

Neighborhood/Community Affairs Committee Meeting
November 19, 2012

**Discussion Regarding The Various Types Of Water Sports Activities That Exist Today To
Amend The 1964 Ordinance.**

*Commission Item R9B1-5, January 11, 2012
(Requested by City Commission)*

Javier Otero, Fire Chief

ITEM #5



COMMITTEE MEMORANDUM

TO: Members of the Neighborhood/Community Affairs Committee

FROM: Kathie Brooks, Interim City Manager

DATE: November 19, 2012

SUBJECT: Amendment to Division 2. Restricted Areas, Section 82-466 – 82-470, Appendix 1

Background:

Earlier this year the City responded to complaints regarding individuals running illegal concessions on our beaches (providing paddleboards and kite boards for rent), as well as concerns with the users of these non-motorized watersports potentially endangering beachgoers both in the water and on the sand.

The City's Code describes restricted swim areas in Section 82-467. In Appendix 1 to this article, a map shows the parameters of the restricted swim areas in our City. Restricted areas are measured from the City's lifeguard stands and extend 100 feet east of the shoreline, and north and south of the lifeguard stands at varying distances up to 300' in each direction. In addition to a map showing the lifeguard stands in existence at the time the appendix was approved, the appendix also includes individual renderings of the lifeguard stands and the extent of the restricted areas. At the time the current appendix was approved there were seventeen lifeguard stands, currently there are 29 lifeguard stands. In order to reflect the addition of twelve lifeguard stands and to more accurately define the restricted swim areas, the city proposes adopting the attached new appendix showing the current layout of twenty-nine lifeguard stands. For simplicity it is also proposed that instead of including individual drawings of each stand with varying distances for the restricted areas, a standard distance of 300 feet north and 300 feet south of each tower be adopted and each area between stands that exceeds nine hundred feet can be designated as "unguarded water sports area". Additionally the following changes are proposed to the current code as shown by strike out old language, underline new language or change:

Sec. 82-440. – Use of surfboards restricted.

The use of surfboards in the ocean is prohibited; however, such use shall be permitted from a line beginning at the southeast corner of South Beach Park Subdivision, according to the plat thereof, as recorded in plat book 6 at page 77 of the public records of the county, such line extended in an easterly direction to a point on the ocean marked by a buoy, as the same shall be located and maintained from day to day under the direction and authority of the beach patrol captain. Such use shall be permitted only during daylight hours. The beach patrol captain or a beach patrol officer acting at the direction and authority of the captain may close such

surfing area where, in the exercise of the discretion of the beach patrol captain, weather conditions constitute a hazard to health, safety and welfare of the persons using such areas. The use of surfboards shall also be permitted in such other areas as may be designated by the city manager from time to time as presenting no undue danger of injury to bathers.

Sec. 82-467. - Restricted swim areas.

The areas located on public beaches within the city as described in appendix 1 to this article shall be known as restricted swim areas and shall be governed by the provisions of sections 82-468 through 82-470. Such areas shall be marked by the use of buoys as described in appendix 2 to this article.

(Ord. No. 93-2848, § 1(21-18), 5-19-93)

Sec. 82-468. - Watercraft prohibited in restricted swim areas.

Except as provided in section 82-469, it shall be unlawful for any licensee or watercraft operator to steer, propel, operate, cause to be operated or use any watercraft within the restricted swim areas as set forth in section 82-467.

