

**RESOLUTION NUMBER R-23-29**

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

**WHEREAS**, Florida Statute §327.4108 (2023) provides a framework for limited local anchoring regulation by a county; and,

**WHEREAS**, pursuant F.S. §327.4108, 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 that the Board of County Commissioners of Indian River County 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 Florida Statute §327.4108 (2023).

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SEBASTIAN, FLORIDA AS FOLLOWS:**

**Section 1. Adoption of “Whereas” Clauses.**

The foregoing “Whereas” clauses are found to be true and correct, and are hereby adopted and incorporated herein as forming the legislative findings, purpose, and intent of this Resolution along with any Staff reports.

**Section 2. Designation of and Establishment of Anchoring Limitation Areas.**

Attached hereto, marked as 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 Florida Statute §327.4108 (2023.)

**Section 3. Adoption of Exhibit "A."**

The City requests that the Board of County Commissioners of Indian River County formally adopt the areas designated in Exhibit "A" as the areas of limited anchoring in the City of Sebastian in accordance with state law.

**Section 4. Effective Date.**

This Resolution shall take effect immediately upon its adoption.


The foregoing Resolution was moved for adoption by Council Member Dodd. The motion was seconded by Council Member McPartlan and, upon put to a vote, the vote was as follows:


Mayor Fred Jones	<u>aye</u>
Vice Mayor Chris Nunn	<u>aye</u>
Council Member Kelly Dixon	<u>aye</u>
Council Member Ed Dodd	<u>aye</u>
Council Member Bob McPartlan	<u>aye</u>

The Mayor thereupon declared this resolution duly passed and adopted this 27th day of September, 2023.

ATTEST:

CITY OF SEBASTIAN, FLORIDA

  
Jeanette Williams  
City Clerk

  
Fred Jones, Mayor

Approved as to form & legality

  
Jennifer Cockcroft  
City Attorney



**Proposed Anchoring Limitation Areas**  
 City of Sebastian, FL





## CITY COUNCIL AGENDA TRANSMITTAL

**Council Meeting Date:** September 27, 2023

**Agenda Item Title:** Consider Resolution No. R-23-29 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 Florida Statute §327.4108.

**Recommendation:** Approval of Resolution No. R-23-29

**Background:** In accordance with Florida Statute §327.4108, Indian River County may establish an anchoring limitation area adjacent to urban areas that have residential docking facilities and significant recreational boating traffic. In working with Indian River County, per the Statute, the BOCC has requested that City Council adopt a Resolution to set forth areas within the City's jurisdiction for the County to designate and establish these Anchoring Limitation Areas. These areas must be less than 100 acres in size and comply with the additional requirements within the Statute.

**If Agenda Item Requires Expenditure of Funds:**

Budgeted Amount: N/A

Total Cost: N/A

Funds to Be Utilized for Appropriation: N/A

**Attachments:**

1. Resolution No. R-23-29
2. Exhibit A City of Sebastian Proposed Anchoring Limitation Areas
3. Florida Statute §327.4108

Administrative Services Department Review:	<u>1 Kenneth W. I. Aljane</u>
City Attorney Review:	<u>[Signature]</u>
Procurement Division Review, if applicable:	<u>N/A</u>

City Manager Authorization:	<u>[Signature]</u>
Date:	<u>9/21/2023</u>