

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF HOLLYWOOD, FLORIDA, AMENDING CHAPTER 99 OF THE CODE OF ORDINANCES ENTITLED "MUNICIPAL BEACH" BY AMENDING SECTION 99.02 ENTITLED "ACTIVITIES ALLOWED" TO UPDATE THOSE ACTIVITIES PERMITTED ON THE MUNICIPAL BEACH; PROVIDING FOR A SEVERABILITY CLAUSE AND A REPEALER PROVISION.

WHEREAS, Section Chapter 99 of the Hollywood Code of Ordinances establishes regulations regarding activities on and around Hollywood Beach; and

WHEREAS, the City Commission supported a pilot project to evaluate the inclusion of paddleboarding on Hollywood Beach; and

WHEREAS, upon the evaluation of the pilot project, the Department of Fire Rescue and Beach Safety has recommended that the City Commission revise the regulations to expand the areas and activities permitted on Hollywood Beach; and

WHEREAS, the City Commission has reviewed the proposed amendments to Chapter 99 and has determined that it is in the best interest of the citizens of Hollywood to amend the regulations.

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 of the Hollywood Code of Ordinances entitled "Municipal Beach " is amended as follows:

#### TITLE IX: GENERAL REGULATIONS

\* \* \*

#### CHAPTER 99: MUNICIPAL BEACH

\* \* \*

Coding: Words underscoring are additions to existing text; words ~~stricken through~~ are deletions from existing text; **shaded** text reflects changes since first reading.

## § 99.02      **ACTIVITIES ALLOWED.**

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

\*   \*   \*

(8) Surf fishing is permitted between the hours of 6:00 p.m. and 9:00 a.m. Beach Safety personnel may open or close areas and extend restricted hours to fishing depending on bather load/capacity, weather or other conditions.

(B) The following activities are permitted ~~at all times~~ in the designated areas set forth herein:

(1) Surfing and skimboarding are permitted from Dania Beach Boulevard Franklin to Douglas Street Meade Streets and Madison Georgia Street to Eucalyptus Azalea Terrace. Other areas of the beach may be designated for surfing and skimboarding at the discretion of the Fire Chief or his/her designee. Such areas will be designated by the appropriate Black Flag being posted in the area. These additional areas will be opened or closed on a case by case basis depending upon bather load, weather or other appropriate conditions. Board leashes will be worn by surfers at all times.

\*   \*   \*

(3) (a) **Launching and landing of wind powered watercraft.** For purposes of this subsection, wind-powered watercraft shall include: sailboards, catamarans, small sailboats, kite boards, and any other non-motorized vessels which use wind as their primary source of motive power. The launching and landing of wind-powered watercraft, except kite boards, is permitted between Meade Street and Custer Street and between Bougainvillea Terrace and Azalea Terrace. The launching and landing of kite boards is only permitted between Meade Street and Custer Street, Monday through Friday, excluding holidays. Non-motorized vessels, including wind-powered watercraft, launched from the designated area must exit the launch area and proceed on a generally straight line east to a point 300 yards from shore where they may then operate on a north-south course.

(b) **Launching and landing of paddlecraft.** For purposes of this subsection, paddlecraft shall include: kayaks, rowboats, paddleboards, canoes, and any other non-motorized vessels which use human physical effort as their primary source of motive power. The launching and landing of paddlecraft shall be permitted at all times between Dania Beach Boulevard and Liberty Street and between Madison Street and the southern municipal border of the City of Hollywood Hallandale Beach Boulevard. In all other areas of the municipal beach, paddlecraft shall be permitted from 5:00 pm to 10:00 am. During the hours of 10:00 a.m. to 5:00 p.m., paddlecraft must remain a distance of 100 yards from shore when south of Liberty Street and north of Madison Street.

(c) The City's Beach Safety personnel may close, or restrict the hours of the wind-powered watercraft and paddlecraft launch areas, depending upon bather capacity, weather or other conditions.

