

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, AMENDING CHAPTER 98 OF THE CODE OF ORDINANCES ENTITLED "MARINE AND WATERWAY REGULATIONS; BOATS AND OTHER VESSELS" TO CREATE A VESSEL EXCLUSION ZONE; PROVIDING FOR A SEVERABILITY CLAUSE AND A REPEALER PROVISION.

WHEREAS, on August 27, 2025, the Fire Chief gave a presentation to the City Commission regarding vessel exclusion zones; and

WHEREAS, the City Commission expressed a desire to pursue the establishment of a vessel exclusion zone 218 yards from the shoreline; and

WHEREAS, Florida Statutes allows municipalities to establish boating-restricted areas by ordinance and requires approval from the Florida Fish and Wildlife Commission prior to enacting the ordinance; and

WHEREAS, the City sent the draft ordinance language to Florida Fish and Wildlife Commission and it was approved on January 13, 2026.

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

Section 1: That the foregoing "WHEREAS" clauses are ratified and confirmed as true and correct and are incorporated into this Ordinance.

Section 2: That Chapter 98 of the Code of Ordinances is amended to read as follows¹:

TITLE IX: GENERAL REGULATIONS

* * *

CHAPTER 98: MARINE AND WATERWAY REGULATIONS; BOATS AND OTHER VESSELS

General Provisions

§ 98.000 DEFINITIONS.

¹ Coding: ~~Struck through~~ words are deletions from existing text; underscoring words are additions to existing text.

[...]

VESSEL EXCLUSION ZONE. An area from which all vessels or certain classes of vessels are excluded as marked by Florida Fish and Wildlife Conservation Commission permitted Florida Uniform Waterway Markers. All vessel-exclusion zones must be marked with the crossed- diamond symbol.

[...]

§ 98.011 OPERATION OF VESSELS NEAR BEACHES.

(A) A vessel exclusion zone is hereby established for the area located in the Atlantic Ocean approximately 218 yards east of the mean high-water line along the beaches within the City hereby, as permitted by Section 327.46(1)(b)3, Florida Statutes.

~~—(A) The operation of any vessel is prohibited within 300 yards of the low water mark along the entire beach abutting the Atlantic Ocean in the city.~~

(1) It shall be unlawful for any person to steer, propel, anchor, moor, operate or cause to be operated any vessel within the vessel exclusion zone described in Section A above and marked by Florida Fish and Wildlife Conservation Commission permitted Florida Uniform Waterway Markers.

(2) The prohibition in subsection 1 above shall not apply:

a. in the case of an emergency;

b. to any vessel owned, operated by, or under the direction of the federal, state, county, or city government while engaged in law enforcement or other necessary government functions; or

c. to any vessel owned, operated or under the direction of a non-profit entity while conducting surveying activities approved by the City Manager or designee.

(34) The operation in a reckless and dangerous manner of any vessel, or any other type of water apparatus including but not limited to surfboards, is prohibited within 100 yards of any bather in the Atlantic Ocean in the city.

(42) It shall be unlawful to launch from the beach or bring onto the surf any boat, vessel or any apparatus capable of endangering any person or persons along the entire beach abutting the Atlantic Ocean in the city that is patrolled by lifeguards and designated a bathing area, except in areas so designated by the City Commission.

(53) Surfboarding and boating of any type are prohibited within any area abutting the beach patrolled by lifeguards in the city except where an area is designated for this

purpose and posted for this activity ~~by the City Commission~~. This area will be restricted for the express use of its designation and will be unlawful for any other use.

(64) Notwithstanding any provision to the contrary, hotels located adjacent to the Atlantic Ocean with 150 or more rooms shall be entitled to launch and land wind-driven watercraft only on the beach area abutting their property, providing the same imposes no substantial threat of harm to the health, safety and welfare to the general public. Application for permission to launch wind-driven watercraft shall be heard by the City Commission; and the Commission shall prescribe such conditions and safeguards as the public safety shall require, including requiring the applicant to submit a written agreement containing such conditions and safeguards. Once launched, wind-driven watercraft shall be operated 218 ~~300~~ yards from shore. Boats or vessels in distress, emergency and patrol craft are exempt from the provisions of this section.

(7) In areas where motorized vessels are authorized, all such vessels shall operate at idle speed until they are beyond the vessel exclusion zone.

(B) Any person who engages in skin diving, scuba diving, or who performs or attempts to perform any form of underwater diving activities ~~within 300 yards of the city beach and more than 100 feet from the shore at low water or within the Intracoastal Waterway, C-10 canal, North Lake or South Lake areas~~ within the city limits shall be equipped with a float and a diving flag, painted red with a white diagonal stripe from the upper left corner to the lower right corner. The flag shall be a minimum of 12 inches by 12 inches and prominently visible for 218 ~~300~~ yards.

* * *

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 and effect immediately upon its passage and adoption.

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Advertised _____, 2026.

PASSED on first reading this _____ day of _____, 2026.

PASSED AND ADOPTED on second reading this _____ day of _____, 2026.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

DAMARIS Y. HENLON
CITY ATTORNEY