

ORDINANCE 398 - 2007

AN ORDINANCE OF THE CITY OF KEY COLONY BEACH, FLORIDA; AMENDING CHAPTER FIVE OF THE CODE OF ORDINANCES, ENTITLED BOATS, BOAT TRAILERS, MARINE FACILITIES AND WATERWAYS; ARTICLE I. OPERATION OF VESSELS; ADDING SECTION 5-12 MANGROVE TRIMMING AND MAINTENANCE ALONG CANALS AND WATERFRONTS; AND PROVIDING FOR CODIFICATION; REPEALING ANY INCONSISTENT PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Key Colony Beach was developed as a boating community and canals were dredged to provide waterways for access to Florida Bay and the Atlantic Ocean; and

WHEREAS, the City Commission finds that vegetation along the waterfront may grow into the canals and may impede navigation; and

WHEREAS, the City Commission desires to provide a safe boating environment; and

WHEREAS, the City Commission desires all canals remain open and navigable for all citizens and visitors to use and enjoy.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF KEY COLONY BEACH, FLORIDA, as follows: (Additions to the ordinance are underlined; deletions are ~~crossed-out~~.)

Chapter 5. Boats, Boat Trailers, Marine Facilities and Waterways

Article I. Operation of Vessels

Section 5-12. Mangrove trimming and maintenance along canals and waterfronts.

All property owners shall maintain and trim mangroves and other vegetation on or adjacent to their properties so as to prevent the vegetation from impeding the navigability of the waterway.

This Ordinance, upon final passage, shall be included in the Code of Ordinances for the City of Key Colony Beach, Florida, and numbered as set forth herein above.

All Ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of any such conflict.

If any singular provision of this ordinance is held to be unconstitutional, preempted by federal or state law, or otherwise held invalid by any court of competent jurisdiction, the remaining provisions of the Ordinance shall not be invalidated.

This Ordinance shall become effective immediately upon passage.

Clyde Burnett, Mayor

Attest: Vickie L. Bollinger, City Clerk

Approved as to form and legal sufficiency:

Thomas D. Wright, City Attorney

September 27, 2007 1st Reading
September 29, 2007 Date of Notice, Florida Keys Keynoter
October 11, 2007 2nd Reading