

# Departmental Policy

## Parks and Recreation

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**To:** All Park Personnel

**From:** Kevin V. Abbate, Parks & Recreation  
Director

**Subject:** Permit for Use of Floating Crane

**Effective Date:** January 1, 2020

**Created by:** Kevin V. Abbate, Parks & Recreation  
Director

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### PURPOSE

The purpose of this Policy is to provide for a Permit that will ensure that the loading and unloading of materials between land and vessel by floating crane at County facilities is conducted safely and to minimize any potential damages to County property. This Policy will outline the following:

- Rules and Regulations of a Permit for use of a floating crane
- Floating Crane Use Procedures

Use of floating cranes by Martin County or its contractors are exempt from this Policy.

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### POLICY

To utilize County facilities for the loading and unloading of materials between land and vessel by floating crane, a Permit is required. The Permit will include the Rules and Regulations set forth in this Policy and will follow the Procedures established by this Policy.

### PERMIT RULES AND REGULATIONS

#### *Allowed Use:*

The Permit allows the use of floating cranes by Permittee at any County boat ramp for the loading or unloading of materials between land and vessel between the hours of 7:00am to 6:00pm, Monday through Friday except holidays. Permittee must be on site at all times during work being performed pursuant to the approved Permit. The approved Permit must be presented upon request of County staff or Law Enforcement Officer. Martin County reserves the right to check for permit compliance at all times.

Permittee must contact the designated representative of the Parks and Recreation Department at least (2) two business days prior to operations utilizing the Permit to coordinate timing of use with staff. Designated representative name and contact information will be provided to Permittee by the County with the issuance of the Permit.

During use and operation, the floating crane must be spudded out in the water so as not to impact the County facilities, including but not limited to boat ramps and docks. Permittee must display "Overhead Crane In Use" signage in compliance with the attached Exhibit "A" on the ground and on the vessel directed for best visibility by oncoming traffic; and at least one spotter with high visibility flag and vest to warn the general public that the area is in use as a loading and unloading area with use of a floating crane and to restrict the general public from entering the immediate area in which the crane is in use or could potentially have materials overhead.

Permittee must not block any individual boat ramp, dock or loading and unloading area for more than one (1) hour at a time and must not impede normal usage of adjacent ramps, docks or loading and unloading areas by recreational users except as necessary for safe operation of the floating crane.

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Use of heavy equipment, including but not limited to fork lifts and front-end loaders, for the loading and offloading of materials pursuant to the approved Permit is prohibited.

There will be no loitering on the site before or after work by Permittee or its employees, sub-contractors, or other agents. Vehicles, cranes, trailers, vessels, barges and equipment are prohibited from overnight parking within or within the waterway adjacent to County property.

### ***Liability and Insurance Requirements:***

Permittee agrees to indemnify, defend, save and hold harmless the County and its officials, agents and employees from any claim, demand, suit, loss, cost or expense or any damages which may be asserted, claimed or recovered against or from the County or its officials, agents and employees by reason of any damage to property or personal injury, including death, and which damage, injury or death arises out of or is incidental to or in any way connected with the activities including those arising during the set up and breakdown of the activities of Permittee unless caused by the negligence of the County, its officials, agents or employees. Nothing herein shall be construed as a waiver of the County's sovereign immunity provided by the Florida Constitution or Section 768.28, Florida Statutes, nor as a consent by the County to be sued by third parties.

Permittee must obtain and maintain during the term of the Permit, insurance complying with the requirements herein. Prior to issuance of a Permit, Permittee must submit a Certificate of Insurance to the County that meets these requirements.

1. All Certificates of Insurance must name *Martin County, Board of County Commissioners* as an Additional Insured and Certificate Holder for all dates of the event (including set up and tear down).
2. Certificate Holder must be listed as: Martin County Board of County Commissioners, 2401 S.E. Monterey Rd. Stuart, Florida, 34996.
3. Certificate of Insurance must be signed by insurance company's authorized representative.
4. All policies must be endorsed to provide COUNTY with at least thirty (30) days' notice of cancellation and/or restriction.
5. Waivers of Subrogation in favor of the County should be provided under each required policy including the Workers Compensation.
6. If any of the insurance coverage's will expire prior to the completion of the work, copies of renewal policies shall be furnished at least thirty (30) days' prior to the date of their expiration.
7. Coverage is not to cease and is to remain in force (subject to cancellation notice) for the duration of the permit.

General Liability: Provide Martin County Parks and Recreation Department with proof of a Comprehensive Commercial Marine General Liability Policy, to cover the hold harmless agreement set forth herein, with a limit of not less than One Million Dollars.

