

# ITEM X

## MEMORANDUM MF NO. 22-02

DATE: August 23, 2022

TO: Marine Advisory Board Members

FROM: Andrew Cuba, Marine Facilities Manager

RE: September 1, 2022 MAB Meeting – Application – Proposal to Operate a Floating Business – Rahn Bahia Mar L.L.C.

Attached for your review is an application from Rahn Bahia Mar L.L.C. (see **Exhibit 1**).

### APPLICATION AND BACKGROUND INFORMATION

The applicant is requesting approval for dockage of a floating structure (120'L x 46'W) for use by Bahia Mar L.L.C. in accord with the City Code of Ordinances, Section 8-146, "Using Boats as Places of Business". The proposed location of the watercraft is located in the marina basin in the south east corner of the Bahia Mar Marina adjacent to Seabreeze Boulevard as shown in the site plan included in **Exhibit 1**.

The City Commissions' review includes consideration of the following specified in Code Section 8-146(a):

- (1) The adequacy of the provisions by the applicant for observation of all health and sanitary regulations of the City.
- (2) The level of the noise to be generated by the proposed business operation.
- (3) The number of patrons, customers or clients expected to travel to and from the floating business and the availability of sufficient parking.
- (4) The recommendation of the Marine Advisory Board.
- (5) Whether the proposed facility will tend to enhance the appearance of the City's waterways and promote the City's image as a family-oriented resort area.

### RECOMMENDATIONS

Should the Marine Advisory recommend approval of the application, the resolution under consideration by the City Commission should include at least the following as prescribed in the ULDR and City Code of Ordinances:

1. The applicant is required to comply with all Federal and State laws and specifically the Florida Department of Environmental Protection and the U.S. Army Corps of Engineers as it applies to the "floating structure".
2. The applicant must be in compliance and maintain valid copies of all certification and licensing for the floating structure' and comply with all requirements set forth in City Code 8-146 Using Boats As Places Of Business.
3. As a general condition of approval and in order to review for final consistency with this application and these recommendations for approval, prior to or concurrent with applying for City building permits the applicant is required to provide the City's Supervisor of Marine Facilities with copies of permits from the Florida Department of Environmental Protection (FDEP), Broward County Environmental Protection and Growth Management Department, and the U.S. Army Corp of engineers.

AC

Attachment

cc:

Enrique Sanchez, Deputy Director of Parks and Recreation

Jon Luscomb, Marine Facilities Supervisor

**CITY OF FORT LAUDERDALE  
MARINE FACILITIES  
APPLICATION FOR WATERWAY PERMITS, WAIVERS AND LICENSES**

Any agreement with the City of Fort Lauderdale and other parties, such as, but not limited to, licenses, permits and approvals involving municipal docking facilities or private uses in the waterways as regulated by Section 8 of the City Code of Ordinances or Section 47-19.3 of the City's Urban Land Development Regulations, shall be preceded by the execution and filing of the following application form available at the Office of the Supervisor of Marine Facilities. The completed application must be presented with the applicable processing fee paid before the agreement is prepared or the application processed for formal consideration (see City of Fort Lauderdale Code Section 2-157). If legal publication is necessary, the applicant agrees to pay the cost of such publication in addition to the application fee.

**APPLICATION FORM  
(Must be in Typewritten Form Only)**

1. LEGAL NAME OF APPLICANT - (If corporation, name and titles of officers as well as exact name of corporation. If individuals doing business under a fictitious name, correct names of individuals, not fictitious names, must be used. If individuals owning the property as a private residence, the name of each individual as listed on the recorded warranty deed):

NAME: Rahn Bahia Mar L.L.C.

TELEPHONE NO: 305-891-1107  
(home/cellular)

EMAIL: Jimmy@tatecapital.com

2. APPLICANT'S ADDRESS (if different than the site address): 1175 NE 125<sup>th</sup> Street, Suite 102, North Miami, FL 33161

3. TYPE OF AGREEMENT AND DESCRIPTION OF REQUEST: Using a Boat as a Place of Business

4. SITE ADDRESS: 801 SEABREEZE BOULEVARD ZONING: SBMHA

LEGAL DESCRIPTION AND FOLIO NUMBER: BAHIA MAR 35-39 B ALL BAHIA MAR LYING W OF SEABREEZE BLVD R/W LESS PARCEL 1 & LESS N 80 OF PARCEL 34, AND LESS POR LYING WITHIN R/W FOR S ST RD A-1-A PER MISC MB 8-149 & 8-185

Folio No. 504212270012

5. EXHIBITS (In addition to proof of ownership, list all exhibits provided in support of the applications):  
Renderings, Plans, Code Narrative

  
\_\_\_\_\_  
Applicant's Signature

James D. Tate, President  
Printed Name, Title

08/19/2022  
Date

=====

The sum of \$ 1500.00 was paid by the above-named applicant on the \_\_\_\_\_ of \_\_\_\_\_, 20\_\_\_\_ Received by: \_\_\_\_\_

City of Fort Lauderdale

=====For Official City Use Only=====

**Marine Advisory Board Action**  
Formal Action taken on \_\_\_\_\_

**Commission Action**  
Formal Action taken on \_\_\_\_\_

Recommendation \_\_\_\_\_  
Action \_\_\_\_\_



August 19, 2022

Robert Lochrie, III  
Lochrie & Chakas  
1401 East Broward Blvd, Suite 303  
Fort Lauderdale, FL 33301

Dear Mr. Lochrie:

As the property owner of the Bahia Mar property (Folio 504212270012), I hereby authorize the applicant (Rahn Bahia Mar, LLC.) to submit an application pursuant to Section 8-146 – Using Boats as Places of Business to be located within the Bahia Mar property.

If you have any questions regarding this matter, please contact me at 954-828-5959.

Sincerely,

Greg Chavarria  
City Manager

c: D'Wayne Spence, Assistant City Attorney  
Andrew Schein, Esq.

