

**REGULAR MEETING
DESTIN CITY COUNCIL
MAY 1, 2023
ANNEX COUNCIL CHAMBERS
6:00 PM**

*****Core Value of the Month - Teamwork*****

CALL TO ORDER

*** INVOCATION**

PLEDGE OF ALLEGIANCE

AGENDA APPROVAL *(Matters not specifically listed on the agenda may be added and acted upon with a super-majority vote of the Council members present and eligible to vote on the matter)*

- 1. PROCLAMATIONS / RECOGNITIONS / SPECIAL / **PUBLIC PRESENTATIONS / ANNOUNCEMENTS**
 - A. Proclamation - Building Safety Month
- 2. PUBLIC COMMENTS (Section 5 - Public Hearings has separate public comments time for these items)** (Note: Individual speakers will be limited to 3 minutes. At the discretion of the mayor, this 3 minute allowance may be adjusted depending on the level of business coming before the City Council)
- 3. *** CONSENT AGENDA**
 - A. Boathouse Oyster Bar 5k Forrest Benefit Run
 - B. Destin Fire District-Beach Safety Contract 2023
 - C. Single-Family Residential Marine Construction proposed at 4049 Indian Bayou North (Parcel ID: 00-2S-22-1244-0000-004A).
 - D. Approval of minutes of February 16, 2023 Council Strategic Planning and Visioning Session
- 4. CITY MANAGER REPORTS**
 - A. Harbor CRA: Financial Update
 - B. Schedule of Fees Resolution 23-06
 - C. Captain Royal Melvin Heritage Park's Rules and Regulations
 - D. Permit Processing Criteria and Timeline
 - E. Linear Park Update
 - F. Pickleball Update
 - G. Announcements
- 5. PUBLIC HEARINGS**
 - A. Second reading of Ordinance 23-04-CC - which amends the code of ordinances to establish a code compliance lien reduction application process and criteria for the reduction of code compliance liens; amending chapter 14 "offenses and miscellaneous provisions", creating section 14-86, "application to the city council for reduction of existing code compliance lien"; creating section 14-87, "required criteria for the reduction of existing code compliance lien"

- B. MRD Associates, Inc., on behalf of Mike Abadie of ABC Amusement Co, has submitted an application for City Council review for the construction of a ±3,346 square foot, 200' long, 16-slip wooden dock to the east of the existing 20-slip Gilligan's docking facility at 530 Harbor Boulevard, along with a boardwalk that spans from the property line to property line. Approximately 27 timber mooring piles shall be installed within the slips.

6. COMMENTS / PRESENTATIONS FROM MAYOR, COUNCIL, LAND USE ATTORNEY AND CITY ATTORNEY

- A. Councilmember Sweetser
 - B. Councilmember Geile
 - C. Councilmember Destin
 - D. Councilmember Bagby
 - E. Councilmember Hebert
 - 1. Main Street Speed Hump Update.
 - a. Near Lakeside Drive
 - b. Near Planet Drive
 - F. Councilmember King
 - G. Councilmember Schmidt
 - H. Mayor Wagner
 - 1. Annexation Policy
 - 2. Improving Destin soccer fields with volunteers
 - I. Land Use Attorney
 - 1. Update on 1 Harbor Blvd. (Property adjacent to bridge) per City Council Directive on April 17, 2023.
 - J. City Attorney
- 7. PUBLIC COMMENTS** (Comments from the public on any matters considered at the meeting, or on any matters not on the agenda)

8. ADJOURN

* Any invocation that is offered before the official start of the City Council meeting shall be the voluntary offering of a private person, to and for the benefit of the City Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the City Council, or the City staff, and the City is not allowed by law to endorse the religious beliefs or views of this, or any other speaker. Persons in attendance at the City Council meeting are invited to stand during the opening invocation and Pledge of Allegiance. However, such invitation shall not be construed as a demand, order, or any other type of command. No person in attendance at the meeting shall be required to participate in any opening invocation that is offered. A person may exit the City Council Chambers and return upon completion of the opening invocation if a person does not wish to participate in or witness the opening invocation.

** To be placed on the agenda under public presentations, citizens must contact the City Manager or City Clerk's office one (1) week prior to the scheduled City Council Meeting, completing a Speakers Request Form and providing any accompanying documentation as requested in the form's instructions.

*** All items listed under Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and may be considered separately.

If a person decides to appeal any decision made by the Council with respect to any matter considered at this meeting, he/she may need a record of the proceedings, and for such purpose, he/she may need to ensure that verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. FS 286.0105.

Persons with disabilities who require assistance to participate in City meetings are requested to notify the City Clerk's Office at (850) 837-4242 in advance. Hearing Impaired: TTY: 711. Assistance also available through Human Resources, Title VI Coordinator, at (850) 837-4242. Personas con discapacidades que necesitan asistencia o personas que necesitan ayuda con un idioma para participar en las reuniones de la ciudad, deberán notificar la oficina de la Secretaria Municipal al (850) 837-4242 antes de la reunión. Discapacidad auditiva: TTY: 711 (Solicitar Espanol CA). La ayuda tambien está disponible por Recursos Humanos, Coordinador del Título VI, al (850) 837-4242.

All regularly scheduled city council meetings will be streamed live via the city's YouTube channel, www.youtube.com/CityofDestin. Past council meetings can also be viewed here. Please visit our agenda center on the city website at www.cityofdestin.com/agendas.



City of Destin

Proclamation

BUILDING SAFETY MONTH – MAY 2023

Whereas, the City of Destin is committed to recognizing that our growth and strength depends on the safety and essential role our homes, buildings and infrastructure play, both in everyday life and when disasters strike; and

Whereas, our confidence in the resilience of these buildings that make up our community is achieved through the devotion of vigilant guardians—building safety and fire prevention officials, architects, engineers, builders, tradespeople, design professionals, laborers, plumbers and others in the construction industry—who work year-round to ensure the safe construction of buildings; and

Whereas, these guardians are dedicated members of the International Code Council, a nonprofit that brings together local, state, territorial, tribal and federal officials who are experts in the built environment to create and implement the highest-quality codes to protect us in the buildings where we live, learn, work and play; and

Whereas, these modern building codes include safeguards to protect the public from hazards such as hurricanes, snowstorms, tornadoes, wildland fires, floods and earthquakes; and

Whereas, Building Safety Month is sponsored by the International Code Council to remind the public about the critical role of our communities' largely unknown protectors of public safety—our local code officials—who assure us of safe, sustainable and affordable buildings that are essential to our prosperity; and

Whereas, “It Starts with You,” The theme for Building Safety Month 2023, encourages us all to raise awareness about building safety on a personal, local and global scale; and

Whereas, each year, in observance of Building Safety Month, people all over the world are asked to consider the commitment to improve building safety, resilience and economic investment at home and in the community, and to acknowledge the essential service provided to all of us by local and state building departments, fire prevention bureaus and federal agencies in protecting lives and property.

NOW, THEREFORE, I, Mayor Bobby Wagner, on behalf of the Destin City Council, do hereby proclaim the month of May 2023, as ***Building Safety Month***. Accordingly, I encourage our citizens to join with their communities in participation in Building Safety Month activities.

**SO DONE THIS 1ST DAY OF MAY 2023
BY:**

Bobby Wagner , Mayor

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: May 1, 2023
TYPE OF AGENDA ITEM: Consent Agenda
AGENDA OUTLINE NUMBER: 3.A.

TO: City Council
THRU: Rey Bailey, City Clerk
FROM: Kim Montgomery, Deputy City Clerk
DATE: 4/20/2023
SUBJECT: Boathouse Oyster Bar 5k Forrest Benefit Run

I. BACKGROUND: The Boathouse Oyster Bar is having their 2nd Annual 5k Benefit Event in memory of Forrest Dalton benefiting Juvenile Diabetes Research Foundation (JDRF).

II. DISCUSSION:

- A. Link to Strategic Goals / Objectives:** Enhance Quality of Life. Enhance the City's Recreational Services.
- B. Effect on Budget (EOB):** There is no cost involved to have an effect on the budget.
- C. Level of Service (LOS):** City Staff is not needed.
- D. Legislative Sponsor:**

III. CONCLUSION: All related and required documentation has been submitted and approved for legal sufficiency by both the City Attorney and the Risk Manager. Staff recommends approval of this request.

IV. RECOMMENDED MOTION: I move to approve the request for use of city right-of-way for the Boathouse Oyster Bar Forrest 5k run.

Attachments:

1. Boathouse Oyster Bar Forrest 5k



CHECKLIST FOR USE OF PUBLIC FACILITIES OR PROPERTY:

Name of Organization: Boathouse Oyster Bar
Type of Event: 5K Run/ Walk
Date(s) of Event: Sunday, June 18, 2023 - 8AM
Location of Event: Start/Finish at Marler Parking Lot - see route map provided

- 1.* Certificate of Insurance (**Endorsement to the Policy & Acord is required.**)
provided: Yes: ☒ **This is required.** Date on which provided: 04/11/2023
- 2.* Hold Harmless (**Signed Original**) provided: Yes: ☒ **This is required.**
Date on which provided: 04/11/2023
- 3.** Permission granted from FDOT for use of State roadway (applicable only if using and closing any portion of State Highway 98) Yes ☐ No ☐
Date written permission granted: N/A
- 4.** Local law enforcement services requested: Yes ☒ **This is required.**
Law enforcement officer contacted: Joseph Fulghum & Tami Cokonaugher
- 5.** Destin Fire Control District contacted: Yes ☒ **This is required.**
Person contacted: Matt Taylor
- 6.** Okaloosa County Emergency Medical Services contacted:
Person contacted: Patrick Maddox Yes ☒ **This is required**
7. Please provide map of race route(s).
8. Describe steps being taken to ensure removal of all directional arrows, signage, as well as trash left on City streets upon conclusion of the event: Upon finale of the race a crew will remove all signage, trash or anything else involved in the event.
9. Please provide location & pertinent information regarding sufficient and approved event participant parking for the event: City of Destin Marler Parking Lot
Any unauthorized event participant parking is subject to being towed from private property at vehicle owner's expense
10. City Park Permit needed: Yes ☐ No ☒ If yes, please contact Lisa Firth at Destin Community Center @ 850-654-5184 to make arrangements to reserve the park.
11. Will the event be in a residential neighborhood and will there be excessive noise or light glare from the event?
N/A

(Requester's or Acting Agent's Signature)

* **Original Certificate of Insurance and signed Hold Harmless must be provided to the City of Destin to be presented to City Council prior to their approval of the event, as well as a map of the race route.**

** **Provide the City a written acknowledgement/concurrence from the agency.**



HOLD HARMLESS AGREEMENT

Boathouse Oyster Bar agrees to indemnify and hold harmless the City of Destin from any and all liability, defense costs, including attorney fees and all other fees incidental to defense, loss or damage the City of Destin may suffer as a result of claims, demands, costs or judgments against it arising from the Forrest 5K to be held on June 18, 2023.

In addition, the Boathouse Oyster Bar agrees to provide the City of Destin a Certificate of Insurance naming the City as an Additional Insured reflecting general liability coverage of not less than \$1,000,000.00.

Boathouse Oyster Bar
(Corporate Name)

[Signature]
Signature of President

Melissa Schofield President
Print name and print President next to name

STATE OF Florida

COUNTY OF Okaloosa

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, on this 13 day of April 20 23 by Melissa Leigh Schofield who is personally known by me _____ or has produced identification FLD Type of Identification: FL ID.

[Signature]
Signature of Notary Taking Acknowledgement

(Seal)

Trystia Savor
Printed name of Notary Taking Acknowledgement





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

3/30/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Waldorff Insurance & Bonding 45 Eglin Parkway NE Ste 202 Fort Walton Beach FL 32548	CONTACT NAME: PHONE (A/C, No, Ext): 850-581-4925 FAX (A/C, No): 850-581-4930 E-MAIL ADDRESS: receptionist@waldorffinsurance.com
INSURED Boathouse Oyster Bar, Inc. DBA: The Boathouse Oyster Bar PO Box 62 Destin FL 32540	INSURER(S) AFFORDING COVERAGE INSURER A: Zenith Insurance Company INSURER B: Philadelphia Indemnity Insurance Co INSURER C: INSURER D: INSURER E: INSURER F:

COVERAGES**CERTIFICATE NUMBER:** 1025529544**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
B	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PRO-JECT ☐ LOC OTHER:	Y		EV108854	6/18/2023	6/19/2023	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 3,000,000 PRODUCTS - COMP/OP AGG \$ 3,000,000 \$
	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB ☐ OCCUR EXCESS LIAB ☐ CLAIMS-MADE DED ☐ RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y / N ☐	N / A	Z134753506	1/3/2023	1/3/2024	☒ PER STATUTE ☐ OTH-ER E.L. EACH ACCIDENT \$ 100,000 E.L. DISEASE - EA EMPLOYEE \$ 100,000 E.L. DISEASE - POLICY LIMIT \$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Forrest 5k event

Certificate Holder is listed as Additional Insured, when required by written contract, as pertains to General Liability.

CERTIFICATE HOLDER**CANCELLATION**City of Destin
4100 Indian Bayou Trail
Destin FL 32541

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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This endorsement modifies insurance provided under the following:

**COMMERCIAL GENERAL LIABILITY COVERAGE FORM
LIQUOR LIABILITY COVERAGE FORM**

**SPECIAL EVENTS
BLANKET ADDITIONAL INSURED ENDORSEMENT**

Section II – Who Is An Insured of the **Commercial General Liability Coverage Form** is amended to include as an insured any person(s) or organization(s) who you are required to add as an additional insured to this policy under written contract(s), written permit(s) or written agreement(s). Such person(s) or organization(s) is an insured only with respect to liability for “bodily injury”, “property damage” or “personal and advertising injury” occurring after the effective date of such written contract(s), written permit(s) or written agreement(s) that is caused, in whole or in part by:

1. Your negligent acts or omissions; or
2. The negligent acts or omissions of those acting on your behalf in the performance of your duties under such written contract(s), written permit(s) or written agreement(s)

Exclusions under Coverage A, Bodily Injury and Property Damage Liability, Coverage B. Personal and Advertising Injury Liability; and Coverage C. Medical Payments are amended to add the following:

We will not pay for loss or expense, including but not limited to the cost of defense for “bodily injury”, “property damage” or “personal and advertising injury” occurring:

- (1) After all of “your work”, including labor, materials, parts or equipment furnished in connection with “your work” and performed under the above referenced written contract(s), written permit(s) or written agreement(s) has ended; or
- (2) When that portion of “your work” out of which the “bodily injury”, “property damage” or “personal and advertising injury” arises and performed under the above referenced written contract(s), written permit(s) or written agreement(s) has been put to its intended use by any person(s) or organization(s);

whichever occurs first.

Coverage is not provided for “bodily injury”, “property damage” or “personal and advertising injury” arising out of or resulting from the sole negligence of an additional insured under this endorsement.

Coverage provided by this endorsement will be excess over any insurance available to any additional insured under this endorsement unless a written contract(s), written permit(s) or written agreement(s) specifically requires that coverage under this endorsement is primary.

Section II – Who Is an Insured of the **Liquor Liability Coverage form** is amended to include as an insured any person(s) or organization(s) who you are required to add as an additional insured to this policy under written contract(s), written permit(s) or written agreement(s). Such person(s) or organization(s) is an insured only with respect to their alleged liability for “injury”

occurring on or after the effective date of such written contract(s), written permit(s) or written agreement(s) that is caused in whole or in part by:

1. Your negligent acts or omissions; or
2. The negligent acts or omissions of those acting on your behalf in the performance of your duties under such written contract(s), written permit(s) or written agreement(s)

but only if such alleged liability results directly from the selling, serving or furnishing of any alcoholic beverage at the Special Event shown on the Declaration page.

Coverage is not provided for “injury” arising out of or resulting from the sole negligence of an additional insured under this endorsement.

Coverage provided by this endorsement will be excess over any insurance available to any additional insured under this endorsement unless a written contract(s), written permit(s) or written agreement(s) specifically requires that coverage under this endorsement is primary.

All other terms and conditions of this policy remain unchanged and shall apply to the coverage provided by this endorsement. This endorsement is a part of your policy and takes effect on the effective date of your policy unless another effective date is shown.

Kim Montgomery

To: Amber
Subject: RE: Forrest 5K

Local Law – Joseph Fulghum & Tami Cokonaugher
DFCD – Matt Taylor
OCEMS – Patrick Maddox

I'll copy again here from the Friday email. All but Local Law are the same contacts I reached out to last year...
Email responses below:

Good morning, we will place it on our calendar for coverage.

Thank you

Tami L. Cokonougher
Captain
Okaloosa County Sheriff's Posse
50 2nd Street
Shalimar, Florida 32579
(850) 259-3081

TCokonougher@sheriff-okaloosa.org

From: Joseph J. Fulghum <jfulghum@sheriff-okaloosa.org>
Sent: Tuesday, April 4, 2023 11:05 AM
To: Amber <amber@boathouseoysterbardestin.com>
Cc: Brian M. Parkton <bparkton@sheriff-okaloosa.org>; Tamra L. Cokonougher <tcokonougher@sheriff-okaloosa.org>
Subject: RE: Forrest 5K

Your 5K is approved as long as the following occurs:

We will need a civilian at the turnaround and a civilian at Palmetto/Mountain, Forrest/Stahlman, and start.

Posse will lead/follow and cover;
Azalea/Palmetto/Stahlman
Calhoun/Forrest
Siebert/Forrest
Sibert/Cross St

In addition, all participants must comply with State of Florida pedestrian laws.

Joseph Jason Fulghum
Captain, East District
Okaloosa County Sheriff's Office
50 2nd Street
Shalimar, Fl. 32579
Office: 850-613-2208

Dispatch: 850-651-7400
jfulghum@sheriff-okaloosa.org

Amber,

Thank you for notifying the Destin Fire Control District of the 2nd Annual Forrest 5K – June 18th, 2023 at 8am. The appropriate shift has been copied on this e-mail.

Please advise all participants to maintain an awareness for any responding emergency vehicle during all stages of the event and to immediately cede the right-of-way.

Have a great run and if you need any other assistance, please contact me.

This e-mail will serve as the Destin Fire Control District's acknowledgement of this event. Please forward it to the appropriate agencies.

*Matt Taylor, Fire Marshal
Destin Fire Control District
850-837-8413*

Good Morning Amber,

No concerns from Public Safety, but you'll need to pass it through OCSO and the City of Destin as well. I'll copy them here. Good luck, and enjoy.

Stay safe,

Patrick Maddox, LE CDR(R)
Director of Public Safety
Okaloosa County Board of County Commissioners
90 College Blvd E.
Niceville, Fl. 32578
(850) 651-7150
pmaddox@myokaloosa.com

Kim Montgomery

From: Jamie Dittmer
Sent: Thursday, April 20, 2023 2:40 PM
To: Kyle Bauman; Kim Montgomery
Cc: Rey Bailey; Lisa Firth; Sharon Gardner
Subject: RE: Boathouse Oyster Bar Forrest 5k event

Looks good to me too!

From: Kyle Bauman <kbauman@asglegal.com>
Sent: Thursday, April 20, 2023 2:23 PM
To: Kim Montgomery <kmontgomery@cityofdestin.com>; Jamie Dittmer <jdittmer@cityofdestin.com>
Cc: Rey Bailey <rbailey@cityofdestin.com>; Lisa Firth <lfirth@cityofdestin.com>; Sharon Gardner <sgardner@cityofdestin.com>
Subject: RE: Boathouse Oyster Bar Forrest 5k event

[CAUTION: This email originated from outside of the City of Destin email system. DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Looks good to me

From: Kim Montgomery <kmontgomery@cityofdestin.com>
Sent: Thursday, April 20, 2023 9:31 AM
To: Kyle Bauman <kbauman@asglegal.com>; Jamie Dittmer <jdittmer@cityofdestin.com>
Cc: Rey Bailey <rbailey@cityofdestin.com>; Lisa Firth <lfirth@cityofdestin.com>; Sharon Gardner <sgardner@cityofdestin.com>
Subject: Boathouse Oyster Bar Forrest 5k event
Importance: High

Good morning Kyle & Jamie,

Please review the attached for legal sufficiency. I plan to add this to the May 1, 2023 Council Agenda.

Thank you,

-Kim

Kimberly I. Montgomery | Deputy City Clerk
City of Destin | 4200 Indian Bayou Trail
Destin, FL 32541 | (P) 850.837.4242

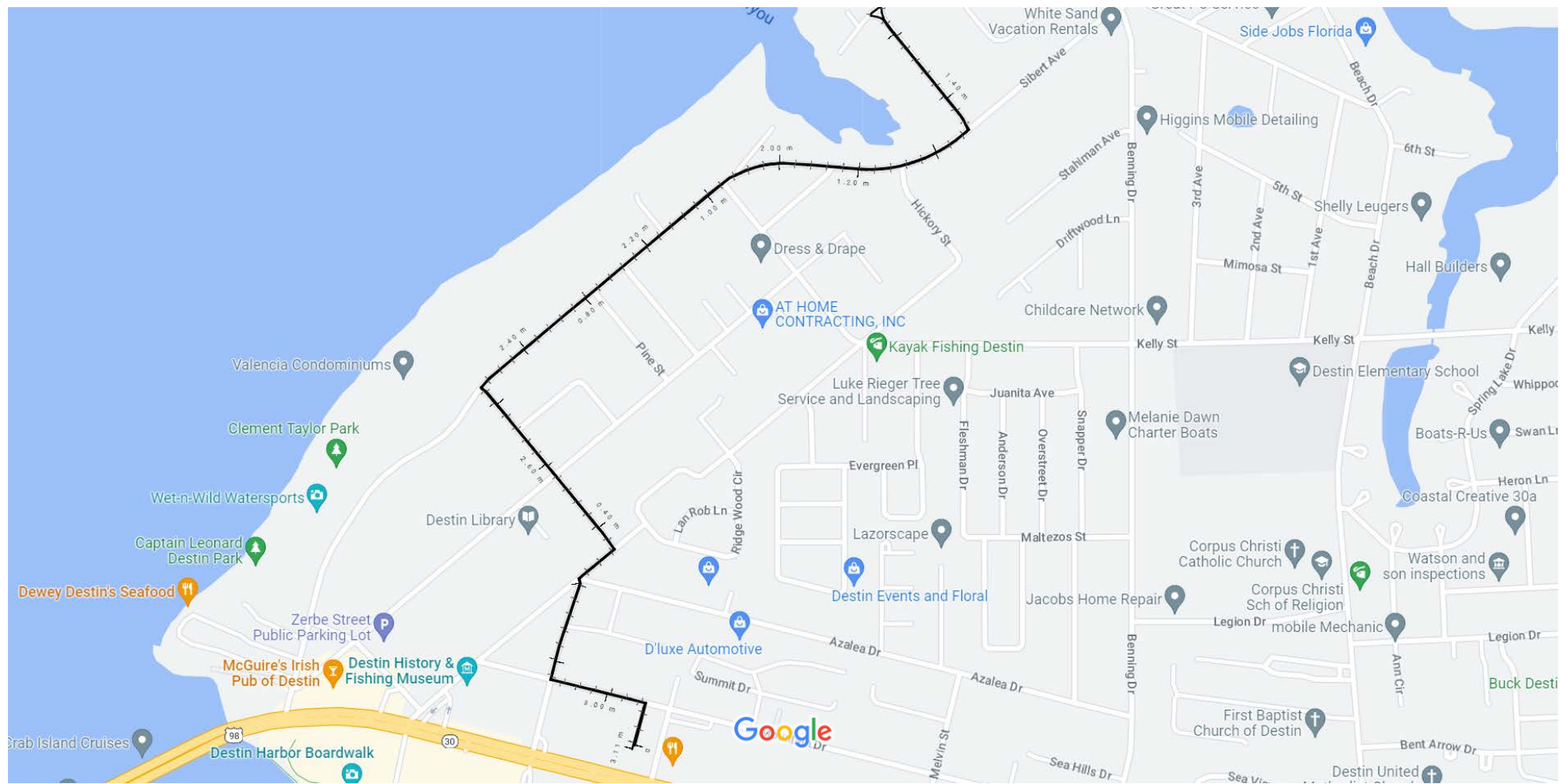


Please visit our web site at www.cityofdestin/cssurvey to complete a customer service survey. We appreciate your honest opinion and will take it into consideration to help us improve our services. Thank you for your feedback.

Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.



5 K route



Map data ©2023 500 ft

Measure distance

Total area: 54,005.72 ft² (5,017.30 m²)

Total distance: 3.11 mi (5.00 km)

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: May 1, 2023
TYPE OF AGENDA ITEM: Action Item
AGENDA OUTLINE NUMBER: 3.B.

TO: City Council

THRU: Jeffrey Cozadd, Grants Manager
Ryan Reed, Deputy Parks/Rec Director
Krystal Strickland, Finance Director
Kyle Bauman, City Attorney
Lance Johnson, City Manager

FROM: Webb Warren, Deputy City Manager

DATE: April 27, 2023

SUBJECT: Destin Fire District-Beach Safety Contract 2023

I. BACKGROUND: The City of Destin and Okaloosa County have provided funding for Beach Safety and Lifeguard Services in order to ensure the safety and enjoyment of the city's beaches. The City of Destin provided funding for Lifeguard Services to the Destin Fire Control District (DFCD) in the amount of \$50,000 beginning in FY 2005. This amount increased to \$80,000 in FY 2006 and to \$100,000 in FY 2007 to the present. In FY 2011, Okaloosa County also provided Tourist Development Council (TDC) funds to the Destin Fire Control District for Beach Safety and Lifeguard Services. In FY 2011 and FY 2012, the county provided \$250,000 in TDC funds to the Destin Fire Control District. In FY2022 the County was contracted for \$915,000 to DFCD for this purpose.

II. DISCUSSION: On September 17, 2013, Okaloosa County approved an interlocal agreement between the county and the Destin Fire Control District to provide funding for Beach Safety and Lifeguard Services in an annual amount of \$517,000 through September 2014. During the discussion on the FY 2014 City of Destin budget, an interlocal agreement between the City of Destin and the Destin Fire Control District was proposed to address the city's funding of Beach Safety Services in the amount of \$100,000 annually.

The attached interlocal agreement contains a Scope of Services which describes the services to be provided to the City of Destin beaches for the \$100,000 payment by the City for FY2023.

Destin Fire Control District provided the attached Contract with Scope of Services FY23. The contract runs through September 23 and is in the amount of \$100,000 as reflected in

this year's budget. The major difference between this contract and the one from the previous year is the location of the services provided. Destin Fire Control District recommends dedicated lifeguards at Norriego Point and Osteen Access because both locations do not have a quick backup if needed. The remainder of the beach areas will be covered by a rover system that will have lifeguards on mobile atvs and lifeguards at chairs that are not always at a fixed reoccurring location. Destin Fire Control District would place its resources at various locations depending on the need of that particular day.

If the City of Destin would like a dedicated lifeguard and chair at its beach park locations, that would be an additional charge.

The 2023 scope of work has been redlined to show changes from last year to this year.

A. Link to Strategic Goals / Objectives: Enhanced quality of life and safety for families

B. Effect on Budget (EOB): Under the interlocal agreement, the city will provide \$100,000 to the Destin Fire Control District for Beach Safety and Lifeguard Services. This financial contribution is included in the approved FY2023 budget.