Workers Compensation – As required by Chapter 440, Florida Statutes, and any applicable federal laws, Permittee shall provide and maintain in force for the term of this Agreement, Workers Compensation coverage. Should scope of work performed by contractor qualify its employee for benefits under federal workers compensation statute (example, U.S. Longshore & Harbor Workers Act or Merchant Marine act), proof of appropriate federal act coverage should be provided.

Commercial Auto Liability - Agrees to maintain Commercial Liability covering "Any Auto" at \$1,000,000.

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## ***Other Regulations and Enforcement:***

Permittee must comply with all applicable laws, rules, and regulations, including Chapter 17, General Ordinances, Martin County Code. Failure to comply with any applicable laws, rules or regulations may result in cancellation or termination of the Permit, a violation or fine by Law Enforcement, and/or revocation of future privileges to obtain a permit.

## ***Clean Up and Restoration:***

Permittee agrees to return the site to an “as was” condition, including clean-up of debris. Permittee will provide for minor repair, under \$500, or cost of repairs, over \$500, for damage to the site caused by Permittee and/or subcontractors related to the permitted activities. Any repairs performed by Permittee must be coordinated with and approved by the Parks and Recreation Department and documented by pre and post photographs of the site sent to the Parks and Recreation Department by Permittee.

## ***Acceptance:***

Permittee must agree in writing that pursuant to the terms and conditions of this Permit, Permittee may conduct the specified activity on County owned property that is only temporary and must comply with the Permit Rules and Regulations. This Permit may be terminated by either party by giving 15 days written notice of termination and shall be terminated immediately upon loss of insurance coverage required in this authorization.

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## **PROCEDURES**

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The following are the procedures related to a Permit for use of a floating crane at County facilities.

## ***Issuance of Permits:***

Permits will be issued by the Parks and Recreation Department (PRD). Permits may only be issued to the owner of the floating crane, as an individual, owner of a company or verified representative. The individual receiving the Permit must be at least 21 years old.

The following documentation must be provided to obtain a Permit: Proof of Driver’s License or other State-issued ID, vessel registration, business license, if applicable, and Certificate of Insurance that meets the requirements in this Policy. Documentation required for issuance of a Permit must be submitted in person during regular business hours at:

Martin County Parks and Recreation Department  
2401 SE Monterey Road  
Stuart, FL 34996  
(772) 221-1418

The permit fee for an annual Permit is \$200 and for a monthly Permit is \$50. There will be no deposit required.

Permit information will be input by PRD staff as a “boat ramp” reservation through the online reservation system, similar to a pavilion rental. The online reservation system will generate an email with the Permit Rules and Regulations set forth in this Policy, indemnification and liability waiver for Permittee to receive and provide written agreement. A hard copy may be provided upon request.

Upon receipt of written agreement, via email, from Permittee to the Permit Rules and Regulations, indemnification and liability waiver, PRD staff will email Permittee a printable permit and receipt along

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with the name and contact information of the PRD staff representative for Permittee to notify prior to use.

## ***Administration of Permits:***

Permittee is required to email [cranepermit@martin.fl.us](mailto:cranepermit@martin.fl.us) no less than two (2) days prior to any use of a floating crane pursuant to an approved Permit. The Parks Safety and Operations Administrator will notify the appropriate Park Superintendent of the planned use and whether inspection is required. PRD staff will acknowledge the use and notify the Permittee if an inspection is required. If PRD staff does not respond to Permittee prior to the date and time of the scheduled floating crane use, Permittee may proceed with the scheduled use.

If determined by the Parks Safety and Operations Administrator that inspection is required, Park Operations staff will meet Permittee on site and conduct the following activities:

1. a pre-event inspection to document existing conditions of the area being used;
2. a post-event inspection to document conditions of the area after Permittee has completed its activities.

Park Operations staff and Permittee will review and sign the inspection document in the form attached hereto as Exhibit “B”. Parks Operations will maintain the inspection records.

If any damages are documented Park Operations staff will fill out an approved Incident Report and report the damages to Martin County Risk Management.

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Kevin V. Abbate, Director

## **Suppression History**

Created: May 1, 2019

## **Exhibit “A” Sign Requirements**

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Minimum 2 (two) signs, as shown above, mounted on an A-frame free standing apparatus. Signs must be at least 24 inches wide with the top of the sign at least 36 inches above grade. One must be placed on land and one on the vessel, each in a conspicuous place and directed to be visible to oncoming traffic.