**Office of the City Manager**

100 North Andrews Avenue, Fort Lauderdale, Florida 33301

Telephone (954) 828-5013, Fax (954) 828-5599

[www.fortlauderdale.gov](http://www.fortlauderdale.gov)



# Bahia Mar

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The Ferry  
Marine Advisory Board  
September 1, 2022

Drawing name: G:\Teams\SECAR\120002\_bahia\_mar\_marina\_mll\gpl\DSAdoc\06-30\_drc\_submittal\CAD\SHEETS\L-00.dwg L-00 ILLUSTRATIVE MASTER PLAN Aug 08, 2022 3:01pm by: lgrcode



LEGEND

- ① MARINA VILLAGE
- ② HOTEL
- ③ RESIDENTIAL TOWER
- ④ MARINA PROMENADE
- ⑤ COMMERCIAL
- ⑥ RESTAURANT
- ⑦ RETAIL PLAZA
- ⑧ MARINA PARK
- ⑨ GROUND LEVEL RETAIL
- ⑩ GATEWAY PARK
- ⑪ PEDESTRIAN BRIDGE CONNECTION
- ⑫ SEABREEZE PROMENADE

FOR DRC REVIEW ONLY - NOT FOR CONSTRUCTION

Client:

**T.R.R. BAHIA MAR, LLC**  
1175 NE 125 STREET, SUITE 102  
NORTH MIAMI, FL 33161

Project Name:



**EDSA**  
LAND PLANNER / LANDSCAPE ARCHITECT  
1512 E. BROWARD BOULEVARD, SUITE 110  
FORT LAUDERDALE, FLORIDA 33301 USA  
TEL: 954.524.3330  
www.edsaflan.com  
LCC000001

**K O S I**  
**A R C H I T E C T**  
ARCHITECT  
KOSI KARP ARCHITECTURE  
AND INTERIOR DESIGN, INC.  
2915 BISCAYNE BLVD #200  
MIAMI, FL 33137

Consultants:



CIVIL ENGINEER  
FLYNN ENGINEERING SERVICES  
241 COMMERCIAL BLVD.  
LAUDERDALE-BY-THE-SEA  
FL 33308



TRAFFIC ENGINEER  
TRAF TECH ENGINEERING INC  
8400 N UNIVERSITY DR # 307  
POMPANO BEACH, FL 33321

Rev.	Date	Description	By
▲	5/29/20	DRC ADMIN REVIEW	JMA
▲	5/29/20	DRC ADMIN REVIEW	JMA
▲	8/10/22	DRC AMENDMENT	BSL
▲			

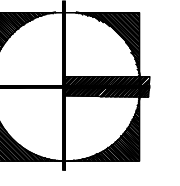
Date: 15 SEPTEMBER 2017

Project Manager: MPK

Drawn By: DDB MPK MGG

Principal in Charge: BSL

Project No: 116102



NORTH

SCALE: 1"=60'



Seal:



Project Phase:

LEVEL IV SITE PLAN SUBMITTAL

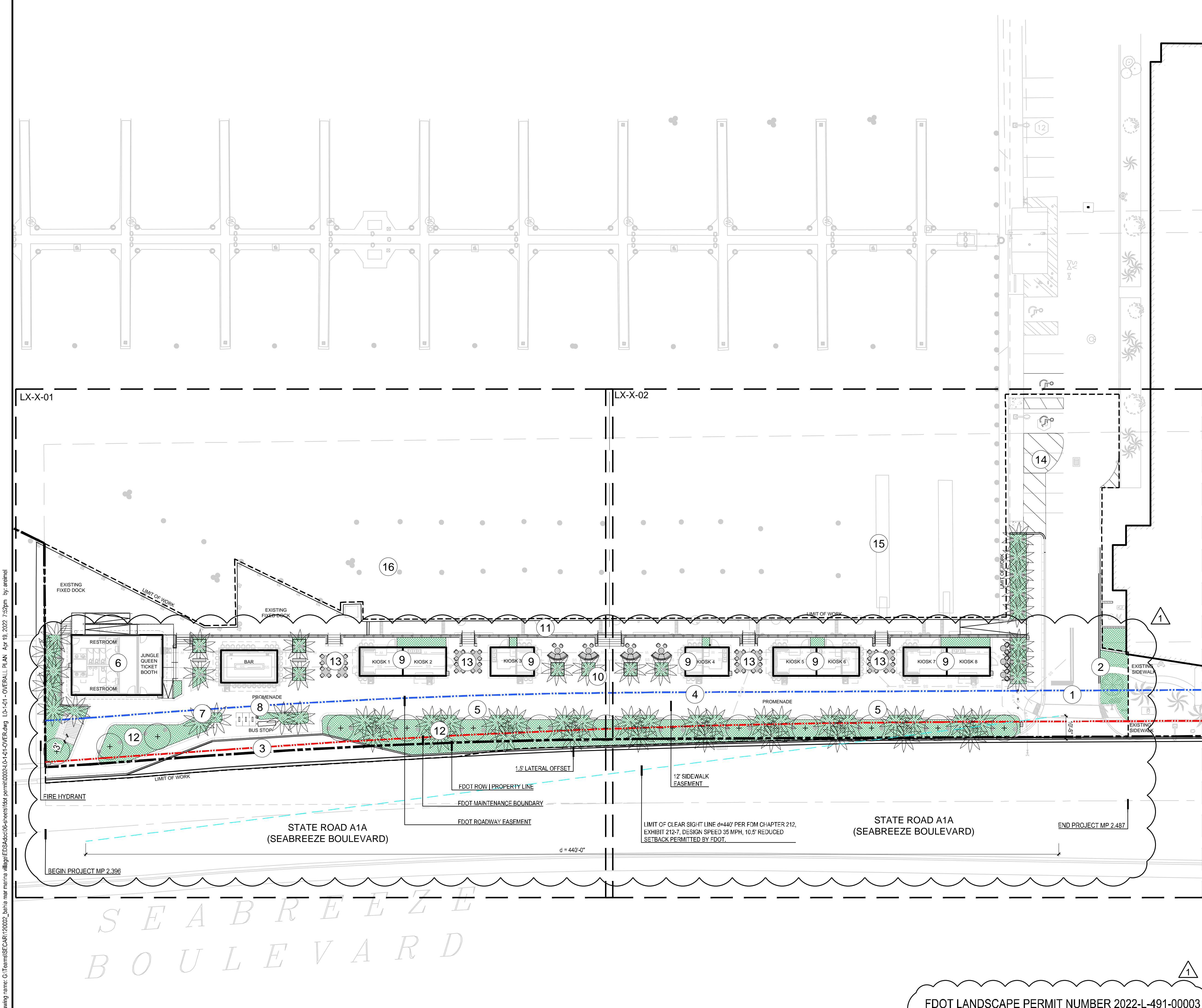
Sheet Title:

