

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, AMENDING THE CODE OF INDIAN RIVER COUNTY, TITLE IX, LAND DEVELOPMENT REGULATIONS, CHAPTER 932 "COASTAL MANAGEMENT" TO ESTABLISH ANCHORING LIMITATION AREAS IN THE CITY OF VERO BEACH AND THE TOWN OF INDIAN RIVER SHORES IN ACCORDANCE WITH FLORIDA STATUTE 327.4108.

WHEREAS, Indian River County has 16,480 acres of navigable-in-fact waterways, which are waterways that are navigable in their natural or unimproved condition over which useful commerce or public recreation of a substantial and permanent character is or may be conducted in the customary mode of trade and travel on water; and

WHEREAS, boating safety concerns within the Indian River Lagoon have been brought to the attention of local governments within Indian River County; and

WHEREAS, a county may establish anchoring limitation areas adjacent to urban areas that have residential docking facilities and significant recreational boating traffic.

WHEREAS, the aggregate total of anchoring limitation areas in a county may not exceed 10 percent of the county's delineated navigable-in-fact waterways.

WHEREAS, the City of Vero Beach and the Town of Indian River Shores wish to create anchoring limitation areas within their jurisdictions in accordance with Fla. Stat. 327.4108.

WHEREAS, Indian River County has entered interlocal agreements with the City of Vero Beach and the Town of Indian River Shores to facilitate the establishment of anchoring limitation areas in their jurisdictions.

WHEREAS, the Board of County Commissioners finds that establishing anchoring limitation areas will increase boating safety and navigation and will also address aesthetic and environmental concerns.

NOW, THEREFORE, BE IT ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, AS FOLLOWS:

SECTION 1. The recitals above are incorporated herein.

SECTION 2. From and after the effective date of this ordinance, Title IX, Land Development Regulations, Chapter 932.- Coastal Management, Section 932.07 is hereby amended as follows: (new text is **bold and underlined**; words in ~~strike through~~ format are deletions to text).

Section 932.07 – Piers, docks and boatslips.

(1) *Restrictions upon regularly moored watercraft; maintenance.* Watercraft shall not be regularly moored along any shore without consent of the riparian landowner. Regularly moored watercraft shall not be used as live-aboard vessels, offices or commercial enterprises except in commercial marinas with approval and facilities for that purpose. Regularly moored watercraft shall be kept in seaworthy condition when not in a permitted repair area. The mooring of live-aboard vessels (as defined in Chapter 901) in commercial marinas shall be limited to those boat slips designated for live-aboard vessels use on an approved site plan meeting the provisions described in section 971.35(3). **Watercraft shall comply with the anchoring limitation area provisions in section 932.12.**

SECTION 3. From and after the effective date of this ordinance, Title IX, Land Development Regulations, Chapter 932.- Coastal Management, is hereby amended to add the following new section:

Section 932.12 – Anchoring Limitation Areas.

(1) *Intent.* The County is establishing anchoring limitation areas as provided for in F.S. § 327.4108. The intent of the County is to implement and enforce the anchoring limitation areas in accordance with this law. If F.S. § 327.4108 is amended and the terms of this section conflict with F.S. § 327.4108 or any other Florida Statute, state law shall prevail.

(2) *Definitions.*

Anchor. To firmly secure a vessel to the seafloor or river-bottom with an anchoring device; to moor.

Law enforcement officer means an officer or agency authorized to enforce this section pursuant to F.S. § 327.70.

Vessel: Synonymous with boat and includes every description of watercraft, barge, airboat, or craft used or capable of being used as a means of transportation on water.

(3) *Anchoring Limitation Area maps.*

(a) The anchoring limitation areas established by the Board of County Commissioners shall be depicted on official anchoring limitation area maps and attached to the enabling ordinance.

(b) The Indian River County Natural Resources Department shall be the custodian of the official anchoring limitation area maps.

(c) The official anchoring limitation area maps shall be amended only by ordinance of the Board of County Commissioners and adopted in compliance with F.S. § 327.4108.

