

ORDINANCE NO. 2020-003

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, CODIFYING SECTION 2-109 "BEACH PRESERVATION ADVISORY BOARD" IN CHAPTER 2 "ADMINISTRATION" ARTICLE III "BOARDS, COMMITTEES, DISTRICTS AND AUTHORITIES"; TO APPLY GENERAL ADVISORY BOARD PROVISIONS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the water activities, beaches and waters available to residents and visitors play a major role in the character of the City of Hallandale Beach; and

WHEREAS, beach erosion, beach cleanliness, dune preservation and other environmental issues are a concern for the resiliency of the City of Hallandale Beach; and

WHEREAS, the City desires to be proactive and address such issues by implementing policies or programs that promote efficient, cost effective building and infrastructure improvements and policies that protect and mitigate any damage to the City's beaches, buildings, infrastructure and environment; and

WHEREAS, a committee of engaged residents, expert knowledge and experience on the issues of resiliency, beach erosion, cleanliness, dune and shoreline preservation will produce the best and most effective policies; and

WHEREAS, the City of Hallandale Beach desires to adopt the best policies and practices regarding beach preservation; and

WHEREAS, the City Commission wishes to create a board which will encourage a healthy and friendly marine environment for residents and visitors;

WHEREAS, the City Commission finds that it is necessary to establish the board to study and recommend policies and programs that address beach erosion, dunes, shorelines, cleanliness and improve natural and engineered resources, prevent harm to the natural and built environment, and benefit the social, economic and environmental wellbeing of the community for present and future generations; and

40 **WHEREAS**, the board shall identify, study and propose policies for the City Commission's
41 consideration for the purpose of implementing sustainable and resilient policies; and
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43 **WHEREAS**, the Mayor and City Commission find that establishing the board is in the best
44 interest of the City; and
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46 **NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY**
47 **COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA:**
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49 **SECTION 1.** The foregoing "Whereas" clauses are hereby incorporated herein.
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51 **SECTION 2.** Chapter 2 "Administration" of the Code of Ordinances of the City of
52 Hallandale Beach, Florida, Division 2, "Advisory Boards and Committees" is amended to read as
53 follows as indicated for additions (in underlining) and deletions (in strikethrough):
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55 **ARTICLE III- BOARDS, COMMITTEES, DISTRICTS, AND AUTHORITIES**

56 **DIVISION 2. ADVISORY BOARDS AND COMMITTEES**

57 **Sec. 2- 109 BEACH PRESERVATION ADVISORY BOARD**

58 (a) There is hereby created a Beach Preservation board as an advisory board to the city
59 commission of the City of Hallandale Beach.
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61 (b) Members. The board shall be composed of five members and two alternate members.
62 Each commissioner shall appoint one regular member and entire commission body to
63 vote by majority on two alternate members. Board members (regular and alternates)
64 living directly on the City's oceanside, Intracoastal or other dwellings within the City's
65 waterways will have precedence for appointments by each commissioner. If there are
66 two candidates for the same appointment, the commissioner must appoint the
67 candidate who has a direct interest/dwelling on the City's oceanside, Intracoastal or
68 City's waterways. Alternate members may be at-large from within the City's limits with
69 no requirement to rent or own real property directly on the City's oceanside,
70 Intracoastal or City's waterways.
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72 (c) In addition to those responsibilities required of all advisory boards and committees,
73 the Beach Preservation board shall endeavor the following:

1. Public education related to preservation and renourishment; as well as related to boating, fishing and watersports.
2. Public education, information and recommendations related to dredging and resource protection and management.
3. Promotion of marine related activities.
4. Review, research and recommendation related to marine related facilities.
5. Review, research and recommendations related to water safety, signage, and health and safety issues.
6. Identify conditions of waterways and needed corrections, including a potential study of the most feasible and economical method of maintaining the depths of waterways within the city.
7. Review, research and provide recommendations related to board and shoreline preservation, beach erosion, beach cleanliness, dune preservation, and rising sea levels.
8. Review, research and provide recommendations related to water safety, signage, and health and safety issues.
9. Conditions of waterways and needed corrections, including a study of the most feasible and economical method of maintaining the depths of waterways within the City.
10. Provide recommendations regarding the following:
 - i. Operation of privately owned marinas.
 - ii. Operation of small boat docking areas.
 - iii. Hurricane procedures.
 - iv. Instructional schools.
 - v. Relations with the Coast Guard.
 - vi. Regulation of waterskiing, surfboarding, kite-boarding, and parasailing and similar activities.
 - vii. Operation of the excursion boats.
 - viii. Operations of the charter fishing fleet.
 - ix. Regulation of boat docking.
 - x. Regulation of water and boat shows and boat races.
 - xi. Service operation of city marinas, boat launching, docks, etc.,
 - xii. Traffic conditions under bridges.
 - xiii. Sanitation problems and proposed laws governing effluents from boats.
 - xiv. Federal and State regulations affecting waterways and marine activity.

(e) The Board shall meet a minimum of once every six weeks and provide recommendations, or a report, to the City Commission, at the board's discretion. However, a bi-annual report with recommendations to the City Commission is mandatory. Any regular member of the Board shall have the ability to call additional meetings upon affirmative vote of the Board.

SECTION 3. Conflict. All ordinances or portions of the Code of Ordinances of the City of Hallandale Beach in conflict with the provisions of this ordinance shall be repealed to the extent of such conflict.

SECTION 4. Severability. Should any provision of this ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part declared to be invalid.

SECTION 4. Codification. It is intent of the Mayor and City Commission that the provisions of this ordinance be incorporated into the Code of Ordinances; to effect such intention the words "ordinance" or "section" may be changed to other appropriate words.

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

PASSED AND ADOPTED ON 1ST reading on February 5, 2020.

PASSED AND ADOPTED ON 2ND reading on February 19, 2020.

JOY F. COOPER
MAYOR

SPONSORED BY: COMMISSIONER ANABELLE LIMA-TAUB

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ATTEST:

JENORGEN M. GUILLEN, CMC
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY
AND FORM

JENNIFER MERINO
CITY ATTORNEY

FIRST READING VOTE ON ADOPTION

Mayor Cooper	<u>YES</u>
Vice Mayor Javellana	<u>YES</u>
Commissioner Butler	<u>YES</u>
Commissioner Lazarow	<u>NO</u>
Commissioner Lima-Taub	<u>YES</u>

FINAL VOTE ON ADOPTION

Mayor Cooper	<u>YES</u>
Vice Mayor Javellana	<u>YES</u>
Commissioner Butler	<u>YES</u>
Commissioner Lazarow	<u>YES</u>
Commissioner Lima-Taub	<u>YES</u>