0152140-534521	
public safety-lifeguard contract	\$ 100,000
FY23 Adopted Budget	100,000
Previous Expenses/Encumbrances	-
Available Program Budget	100,000
This Agreement +(-)	(100,000)
FY23 Remaining Program Budget	\$ -

C. Level of Service (LOS): This agreement will provide beach safety for residents and visitors and will promote public safety.

D. Legislative Sponsor:

III. CONCLUSION: The City of Destin has provided funds to the Destin Fire Control District since FY 2005 to fund Beach Safety and Lifeguard Services to ensure the safety and enjoyment of the city's beaches by residents and visitors. The proposed interlocal agreement between the City of Destin and the Destin Fire Control District, outlines the Scope of Services that will be provided for Spring Break and the one hundred (100) days of summer based on the city's contribution to these services and will enhance the service level provided by TDC funds from Okaloosa County.

IV. RECOMMENDED MOTION: I move to authorize the Mayor to execute the Interlocal Agreement between the Destin Fire Control District and the City of Destin to provide Beach Safety and Lifeguard Services on the City of Destin beaches for FY2023

Attachments:

1. ATT1 - DFD 2022 Report of Beach Activities

ITEM # 2023-6197

2. ATT2 - 2022 Annual Report for City of Destin
3. Destin FY 22-23 Interlocal DFCD Beach Services - Updated
4. 22-23 Beach Safety Agreement email

DFD 2022 Report of Beach Activities

Attendance	Minor First Aid	Major First Aid	Public Contacts	Preventative Acts	Missing Persons	Lost Persons	Persons Rescued	Assits	
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MONTHLY TOTALS

March	91,819	11	6	31,626	14,719	9	4	5	2
April	153,638	-	9	54,566	21,683	4	-	16	4
May	286,270	2	7	84,059	17,407	6	3	61	2
June	442,620	12	21	104,758	26,449	14	6	97	53
July	516,249	20	7	78,230	21,960	41	3	15	55
Aug.	228,357	3	8	42,798	9,456	6	5	18	29
Sept.	142,686	2	1	37,712	6,009	-	2	2	5
Oct.	103,005	3	1	28,379	8,522	1	-	-	-

TOTAL	1,964,644	53	60	462,128	126,205	81	23	214	150
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**BOAT 9 ACTIVITY
LOG**

March									
April									
May									
June									
July									
Aug.									
Sept.									
Oct.									

TOTAL	-	-	-	-	-	-	-	-	-
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TOTAL ALL	1,964,644	53	60	462,128	126,205	81	23	214	150
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DESTIN FIRE CONTROL DISTRICT

BEACH SAFETY DIVISION

2022 ANNUAL REPORT



- The Beach Safety Division is responsible for providing beach and ocean lifeguard services. After 18 years of service, procedures and equipment have changed, but the primary goal of protecting swimmers in the gulf has not. There are two programs within Beach Safety designed to help the division reach the goal of ensuring public safety on the beach: (1) Lifeguard Operations – which provides lifesaving services along the beaches; and (2) the Prevention/Education Program which attempts to reach residents and visitors with beach and ocean safety education. This includes the Junior Lifeguard program that is geared towards our local youths.
- The Division operated nine four-wheel drive rescue vehicles, three rescue-equipped personal watercraft, four towers and 9 chairs during the season.
- The Division employed one full-time division chief, seven part-time Lieutenants, and approximately 50 part-time seasonal lifeguards during the season.
- The Beach Safety Division maintains a standardized beach safety program. The District has been designated as a Certified Lifeguard Agency by the United States Lifesaving Association. USLA certification is intended to recognize and encourage higher training standards, longer training periods, and other requirements. Lifeguards also receive training in First Aid, CPR, and AED.
- During the 2022 season the Beach Safety Division aided with 117,683 preventative acts, 17 boat and personal watercraft infractions, 59 major medical responses, 50 minor aid request, 237 missing and lost persons, 150 assists and 214 people rescued, all with an attendance of 1,861,639 individuals. There was one drowning fatality in guarded areas.
- Personnel costs consume approximately 83% of the Beach Safety Division's budget at a cost of \$950,286.

**INTERLOCAL AGREEMENT FOR
BEACH SAFETY AND LIFEGUARD SERVICES**

THIS INTERLOCAL AGREEMENT (the “Agreement”) is made and entered into on the effective date below, by and between the CITY OF DESTIN, a political subdivision of the State of Florida (hereinafter referred to as “the City”) and DESTIN FIRE CONTROL DISTRICT, an independent special district (hereinafter referred to as “the District”).

WHEREAS, the City finds that enhancing the safety of its beaches is an essential component of promoting the City as a tourist destination; and

WHEREAS, the presence of lifeguards will promote safety and encourage enjoyment of the beaches; and

WHEREAS, the City desires beach safety and lifeguard services; and

WHEREAS, the District has offered to render certain beach safety and lifeguard services as more fully described in this Agreement, and has the qualifications, experience and resources to perform such services; and

WHEREAS, the City determines it would be in the best interest of the health, safety and welfare of its citizens and visitors to enter into this Agreement with the District for the rendering of those services described in this Agreement.

NOW, THEREFORE, acting pursuant to their statutory authority and in consideration of the mutual covenants and agreements of the parties, the City and the District agree as follows:

**SECTION I.
AUTHORITY**

1.1 This Agreement is entered into pursuant to the provisions of Section 163.01, Florida Statutes, (hereinafter referred to as the “Act”) and other applicable provisions of law.

**SECTION II.
PARTIES**

2.1 The parties to this Agreement are the City and the District.

**SECTION III.
FINDINGS**

3.1 The recitals set forth above are hereby approved and incorporated herein.

**SECTION IV.
TERM OF AGREEMENT**

4.1 The term of this Agreement shall be for one (1) fiscal year effective October 1, 202~~12~~, through September 30, 202~~23~~.

4.2 Termination. ~~Either party may terminate this Agreement for any reason by giving written notice to the other party of its intent to terminate this Agreement. Such written notice of intent shall be given no less than thirty (30) days prior to the conclusion of the current Season, as defined in EXHIBIT A. No termination shall be effective until the conclusion of the current Season.~~ In the event the City declares a financial emergency as defined by the Florida Auditor General, the City shall provide a thirty (30) day notice and be relieved of any obligations as it pertains to this Agreement and the District will no longer provide the Scope of Services as outlined in EXHIBIT A.

SECTION V. COMPENSATION

5.1 The City agrees to pay the District for full and timely performance of its obligations hereunder, a total amount of ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) the fiscal year beginning October 1, 202~~1~~2 (“202~~23~~23 Contract Amount”).

5.2 Payment will be made in equal amounts by the 15th of each month for the services ~~is~~ provided as described in the Scope of Services as set forth in EXHIBIT A.

SECTION VI. SCOPE OF WORK

6.1 The District shall provide beach safety and lifeguard services as more fully described in the Scope of Services set forth in EXHIBIT A attached hereto and incorporated by reference.

6.2 ~~The Scope of Services set forth in EXHIBIT A shall include beach safety and lifeguard services to Norriego Point only if funding is provided in full by Okaloosa County, Florida to the District, as set forth in the Interlocal Agreement for Beach Safety and Lifeguard Services between Okaloosa County, Florida and Destin Fire Control District, dated _____, 2022, attached hereto and incorporated by reference as EXHIBIT B. This Agreement is contingent upon a fully executed Exhibit B, the Interlocal Agreement between Okaloosa County, Florida and the District. The Parties agree if Exhibit B is not executed, this Agreement is null and void.~~

6.3 The District shall provide a point-of-contact for the services provided under this Agreement. The point of contact shall be available to the City at all times as necessary for the proper performance of this Agreement by the District.

6.4 The District shall place the City of Destin’s logo (“Logo”) on equipment and vehicles used to provide services under this Agreement. Said Logo shall be provided by the City and shall be non-permanent. Additionally, the District agrees to work with the City to enhance marketing efforts of the City of Destin. Such marketing efforts shall include, but not be limited to, social media development and interaction, public relations and publicity initiatives, webpage links and landing pages, and photograph and video.

SECTION VII. RECORDS AND REPORTING

7.1 For the services performed under this Agreement, the District shall maintain books, records, documents, and other evidence according to generally accepted governmental accounting principles, procedures, and practices which sufficiently and properly reflect all costs and expenditures

of any nature, incurred by the District in connection with the services performed under this Agreement or otherwise paid or to be paid from either incremental revenues or the proceeds of increment obligations, and said books, records, documents and other instruments shall be retained by the District for a period of three (3) full years after termination of this Agreement. However, notwithstanding the above, no books, records, documents or other evidence reflecting all costs and expenditures incurred under this Agreement shall be destroyed until proper authorization for the disposal has been received pursuant to Florida Law.

IF THE DISTRICT HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE DISTRICT'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT OFFICE OF THE CITY CLERK, City of Destin 4200 Indian Bayou Trail Destin, Florida 32541: (850) 837-4242 rbailey@cityofdestin.com.

7.2 The District must comply with the public records laws, Chapter 119, Florida Statutes, specifically the District must:

- a. Keep and maintain public records required by the City to perform the service.
- b. Upon request from the City's custodian of public records, provide the City with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in chapter 119 Florida Statutes or as otherwise provided by law.
- c. Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the contract term and following completion of the contract if the District does not transfer the records to the City.

7.3 Upon completion of the contract, transfer, at no cost, to the City all public records in possession of the District or keep and maintain public records required by the City to perform the service. If the District transfers all public records to the public agency upon completion of the Agreement, the District shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If the District keeps and maintains public records upon completion of the Agreement, the District shall meet all applicable requirements for retaining the public records. All records stored electronically must be provided to the public agency, upon the request from the public agency's custodian of public records, in a format that is compatible with the information technology systems of the public agency.

SECTION VIII.

AUDIT

8.1 The City shall have the right from time to time at its sole expense to audit the compliance by the District with the terms, conditions, obligations, limitations, restrictions and requirements of this Agreement and such right shall extend for a period of three (3) years after termination of this Agreement.

8.2 The City shall have full access, for inspection, review, and audit purposes, to all items referred to in Section VII above and shall comply with all public records laws.

SECTION IX.
REPRESENTATIONS AND WARRANTIES

9.1 The City does hereby represent and warrant to the District that it has all requisite power, authority, and authorization to enter into this Agreement, has taken all necessary actions required to enter into this Agreement, and to fulfill any and all of its obligations, duties, and responsibilities provided for or required of it by this Agreement, whether exercised individually or collectively.

9.2 The District does hereby represent and warrant to the City that it has all requisite power, authority, and authorization to enter into this Agreement, has taken all necessary actions required to enter into this Agreement, make any payment contemplated hereby, and to fulfill any and all of its obligations, duties, and responsibilities provided for or required of it by this Agreement, whether exercised individually or collectively.

SECTION X.
AMENDMENTS

10.1 Neither this Agreement nor any portion of it may be modified or waived orally. The provisions hereof may be amended or waived only pursuant to an instrument in writing, approved by the parties hereto. Any party to this Agreement shall have the right, but not obligation, to waive any right or rights, limitation or limitations, or condition or conditions herein reserved or intended for the benefit of such party without being deemed to have waived other rights, limitations, or conditions. However, any such waiver shall be valid only if expressly granted in writing as described above.

SECTION XI.
DISPUTE RESOLUTION

11.1 The parties shall attempt to resolve any disputes that arise under this Agreement in good faith and in accordance with the provisions of the Florida Governmental Conflict Resolution Act as set forth in Sections 164.101-164.1061, Florida Statutes ("FGCRA").

11.2 To the extent that the parties are unable to resolve this dispute through the provisions of the FGCRA, then within thirty (30) days, the parties shall be required to participate in mediation. The cost of the mediation shall be borne equally between the parties. The mediator shall be mutually agreed upon by the parties.

11.3 In the event that the matter is not resolved through the mediation process, each party shall be free to pursue any of its available remedies.

11.4 Attorneys' Fees and Recoverable Costs

a. In the event of a legal action or other proceeding arising under this Agreement or a dispute regarding any alleged breach, default, claim, or misrepresentation arising out of this Agreement, whether or not a lawsuit or other proceeding is filed, the prevailing party shall be entitled to recover its reasonable attorneys' fees and costs, whether incurred before suit, during suit, or at the appellate level. This Section shall apply to any disputes brought under the FGCRA.

b. Recoverable Costs. The reasonable costs that the prevailing party shall be entitled to recover pursuant to Agreement shall include any costs that are taxable pursuant to any applicable statute, rule, or guideline (including, but not limited to, the Statewide Uniform Guidelines for Taxation of Costs).

SECTION XII. SEVERABILITY

12.1 If any one or more of the covenants, agreements or provisions of this Agreement shall be held contrary to any express provision of law or contrary to any policy of express law, then the remainder of this agreement shall remain in full force and effect.

SECTION XIII. CONTROLLING LAW

13.1 All covenants, stipulations, obligations and agreements of the City and the District contained in this Agreement shall be deemed to be covenants, stipulations, obligations and agreements of each of the City and the District to the full extent authorized by the Act and provided by the Constitution and laws of the State of Florida. The laws of the State of Florida shall govern any and all provisions of this Agreement and any proceeding seeking to enforce or challenge any provision of this Agreement. Venue for any proceeding pertaining to this Agreement shall be exclusively in Okaloosa County, Florida.

SECTION XIV. NOTICE

14.1 If written notice to a party is required under this Agreement, such notice shall be given by hand delivery, recognized overnight delivery service, or by first class mail, registered and return receipt requested.

As to the City as follows:

Lance A. Johnson
City Manager
City of Destin
4200 Indian Bayou Trail
Destin, Florida 32541

As to the District as follows:

Chief Kevin Sasser
Fire Chief
Destin Fire Control District
848 Airport Road
Destin, Florida 32541

SECTION XV. NO MEMBER LIABILITY

15.1 Neither the members of the governing body of the City, the District, nor any official executing this Agreement, shall be liable personally or shall be subject to any accountability for reason of the execution by the City, the District or any executing authority of the City or the District for any act pertaining thereto.

SECTION XVI. FORCE MAJEURE

16.1 A party's timely performance of its obligations under this Agreement, only to the extent it is specifically affected thereby, shall be suspended, without forfeiture of any performance bond or the incurring of any financial liability, when and only for as long as performance of such obligations is prevented by reasons of any of the following cases: (i) acts of God, including without limitation severe weather events, (ii) operation of law, and (iii) any other event beyond the reasonable control of the party whose performance is affected, to the extent not caused by such party's willful or negligent acts or omissions, except in those cases where the party could not have reasonably foreseen and reasonably avoided the occurrence. The party affected by any such event shall give written notice thereof to the other party as soon as practicable after it becomes aware of such an event and, to the extent practicable, shall specify the anticipated length of the delay. The affected party shall use reasonable efforts to minimize the impact of that delay on that party's performance. Neither party shall be liable to the other for damages caused by such events. This provision shall not apply to obligations to make payments under Section V of this Agreement.

SECTION XVII. FILING

17.1 The City and the District are hereby authorized and directed after approval of this Agreement by the City and the District and the execution thereof by the duly qualified and authorized officers of each of the parties hereto, to file this Agreement with the Clerk of the Circuit Court of Okaloosa County, Florida for recording in the public records of Okaloosa County, Florida as provided in Section 163.01(11), Florida Statutes.

SECTION XVIII. SOVEREIGN IMMUNITY

18.1 The parties further agree that nothing contained herein is intended to nor shall be construed a waiver of the City or District's rights and immunities under the common law or Section 768.28, Florida Statutes, as amended from time to time.

SECTION XIX. INSURANCE, LIABILITY AND INDEMNIFICATION

19.1 The District shall be an independent contractor in regard to the services provided herein and shall not be deemed to be the agent of the City.

19.2 During the term of this Agreement, the District shall have in force general liability insurance with limits of at least \$1,000,000.00 per occurrence and \$3,000,000.00 aggregate naming the City as an Additional Insured and Certificate Holder covering any liability, claim, damage or lawsuit, excluding claims for a taking of property or inverse condemnation, resulting

from the actions of the District or its employees, officers or agents in the performance of its responsibilities under this Agreement.

19.3 The District agrees that it shall be fully responsible for all claims, liabilities, damages, costs, actions, suits or proceedings at law or in equity which may occur as a result of the wrongful or negligent acts of its officers, employees, representatives, and agents. The District shall indemnify and hold the City harmless from any and all liability resulting from the wrongful or negligent acts of officers, employees, representative, and agents.

19.4 Any contractor or consultant engaged by the District for work under this Agreement shall be required to protect, defend, indemnify and hold the District and City harmless from all claims, demands, causes of action or liability resulting from injury to or death of persons or damage to or loss of property sustained as a consequence of the Agreement and arising from the said contractor's or vendor's operations or as a proximate result of the acts or omissions of the contractor, consultant or their employees. Such agreement by the contractor or consultant shall include their indemnification as to any assessment of an administrative fine or penalty by a governmental entity for a violation of conditions of any required permit related to their actions or failure to act in carrying out their contractual duties. The District shall require the provisions of this section to be included in all contracts between the District and its contractors and consultants for work or services to occur under this Agreement.

SECTION XX. **CONSTRUCTION**

20.1 The Parties have participated jointly in the negotiation and drafting of this Agreement. In the event an ambiguity or question of intent or interpretation arises, this Agreement shall be construed as if drafted jointly by the parties and no presumption or burden of proof shall arise favoring or disfavoring any party by virtue of the authorship of any of the provision of this Agreement.

[Remainder of the page left intentionally blank]
[Signatures appear on the following page]

IN WITNESS WHEREOF, the parties hereto, by and through the undersigned, have entered into this Agreement on the date and year first above written.

**DESTIN CITY COUNCIL
DESTIN, FLORIDA**

By: _____
Gary Jarvis Bobby Wagner
Its: Mayor

Dated: _____

ATTEST:

By: _____
Rey Baily
Its: City Clerk

Approved as to form and legal sufficiency:

Kyle Bauman
Its: City Attorney

DESTIN FIRE CONTROL DISTRICT

By: _____
Richard D. Moore
Its: Chairman

Dated: _____

ATTEST

By: _____
Kathryn Wagner
Its: District Clerk

Approved as to form and legal sufficiency:

Dana C. Matthews II
Matthews & Jones, LLP
Its: District Attorney

EXHIBIT A

SCOPE OF SERVICES

The District shall supply ~~two (2) lifeguards with towers at Norriego Point Beach Park~~ one (1) beach safety and lifeguard services at four (4) City of Destin public beach access points and one (1) lifeguard with tower and one (1) lifeguard with a Jet Ski at O'Steen Beach Trail during the specified time frames as described below.

The beach safety and lifeguard services shall include, but not be limited to, beach safety education; supervising beach areas from assigned lifeguard locations; patrol vessel; performing rescue and accident prevention activities at the beach and in the open water environment; monitoring and advising beach and water users of local, state and federal laws, rules, and ordinances; providing and coordinating emergency medical and water-rescue activities and emergency response.

Priority duties include:

- ~~• The "Season" shall be defined as the specified time frames as described below. The District will provide service for two (2) City of Destin public beach parks (The Shore at Crystal Beach Hutchinson and June White Decker) during Spring Break (Saturday, March 5, 2022 through Easter Sunday, 2022) from the hours of 9:30 am to 6:00 pm.~~
- ~~• The District will provide service for the four (4) City of Destin public beach trails and parks (June White Decker, Pompano Ave/Tarpon Beach, Shirah St, The Shore at Crystal Beach) from the Saturday of Memorial Day weekend through the second weekend in August from the hours of 9:00 am to 5:45 pm.~~
- The District will provide service for the O'Steen Beach Trail and Norriego Point Beach Park from the Saturday, May 27th of Memorial Day weekend through Sunday, August 13th Labor Day from 8:00am to 6:00pm.
- ~~During the Season,~~ The District shall assess the prevailing surf conditions daily, in accordance with United States Lifesaving Association ("USLA") and International Life Saving Federation ("ILSF") standards determine the appropriate beach safety flag and based on that assessment, change the beach flags to reflect the appropriate color and provide lifesaving services. The flag color will be posted no later than 9:~~00~~30 a.m. daily on the Destin Beach Safety Facebook page.
- ~~• The District will also work with the City of Destin, Okaloosa County and the Tourist Development Department to improve provide "push" beach safety messaging to our tourists and residents as well as improved safety measures for beach goers in the off season.~~
- Implement the District's beach safety standard operating guidelines so as to best minimize risk to the public and for the safe and efficient operation of lifeguarding service.
- Closely monitoring all aquatic users within designated areas of supervision.
- Maintaining a proactive approach to beach and water safety by advising the public, when necessary, of dangers and providing advice to best minimize risk.
- Educating the public on beach safety and the beach flag system.
- Establishing a social media page that is proactively updated with the current beach flag status and is used to message beach safety information to the public during the season.

- Carrying out the rescue of any person(s) in difficulty and informing other services if and when backup is required.
- The District will provide a monthly invoice to the City with key metrics of the District's services for that month.
- Carrying out the other duties such as Emergency Medical Response and Minor First Aid, Dry-Land and In-Water Missing Person Searches, and Safety Interventions and Preventive Actions as required prevent/treat death of injury, minimizing risk, and maintaining public safety. Providing written reports of incidents and Daily Activity Reports (DAR's) for required beach statistics.
- Monitoring the condition of lifeguard equipment and repair/replace as necessary.
- Undertaking scheduled cleaning and maintenance of surf rescue equipment and facilities on a daily, weekly and monthly basis and repair/replace as needed.
- ~~Manage the District's beach wheelchair program, providing beach wheelchairs at designated locations.~~
- Maintain personnel training, curriculum, and equipment standards that meet or exceed the standards established by the United States Lifesaving Association's Lifesaving Agency Certification Program.
- Provide an annual comprehensive report to the City Manager which includes, but is not limited to, the following performance measures: (1) the number of personnel used to deliver lifeguard services, (2) the cost of all personnel services, (3) lifesaving activities for the season to include preventative actions and rescues performed, and (4) drowning fatalities in guarded and unguarded areas. The report shall be submitted no later than the end of business on August 7th. If mid-year requests for statistics are needed, the City Manager's office will coordinate with the Beach Safety Division.
- ~~The District will provide Beach wheelchair service for June White Decker Beach Park and Shore at Crystal Beach Park. from the Saturday before Memorial Day until Labor Day. These are by reservation only and are on a first come first serve basis.~~

EXHIBIT B

**INTERLOCAL AGREEMENT FOR BEACH SAFETY
AND LIFEGUARD SERVICES BETWEEN OKALOOSA
COUNTY, FLORIDA AND DESTIN FIRE CONTROL DISTRICT**

From: Kevin Sasser <chief@destinfire.com>
Sent: Monday, April 3, 2023 5:41 PM
To: Webb Warren
Cc: Kathryn Wagner; DC Matthews
Subject: 22-23 Beach Safety Agreement
Attachments: Destin FY 22-23 Interlocal DFCD Beach Services - Updated.pdf; Destin FY 22-23 Interlocal DFCD Beach Services - Updated.docx

[CAUTION: This email originated from outside of the City of Destin email system. DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Webb:

Attached is an updated agreement as we discussed with Lisa and Jeff. We recommend the City maintain the O'Steen and Norriego Lifeguards as those locations have no backup or overlapping coverage and at times those locations can be very dangerous, as citizens and visitors recreate in & near a navigable water way. The chairs at the City's Beach Trails/Access points have coverage via roving patrols. Although this is not ideal, those areas will have coverage.

As always, please feel free to give me a call if you would like to discuss or have any questions.

Respectfully,

Kevin Sasser, Fire Chief
Destin Fire Control District
www.destinfire.com
<https://www.facebook.com/DestinFireRescue/>
<https://www.facebook.com/DestinBeachSafety/>
<https://www.facebook.com/DestinJuniorLifeguards/>
https://www.instagram.com/destin_fire_rescue/
<https://www.instagram.com/destinlifeguards/>

"All that is necessary for the triumph of evil is that good men do nothing" - Edmund Burke

"Everyone is entitled to his opinion, but not to his own facts" - Daniel Patrick Moynihan

PLEASE NOTE: Florida has a very broad public records law. Most written communications to or from Destin Fire Control District employees are public records available to the public and media upon request. Your e-mail communications including your e-mail address may be subject to public disclosure.

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: May 1, 2023**TYPE OF AGENDA ITEM:** Consent Agenda**AGENDA OUTLINE NUMBER:** 3.C.**TO:** City Council**THRU:** Lance Johnson, City Manager**FROM:** Louis Zunguze, Community Development Director
Kyle Bauman, City Attorney**DATE:** April 26, 2023**SUBJECT:** Single-Family Residential Marine Construction proposed at 4049 Indian Bayou North (Parcel ID: 00-2S-22-1244-0000-004A).

I. BACKGROUND: Ben Williams of B&W Services, LLC, on behalf of Joseph Kitts, has submitted an application for City Council review for the construction of a single-family residential marine construction project at 4049 Indian Bayou North (Parcel ID: 00-2S-22-1244-0000-004A). The project proposes the separation of a four (4) foot section of the existing shared dock, along with the construction of a 6' x 4' access pier, a 75' x 4' marginal dock, and a 30' x 13' covered boat lift, for a total of approximately 714 square feet of new construction.

II. DISCUSSION: The applicant requests City Council approval for single-family marine construction located at 4049 Indian Bayou North, located within Indian Bayou, a Class II Florida Waterbody, and tributary of Choctawhatchee Bay. The application includes the separation of a 4' section of the existing shared dock, and the proposed construction of one (1) 75' x 4' marginal dock, one (1) 30'x13' covered boat lift and one (1) 6'x4' access pier, comprising a total of ±714 square feet of new construction.

The proposed marine construction project meets the following requirements of ***Section 11.05.00, City of Destin Land Development Code (LDC)***,

- ***11.05.01.A*** – Construction of new dock
- ***11.05.01.C, 11.05.01.D*** – Waste Disposal into the Harbor and Waterways of Destin
- ***11.05.01.F, 11.05.01.G, and 11.05.01.M*** – Length of the pier
- ***11.05.01.N*** – Slip Density on Canal
- ***11.05.01.Q*** – No pier shall extend more than six feet into a canal right-of-way

COMPREHENSIVE PLAN CONSISTENCY: The proposed marine construction project is consistent with **Coastal Management Element Goal 6-1, Coastal Management Element Objective 6-1.1, and Coastal Management Element Policy 6-1.1.3: Protect Coastal and Estuarine Environmental Quality and the Shoreline.**

- A. **Link to Strategic Goals / Objectives:** 1) Enhance Quality of Life
- B. **Effect on Budget (EOB):** There is no anticipated effect on the budget.
- C. **Level of Service (LOS):** There is no anticipated effect on the LOS.
- D. **Legislative Sponsor:**

III. CONCLUSION: The applicant provided a receipt of submittal from Florida Department of Environmental Protection (FDEP) of Self-Certification, File #0427150001EE. City Staff reviewed the application and determined that the plans comply with City Codes and regulations. Specifically, the proposed dock complies with ***LDC Section 11.05.01, Marina Siting***, and the Coastal Management Element of the City's Comprehensive Plan (***Coastal Management Element Policy 6-1.1.3***).

