

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, ESTABLISHING TWO RESTRICTED AREAS IN THE GULF OF MEXICO, WITHIN THE CITY LIMITS FOR THE EXCLUSION OF POWER BOATS AND PROTECTION OF SWIMMERS.

WHEREAS, the City of Madeira Beach is concerned with the welfare and safety of both swimmers and boaters, and

WHEREAS, the public beaches within Madeira beach are extensively used by waders and swimmers, and

WHEREAS, the boating public is sometimes inconsiderate of the swimming public and threatens the safety of swimmers by high speed operations close to the shoreline.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA as follows:

Section 1. The rectangular area of water, approximately 510 feet parallel to Archibald Memorial Beach and extending approximately 300 feet westward into the Gulf of Mexico, is hereby declared to be a Madeira Beach restricted area for the exclusive use of swimmers and surfers.

Section 2. The rectangular area of water, approximately 450 feet parallel to the County/City Access Park and extending approximately 300 feet westward into the Gulf of Mexico, is hereby declared to be a Madeira Beach restricted area for the exclusive use of swimmers and surfers.

Section 3. The City Manager is hereby directed to petition the Department of Natural Resources to designate the above described areas as "restricted areas" within the meaning of Florida Statutes Chapter 327, Section 327.46.

Section 4. The City Manager shall arrange to have the "restricted areas", when so designated, marked with buoys as prescribed in Florida Statutes, Chapter 327, Section 327.40.

Section 5. Within the two designated "restricted areas", no power boat of any size, jet ski or sailboat of more than 14 feet in length, shall be allowed to operate. Surfboards, sailboards, paddle boats, and sailboats of an acceptable size shall not operate in the swim area but shall be allowed to traverse the swim area to reach water outside the restricted area.

PASSED ON FIRST READING at a meeting of the Board of Commissioners of the City of Madeira Beach, Florida, held on the 6th day of August, A.D., 1985.

PASSED ON SECOND AND FINAL READING on the 27th day of August, A.D., 1985.


J. Kenneth Jacobsen
MAYOR-COMMISSIONER

ATTEST:


CITY CLERK





(813) 391-8951

P. O. BOX 8605

300 MUNICIPAL DRIVE

MADEIRA BEACH, FLORIDA 33738

October 30, 1985

Commander (M)
Seventh Coast Guard District
51 S.W. 1st Avenue
Miami, Florida 33130

Department of Natural Resources
Division of Law Enforcement
3900 Commonwealth Blvd., Room 722
Tallahassee, Florida 32303

Dear Sir:

The City of Madeira Beach, has passed Ordinance No. 678 establishing two areas in the Gulf of Mexico, within the city limits for the exclusion of power boats and the protection of swimmers. (A copy of Ordinance No. 678 is enclosed.)

The specific location of these two areas is denoted on an enclosed chart. One water area is approximately 510 feet by 300 feet adjacent to and west of Archibald Memorial Beach which is legally defined as Tract 13-05, Part of Government Lots 1 and 2.

The other water area is approximately 450 feet by 300 feet adjacent to and west of Pinellas County/City Access Park which is legally defined as Tract 44/02, described by metes and bounds.

The City desires to have these areas designated "Restricted Areas" within the definition contained in Florida Statutes Section 327.46 for the purpose of providing safer swimming areas for the public. All power boats should be excluded except in the case of an emergency necessitating rescue craft.

To reiterate, the purpose of the restriction is to protect swimmers and surfers from power boats.

Seven buoy markers, approximately one hundred fifty feet apart, will be installed to delineate the restricted area at Archibald Memorial Beach. Six buoy markers, approximately one hundred fifty feet apart, will be installed to delineate the restricted area at County/City Access Park. A vertical diamond shape of international orange with a cross of the same color within it against a white center, without

Page 2
October 30, 1985

qualifying explanation, shall be used to indicate a zone from which all vessels are excluded. The exact size of the buoy markers is not known at this time but it is intended to comply with the requirements of Chapter 16N-18, Florida Intercoastal Waterway Markers, Section 16N-18.02.

The City of Madeira Beach hereby assumes the responsibility for the purchase, placement, upkeep and eventual removal of the regulatory markers.


A copy of the public notice announcing a public hearing on Ordinance No. 678 is enclosed for your records.

It is estimated that the thirteen buoys installed by a local contractor will cost \$2,200.00. Upkeep of the markers is estimated at \$50.00 per year, per buoy.

