

PROPOSED

ORDINANCE NO.

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO ANCHORING LIMITATION AREAS IN BROWARD COUNTY; CREATING ARTICLE XII OF CHAPTER 21 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE"), ESTABLISHING ANCHORING LIMITATION AREAS WITHIN CERTAIN AREAS IN HOLLYWOOD, FLORIDA; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by Commissioner Beam Furr)

WHEREAS, Section 327.4108, Florida Statutes, grants counties the ability to establish anchoring limitation areas adjacent to urban areas that have residential docking facilities and significant recreational boating traffic; and

WHEREAS, the City of Hollywood (the "City") has requested that Broward County (the "County") designate a portion of its navigable-in-fact waterways as anchoring limitation areas,

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA:

Section 1. Article XII of Chapter 21 of the Broward County Code of Ordinances is hereby created to read as follows:

[Underlining Omitted]

ARTICLE XII. ANCHORING LIMITATION AREAS

Sec. 21-171. In general.

For the purposes of this article, the following terms apply:

Anchoring Limitation Area means an area in which a person may not anchor a vessel for more than forty-five (45) consecutive days in any six (6) month period, subject, however, to the exemptions in Sections 327.4108(4)-(5), Florida Statutes.

Vessel is synonymous with boat as referenced in Article VII, Section 1(b), of the Florida Constitution and includes every description of watercraft, barge, and airboat, other than a seaplane on the water, used or capable of being used as a means of transportation on water.

Sec. 21-172. Enforcement.

Enforcement of this article is as provided for in Sections 327.41086(6)-(7) and 327.73(1)(z), Florida Statutes.

Sec. 21-173. Designated Anchoring Limitation Areas.

The following areas within Broward County, Florida, are hereby designated as Anchoring Limitation Areas:

(a) North Lake within Hollywood, Florida, specifically: Being all of Block 71, "Hollywood Lakes Section," according to the plat thereof, as recorded in Plat Book 1, page 32, of the public records of Broward County, Florida; less and except therefrom Parcel #4 as shown on the plat of "Florida East Coast Canal," as recorded in Plat Book 17, page 23A, of the public records of Broward County, Florida; less and except all of that lake area described above being within 150 feet of any public or private marine boat ramp,

44 boatyard, or other public vessel launching or loading facility; said lands situated, lying,
45 and being in the City of Hollywood, Broward County, Florida.

46 (b) South Lake within Hollywood, Florida, specifically: Being all of Block 76,
47 "Hollywood Lakes Section," according to the plat thereof, as recorded in Plat Book 1,
48 page 32, of the public records of Broward County Florida; less and except therefrom
49 Parcel #6, as shown on the plat of "Florida East Coast Canal," as recorded in Plat
50 Book 17, page 23A, of the public records of Broward County, Florida; less and except
51 therefrom all of that lake area described above being within 150 feet of any public or
52 private marine, boat ramp, boatyard, or other public vessel launching or loading facility;
53 said lands situated, lying, and being in the City of Hollywood, Broward County, Florida.

54 Section 2. Severability.

55 If any portion of this Ordinance is determined by any court to be invalid, the invalid
56 portion will be stricken, and such striking will not affect the validity of the remainder of this
57 Ordinance. If any court determines that this Ordinance, in whole or in part, cannot be
58 legally applied to any individual, group, entity, property, or circumstance, such
59 determination will not affect the applicability of this Ordinance to any other individual,
60 group, entity, property, or circumstance.

61 Section 3. Inclusion in the Broward County Code of Ordinances.

62 It is the intention of the Board of County Commissioners that the provisions of this
63 Ordinance become part of the Broward County Code of Ordinances as of the effective
64 date. The sections of this Ordinance may be renumbered or relettered and the word
65 "ordinance" may be changed to "section," "article," or such other appropriate word or
66 phrase to the extent necessary in order to accomplish such intention.

67 Section 4. Effective Date.

68 This Ordinance is effective as of the date provided by law.

ENACTED

PROPOSED

FILED WITH THE DEPARTMENT OF STATE

EFFECTIVE

Approved as to form and legal sufficiency:
Andrew J. Meyers, County Attorney

By: /s/ Amanda M. Tolbert 09/22/2022
Amanda M. Tolbert (date)
Assistant County Attorney

By: /s/ Maite Azcoitia 09/22/2022
Maite Azcoitia (date)
Deputy County Attorney

AMT/jc
Hollywood Anchoring Limitation Area Ordinance
09/22/2022
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Coding: Words ~~stricken~~ are deletions from existing text. Words underlined are additions to existing text.