

ORDINANCE 763

AN ORDINANCE OF THE CITY OF MEXICO BEACH, FLORIDA, AMENDING §§ 33.06, 33.12, AND 33.13 OF THE CITY CODE TO AUTHORIZE ALL FEES RELATING TO CANAL PARK, THE CITY BOAT RAMP, AND THE CITY MARINA TO BE SET AND AMENDED BY RESOLUTION; PROVIDING FOR SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, §§ 33.06, 33.12, and 33.13 of the Mexico Beach City Code address rules and fees relating to Canal Park, the City Boat Ramp, and the City Marina; and

WHEREAS, the City Council wishes to have greater flexibility to modify fees relating to Canal Park, the City Boat Ramp, and the City Marina and avoid confusion from various fees being set or published in multiple locations; and

WHEREAS, the City wished to have all such fees and their applicability set by resolution; and

WHEREAS, contemporaneously with the adoption of the ordinance, the City intends to adopt a resolutions or resolutions setting such fees.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MEXICO BEACH, FLORIDA:

SECTION 1. AMENDMENTS TO CODE – MOORING FEES. From and after the effective date of this ordinance, § 33.06 of the of the Mexico Beach City Code related to Mooring Fees is amended to read as follows (new text **bold and underlined**, deleted text ~~struck through~~):

§ 33.06 MOORING FEES.

A provision is hereby established allowing for the collection of mooring fees at the city-owned Canal Park. **The amount of such mooring fees, their applicability, and associated details may be set by a resolution of the City Council and may be amended, from time to time, by resolution.** ~~These fees are payable to the city in the amounts specified in below.~~ These fees are to be placed in the canal reserve account and dedicated for park maintenance.

Mooring Rates		
	Without Electricity	With Electricity
Transient rate	\$0.50 per foot per day	\$5 extra per day
Monthly rate	\$100	

SECTION 2. AMENDMENTS TO CODE – BOAT RAMP FEES. From and after the effective date of this ordinance, § 33.12 of the of the Mexico Beach City Code related to Boat Trailer Parking is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

§ 33.12 BOAT TRAILER PARKING **AND BOAT RAMP FEES.**

- (A) Long term boat trailer parking will be allowed only in designated areas at the boat ramp.
- (B) Long term boat trailer parking shall be defined as no longer than 14 calendar days.
- (C) Vehicles will be prohibited from parking in the designated trailer parking area.
- (D) Signs will be placed designating the specific area for boat trailers.
- (E) Any vehicles or trailers parking outside of the designated area overnight will be subject to fine or tow at the owners expense.
- (F) The City Council may establish fees for the use of the boat ramp or for boat trailer parking at the boat ramp by resolution. The amount of such fees, their applicability, and associated details may be set by a resolution of the City Council and may be amended, from time to time, by resolution.**

SECTION 3. AMENDMENTS TO CODE – MARINA FEES. From and after the effective date of this ordinance, § 33.13 of the of the Mexico Beach City Code related to Use of City Marina is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

§ 33.13 USE OF CITY MARINA.

(A) A provision is hereby established continuing and allowing for the collection of fees for mooring, electric service, storage, related provision of services and goods, and late fees, at the city marina and any areas used for boat parking or boat trailer or car parking for use of water facilities. **The amount of such fees, their applicability, and associated details may be set by a resolution of the City Council and may be amended, from time to time, by resolution.** ~~These fees are payable to the city in the amounts initially set forth below in the rate table. Such rate table may be hereafter amended, altered or increased by the City Council by resolution following passage of this section.~~

(B) If the fees are paid on a monthly basis, they are due in advance of the first working day of the month, and may be prorated accordingly. If the fees are paid annually, they are due in advance on the first working day of either January or July, and may be prorated accordingly.

(1) All monthly and annual fees must be paid in advance and before the boat or vessel is moored in the city marina. ~~In the event that a monthly or annual fee is not paid within ten days following the due date, a \$20 late charge will be added to the fee and/or the boat or vessel will be removed from the city marina at the owner's expense.~~

(2) All fees for periods of less than one month shall be paid in advance upon arrival at the marina.

(3) All fees are to be placed in the canal reserve account and dedicated to maintenance and improvements to the city canal and related facilities.

(4) No grandfathering of rates for current users **is allowed.**

(5) When current prepaid rental expires, new rates will apply.

(6) The maximum vessel length shall be 35 feet. Exceptions are allowed on a case-by-case basis. The length will be determined by measuring the furthest extension, bow to stern (pulpits, platforms, engines, etc included). Length and width will be measured on an as needed basis. Any special support or racks needed to moor a vessel shall be provided by owner at owner's expense and only with written permission of the Harbormaster.

Initial Fee Schedule			
Rate Type	No Electric	With Electric	Storage Box
Daily	\$1/foot - \$20 min.	\$5 per day extra (if available)	\$5 per day extra (if available)

Weekly	\$115	\$15/week extra (if available)	\$12/week extra (if available)
Monthly	\$175	\$20/month extra (if available)	\$15/month extra (if available)
Annual	\$1,920	\$200/year extra (if available and pro-rated at \$18/month)	\$165/year extra (if available and pro-rated at \$14/month)
<p>All vessels will be officially measured upon arrival. The length will be determined by measuring the furthest extension, bow to stern (pulpits, platforms, engines and the like included). Height and width will be measured as well on an as needed basis. Any special support or racks needed to moor a vessel shall be provided by owner at owner's expense and only with written permission of the Harbor Master.</p>			

(C) Any vessel moored in the city canal or marina shall not impede navigation in the canal. Any such vessel that impedes navigation in the sole discretion of the Harbor Master shall be removed or relocated immediately at the owner's expense and as required by the Harbor Master. During inclement weather, or the threat of inclement weather, the city may rearrange any vessel(s) in order to protect its property and require that renting vessel owners remove or secure their vessels from the city canal and marina. The city shall not be liable for any damage to any vessel(s) that occurs as a result of inclement weather or the moving of vessel(s) during such weather or the threat of such weather. All slip renting vessel owners or tenants of any nature agree to hold the city and its employees harmless from any such damage that may result to their vessel(s) or person during such inclement weather or at other times as may occur.

SECTION 4. SEVERABILITY. If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

SECTION 5. SCRIVENER'S ERROR. The city attorney may correct scrivener's errors found in this ordinance by filing a corrected copy of this ordinance with the city clerk.

SECTION 6. CODIFICATION. The appropriate officers and agents of the City are authorized and directed to codify, include and publish in electronic format the provisions of this Ordinance within the Mexico Beach City Code. Section numbers may be assigned and changed whenever necessary or convenient.

SECTION 7. EFFECTIVE DATE. This ordinance takes effect immediately upon adoption.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Mexico Beach, Florida, this 22 day of June, 2021.



William A. Cathey, Mayor

ATTEST:



Tammy Brunson, City Clerk