

ORDINANCE No. 57

ORDINANCE REGULATING THE MOORING OF VESSELS, BOATS AND OTHER WATER-CRAFT TO PRIVATE PROPERTY WITHIN THE TOWN OF SEWALL'S POINT, FLORIDA; REGULATING THE USE OF BOATS AND WATER-CRAFT IN THE WATERS OF THE TOWN OF SEWALL'S POINT; PROVIDING THAT WATER-CRAFT SHALL NOT BE USED SO AS TO BECOME A MENACE TO NAVIGATION; THAT THE ZONING REGULATIONS OF THE TOWN CANNOT BE VIOLATED BY THE USE OF A BOAT; PROVIDING THAT CERTAIN USES OF THE BOAT CANNOT BE MADE; PROVIDING THAT VACANT LOTS ADJACENT TO WHERE A BOAT IS DOCKED CANNOT BE USED FOR COOKING, WASHING OF CLOTHES, ETC. ; PROVIDING THERE SHOULD BE NO UNSIGHTLY BOATS OR VESSELS OR WATER-CRAFT OF ANY KIND MOORED WITHIN ANY PLACE WITHIN THE TOWN; PROVIDING THAT IT IS UNLAWFUL TO LIVE ON BOATS IN DEAD END CANALS OR WATERWAYS; PROVIDING THAT NO ONE CAN LIVE UPON A BOAT DURING THE CONSTRUCTION OF THEIR HOME; PROVIDING THAT THERE SHALL BE NO OVERHAUL OR REPAIR OF BOATS THAT ARE DOCKED OR MOORED IN FRONT OF RESIDENTIAL AREAS; THAT NO BOATS OR WATER-CRAFT SHALL CAUSE ANY UNDUE NOISE; THAT NO WASHING OF CLOTHING OR WEARING APPAREL SHALL BE HUNG FROM THE BOAT; THAT ALL SANITARY REGULATIONS OF THE TOWN, MARTIN COUNTY AND THE STATE OF FLORIDA SHALL BE MAINTAINED AT ALL TIMES WITH REFERENCE TO ANY BOAT THAT IS MOORED WITHIN THE TOWN LIMITS OF THE TOWN; PROHIBITING THE INDISCRIMATE USE OF SUCH LIGHTS, HORNS AND WHISTLES; PROVIDING THAT WATER-CRAFT SHALL NOT BE OPERATED RECKLESSLY AND THAT PROPER SPEED AT ALL TIMES SHOULD BE MAINTAINED; AND PROVIDING THAT IT SHALL BE UNLAWFUL FOR ANY PERSON TO ABANDON ANY BOAT OR WATER-CRAFT IN THE PUBLIC WATERS WITHIN THE LIMITS OF THE TOWN; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR VIOLATION OF SAID ORDINANCE.

BE IT ENACTED BY THE PEOPLE OF THE TOWN OF SEWALL'S POINT, FLORIDA:

Section 1. MOORING - TO PRIVATE PROPERTY. No vessel or water-craft of any kind shall moor to or tie up to a private seawall or dock or be beached upon private property within the Town without the written permission of the owner of such property.

Section 2. SAME - AS TO BECOME MENACE TO NAVIGATION. No person shall moor any water-craft in such manner as to cause such water-craft to be or become a menace to navigation.

Section 3. USE OF VACANT LOTS - Where water-craft is docked or anchored adjacent to a vacant lot, such lot may not be used for cooking of meals, washing of clothes or persons, bathing, shower bathing, hanging out washing, erection of tents or canvasses, stringing of lights, or for any use not permitted by the zoning or building regulations pertaining to such lot.

Section 4. UNSIGHTLY BOATS - No vessel or water-craft of any kind of an unsightly appearance, or in badly deteriorated condition, shall be moored or tied up at any place within the Town.

Section 5. LIVING ON BOATS IN DEAD-END CANALS OR WATERWAYS - No vessel or water-craft of any kind moored or docked in any dead-end canal or waterway or portion of dead-end canal or waterway within the Town, shall be used for human habitation.

Section 6. REPAIRS - WHILE MOORED IN RESIDENTIAL AREA. No person shall repair, overhaul or remodel any water-craft docked or moored in front of or adjacent to a residential area.