(d) The City Commission may change the distance requirements of this subsection by resolution.

~~Surf fishing is allowed only south of Georgia Street and north of Sherman Street from 9:00 a.m. to 6:00 p.m. at a safe distance (200 yards). Beach safety personnel may open or close areas and extend restricted hours to fishing depending upon bather load/capacity, weather or other conditions.~~

~~(4) The launching of non-motorized vessels is permitted between Meade Street and Custer Street, between Bougainvillea and Azalea Terrace and eastward of the beach access walkway south of 3101 South Ocean Drive and north of 3505 South Ocean Drive. For purposes of this section, non-motorized vessels include kayaks, rowboats, canoes, recreational wind powered watercraft and any non-motorized watercraft which use human physical effort as their primary source of motive power. Non-motorized vessels launched from the designated area must exit the launch area and proceed on a generally straight line east to a point 300 yards from shore where they may then operate on a north-south course. Launching of personal motorized vessels and personal watercraft is prohibited. Public safety personnel may close, or restrict the hours of, the non-motorized launch areas, depending upon bather capacity, weather or other conditions.~~

~~(4 5) The open consumption of alcoholic beverages will be permitted along the boardwalk and beach only on the occasion of limited duration during special events approved in advance by the City Manager or his designee, the Director of Parks, Recreation and Cultural Arts on a case by case basis pursuant to division (C) below or by patrons at a sidewalk café as permitted under Chapter 124 of the Code of Ordinances and Florida Statutes. The use of glass containers for any beverages is prohibited at all times.~~

~~(5 6) Roller skating and rollerblading are permitted at all times on the boardwalk in a safe manner. Roller skating or rollerblading in an unsafe or reckless manner including failure to yield may subject violators to being ~~ejected~~ from the beach and boardwalk by the appropriate city enforcement agencies and officials.~~

~~(6 7) Bicycling and the use of any human powered device that operates on wheels (hereinafter collectively referred to as "device") on the boardwalk is permitted at all times, however, only within the designated bicycle path(s). For purposes of this subsection, any person using a device must control and operate their device in a safe manner in order to prevent endangerment to pedestrians as follows:~~

~~(a) Yield to pedestrians on the boardwalk; and~~

- (b) Remain within the designated bicycle path(s) on the boardwalk; or
- (c) Refrain from operating the device in a careless manner.

\* \* \*

### **§ 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:

(A) Launch any type of boat, vessel (motorized or non-motorized) or personal watercraft within the municipal beach area with the exception of a designated launch area to be used for nonmotorized pleasure craft and boats being used by agencies for the protection and safety of the public. (See § 99.02(B)(3 ~~4~~)).

\* \* \*

(H) Consume and/or carry in any cup, glass, can, bottle or other open or uncovered container, any alcoholic beverage upon the beach, boardwalk, bandshell, public picnic areas or in any adjacent structures or facilities, except as allowed in § 99.02(B)(4 ~~5~~).

\* \* \*

### **§ 99.04 OPERATION OF VEHICLES ON THE BOARDWALK.**

(A) It shall be unlawful for any person to operate any device (motorized or non-motorized) on the boardwalk, except as provided for in §§ 99.02(B)(6 ~~7~~) and 99.03(J) as above.

\* \* \*

Section 3: That it is the intention of the City Commission that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Hollywood, Florida, and the provisions of this Ordinance may be renumbered to accomplish such intention.

Section 4: 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 5: 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 6: That this Ordinance shall be in full force immediately upon its passage and adoption.

Advertised on \_\_\_\_\_, 2020.

PASSED on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

PASSED AND ADOPTED on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
JOSH LEVY, MAYOR

ATTEST:

\_\_\_\_\_  
PATRICIA A. CERNY, MMC  
CITY CLERK

APPROVED AS TO FORM AND LEGAL  
SUFFICIENCY for the use and reliance of  
the City of Hollywood, Florida, only.

\_\_\_\_\_  
DOUGLAS R. GONZALES  
CITY ATTORNEY