(4) *Designated Anchoring Limitation Areas.*

(a) Each anchoring limitation area must:

1. Be less than 100 acres in size. For purposes of this subsection, the calculated size of the anchoring limitation area does not include any portion of the marked

channel of the Florida Intracoastal Waterway contiguous to the anchoring limitation area;

2. Not include any mooring field or marina; and
3. Be clearly marked with all of the following:
 - a. Signs that provide reasonable notice to boaters identifying the duration of time beyond which anchoring is limited and identifying the county ordinance by which the anchoring limitation area was created.
 - b. buoys marking the boundary of the anchoring limitation area.

(b) The following anchoring limitation areas are hereby established:

City of Vero Beach:

Situated in the State of Florida, County of Indian River, City of Vero Beach, being a portion of the Indian River, being a portion of Section 30, Township 32 South, Range 40 East; Section 31, Township 32 South, Range 40 East; Section 05, Township 33 South, Range 40 East; Section 06, Township 33 South, Range 40 East; Section 07, Township 33 South, Range 40 East; and described as follows:

Anchoring Limitation Area 1:

The area shown on the City of Vero Beach anchoring limitation area map, lying within Section 07, Township 33 South, Range 40 East; Containing 33.1 Acres more or less.

Anchoring Limitation Area 2:

The area shown on the City of Vero Beach anchoring limitation area map, lying within Section 07, Township 33 South, Range 40 East; Containing 9.4 Acres more or less.

Anchoring Limitation Area 3:

The area shown on the City of Vero Beach anchoring limitation area map, lying within Section 06, Township 33 South, Range 40 East; Containing 8.4 Acres more or less.

Anchoring Limitation Area 4:

The area shown on the City of Vero Beach anchoring limitation area map, lying within Section 31, Township 32 South, Range 40 East; Section 06, Township 33 South, Range 40 East and Section 05, Township 33 South, Range 40 East; Containing 91.2 Acres more or less.

Anchoring Limitation Area 5:

The area shown on the City of Vero Beach anchoring limitation area map, lying within Section 30, Township 32 South, Range 40 East and Section 31, Township 32 South, Range 40 East; Containing 23.6 Acres more or less.

Anchoring Limitation Area 6:

The area shown on the City of Vero Beach anchoring limitation area map, lying within Section 30, Township 32 South, Range 40 East; Containing 11.0 Acres more or less.

Town of Indian River Shores:

Situated in the State of Florida, County of Indian River, Town of Indian River Shores, being a portion of the Indian River, being a portion of Section 1, Township 32 South, Range 39 East; Section 12, Township 32 South, Range 39 East; Section 13, Township 32 South, Range 39 East; Section 19, Township 32 South, Range 40 East; Section 30, Township 32 South, Range 40 East; and described as follows:

Anchoring Limitation Area 1:

The area shown on the Town of Indian River Shores anchoring limitation area map as "ALA AREA 1", lying within Section 1, Township 32 South, Range 39 East; Section 12, Township 32 South, Range 39 East and Section 13, Township 32 South, Range 39 East; Containing 99.6 acres, more or less.

Anchoring Limitation Area 2:

The area shown on the Town of Indian River Shores anchoring limitation area map as "ALA AREA 2", lying within Section 19, Township 32 South, Range 40 East and Section 30, Township 32 South, Range 40 East; Containing 97 acres, more or less.

Anchoring Limitation Area 3:

The area shown on the Town of Indian River Shores anchoring limitation area map as "ALA AREA 3", lying within Section 30, Township 32 South, Range 40 East; Containing 13 acres, more or less.

(c) Except as allowed by F.S. § 327.4108(4), a person may not anchor a vessel for more than 45 consecutive days in any 6-month period in an anchoring limitation area established pursuant to this subsection.

(d) This section does not apply to:

1. Vessels owned or operated by a governmental entity for law enforcement, firefighting, military, or rescue purposes.
2. Construction or dredging vessels on an active job site.
3. Vessels actively engaged in commercial fishing.