(Ord. No. 93-2848, § 1(21-19), 5-19-93)

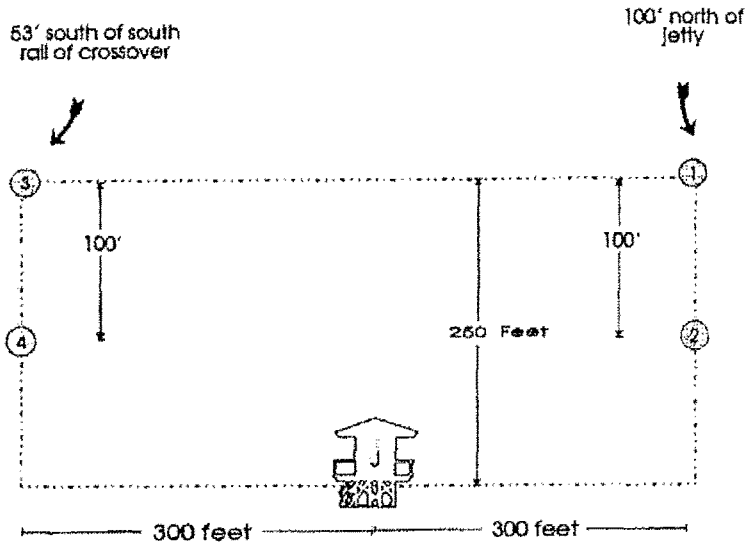
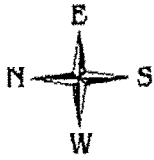
Sec. 82-469. - Exceptions.

The following shall be exceptions to the restrictions set forth in section 82-467:

- (1) Chase or emergency watercraft.
- (2) Watercraft operated by the federal government, state, county or city while engaged in law enforcement or other necessary municipal or governmental tasks.
- (3) Watercraft operated within a corridor authorized by the city and clearly marked as such by use of buoys or other markers as approved by the city, the state department of natural resources and such federal agencies whose approval is or may be required by law.
- (4) Surfboards, skim boards and sailboards are permitted in restricted swim areas 4 and 2 south of 1st street lifeguard tower as set forth in appendix 1 to this article.
- (5) Emergency beaching of watercraft when necessary to prevent loss of life, limb or property.

