



## MEMORANDUM

**Date:** Jan 24, 2024  
**To:** Board of Commissioners  
**From:** Robin I. Gomez, City Manager  
**Subject:** Discuss/Review Boats: Live-Aboard and Anchored

### **Background**

Current FL statutes, Chapter 327 (copy enclosed), Vessel Safety, specifically 327.60, governs the operation, equipment, and all other matters relating to any vessel that shall be operated upon the waters of the state or when any activity regulated shall take place. The statute further restricts local government's ability to regulate essentially only live-aboard vessels, nothing else. City ordinance, Sec 78.61-63 (copy enclosed) also regulates live-aboard vessels and marinas.

### **Discussion**

The enclosed power point presentation, titled "Boating Laws," prepared by the Pinellas County Sheriffs Office also provides an overview of State and local boating laws and regulations, specifically what can and cannot be enforced. Essentially, cities are powerless to adopt any enforcement of any vessels unless the City creates a mooring field or the County creates an anchoring limitation area.

Cities such as in our referenced City ordinance can regulate live-aboards (per State Statute) with live-aboards only defined as:

1. A vessel serving as a residence; and
2. A vessel not having a means of propulsion

City code adopted via City ordinance 2019-21 (copy enclosed), attempts to define and regulate live-aboards as boats simply anchored in/on City waters (which is not allowed per State statute).

City has not had any plans to create/establish a mooring nor anchoring field(s) – not recommended at this time.

Appears the only ability to enact enforcement of any current and/or future City codes requires changes to Florida statutes specifically allowing cities to regulate.