



933454

LEGISLATIVE ACTION

Senate

House

.  
. .  
. .  
. .  
. .

Floor: WD/3R

04/08/2010 10:52 AM

---

Senator Wise moved the following:

**Senate Amendment (with title amendment)**

Between lines 174 and 175

insert:

Section 5. (1) A single-family dock that was constructed before June 1, 2009, and is located within an aquatic preserve established pursuant to part II of chapter 258, Florida Statutes:

(a) Is exempt from requirements for a permit under part IV of chapter 373, Florida Statutes, for the existing dock or to modify the existing dock in order to meet the conditions for a letter of consent under this section.

(b) Notwithstanding chapter 258, Florida Statutes, and



933454

14 chapter 18-20, Florida Administrative Code, may retain a  
15 terminal platform, as defined in rule 18-20.003(67), Florida  
16 Administrative Code, having a cumulative total deck and roof  
17 area not to exceed 800 square feet, if by December 31, 2010, the  
18 owner of the riparian parcel associated with the dock conforms  
19 the dock to meet the terminal platform size requirement, if  
20 necessary, and applies to the Department of Environmental  
21 Protection, acting on behalf of the Board of Trustees of the  
22 Internal Improvement Trust Fund, for a letter of consent to use  
23 sovereignty submerged lands. A letter of consent must be issued  
24 once the applicable criteria in this section are met. The owner  
25 of the riparian parcel associated with the dock shall record the  
26 original letter of consent in the appropriate county official  
27 records book for the upland parcel.

28 (c) Must be maintained or repaired within a footprint that  
29 is the same as or smaller than the footprint of the structure in  
30 existence before December 31, 2010, pursuant to rule 18-  
31 21.004(7)(h), Florida Administrative Code. This subsection does  
32 not prohibit an owner from demolishing or removing the dock.  
33 However, if more than 50 percent of a nonconforming structure  
34 falls into a state of disrepair or is destroyed as a result of  
35 any natural or manmade force, the entire structure must be  
36 brought into full compliance with the rules of the Board of  
37 Trustees of the Internal Improvement Trust Fund then in effect.

38 (2) This section does not prohibit the Department of  
39 Environmental Protection from taking an enforcement action  
40 against the owner of the riparian parcel associated with a dock  
41 if the owner has not complied with paragraph (1)(b) by December  
42 31, 2010, or does not comply with paragraph (1)(c) on or after



933454

43 December 31, 2010.

44

45 ===== T I T L E A M E N D M E N T =====

46 And the title is amended as follows:

47 Delete line 28

48 and insert:

49 docks or piers; providing that a single-family dock  
50 that is located in aquatic preserves is exempt from  
51 certain permitting requirements; authorizing such dock  
52 to have a terminal platform under certain conditions;  
53 requiring the riparian owner of the parcel associated  
54 with the dock to apply for and the Department of  
55 Environmental Protection to issue a letter of consent;  
56 requiring the dock to be maintained or repaired in a  
57 certain manner; authorizing the Department of  
58 Environmental Protection to take action against the  
59 owner of the riparian parcel associated with the dock  
60 if certain requirements are not satisfied; providing  
61 an effective date.