

443

**Public Marinas**

(Effective: May 1, 2023)

**Rules and Regulations for Public Marinas:**

- The docks are for transient vessels during daytime hours only, no overnight or after-hours dockage is permitted. Marina hours of operation are (6:00 AM – 10:00 PM) March 1 – November 1 and (6:00 AM – 6:00 PM) November 2 – February 28.
- All boats utilizing the docks shall have a valid/current registration and be under 27' LOA (Length over all).
- Boats utilizing the docks must be kept in a safe and clean condition. Boats shall conform to all federal, state, and city regulations concerning boat safety devices and equipment and be capable of moving under their own power.
- All boats in the marina area approaching the docks shall proceed at idle, no wake speed, so as to prevent injury or damage to persons or property and observe all rules of the road. No wake is defined as reducing engine speed to complete idle so that the stern of the vessel rises to normal at rest height and no waves are created. Boats shall not anchor in the entrance or channels near the docks.
- The discharge of untreated sewage, oil, or petroleum products or other pollutants into the water is prohibited.
- Trash and garbage should be placed in the proper waste receptacles.
- Docks shall be kept clear of stored materials, and hoses shall not run across the docks.
- Excluding sanctioned and sponsored tournaments and events, fishing and cast netting are prohibited from docks, piers, or walkways.
- Fish cleaning or disposal of fish remains is prohibited at the docks and in the marina.
- Recreational swimming is prohibited in the waters near the docks.
- Fireworks of any kind are not permitted on or near the marina docks.
- The City of Pensacola reserves the right to refuse use of the docks to anyone at any time without notice at its sole discretion.
- The City of Pensacola is not responsible for lost, stolen or damaged property.
- Any vessel moored for 5 continuous days will be considered abandoned under Section 705.103(1), Fla. Stat. A 24-hour notice will be posted on the vessel before removing the vessel from the marina. See Section 327.60(5)
- Overnight dockage is permitted for state and local government vessels.

**Penalties for violation of section 443 – Rules and Regulations for Public Marinas:**

- Unless otherwise specified in this chapter, the owner of any vessel found to be in violation of any of the provisions in this chapter within the city shall be fined in the amount of \$100 for the first offense; \$250 for the second offense, \$500 for the third or subsequent offenses when the offenses subsequent to the first offense occur within 12 months of the first offense. The amount of the fine shall be doubled if payment is not received by the city, or if payment is not postmarked, within 15 days of the date of the notice of the violation.
- Any person receiving a fine pursuant to the subsection above, vessel found to be in violation of the posted docking regulations may seek to have the fine rescinded by filing an objection with the Pensacola Parking Management within 15 days of the date of issuance of the fine. The Pensacola Parking Management shall schedule a hearing on the objection before the special magistrate at the regularly scheduled meeting and the special magistrate shall have the authority to confirm or rescind the fine. In order to support an order rescinding the fine, the special magistrate must find and articulate on record sufficient facts and circumstances that the fine was improvidently imposed, or that the fine should otherwise be rescinded. The recipient of the fine is not required to attend in person and may submit on-line testimony or evidence. The decision of the special magistrate shall be final.
- The City shall cause to be furnished to the state department of highway safety and motor vehicles, via an electronic means, a list of persons who have three or more outstanding vessel violations. In addition, a list of such violators shall also be provided to the clerk of the court of the county. The provisions of F.S. 320.03 (8), as amended, shall apply to each person whose name appears on such list.
- Under the authority of F.S. 320.03(8), as amended, if the name of the applicant for a vessel revalidation sticker appears on the list referred to in subsection (a) of this section and F.S. 316.1976(6), as amended, the revalidation sticker shall not be issued until the applicant's name no longer appears on said list or until applicant presents a receipt from the city showing the vessel fines have been paid.