

RESOLUTION NO. 2023 – 22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VERO BEACH, FLORIDA, REQUESTING THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY TO ADOPT THE AREAS SET FORTH IN EXHIBIT “A” AS AREAS OF LIMITED LOCAL ANCHORING PURSUANT TO STATE LAW; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 327.4108, Fla. Stat. (2022) provides, inter alia, for a framework for limited local anchoring regulation by a county; and,

WHEREAS, the county government has the authority to enact “length of stay” limitations on transient boaters anchoring in waters within the political jurisdiction of counties and municipalities; and,

WHEREAS, the City desires to have such limited anchoring areas within the city limits as provided by state law; and,

WHEREAS, the City finds such “length of stay” limitations are in the public interest and promotes the public health, safety, and welfare of its citizens and visitors; and,

WHEREAS, the City hereby requests the Board of County Commissioners of Indian River County to designate and establish the Anchoring Limitation Areas set forth in the attached Exhibit “A” in accordance with state law; and,

WHEREAS, the areas designated in Exhibit “A” comply with the requirements of Section 327.4108, Fla. Stat. (2022).

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VERO BEACH, FLORIDA, AS FOLLOWS:

Section 1 – Adoption of “Whereas” clauses.

The foregoing “Whereas” clauses are hereby adopted and incorporated herein as forming the legislative findings, purpose, and intent of this Resolution.

Section 2 – Designate and Establish Anchoring Limitation Areas.

Attached hereto marked Exhibit “A” is a diagram of the areas within the boundaries of the City to be established as areas of limited anchoring in accordance with Section 327.4108, Fla. Stat. (2022).

Section 3 – Adopt Exhibit “A.”

The City requests the Board of County Commissioners of Indian River County to formally adopt the areas designated in Exhibit “A” as the areas of limited anchoring in the City of Vero Beach in accordance with state law.

Section 4 – Effective Date.

This Resolution shall become effective upon final adoption by the City Council.

This Resolution was heard on the 8th day of August 2023, at which time it was moved for adoption by Councilmember Carroll, seconded by Councilmember Zudans, and adopted by the following vote:

Mayor John E. Cotugno	<u>yes</u>
Vice-Mayor Linda Moore	<u>yes</u>
Councilmember Tracey Zudans	<u>yes</u>
Councilmember John M. Carroll, Jr.	<u>yes</u>
Councilmember Rey Neville	<u>absent</u>

ATTEST:

**CITY COUNCIL:
CITY OF VERO BEACH, FLORIDA**

Tammy K. Bursick
Tammy K. Bursick
City Clerk
(Seal)

By: [Signature]
John E. Cotugno
Mayor

Date: 8/9/23

STATE OF FLORIDA
COUNTY OF INDIAN RIVER

The foregoing instrument was acknowledged before me by means of physical presence or online notarization this 9th day of August 2023, by **John E. Cotugno**, the Mayor, and attested by **Tammy K. Bursick**, the City Clerk, of the City of Vero Beach, Florida. Both are personally known to me.

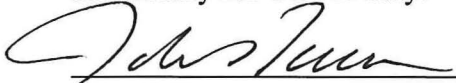
Seal:

Sign: [Signature]
Notary Public, State of Florida at Large
Print Name: Sherril Philo
Notary Commission No.: _____
My Commission Expires: _____

ADMINISTRATIVE REVIEW


(For Internal Use Only—Sec. 2-77 COVB Code)

Approved as to form and legal
sufficiency for COVB only:



John S. Turner
City Attorney

Approved as conforming to municipal
policy:



Monte K. Falls, P.E.
City Manager



LEGEND

- Vero Beach Marina Mooring
- Intracoastal Waterway
- ▭ City Park
- ▭ Proposed Anchoring Limitation Area
- ▭ Vero Beach City Limits

AREA 3 - 99.3 ac.

1 in. = 350 ft.