HARBOR AND WATERWAYS BOARD RECOMMENDATION: At the regularly scheduled Harbor and Waterways Board (HWB) meeting on April 24th, 2023, the Harbor and Waterways Board unanimously recommended, 4-0, that City Council approve the proposed single-family marine construction project located at 4049 Indian Bayou North, consisting of the separation of a 4' section of the existing shared dock, and the proposed construction of a marginal dock, a covered boat lift and an access pier, subject to the applicant meeting all applicable City permit requirements.

IV. RECOMMENDED MOTION: I move to approve the single-family marine construction project located at 4049 Indian Bayou North, subject to the applicant meeting all applicable City, State and Federal permit requirements.

ALTERNATE MOTION: I move that the City Council deny the single-family marine construction project located at 4049 Indian Bayou North.

Attachments:

- 1. H. Email Explaining Dimensions
- 2. A. Site Plan
- 3. B. Structural Plans
- 4. C. Foundation Survey
- 5. D. FDEP Receipt of Submittal
- 6. E. Agent Affidavit
- 7. F. Estimated Scope and Cost of Work
- 8. G. Adjacent Property Notification

From: [Steve O'Connor](#)
To: [Ben Williams](#)
Cc: [Louis Zunguze](#); [Cindy Runyon](#); [Wright Branson](#); [Planning Division](#)
Subject: RE: HWB-000912-2022 - 4049 Indian Bayou
Date: Wednesday, March 8, 2023 11:46:58 AM
Attachments: [image001.png](#)

Good morning Ben,

Thanks for following up, I will circulate this internally, and we will get back to you soon.

Thanks,
Steve

Steve O'Connor
Principal Planner
City of Destin | Community Development
4100 Indian Bayou Trail
Destin, FL 32541
850.279.3213
soconnor@cityofdestin.com

Disclaimer: Florida has a very broad public records law. As a result, any written communication created or received by the City of Destin will be made available to the public and media, upon request, unless otherwise exempt. Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to this office. Instead, contact our office by phone or in writing.

From: Ben Williams <ben@bwsmarine.com>
Sent: Wednesday, March 8, 2023 9:43 AM
To: Steve O'Connor <soconnor@cityofdestin.com>
Cc: Louis Zunguze <lzunguze@cityofdestin.com>; Cindy Runyon <crunyon@cityofdestin.com>; Wright Branson <wright@bwsmarine.com>
Subject: FW: HWB-000912-2022 - 4049 Indian Bayou

Some people who received this message don't often get email from ben@bwsmarine.com. [Learn why this is important](#)

[CAUTION: This email originated from outside of the City of Destin email system. DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Steve,

Please see clarification below as requested. Thank you.

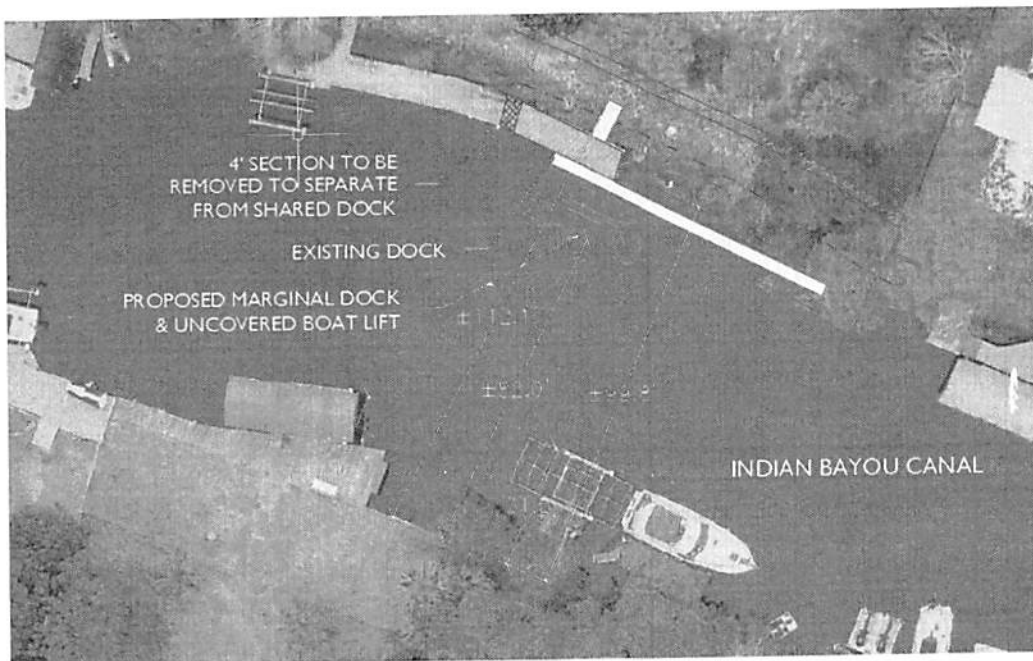
Ben Williams

B&W Services, LLC
221 Hollywood Blvd SE
Ft Walton Beach, FL 32548

From: Jason Taylor <jason@oakhurstconsult.com>
Sent: Friday, March 3, 2023 8:52 AM
To: Ben Williams <ben@bwsmarine.com>
Cc: Wright Branson <wright@bwsmarine.com>
Subject: Re: HWB-000912-2022 - 4049 Indian Bayou

Florida statutes allow a riparian waterfront owner to wharf out to navigable waters so the state and the feds interpret the waterward construction limits to be measured using the open body of water. So in a case like this where there is emergent vegetation waterward of the mean high water line, the open body of water is measured from the limits of that vegetation.

I am curious how the folks across the canal were approved at +/-26' and +/-31.5' if they are saying the limit is +/- 22.4'.



Jason
Oakhurst Consulting
850-207-2442

On Thu, Mar 2, 2023 at 7:33 PM Ben Williams <ben@bwsmarine.com> wrote:

Jason,

Any wisdom you could share with us on this?

Ben Williams
B&W Services, LLC
221 Hollywood Blvd SE
Ft Walton Beach, FL 32548

Begin forwarded message:

From: Steve O'Connor <soconnor@cityofdestin.com>
Date: March 2, 2023 at 3:53:08 PM EST
To: Ben Williams <ben@bwsmarine.com>
Cc: Wright Branson <wright@bwsmarine.com>, Louis Zunguze <lzunguze@cityofdestin.com>, Planning Division <PlanningDiv@cityofdestin.com>, Cindy Runyon <crunyon@cityofdestin.com>
Subject: RE: HWB-000912-2022 - 4049 Indian Bayou

Good afternoon Ben,

We have reviewed the plans and need clarification on how you measure the length and get less than 20%. The width of the waterbody at its greatest, as identified in the plans, is +/-112', which would allow +/-22.4' of length. The length of the Dock from MHWL to the extreme edge of the boat lift is identified at 29.2'. This exceeds the maximum allowed by 11.05.01.F. Our definition of a pier is stated below in Article 3 of the LDC.

Dock and pier: A fixed or floating structure, including mooring pilings used for the purpose of berthing buoyant vessels; for loading or unloading persons or property; and/or providing access to the water which may also include wharfs, floats, dry docks, and other land facilities.

As we discussed, this may require a Variance from 11.05.01.F. With the protected marsh area, you likely have a legitimate environmental condition that limits your client's ability to develop a dock. Respond to the question above and we will discuss the application further amongst Staff to get a better sense of the next steps.

Regards,
Steve

Steve O'Connor
Principal Planner
City of Destin | Community Development
4100 Indian Bayou Trail
Destin, FL 32541

850.279.3213
soconnor@cityofdestin.com

From: Steve O'Connor <soconnor@cityofdestin.com>
Sent: Tuesday, February 28, 2023 11:56 AM
To: Ben Williams <ben@bwsmarine.com>
Cc: Wright Branson <wright@bwsmarine.com>; Louis Zunguze <lzunguze@cityofdestin.com>; Planning Division <PlanningDiv@cityofdestin.com>; Cindy Runyon <crunyon@cityofdestin.com>
Subject: RE: HWB-000912-2022 - 4049 Indian Bayou

Good afternoon Ben,

No worries, we are all running 1000mph these days. Staff will review and get back to you with next steps by the end of the week, or early next week.

Thanks,
Steve

Steve O'Connor
Principal Planner
City of Destin | Community Development
4100 Indian Bayou Trail
Destin, FL 32541
850.279.3213
soconnor@cityofdestin.com

From: Ben Williams <ben@bwsmarine.com>
Sent: Tuesday, February 28, 2023 11:18 AM
To: Steve O'Connor <soconnor@cityofdestin.com>
Cc: Wright Branson <wright@bwsmarine.com>; Louis Zunguze <lzunguze@cityofdestin.com>; Planning Division <PlanningDiv@cityofdestin.com>; Cindy Runyon <crunyon@cityofdestin.com>
Subject: RE: HWB-000912-2022 - 4049 Indian Bayou

Some people who received this message don't often get email from ben@bwsmarine.com. [Learn why this is important](#)

[CAUTION: This email originated from outside of the City of Destin email system. DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Mr. O'Connor,

I am circling back on this email discussion as I realized that I dropped the ball in getting this response back to everyone. Please find the attached revised plan showing the dimensions requested as well as the explanation from our consultant as

to the reasoning that this dock needed to be pushed out ***'This was submitted as an online self certification so comments from the FDEP would not have been made regarding the design of the dock. I would not have proposed to terminate over the emergent vegetation because it is a protected resource and the FDEP and Corps require that we avoid and minimize impacts to that resource by terminating into open water.'***

The attachment shows that proposed dock and covered slip location falls within the 20% rule under LDC 11.05.01F. This said, I have uploaded this drawing to the HWB Application on Compass and titled it '4049 Indian Bayou Revised Site Plan'. Please let me know if you foresee any issues getting this approved at the next HWB hearing. Thank you.

Ben Williams
B&W Services, LLC
221 Hollywood Blvd SE
Ft Walton Beach, FL 32548

From: Steve O'Connor <soconnor@cityofdestin.com>
Sent: Tuesday, January 24, 2023 2:05 PM
To: Ben Williams <ben@bwsmarine.com>
Cc: Jason Taylor <jason@oakhurstconsult.com>; Wright Branson <wright@bwsmarine.com>; Joseph <joseph@sktsolutions.net>; Louis Zunguze <lzunguze@cityofdestin.com>; Planning Division <PlanningDiv@cityofdestin.com>; Cindy Runyon <crunyon@cityofdestin.com>
Subject: RE: HWB-000912-2022 - 4049 Indian Bayou

Good afternoon Ben,

Thanks for the email. I will take this email and discuss it with Louis Zunguze, our Director. It would be helpful if you could include the measurement of the distance from the furthest waterward pile of the proposed dock to the opposite shore/waterline. This will help reinforce your justification.

Also, Wright mentioned FDEP asked that the dock be pushed further out due to the marshland. If you have that documentation, please provide that as well. The worst-case scenario is that you'll have to go through a Variance process, as discussed at the November HWB meeting. With the FDEP letter stating a hardship due to the marshland, there is clear justification for Staff to support a Variance.

The best case scenario is that based on the evidence you provided, we can move back straight to HWB review.

Please provide those requested documents as soon as possible, and I

will get them to Louis for his review.

Regards,
Steve

Steve O'Connor
Principal Planner
City of Destin | Community Development
4100 Indian Bayou Trail
Destin, FL 32541
850.279.3213
soconnor@cityofdestin.com

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From: Ben Williams <ben@bwsmarine.com>
Sent: Tuesday, January 24, 2023 12:06 PM
To: Steve O'Connor <soconnor@cityofdestin.com>
Cc: Jason Taylor <jason@oakhurstconsult.com>; Wright Branson <wright@bwsmarine.com>; joseph@sktsolutions.net
Subject: HWB-000912-2022 - 4049 Indian Bayou

You don't often get email from ben@bwsmarine.com. [Learn why this is important](#)

[CAUTION: This email originated from outside of the City of Destin email system. DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Mr. O'Connor,

Good afternoon, my name is Ben Williams with B&W Services out of Ft Walton. You met my partner Wright Branson at the Harbor and Waterway meeting yesterday evening. I am following up on the conversation the two of you had in hopes that you can help us with the subject application. In the November HWB meeting, there was a comment made that the proposed design projected too far into the waterway and therefore did not meet local ordinances. Below is an email from our consultant on his interpretation of the codes in which we feel that the proposed design meets these criteria. I have attached a copy of the plans for your reference.

Copied on this email is Jason Taylor our permit consultant as well as Joe Kitts,

property owner so they can stay in the loop. If you could please help guide us so that we can come to a resolution on this and get it back in for review next month, it would be greatly appreciated.

Thank you,

Ben Williams
B&W Services, LLC
221 Hollywood Blvd SE
Ft Walton Beach, FL 32548

From: Jason Taylor <jason@oakhurstconsult.com>

Sent: Sunday, January 22, 2023 1:00 PM

To: Wright Branson <wright@bwsmarine.com>

Cc: Ben Williams <ben@bwsmarine.com>

Subject: Re: Drawing

LDC 11.05.01F states

No new or existing dock shall be constructed or modified such that the length of any pier as completed is greater than 20 percent of the width of the Harbor or waterway at the place where the pier is located, or out 200 feet, whichever is less, except in Choctawhatchee Bay."

11.05.01G states

No piling(s) shall be added to the waterward end of any pier which piling(s) would make the total length of the dock more than 200 feet, or 20 percent of the waterway, whichever is less, except in Choctawhatchee Bay.

11.05.01M states

Excepting docks connected to uplands zoned SHMU, or those located on Choctawhatchee Bay, no dock shall be longer than the width, at the mean high-water line, of the lot to which the dock is attached.

1. For those docks connected to uplands zoned SHMU, or those located on Choctawhatchee Bay, a dock may be constructed to a length of 1.5 times the width of the property at the mean high-water line, provided the length of the dock not exceed the maximum length established by paragraphs F and G above.
2. For the purpose of this subsection, lots may be combined with neighboring lots. However, no dock may exceed the limitations specified in subsection F above.

Everything I am reading is 20% of the width of the waterbody which we are under, not to mention there are already docks in this canal system that are equal or greater than what we are proposing. The only thing I could think that they might be trying to consider is that the starting point should be taken inside the emergent vegetation line, but in my opinion that is incorrect because that is not the open water width nor should a property owner be penalized for having vegetation growing along the shoreline.

Jason
Oakhurst Consulting
850-207-2442

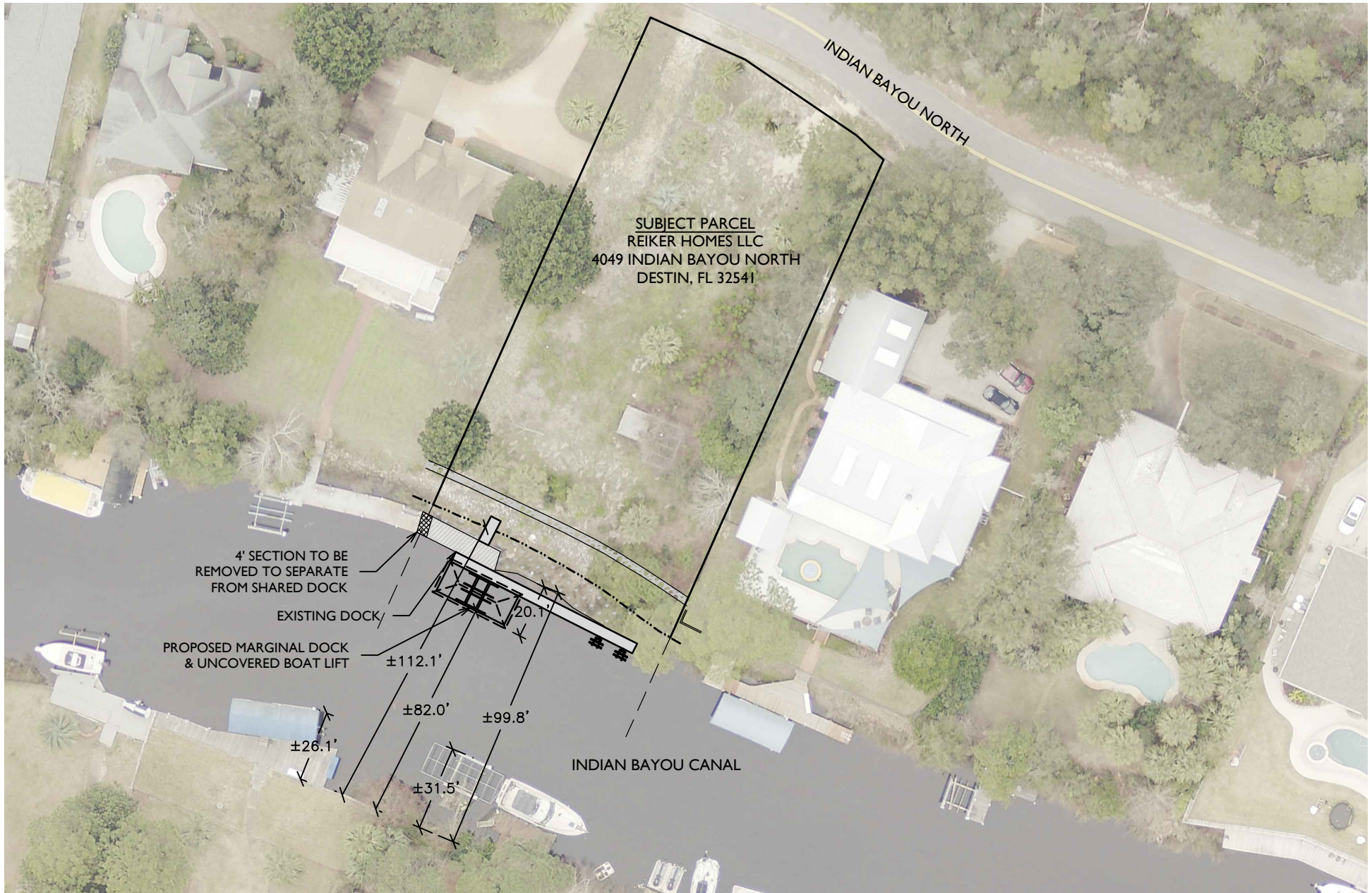
On Fri, Jan 20, 2023 at 8:25 AM Wright Branson <wright@bwsmarine.com> wrote:

I believe he said one of the reasons was it was listed as canal on drawing (is canal percentage different) I will check on letter Monday night at the meeting.

Wright Branson
B&W Services
850-830-1897
www.bwsmarine.com

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"Please Note: Florida has a very broad public records law. Most written communications to or from the City of Destin officials are public records available to the public and media upon request. Your e-mail address and communications may therefore be subject to public disclosure."