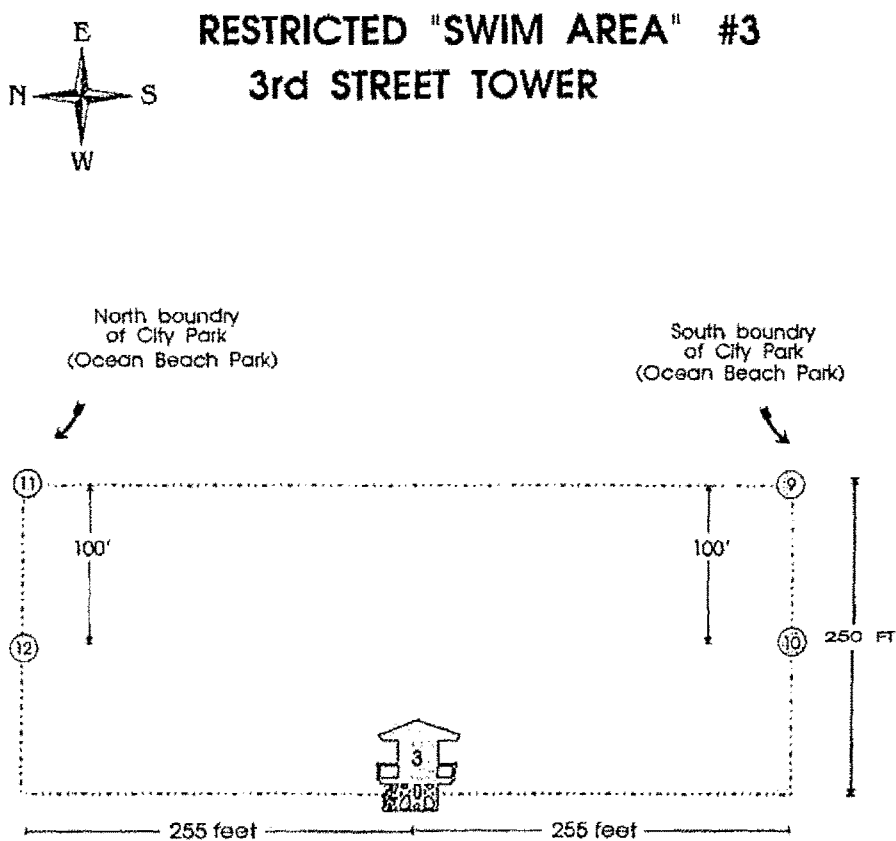
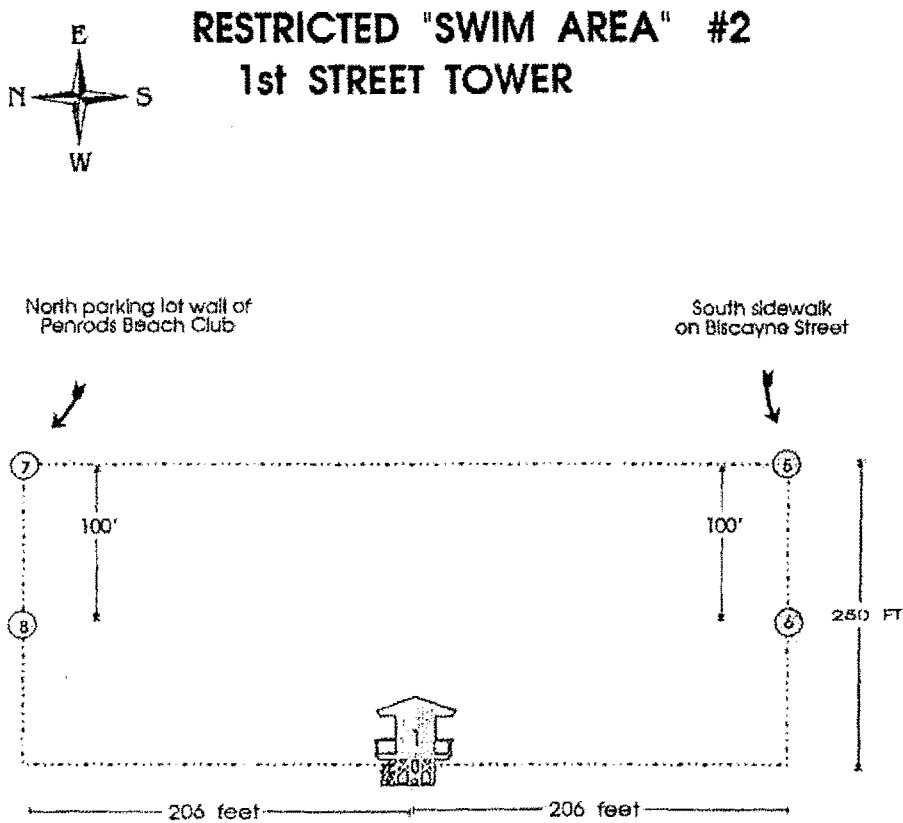
(6) Paddleboards, kayaks, wind surfboards, and other non-motorized watersports, except kite surf boards, are permitted south of restricted swim area 77 and north of restricted swim area 74

RESTRICTED "SWIM AREA" #1
JETTY TOWER (South Pointe)