If additional information is needed please do not hesitate to call or write to the City of Madeira Beach, P.O. Box 8605, Madeira Beach, Florida 33738. (813-391-9951)

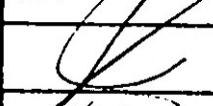
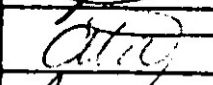
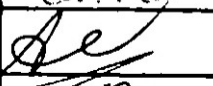


Sincerely,

CITY OF MADEIRA BEACH


Ralph W. Rawson
City Manager

RWR:md

cc: Commission Master Board ✓

Date Posted	OCT 31 1985
Mayor	
Commissioner District 1	
Commissioner District 2	
Commissioner District 3	
Commissioner District 4	
Return To	

ST. PETERSBURG TIMES
and EVENING INDEPENDENT

Published Daily

St. Petersburg, Pinellas County, Florida

STATE OF FLORIDA
COUNTY OF PINELLAS

S. S.

Before the undersigned authority personally appeared J. Murry
who on oath says that he is Front Counter Clk of the Evening Independent
a daily newspaper published at St. Petersburg, in Pinellas County, Florida: that the
attached copy of advertisement, being a Legal Notice
in the matter RE: Public notice - ordinance 678

..... in the Court
was published in said newspaper in the issues of Aug. 12, 1985

Affiant further says the said Evening Independent is a newspaper
published at St. Petersburg, in Said Pinellas County, Florida, and that the said news-
paper has heretofore been continuously published in said Pinellas County, Florida,
each day and has been entered as second class mail matter at the post office in St. Pe-
tersburg, in said Pinellas County, Florida, for a period of one year next preceding the
first publication of the attached copy of advertisement; and affiant further says that
he has neither paid nor promised any person, firm, or corporation any discount, re-
bate, commission or refund for the purpose of securing this advertisement for publi-
cation in the said newspaper.

