



# Broward County

## Legislation Text

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File #: 20-464, Version: 1

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### **Broward County Commission Regular Meeting**

**Director's Name:** Andrew J. Meyers

**Department:** County Attorney

### **Information**

#### **Requested Action**

**MOTION TO ADOPT** Resolution No. 2020-088 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, March 31, 2020, at 10:00 a.m., in Room 422 of the Governmental Center to consider enactment of a proposed Ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO REQUIREMENTS FOR FLOATING VESSEL PLATFORMS AND FLOATING BOAT LIFTS; AMENDING SECTIONS 27-332 AND 27-336 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE"); AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by Commissioner Lamar P. Fisher)

#### **Why Action is Necessary**

The proposed Ordinance was prepared by the Office of the County Attorney at the direction of the Board of County Commissioners at its meeting of September 24, 2019.

#### **What Action Accomplishes**

Enables the setting of a public hearing during which the Board may consider enacting an Ordinance pertaining to requirements for floating vessel platforms.

#### **Is this Action Goal Related**

No

#### **Previous Action Taken**

#### **Summary Explanation/Background**

This Ordinance amends Sections 27-332 and 27-336 of the Broward County Code of Ordinances ("Code") to specifically define and provide for licensing of floating vessel platforms and floating boat lifts (collectively, "FVPs").

Section 403.813(1)(s), Florida Statutes, establishes an exemption from state permitting for the construction, installation, operation, or maintenance of noncommercial FVPs meeting certain criteria, including size and minimization of environmental impacts. It also requires the Florida Department of Environmental Protection ("FDEP") to establish a general permit for FVPs that do not qualify for the

exemption and that do not cause significant adverse impacts to occur individually or cumulatively. That section also allows local governments to require one-time licensing of the construction, installation, operation, or maintenance of FVPs, as long as such regulations are no more stringent than the criteria established for the state permitting exception or the FDEP general permit.

After consultation with FVP manufacturer representatives, this Ordinance defines FVPs separately from other types of docks and creates two (2) general licenses: a general license consistent with the state exception criteria and a general license referencing the FDEP general permit. It also provides that applicants obtain a license as otherwise required by the Code for FVPs not meeting the criteria for either of the new FVP general licenses.

#### **Source of Additional Information**

Michael C. Owens, Senior Assistant County Attorney, 954-357-7600

#### **Fiscal Impact**

##### **Fiscal Impact/Cost Summary**

The Fiscal Impact Statement by the Office of Management and Budget will be provided at the time of the public hearing, in compliance with Section 18.5(e)(7) of the Broward County Administrative Code.