4049 INDIAN BAYOU NORTH

PLAN VIEW DEPICTED ONTO AERIAL

JOB NO.: 2022.009

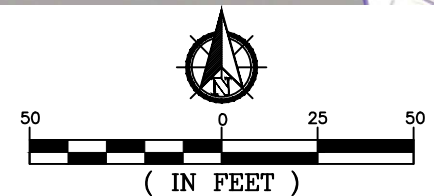
DRAWN BY: JAT

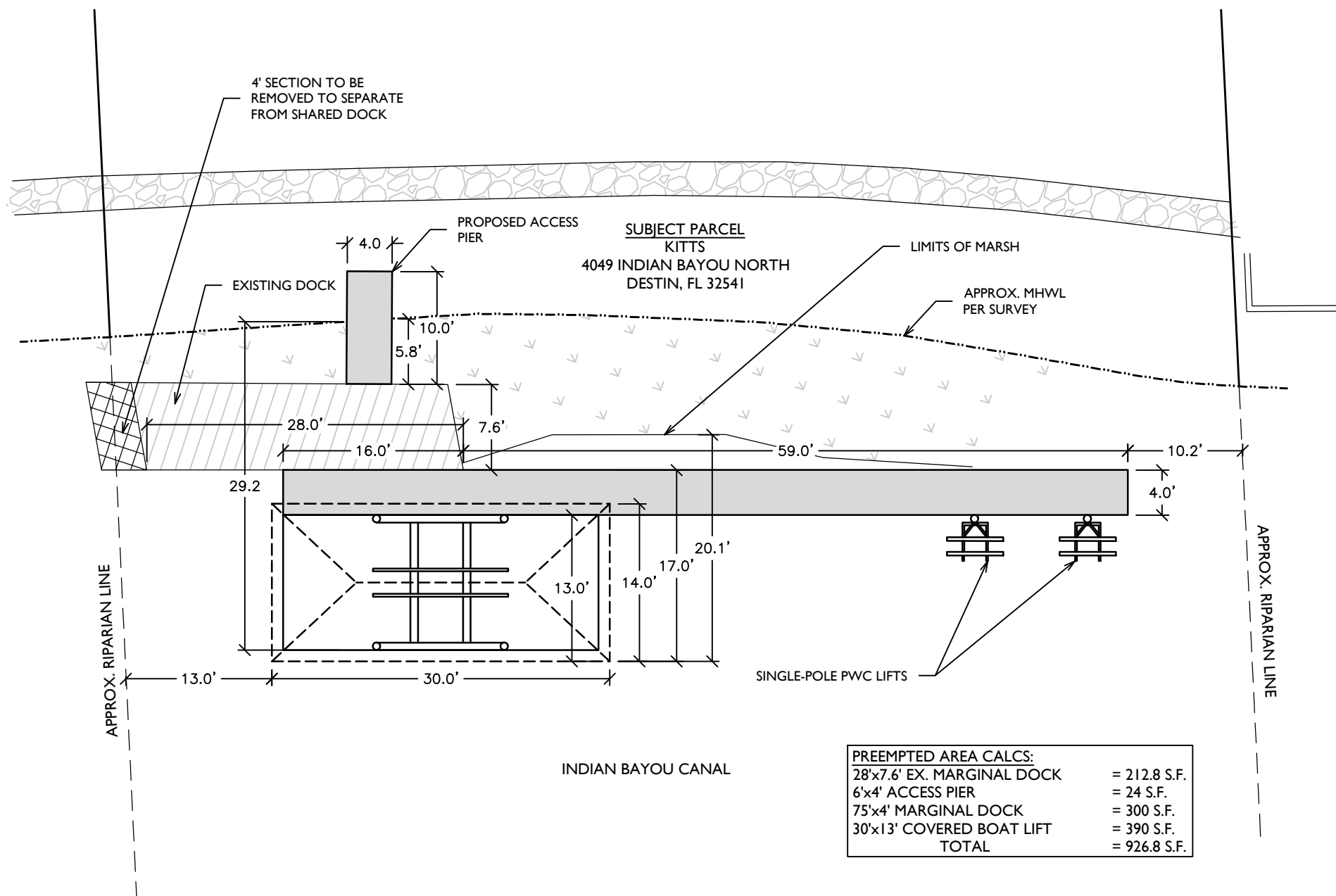
DRAWING DATE: 3.20.2023

SHEET: 1 OF 2

OAKHURST
CONSULTING

JASON@OAKHURSTCONSULT.COM





4049 INDIAN BAYOU NORTH

PLAN VIEW

JOB NO.: 2022.009

DRAWN BY: JAT

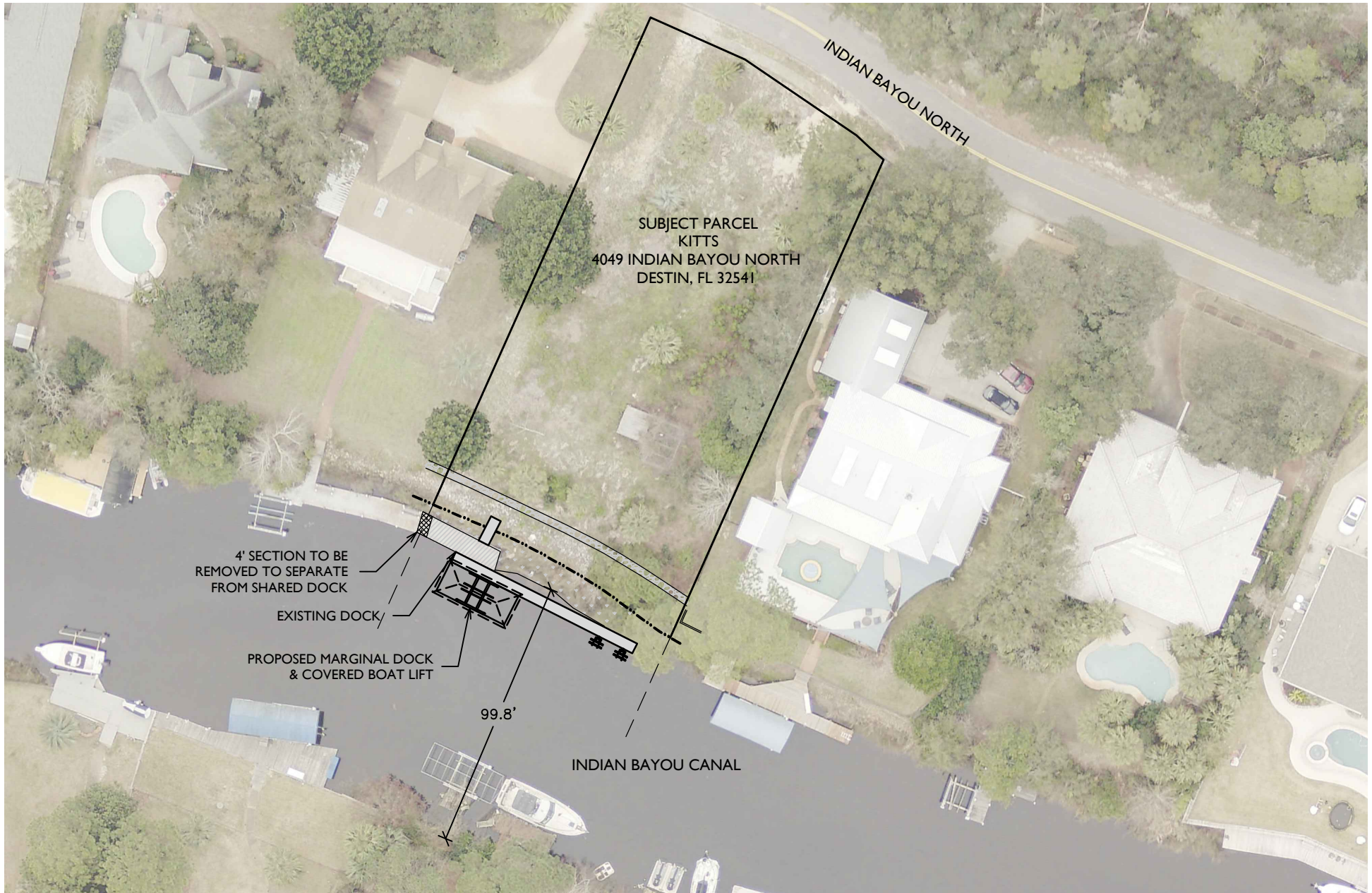
DRAWING DATE: 3.20.2023

SHEET: 2 OF 2

OAKHURST
CONSULTING

JASON@OAKHURSTCONSULT.COM





4049 INDIAN BAYOU NORTH

PLAN VIEW DEPICTED ONTO AERIAL

JOB NO.: 2022.009

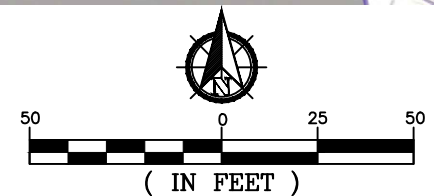
DRAWN BY: JAT

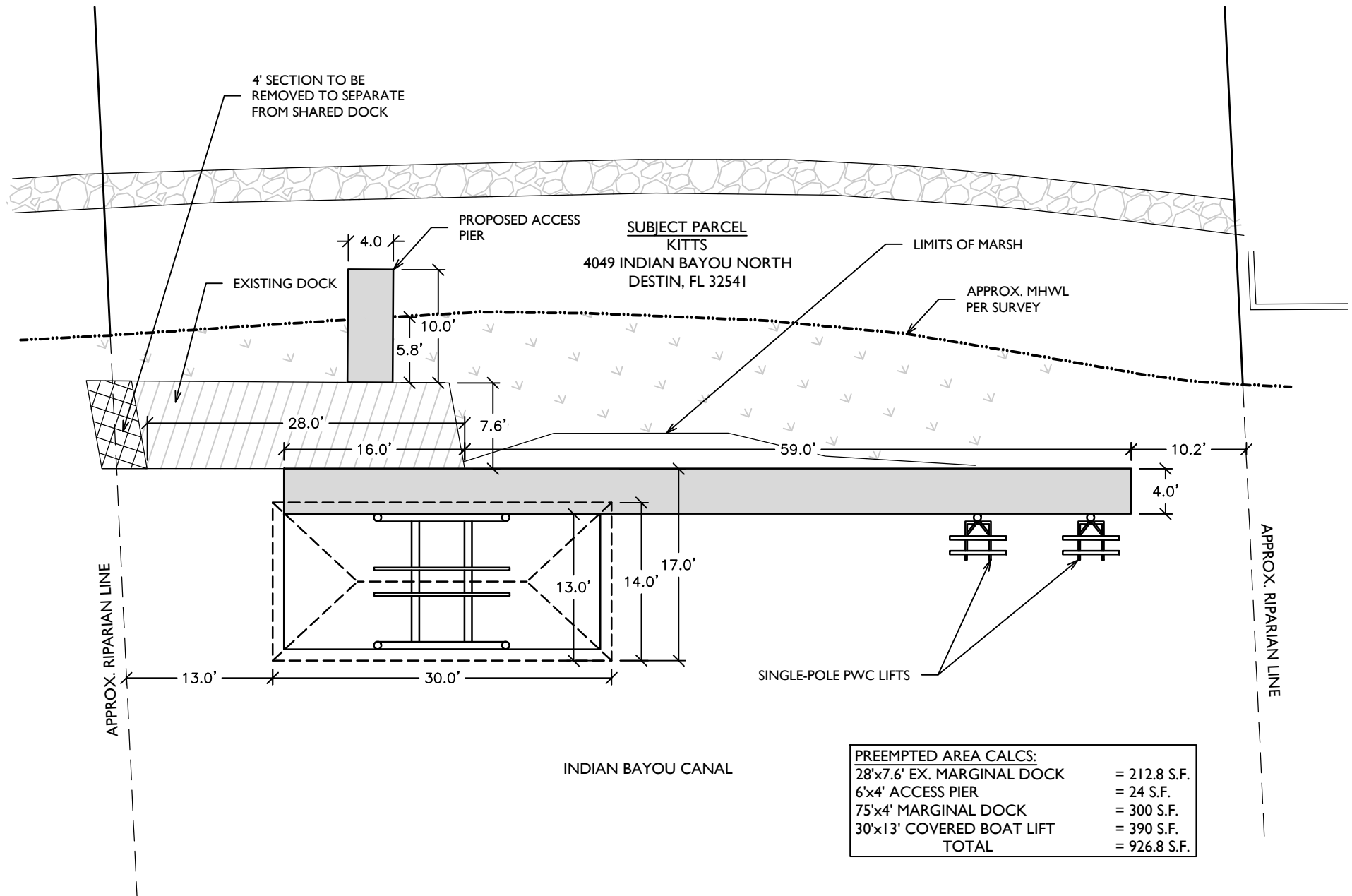
DRAWING DATE: 7.26.2022

SHEET: 1 OF 2

OAKHURST
CONSULTING

JASON@OAKHURSTCONSULT.COM





4049 INDIAN BAYOU NORTH

PLAN VIEW

JOB NO.: 2022.009

DRAWN BY: JAT

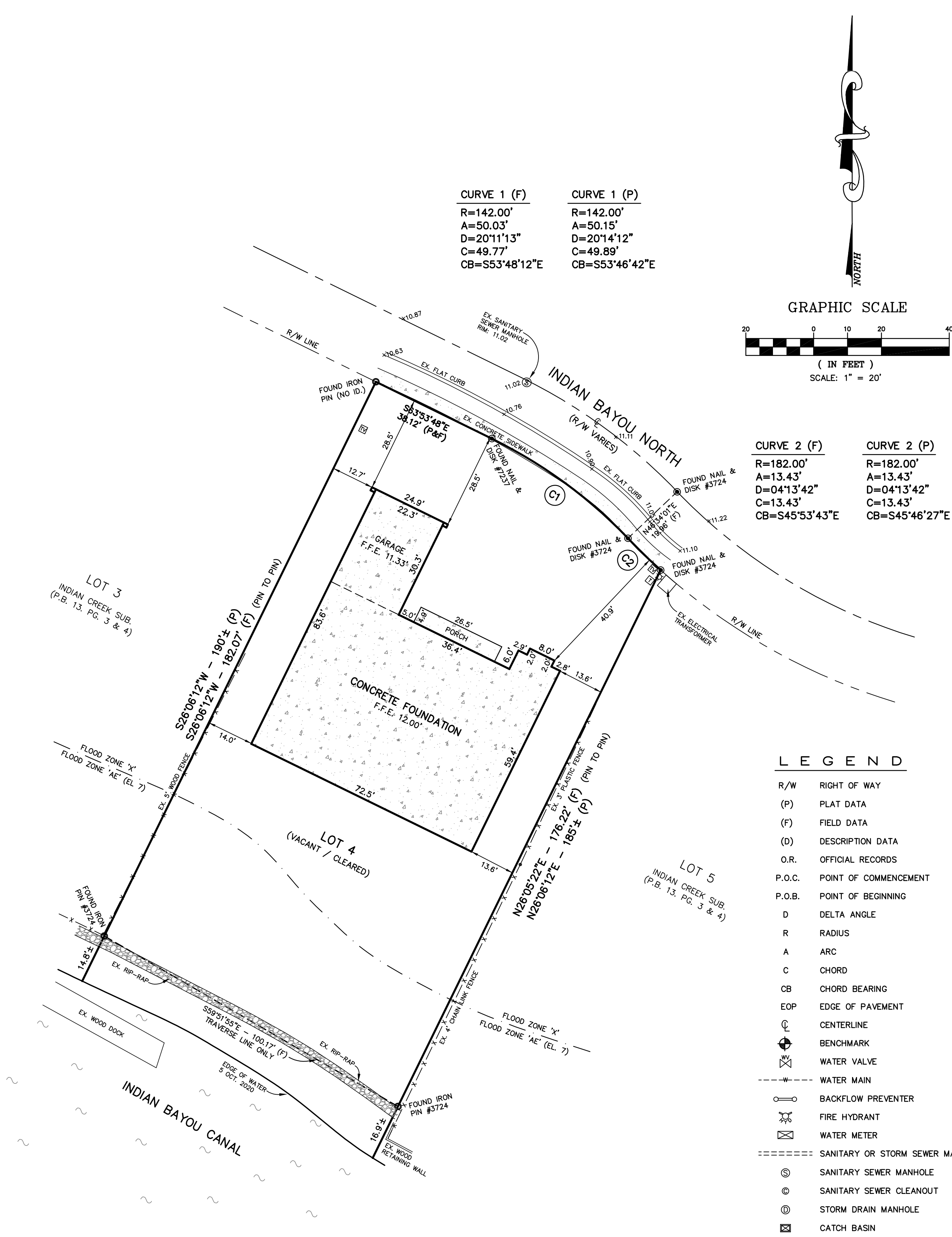
DRAWING DATE: 7.26.2022

SHEET: 2 OF 2

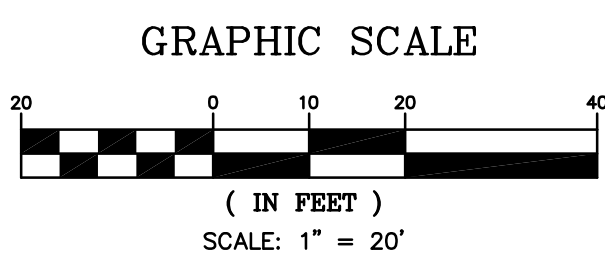
OAKHURST
CONSULTING

JASON@OAKHURSTCONSULT.COM





CURVE 1 (F)	CURVE 1 (P)
R=142.00'	R=142.00'
A=50.03'	A=50.15'
D=20°11'13"	D=20°14'12"
C=49.77'	C=49.89'
CB=S53°48'12"E	CB=S53°46'42"E



CURVE 2 (F)	CURVE 2 (P)
R=182.00'	R=182.00'
A=13.43'	A=13.43'
D=04°13'42"	D=04°13'42"
C=13.43'	C=13.43'
CB=S45°53'43"E	CB=S45°46'27"E

LEGEND	
R/W	RIGHT OF WAY
(P)	PLAT DATA
(F)	FIELD DATA
(D)	DESCRIPTION DATA
O.R.	OFFICIAL RECORDS
P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING
D	DELTA ANGLE
R	RADIUS
A	ARC
C	CHORD
CB	CHORD BEARING
EOP	EDGE OF PAVEMENT
CL	CENTERLINE
BM	BENCHMARK
WV	WATER VALVE
WM	WATER MAIN
BFP	BACKFLOW PREVENTER
FH	FIRE HYDRANT
WM	WATER METER
SSM	SANITARY OR STORM SEWER MAIN
SSM	SANITARY SEWER MANHOLE
SSC	SANITARY SEWER CLEANOUT
SDM	STORM DRAIN MANHOLE
CB	CATCH BASIN
C3	TYPE "3" CURB INLET
C4	TYPE "4" CURB INLET
ME	MITERED END SECTION
PP	POWER POLE
GA	GUY ANCHOR
LP	LIGHT POLE
OU	OVERHEAD UTILITY LINE
EB	ELECTRICAL BOX
TB	TELEVISION BOX
TPB	TELEPHONE BOX
F	FENCE
SPS	SINGLE POLE SIGN

CERTIFICATION OF ZONE AREA FOR FLOOD INSURANCE

I CERTIFY THAT I HAVE CHECKED THE NATIONAL FLOOD INSURANCE RATE MAP OF OKALOOSA COUNTY, FLORIDA, MAP NO. 12091C-0489-J AND COMMUNITY PANEL NO. 125158-0489-J, DATED 09 MARCH 2021 AND DETERMINED THIS PROPERTY TO BE SITUATED IN ZONE "AE" (EL. 7.0) AND ZONE "X".

GENERAL NOTES:

- NO TITLE SEARCH OR ABSTRACT HAS BEEN FURNISHED TO THE UNDERSIGNED. DEEDS, EASEMENTS, DESCRIPTIONS, OR OTHER INSTRUMENTS MAY EXIST THAT EFFECT THE SUBJECT PROPERTY.
- BEARING REFERENCE: S 26°06'12" W ALONG WESTERLY BOUNDARY LINE OF SUBJECT PROPERTY..
- VERTICAL DATUM SHOWN HEREON IS REFERENCED TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, FLORIDA ZONE NORTH NAD 83/07, U.S. SURVEY FEET, NAVD 1988 DATUM, AS ESTABLISHED BY USE OF THE FLORIDA PERMANENT NETWORK (PRN). SITE BENCHMARKS AS SHOWN.

LEGAL DESCRIPTION:

LOT 4, INDIAN CREEK SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 13 AT PAGES 3 AND 4, OF THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA.

PSM

PASCOE SURVEYING & MAPPING, INC.
13 TWISTED OAK TRAIL
SHALIMAR, FLORIDA 32579
PHONE: 850-651-4200
FAX: 850-651-4222
EMAIL: brian@pascoesurveying.com
CERTIFICATE OF AUTHORIZATION No. 7237

CHOCTAW ENGINEERING, INC.
ENGINEERING • ENVIRONMENTAL • SURVEYING
112 TRUXTON AVENUE
FORT WALTON BEACH, FLORIDA 32547
PHONE: 850-862-6611
FAX: 850-863-8059
EMAIL: cei@choctaweng.com

CEI

CERTIFICATE OF AUTHORIZATION No. 1532

BOUNDARY / FOUNDATION SURVEY

PREPARED FOR:
JOSH REIKER - INDIAN BAYOU NORTH
LOT 4, INDIAN CREEK (PLAT BOOK 13, PAGE 3 & 4)
IN UNSECTIONED, TOWNSHIP 2 SOUTH, RANGE 22
WEST, OKALOOSA COUNTY, FLORIDA

Revisions:

I hereby certify that this survey was made under my responsible charge and meets the Standards of Practice as set forth by the Florida Board of Professional Surveyors and Mappers in chapter 5J-17.050, 5J-17.051 and 5J-17.052, pursuant to Section 472.027, Florida Statutes.

Not valid unless bearing Surveyor's embossed seal.

BRIAN E. PASCOE, Professional Surveyor & Mapper
FL Certificate No. 5930

Job No.:	2020-160
Date:	7 MAY 2021
Fld. Vol.:	85/65
Scale:	1" = 20'
Disk No.:	20160-FND
Designed:	N/A
Drawn:	SVD 11MAY21
Checked:	BEP
Sheet	1 of 1

THIS SHEET IS THE PROPERTY OF CEI & IS NOT TO BE REPRODUCED WITHOUT WRITTEN CONSENT FROM CEI.

Ben Williams

From: no-reply@dep.state.fl.us
Sent: Friday, October 7, 2022 3:51 PM
To: Ben Williams
Cc: ERP.SELFCERTS@DEP.STATE.FL.US; SPGP@USACE.ARMY.MIL;
NMFS.SER.PROGRAMMATICREVIEW@NOAA.GOV;
NWD_ERP_APPLICATIONS@FLORIDADEP.GOV
Subject: FDEP ERP Self-Certification Receipt
Attachments: 936a2b8fa37c956aa84442afd6af4b3.pdf; 6adbc6837713851b38cbe2ad0a99c2.pdf;
ProjectDesignCriteria_1_01.pdf



FLORIDA DEPARTMENT OF Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

Receipt for Submission

SELF-CERTIFICATION FOR A PROJECT AT A PRIVATE, RESIDENTIAL SINGLE-FAMILY DOCK

10/07/2022

Self-Certification File No.: **0427150001EE**

File Name: **4049 Indian Bayou N Destin, FL 32541 - Self Cert Exempt Dock with Boat Lift(s) (General)**

Dear **Ben Williams**: On **10/07/2022** you used the Florida Department of Environmental Protection's electronic Self Certification Process to certify compliance with the terms and conditions of the Single-Family Dock ERP Exemption Self Certification Process for a project at private, single-family residence located at:

LAT - Degrees: **30** Minutes: **24** Seconds: **9.4109**
LONG - Degrees: **-86** Minutes: **27** Seconds: **39.5092**
SITE ADDRESS: **4049 Indian Bayou N Destin, FL 32541**
COUNTY: **Okaloosa**

For:
Joseph Kitts
4049 Indian Bayou N Destin, FL 32541

You have certified that the project you propose to construct at the above location meets all the conditions of the Self-Certification Process. A project that is built in conformance to those conditions (attached for reference) will:

1. Qualify for a regulatory exemption under Section 403.813(1)(b) of the Florida Statutes (F.S.) and Chapter 62-330, Florida Administrative Code (F.A.C.). As such, it is exempt from the need to obtain a DEP Environmental Resource Permit.;
2. Qualify for Consent by Rule or Letter of Consent (as applicable) under Chapter 253, F.S. and Chapter 18-21, F.A.C. (and Chapter 258, F.S. and Chapter 18-20, F.A.C., if applicable), when the project is located on submerged lands owned by the State of Florida.

Your Self-Certification is based solely on the information you provided under this process and applies only to the statutes and rules in effect when your certification was completed. The certification is effective only for the specific project proposed, and only if the project is constructed, operated, and maintained in conformance with all the terms, conditions, and limitations stated in the Self-Certification Process. In addition, any substantial modifications in your plans should be submitted to the Department for review, as changes may result in a permit being required.

You have acknowledged that this Self Certification will automatically expire if:

1. Construction of the project is not completed within one year from the self-certification date;
2. site conditions materially change;
3. the terms, conditions, and limitations of the Self Certification are not followed; or
4. the governing statutes or rules are amended before construction of the project.

Completion of the Self Certification constitutes your authorization for Department or Corps personnel to enter the property for purposes of inspecting for compliance.

Receipt of this Self-Certification constitutes authorization to use sovereignty/state-owned submerged lands, as required by rule 18-21.005, F.A.C.

The authorization must be visibly posted during all construction activities.

In waters that are accessible to manatees, obtain information on your mandatory Manatee Protection sign by [clicking here](#).

FEDERAL STATE PROGRAMMATIC GENERAL PERMIT (SPGP)

You have certified that the project you propose to construct at the above location meets all the conditions of the SPGP Self-Certification Process and will be built in conformance to those conditions (attached for reference). Your proposed activity as certified is in compliance with the SPGP program. U.S. Army Corps of Engineers (Corps) Specific conditions apply to your project, attached. **No further permitting for this activity is required by the Corps. Although the construction period for works authorized by Department of the Army permits is finite, the permit itself, with its limitations, does not expire.**

Notifications to the Corps. For all authorizations under this SPGP VI, including Self-Certifications, the Permittee shall provide the following notifications to the Corps:

- a. Commencement Notification. Within 10 days before the date of initiating the work authorized by this permit or for each phase of the authorized project, the Permittee shall provide a written notification of the date of commencement of authorized work to the Corps
- b. Corps Self-Certification Statement of Compliance form. Within 60 days of completion of the work authorized by this permit, the Permittee shall complete the "Self-Certification Statement of Compliance" form (attached) and submit it to the Corps. In the event that the completed work deviates in any manner from the authorized work, the Permittee shall describe the deviations between the work authorized by this permit and the work as constructed on the "Self-Certification Statement of Compliance" form. The description of any deviations on the "Self-Certification Statement of Compliance" form does not constitute approval of any deviations by the Corps.
- c. Permit Transfer. When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date the enclosed form.
- d. Reporting Address. The Permittee shall submit all reports, notifications, documentation, and correspondence required by the general and special conditions of this permit to the following address.
 1. For standard mail: U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, P.O. Box 4970, Jacksonville, FL, 32232-0019.
 2. For electronic mail: SAJ-RD-Enforcement@usace.army.mil (not to exceed 10 MB). The Permittee shall reference this permit number, SAJ-2015-2575 on all submittals.

This SPGP Self-Certification is based solely on the information you provided under this process and applies only to the statutes and rules in effect when your certification was completed. You have recognized that your certification is effective only for the specific project proposed, and provided the project is constructed, operated, and maintained in conformance with all the terms, conditions, and limitations stated in the SPGP Self-Certification Process. This Self-Certification will not apply if any substantial modifications are made to the project. You agree to contact the Department for review of any plans to construct additional structures or to modify the project, as changes may result in a permit being required.

You have acknowledged that this Self-Certification will automatically expire if:

1. construction of the project is not completed by midnight, July 27, 2026, unless construction commenced or a contract to construct was executed before July 27, 2026, in which case the time limit for completing the work authorized by the SPGP ends at midnight, July 27, 2027. However, in no case can construction continue for more than one year beyond the Self-Certification date;
2. site conditions materially change;
3. the terms, conditions, and limitations of the Self-Certification are not followed; or
4. the governing statutes or rules are amended before construction of the project.

Completion of the Self-Certification constitutes your authorization for Department or Corps personnel to enter the property for purposes of inspecting for compliance.

If you have any questions, please contact your local Department District Office. Contact information can be found at:

https://floridadep.gov/sites/default/files/SLERC_contacts_web_map_01-2017_0.pdf.

For further information, contact the Corps directly at:

<https://www.saj.usace.army.mil/Missions/Regulatory.aspx>. When referring to your project, please use the SPGP Self-Certification file number listed above.

Authority for review - an agreement with the U.S. Army Corps of Engineers entitled Coordination Agreement between the U. S. Army Corps of Engineers (Jacksonville District) and the Florida Department of Environmental Protection State Programmatic General Permit, Section 10 of the Rivers and Harbor Act of 1899 and Section 404 of the Clean Water Act.

ADDITIONAL INFORMATION

This Self-Certification Process does not relieve you from the responsibility of obtaining other permits or authorizations from other agencies (federal, state, Water Management District, or local) that may be required for the project. Failure to obtain all applicable authorizations prior to construction of the project may result in enforcement.

If you have any questions or issues with the attached documents, please contact your local Department District Office:

Northwest District

NWD_ERP_Applications@FloridaDEP.gov

Sincerely,
Florida Department of Environmental Protection.

Attachments:

FDEP Terms and Conditions

SPGP Terms and Conditions

Project Design Criteria



**AGENT AFFIDAVIT
SPECIAL POWER OF ATTORNEY**

KNOWN ALL MEN BY THESE PRESENTS, THAT I, William Joseph Kitts am
presently the owner and/or leaseholder at 4049 Indian Bayou, and desiring
to execute a Special Power of Attorney, have made, constituted and appointed, and by these presents do
make, constitute and appoint B&W Services, LLC - Wright Branson
whose address is 221 Hollywood Blvd. SE, County of Okaloosa, State of Florida,
my Attorney-in-Fact to act as follows, GIVING AND GRANTING unto said attorney full power to act as
my agent in any and all matters pertaining to: New marginal dock and boathouse.

FURTHER, I do authorize the aforesaid Attorney-in-Fact to perform all necessary acts in the execution of
the aforesaid authorization with the same validity as I could effect if personally present. Any act or thing
lawfully done hereunder by the said attorney shall be binding on myself and my heirs, legal and personal
representative, and assigns.

PROVIDED; however, that any and all transactions conducted hereunder for me or for my account shall be
transacted in my name, and that all endorsements and instruments executed by the said attorney for the
purpose of caring out the foregoing powers shall contain my name, followed by that of my said attorney
and the designation "Attorney-in-Fact."

OWNER

Signature

Printed Name

STATE OF Florida

COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me by means of physical presence X or online

notarization, this 7th day of October, 20 22, by
(name of person acknowledging)

William Kitts

Signature of Notary

Printed Name of Notary or Seal

Personally known X OR Produced Identification _____

Type of Identification Produced _____



April 3, 2022

Proposed to:

Joseph Kitts

4049 Indian Bayou North

Destin , FL 32541

Scope of Work: Catwalk, Boat House with 10K Lift, (2) PWC lifts, Stairs over rip rap

Catwalk: 40'x4'

Boat house: 12'x30'

- Remove section of shared dock.
- Install stairs over rip rap with 2x12 joist and 6x6 post.
- Install (8) 6" pilings with 12' impaction into the ground for cat walk.
- Install (10) 8" pilings with 15' impaction into the ground for boathouse.
- Install (2) 10" pilings with 15' impaction into the ground for PWC lifts.
- Under framing to be 2x8 .60 pressure treated attached to pilings with ½" stainless steel bolts.
- Floor joists to be 2x6 .60 pressure treated installed on 16" centers. All joist to ledger connection will have blocking with (12) fasteners.
- Decking for dock and stairs to be 2x6 match of existing.
- Install double 2x12 band, 2x8 center framing and 2x6 rafters for boat house with stainless steel bolts to pilings, screws for framing and nails for pressure treated plywood.
- Install felt paper and shingle roofing.
- Install 10K side mount boat lift with E drive motors, aluminum bunks for tri toon and remote.
- Install 1.2K PWC lifts Platinum drive motors, aluminum bunks and remotes.

Contract amount: 55,146.00

Terms: 50% of balance due upon delivery of materials, balance due upon completion

=====

Material Notes:

1. All lumber used will be #1 pressure treated or marine grade.
2. All fasteners will be stainless steel.

=====

Property/Job Specific notes:

1. Plumbing and electrical work is excluded.
2. All debris created from construction will be removed at completion of project.
3. All material to be staged on site during duration of the job.
4. Equipment will be left on site during duration of the job.
5. Job is proposed based on current site conditions from site visit made on 12-6-2021.

B&W SERVICES, LLC

221 HOLLYWOOD BLVD SE · FT WALTON BEACH, FL · (850) 888-8811

CGC1531104



6. Proposal is based on material delivered by land and moved to the back yard.
7. Any work not listed in the scope/permit drawing that the customer would like to add or change will be evaluated and presented as a change order prior to commencement of additional work.

=====
Permit Notes: Local and State permit cost included.
=====

Warranty - One year Workmanship and Materials

Warranty Notes:

1. Damage incurred by 'Acts of God' will not be covered under warranty.
2. Damage from modification and or altering will not be covered under warranty.

=====
Acceptance of proposal: _____ Print: _____

B&W Services: _____ Print: _____

Proposal valid for 30 Days



Community Development Planning Division

4100 Indian Bayou Trail | Destin, FL 32541 | Phone: 850-654-1119 | Email: planning@cityofdestin.com

November 8, 2022

**Subject: Notification of Harbor & Waterways Board (HWB) Application Submittal
Residential Marine Construction – 4049 Indian Bayou North**

Dear Property Owner:

The purpose of this letter is to notify you of the Marine Construction Permit received by the Community Development Department. The Marine Construction application seeks Harbor and Waterways Board approval for the construction of a marginal dock. **The Application will be heard by the Harbor and Waterways Board at 5:00 p.m. at Destin City Hall Board Room, 4200 Indian Bayou Trail on Monday, November 28, 2022.** As an owner of property located adjacent of this project, ***Section 2.17.00 & 11.05.01.S of the Destin Land Development Code (LDC)*** requires a written notice providing you the following information.

This notice is for informational purposes only. However, citizens are encouraged to provide a written response to email address provided below.

1. Name of Owner: Joseph Kitts
2. Name of Agent: Ben Williams of B&W Services, LLC
3. Address of Project: 4049 Indian Bayou North
4. Parcel ID Number: 00-2S-22-1244-0000-004A
5. Project Description: The project proposes the separation of a 4' section of the existing shared dock, along with the construction of a marginal dock and covered boat lift.
6. Location of Application Package: To request a digital copy of the application package be sent to you, please call the City Clerk at (850) 837-4242 or fill out a Public Records Request (PRR) online: <http://www.cityofdestin.com/forms.aspx?fid=121>

If you have any questions or concern regarding this letter, please do not hesitate to call (850) 654-1119 option 2 or email at planning@cityofdestin.com.