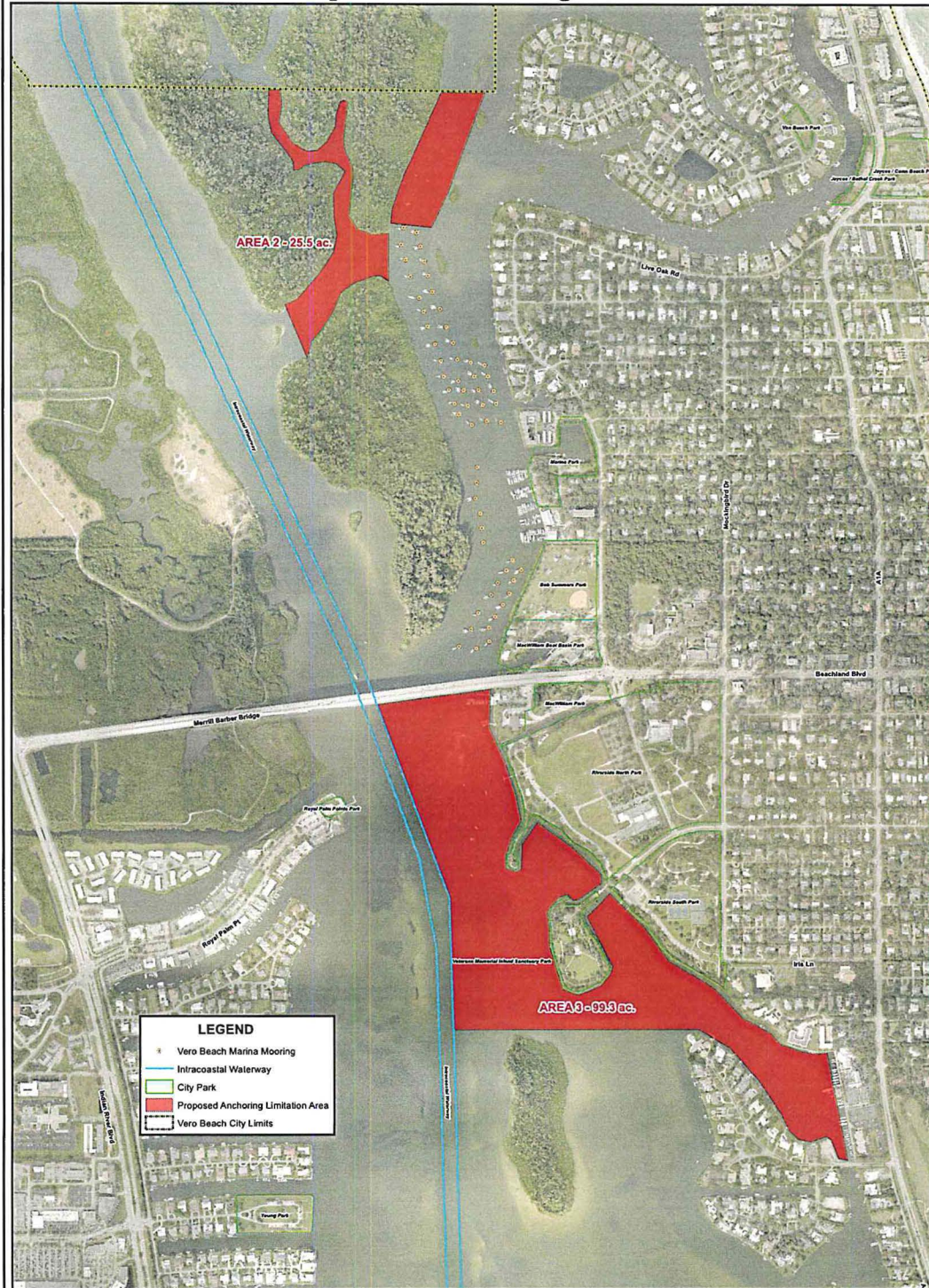
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 City of Vero Beach
 Department of Public Works \ GIS Division
 September 9, 2022

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EXHIBIT A: Proposed Anchoring Limitation Areas



LEGEND

- Vero Beach Marina Mooring
- Intracoastal Waterway
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