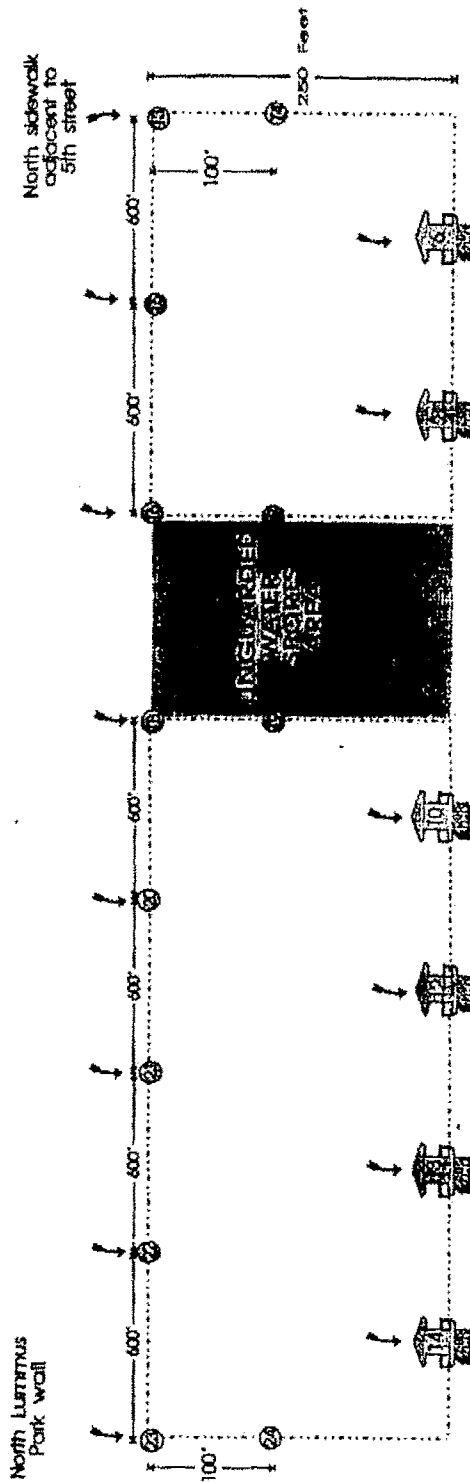


Government Cut
North Jetty



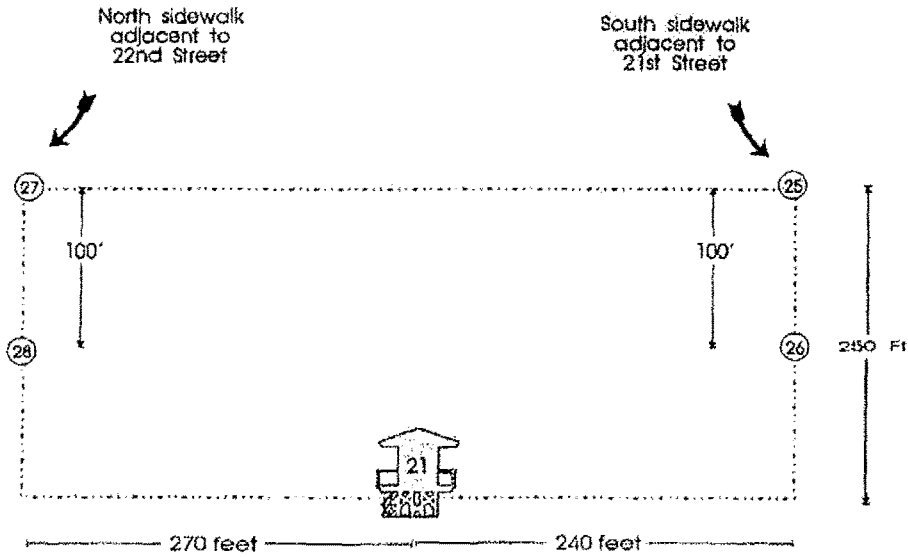


RESTRICTED "SWIM AREAS" #4 & #5 14, 13, 12 10, 8, & 6th STREET TOWERS

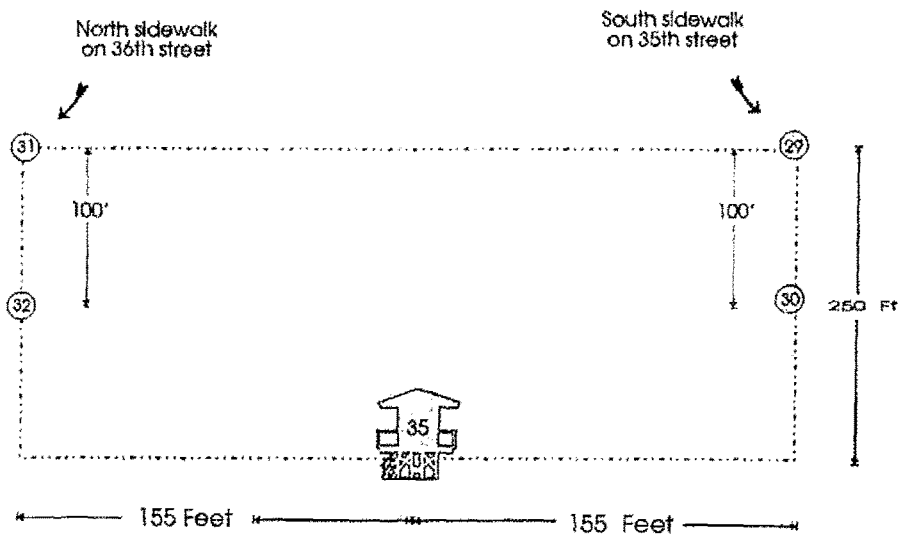