Sincerely,

Christopher Willis

Christopher Willis
Planner

CC: Louis Zunguze, MURP, Community Development Director
Planning Division
Community Development Department Project File



**MINUTES
STRATEGIC PLANNING AND VISIONING SESSION
DESTIN CITY COUNCIL
FEBRUARY 16, 2023
CITY HALL ANNEX COUNCIL CHAMBERS
8:30 AM**

The Council of the City of Destin met in regular session with the following members and staff present:

Destin City Council

Mayor Bobby Wagner
Councilmember Kevin Schmidt
Councilmember Terésa Hebert
Councilmember Torey Geile

Councilmember Dewey Destin
Councilmember Jim Bagby
Councilmember Johnny King

Destin City Staff

City Manager Lance Johnson
City Clerk Rey Bailey
Parks & Recreation Director Lisa Firth
Deputy Parks & Recreation Director Ryan Reed
Finance Director Krystal Strickland
Grants/Project Manager Jeffrey Cozadd
Dep. Code Compliance Director Danny Sullivan
Deputy Public Works Director JT Hart
Community Dev. Director Louis Zunguze

Deputy City Manager Webb Warren
City Engineer Ryan Scott
Principal Planner Steve O'Connor
Human Resources Manager Jamie Dittmer
Public Information Manager Tamara Young
Library Director Wen Livingston
Public Works Director Michael Burgess
City Attorney Kyle Bauman
Land Use Attorney Kimberly Kopp

Facilitator

Buz Eddy, FCCMA Senior Advisor

CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Bobby Wagner called the meeting to order at 8:30 AM; followed by the recitation of the Pledge of Allegiance.

1. WELCOME AND INTRODUCTION

The City Manager and lead facilitator Buz Eddy provided a brief overview of the workshop, discussed its overall objective, and reinforced what needs to be accomplished during this time.

A) The Importance of Prioritization and Focus

- Productivity is a process which centers on assessing one's priorities and then acting on them.

- Strategic Planning ---- Prioritization ---- Focus
- Strategic Planning Cycle
 - ❖ Annual Visioning Session with city council, staff and the public
 - ❖ Adoption of plan by the council
 - ❖ Development and adoption of next fiscal year budget
 - ❖ Staff executes current fiscal year plan

2. **CURRENT STRATEGIC PLANNING FOUNDATIONAL CONSIDERATIONS**

A) Core Values: Guiding principles and traits used to reach the vision

- Transparency
- Teamwork
- Integrity
- Professionalism
- Stewardship
- Respect

B) Vision: What we want Destin to look like in the future

“DESTIN IS A FAMILY-ORIENTED BEACH AND FISHING COMMUNITY WHERE PEOPLE WANT TO LIVE, WORK, AND PLAY AND WHERE VISITORS ARE WELCOMED TO RESPECTFULLY ENJOY OUR COMMUNITY AND ITS RESOURCES.”

C) Key Customer Groups: For prioritizing resource allocations

- 1) Year-round Residents
- 2) Destin-based Businesses
- 3) Visitors

3. **WHERE ARE WE AS AN ORGANIZATION - "A YEAR IN REVIEW"**

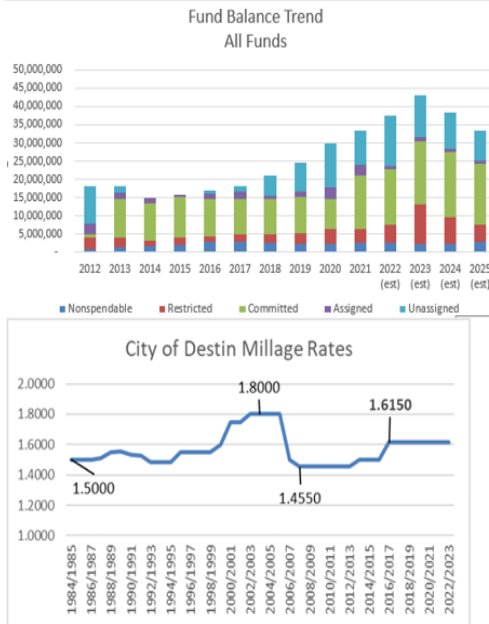
A) Mission: Major Strategic Goals (Pillars) required to work toward achieving the vision.

Strategic Goals (Prioritized)

- 1 – Financially sound city providing service excellence
- 2 – Enhanced quality of life and safety for families
- 3 – Economic development and revitalization
- 4 – Effective, efficient, and aesthetically pleasing infrastructure
- 5 – Improve mobility and connectivity
- 6 – A green and sustainable environment

Accomplishments

I. Financially Sound City Providing Service Excellence



Destin has the lowest millage rate of all municipalities in Okaloosa County.

Year	Government	Millage Rate	Overlapping (Y/N)
2023	City of Destin	1.6150	Y
2023	NW Florida Water Mgmt	0.0261	Y
2023	Destin Fire Control District	1.0000	Y
2023	Okaloosa County School District (RLE+CIP)	5.5790	Y
2023	Okaloosa County BOCC	3.8308	Y
		<u>12.0509</u>	

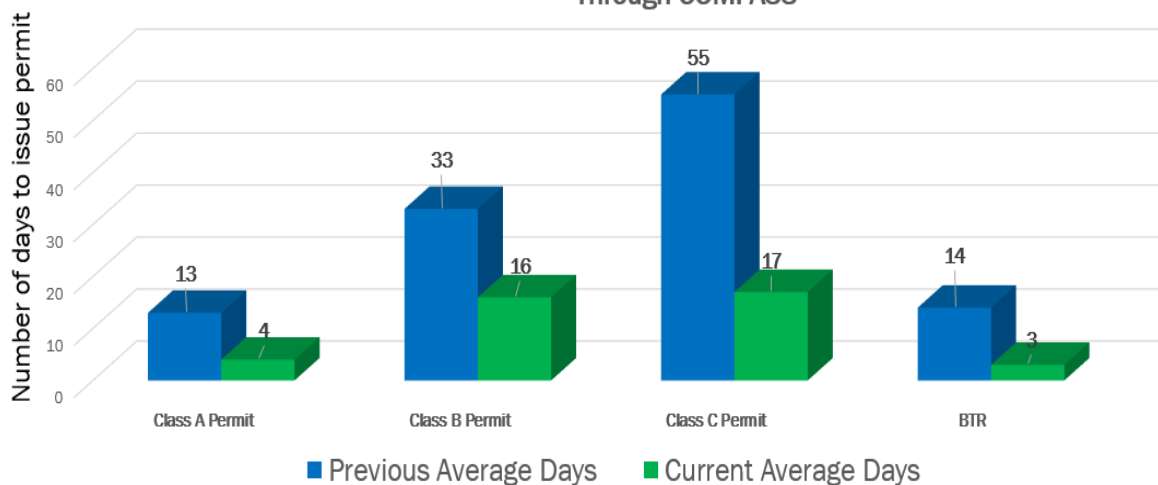
Informational only:

2023	Okaloosa County Unincorporated MSTU	0.2990	N
2023	Laurel Hill	3.5000	N
2023	Cinco Bayou	3.0000	N
2023	Fort Walton Beach	5.3293	N
2023	Crestview	6.8466	N
2023	Valparaiso	5.5000	N
2023	Mary Esther	5.0261	N
2023	Niceville	3.7000	N
2023	Shalimar	1.8000	N

Accomplishments

I. Financially Sound City Providing Service Excellence

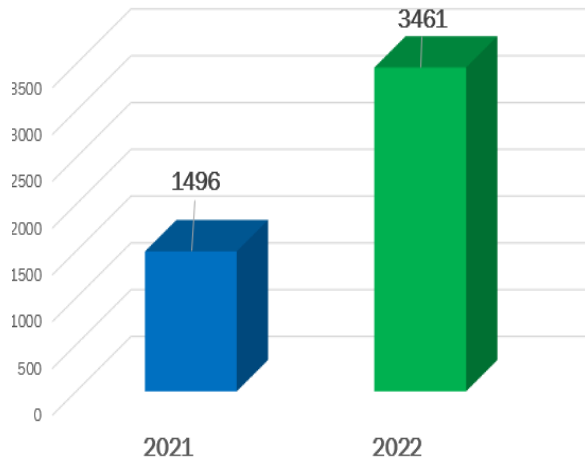
COMPASS/Community Development – Average Time to Issuance of BTR's and Permits Through COMPASS



Accomplishments

I. Financially Sound City Providing Service Excellence

Code Compliance Cases



Other Major Activities

Short-term rental registrations – 893

Long-term rental registrations – 145

Pay-to-Park – 871 Citations

Accomplishments

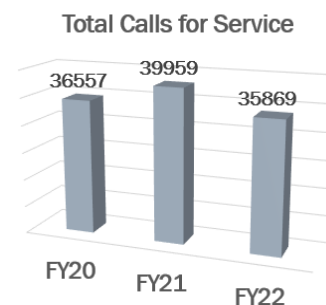
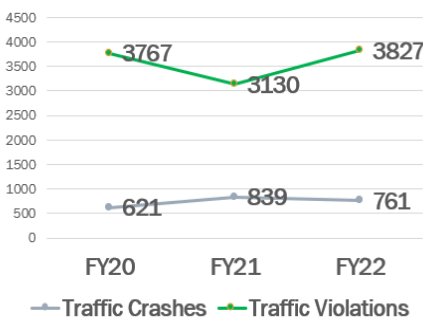
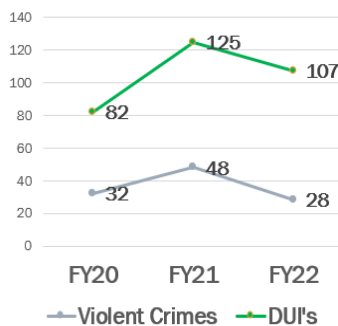
I. Financially Sound City Providing Service Excellence

- Finance staff worked with CRA members and consultants to raise over \$30 million in commitments to underground utilities.
- Partnerships with BOCC/TDC, State Representatives Office, DEP, FDOT, and others have resulted in \$24 million in FY23's budget.
- New Human Resources and Finance staff has undergone training for the new MUNIS financial system upgrade.
- Alignment of account coding with Florida Uniform Accounting Code.
- Established a building fund and started an Impact Fee Study.
- Distinguished Budget Award
- Legal team prevailed in a multi-million dollar lawsuit brought on by the Destin Fishing Fleet.
- A new Human Resources Manager was hired and filled a new full-time HR Specialist position.
- Expanded Finance Department to meet growing demands.
- Organizational Compensation Study and Implementation
- Created Resident Paid Parking Pass System and issued 1,231 passes.
- Launched the Recreation's CivicRec Program
- National Citizens Survey completed
- IMLS Grant and providing RFID services for library
- Clerks Department reduced codification timeline from 45 days to approximately 14 days

- Migration of COMPASS and MUNIS Systems to the cloud and most modern platform is underway
 - ❖ New modules and functionality will be implemented in 2023 within the new version
- 85,005 paid parking transactions in FY22

II. Enhanced Quality of Life and Safety for Families

Okaloosa County Sheriff's Department



Accomplishments

II. Enhanced Quality of Life and Safety for Families

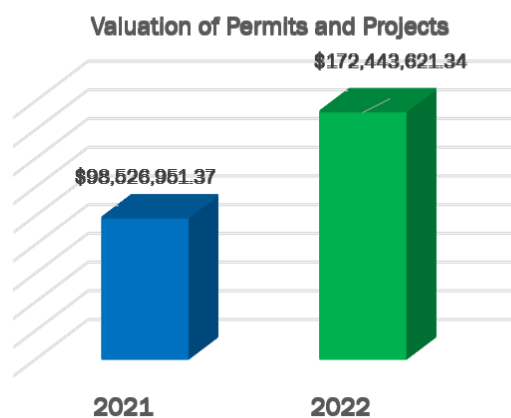
- Okaloosa County Sheriff's Department Launched the AQUA ALERT system (council initiated)
 - ❖ This council-supported initiative came to fruition from OCSO, Okaloosa County Board of County Commissioners, Mayor Jarvis and city staff working together to implement the system.
 - ❖ Aqua Alert Act was passed as part of the National Defense Bill, pending President's approval.
- Morgan Sports Center – summer is fully booked for tournaments and leagues are at capacity
- New Library Programs – Game and Craft Nights and Family Outdoor events.
 - ❖ Program attendance is up from FY2021 with an increase of 36% for adults, 5% for teens and 20.5% for children
- Airport Road curve safety upgrade
- Issued 723 Henderson Beach Passes saving residents \$21,690
- Provided DAVID system access to Code Compliance management
- The Destin High School opened August 2021. Field space for all their outdoor sports has been scheduled at Morgan's and the Destin Sports Complex (Destin Elementary)
 - Expanded City of Destin's Beachfront Parks by over linear 450'
 - Norriego Point Park project – upcoming construction of amenities and boardwalk
 - Clement Taylor Park renovation – updating design
 - Royal Melvin Heritage Park at 95% completion

- Joe's Bayou complex and park renovation
- Council requested staff to work with strategic partners to implement a text-based beach flag safety notification program
- This council-supported initiative came to fruition through efforts from the Destin Fire District, city staff, TDD and the Okaloosa Board of County Commissioners
- Beach safety has been enhanced through the installation of deck boards with engraved messaging at beach accesses
- The City continues to provide crossing guards for the Destin Elementary School
- Destin Fire District
 - ❖ 462,128 public contacts
 - ❖ 126,205 preventive acts
 - ❖ 214 rescues

III. Economic Development and Revitalization

Community Development Activity

- Reviewed 5,617 Permit Applications
- Issued 3,298 Permits
- Completed 7,772 Inspections
- Provided 1,180 Lien Searches,
- Issued 1,746 Business Tax Receipts
- 73 Development Orders or Projects



Accomplishments

III. Economic Development and Revitalization

- Land Development Code Rewrite
- Comprehensive Plan Update
- Both CRA master plans are being updated

Accomplishments

IV. Effective, Efficient and Aesthetically Pleasing Infrastructure

- Undergrounding Utilities - the city is working with a consultant and FPL to finalize the design for Phase 1 of this effort
 - ❖ Construction could begin late 2023
- FDOT HWY 98 Landscaping project from Marler Bridge to Airport Road
- Contracted out facilities assessment program and received deliverables

- Land Development Code / Design Manual
- Repairs to Joe’s Bayou docks and boat ramp
- Repairs to Harbor Boardwalk – replacing with “wear deck” material
- Re-striped Benning Drive, Azalea Drive, Luke and John Avenue, as well as several city parking lots
- Performed annual assessments of roadways, sidewalks, streetlighting, road striping and drainage systems

Accomplishments

V. Improve Mobility and Connectivity

- Crosstown Connector and associated park project are in progress
- Linear Park and 98 Palms Extension to S. Mattie M. Kelly Blvd
- Beach Acquisition project is adding parking and improving access to beach parks in the Crystal Beach area
- Zerbe Street and Sibert paid parking lot redesign
- County pedestrian pathway project will link Okaloosa Island to Destin
- Other Community Development projects in progress or under review
 - ❖ Mobility Plan to replace the current multi modal transportation
 - ❖ Stahlman Ave/Hwy 98 Intersection
 - ❖ South Mattie M. Kelly Blvd
 - ❖ 1st & 4th Street
 - ❖ ADA Transition Plan

Accomplishments

VI. A Green and Sustainable Environment

- Implemented new Solid Waste Contract for FY2022 to include continued recycling services
- Expanded Partnership of “Leave No Trace Initiative” to Okaloosa County
- TDD and Okaloosa County’s artificial reef program – Joe’s Bayou is often utilized for this initiative
- Joe’s Bayou/FDEP Project
- Working with FP&L on a proposal for City Electric Vehicle (EV) Charging Stations
- Partnered with Destin Water Users on installation of a subsurface reclaimed water disposal system at Morgan Sports Center with new sprinklers and sod.
- Established Water Quality Fund
- Harbor Pump
 - Underwent overhaul
 - Cycles 14.4 million gallons of low nutrient gulf water into the harbor daily (during season)

Current Project Commitments

Review of Council Objectives – FY22-FY23

- **Critical Priority** – An objective that must be successfully accomplished within a specified amount of time.
- **Important Priority** – A priority that can have a significant impact on performance. Resources are fixed and the variable is either time or the objective.
- **Desirable Priority** – A priority where both resources and time are variables. The organization desires an outcome but cannot absolutely commit specific resources over any specifiable time period. Resources are fixed for all critical and important priorities; therefore, it may become necessary to transfer resources from DESIRABLE priorities to CRITICAL priorities.

FY22 Critical 1.1 - Offer livable wages & benefits to attract and maintain high caliber, qualified staff.

(FY 2023 - 1.1 Critical)

- Compensation study was performed in FY22 and presented to the council
 - ❖ Staff implemented those results to non-senior leaders in April 2022
 - ❖ Senior leader compensation was implemented in January 2023 (FY23)
- Council approved one-time FY22 Longevity award for long-term employees
- FY22 COLA was approved for 5%. Merit up to 2%
- FY23 COLA was approved for 2%. Merit up to 4%
- Enhanced recruiting tools
- Update to Employee Manual
 - ❖ Additional retention strategies are being developed and implemented

FY22 Important 1.2 – Complete Two-Lane Crosstown Connector

(FY 2023 - 1.3 Important)

- Since 2004, the city has worked on an alternative to highway 98 for citizens to access city amenities within Destin. Atkins North America completed the road design in December 2022. The Florida Department of Transportation (FDOT) has budgeted financial support for right-of-way purchases. The voluntary acquisition process to secure ROW is ongoing. Grant funding for ROW acquisition is in place through December 2023. The city anticipates support from Okaloosa County for construction.

FY22 Important 1.3 – Public Beachfront Acquisition Initiative

(FY 2023 - 1.4 Important)

- Purchased 340' linear feet (lf) of waterfront at Tarpon Beach for a future park (approximately 50,000 square feet of white sand beach area)
- Purchased 117' of additional waterfront near the Shore at Crystal Beach Park (approximately 14,000 square feet of white sand beach area)
- Sites will be accessible for beach use for 2023 season
- Design is underway with plans to be presented to Parks and Recreation Committee and city council in spring of 2023
- Construction is planned for spring 2024

FY22 Important 1.4 – Underground Utilities

(FY 2023 - 1.5 Important)

- The city is working with a consultant and FPL to finalize the design for Phase 1 of this effort. Construction may begin later in 2023.
- Undergrounding utilities improves resiliency (reduce storm damage) and adds beauty to the city by removing overhead electric, telephone, and cable lines.
- Council has assigned 60% of the Okaloosa ½ penny local discretionary surtax towards this endeavor. Utility franchise fees and debt will round out the primary sources of long-term funding.
- Franchise agreement was finalized November 1, 2021.

FY22 Important 1.5 – Zerbe Street/Calhoun Avenue Phase II – Design Pedestrian Pathway Under Marler Bridge

- On March 6, 2022, city council voted to table this project until further notice

FY22 Desirable 1.6 – Work with stakeholders to pursue the Destin City Center (Phase 1 Feasibility Study), (II, III)

(FY 2023 - 1.2 - Critical)

- Original FY22 objective was Research Viability of Multi-use Conventional/Sports/Community Center
- Defined vision and location is requested for this objective
- \$50,000 allocated
- RFQ for Site Master Planning and Landscaping to be released February 17, 2023.

FY22 Desirable 1.7 – Annexation of unincorporated enclaves

(FY 2023 - 1.7 Desirable)

- Staff has distributed to council a draft annexation policy
- Staff is researching the business case for annexation – revenues vs. potential expenditures for necessary infrastructure in enclave areas

FY22 Desirable 1.8 – Transit/Trolley System

(FY 2023 - 1.8 Desirable)

- Staff is reaching out to Okaloosa County and Walton County TDD about their trolley system and public/private partnerships
- Staff is requesting that future transit infrastructure located at paid parking lots be funded in part from paid parking funds (Parking Fund Resolution)

FY22 1.9 – City Marina

(FY 2023 – 1.9 Desirable)

- Perform Phase I Feasibility Study to determine available options in the future as funding allows
- \$75k budgeted in FY 2024

FY22 1.10 – Improve Parking, Explore Options

(FY 2023 – 1.10 Desirable)

- Parking fund established in FY22 from paid parking revenue
- Improvements and additional spots to be added to the Zerbe-Sibert parking lots in FY23
- Additional parking to be provided at Shore of Crystal Beach and Tarpon Beach

FY22 1.11 – Beach Renourishment, Planning and Scheduling

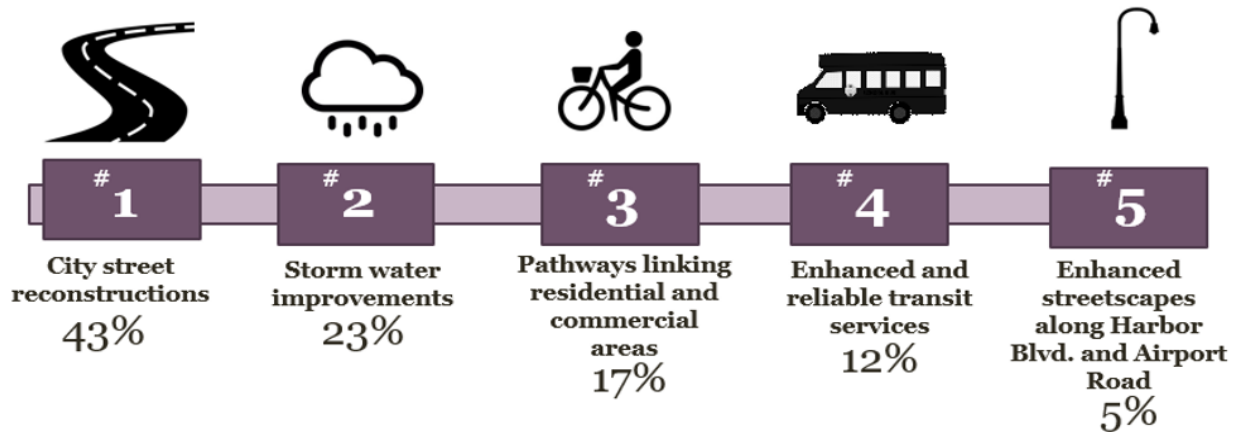
(FY 2023 – 1.11 Desirable)

- Beaches are monitored by the TDC
- TDC and BOCC are monitoring beaches and is in regular communication with city administration

Citizen Survey

2017 Citizen Survey Results

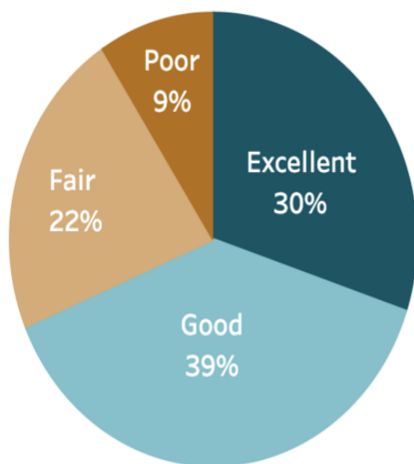
Top Opportunities for Improvement in 2017 Citizen Survey



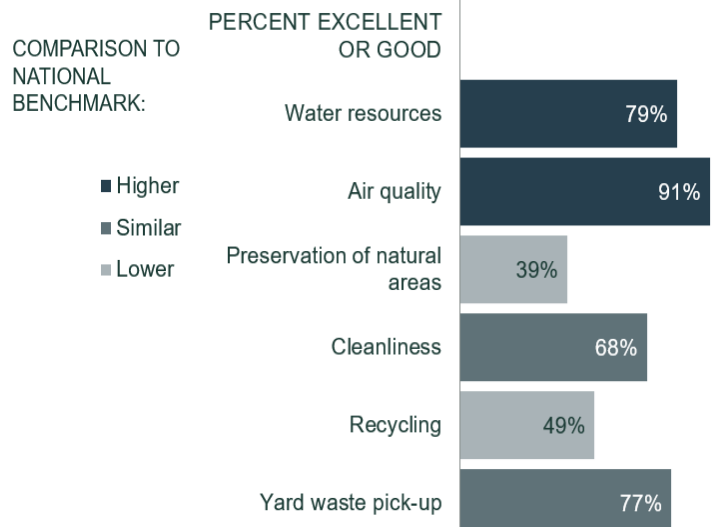
The Natural Environment in Destin



Overall quality of natural environment in Destin, 2022

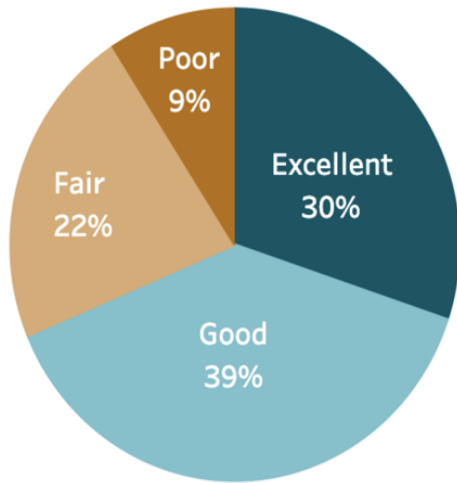


Please rate each of the following in the Destin community:

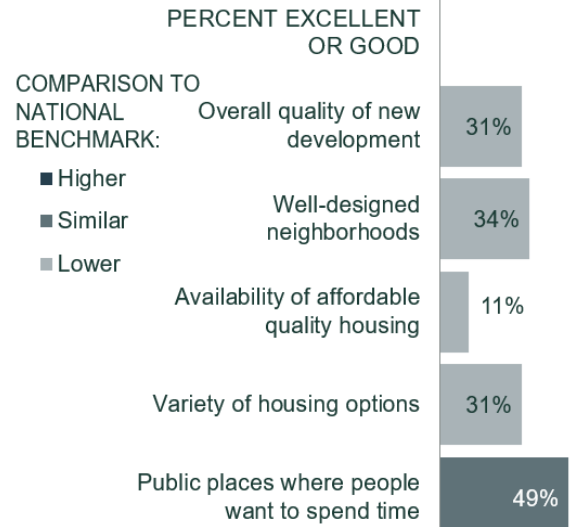


Community Design in Destin

Overall quality of natural environment in Destin, 2022

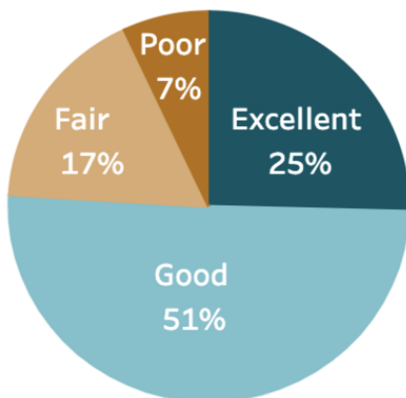


Please rate each of the following in the Destin community:

