

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF HOLLYWOOD, FLORIDA, AMENDING CHAPTER 99 OF THE CODE OF ORDINANCES TO ACCURATELY REFLECT ITS INTENT REGARDING MUNICIPAL BEACH REGULATIONS.

WHEREAS, Chapter 99 of the Code of Ordinances establishes Municipal Beach regulations; and

WHEREAS, on April 6, 2022, the City Commission approved Ordinance O-2022-05 revising Section 99.02 to prohibit tents, amend distance requirements for canopies and remove the distance requirement for umbrellas; and

WHEREAS, some of the amendments were not accurately reflected in the approved Ordinance, and therefore, certain clarifications are required.

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

Section 1: That the foregoing “WHEREAS” clauses are ratified and confirmed as being true and correct and are incorporated in this Ordinance.

Section 2: That Chapter 99.02 of the Code of Ordinances is hereby amended to read as follows¹:

TITLE IX: GENERAL REGULATIONS

* * *

CHAPTER 99.02: ACTIVITIES ALLOWED

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(A) The following activities are permitted on all sections of Hollywood Beach:

* * *

¹ Underscored words are additions to existing text, and ~~struck through~~ words are deletions from existing text.

(6) Open air canopies with no single side greater than ten feet and no sides enclosed, except canopies designed for babies or small children no greater than 36 inches, and lounge chairs with attached cabanas are permitted on the sandy beach westward of a line parallel to the front edge of the Beach Towers/Lifeguard Stands and ten feet eastward of the Broadwalk wall. Canopies will be placed no closer than 20 feet apart from another canopy or within ten feet of a dune.

(7) Single pole umbrellas are permitted on the sandy beach except in the areas designated by markers and/or cones surrounding the Beach Towers/Lifeguard Stands, including a clear path from the Beach Tower/Lifeguard Stands to the ocean's edge equal in width to the markers and/or cones. ~~Umbrellas will be placed no closer than ten feet apart from another umbrella, tent or canopy.~~

Section 3: That Chapter 99.03 of the Code of Ordinances is hereby amended to read as follows:

* * *

CHAPTER 99.03: PROHIBITED ACTIVITIES

* * *

It shall be unlawful for any person to do any acts set forth below upon Hollywood Beach as described in §99.01:

(N) Use of tie outs for shade covers or ganged shade covers (physically attached to each other). ~~Use of umbrellas, tents or canopies that are placed less than ten feet apart from another umbrella, tent or canopy.~~ Use of umbrellas in the areas designated by markers and/or cones as set forth in §99.02(A)(7).

* * *

Section 4: That it is the intention of the City Commission and it is ordained that the provisions of this Ordinance shall be made a part of the Code of Ordinances, and the sections of this Code may be renumbered to accomplish such intention.

Section 5: That if any word, phrase, clause, subsection or section of this Ordinance is for any reason held unconstitutional or invalid, such invalidity shall not affect the validity of any remaining portions of this Ordinance.

Section 6: That all sections or parts of sections of the Code of Ordinances, all ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict are repealed to the extent of such conflict.

Section 7: That this Ordinance shall be in full force upon adoption.

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, AMENDING CHAPTER 99 OF THE CODE OF ORDINANCES TO ACCURATELY REFLECT ITS INTENT REGARDING MUNICIPAL BEACH REGULATIONS.

Advertised on _____, 2024.

PASSED on first reading this _____ day of _____, 2024.

PASSED AND ADOPTED on second reading this _____ day of _____, 2024.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM:

DOUGLAS R. GONZALES
CITY ATTORNEY