ILLUSTRATIVE MASTER PLAN

Sheet Number:

L-0.00

PROPOSED



- ### LEGEND
- 1 TEMPORARY ACCESS
  - 2 EXISTING WALK TO MARKET
  - 3 MULTI-MODAL BUS DROP
  - 4 MARINA VILLAGE PROMENADE
  - 5 SEATING AREA
  - 6 JUNGLE QUEEN TICKET BOOTH/RESTROOMS
  - 7 RELOCATED BUS BAY
  - 8 BIKE RACK/PUMP
  - 9 MARINA VILLAGE KIOSK
  - 10 LOUNGE GROVE
  - 11 EXISTING FIXED DOCK
  - 12 LANDSCAPE AREA, TYP.
  - 13 OUTDOOR SEATING, TYP.
  - 14 EXISTING PARKING LOT
  - 15 TRANSIENT DOCKS
  - 16 WATER TAXI
- SEABREEZE PROMENADE

Project Name

# BAHIA MAR MARINA VILLAGE

Client

## TRR BAHIA MAR LLC

PLANNING  
LANDSCAPE ARCHITECTURE  
URBAN DESIGN

1512 E. BROWARD BOULEVARD, SUITE 110  
FORT LAUDERDALE, FLORIDA 33301 USA  
TEL: 954.524.3339 LCC000001

Consultants

**THE CHAPPELL GROUP INC.**  
ENVIRONMENTAL CONSULTANT  
714 EAST MCNAB ROAD  
POMPANO BEACH, FL 33060

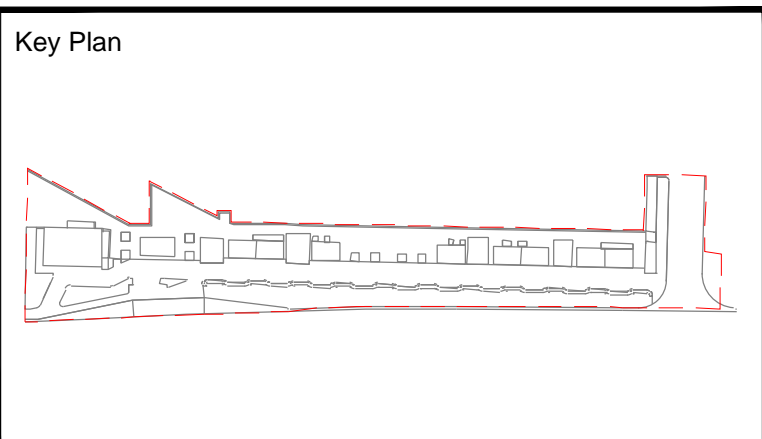
**KIMLEY HORN ASSOCIATES**  
CIVIL ENGINEER  
615 SOUTH CONGRESS AVENUE  
SUITE 201  
DELRAY BEACH, FL 33446

**KOBI KARP ARCHITECTURE / INTERIOR DESIGN**  
CONSULTANT 3 DISCIPLINE  
2915 Biscayne Boulevard  
Suite 200  
Miami, FL 33137

**IDDI**  
CONSULTANT 4 DISCIPLINE  
5100 NORTH DIXIE HIGHWAY  
FORT LAUDERDALE, FL 33334

**FELLER ENGINEERING**  
MEP  
500 NE THIRD AVENUE  
FORT LAUDERDALE, FLORIDA 33301

**CSW STRUCTURAL GROUP**  
STRUCTURAL ENGINEER  
5397 ORANGE DRIVE  
SUITE 203  
DAWE, FLORIDA 33314



Rev	Date	Issued for
1	04.11.2022	PERMIT REVISION

Date	01/07/2021
Designed By	DB
Drawn By	AR
Approved / Checked By	BSL
Project Number	120002