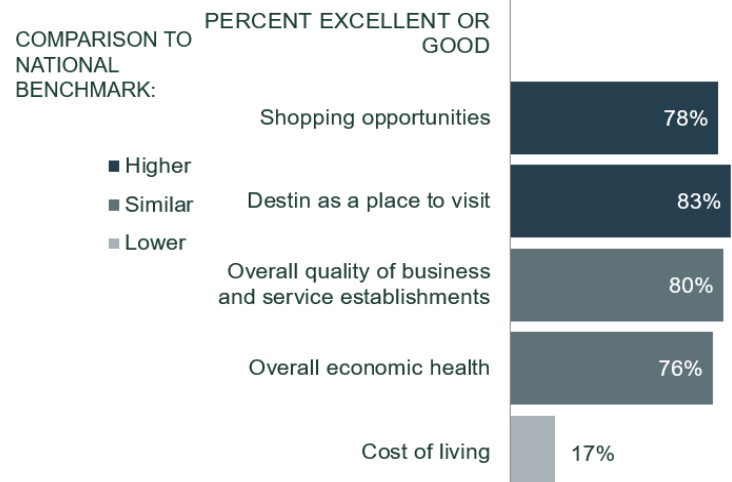


The Economy in Destin

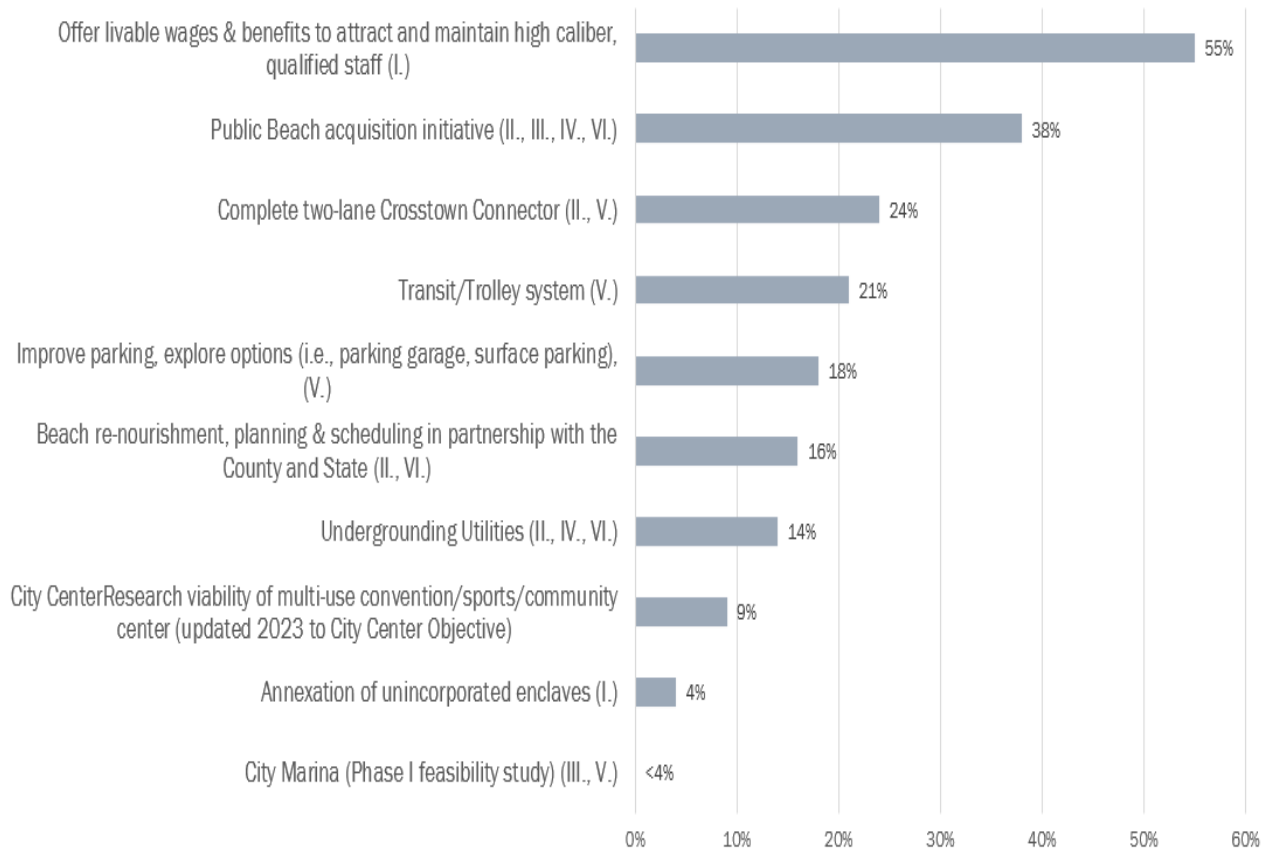
Overall economic health of Destin, 2022



Please rate each of the following in the Destin community:



Citizen Pick 2 Priorities



4. **KEY PARTNERSHIPS**

A) Destin Water Users (DWU) – Ms. Monica Wallis, Operations Manager for DWU

- Provide water, wastewater, and reclaim water to a service area that is greater than the City of Destin’s boundary – from the north side of US Hwy 98 to Danny Wuerffel Way, and the south side of US Hwy 98 to the county line.
 - Started providing drinking water in 1963, wastewater in 1972, and brought on reclaim water in 1985.
- Pumped 1.7 billion gallons of water (4.7 million gallons per day) into the area in 2022.
- They have a 6-million-gallon wastewater treatment plant located off of Airport Road on Industrial Park Lane.
 - Averaged 3.4 million gallons wastewater treated in 2022.
- They will be drilling a new well later in 2023 next to their tower on Calhoun Avenue.
- They are in the process of embarking on their 5-year master plan. They create a master plan of their entire system every 5 years.

- They plan to bring drinking water and wastewater to the crosstown connector.
- They house the beach trash collection from the county behind DWU's main office on Main Street.
- They have leased some property to the county to build their communications tower for better safety across the entire county.
- They purchased the property next to Destin Airport to be used for reclaimed water disposal.

B) Destin Fire Control District – Mr. Joseph D'Agostino, Destin Fire Control District Beach Safety Division Chief

- They have come a long way since June 8, 2003, when they lost 8 people in a single day from rip currents. Lifeguard services have expanded quite a bit since then.
 - Starting March 2023, they will have 9 lifeguards on roving patrols.
 - The City of Destin will have two public beach trails – June White Decker and Shores at Crystal Beach – covered with lifeguard chairs.
 - Services will expand this summer. They have planned on having 24 lifeguard chairs, expanded hours and roving patrols.
 - They will cover areas from Norriego Point to the Walton County Line, with no gaps in coverage.
- In terms of contract, they are diligently working with the county and making a lot of progress.
 - They receive \$100,000 annually from the city, and they are asking for the city's continuing support in that regard.

C) Okaloosa County Sheriff's Office – Capt. Jason Fulghum, District 3 Chief

- Okaloosa County broke down into 3 districts: City of Destin is district 3.
- Sheriff's Office Goals for the City of Destin:
 - Partnership
 - Great partnership so far and continuing to grow.
 - Crime reduction
 - Have not had many violent crimes committed in the city. The biggest problems are thefts and burglaries.
 - Safety of citizens
 - One of the biggest issues with the city is communications.
 - There are numerous places throughout the city where law enforcement officers were unable to reach their dispatch for an emergency call.
 - The radio towers the county plans to build in the city behind DWU facility will solve this problem.
- Utilizes intelligence-led policing approach - data collected by multiple agencies (local police, FBI, and detectives). This information is then analyzed and turned into intelligence to locate smaller and more serious crimes that could potentially be committed and to intervene with the potential perpetrators of the crime.

- Traffic issue. Put together a grant proposal with the city to the Department of Transportation for federal funding for overtime pay for officers focusing on traffic enforcement and DUIs.

D) Destin Chamber of Commerce – Mr. Shane Moody, President and CEO

- Great partnership with the City of Destin
 - Excellent support given to the Destin Forward Class annually by both city employees and city council.
 - Several city employees have been members of the Destin Forward Class.
 - Lots of positive things the city council and staff are doing for the city.
- There is great culture in the organization.
- There are parking and traffic issues in the harbor. They strongly suggest the city look to build a parking garage at the Marler Parking Lot and behind McGuire's Restaurant.
- Workforce housing is necessary.
 - Public-Private partnership for 3 story garage and 3 story housing is doable.
- Partnership between the Destin Chamber of Commerce and the City of Destin to come up with economic initiatives.
- City Center – It is imperative for the city to meet with the property owner of the future site for the new Publix Shopping Center to discuss a possible partnership that would allow the city to use part of the land. Creating a city center would be transformational and generational.

E) Destin Charter Boat Association – Capt. Gary Jarvis, Association President

- In 2014, the charter industry received sector separation and received their own allocation of fish and Red Snappers.
 - Season went from 9 days to last year's 82 days.
 - They are working on sector separations in some of the other key fisheries that are important to the Destin Charter Fleet.
 - Amberjacks, Red and Gag Groupers, and Trigger Fish.
 - The Fleet is trying to get their historical participation to the level that will ensure they get their proper allocation of fish.
 - He has put in his application for membership to the Gulf Council to represent the City of Destin and the charter for hire and recreational industry.
- Another challenge facing the Fleet is parking on the harbor for customers.
 - Most property owners are going to paid parking and some are planning on raising the paid parking fees.
 - There is more demand for parking than there are parking spaces.
 - Building parking garages is important. They will also serve as a great source of revenue for the city.
- A city marina will enhance the Fleet and it will also be a great funding source for the city.

5. **PUBLIC COMMENTS:**

Several residents of Ridge Wood Circle in Destin spoke about recent issues with parking and parking citations they received. They provided the following comments:

- Neighborhood residents are suddenly receiving citations due to parking violations.
- The driveways in their neighborhood are fairly small and barely fit a car length. Most residents either have vehicles that do not fit on the driveway without partially covering the sidewalk or have more than 2 cars.
- There are no places to park cars that do not violate city ordinances.
- They do not know what to do with their visitors or extended guests with regards to parking.
- There are areas within their neighborhood that do not even have sidewalks.
- There is no affordable housing in Destin, and there are many houses in the neighborhood that are used by multiple families.
- They are asking for support from the city in regard to the reasonableness of the situation.

Mr. Shane Moody recommends having a city center with as little multi-family residential as possible, and with no short-term rentals. He continued that since the possible future property owner wants foot traffic, they could generate a lot of foot traffic if they design the city center the right way. They could include as many city facilities in there as possible and would still be able to have some high-level commercial spaces. This could generate more foot traffic than having multi-family housing. He added this possible site for the city center is the gateway to both the Harbor CRA and the Town Center CRA which could regenerate redevelopment on the west side and north side of the city.

Capt. Gary Jarvis stated that having a city center will be both transformational and generational and will enhance the quality of life for the community. It will also be very expensive, especially with the crosstown connector and the city's beach buy-back initiative. They have to be innovative in how they plan to fund a project of this magnitude. He continued that he has a conference call scheduled with a prominent attorney in Pensacola who has been one of the lead legal representatives for a group that changed the face and footprint of the City of Pensacola. He sent them a copy of the city's master plan from 2014, the content of which fits exactly with the intent for a city center. His discussion with the Pensacola lawyer will center around the proposed city center and the master plan. He will then report this information back to the council at their next regular city council meeting.

Mr. Jason Belcher, Destin Chamber Board Chairman, stated that the vision for the Chamber is to be a good community member. Their commitment is not only to foster a strong economic community but also a strong community. The Destin Forward group that met with the city's elected officials and department directors is just an example of their effort to stay connected with the city and be a good representative for all the city council's priorities. He stated that a city center would be a phenomenal asset for this community. It is something that could be transformational for a long period of time. It would be a huge economic boom for the City of Destin. One of his goals as the Chamber Board Chairman is to get all the board members involve with city government. To attend the city's volunteer committee meetings, participate if possible, and thank the volunteer members for their service to the city.

6. **DEPARTMENTAL / DIVISION UPDATES: PRIORITY PROJECTS AND CHALLENGES AHEAD**

A) City Manager – Lance Johnson

- The city has a good strategic plan. They are ahead of most municipalities of their size. They have to take it further as they continue to grow and face new challenges.
- They have to adapt to the new changes that are happening and deal with them accordingly.
- One of his top priorities is getting the right people in the right position in light of all the turnovers they have had lately to get directors and division chiefs away from the front-line work and concentrate on managing staff and help implement the goals of the city council.

B) Finance – Krystal Strickland, Finance Director

- The Finance Department is going through a major overhaul.
- The city's budget has gone from \$15 million a year, which it has been for quite a while, to over \$30 million a year a few years later, and now stands at over \$75 million.
 - These are mostly cost reimbursement grants, and so they have had to match every invoice that they pay to a cancelled check to submit them for reimbursement.
- The department's workload has been tremendous.
- The city has just started with brand-new auditors.
 - They are educating them about all the city processes.
- They have just gone through a major software conversion to resolve all the long-standing issues the city has been experiencing.
- She is training a brand-new full-time staff member as well as two part-time staff members.

C) Human Resources/Risk Manager – Jamie Dittmer, Human Resources Director

- Even before her hiring a few months ago, employee recruitment and retention were a high priority.
- They have been giving their recruitment plan a hard look and how they could get high quality employees to come to Destin.
- A big part of their recruitment plan is their retention plan. They are currently working on projects to invest in their employees.
 - More vacation time and sick time
 - Professional development – training and certification.
 - Succession planning
 - Wellness platform – implement wellness into their culture.
- A huge software upgrade that will not only impact on the city but the committee as a whole.

- Working on having more money to invest in their employees.
- Working on policy that will help protect their workplace culture.
 - Updating employee manual

D) Community Development – Louis Zunguze, Department Director

- Land Development Code rewrite.
- Creation of a mobility plan. The plan to enhance connectivity within the community and neighborhoods.
 - Plan to be submitted to the council around mid-2023.
 - The plan will contain a litany of projects staff have identified as key to making sure connectivity within the city works.
 - The council will be asked to prioritize the projects identified in the plan as they cannot be done all at the same time.
- CRA Redevelopment Plan – Master Plan updates
 - These plans are the vehicles for guiding development projects within the CRAs.
 - The timing of these updates is critical.
- He has been director for 4 years and has not had a full complement of staff.
 - There is a ton of projects they have to accomplish, and a shortage of staff could jeopardize completion of some of those projects.
 - Hiring and retention is key. Need full support from the city council, City Manager, and Human Resources Manager.
- Accomplishments despite staff shortages:
 - Reviewed over 5,500 development applications in 2022.
 - Completed over 7700 inspections in 2022.
 - Completed 73 development projects in 2022.
 - Total value to the community of over \$173 million which is economic development for the City of Destin.

E) Code Compliance – Lance Johnson – Administrative portion

Danny Sullivan, Deputy Director – Operational portion

- Director has been hired and will report for duty in April 2023.
 - Director has over 20 years' experience in law enforcement and code compliance
 - The director will immediately tackle 3 major priorities: Code updates, officers training, and council's code enforcement top priorities.
- Things are now running smoothly since major software updates (i.e., taking pictures and uploading them into the system quickly).
- Main goal is educating the citizens of Destin with regards to code compliance matters.

Councilmember Schmidt asked whether parking fines have been levied against residents of Ridgewood Circle that received parking citations.

Mr. Sullivan noted that everyone who was in violations only received warning citations and have been educated on how they could adjust their parking to avoid future citations. No monetary fines have been issued.

F) Public Works Department – Michael Burgess, Director

➤ Challenges:

- The department has had two vacancies for an extended period of time even with the salary adjustment being implemented. These are vital positions.

➤ Priorities:

- Pavement management. Have been unable to pave easements due to the volatile nature of asphalt, as well as their availability and price.
- Sidewalks renewal and replacement.
- City-wide safety improvements program. The council approved an allocation of \$100,000 for this year.
- Purchase and implementation of Asset Management Software in conjunction with recent Matrix study for all city facilities.
 - They should be able to project with some level of certainty their replacement and renewal costs for the next several years.
- The Public Works Department would like to explore the idea of a new building next to the existing building for their new vehicles and equipment.
- In terms of emergency management, they will be updating their disaster preparedness plan this spring.
- Capital purchase for FY 24, they would like to consider purchasing a generator for the Destin Library and Destin Community Center. They would like to be able to use these facilities as a public meeting place for FEMA and other entities in the event the city is struck with a natural disaster.
- Stormwater Floodplain Management Program Update
- Budgetary needs:
 - Invest in cleaning the storm service system.
 - Embark on a very aggressive rehabilitation of storm service system at the Indian Bayou Subdivision replacing the corrugated metal pipes used in the 1980s which are subject to fail.
 - Obtain a software package called Forerunner that could assist in ensuring a 100 perfection on all of the city's elevation certificates and avoid errors that would nullify these elevation certificates.

G) Grants/Projects – Jeff Cozadd, Grants/Project Manager

➤ Undergrounding project

- FPL has completed a preliminary design showing equipment locations.
- Next step: Secure easement for those locations.

- Complete the design and deliver a binding cost estimate to the city around the May 2023 timeframe.
- The city could then begin procurement to have a contractor in place to perform the work.
- Targeting the summer to have the procurement done and select a contractor to begin work around fall 2023.
- Funding requested from FDEM, a statewide application. If approved, the application goes to FEMA for funding. If funded, it would offset a lot of cost with Phase 1. The allocation requested was in excess of \$10 million.
- American Rescue Plan Act (ARPA)
 - Received an award of \$1.5 million from ARPA.
 - ARPA pays for a lot of the city's software migrations mentioned earlier (over \$400,000).
 - The rest of the funding will be used for stormwater projects. Staff will bring a list of projects to the council for their consideration.
 - The city will also secure a continuing services contractor and bring the proposed firm to the council for approval.
- Submitted appropriation request to Representative Maney's Office in excess of \$2 million. If approved, the money will be used for undergrounding (phase 1) and auxiliary harbor pump.
- It may be beneficial to have some external assistance securing larger grants funding to help larger capital projects such as the undergrounding and crosstown connector move forward.
 - Request to include in next year's budget some money to hire a lobbyist.

H) Information Technology – Deputy City Manager Webb Warren (Acting IT Director)

- Huge migration and implementation of MUNIS, COMPASS/ENERGOV projects.
 - Finance, Human Resources, Code Compliance, and Community Development Departments spent most of the previous month training on the new system.
 - The city is now at the newest version of MUNIS and COMPASS/ENERGOV systems.
 - They have a lot of modules to implement. The city is actively recruiting an IT Director to implement those modules.

I) Public Information – Tamara Young – Public Information Manager

- As a newly hired staff member, some of the things she had the privilege to announce through a huge media blast were the city's multi-million-dollar lawsuit win against the Destin Fishing Fleet and the Tarpon Beach Expansion Renovation.
- The city will really be focused on strategy this year, which will be critical as the city has been operating in a very reactive capacity as opposed to proactive.

- They are starting with a huge environmental scan looking at 12 to 15 comparable cities and focus on what they are doing well with their websites, social media, and other aspects.
 - They will be benchmarking the best and taking the necessary steps to get there.
- Will spend some time on media policy, making sure the information they are providing to the public is accurate and has clarity.
- The Public Information Department is a one-person department.
 - May need some staffing help in the future.
 - Will have a number of communication channels to push forward information to key stakeholders.
 - Social media is important as it is a profound way for many of the residents, business owners, and tourists to get their information.
 - Reached 98.7% more accounts the last two weeks than the entire 2022 on Instagram.
 - Engagement on Facebook is at 93% in the last 2 weeks than the entire 2022.
 - The public is very interested and paying a lot of attention n what the city is doing.

J) Parks & Recreation

- Constructing a maintenance facility shed at Morgan's Sports Complex to hold and protect equipment.
- Constructing restroom facility and little pavilion by the soccer field on the west side of Morgan's Sport Complex.
- Constructing restroom facility at Buck Destin Park.
- Challenges:
 - Fixing the Destin Community Center. Will meet with a local contractor in a week to discuss window replacement with impact glass, as well as stucco and sheet rock replacement.
 - Morgan Sports Center renovation.
 - Three fields have been re-sodded.
 - Multi-use field to be sodded.
 - Replacing the lighting with LED lights.
 - Fencing
 - Working on a playground replacement at the children's park at Morgan's Sports Center.
 - Will be gaining extra park facilities.
 - Will be requesting two additional maintenance staff to help with the upkeep of these facilities.
 - Will request re-classification of two full time staff positions to a supervisory position to manage staff working night shifts.

- Request taking away crossing guard duties at the Destin Elementary School from city staff and putting it under the Sheriff's contract.
- Discussing sun-shading options for baseball fields with different vendors to come up with the right concept.

K) Library – Wen Livingston, Library Director

- Library building is 20 years old. The Destin Library's 20th anniversary celebration is on March 17th.
 - The building needs an update on the design and technology.
 - Working with the Community Development Director and Grants/Project Manager to come up with a new plan to get the library up to the current standards.
 - The city received an RFID grant that put new technology in the library. There is a plan to repaint the interior of the library. Carpet replacement is on the schedule.

L) City Clerk – Rey Bailey

- Public Records Request increasing in volume and complexity.
 - Email correspondence
 - Social media
 - Text messaging
 - Social networking - Facebook
- Received 522 PRRs in 2022; 20% increase from the previous year.
 - Responded to each request within 3 workdays 97.2% of the time in 2022.
- Provided administrative support and attended and recorded 108 meetings of the city council and the city's standing committees and boards; totaling 272 hours.
- Transcribed and distributed minutes of meetings within 10 days 94% of the time.
- Minutes approved by the collegial body with challenges and corrections 98% of the time.

7. Code Compliance – Prioritization of functions to better direct staff in the allocation of available resources.

Councilmember Hebert stated that there needs to be some sort of uniformity and clarity in terms of the rules and regulations so that consistency is maintained in responding to code violations and the type of actions being taken by the code officers.

Councilmember Bagby recommends developing a list of 3 to 5 priorities for the Code Compliance Department to focus their efforts on and the areas in the city on which to be proactive. He would like to see the following issues on this list of priorities: Signs in the rights-of-way, parking in the rights-of-way, short-term rental violations, and trash violations.

Councilmember Destin stated that with regards to parking, the code officers will need some discretion and judgement. He recently drove through a couple of neighborhoods on Azalea Road and observed hundreds of vehicles in violation of the city's parking code. He continued that they need to build in discretion and common-sense attributes into their code enforcement rules and regulations; otherwise, these code officers will have to write thousands of citations throughout the city which is impossible to do in terms of the manpower point of view. It can also be viewed as harassment to their citizens. If the violation involves public safety, a citation should definitely have to be written; otherwise, the officer should be allowed to make a judgment call. They also need to provide a list of priorities for the code enforcement officers to adhere to. They also need to put up "no parking" signs on the areas in the city where they truly want to prohibit parking so they can be easily enforced.

Councilmember Geile stated they need to have language in the code leaning to the side of public safety and which mandates the specific minimum space necessary for somebody to safely navigate around a vehicle and the area.

Mayor Wagner stated that a fair compromise in his view would be to keep the sidewalks clear at all costs and allow vehicles to park parallel partly on the road in the rights-of-way especially if there is no place else to park.

Community Development Director Louis Zunguze noted that in the LDC rewrite, one of the options being considered is making clear distinction between the northern side of Destin where it is mostly residential and the southern end where there is a lot of change related to short-term rentals. The city engineer has been tasked to come up with a standard that addresses the conditions that exist on the northside and the trends that are taking place on the southside. They will make some adjustments in the new code that will provide the ability to have discretions and also set minimum safety standards.

According to Councilmember Schmidt, they need to be cautious in prioritizing several of the code enforcement issues and allowing discretion to be used at times; adding that they have a written code and prioritizing how staff should enforce the code is micro-managing. If they leave it up to the code officers' discretion or judgement as to which part of the code to enforce at any given time, they will fall back to the issue of selective enforcement. He continued that some of the violations are not being reported because neighbors do not want to complain against their neighbors and to be on record as the complainant. They are hoping that city staff will follow the code and take appropriate actions. He also stated that to consider that one neighborhood is more important than the other is unfair, and that it only takes one distracted driver to run over a child or any person trying to get around a parked vehicle even in a non-busy street.

Mr. Buzz Eddy stated that one way to incorporate discretion into the code is to consider the street classification – collector roads vs. neighborhood streets. A road with 10,000 vehicles per day should be placed in a different category from another with 1,000 vehicles per day. The

code could be amendment to absolutely prohibit parking along the sidewalk on a collector road; or parallel parking is allowed on neighborhood streets but not on collector roads.

Councilmember Schmidt maintained that quality of life for residents needs to be taken into consideration. Being able to walk safely through a neighborhood, regardless of its location is an important priority.

According to the Land Use Attorney, the Code Compliance Department has functioned largely as reactive and complaint-based, but they also have the ability to be proactive. They put together a list of 8 issues, not in any particular order, that the department either gets complaints about or faces every day in the city, especially during tourists' season. They were hoping for some guidance from the council as to which items are their priority that they can focus on and spend a significant amount of time especially during tourists' season because they have limited resources. The LDC is outdated in a lot of places. Not all of the issues they are facing now are there when the code was written. It is currently being rewritten, but in the meantime, they are looking for direction from the council.

The mayor stated that from the quality of life for the community, his top priority is the short-term rentals. They need to work with their community partners and short-term rental business owners to educate their visitors not only on the city code but also on the safety issues, from rip currents to parking in the rights-of-way.

Councilmember Bagby stated that his priorities are the short-term rentals, the rogue vessels, rights-of-way parking south of US Hwy 98, trash, and signs in the rights-of-way.

Councilmember Schmidt inquired as to the next step in establishing a written policy from the council regarding this issue as they are not allowed to have actionable items at this visioning session.

According to the City Manager, staff could bring back a proposed written policy in a resolution format for council's consideration based on tonight's conversation.

8. COUNCIL DISCUSSION - Priorities

A) Councilmember Schmidt

- The city should do whatever is necessary to assist the lifeguards to secure support from Okaloosa County TDC for the beach safety program. Safety on the beaches is of the utmost importance.
- Sheriff's Department Posse – the city making it a priority to get a posse member to do certain things for the city, possibly to handle parking violations.
- Explore parking garage options to improve parking. Place workforce housing on top of parking garage.
- Joe's Bayou for rogue vessel operators (pay twice the fee) with proper permits and BTR
- Extend access to Henderson Beach State Park – east end entry

B) Councilmember King

- Likes the idea of a city marina – great revenue generating project.
- Public beach (land acquisition)
 - 250' at base of Marler Bridge

C) Councilmember Hebert

- Make priority 1.4 Public “Waterfront” Acquisition.
- Obtain property at base of Marler Bridge – secure help from the TDC
- Empower staff to engage the owner of the new Publix to secure part of land for city center.
- Review city fees for parking
- Increase fees for boat launch at Joe’s Bayou

D) Mayor Wagner

- Ferry system to move waterfront traffic city to city.
- Obtain property at the foot of the Marler Bridge/possible location for the city center.
- In support of public waterfront acquisition.
- Lock in Critical Priority 1.1 as higher priority.
- Looking at attainable workforce housing (possibly on top of parking garage).
- Make the permitting process faster and easier.
- Construction of pickleball courts at the Destin Aquatic Center.
- Annexation.
- Connectivity between agencies, stakeholders, fiber
- Crosstown connector
- No left turn lanes on US Hwy 98 until there is an intersection that allows U-turn. For safety reasons. Coordinate with FDOT.

E) Councilmember Bagby

- They could address more than half of their objectives if they explore the possibility of locating the city center on the property at the base of the bridge.
- Possibly placing the marina at Joe’s Bayou.

F) Councilmember Destin

- Support of the lifeguard and public safety personnel should be a top priority.
- City center – explore other options other than just the Publix Shopping Center property. The city already owns 6-8 acres of property.
- Expediting and making the permitting process faster and easier.
 - This would help generate revenue.
- Acquire property at the base of the Marler Bridge. This would help address a lot of the city’s other issues/priorities.

