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EXHIBIT 1
ORDINANCE NO. 2025 -

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING CHAPTER 28 OF THE CITY CODE, ENTITLED "TRAFFIC MOTOR VEHICLES AND BOATS" BY CREATING SECTION 28-12 ENTITLED, "ANCHORING LIMITATION AREAS" ESTABLISHING A AN OVERNIGHT ANCHORING LIMITATION AREA IN GOLDEN ISLES LAKE; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, Chapter 327 of the Florida Status is known as the "Florida Vessel Safety Law;" and

WHEREAS, the City of Hallandale Beach ("City) attracts residents and visitors from around the world, including boating enthusiasts operating vessels of all types, and many vessels seek to anchor in Golden Isles Lake; and

WHEREAS, the waters subject to this ordinance lie with the corporate boundaries of the City; and

WHEREAS, unregulated and unmanaged long-term anchoring may pose a threat to the health, safety and welfare of the residents of the City, including its boaters and vessel owners, due to the illegal discharge of material detrimental to water quality and public health and threats to protected aquatic flora and fauna, including seagrasses; and

WHEREAS, unregulated and unmanaged long-term anchoring, including long-term vessel storage upon the waters of the City, prevents others from using the waters of the City, poses hazards to navigational safety, and may endanger public and private marine infrastructure such as docks, piers, seawalls and bridges, especially before and during storms; and

WHEREAS, during the 2025 Florida Legislative Session, the Florida Legislature enacted, and the Governor signed into law, Ch. 2025-39, *Laws of Florida*,

amending Fla. Stat. 327.60(2)(f) to include a new subsection, which now authorizes counties with a population of more than 1.5 million, including municipalities within those counties, to regulate overnight anchoring within the waters of their jurisdiction by creating Anchoring Limitation Areas; and

WHEREAS, the City lies entirely within Broward County, a County with a population greater than 1.5 million, and is therefore eligible to create overnight Anchoring Limitation Areas pursuant to Fla. Stat. 327.60(2)(f)3.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA:

SECTION 1. Section 28-12 of Chapter 28 of the City of Hallandale Beach Code of Ordinances is hereby created as follows:

Sec. 28-12- Anchoring Limitation Areas

(a) *Designation of Anchoring Limitation Areas.* Pursuant to the authority granted by the Florida Legislature, the City hereby designates the following areas within its corporate boundaries to be Anchoring Limitation Area as authorized in Ch. 2025-39, Laws of Florida and codified at Section 327.60(2)(f)3:

(1) Golden Isles Lake

(b) *Restriction.* No vessel shall be anchored anywhere within an Anchoring Limitation Area for a period of 1 hour or more between one-half hour after sunset and one-half hour before sunrise for more than 30 days in any 6-month period.

(c) *Exemptions.* The following vessels are not subject to the restriction set forth in this section:

(1) Vessels anchored within the boundaries of a marked mooring field.

(2) Vessels anchored overnight for the purpose of completing permitted marine construction, installation, or maintenance work.

70 (3) Vessels owned by a governmental entity or otherwise operated at the
71 request of a governmental entity for a governmental purpose.
72 (4) Commercial fishing vessels as defined in Section 327.02(6), Fla. Stat.
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74 (d) This section is supplemental to, and does not otherwise alter, and more
75 restrictive restrictions on anchoring or mooring arising from a local, state or federal
76 law.
77
78 (e) *Enforcement.* The provisions of this section may be enforced by the Code
79 Compliance Division, the Police Department or any other law enforcement agency
80 having jurisdiction within the Anchoring Limitation Area, in the manner prescribed
81 below:
82 (1) *Warning Notice.* Prior to the issuance of a Notice of Violation pursuant
83 to this section, the vessel owner, occupant, or operator must be
84 provided a warning in the manner prescribed below that the vessel will
85 be subject to enforcement if it remains anchored in the Anchoring
86 Limitation Area in violation of this section.
87
88 (2) *Warning Notice Procedure.* At any time during which a vessel is
89 anchored overnight in the Anchoring Limitation area for more than 14
90 days in any 6-month period, a enforcement officer who has reason to
91 believe that such vessel may violate the prohibition on overnight
92 anchoring, shall provide the vessel owner, occupant or operator with
93 written notice that it may be subject to future enforcement as follows:
94
95 a. If the vessel is occupied, written notice shall be provided directly
96 to the occupant, unless such person refuses to accept the written notice
97 in which case the notice may be affixed to the vessel; or
98 b. If the vessel is unoccupied or if occupancy cannot be
99 determined, written notice shall be affixed to the vessel; and

c. In addition to either a or b above, written notice shall be sent via certified mail, return receipt requested, to the registered owner and any lienholder of the vessel, irrespective of whether in-person notice was provided. The requirements of this section shall be deemed satisfied upon mailing. If no owner or lienholder can be identified after reasonable effort to ascertain the name and address of the owner and any lienholder, then this subsection c. shall not apply.

