
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

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:

-
- 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)