G) Councilmember Geile

- Concentrate more on benefits for residents as they move forward with their priorities.
 - Focus on beach acquisitions to benefit residents.
 - In placing a city marina at Joe's Bayou, let the businesses pay dock fees.
- Increase parking fees and permit fees substantially higher.

9. **PRIORITIZATION OF FISCAL YEAR 2024 INITIATIVES AND PROJECTS.**

Mr. Eddy noted that all the added objectives that the mayor and council have identified have been listed on the board. There has been no change to the Strategic Objectives 1-1 through 1.11. Each elected official is provided 4“dots.” Red – 4 / Green – 3 / Yellow – 2 / Blue – 1. He asked the Council to select their priority objectives for implementation by placing one or more dots for each objective they wish to support.

The results of the voting are as follows:

Section 1: Adopted Council Objectives FY 2023

Critical Priorities:

- 1.1 -- Offer livable wages and benefits to attract and maintain high caliber, qualified staff (I)
- 1.2 -- Work with stakeholders to pursue the Destin City Center (Phase 1 Feasibility Study) (II, III)

Important Priorities:

- 1.3 -- Complete two-lane crosstown connector (II, V)
- 1.4 -- Public waterfront acquisition initiative (II, III, IV, VI)
- 1.5 -- Underground utilities (II, IV, VI)
- 1.6 -- Stahlman/US 98 pedestrian and vehicle improvement in cooperation with FDOT (II, V)

Desirable Priorities:

- 1.7 -- Annexation of unincorporated enclaves (I)
- 1.8 -- Transit/Trolley System
- 1.9 -- City Marina (Phase I Feasibility Study) (III, V) (Funding in FY 2024)

- 1.10 -- Improve parking, explore options (i.e., parking garage, surface parking (V))
- 1.11 -- Beach renourishment, planning and scheduling in partnership with the county and state (II, VI)

- Lifeguards – secure support from Okaloosa County TDC
- Sheriff’s Department Posse – for parking
- Parking garage – **3 pts**
- Joe’s Bayou for livery vessels
- Task staff with city center concept plan – **1 pt**
- Pickleball at Swim Center – **3 pts**
- Annexation – **6 pts**
- Connectivity
 - Between agencies
 - Stakeholders
 - Fiber (dark capacity)
 - Expand access to Henderson Beach State Park – east end
- Safety improvements – US 98 – left turns – FDOT
- Public beach (land acquisition) – **17 pts**
 - Public waterfront that adds value – 250’ at base of bridge – secure help from TDC
- Add arena amphitheater at base of bridge – **3 pts**
- Engage with Publix on city center – **10 pts**
- Review city fees, parking – **4 pts**
- Increase fees for boat launch
- City center at base of bridge property – **8 pts**
 - Garage
 - Marina
 - Pedestrian improvements

- City marina at Joe's Bayou
- Crosstown connector
- Connect municipal surface parking to garages with housing – **1 pt**
- Expedite permitting – **4 pts**
 - Minor – faster
- Focus on beach acquisitions to benefit residents – **3 pts**
- Ferry system to move waterfront traffic city to city
- Lock in 1.1 as higher priority - **5 pts**
- Workforce housing

ADJOURNMENT

Having no further business at this time, the meeting was adjourned at 4:30 PM.

Bobby Wagner, Mayor

ATTEST:

Rey Bailey, City Clerk

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: May 1, 2023

TYPE OF AGENDA ITEM: Council Discussion Item

AGENDA OUTLINE NUMBER: 4.A.

TO: City Council

THRU: Lance Johnson, City Manager

FROM: Krystal Strickland, Finance Director

DATE: April 21, 2023

SUBJECT: Harbor CRA: Financial Update

I. BACKGROUND: Attached are the long-term projections for the Harbor CRA district.

II. DISCUSSION:

A. Link to Strategic Goals / Objectives:

B. Effect on Budget (EOB):

C. Level of Service (LOS):

D. Legislative Sponsor:

III. CONCLUSION:

IV. RECOMMENDED MOTION:

Attachments:

1. 110 HARBOR CRA LT
PROJECTIONS 04062023

HARBOR CRA FUND DETAILS (40 years 2003 - 2043)									PROJECTIONS	
ORG	OBJ	PROJECT	ACCOUNT DESCRIPTION	FY 2021 ACTUALS	FY 2022 ACTUALS	FY 2023 REVISED BUDGET	FY2023 YTD Actuals	2023 PROJECTION	FY 2024	FY 2025
110300	311101		TIF REVENUES - COUNTY	328,932	355,522	412,779	407,469	407,469	425,160	437,910
110300	311102		TIF REVENUES - CITY	331,449	356,309	412,779	412,779	412,779	425,160	437,910
110300	361100		INTEREST EARNINGS	688	568	500	208	571	500	500
Total 110300 HARBOR CRA REVENUE				661,070	712,399	826,058	820,456	820,819	850,820	876,320
11055235	512000		REGULAR SALARIES	-	-	12,568	4,439	11,300	12,940	13,330
11055235	521000		FICA TAXES	-	-	147	60	139	150	150
11055235	522000		RETIREMENT CONTRIBUTIONS	-	-	1,571	496	1,353	1,620	1,670
11055235	523000		LIFE/HEALTH INSURANCE	-	-	2,177	367	1,637	2,220	2,260
11055235	524000		WORKERS COMP	-	-	286	143	310	290	300
11055235	532000		AUDIT	-	2,000	13,950	2,919	13,950	14,370	14,800
11055235	534000		OTHER CONTRACTS	18,500	-	45,000	12,198	45,000	45,000	45,000
11055235	543000		UTILITIES	6,377	4,073	4,300	1,850	4,358	4,430	4,560
11055235	544000		RENTS AND LEASES	1,774	1,868	-	-	-	-	-
11055235	546000		REPAIRS AND MAINTENANCE	100	29,915	-	6,167	-	-	-
11055235	546001		R&M/PUBLIC SERVICE	-	-	56,610	-	46,250	58,310	60,060
11055235	547000		PRINTING AND BINDING	-	-	-	-	-	-	-
11055235	549000		OTHER CHARGES/ADVERTISING	-	-	-	-	-	-	-
11055235	552000		OPERATING SUPPLIES	-	26	-	-	-	-	-
11055235	554000		BKS, SUBS, MEMBERSHIPS	523	585	900	1,023	1,548	930	960
11058500	565000	CRH64	HARBOR DISTRICT WAYFINDING SIGNAGE	-	-	-	-	-	150,000	-
11058500	565000	UNDER	HARBOR DISTRICT UTILITY UNDERGROUNDIN	-	-	6,000,000	-	6,000,000	-	-
11058500	565000	TBD	projects to be recommended	-	-	-	-	-	-	-
Total 11055235 HARBOR CRA OPERATING				27,273	38,467	6,137,508	29,661	6,125,844	290,260	143,090
NET OPERATING (REV - EXP)				633,797	673,932	(5,311,450)	790,796	(5,305,026)	560,560	733,230
11058188	581209		2009 DEBT SERVICE INTERFUND TRANSFERS	(371,892)	-	-	-	-		
11058188	581221		2021 DEBT SERVICE INTERFUND TRANSFERS	(152,786)	(481,057)	(479,995)	(198,948)	(478,945)	(482,835)	(477,641)
11058188	581223		2023 DEBT SERVICE INTERFUND TRANSFERS	-	-	-	-	-	(300,000)	(300,000)
110300	381110	UNDER	TXFR IN DEBT PROCEEDS	-	-	5,950,000	-	5,950,000	-	-
Total HARBOR CRA TXFRS OUT				(524,678)	(481,057)	5,470,005	(198,948)	5,471,055	(782,835)	(777,641)
110 Increase (decrease) in Fund Balance				109,119	192,875	158,555	591,848	166,030	(222,275)	(44,411)
110 Fund Balance, beginning of year				167,124	276,243	469,119	469,119	469,119	635,148	412,873
110 Fund Balance, ending of year				276,243	469,119	627,674	1,060,966	635,148	412,873	368,462
goal: maintain a balance of \$484k										

HARBOR CRA FUND DETAILS (40 years 2003 - 2043)	PROJECTIONS									
	FY 2026	FY2027	FY2028	FY2029	FY2030	FY2031	FY2032	FY2033	FY2034	FY2035
ACCOUNT DESCRIPTION										
TIF REVENUES - COUNTY	451,050	464,580	478,520	492,880	507,670	522,900	538,590	554,750	571,390	588,530
TIF REVENUES - CITY	451,050	464,580	478,520	492,880	507,670	522,900	538,590	554,750	571,390	588,530
INTEREST EARNINGS	500	500	500	500	500	500	500	500	500	500
Total 110300 HARBOR CRA REVENUE	902,600	929,660	957,540	986,260	1,015,840	1,046,300	1,077,680	1,110,000	1,143,280	1,177,560
REGULAR SALARIES	13,730	14,140	14,560	15,000	15,450	15,910	16,390	16,880	17,390	17,910
FICA TAXES	150	150	150	150	150	150	150	150	150	150
RETIREMENT CONTRIBUTIONS	1,720	1,770	1,820	1,870	1,930	1,990	2,050	2,110	2,170	2,240
LIFE/HEALTH INSURANCE	2,310	2,360	2,410	2,460	2,510	2,560	2,610	2,660	2,710	2,760
WORKERS COMP	310	320	330	340	350	360	370	380	390	400
AUDIT	15,240	15,700	16,170	16,660	17,160	17,670	18,200	18,750	19,310	19,890
OTHER CONTRACTS	45,000	45,000	45,000	45,000	45,000	45,000	45,000	45,000	45,000	45,000
UTILITIES	4,700	4,840	4,990	5,140	5,290	5,450	5,610	5,780	5,950	6,130
RENTS AND LEASES	-	-	-	-	-	-	-	-	-	-
REPAIRS AND MAINTENANCE	-	-	-	-	-	-	-	-	-	-
R&M/PUBLIC SERVICE	61,860	63,720	65,630	67,600	69,630	71,720	73,870	76,090	78,370	80,720
PRINTING AND BINDING	-	-	-	-	-	-	-	-	-	-
OTHER CHARGES/ADVERTISING	-	-	-	-	-	-	-	-	-	-
OPERATING SUPPLIES	-	-	-	-	-	-	-	-	-	-
BKS, SUBS, MEMBERSHIPS	990	1,020	1,050	1,080	1,110	1,140	1,170	1,210	1,250	1,290
HARBOR DISTRICT WAYFINDING SIGNAGE	-									
HARBOR DISTRICT UTILITY UNDERGROUNDIN	-									
projects to be recommended	-									
Total 11055235 HARBOR CRA OPERATING	146,010	149,020	152,110	155,300	158,580	161,950	165,420	169,010	172,690	176,490
NET OPERATING (REV - EXP)	756,590	780,640	805,430	830,960	857,260	884,350	912,260	940,990	970,590	1,001,070
2009 DEBT SERVICE INTERFUND TRANSFERS										
2021 DEBT SERVICE INTERFUND TRANSFERS	(484,385)	(479,054)	(482,689)	(240,797)	-	-	-	-	-	-
2023 DEBT SERVICE INTERFUND TRANSFERS	(300,000)	(300,000)	(300,000)	(400,000)	(550,000)	(550,000)	(550,000)	(550,000)	(550,000)	(550,000)
TXFR IN DEBT PROCEEDS	-	-	-	-	-	-	-	-	-	-
Total HARBOR CRA TXFRS OUT	(784,385)	(779,054)	(782,689)	(640,797)	(550,000)	(550,000)	(550,000)	(550,000)	(550,000)	(550,000)
110 Increase (decrease) in Fund Balance	(27,795)	1,586	22,741	190,163	307,260	334,350	362,260	390,990	420,590	451,070
110 Fund Balance, beginning of year	368,462	340,668	342,254	364,995	555,157	862,417	1,196,767	1,559,027	1,950,017	2,370,607
110 Fund Balance, ending of year	340,668	342,254	364,995	555,157	862,417	1,196,767	1,559,027	1,950,017	2,370,607	2,821,677

HARBOR CRA FUND DETAILS (40 years 2003 - 2043)	PROJECTIONS							
	FY2036	FY2037	FY2038	FY2039	FY2040	FY2041	FY2042	FY2043
TIF REVENUES - COUNTY	606,190	624,380	643,110	662,400	682,270	702,740	723,820	745,530
TIF REVENUES - CITY	606,190	624,380	643,110	662,400	682,270	702,740	723,820	745,530
INTEREST EARNINGS	500	500	500	500	500	500	500	500
Total 110300 HARBOR CRA REVENUE	1,212,880	1,249,260	1,286,720	1,325,300	1,365,040	1,405,980	1,448,140	1,491,560
REGULAR SALARIES	18,450	19,000	19,570	20,160	20,760	21,380	22,020	22,680
FICA TAXES	150	150	150	150	150	150	150	150
RETIREMENT CONTRIBUTIONS	2,310	2,380	2,450	2,520	2,600	2,680	2,760	2,840
LIFE/HEALTH INSURANCE	2,820	2,880	2,940	3,000	3,060	3,120	3,180	3,240
WORKERS COMP	410	420	430	440	450	460	470	480
AUDIT	20,490	21,100	21,730	22,380	23,050	23,740	24,450	25,180
OTHER CONTRACTS	45,000	45,000	45,000	45,000	45,000	45,000	45,000	45,000
UTILITIES	6,310	6,500	6,700	6,900	7,110	7,320	7,540	7,770
RENTS AND LEASES	-	-	-	-	-	-	-	-
REPAIRS AND MAINTENANCE	-	-	-	-	-	-	-	-
R&M/PUBLIC SERVICE	83,140	85,630	88,200	90,850	93,580	96,390	99,280	102,260
PRINTING AND BINDING	-	-	-	-	-	-	-	-
OTHER CHARGES/ADVERTISING	-	-	-	-	-	-	-	-
OPERATING SUPPLIES	-	-	-	-	-	-	-	-
BKS, SUBS, MEMBERSHIPS	1,330	1,370	1,410	1,450	1,490	1,530	1,580	1,630
HARBOR DISTRICT WAYFINDING SIGNAGE								
HARBOR DISTRICT UTILITY UNDERGROUNDIN								
projects to be recommended								
Total 11055235 HARBOR CRA OPERATING	180,410	184,430	188,580	192,850	197,250	201,770	206,430	211,230
NET OPERATING (REV - EXP)	1,032,470	1,064,830	1,098,140	1,132,450	1,167,790	1,204,210	1,241,710	1,280,330
2009 DEBT SERVICE INTERFUND TRANSFERS								
2021 DEBT SERVICE INTERFUND TRANSFERS	-	-	-	-	-	-	-	-
2023 DEBT SERVICE INTERFUND TRANSFERS	(550,000)	(550,000)	(550,000)	(550,000)	(550,000)	(550,000)	(600,000)	(600,000)
TXFR IN DEBT PROCEEDS	-	-	-	-	-	-	-	-
Total HARBOR CRA TXFRS OUT	(550,000)	(550,000)	(550,000)	(550,000)	(550,000)	(550,000)	(600,000)	(600,000)
110 Increase (decrease) in Fund Balance	482,470	514,830	548,140	582,450	617,790	654,210	641,710	680,330
110 Fund Balance, beginning of year	2,821,677	3,304,147	3,818,977	4,367,117	4,949,567	5,567,357	6,221,567	6,863,277
110 Fund Balance, ending of year	3,304,147	3,818,977	4,367,117	4,949,567	5,567,357	6,221,567	6,863,277	7,543,607

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: May 1, 2023

TYPE OF AGENDA ITEM: Resolution

AGENDA OUTLINE NUMBER: 4.B.

TO: City Council

THRU: Wen Livingston, Library Director
Rey Bailey, City Clerk
lisa Firth, Parks & Rec Director
Joey Forgione, Code Compliance Director
Louis Zunguze, Community Development Director
Webb Warren, Deputy City Manager
Kyle Bauman, City Attorney
Lance Johnson, City Manager

FROM: Krystal Strickland, Finance Director

DATE: April 24, 2023

SUBJECT: Schedule of Fees Resolution 23-06

I. BACKGROUND: Attached is an updated Schedule of Fees with changes and updates discussed at the visioning session and previous council meetings. A draft for discussion was brought to the April 17, 2023 council meeting. This version is in Resolution format for adoption at the May 1, 2023 regular council meeting.

II. DISCUSSION: We have made the following changes to the fee schedule:

1. Updated Joe's Bayou boat launch fees (page 7) back down to \$0 for residents
2. Increased fees charged for Building Plan Reviews, Building Construction Permit Fees, and Development Order Applications by 10%
3. Increased Marine application fees
4. Increased Business Tax Receipt fees based upon Florida Statute 205.043(b) allowances
5. Parking fees and parking fines were increased (page 36)
6. An NSF (returned check) fee is added (page 37)

Fees for the Community Center, Parks and Recreation, and Morgan Sports Center are under review and will be updated in a subsequent resolution.

- A. **Link to Strategic Goals / Objectives:** Goal #1 Financially sound city providing service excellence
- B. **Effect on Budget (EOB):**
- C. **Level of Service (LOS):**
- D. **Legislative Sponsor:**

III. CONCLUSION: Staff request adoption of this Resolution amending and restating the schedule of fees.

IV. RECOMMENDED MOTION: I move to adopt Resolution 23-06 Schedule of Fees.

Attachments:

1. Resolution 23-06 -- Schedule of Fees
w Attachment
2. Schedule of Fees REDLINED 2023
0501

RESOLUTION 23-06

A RESOLUTION OF THE CITY OF DESTIN, FLORIDA PROVIDING FOR AUTHORITY; AMENDING THE SCHEDULE OF FEES FOR FISCAL YEAR 2023; RESERVING THE RIGHT TO FURTHER AMEND THE SCHEDULE OF FEES; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, City Charter, Section 3.13, stipulates that the City Council shall by ordinance adopt a budget on or before September 30th of each year; and

WHEREAS, the Government Finance Officers Association (GFOA) and National Advisory Council on State and Local Budgeting (NACSLB) provide established guidelines and standards for *Best Practices in Public Budgeting* and promote the adoption of an Account Guide establishing Schedule of Fees; and

WHEREAS, City Council has determined through previous adoptions that the City can benefit by establishing a comprehensive fee schedule;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Destin, Florida:

Section 1. Authority. Authority for enactment of this Resolution is Section 166.021, Florida Statutes, and Section 1.01 of the Destin City Charter.

Section 2. Account Guide – Revenues. The City of Destin hereby amends and establishes the Schedule of Fees set forth in Attachment “A” and as adopted by City Council.

Section 3. Reservation of Right to Further Amend the Schedule of Fees. The City Council of the City of Destin hereby reserves the right to further amend the Schedule of Fees set forth in Attachment “A” and as adopted by City Council through future action and by Resolution.

Section 4. Repealer Clause. All sections or parts of sections of any City of Destin’s Ordinance or parts of Ordinances, and any City of Destin’s Resolutions or parts of Resolutions, and any City of Destin’s Policy or parts of Policy, which are in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. Severability. If any portion of this Resolution, including Attachment “A,” is determined by any Court to be invalid, the invalid portion shall be stricken and such striking shall not affect the validity of the remainder of the Resolution or Attachment “A.”

Section 5. Effective Date. This Resolution shall take effect upon approval by the City Council and signature by the Mayor.

ADOPTED THIS 1ST DAY OF MAY 2023.

By:

Robert T. Wagner, Mayor

ATTEST:

Rey Bailey, City Clerk

ATTACHMENT A - Schedule of Fees

Section 1 Culture and Recreation: Library, Parks, Sports Complex, Community Center

Section 2 Building and Developers: Building Permits, Developer fees, Impact fees, Right-of-Way permits, Engineering, and Map fees

Section 3 Licenses and Permits: Business Tax Receipts (aka business licenses), Rental Registration (LTR/STR), Livery Permits, Vendor Permits, Marine Application Fees, Code Violations

Section 4 Miscellaneous: Parking Fees and Fines, Clerk's Office, Cemetery, Election Qualifying Fees

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Section 1 Culture and Recreation

Fees to utilize specific recreational facilities to continue the operations and improvements of the park area. Fees are established for reservations and permits of recreational and park facilities to provide a user fee for programs wherever applicable within the City and to establish procedures for the collection of such fees.

347100 LIBRARY SERVICE FEES

Fees collected for library membership and services

Responsible Department: Library

MEMBERSHIP FEES (RESOLUTION 01-27)

Okaloosa County Residents	No charge
In-network, non-resident*	\$40 per family per year
6-month out-of-network, non-resident	\$30 per person
12-month out-of-network, non-resident	\$60 per person

*In-network areas include the other 15 counties in the Panhandle Library Access Network (PLAN) <https://www.plan.lib.fl.us/about-us/>

SERVICE FEES

Lost items	Replacement cost
Sand in book/damaged cover	\$3 re-wrap fee
Local fax	\$1 per page
Long-distance fax	\$2 per page
Printing – black and white	\$0.15 per page
Printing – color	\$0.25 per page
Replacement video case	\$1.00
Replacement audiobook case	\$3.00

347200 PARK AND RECREATION FEES

Fees collected for any type of program open to the public that is not athletic.

Code Reference: Florida Statutes 166.201

Responsible Department: Parks & Recreation

SPECIAL EVENT PERMITS (ALL PARKS)

Ordinance 15-40 § (c-h) requires all groups of 20 or more wishing to hold events in City parks to obtain a permit from the City in advance of the event.

Groups less than 20	No fee required
Groups 21-49	\$50 fee per day
Groups 50-99	\$100 fee per day
Groups 100-499	\$250 fee per day
Groups 500+	\$500 fee per day

DEWEY "BUCK" DESTIN PARK

Non-profit groups and resident family gatherings (per four-hour increment)

Building use, groups 1-25	\$30 + \$25 cleaning fee
Building use, groups 26-50	\$55 + \$50 cleaning fee
Instructional classes	\$2 - \$40 per participant per course up to 12 weeks

Private groups or organizations or non-resident gatherings (per four-hour increment)

Building use, groups 1-25	\$30 + \$25 cleaning fee
Building use, groups 26-50	\$55 + \$50 cleaning fee
Instructional classes	\$4 - \$80 per participant per course

CLEMENT TAYLOR PARK

Pavilion rental limited to groups of 100 or less

Alcoholic beverage permit	\$150.00 per day + \$50 cleaning fee
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Non-profit groups and resident family gatherings (per four-hour increment)

Groups 1-25	\$20 + \$25 cleaning fee
Groups 26-100	\$30 + \$50 cleaning fee

Private groups or organizations or non-resident gatherings (per four-hour increment)

Groups 1-25	\$30 + \$25 cleaning fee
Groups 26-100	\$60 + \$50 cleaning fee

LEONARD DESTIN PARK

Pavilion rental limited to groups of 20 or less

Groups 1-20, Resident	\$50 per 4 hours + \$50 cleaning fee
Groups 1-20, Non-Resident	\$100 per 4 hours + \$50 cleaning fee

WEDDINGS

Shore at Crystal Beach	\$500 per 2 hours + \$100 cleaning fee (non-refundable)
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347260 JOE'S BAYOU RECREATION FEES

Fees collected for boating activities.

Code Reference: Florida Statutes 166.201

Responsible Department: Parks & Recreation

Residential daily launch/recovery fee	\$25 per trailer
Commercial daily launch/recovery fee	\$25 per trailer
Resident/non-commercial annual launch/recovery fee	\$0 per household (1 pass)
	\$0 per senior household, 65+ (1 pass)
	\$50 per additional pass
Non-resident/non-commercial	\$205 per household per year
Destin based commercial launch	\$1,030 per year
Commercial launch, non-Destin	\$2,060 per year
Pump out fee, Destin resident	No charge
Pump out fee, non-resident	\$5 per usage

347265 HENDERSON BEACH STATE PARK FEES

Fees for the use of Henderson Beach State Park

Code Reference: Florida Statutes 166.201

Responsible Department: Parks & Recreation

Daily entrance pass	\$30 per household (1 per household)
	\$25 per senior household, 65+ (1 per household)

347550 MORGAN'S SPORTS CENTER CHILDREN'S PARKS

Monies collected for events held at the children's park.

Responsible Department: Parks & Recreation

PICNIC AREA

Non-profit groups and resident family gatherings (per four-hour increment)

Groups 1-25	\$15 + \$25 cleaning fee
Groups 26-100	\$30 + \$50 cleaning fee

Private groups or organizations or non-resident gatherings (per four-hour increment)

Groups 1-25	\$30 + \$25 cleaning fee
Groups 26-100	\$55 + \$50 cleaning fee

PAVILION AREA

Non-profit groups and resident family gatherings (per four-hour increment)

Groups 1-25	\$30 + \$25 cleaning fee
Groups 26-100	\$55 + \$50 cleaning fee

Commercial, private groups or organizations or non-resident gatherings (per four-hour increment)

Groups 1-25	\$55 + \$25 cleaning fee
Groups 26-100	\$85 + \$50 cleaning fee

347220 MORGAN'S SPORTS COMPLEX

Fees collected for a variety of sporting activities such as football, soccer, cheerleading, softball.

Code Reference: Florida Statutes 166.201

Responsible Department: Parks & Recreation

Group activities and special events outside the athletic fields

Single-day event, no concessions	\$50 - \$515
Single-day event, with concessions	\$50 - \$515
Alcoholic beverages permit	\$150.00 per vendor/per day
Vendor fee for tournaments and special event vendors	\$30 per vendor/per day, no hookups
Special event application fee	\$25 non-refundable
Gate/admission fee	15% of gross paid to the city

League activities/instructional classes (residents)

City – adult activities	\$15 - \$100
City – youth activities	\$15 - \$100
Adult instructional classes	\$5 - \$35 per participant (max 10 hours)
Youth instructional classes	\$5 - \$20 per participant (max 10 hours)
Senior programs	\$2 - \$100

League activities/instructional classes (non-residents)

City – adult activities	\$30 - \$200
City – youth activities	\$20 - \$150
Adult instructional classes	\$10 - \$70 per participant (max 10 hours)
Youth instructional classes	\$5 - \$35 per participant (max 10 hours)
Daily user fee	\$3 - \$40

Section 1: Culture and Recreation

EXPERT INSTRUCTORS (Services the City cannot offer)

RECREATIONAL/INSTRUCTIONAL CLASSES – CONTRACTUAL LEADERSHIP

FEES RECEIVED FROM INDIVIDUALS PARTICIPATING IN CITY SPONSORED PROGRAMS, ACTIVITIES or CLASSES THAT ARE FACILITATED BY NON-CITY EMPLOYEES WITH EXPERTISE IN THAT PARTICULAR AREA. (EG. AEROBICS, FLY-FISHING, DANCE...) PERCENTAGE BASED ON SKILL LEVEL OF THE INSTRUCTOR, ASSISTANCE REQUIRED FROM CITY STAFF AND FACILITY/EQUIPMENT/SUPPLIES MAY BE FURNISHED BY THE CITY. THIS STRUCTURING WILL ALLOW THE DEPARTMENT TO EXPAND PROFESSIONALLY LEAD PROGRAMMING FOR YOUTH, TEENS, ADULTS AND SENIORS WHILE GENERATING ADDITIONAL REVENUES FOR THE CITY. THE INCREASE IN REVENUES WILL BE DEPENDENT ON THE NUMBER OF PROGRAMS OFFERED AND THE PERCENTAGE AGREED UPON. THIS IS A WIDELY USED MODEL IN PARKS & RECREATION AGENCIES NATIONWIDE THAT TAPS INTO COMMUNITY RESOURCES THAT COULD OTHERWISE NOT BE AFFORDABLE TO THE AGENCY.