Seal

Project Phase

ISSUE FOR PERMIT

Sheet Title

# OVERALL PLAN

Revision Number

Sheet Number

# 1 L0-1-01

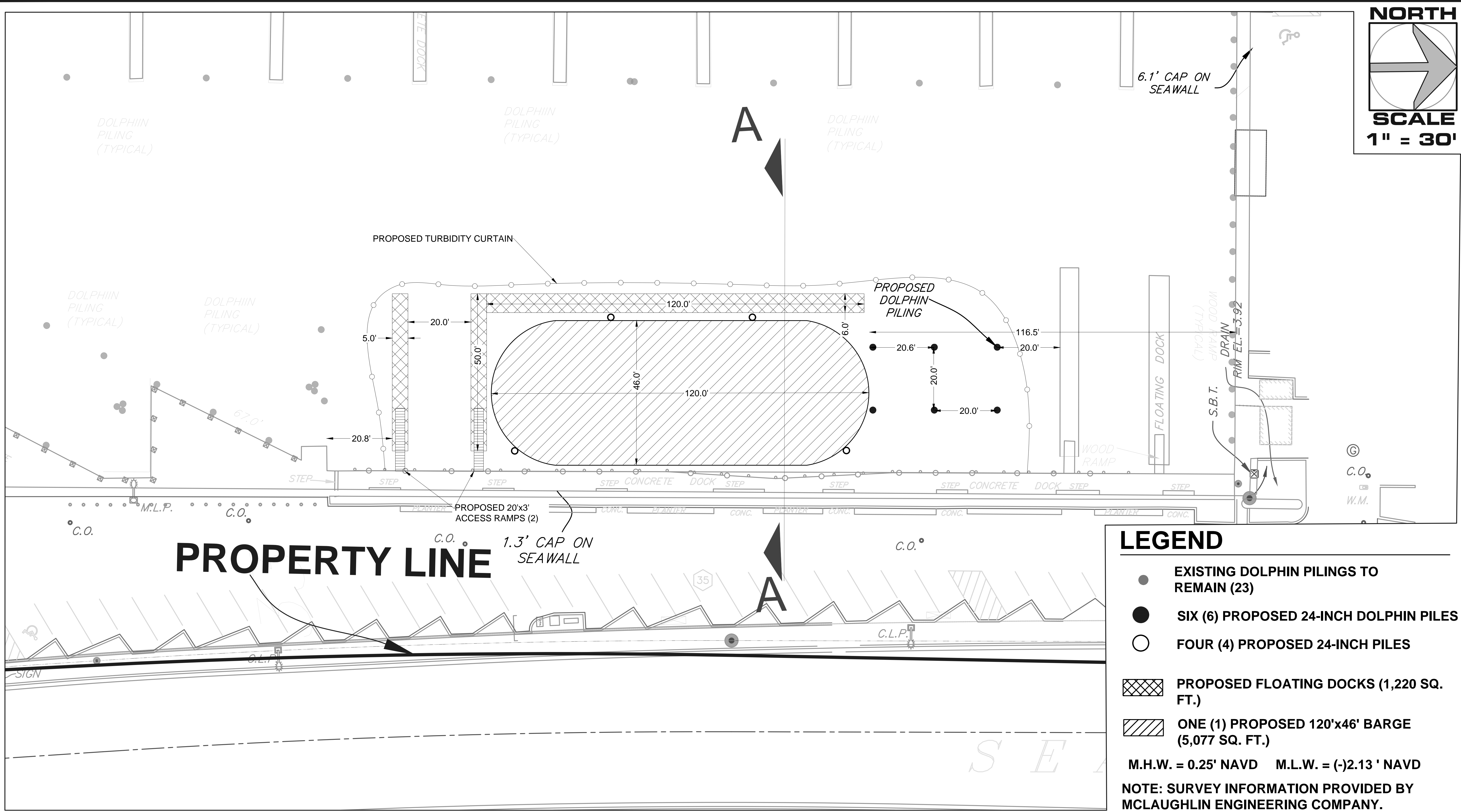
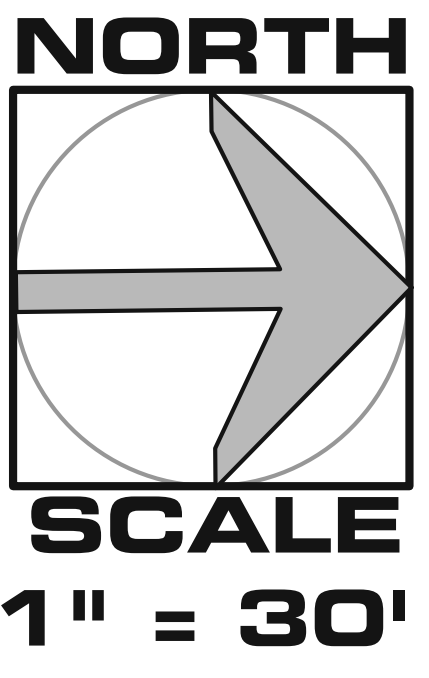
Drawing name: G:\Teams\SECAR\120002\_Bahia mar marina village\FDS\ads\05\sheet\05-L0-1-01-OVER.dwg L0-1-01 - OVERALL PLAN Apr 19 2022 7:52pm by: aremal

FDOT LANDSCAPE PERMIT NUMBER 2022-L-491-00003 ORIGINAL TITLE BLOCK DRAWN AT 24"x36" (Arch D)



BAHIA MAR MARINA VILLAGE VIEW  
FORT LAUDERDALE, FLORIDA





### LEGEND

- EXISTING DOLPHIN PILINGS TO REMAIN (23)
- SIX (6) PROPOSED 24-INCH DOLPHIN PILES
- FOUR (4) PROPOSED 24-INCH PILES
- ▨ PROPOSED FLOATING DOCKS (1,220 SQ. FT.)
- ▩ ONE (1) PROPOSED 120'x46' BARGE (5,077 SQ. FT.)

M.H.W. = 0.25' NAVD    M.L.W. = (-)2.13' NAVD

**NOTE: SURVEY INFORMATION PROVIDED BY MCLAUGHLIN ENGINEERING COMPANY.**

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**THE Chappell GROUP INC.**

714 East McNab Road  
 Pompano Beach, Florida 33060  
 tel. 954.782.1908  
 fax. 954.782.1108  
[www.thechappellgroup.com](http://www.thechappellgroup.com)

- Environmental Consultants
- Marina & Wetland Permitting
- Mitigation Design & Monitoring
- T&E Species Surveys
- Tree Surveys/Appraisals

