



331560

LEGISLATIVE ACTION

Senate

.
. .
. .
. .
. .

House

Floor: 1a/AD/2R

04/21/2021 12:17 PM

Senator Polsky moved the following:

1 **Senate Amendment to Amendment (555226) (with title**
2 **amendment)**

3
4 Delete lines 29 - 78

5 and insert:

6 (2) (a) Notwithstanding s. 327.60(2) (f), a county, except
7 for Monroe County, may establish, in accordance with this
8 subsection, an anchoring limitation area adjacent to urban areas
9 that have residential docking facilities and significant
10 recreational boating traffic. The aggregate total of anchoring
11 limitation areas in a county may not exceed 10 percent of the



331560

12 county's delineated navigable-in-fact waterways. As used in this
13 subsection, the term "navigable-in-fact waterways" means
14 waterways that are navigable in their natural or unimproved
15 condition over which useful commerce or public recreation of a
16 substantial and permanent character is or may be conducted in
17 the customary mode of trade and travel on water. The term does
18 not include lakes or streams that are theoretically navigable;
19 have a potential for navigability; or are temporary, precarious,
20 and unprofitable, but the term does include lakes or streams
21 that have practical usefulness to the public as highways for
22 transportation. Each anchoring limitation area must meet all of
23 the following requirements:

24 1. Be less than 100 acres in size. For purposes of this
25 subsection, the calculated size of the anchoring limitation area
26 does not include any portion of the marked channel of the
27 Florida Intracoastal Waterway contiguous to the anchoring
28 limitation area;

29 2. Not include any mooring field or marina; and

30 3. Be clearly marked with all of the following:

31 a. Signs that provide reasonable notice to boaters
32 identifying the duration of time beyond which anchoring is
33 limited and identifying the county ordinance by which the
34 anchoring limitation area was created.

35 b. Buoys. The county that has created an anchoring
36 limitation area shall install and maintain buoys marking the
37 boundary of the anchoring limitation area.

38
39 The signs and buoys must be permitted and installed in
40 accordance with ss. 327.40 and 327.41 and commission rule.



331560

41 (b) Except as provided in subsections (4) and (5), a person
42 may not anchor a vessel for more than 45 consecutive days in any
43 6-month period in an anchoring limitation area established
44 pursuant to this subsection.

45 (c) A county proposing establishment of an anchoring
46 limitation area in accordance with this subsection shall provide
47 notice to the commission at least 30 days before introducing an
48 ordinance to establish the anchoring limitation area. The
49 commission shall publish notice of the proposed ordinance on its
50 website and distribute such notice through the commission's
51 Boating and Waterways Section e-mail distribution list for
52 ordinances.

53 (3) (a) Monroe County is designated as an anchoring
54 limitation area within which a

55
56 ===== T I T L E A M E N D M E N T =====

57 And the title is amended as follows:

58 Delete lines 234 - 236

59 and insert:

60 designating Monroe County as an anchoring limitation
61 area; providing requirements for such area;