4. Vessels engaged in recreational fishing if the persons onboard are actively tending hook and line fishing gear or nets.

(5) Enforcement

(a) For a vessel in an established anchoring limitation area, upon an inquiry by a law enforcement officer, a vessel owner or operator must be given an opportunity to provide proof that the vessel has not exceeded the limitations described in subsection (4)(c). Such proof may include any of the following:

1. Documentation showing that the vessel was in another location at least 1 nautical mile away within a period of less than 45 days before the inquiry.
2. Electronic evidence, including, but not limited to, navigational devices or tracking devices that show the vessel was in another location at least 1 nautical mile away within a period of less than 45 days before the inquiry.

(b) If a vessel owner or operator fails or refuses to provide proof that the vessel has not exceeded the limitations described in subsection (4)(c), or otherwise violates this section, a law enforcement officer may issue a citation and pursue all enforcement and legal remedies provided in F.S. § 327.4108 and any other applicable statutes.

SECTION 4. It is the intention of the Board of County Commissioners that the provision of this ordinance shall become and be made part of the Indian River County Code, and that the sections of this ordinance may be renumbered or re-lettered and the word ordinance may be changed to section, article or such other appropriate word or phrase in order to accomplish such intention.

SECTION 5. If any part of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, the remainder of this ordinance shall not be affected by such holding and shall remain in full force and effect.

SECTION 6. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 7. This ordinance shall become effective upon adoption by the Board of County Commissioners and filing with the Department of State.

This ordinance was advertised in the Indian River Press Journal on the ____ day of _____, 2025, for a public hearing to be held on the ____ day of _____, 2025, at which time it was moved for adoption by Commissioner _____, seconded by Commissioner _____, and adopted by the following vote:

ORDINANCE NO. 2025- _____

Chairman	Joseph E. Flescher	_____
Vice-Chairman	Deryl Loar	_____
Commissioner	Joseph H. Earman	_____
Commissioner	Susan Adams	_____
Commissioner	Laura Moss	_____

The Chairman thereupon declared the ordinance duly passed and adopted this _____th day of _____, 2025.

**BOARD OF COUNTY COMMISSIONERS
OF INDIAN RIVER COUNTY, FLORIDA**

By: _____
Joseph E. Flescher, Chairman

**ATTEST: RYAN L. BUTLER, CLERK
AND COMPTROLLER**

By: _____
Deputy Clerk

Approved as to form and
Legal sufficiency:

Jennifer W. Shuler
County Attorney

EFFECTIVE DATE: This Ordinance was filed with the Department of State on the _____ day of _____, 2025.

EXHIBIT "A"
PROPERTY DESCRIPTION
ANCHORING LIMITATION AREAS
Portion of Sections 30-32-40, 31-32-40, 05-33-40, 06-33-40 & 07-33-40

Situated in the State of Florida, County of Indian River, City of Vero Beach, being a portion of the Indian River, being a portion of Section 30, Township 32 South, Range 40 East; Section 31, Township 32 South, Range 40 East; Section 05, Township 33 South, Range 40 East; Section 06, Township 33 South, Range 40 East; Section 07, Township 33 South, Range 40 East; and described as follows:

Anchoring is limited within the following described areas:

Anchoring Limitation Area 1:

The area shown on sheet 2, lying within Section 07, Township 33 South, Range 40 East; Containing 33.1 Acres more or less.

Anchoring Limitation Area 2:

The area shown on sheet 2, lying within Section 07, Township 33 South, Range 40 East; Containing 9.4 Acres more or less.

Anchoring Limitation Area 3:

The area shown on sheet 2, lying within Section 06, Township 33 South, Range 40 East; Containing 8.4 Acres more or less.