## BAHIA MAR FLOATING BARGE

PREPARED FOR:  
**RAHN BAHIA MAR, LLC**

PROPOSED CONDITIONS-INSET A

Date: 7/20/2022	Sheet : <b>4</b>	of : <b>6</b>	
Proj No.: 15-0020.004			





PELICAN FERRY - BAHIA MAR - Ft. Lauderdale, FL

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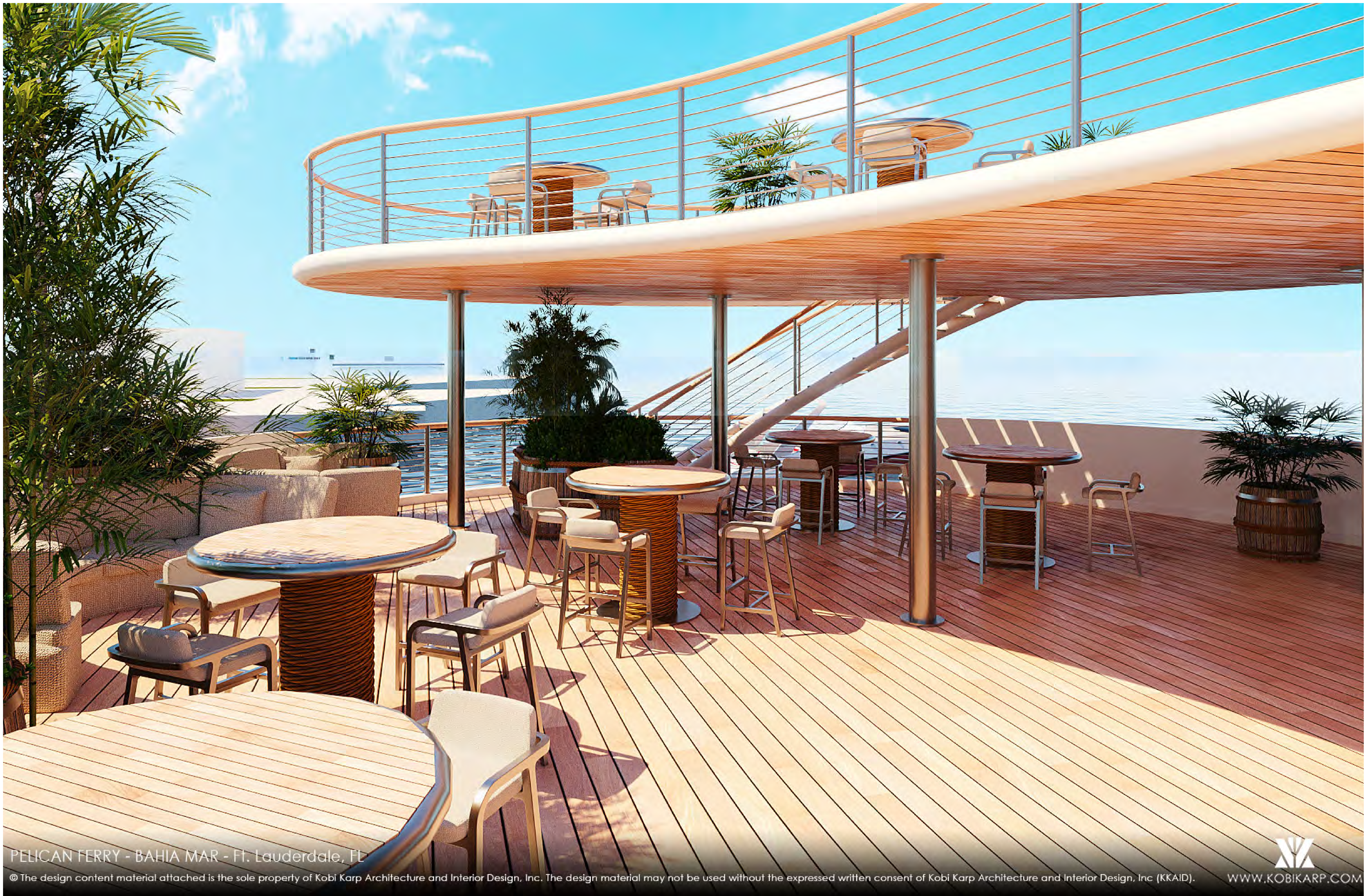
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# Bahia Mar

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The Ferry  
Marine Advisory Board  
September 1, 2022

## Marine Advisory Board

### The Ferry – Bahia Mar

#### 1. General Information

This application is for the installation of The Ferry, which will be located at the Marina Village at Bahia Mar. The Ferry is the retired “Pelican” ferry, which was used to transport passengers and vehicles to and from Fisher Island in Miami. The Ferry is being redesigned by Kobi Karp Architecture to transform The Ferry into a complimentary epicenter of the Marina Village, where guests can find ample covered outdoor seating along the waterway.

The intent of the Marina Village was always to provide a best-in-class food and beverage venue overlooking the world class marina. The opportunity for permanent, comfortable, and safe seating for patrons was lacking, with most of the seating facing A1A rather than the waterway. The introduction of The Ferry will significantly enhance the patron experience by providing additional covered seating for patrons to enjoy their food and beverages from the Marina Village while providing a more intimate and connective experience to the waterway.

The Ferry will also return a part of Bahia Mar and Fort Lauderdale’s literary history. Bahia Mar is home to the fictional Boat Slip F-18, where The Busted Flush houseboat was docked in John MacDonald’s 21-part *Travis McGee* book series. In 1987, Bahia Mar brought the fictional Slip F-18 to reality, marking the slip and installing an information plaque. Slip F-18 was removed in 2016. Slip F-18 will return and will be the new home of The Ferry, bringing back a piece of Fort Lauderdale’s literary history.

#### 2. Code Requirements – Using Boats as a Place of Business

##### **Sec. 8-146. Using boats as places of business.**

- (a) *General restriction.* It is prohibited to operate a floating business within the city without approval by the city commission. In determining whether or not to grant such approval, the city commission shall consider the following:
- (1) The adequacy of provisions by the applicant for observation of all health and sanitary regulations of the city;  
**RESPONSE: All health and sanitary regulations will be followed. Applicant has already received permit approval for the Ferry from the County, Army Corps of Engineers, and the Florida Department of Environmental Protection.**
  - (2) The level of noise to be generated by the proposed business operation;  
**RESPONSE: Noise levels will be consistent with the provisions required by the City of Fort Lauderdale ULDR.**
  - (3) The number of patrons, customers or clients expected to travel to and from floating business and the availability of sufficient parking facilities therefor;  
**RESPONSE: The addition of “The Ferry” to the approved Marina Village is neutral to both the parking and traffic previously approved for the project. Specifically, restaurant uses in building 14 (reduced) and building 15 (removed) to accommodate the Ferry. There is also adequate existing parking available onsite to accommodate the parking in phase one. Structurally, the Ferry can hold approximately 550 people; however, maximum capacity will be limited by all relevant fire codes.**
  - (4) The recommendation of the marine advisory board; and  
**RESPONSE: The project will be presented at the September 1st Marine Advisory Board (MAB).**

- (5) Whether the proposed facility will tend to enhance the appearance of the city's waterways and promote the city's image as a family-oriented resort area.

