

Admiralty Committee Barbara Cook, Chair

City of Stuart and Martin County Prepare to Enforce Anchoring and Mooring Pilot Program Ordinance Number 928

The City of Stuart and Martin County are preparing to enforce Section 813 of Ordinance 928 regarding Anchoring and Mooring of boats within the St. Lucie River “shoreline to shoreline, including creeks and tributaries” and the Manatee Pocket “shoreline to shoreline, including all creeks and tributaries.”

Among the provisions of the Ordinance are sections 8.13.A through 8.13H which apply to the program areas within unincorporated Martin County:

D. Prohibits anchoring and mooring of occupied or stored vessels within one hundred fifty (150) feet outside of the marked boundary of any properly permitted mooring field after the buoys and associated information/regulatory uniform waterway markers depicting the boundaries are in place.

E. Prohibits anchoring and mooring of occupied or stored vessels within one hundred fifty (150) feet of any maritime infrastructure. However, within the Manatee Pocket Pilot Program Area, anchoring and mooring of occupied or stored vessels is prohibited except pursuant to a mooring permit issued by the Florida Department of Environmental Protection or within the two Anchor Areas described and depicted in an attachment Exhibit C to the Ordinance.

F. Permits anchoring or mooring in prohibited areas in the event of a temporary mechanical breakdown or when imminent or existing extreme weather conditions would impose an unreasonable risk of harm to persons or property, in which case vessels may remain anchored or moored until the vessel is repaired, which shall occur within five (5) business days or seven (7) calendar days, whichever is greater or in the event of extreme weather, until weather conditions improve. In the case of mechanical breakdown. Additional time may be granted by the County Administrator or their designee if the repairs cannot be completed in the allotted time. Such extension shall be done in consultation with the captain, operator or other authorized person to determine the need for such extension.

G. In order to deter improperly stored, abandoned or derelict vessels, any vessel which remains within the St. Lucie River and/or Manatee Pocket Pilot Program Areas for more than ten (10) consecutive days must demonstrate compliance with operability and safety requirements by documenting that once every six months the vessel has navigated under its own power, to one of the designated locations Martin County. Enforcement of this section is postponed until the locations have been identified and publically advertised.

H. Requires all occupied vessels which remain in the areas for more than ten consecutive days to demonstrate compliance with marine sanitation requirements by 1) providing a receipt documenting service within the previous ten (10) days from the Martin County mobile pump out boat or 2) providing proof of pump out within the previous ten days from another authorized pump out facility.

Enforcement authority is given to officers of the FFWCC, Sheriff of Martin County, City of Stuart Police Department and any federal law enforcement officer. Initially these regulations are to be implemented



Barbara Cook
Chair

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through the development by outreach and educational program to inform boaters of the regulations and the benefits of compliance. Prior to exercising other enforcement options, a reasonable effort will be made to provide educational information to the owner of the non-compliant vessel and give the owner a reasonable time to achieve compliance. If compliance is not achieved, enforcement shall proceed initially in accordance with Chapter 162, Fla Stat. and Chapter I, Article 4, of the Martin County Code of Ordinances. If compliance is not achieved, then violations may be enforced by actions at law or in equity for damages and injunctive relief. In the event the County prevails in any such action, the County may be entitled to an award of costs and attorney's fees. Violations may also be prosecuted and punished as misdemeanors pursuant to §125.69, F.S.

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For more information about this area of law or committee events, contact Barbara Cook at:

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