Anchoring Limitation Area 4:

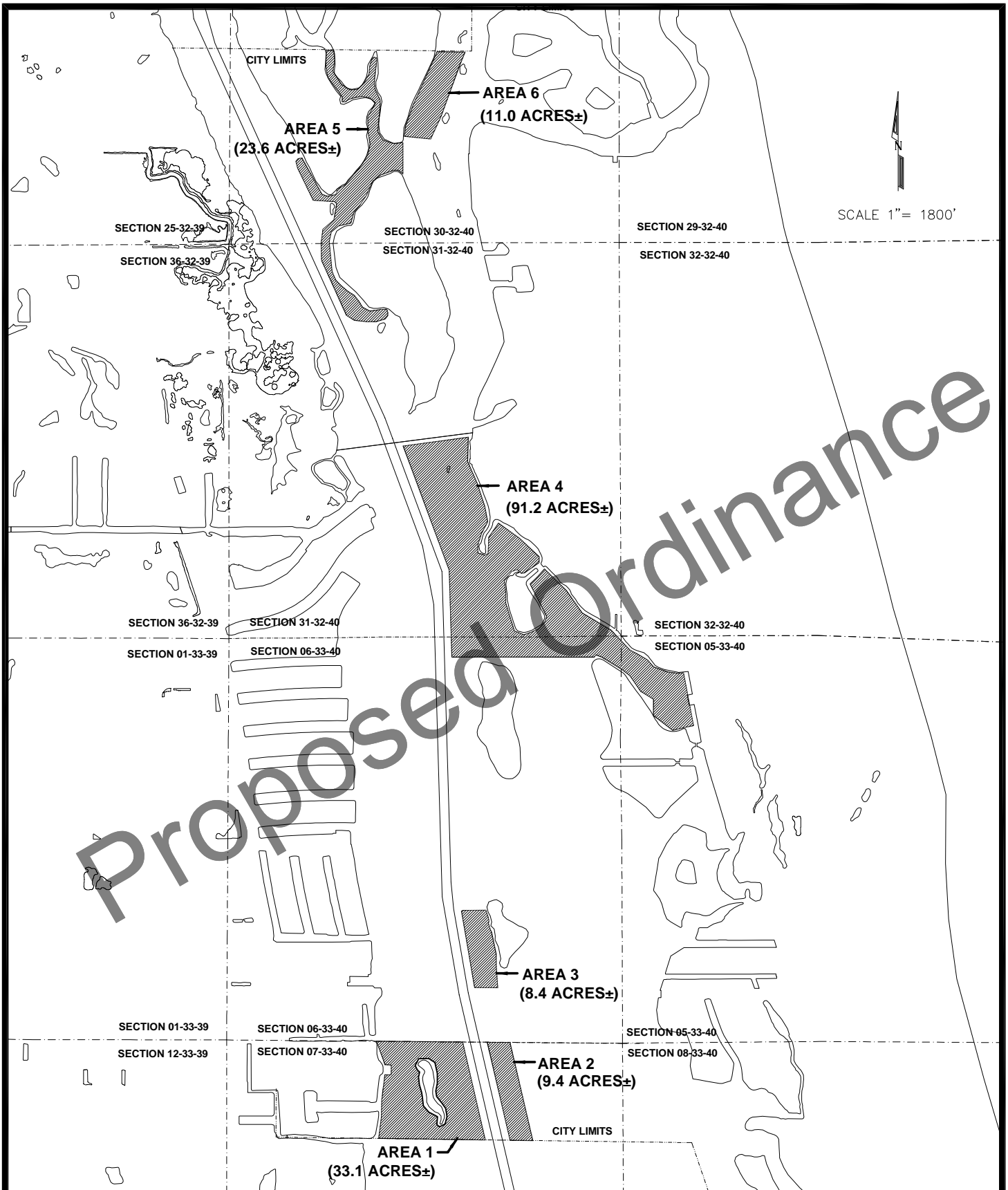
The area shown on sheet 2, lying within Section 31, Township 32 South, Range 40 East; Section 06, Township 33 South, Range 40 East and Section 05, Township 33 South, Range 40 East; Containing 91.2 Acres more or less.