**RESPONSE: The Ferry is designed to enhance the resort and family atmosphere of the approved Marina Village by providing the public an opportunity to engage with the waterfront and share in the marina heritage of the Bahia Mar. Providing food and beverage opportunities within the Marina helps to further activate the Marina Village welcoming guests from the surrounding hotels, along with residents to enjoy this unique resort destination. The aesthetics of the Ferry are consistent with the nautical atmosphere of the Bahia Mar and support the city's image as a family-oriented resort area.**

- (b) *Safety standards.* Any floating business used as a place from which any business or professional service of any type is conducted which would come within the definition of Group A or B occupancy pursuant to the Florida Building Code and which is approved pursuant to subsection (a) of this section shall be subject to the following safety requirements:

- (1) *Certificate of occupancy.* No floating business shall be occupied unless a certificate of occupancy has been issued by the fire marshal and the building official. The fire marshal and the building official may issue a certificate of occupancy when the conditions set forth in this subsection have been met. A certificate of occupancy may be revoked by the building official or fire marshal for violation of the terms of this section. Recertification shall be required annually or upon relocation of the floating business. The initial fee for certification shall be two hundred fifty dollars (\$250.00). The fee for recertification shall be one hundred dollars (\$100.00).

**RESPONSE: Acknowledged.**

- (2) *Structural requirements.* A floating business shall be stable under the action of dead and live loads and consideration shall be given to the effect of off-center loading and wind loading in determining overall stability. The design of a floating business shall be based upon accepted basic engineering principles for a structure and if, in the judgment of a certified marine surveyor or naval architect, instability is in evidence, then at the discretion of the fire marshal and building official the following calculations shall be permitted:

- a. *Metacentric height.* The metacentric height (GM) shall be at least one (1) foot or greater.

**RESPONSE: Glowacki Engineering ("GE") has designed structural, electrical, and mechanical modifications to the Ferry to ensure the minimum required GM will be met.**

- b. *Freeboard immersion.* The freeboard, as measured from the waterline to the top of the first floor or deck of the completed floating business, including dead load but not live load, shall be at least one (1) foot four (4) inches (with list angles equal to zero (0) degrees). The allowable immersion under the action of off-center loading or wind loading shall not exceed two-thirds of the original freeboard with a list angle of four (4) degrees. Freeboard shall be measured from the waterline to the top of the floor or deck at the side of the floating business at a point where such freeboard has its least dimension.

**RESPONSE: GE is designing structural, electrical, and mechanical modifications to the Ferry. As these plans mature our stability calculations will provide this requested information. At this time, knowledge of the vessel as it exists today suggest that the minimum required freeboard will be met and the maximum allowable heel angle will be avoided.**

- c. *List angle.* The maximum angle of list shall not exceed four (4) degrees under the action of either off-center or wind loading.

**RESPONSE: GE is designing structural, electrical, and mechanical modifications to the Ferry. As these plans mature our stability calculations will provide this requested information. At this**

***time, knowledge of the vessel as it exists today suggest that the maximum allowable heeling angle will be avoided due to the influence of wind or off-center loading.***

- d. *Off-center loading.* The off-center loading shall be considered as applicable to the completed floating business, including dead load and shall consist of a line load of one hundred (100) pounds or five (5) pounds per foot of width, whichever is greater, per lineal foot (first floor) and fifty (50) pounds, or two and one-half (2.5) pounds per foot of width, whichever is greater, per lineal foot (second floor, habitable attic or loft). The uniform line load is to be applied halfway between the center of gravity and the outside edge of deck to one (1) side of the floating business at a time. The dividing line is the longitudinal axis of the floating business and the overturning moment resulting from the off-center loading shall be taken about the computed center of gravity. Stability with off-center loading shall be tested on both sides of the longitudinal axis. The ratio, MR/MO, MO being the overturning moment due to off-center loading, and the MR being the resisting moment due to buoyancy, shall be equal to one (1) applied with a list to four (4) degrees. Overturning moments and resisting moments are to be taken about a longitudinal line passing through the computed center of gravity.

***RESPONSE: GE is designing structural, electrical, and mechanical modifications to the Ferry. As these plans mature our stability calculations will provide this requested information. At this time, knowledge of the vessel as it exists today suggest that the required ratio of overturning to resisting moments will be met.***

- e. *Wind loading.* Wind loading shall be applied to the completed floating business, including dead load and live load, but not off-center loading. The ratio, MR/MN, MN being the wind heeling moment, and MR being the resisting moment due to buoyancy, shall be equal to one (1) applied with a list equal to four (4) degrees.

***RESPONSE: GE is designing structural, electrical, and mechanical modifications to the Ferry. As these plans mature our stability calculations will provide this requested information. At this time, knowledge of the vessel as it exists today suggest that the required ratio of wind heeling to resisting moments will be met.***

- f. *Calculations by qualified, certified marine surveyor or naval architect.* Calculations shall be submitted by a certified marine surveyor or naval architect showing that the floating business conforms to the requirements of this section.

***RESPONSE: GE, who will be providing stability calculations, is a naval architectural consulting firm staffed by professional engineers licensed in Florida. Final calculations will be provided at the time of permit.***

- (3) *Electrical.* The following electrical requirements shall be met:

- a. *Grounding.* In addition to any grounding provided by the conduit system, there shall be installed a common grounding conductor of not less than No. 12 AWG, arranged in accordance with the requirements of the National Electrical Code (Article 250), properly attached to the interior of all metallic boxes, housings and enclosures and properly connected to the grounding facility of all receptacles. The hull, if metal, metallic piping, exposed metal structural members, metal railing, ladders, etc., shall be effectively bonded to the ground bus. If the hull is built of materials other than metal, a ground electrode of corrosion-resistant metal shall be so located as to be in contact with the water and be connected with No. 6 AWG copper wire to the ground bus. The electrode shall be of bronze or brass and not smaller than one-quarter-inch diameter and eighteen (18) inches in length.

***RESPONSE: Electrical system will be in accordance with Florida Building Code, Broward Edition, and the National Electrical Code, and marine grade parts (wire, receptacles, etc.) will be applied as well, when available.***

- b. *Wiring methods.* Wiring installations shall comply with the requirements of the Florida Building Code, Broward Edition, and the National Electrical Code. Nonmetallic sheathed cable shall be limited to the extent of being fished in any existing partitions.

**RESPONSE: Electrical system will be in accordance with Florida Building Code, Broward Edition, and the National Electrical Code, and marine grade parts (wire, receptacles, etc.) will be applied as well, when available.**

- (4) *Fuel gas piping.* All fuel gas lines shall be installed in accordance with the Florida Building Code, Broward Edition, and with the following special requirements:

**RESPONSE: The proposed facility will not have any gas piping/services.**

- a. *Cathodic protection.* All gas piping shall have approved cathodic protection.