Not to Scale

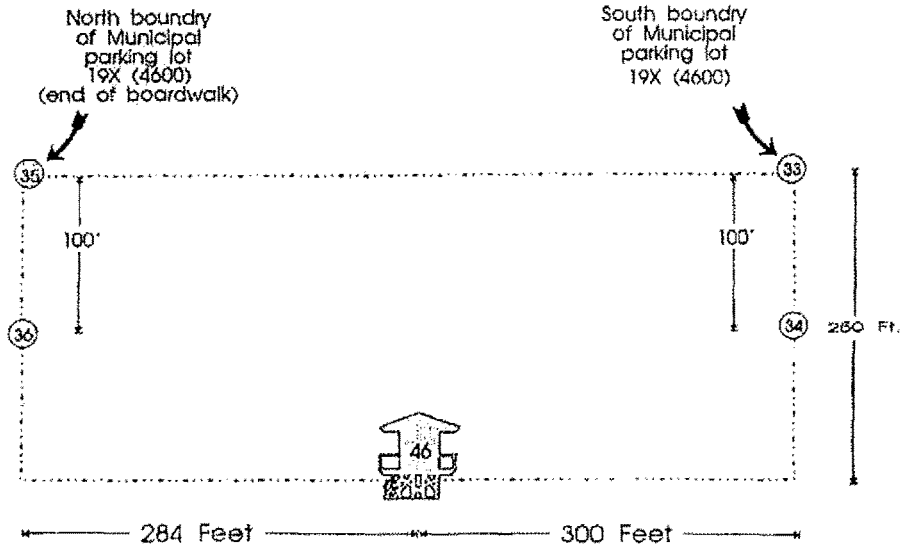
RESTRICTED "SWIM AREA" #6 21st STREET TOWER



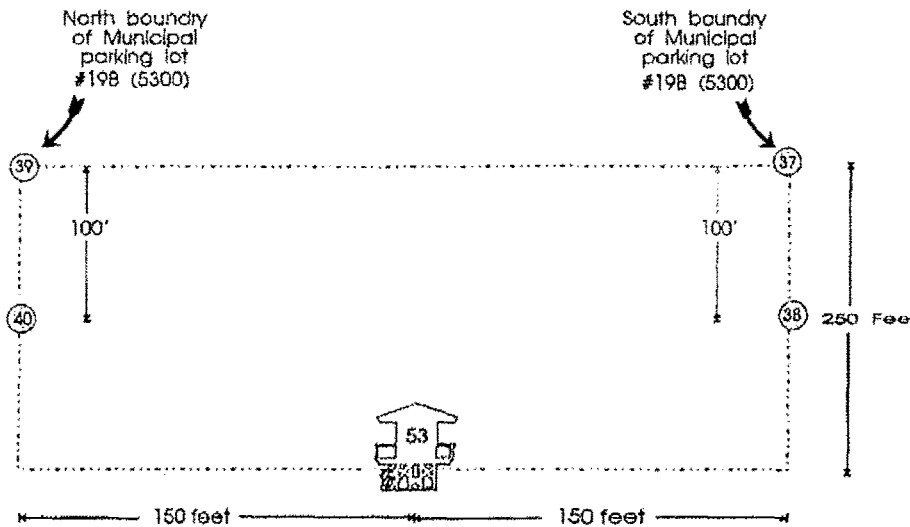
RESTRICTED "SWIM AREA" #7 35th STREET TOWER



