

Committee on Environment and Natural Resources

CS/CS/CS/SB 1946 — Anchoring Limitation Areas

by Rules Committee; Community Affairs Committee; Environment and Natural Resources Committee; and Senators Polsky and Bean

The bill provides that, notwithstanding the existing prohibition on local regulation of anchoring vessels outside of the marked boundaries of mooring fields, a county may establish an anchoring limitation area, adjacent to urban areas that have residential docking facilities and significant recreational boating traffic, which meets certain requirements imposed under the bill. The bill requires counties proposing to establish an anchoring limitation area to provide notice to the Fish and Wildlife Conservation Commission (FWC) 30 days before final adoption of an ordinance.

The bill prohibits anchoring a vessel for more than 45 consecutive days in a 6-month period in an anchoring limitation area, except under the exceptions in current law. The bill ensures that, upon an inquiry by a law enforcement officer or agency, a vessel owner or operator has the opportunity to provide proof that the vessel has not exceeded this time limitation.

The bill designates Monroe County as an anchoring limitation area within which a vessel may be anchored for a maximum of 90 days. This anchoring limitation area is not effective until the county approves, permits, and opens at least 250 new moorings for public use within 1 mile of the Key West Bight City Dock and at least 50 moorings within the Key West Garrison Bight Mooring Field. The bill requires FWC to designate the area within 1 mile of the Key West Bight City Dock as a priority for the investigation and removal of derelict vessels until the county approves, permits, and opens the new moorings.

The bill declares a vessel that is the subject of more than three violations within 12 months, which resulted in dispositions other than acquittal or dismissal, as a public nuisance.

The bill expressly grandfathers-in the geographic areas already designated as anchoring limitation areas in Florida Statutes.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 39-0; House 116-1