**RESPONSE: N/A**

- b. *Connections, valves.* Where gas is permitted by the building official to be distributed from shoreside facilities, connections to the floating business shall be made by the use of approved high pressure flexible hose and such connections shall terminate in a positive disconnect coupling. A separate shut-off valve shall be installed ahead of such connection. Connections shall not be immersed in water or run exposed on docks, piers, floats or vessels. The length of the flexible connection shall not be excessive nor shall it be used as a substitute for gas piping.

**RESPONSE: N/A**

- c. *Liquid propane gas.* The installation of liquid propane gas facilities aboard the floating business shall comply with the National Fire Protection Association Code.

**RESPONSE: N/A**

- (5) *Moorage berths.* Moorage berths shall be connected to a public street by land or by walkway not less than four (4) feet wide. Walkways and berths shall be illuminated at an average intensity of two (2) footcandles.

**RESPONSE: The walkway and dockside connections are not less than 4' in width, and lighting on the path will be at least two (2) footcandles.**

- (6) *Fire protection.* The following fire prevention measures shall be observed:

- a. All floating businesses must be protected by automatic fire sprinkler systems designed and installed according to the Florida Building Code, Broward Edition, and the National Fire Protection Association Code.

**RESPONSE: GE to rely on Broward County Fire Inspector's review of the vessel arrangement plans as modified. These reviewed plans should specify which compartments or regions on the vessel will require an automatic fire sprinkler system. The sprinkler system (if any) shall be designed by a company expert in this technology.**

- b. One (1) side of the floating business must be within thirty (30) feet of an approved driveable surface, thereby providing access for fire-rescue department equipment.

**RESPONSE: The access point to the Ferry is less than 30' from a drivable surface capable of supporting the access for fire-rescue department equipment.**

- c. Where propane gas is used, automatic gas detectors shall be installed as prescribed in the National Fire Protection Association Code.

**RESPONSE: N/A, as the proposed facility will not have any gas piping/services.**

- d. All interior finish shall comply with chapter 37 of the Florida Building Code, Broward Edition.

**RESPONSE: Acknowledged.**

- e. All cooking equipment and ventilation equipment shall be installed and protected in accordance with the Florida Building Code, Broward Edition, and the National Fire Protection Association Code.

**RESPONSE: N/A, as the proposed facility will not have any cooking equipment/services as the food will be served from the landside Kiosks in the Marina Village.**

- f. No open flames, candles, etc., shall be permitted for decorative purpose on any floating business.

**RESPONSE: Acknowledged.**

- g. There shall be a minimum of one (1) fire hydrant within two hundred fifty (250) feet of the main entrance into the floating business.

**RESPONSE: There is an existing fire hydrant approximately 130 feet away from the main entrance of the Ferry, located at the corner of the southern drive aisle.**

- h. Portable fire extinguishers shall be installed in accordance with the Florida Building Code, Broward Edition and the National Fire Protection Association Code. Additional extinguishers or extinguishing capability may be required by the fire marshal.

**RESPONSE: GE to rely on Broward County Fire Inspector's review of the vessel arrangement plans as modified. These reviewed plans should specify which compartments or regions on the vessel will require certain portable fire extinguishers. The specified fire extinguishers shall be ordered by a company expert in this technology.**

- (7) A floating business may be issued a certificate of occupancy, notwithstanding less than full compliance with this section when, in the judgment of the fire marshal and building official, the following conditions are fulfilled:

- a. Compliance is substantially complete; and

**RESPONSE: Noted.**

- b. Full compliance is not possible with the existing floating business, or would induce severe hardship, and no single item of noncompliance, nor all items together, constitutes a threat to the safety or welfare of the occupants, users or public.

**RESPONSE: Noted.**

(Code 1953, § 11-32; Ord. No. C-68-23, § 2, 6-4-68; Ord. No. C-73-120, § 1, 11-20-73; Ord. No. C-79-59, § 1, 7-17-79; Ord. No. C-81-65, § 1, 9-15-81; Ord. No. C-89-135, § 3, 12-5-89; Ord. No. C-91-69, § 7, 10-15-91; Ord. No. C-03-23, § 2, 7-1-03 ; Ord. No. C-17-28 , § 21, 9-13-17)

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## Sec. 8-146. Using boats as places of business.

- (a) *General restriction.* It is prohibited to operate a floating business within the city without approval by the city commission. In determining whether or not to grant such approval, the city commission shall consider the following:
- (1) The adequacy of provisions by the applicant for observation of all health and sanitary regulations of the city;
  - (2) The level of noise to be generated by the proposed business operation;
  - (3) The number of patrons, customers or clients expected to travel to and from floating business and the availability of sufficient parking facilities therefor;
  - (4) The recommendation of the marine advisory board; and
  - (5) Whether the proposed facility will tend to enhance the appearance of the city's waterways and promote the city's image as a family-oriented resort area.
- (b) *Safety standards.* Any floating business used as a place from which any business or professional service of any type is conducted which would come within the definition of Group A or B occupancy pursuant to the Florida Building Code and which is approved pursuant to subsection (a) of this section shall be subject to the following safety requirements:
- (1) *Certificate of occupancy.* No floating business shall be occupied unless a certificate of occupancy has been issued by the fire marshal and the building official. The fire marshal and the building official may issue a certificate of occupancy when the conditions set forth in this subsection have been met. A certificate of occupancy may be revoked by the building official or fire marshal for violation of the terms of this section. Recertification shall be required annually or upon relocation of the floating business. The initial fee for certification shall be two hundred fifty dollars (\$250.00). The fee for recertification shall be one hundred dollars (\$100.00).
  - (2) *Structural requirements.* A floating business shall be stable under the action of dead and live loads and consideration shall be given to the effect of off-center loading and wind loading in determining overall stability. The design of a floating business shall be based upon accepted basic engineering principles for a structure and if, in the judgment of a certified marine surveyor or naval architect, instability is in evidence, then at the discretion of the fire marshal and building official the following calculations shall be permitted:
    - a. *Metacentric height.* The metacentric height (MG) shall be at least one (1) foot or greater.
    - b. *Freeboard immersion.* The freeboard, as measured from the waterline to the top of the first floor or deck of the completed floating business, including dead load but not live load, shall be at least one (1) foot four (4) inches (with list angles equal to zero (0) degrees). The allowable immersion under the action of off-center loading or wind loading shall not exceed two-thirds of the original freeboard with a list angle of four (4) degrees. Freeboard shall be measured from the waterline to the top of the floor or deck at the side of the floating business at a point where such freeboard has its least dimension.
    - c. *List angle.* The maximum angle of list shall not exceed four (4) degrees under the action of either off-center or wind loading.
    - d. *Off-center loading.* The off-center loading shall be considered as applicable to the completed floating business, including dead load and shall consist of a line load of one hundred (100) pounds or five (5) pounds per foot of width, whichever is greater, per lineal foot (first floor) and fifty (50) pounds, or two and one-half (2.5) pounds per foot of width, whichever is greater, per