Sworn to and subscribed J. Murry
before me this 12th day of

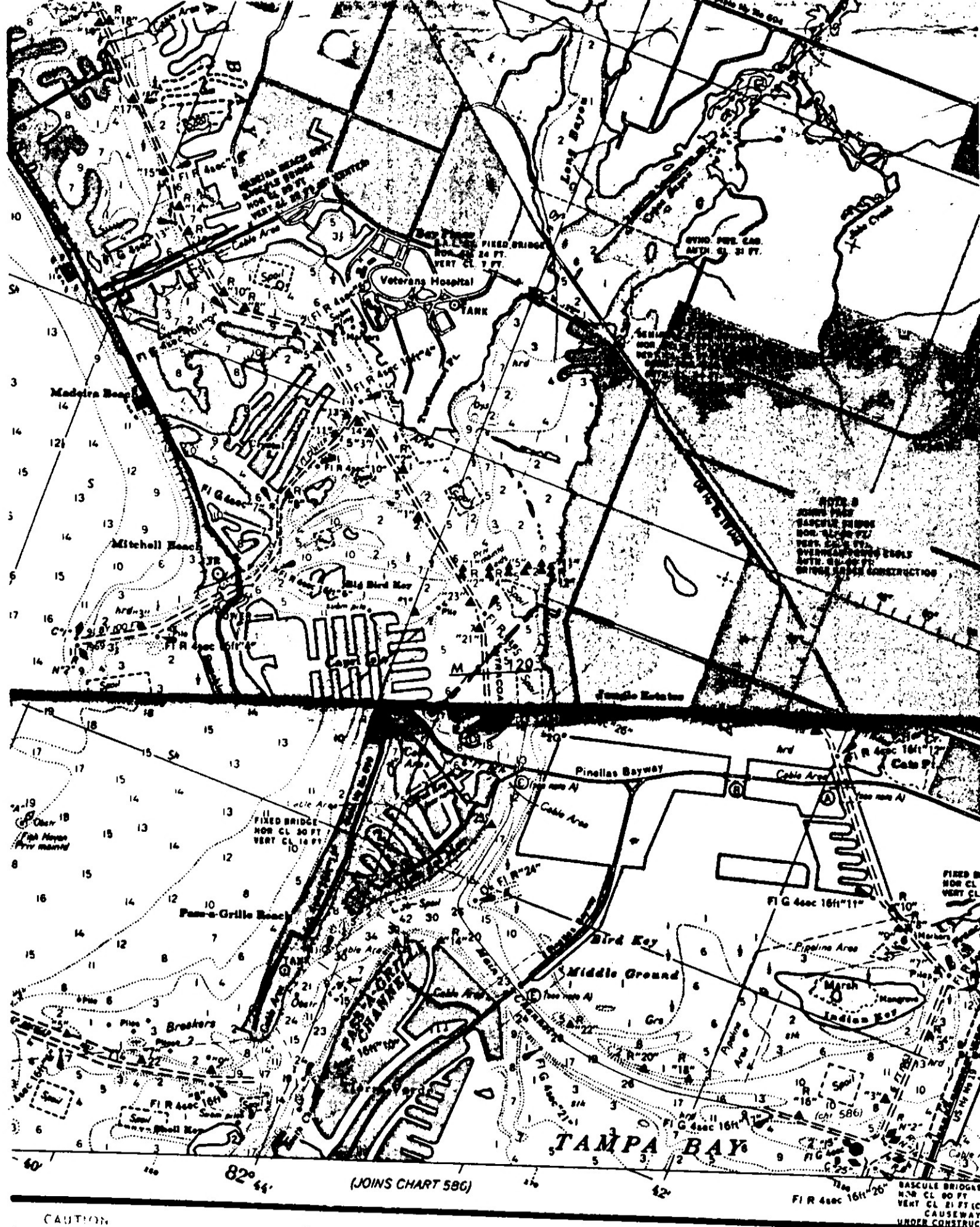
Aug. A.D. 19 85

F. Paterson
(SEAL) Notary Public

Notary Public, State of Florida
My Commission Expires 1987

My commission expires 1987

PUBLIC NOTICE
THE CITY OF MADEIRA
BEACH, FLORIDA
THE BOARD OF
COMMISSIONERS
A PUBLIC HEARING will be
held on the following proposed
Ordinance at 7:30 P.M., or as
soon thereafter as the matter
may be heard, on Tuesday,
August 27, 1985, in the Assem-
bly Room, City Hall, 300 Muni-
cipal drive, Madeira Beach,
Florida, at which time the
Board of Commissioners will
consider the adoption of the Or-
dinance into Law. This Ordi-
nance pertains to reading on
August 6, 1985. All interested
parties may appear at the meet-
ing and be heard with respect
to this proposed Ordinance.
Please note that if a person de-
cided to appeal any decision
made by the Board with re-
spect to any matter considered
at the above captioned hearing,
he will need to ensure that a
verbatim record of the proceed-
ings is made, which record in-
cludes the testimony and evi-
dence upon which the appeal is
to be based. This Ordinance is
available for review in the
Office of the City Clerk during
regular working hours.
ORDINANCE NO. 678
AN ORDINANCE OF THE
CITY OF MADEIRA BEACH,
FLORIDA, ESTABLISHING
TWO RESTRICTED AREAS IN
THE GULF OF MEXICO,
WITHIN THE CITY LIMITS
FOR THE EXCLUSION OF
POWER BOATS AND PROTEC-
TION OF SWIMMERS.
LUDONNA R. BENDER, CMC
CITY CLERK
(857200/78) B/12



(Tampa Bay to Anclote Anchorage)

SOUNDINGS IN FEET - SCALE 1:40,000

C. & G. S.

(N.O. 11127)

August 7, 1985

Mrs. Patricia B. Hansen
Legal Ad Department
The Evening Independent
P. O. Box 1121
St. Petersburg, FL 33731

Dear Mrs. Hansen:

Enclosed please find the Public Notice for the Public Hearing on Ordinance No. 678.

Please publish this legal ad once in your Monday, August 12, 1985, edition.

An affidavit of this publication will be required for my files.

If you have any questions, feel free to call me.

Sincerely,

Donna R. Bender, CMC
City Clerk

drb
Enclosures
cc: Commission Master Board
Finance Department
City Manager

Date Posted	AUG 08 1985
Mayor	
Commissioner District 1	
Commissioner District 2	
Commissioner District 3	
Commissioner District 4	
Return to	

**THE CITY OF MADEIRA BEACH, FLORIDA
THE BOARD OF COMMISSIONERS
PUBLIC NOTICE**

A PUBLIC HEARING will be held on the following proposed Ordinance at 7:00 P.M., or as soon thereafter as the matter may be heard, on Tuesday, August 27, 1985, in the Assembly Room, City Hall, 300 Municipal Drive, Madeira Beach, Florida, at which time the Board of Commissioners will consider the adoption of the Ordinance into Law. This Ordinance passed first reading on August 6, 1985. All interested parties may appear at the meeting and be heard with respect to this proposed Ordinance. Please note that if a person decided to appeal any decision made by the Board with respect to any matter considered at the above captioned hearing, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This Ordinance is available for review in the Office of the City Clerk during regular working hours.

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RESTRICTED AREAS IN THE GULF OF MEXICO,
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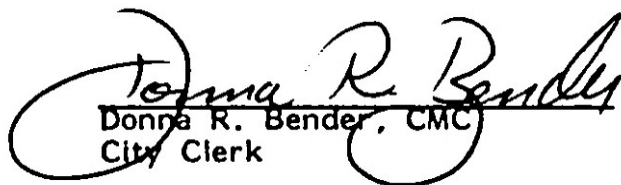
Donna R. Bender, CMC
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Donna R. Bender, CMC
City Clerk

ST. PETERSBURG TIMES and EVENING INDEPENDENT

Published Daily

St. Petersburg, Pinellas County, Florida

85-2200738

STATE OF FLORIDA
COUNTY OF PINELLAS } S.S.

Before the undersigned authority personally appeared J. Murry who on oath says that he is Front Counter Clerk of the Evening Independent a daily newspaper published at St. Petersburg, in Pinellas County, Florida: that the attached copy of advertisement, being a Legal Notice in the matter RE: Public notice -- ordinance 678

----- in the ----- Court
was published in said newspaper in the issues of Aug. 12, 1985

Affiant further says the said Evening Independent is a newspaper published at St. Petersburg, in said Pinellas County, Florida, and that the said newspaper has heretofore been continuously published in said Pinellas County, Florida, each day and has been entered as second class mail matter at the post office in St. Petersburg, in said Pinellas County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm, or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed J. Murry
before me this 12th day of Aug. 1985

Notary Public
(SEAL)

My commission expires 19 1987
Notary Public, State of Florida at Large
My Commission Expires FEB. 1, 1987

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S/DONNA R. BENDER, CMC
CITY CLERK
(922200738) 8/12