



Legislation Details (With Text)

File #: 19-0699

Type: Public Hearing **Status:** Passed

In control: Board of County Commissioners

On agenda: 12/17/2019 **Final action:** 12/17/2019

Title: PUBLIC HEARING TO CONSIDER ADOPTION OF AN ORDINANCE REGARDING BEACHES, PARKS AND RECREATION AND CONSERVATION LANDS

Sponsors:

Indexes:

Code sections:

Attachments: 1. Chapter 17 Ordinance, 2. Floating Crane Use Permit Policy, 3. Floating Crane Use Inspection Sheet, 4. MIATC letter RE Crane Permit MC.pdf

Date	Ver.	Action By	Action	Result
12/17/2019	1	Board of County Commissioners	approved	Pass

PLACEMENT: Public Hearings

TITLE:

PUBLIC HEARING TO CONSIDER ADOPTION OF AN ORDINANCE REGARDING BEACHES, PARKS AND RECREATION AND CONSERVATION LANDS

EXECUTIVE SUMMARY:

On February 12, 2019, the Board of County Commissioners (Board) directed staff to consult with the marine industry leaders to address the various issues discussed regarding the commercial use of County owned boat ramps. This Agenda Item provides recommended ordinance changes that address items discussed at the February 12, 2019 meeting.

DEPARTMENT: Parks and Recreation

PREPARED BY: **Name:** Mark Lynch
Title: Deputy Director, Parks and Recreation

REQUESTED BY: Parks and Recreation

PRESET:

PROCEDURES: None

BACKGROUND/RELATED STRATEGIC GOAL:

Following Board direction, staff met with representatives from the Marine Industry Association of the Treasure Coast, Inc. to discuss the various issues related to the use of County owned boat ramps. The Marine Industries Association of the Treasure Coast, Inc. was provided draft copies of the proposed ordinance now being presented for adoption, as well as a proposed permit policy for the

use of floating cranes at County facilities.

PROPOSED NEW LANGUAGE

Based on the information gathered staff is proposing the following changes to Chapter 17, Beaches, Parks and Recreation, General Ordinances, Martin County Code.

Section 17.9.A.2. It is unlawful for any person in any County park:

ff. To use any of the following unless under contract with the County:

- 1) A vehicle with a gross vehicle weight over 36,000 pounds, other than recreational vehicles used at designated campgrounds;
- 2) A vehicle without rubber tires;
- 3) Heavy equipment including but not limited to front end loaders and fork lifts, other than as necessary at Timer Powers Park with required permit; and
- 4) Cranes, though floating cranes may be used with required permit.

gg. Docking, or occupying docking space at a County owned dock or boardwalk for longer than two (2) hours unless the posted time frame allows extended hours.

PROPOSED PERMIT POLICY

The permit policy is a Departmental Policy for the Parks and Recreation Department, which does not require Board approval. The Policy provides the process for the issuance of a permit for the use of floating cranes at County boat ramp facilities consistent with the proposed Ordinance changes. It sets forth the regulations for use and procedures for the permit issuance. The Policy requires the contractor using the County facility hold insurance naming the County as additional insured and take specific safety actions including providing signage and a spotter to restrict the general public from entering into the immediate area where a crane is in use.

On October 30th, 2019 staff received a letter of support for the proposed changes from the Marine Industries Association of the Treasure Coast, Inc.

ISSUES:

None.

LEGAL SUFFICIENCY REVIEW:

This item has been reviewed for legal sufficiency to determine whether it is consistent with applicable law, has identified and addressed legal risks, and has developed strategies for legal defensibility.

RECOMMENDED ACTION:

RECOMMENDATION

Move that the Board adopt the proposed Ordinance amending Chapter 17, General Ordinances, Martin County Code.

ALTERNATIVE RECOMMENDATIONS

None

FISCAL IMPACT:

RECOMMENDATION

None

Funding Source	County Funds	Non-County Funds
Subtotal		
Project Total		

ALTERNATIVE RECOMMENDATIONS

None

DOCUMENT(S) REQUIRING ACTION:

- ☐ Budget Transfer / Amendment ☐ Chair Letter ☐ Contract / Agreement
☐ Grant / Application ☐ Notice ☒ Ordinance ☐ Resolution
☐ Other:

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