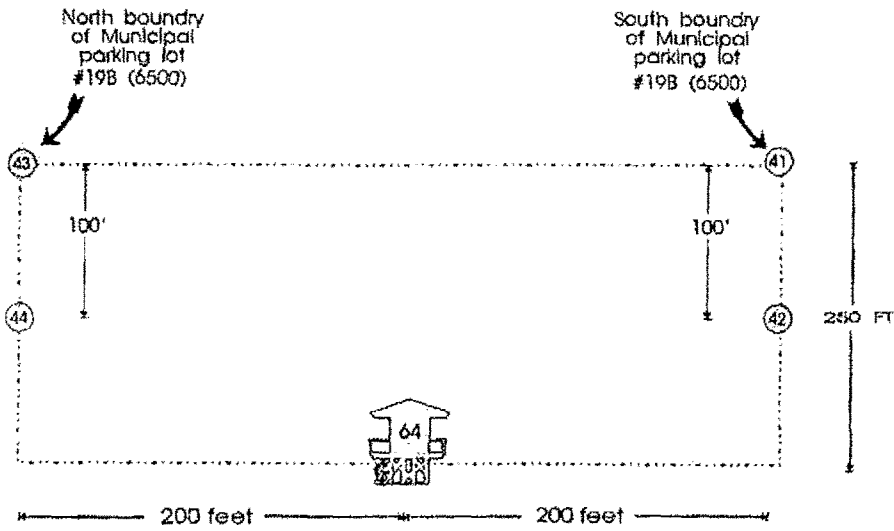
RESTRICTED "SWIM AREA" #8 46th STREET TOWER



