



MEMORANDUM

Date: June 28, 2023
To: Board of Commissioners
From: Robin I. Gomez, City Manager
Subject: DISCUSS LIVE ABOARD VESSELS

Background

BOC to review and discuss LIVE ABOARD VESSELS City codes, State Statutes, and County Marina review processes.

Discussion:

Sgt Ronald Blair with the Pinellas County Sheriff's Office will provide a presentation.

Enclosed is the City's Live Aboard Vessels Code, Section

Sec. 78-61. - General regulations for live-aboard vessels.

Any owner of a vessel may use or permit the vessel to be used for living quarters as a "live-aboard" vessel as defined in Florida Statutes § 327.02 only as provided for in this section.

- (1) All live-aboard vessels must be docked in a licensed marina facility located within Zoning District C-4, except as provided for in subsection (3) of this section.(2)All live-aboard vessels must contain a coast guard approved operable marine sanitation device. Discharge of sewage from all vessels must comply with section 78-37 of this chapter.(3)Live-aboard vessels must not be used for permanent living purposes in other than zoning district C-4. Transient, temporary, live-aboard vessels docking in other zoning districts must obtain a 72-hour nonrenewable permit in accordance with section 78-62 of this chapter.(4)Live-aboard vessels anchored in the intracoastal waterway or vessels temporarily anchored due to emergency conditions or situations are exempt from this section during the temporary emergency.

(2)

(Code 1983, § 5-104(A); Ord. No. 2019-21 , § 1, 10-8-19)

Sec. 78-62. - Permit requirements.

(a)Definitions.

Anchoring or mooring means the use of a heavy object—including a mooring buoy—attached to a vessel, placed overboard to keep the vessel from drifting by weight or by gripping the bottom.

Boat slip means a portion of a pier, main pier, finger pier, or float where a vessel is berthed or moored, or used for embarking or disembarking.

Live-aboard vessel or live-aboard shall be defined by Florida Statutes § 327.02(22), as may be amended from time to time, which currently means: (a) A vessel used solely as a residence and not for navigation; or (b) A vessel for which a declaration of domicile has been filed pursuant to Florida Statutes § 222.17; or (c) A vessel used as a residence that does not have an effective means of propulsion for safe navigation. A commercial fishing vessel is expressly excluded from the term "live-aboard vessel" pursuant to Florida Statutes § 327.02(22) (2019) as may be amended from time to time.

(b)Permit requirements. Except for vessels lawfully docked at private facilities or properties, anchoring or mooring any unattended live-aboard vessel in any of the waterways within the city for a continuous period of eight hours or more, or for any overnight period is prohibited unless a temporary live-aboard permit is obtained.(c)A temporary permit is required to be obtained from the city marina office prior to anchoring or mooring any live-aboard vessel in any of the waterways within the city for eight hours or more. The temporary permit period for anchoring or mooring a live-aboard vessel must not exceed 72 hours. Only one temporary permit may be issued for a lawfully registered or properly documented live-aboard vessel within any 30-day period. A fee to cover the costs associated with administering this requirement is provided in the city's schedule of fees. The city marina, or city manager, may establish and post reasonable rules and regulations for live-aboard anchoring or mooring and pump-out schedules to ensure the public health, safety, and welfare of persons and property within the city.(d)Anchoring or mooring a live-aboard vessel in any city waterway within 200 feet of any seawall is prohibited.(e)All live-aboard vessels, including temporarily permitted, live-aboard vessels must be removed, or evacuated, from city waterways within eight hours of a declared weather emergency.

(Code 1983, § 5-104(B); Ord. No. 2019-21 , § 1, 10-8-19)

Sec. 78-63. - Marinas.

(a)All marinas must have all required licenses and be in compliance with the requirements of chapter 110, article VII, of this Code for off-street parking and loading.(b)All marinas must have a working/operable pump-out station on premises that is readily available to all vessel owners.(c)All marinas providing live-aboard vessel accommodations for periods exceeding 72 hours must provide direct sewage hook-ups for each live-aboard vessel.(d)Marina operators must determine that each vessel using their docking facilities has obtained the required city permits.(e)Marinas providing live-aboard accommodations must have indoor bathroom facilities. All other marinas must have a minimum of one public restroom with a water closet and lavatory. All bathroom and restroom facilities must be in compliance with the Florida Building Code—Plumbing.(f)Marina operators must maintain, on the marina premises, a list of all live-aboard vessels for city review and inspection.(g)The number of live-aboard vessels in a marina must not exceed 15 percent of the total authorized boat slips.

(Code 1983, § 5-104(C); Ord. No. 2019-21 , § 1, 10-8-19)