the issuance of dockage agreements to Miami Beach residents for short-term dockage at the Barry Kutun Boat Ramp at Maurice Gibb Park.

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 - Use of the Barry Kutun Boat Ramp and all associated piers/docks at Maurice Gibb Park

The Barry Kutun Boat Ramp shall be used only to launch and retrieve noncommercial vessels for a period not to exceed twenty minutes for each task, or to dock a noncommercial vessel with a valid dockage agreement the form of which shall be approved by resolution of the city commission from time to time, exclusively by residents of the City of Miami Beach. The floating dock(s) at Maurice Gibb Park shall be used only for launching and disembarking of noncommercial human-powered recreational vessels such as paddleboards and kayaks for a period not to exceed twenty minutes for each task. The use of any portion of the Barry Kutun Boat Ramp, or any portion of the floating dock,

by operators of dinghies, tenders, or any other vessel to dock, stop, stand, or drop off/pick up passengers is specifically, but without limitation, prohibited, except for duly licensed water taxis authorized by the City of Miami Beach picking up or dropping off passengers, and any vessel experiencing an emergency that precludes it from safely traveling to an alternate permitted dock. Vessels docking, stopping, standing, or dropping off passengers due to an emergency may remain at the dock for only so long as is necessary for the Miami Beach Police Department or Miami Beach Fire Rescue to render aid or for the length of time necessary for the vessel to be towed by a duly licensed vessel towing service. Any use of the Barry Kutun Boat Ramp or any associated piers/docks in violation of this section shall be punishable as follows:

1. Fine of \$1000 for a first violation and immediate towing of any vessel used in the violation.
2. Fine of \$2000 for a second violation and immediate towing of any vessel used in the violation.
3. Fine of \$5000 for a third or subsequent violation and immediate towing of any vessel used in the violation.

Alternatively, violations may be enforced pursuant to Section 1-14 of the city code.

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 David Suarez)

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

10/21/2024

Date

DR