Anchoring Limitation Area 5:

The area shown on sheet 2, lying within Section 30, Township 32 South, Range 40 East and Section 31, Township 32 South, Range 40 East; Containing 23.6 Acres more or less.

Anchoring Limitation Area 6:

The area shown on sheet 2, lying within Section 30, Township 32 South, Range 40 East; Containing 11.0 Acres more or less.



THIS SKETCH IS NOT A SURVEY

SHEET 2 OF 2

CITY OF VERO BEACH DEPARTMENT OF PUBLIC WORKS ENGINEERING & SURVEY DIVISION	CITY OF VERO BEACH ANCHORING LIMITATION AREAS			EXHIBIT "A"		REV. NO. 1	AUTHRZD.BY MKF
				CITY PROJECT NO. 2024-25		DRWN.BY DG	DATE 04/15/2025
				DATE 11/2024	DRWN BY DG	CHKD BY MTM	DESCRIPTION REVISED AREAS 1 AND 2

EXHIBIT “A”

PROPERTY DESCRIPTIONS

ANCHORING LIMITATION AREAS

Portion of Sections 1-32-39, 12-32-39, 13-32-39, 19-32-40 and 30-32-40

Situated in the State of Florida, County of Indian River, Town of Indian River Shores, being a portion of the Indian River, being a portion of Section 1, Township 32 South, Range 39 East; Section 12, Township 32 South, Range 39 East; Section 13, Township 32 South, Range 39 East; Section 19, Township 32 South, Range 40 East; Section 30, Township 32 South, Range 40 East; and described as follows:

Anchoring is limited within the following described areas:

Anchoring Limitation Area 1:

The area shown on Sheet 2 as “ALA AREA 1”, lying within Section 1, Township 32 South, Range 39 East; Section 12, Township 32 South, Range 39 East and Section 13, Township 32 South, Range 39 East; Containing 99.6 acres, more or less.

Anchoring Limitation Area 2:

The area shown on Sheet 2 as “ALA AREA 2”, lying within Section 19, Township 32 South, Range 40 East and Section 30, Township 32 South, Range 40 East; Containing 97 acres, more or less.

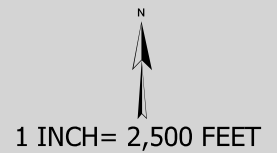
Anchoring Limitation Area 3:

The area shown on Sheet 2 as “ALA AREA 3”, lying within Section 30, Township 32 South, Range 40 East; Containing 13 acres, more or less.

SECTION 02-32-39

SECTION 01-32-39

SHEET 2 OF 2



ALA
AREA 1
(99.6 ACRES +/-)

SECTION 02-32-39

SECTION 01-32-39



SECTION 06-32-40

SECTION 11-32-39

SECTION 12-32-39

SECTION 07-32-40

Indian River Shores Anchoring Limitation Areas Legend

-  Anchoring Limitation Areas
-  Municipal Boundaries

SECTION 11-32-39

SECTION 12-32-39

SECTION 07-32-40

SECTION 14-32-39

SECTION 13-32-39

SECTION 18-32-40

Spoonbill
Marsh

TOWN LIMITS

TOWN OF
INDIAN
RIVER
SHORES

SECTION 14-32-39

SECTION 13-32-39

SECTION 18-32-40

SECTION 23-32-39

SECTION 24-32-39

SECTION 19-32-40

ALA
AREA 2
(97 ACRES +/-)

SECTION 23-32-39

SECTION 24-32-39

SECTION 20-32-40

SECTION 26-32-39

SECTION 25-32-39

SECTION 29-32-40

ALA
AREA 3
(13 ACRES +/-)

CITY OF
VERO BEACH

SECTION 30-32-40

DRAWING NO.: IRS-24-508
PREPARED FOR: TOWN OF INDIAN RIVER SHORES
PREPARED BY:
INDIAN RIVER SURVEY, INC.
CERTIFICATE OF AUTHORIZATION #LB 7545
1835 20TH STREET, VERO BEACH, FL 32960
PHONE (772) 569-7880 FAX (772) 778-3617