ORDINANCE NO. C-23-

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING SECTION 8-91 ENTITLED "MOORING STRUCTURES" OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, TO AMEND THE MEANING OF THE TERMS "MOORING DEVICE" AND "MOORING STRUCTURES"; PROVIDING FOR SEVERABILITY; REPEAL OF CONFLICTING ORDINANCE PROVISIONS; PROVIDING FOR CORRECTION OF SCRIVENER'S ERRORS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on March 23, 2023, the City of Fort Lauderdale City Commission adopted amendments to Section 47-19.3 of the City of Fort Lauderdale, Florida Unified Land Development Regulations ("ULDR") entitled "Boat slips, docks, boat davits, hoists and similar mooring structures" including modification of the definitions of mooring device and mooring structure; and

WHEREAS, to ensure consistency of definitions across the code, Section 8-91 of the City of Fort Lauderdale Code of Ordinances entitled "Mooring Structures" also needs to be modified; and

WHEREAS, the City Commission of the City of Fort Lauderdale desires to amend Chapter 8 entitled "Boats, Docks, Beaches and Waterways", Section 8-91 entitled "Mooring structures" of the City of Fort Lauderdale Code of Ordinances;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1.   That Article IV entitled "Docks, Boat Slips, Etc.", Section 8-91 entitled "Mooring structures." is hereby amended as follows:

Sec. 8-91. Mooring structures.

(a) The following words when used in this section shall, for the purposes of this section, have the following meanings:

(1) *Mooring* ~~device~~ *devices* ~~means a subset of~~ are devices attached to mooring structures as defined herein, including boat davits, hoists, boat lifts and similar items. ~~devices that are erected on or adjacent to a seawall or dock and upon which a vessel can be moored. A mooring device does not include docks, slips, seawall or mooring pile.~~

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(2) *Mooring structure* means a dock, <u>marginal dock,</u> ~~slip~~, seawall, ~~boat davit, hoist, boat lift,~~ mooring pile, <u>finger pier,</u> or a similar structure attached to land more or less permanently to which a vessel can be moored.

…

<u>SECTION 2.</u>   CODIFICATION AND SCRIVENER'S ERRORS. The City intends that this Ordinance will be made part of the Code of Ordinance; that sections of this Ordinance can be re-numbered or re-lettered to accomplish codification and, regardless of whether this Ordinance is ever codified, the Ordinance can be re-numbered or re-lettered, and typographical errors that do not affect the intent can be corrected with the authorization of the City Manager, or his designee, without the need for a public hearing.

<u>SECTION 3</u>.   That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

<u>SECTION 4</u>.   That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

<u>SECTION 5</u>.   That nothing in this ordinance shall be construed so as to affect any past or pending actions, notice of violation, or order of the code enforcement board or special magistrate, or any past, pending, or existing liens, fines, costs, or other obligations arising from code enforcement, or otherwise, all of which shall continue in full force and effect as if this ordinance has not been adopted.

<u>SECTION 6</u>.   That this Ordinance shall be in full force and effect immediately upon its passage and adoption.

PASSED FIRST READING this ___ day of _____, 2023
PASSED SECOND READING this ___ day of _____, 2023.

_____
Mayor
DEAN J. TRANTALIS

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ATTEST:

_____
        City Clerk
    DAVID R. SOLOMAN