RESTRICTED "SWIM AREA" #9 53rd STREET TOWER

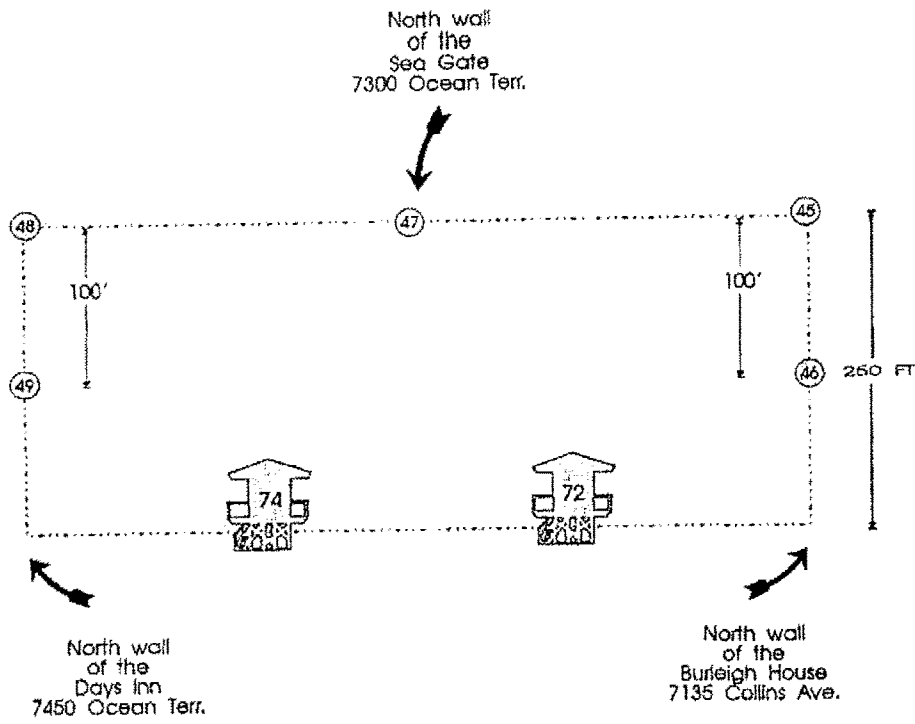


RESTRICTED "SWIM AREA" #10 64th STREET TOWER

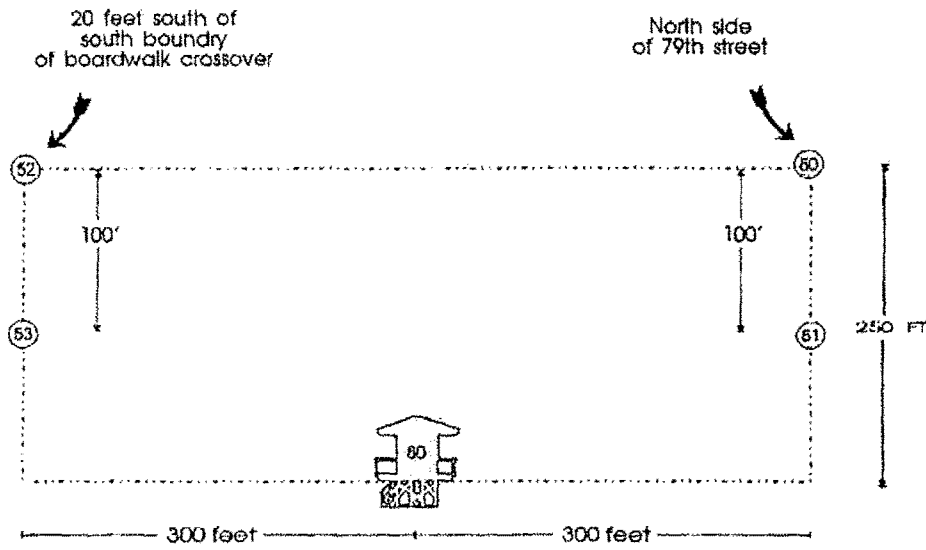




RESTRICTED "SWIM AREA" #11 74th & 72nd STREET TOWERS



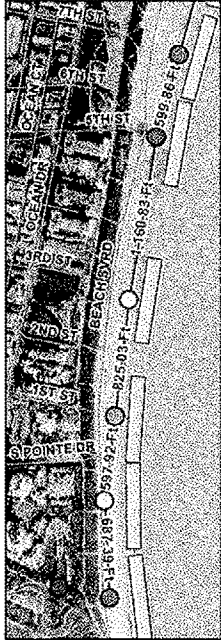
RESTRICTED "SWIM AREA" #12 80th STREET TOWER