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lineal foot (second floor, habitable attic or loft). The uniform line load is to be applied halfway between the center of gravity and the outside edge of deck to one (1) side of the floating business at a time. The dividing line is the longitudinal axis of the floating business and the overturning moment resulting from the off-center loading shall be taken about the computed center of gravity. Stability with off-center loading shall be tested on both sides of the longitudinal axis. The ratio,  $MR/MO$ ,  $MO$  being the overturning moment due to off-center loading, and the  $MR$  being the resisting moment due to buoyancy, shall be equal to one (1) applied with a list to four (4) degrees. Overturning moments and resisting moments are to be taken about a longitudinal line passing through the computed center of gravity.

- e. *Wind loading.* Wind loading shall be applied to the completed floating business, including dead load and live load, but not off-center loading. The ratio,  $MR/MN$ ,  $MN$  being the wind heeling moment, and  $MR$  being the resisting moment due to buoyancy, shall be equal to one (1) applied with a list equal to four (4) degrees.
  - f. *Calculations by qualified, certified marine surveyor or naval architect.* Calculations shall be submitted by a certified marine surveyor or naval architect showing that the floating business conforms to the requirements of this section.
- (3) *Electrical.* The following electrical requirements shall be met:
- a. *Grounding.* In addition to any grounding provided by the conduit system, there shall be installed a common grounding conductor of not less than No. 12 AWG, arranged in accordance with the requirements of the National Electrical Code (Article 250), properly attached to the interior of all metallic boxes, housings and enclosures and properly connected to the grounding facility of all receptacles. The hull, if metal, metallic piping, exposed metal structural members, metal railing, ladders, etc., shall be effectively bonded to the ground bus. If the hull is built of materials other than metal, a ground electrode of corrosion-resistant metal shall be so located as to be in contact with the water and be connected with No. 6 AWG copper wire to the ground bus. The electrode shall be of bronze or brass and not smaller than one-quarter-inch diameter and eighteen (18) inches in length.
  - b. *Wiring methods.* Wiring installations shall comply with the requirements of the Florida Building Code, Broward Edition, and the National Electrical Code. Nonmetallic sheathed cable shall be limited to the extent of being fished in any existing partitions.
- (4) *Fuel gas piping.* All fuel gas lines shall be installed in accordance with the Florida Building Code, Broward Edition, and with the following special requirements:
- a. *Cathodic protection.* All gas piping shall have approved cathodic protection.
  - b. *Connections, valves.* Where gas is permitted by the building official to be distributed from shoreside facilities, connections to the floating business shall be made by the use of approved high pressure flexible hose and such connections shall terminate in a positive disconnect coupling. A separate shut-off valve shall be installed ahead of such connection. Connections shall not be immersed in water or run exposed on docks, piers, floats or vessels. The length of the flexible connection shall not be excessive nor shall it be used as a substitute for gas piping.
  - c. *Liquid propane gas.* The installation of liquid propane gas facilities aboard the floating business shall comply with the National Fire Protection Association Code.
- (5) *Moorage berths.* Moorage berths shall be connected to a public street by land or by walkway not less than four (4) feet wide. Walkways and berths shall be illuminated at an average intensity of two (2) footcandles.
- (6) *Fire protection.* The following fire prevention measures shall be observed:

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- a. All floating businesses must be protected by automatic fire sprinkler systems designed and installed according to the Florida Building Code, Broward Edition, and the National Fire Protection Association Code.
  - b. One (1) side of the floating business must be within thirty (30) feet of an approved driveable surface, thereby providing access for fire-rescue department equipment.
  - c. Where propane gas is used, automatic gas detectors shall be installed as prescribed in the National Fire Protection Association Code.
  - d. All interior finish shall comply with chapter 37 of the Florida Building Code, Broward Edition.
  - e. All cooking equipment and ventilation equipment shall be installed and protected in accordance with the Florida Building Code, Broward Edition, and the National Fire Protection Association Code.
  - f. No open flames, candles, etc., shall be permitted for decorative purpose on any floating business.
  - g. There shall be a minimum of one (1) fire hydrant within two hundred fifty (250) feet of the main entrance into the floating business.
  - h. Portable fire extinguishers shall be installed in accordance with the Florida Building Code, Broward Edition and the National Fire Protection Association Code. Additional extinguishers or extinguishing capability may be required by the fire marshal.
- (7) A floating business may be issued a certificate of occupancy, notwithstanding less than full compliance with this section when, in the judgment of the fire marshal and building official, the following conditions are fulfilled:
- a. Compliance is substantially complete; and
  - b. Full compliance is not possible with the existing floating business, or would induce severe hardship, and no single item of noncompliance, nor all items together, constitutes a threat to the safety or welfare of the occupants, users or public.

(Code 1953, § 11-32; Ord. No. C-68-23, § 2, 6-4-68; Ord. No. C-73-120, § 1, 11-20-73; Ord. No. C-79-59, § 1, 7-17-79; Ord. No. C-81-65, § 1, 9-15-81; Ord. No. C-89-135, § 3, 12-5-89; Ord. No. C-91-69, § 7, 10-15-91; Ord. No. C-03-23, § 2, 7-1-03 ; Ord. No. C-17-28 , § 21, 9-13-17)