d. The written warning notice shall include the following:

i. Information that the vessel may soon be in violation of this section, and

ii. A copy of this section.

(3) *Notice of Violation.* If a vessel is found to be in violation of this section as of a date that is 10 days or more after issuance of a warning notice by any method prescribed in subsection (2) above, a code compliance officer or law enforcement officer may issue a Notice of Violation utilizing the same procedure set forth in subsection (2)a-c above.

(4) *Fines and enforcement.* The owner, occupant and/or operator of a vessel found to be in violation of this section as of a date that is 10 days or more after issuance of a warning notice by any method prescribed above shall be subject to the following fines:

a. \$250 fine per day for a first violation;

b. \$500 fine per day for a second or subsequent violation.

In addition to the fines prescribed above, any vessel found to be in violation of this section as of a date that is 10 days or more after issuance of a warning notice shall be subject to removal, towing, impoundment, and disposal in accordance with the provisions set forth below.

(5) *Appeal; Towing, Impoundment, Disposal.*

- a. Any cited party shall have 10 days within which to appeal the Notice of Violation to the City by paying an administrative fee and submitting a written request which must include the vessel owner's name, address, telephone number, email address and a copy of the Notice of Violation that was issued to the vessel owner, occupant, operator or affixed to the vessel.
- b. Hearings held pursuant to this section shall be noticed and conducted according to the provisions of Chapter 9. However, hearings under this section shall be on the hearing calendar at the soonest practicable hearing date and continuances requested by either party shall be limited to one only one continuance per side.
- c. Prior to and until the matter is determined by the Special Magistrate, the vessel found to be in violation of this section shall not be towed but fines shall continue to accrue so long as the vessel remains anchored in violation of this section.
- d. If no cited party timely appeals the Notice of Violation or the Special Magistrate upholds the violation, the vessel may be removed, towed and impounded by the City or its contractor until such time as the vessel owner or lienholder retrieves the vessel after paying all costs associated with the removal, along with all accrued fines owed to the City.
- e. If no cited party timely appeals the Notice of Violation, or no cited party timely appeals the Special Magistrate's determination, or all appeals from the Special Magistrate's determination have been exhausted, and the vessel owner or lienholder has failed to

162 retrieve the vessel from the impoundment facility, the City or its
163 contractor may dispose of the vessel in accordance with law.

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165 (6) *Additional Remedies.* The City may also pursue any additional
166 remedies available to it in accordance with law.

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168 **SECTION 2. REPEALER.** All ordinances or parts of ordinance in conflict
169 herewith be and the same are hereby repealed.

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171 **SECTION 3. SEVERABILITY.** If any section, sentence, clause or phrase of
172 this ordinance is held to be invalid or unconstitutional by any court of competent
173 jurisdiction, the said holding shall in no way affect the validity of the remaining portions
174 of this ordinance.

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176 **SECTION 4. CODIFICATION.** It is the intention of the Mayor and the City
177 Commission of the City of Hallandale Beach, and it is hereby ordained that the
178 provisions of this ordinance shall become and be made part of the Code of the City of
179 Hallandale Beach, Florida. The sections of this ordinance may be renumbers or re-
180 lettered to accomplish such intention, and the word "ordinance" may be changed to
181 "section", "article", or other appropriate word.

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183 **SECTION 5. Effective Date.** This Ordinance shall take effect immediately
184 upon adoption.

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186 PASSED AND ADOPTED on 1st reading, on _____, 2025.

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188 PASSED AND ADOPTED on 2nd reading, on _____, 2025.

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193 _____
194 JOY F. COOPER
195 MAYOR

196 SPONSORED BY: MAYOR JOY F. COOPER
197 VICE MAYOR MICHELE LAZAROW

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ATTEST:

JENORGEN GUILLEN
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY
FORM

JENNIFER MERINO
CITY ATTORNEY