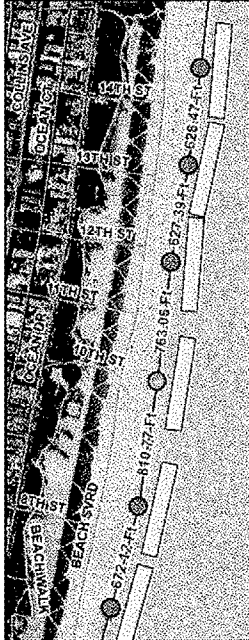
Miami Beach Lifeguard Towers



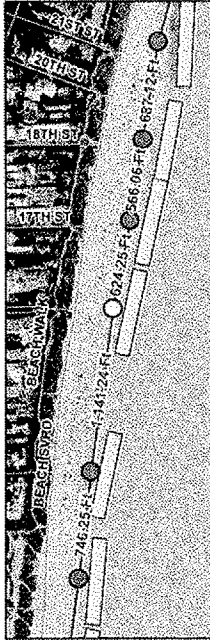
S Pointe Park to 7th Street



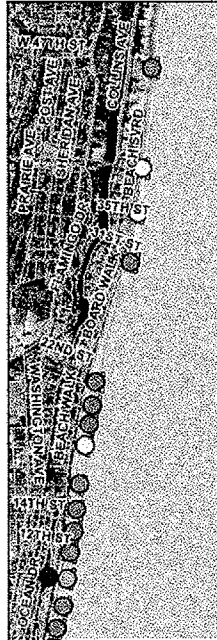
7th Street to 14th Street



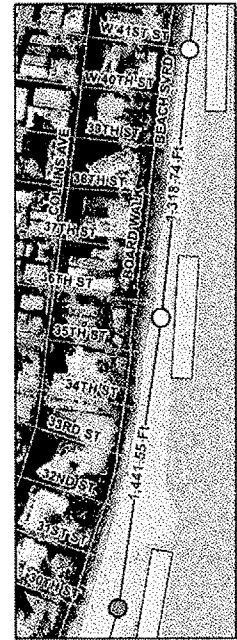
14th Street to 21st Street



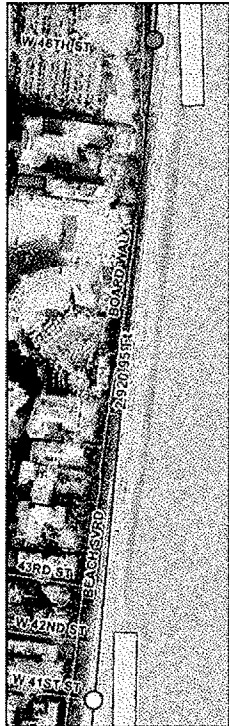
21st Street to 30th Street



30th Street to W 41st Street



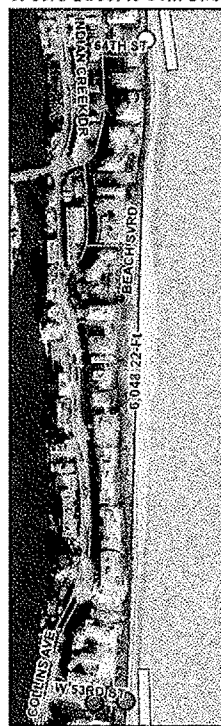
W 41st Street to W 46th Street



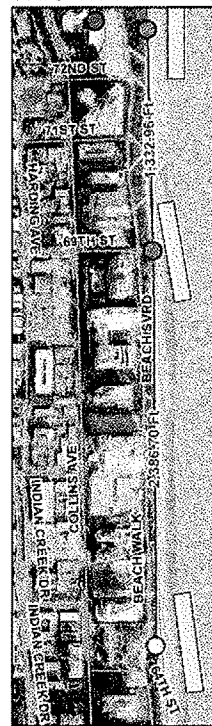
W 46th Street to W 53rd Street



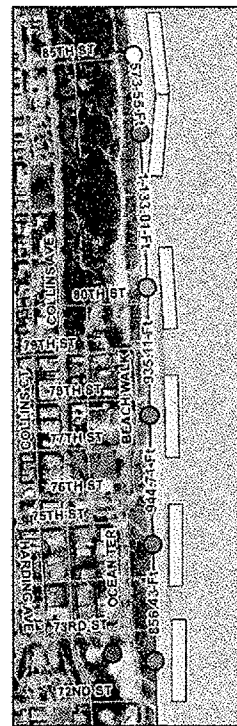
W 53rd Street to 64th Street



64th Street to 72nd Street



72nd Street to 85th Street



Legend

- | | |
|---|--|
| ● Main Headquarters; No PWC; No ATV Available | ● Double Occupancy; No PWC; No ATV Available |
| ● Sub Headquarters, No PWC; No ATV Available | ● Single Occupancy; PWC on site; ATV Available |
| ● Double Occupancy; PWC on site; ATV Available | ○ Single Occupancy; No PWC; ATV Available |
| ● Double Occupancy; PWC on site; No ATV Available | ● Single Occupancy; No PWC; No ATV Available |
| ● Double Occupancy; No PWC; ATV Available | — Distance between Towers |
| | ▨ Restricted Swim Area |