Section 7. CHARGING BATTERIES; MUFFLERS. No person owning, operating or having control of any boat or vessel moored in the Town shall start, run or operate any motor on such boat or vessel for the purpose of charging batteries between the hours of eight-thirty P. M. and eight-thirty A. M. Such motors, when run or operated between the hours of eight-thirty A. M. and eight-thirty P. M. shall be equipped with a muffler so that the noise from such motor will not disturb the peace and quiet of the neighborhood.

Section 8. HANGING WASHING ON BOATS. No washing of clothes or wearing apparel shall be hung on the outside of any boat docked, moored or cruising within the Town.

Section 9. SANITARY CONDITION OF PIER OR MOORING; GARBAGE CANS; THROWING DEBRIS INTO WATERWAYS.

(1) The operators or occupants of all vessels docked within the Town shall at all times keep the docks, walls, parkways and premises adjacent to such dock space free from stale fish, garbage, trash, rubbish, fish bait, boat equipment, repair parts, machinery, equipment and debris of all kinds.

(2) All water-craft moored or docked in the waterways within the Town shall be provided garbage cans of sufficient size to hold garbage or refuse to be collected by independent garbage collectors and same is to be paid for by the boat owner.

(3) No person shall dump or throw garbage, paper, bottles, cans, refuse or debris into the waterways.

(4) No person shall otherwise contaminate the waterways located within the Town.

Section 10. ORDINANCE - PROVISIONS APPLICABLE TO PERSONS ON BOATS. All persons aboard boats within the Town shall observe all provisions of this Ordinance except those provisions which by their terms are plainly inapplicable.

Section 11. USE OF SEARCHLIGHTS, HORNS, WHISTLES, ETC. The indiscriminate use of searchlights, horns, whistles or bells on any water-craft within the corporate limits of the Town is prohibited.

Section 12. RECKLESS OPERATION OF WATER-CRAFT. No person shall operate any boat or water-craft on any waterway within the Town in a reckless, careless or dangerous manner so as to endanger the lives or property of himself or others.

Section 13. ABANDONMENT. It shall be unlawful for any person to abandon any boat or water-craft in the public waterways within the corporate limits of the Town.

Section 14. SPEED. No boat or vessel shall be operated upon any waterways in the Town at a rate of speed which causes waves to damage docks, wharves, seawalls, or boats moored or tied to docks or wharves along such waterways.

Section 15. LIVING ON BOAT WHILE HOME IS BEING BUILT. No person shall live on a boat or other vessel while in the process of building a home in the Town of Sewall's Point.

Section 16. SANITARY REGULATIONS. All sanitary and health regulations of the Town, Martin County and State of Florida shall at all times be maintained.

Section 17. SEVERABILITY CLAUSE. Should any section or provision of this Ordinance be declared by the Courts to be unconstitutional or invalid, such declaration shall not affect any other portion or provisions of this Ordinance.

Section 18. All ordinances and parts of ordinances in conflict herewith be, and the same are hereby repealed.

Section 19. VIOLATION AND PENALTIES. A violation of this ordinance is a misdemeanor punishable by a fine not exceeding \$100.00 or imprisonment

for not exceeding one (1) month, or both such fine and imprisonment.

Section 20. This Ordinance shall take effect upon its due passage according to law.

PASSED first reading at meeting of Town Commission held on the

8 day of January, 1969.

PASSED second reading and became law by meeting of the Town

Commission held on the 12 day of February, 1969.

Robert B. Smith

As Mayor-Commissioner

Frank Proctor

As Commissioner

Aubrey K. Nicholson

As Commissioner

Beow Diesel

As Commissioner

H.R. Luskon

As Commissioner

Attest:

Mary J. Smith

As Town Clerk-Auditor

Approved as to form and correctness
this 8 day of January, 1969.

J. J. Oughterson

As Town Attorney

5
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STATE OF FLORIDA)
) SS:
COUNTY OF MARTIN)

I, MARY SMITH, Clerk of the Town of Sewall's Point, Florida,
do hereby state that I did post a copy of Ordinance No. 57 on the
Town Bulletin Board on the 10 day of January, 1969,
the Ordinance being an Ordinance to regulate the use of Boats and
Water-craft within the Town of Sewall's Point, Florida.

Mary G. Smith
As Clerk

Sworn to and subscribed before me

this 10 day of January,

1969

Walter R. White
Notary Public Notary Public, State of Florida at Large
My Commission Expires May 15, 1972
Bonded By American Fire & Casualty Co.