Options	Percentage of fees retained by the city	Percentage of fees retained by the facilitator
Split 1 – City provides material	60%	40%
Split 2 – Instructor only	50%	50%
Split 3 – Instructor provides material	40%	60%
Split 4 – School Fundraiser	20%	80%

DESTIN ELEMENTARY SCHOOL SPORTS FIELD FEES Administrative charges

Personnel cost for hours other than normal hours of operations	\$20 per hour per employee
Holiday/holiday weekend hours	\$30 per hour per employee
Application fee	\$25 per event

FIELD RENTALS (NON-TOURNAMENT PLAY) Non-profit

Field rental 1-25 users	\$20 per field per hour w/o lights
Field rental 1-25 users	\$35 per field per hour with lights
Lining/set up 1-25 users	\$20 - \$50 per field per occurrence
Field rental 26+ users	\$40 per field per hour w/o lights
Field rental 26+ users	\$55 per field per hour with lights
Lining/set up 26+ users	\$20 - \$50 per field per occurrence
Non-refundable deposit/cleaning fee	\$25 - \$500 per field per day

COMMERCIAL

Field rental 1-25 users	\$35 per field per hour w/o lights
Field rental 1-25 users	\$50 per field per hour with lights
Lining/set up 1-25 users	\$20 - \$50 per field per occurrence
Field rental 26+ users	\$70 per field per hour w/o lights
Field rental 26+ users	\$95 per field per hour with lights
Lining/set up 26+ users	\$20 - \$50 per field per occurrence
Non-refundable deposit/cleaning fee	\$25 - \$500 per field per day

FIELD RENTALS (TOURNAMENT FUNCTIONS)—UP TO 12 HOURS Non-profit

First (one) field	\$100 per day without lights
Each additional field	\$80

Section 1: Culture and Recreation

Each additional hour	\$20
Lights	\$15 per hour per field
Additional field preparation	\$20 - \$50 per field per occurrence
Gate fee	15%
Center utilization fee	Up to \$550
Sports equipment usage Fee (EG., temporary mounds, goals, fence)	Up to \$25 per item per day
Vendor permit fee	\$30 per vendor per day
Non-refundable deposit/cleaning fee	\$25 - \$500 per field per day

COMMERCIAL

First (one) field	\$170 per day without lights
Each additional field	\$110
Each additional hour	\$30
Lights	\$25 per hour per field
Additional field preparation	\$20 - \$50 per field per occurrence
Gate fee	15%
Center utilization fee	Up to \$1,550
Sports equipment usage fee (e.g.: temporary mounds/fence)	Up to \$25 per item per day
Vendor permit fee	\$50 per vendor per day
Non-refundable deposit/cleaning fee	\$25 - \$500 per field per day

347520 COMMUNITY CENTER

The City shall levy fees for the rental of the Community Center facilities for activities including, but not limited to arts and crafts, league/team activities, adult sports, theatre productions, concerts, and specialty activities (card games, board games, etc.) for both commercial and noncommercial use. The amount of the rental fee will be assessed as per facility required and/or participation.

Code Reference: City Resolution 01-05

Responsible Department: Recreation Department/Community Center

Administrative charges/non-residents

Personnel cost for hours other than normal hours of operation or holidays	\$20 per hour per employee
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Commercial Use

Entire facility	\$150 per hour, min 4 hours
Meeting room	\$30 per hour
Each additional room	\$20 per hour
Kitchen, with gym or room rental only	\$50 per hour, min 4 hours
Gymnasium	\$60 + 15% gate charge
Non-refundable deposit/cleaning fee	\$25 - \$500 per day

Section 1: Culture and Recreation

Non-commercial use/resident

Entire facility	\$80 per hour, min 4 hours
Meeting room	\$20 per hour
Each additional room	\$15 per hour
Kitchen, with gym or room rental only	\$30 per hour, min 4 hours
Gymnasium	\$30 + 15% gate charge
Non-refundable deposit/cleaning fee	\$25 - \$500 per day

Non-profit play or instructional classes

Per meeting room	\$15 per hour
Gymnasium	\$25 per hour
Administration Fee	\$15 + cost of rental fee

347540 COMMUNITY CENTER PROGRAMS

Monies received for camps, programs that are sponsored by the Community Center.

Responsible Department: Recreation Department/Community Center

League activities/instructional classes (residents)

City – adult activities	\$10 - \$105
City – youth activities	\$10 - \$105
Adult instructional classes	\$3 - \$50 per participant (max 10 hours)
Youth instructional classes	\$3 - \$50 per participant (max 10 hours)
Senior programs	\$2 - \$100

League activities/instructional classes (non-residents)

City – adult activities	\$30 - \$200
City – youth activities	\$20 - \$150.00
Adult instructional classes	\$5 - \$70 per participant (max 10 hours)
Youth instructional classes	\$5 - \$70 per participant (max 10 hours)
Daily user fee	\$2 - \$40
Senior programs	\$3 - \$40
League/activity sponsorship	\$30 - \$1,000

Section 1: Culture and Recreation

RECREATIONAL/INSTRUCTIONAL CLASSES – CONTRACTUAL LEADERSHIP

FEES RECEIVED FROM INDIVIDUALS PARTICIPATING IN CITY SPONSORED PROGRAMS, ACTIVITIES OR CLASSES THAT ARE FACILITATED BY NON-CITY EMPLOYEES WITH EXPERTISE IN THAT PARTICULAR AREA. (EG. AEROBICS, FLY-FISHING, DANCE...) PERCENTAGE BASED ON SKILL LEVEL OF THE INSTRUCTOR, ASSISTANCE REQUIRED FROM CITY STAFF AND FACILITY/EQUIPMENT/SUPPLIES MAY BE FURNISHED BY THE CITY. THIS STRUCTURING WILL ALLOW THE DEPARTMENT TO EXPAND PROFESSIONALLY LEAD PROGRAMMING FOR YOUTH, TEENS, ADULTS AND SENIORS WHILE GENERATING ADDITIONAL REVENUES FOR THE CITY. THE INCREASE IN REVENUES WILL BE DEPENDENT ON THE NUMBER OF PROGRAMS OFFERED AND THE PERCENTAGE AGREED UPON. THIS IS A WIDELY USED MODEL IN PARKS & RECREATION AGENCIES NATIONWIDE THAT TAPS INTO COMMUNITY RESOURCES THAT COULD OTHERWISE NOT BE AFFORDABLE TO THE AGENCY.

Options	Percentage of fees retained by the city	Percentage of fees retained by the facilitator
Split 1 – City provides material	60%	40%
Split 2 – Instructor only	50%	50%
Split 3 – Instructor provides material	40%	60%
Split 4 – School Fundraiser	20%	80%

Section 2 Building and Developers: Construction Permits, Developer Fees, Impact Fees, Right-of-Way permits, Engineering, Marine Application Fees, Map Fees

The governing bodies of local governments may provide a schedule of fees, as authorized by statutes for the enforcement of the provisions of its building code. Such fees shall be used solely for carrying out the local government's responsibilities in enforcing the Florida Building Code. All permit, processing, and plan review fees are non-refundable unless extenuating circumstances are submitted, in writing, and approved by the Building Official. All required fees shall be paid prior to the issuance of any permit and at the commencement of any construction.

NOTE: 10% of all fees collected within this section shall be accounted for and deposited in a separate account designated to support development review/compliance quality process improvement initiatives.

Code Reference: Section 125.56, F.S. Chapter 166.222; FS Section 468.631, 553.721, 553.80

Responsible Department: Community Development/Building Division

329505 Plan Review Fee

The following review fees are applicable to all building construction permits.

Plan Review Fee: All projects are subject to a review fee, which equals the greater of (50%) of the permit fee or actual cost, incurred by the City to include one resubmittal.

1. Projects greater than or equal to four stories and assembly occupancy over 5,000 square feet and or large projects/developments determined by the Building Official shall be submitted to the International Code Council (ICC), Birmingham office, for formal plan review. The applicant shall pay the fee to ICC at the time plans are submitted.
2. The City may require, at the Building Official's discretion, a review of the single-family dwelling plans by a structural engineer. In this case, the applicant shall be required to pay the cost of this review.
3. Public Swimming Pool and Applicable Water Features Review Fee:
 - a. Review Fee New Pool – Greater than 25,000 gallons \$495 to be paid upon submittal.
 - b. Review Fee New Pool – 25,000 gallons or less \$330 to be paid upon submittal.
 - c. Renovations and Modifications
 - I. Level I- No Review fee required.
 - II. Level II- Renovations and Modifications Review \$55 to be paid upon submittal.
 - III. Level III- Renovations and Modifications Review \$220 to be paid upon submittal.
4. All projects are subject to a review fee for Engineering/Erosion Control (341920) fee of \$55 to be paid upon submittal.
5. FEMA Flood Zone Review: ALL projects within these zones are subject to a review fee for Floodplain Review of \$55.
6. Wetlands Protection: ALL projects in or adjacent to environmentally sensitive areas (wetlands & open water bodies) are subject to a review fee of \$55. (341920)

Section 2: Building Permits and Developer Fees

- Any additional resubmittal for review shall be assessed an additional review fee of \$27.50 or 27.50% of the permit fee whichever is greater per division review. (341920)

329506 Contractor Registration Fee

An administrative fee will be charged on all contractors not licensed under FS 489 engaging in business in the City of Destin for which a permit is required. The administrative fee is for verification of state, county, and local licenses, as required by city ordinance and certificate of insurance from a Florida Licensed Insurance Company for General Liability 61G4-15.003(2)(c), and Worker's Compensation as required by FS 440.103, 440.41, 440.42, and 489.144.

Code Reference: Chapter 13 Art. IV, Sec. 13-75, Code of Ordinances

Responsible Department: Community Development/Building Division

Specialty Contractors- The City will charge one annual administrative fee for all contractors engaging in the practice of contracting in the City of Destin whose scope of work is identified in a specialty contractor's category.

Contractor annual administrative fee	\$57.20
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354200 (EBD06)_Building Code Violations – Unsafe Code Fines and Fees

Fines and fees will be charged for noncompliance with the Florida Building Code to include the following items will be charged \$100 for first citation, \$300 for second citation, and a third citation will result in a summons to appear before the Construction Regulation Board:

- Failure to obtain a permit before commencing work
- Failure to post a notice of commencement
- Failure to obtain required inspections
- Failure to maintain proof of current workers compensation or public liability insurance
- Failure to inform the City of change of name style, address, or that licensee has ceased qualifying as a business
- Making a material misrepresentation on a permit application

Failure to correct building code violations will be charged \$500 for the first citation. The second citation will result in a Summons to Appear before the Construction Regulation Board.

Code Reference: City of Destin Ordinance 366 and Chapter 489 Florida Statutes

Responsible Department: Community Development/Building Division

322000 Building Construction Permit Fees

- Permit Processing Fee: An administrative processing of \$55 is applied to all permits.
- Penalty Fee: Any work which commences prior to securing the appropriate permit or permits shall be charged a rate double the permit fee, which shall be collected by the Building Division. (Note: in accordance with Ordinance 336, the Building Official may issue a citation to the contractor.)
- Re-Permit Fee:

Section 2: Building Permits and Developer Fees

- a. Active permits: The fee for re-permitting any active permit will be 50% of the original building permit fee, no plan review fee, a \$55 processing fee, plus applicable state fees.
 - b. Inactive permits: The fee for re-permitting any inactive permit will be regular fees, no plan review fee, a \$55 processing fee, plus applicable state fees.
4. In accordance with Florida Statute, a Florida Building Code (FBC) Surcharge (208620) is collected on all Building Permits of 1% or a \$2 minimum. In addition, a Building Code Administrators, and Inspectors Fund (BCAIB) Surcharge (208630) is also collected on all Building Permits issued in the amount of 1.5% or a \$2 minimum. Both of these surcharges are remitted to the Florida Department of Professional Regulation.
5. All New (Heated and Cooled) Buildings or Structure Additions (includes Manufactured Buildings).
 - a. Building Division Permit Fee: A permit for any new building or structure, or for any addition to an existing building or structure, or portion thereof is based on square footage of gross floor area multiplied by \$0.17 per square foot.
 - b. Planning Division (329502) permit fee: Residential (Single Family – Attached/Detached or Duplex) is \$0.06 per square foot of gross floor area. This fee includes the initial Certificate of Occupancy as-built site inspection.
 - c. Engineering Division (341920) Permit Fee: Residential (Single Family –Attached/Detached or Duplex) is \$0.08 per square foot gross floor area.
 - d. Planning Division (329502) permit fee: Multiple Family and Commercial Structures. If applicable, the fee is \$132. This fee includes the Certificate of Occupancy or Certificate of Completion and as-built site inspection.
 - e. Engineering Division (341920) Permit Fee:- Multiple Family and Commercial Structures: If applicable, the fee is \$330. This fee includes initial Erosion Control inspection and the Certificate of Occupancy or Certificate of Completion and as-built site inspection.
6. Other Structure Fee:
 - a. Building Division Fee: For all other structures to include non-heated and cooled buildings, renovations, interior buildouts, sheds, decks, fences, etc. the permit fee is \$6.60 per \$1,000 (or fraction thereof) of estimated cost, up to \$20,000 plus \$5 per \$1,000 (or fraction thereof) of the estimated cost in excess of \$20,000 up to \$100,000 plus \$4 per \$1,000 (or fraction thereof) of estimated cost in excess of \$100,000 (or fraction thereof).
 - b. Planning Division (329502) permit fee: Residential (Single Family Attached/Detached or Duplex): If applicable, the fee is \$66.00. This fee includes the Certificate of Occupancy/Completion and as-built site inspection.
 - c. Engineering Division (341920) Permit Fee: Residential (Single Family Attached/Detached or Duplex): If applicable, the fee is: \$66. The fee includes Certificate of Occupancy/Completion and as-built site inspection.
 - d. Planning Division (329502) permit fee: Multiple Family and Commercial Structures: If applicable, the fee is \$132. This fee includes the Certificate of Occupancy/Completion and as-built site inspection.
 - e. Engineering Division (341920) Permit Fee: Multiple Family and Commercial Structures: If applicable, the fee is: \$165. This fee includes the Certificate of Occupancy/Completion and as-built site inspection.
 - ~~f. Re-inspection fees are the same as 6 above.~~
7. Commercial Signs.

Section 2: Building Permits and Developer Fees

- a. The Building Division Permit fee for all permanent signs is based on the total area of each sign (two-sided signs on the same structure are considered as one sign). The following fees per sign are as follows:

Up to 20 square feet	\$44
Over 20 square feet	\$55
Self-illuminated commercial sign, additional fee	\$22

- b. The Planning Division Permit fee (329502) for signs are established:
- If the sign will be mounted to an approved, existing structure, the permit fee is \$44.
 - If the sign will be mounted to a new structure, the permit-processing fee is \$88.

- c. Engineering Division (341920) Permit fee for ground signs only: \$44.

8. Mobile/Manufactured Homes.

- The Building Division Permit fee for mobile/manufactured homes, blocked, with skirts and tie-downs, is \$33.
- The Planning Division (329502) Permit fee for mobile/manufactured homes, blocked, with skirts and tie-downs fee is \$66. This fee includes the initial Certificate of Occupancy/Completion as-built site inspection.
- The Engineering Division (341920) Permit fee for mobile/manufactured homes, blocked, with skirts and tie-downs fee is \$55. This fee includes the initial Certificate/Completion as-built site inspection.

9. In Ground Swimming Pools and applicable water features (which includes all pool and water feature equipment, except electrical).

- Building Permit Fee:
 - The fee for new residential swimming pools and applicable water features (excluding electrical fee) is \$66.
 - The fee for new public swimming pools and applicable water features is \$165.
 - The fee for renovations/repair/modifications: to existing public swimming pools and applicable water features based on the level of modification as set forth in the Public Pool Modification Matrix Table is:
 - Level I- \$55
 - Level II- \$110
 - Level III- \$165
- Planning Division (329502) Permit Fee: The fee for new swimming pools, applicable water features and level III alteration/renovations is \$105.60.
- The Engineering Division (341920) Permit fee for new residential swimming pools, applicable water features and level III alteration/renovations is \$82.50.

10. Antennas - Dish and tower, roof and ground installations.

- Domestic (Residential R3) installation: A permit is required only for those towers that are of such height that they cannot be contained on an owner's property if they fall. The permit fee is \$33.
- Commercial (Non-Residential) installations: The fee is \$6.60 per \$1,000 (or fraction thereof) of the estimated cost up to \$20,000, plus \$5.50 per \$1,000 (or fraction thereof) of the estimated cost in excess of \$20,000 up to \$100,000, plus \$4.40 per \$1,000 (or fraction thereof) of the estimated cost in excess of \$100,000 (or fraction thereof).

11. Moving Buildings or Structures (excluding mobile homes): The fee to move any non-portable building or structure from one location to another location is \$99.

Section 2: Building Permits and Developer Fees

12. Demolition of Buildings or Structures:
 - a. Building Division Permit Fee: For the demolition of any building or structure, the fee is \$92.40. In addition to the demolition permit, you must submit a notice of asbestos removal form to the asbestos Coordinator for Northwest Florida District of Florida Department Environmental Protection (FDEP). (Note: The present address is 160 Government Center, Pensacola, Florida 31501). No Plan Review Fee or State fee.
 - b. Planning Division (329502) Permit Fee: The demolition permit fee is \$66.
 - c. Engineering Division (341920) Permit Fee: For the demolition of any building or structure, the fee is \$27.50. This fee includes initial Erosion Control inspection and the Certificate of Completion and site inspection.
13. Docks, Boathouses, Bulkheads and Seawalls:
 - a. Building Division Permit Fee: The fee for construction of docks, boathouses, bulkheads or seawalls is \$13 per \$1,000 (or fraction thereof) of estimated cost up to \$10,000, plus \$6.60 per \$1,000 (or fraction thereof) of the estimated cost in excess of \$10,000.
 - b. Planning Division (329502) Permit Fee: The permit fee is \$33.
14. Land clearing:
 - a. Planning Division (329502) Permit Fee: The fee for all land clearing permits is \$66.
 - b. Engineering Permit (341920) Fee: The fee for land clearing in lots 1 acre or less in size is \$82.50. The fee for land clearing in lots over 1 acre in size is \$165. Fee is based on lot size, not the land clearing/area of disturbance.
15. Protected Tree removal:
 - a. Planning Division (329502) Permit Fee: The fee for removing any protected or preserved tree shall be \$66.
16. Portable Buildings:
 - a. Planning Division (329502) Permit Fee: \$88
 - b. Engineering Division (341920) Permit Fee: \$55 (Floodplain)
17. Mobile Vending:
 - a. Planning Division (329502) Permit Fee: \$27.50 per location
18. Temporary Tents
 - a. Building Division Permit Fee: \$27.50
 - b. Planning Division (329502) Permit Fee: \$27.50
19. Solar Energy Systems Permit Fees: Signed Sealed Drawings required. The permit fee is \$13.20 per \$1,000 (or fraction thereof) of estimated cost, up to \$10,000 plus \$6.60 per \$1,000 (or fraction thereof) in excess of \$10,000.

Section 2: Building Permits and Developer Fees

20. Electrical Permit Fees:

a. Electrical Service:

Temporary service to 100 amperes	\$33
Early service power – first service	\$44
Early service power – each additional service NOTE: Required prior to final inspection and no occupancy shall occur prior to issuance of a Certificate of Occupancy, by the Building Official. If the premises are occupied prior to the issuance of a Certificate of Occupancy, or a Certificate of Completion, the power company may be notified to disconnect the power and the permit will be subject to action by the Code Enforcement Board.	\$13.20
Permanent service up to 100 amperes	\$49.50
Permanent service 101 to 200 amperes	\$66
Permanent service 201 to 400 amperes	\$82.50
Permanent service 401 to 600 amperes	\$99
Permanent service 601 to 800 amperes	\$132
Permanent service over 801 amperes	\$132 plus \$0.05 per ampere over 800 amperes
Circuits	\$2.75 each
Low voltage systems i.e., tv, phone, sound, alarm (Exclude wireless security systems for 1 & 2 family)	\$6.60 per system
Electrical repair wiring or renovations	\$13.20 per \$1,000 of estimated cost up to \$10,000 plus \$6.60 per \$1000 in excess of \$10,000 and \$3.30 for each circuit added or altered
Meter/service change outs (to include gang meters)	\$36.30 per meter
Functional check	\$55

- b. Swimming Pools and applicable water features: The permit fee, which includes all pool and applicable water feature equipment grounding, and underwater lights, is \$44.

21. Mechanical Permit Fees:

a. Heat and Air Conditioning Unit (including heat pump) New or Change outs:

Up to five tons, per system fee	\$66
Over five tons	\$66 plus \$3.50 per ton over 5 tons

- b. Refrigeration system is \$26.40 each.
c. Commercial kitchen Hood system is \$26.40 each.
d. Incinerator or Boiler is \$26.40 each.
e. Mechanical repair is \$13.20 per \$1,000 (or fraction thereof) of estimated cost, up to \$10,000 plus \$6.6 per \$1,000 (or fraction thereof in excess of \$10,000).

22. Plumbing Permit Fees:

- a. Each fixture, roughed-in and/or final inspection is \$5.5 per plumbing fixture.
b. Each individual tap for sewer, septic, grease trap/interceptor, back-flow protector, roof drain and water connection is \$13.20.
c. Plumbing repair/re-piping or renovations is \$13.20 per \$1,000 (or fraction thereof) of estimated cost, up to \$10,000 plus \$6 per \$1,000 (or fraction thereof in excess of \$10,000).

Section 2: Building Permits and Developer Fees

23. Gas Installation Permit Fees:

- a. Each fixture is \$5.5.
- b. Gas piping (Natural or LP) to a unit or building is \$26.40 per connection, to include installation of generators to existing homes/structures.
- c. Gas repair/re-piping or renovations is \$13.20 per \$1,000 (or fraction thereof) of estimated cost, up to \$10,000 plus \$6.60 per \$1,000 (or fraction thereof in excess of \$10,000).

24. Fire Sprinkler/Suppression Systems Permit Fees:

- a. Commercial kitchen hood suppression:
 - i. \$66 up to 4 nozzles heads
 - ii. \$11 per additional nozzle head thereafter
- b. Fire Sprinkler system:
 - i. The fee is \$0.88 per sprinkler head/nozzle for new construction.
 - ii. The fee is \$11 per water line feeding above systems.
 - iii. The fee is \$11 per standpipe.
 - iv. The fee is \$13.20 for repair or modification per \$1,000 (or fraction thereof) of estimated cost, up to \$10,000 plus \$6.60 per \$1,000 (or fraction thereof) in excess of \$10,000.

25. Utility Site/Infrastructure Permit Fees:

- a. Systems up to 20 devices (manholes, catch basin, storm drains) is \$220
- b. Systems with over 20 devices is \$385.
- c. Planning Division (329502) fee is \$132.
- d. Engineering Division (341920) Fee: \$165

26. Parking Lot Resurface, Restripe and Overlay Permit Fees:

- a. Building Division fee is \$110
- b. Planning Division (329502) fee is \$132
- c. Engineering Division (341920) Fee: \$82.50

27. Code Compliance Inspection Permit Fee: For anyone who request to have an inspection for general life safety or building code compliance which are outside of performing construction activity, the fee is \$55.

28. Re-inspection Fees: (All subsequent re-inspections shall be doubled the previous fee)

Building Division	Building Inspections	Initial re-inspection	38.50
Planning Division	Certificate of Occupancy -Site Insp	Single Family or Duplex	110.00
		Minor Development Orders	506.00
		Major Development Orders	676.50
Engineering Division	Certificate of Occupancy - Site Insp	Single Family or Duplex	110.00
		Minor Development Orders	165.00
		Major Development Orders	330.00
Eng. & Planning Div.	Certificate of Completion - Site Insp		55.00
Engineering Division	General Site	All Developments	55.00

The initial inspection is included in the permit fee. A re-inspection fee to the Building Division of \$38.50 for the first re-inspection (per unit/building or structure). The fee for a second re-inspection shall be \$77.00, and the fee for a subsequent re-inspection shall be \$154 each. (Note: See FS Section 553.80(4)(c)). Planning Division's (329502) Certificate of Occupancy (As-Built) site re-inspection fees: Residential (Single Family or Duplex) \$110, Minor Development Order \$506 and Major Development

Section 2: Building Permits and Developer Fees

~~Order \$676.50. Engineering Division's (341920) Certificate of Occupancy (As-Built) site re-inspection fees: Residential (Single Family or Duplex) \$110; Certificate of Completion site re-inspection fee \$55. Site reinspection fee is \$165 for minor development and \$330 for major development.~~

29. Stop By/Walk Through Inspection Request Fee: The fee will be \$55.

329503 Right-of-Way Fees

The Land Development Code provides that City Council will establish and collect fees for issuing Right of Way Construction Permits for work in the City's rights of way. NOTE: 10% of all fees collected within this section shall be accounted for and deposited in a separate account designated to support development review/compliance quality process improvement initiatives.

Code Reference: LDC 8.01.00 & Resolutions 02-06, 02-23, 04-13, 04-15

Responsible Department: Community Development Department – Engineering Division

Utility right-of-way permit	\$286
Right-of-way administration fee – Residential single/duplex	\$44 per row
Right-of-way administration fee – Commercial or multi-family	\$137.50 per row
Construction right-of-way – Nonresidential	\$12.10 per 100 linear feet PLUS: \$85.80 per road bore \$286 per road cut \$85.80 landscaping/irrigation
Commercial right-of-way – Nonresidential individual simple owner fee for hold harmless & maintenance agreement	\$55
Commercial right-of-way – Nonresidential other ownership (corporate or trust) fee for hold harmless & maintenance agreement	\$93.50
Residential (single or 2-family lot)	\$12.10 per 100 linear feet PLUS: \$23.10 per bore \$286 per road cut \$23.10 landscaping/irrigation
Residential (single or 2-family lot) Individual simple owner fee for hold harmless & maintenance agreement	\$55
Residential (single or 2-family lot) other ownership (corporate or trust) fee for hold harmless & maintenance agreement	\$93.50
Right-of-way inspections – Commercial satisfactory completion	
Initial inspection	No charge
First site re-inspection	\$88
Each subsequent re-inspection	\$143
Right-of-way inspections – Residential satisfactory completion	
Initial inspection	No charge
First site re-inspection	\$71.50
Each subsequent re-inspection	\$93.50
Right-of-way – vacation/easement	\$2750

111300-329502 BUILDING DEPARTMENT LIEN REVIEWS

Lien reviews are most commonly related to building permits for homes. As such lien request (aka property status letter) fees are recorded in the Building Department. NOTE: 10% of all fees collected within this section shall be accounted for and deposited in a separate account designated to support development review/compliance quality process improvement initiatives.

Property Status Letter (Lien Requests)	\$35
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01300-329502 LAND DEVELOPMENT REVIEW FEES (aka ZONING REVIEW FEES)

The Land Development Regulations provide that the City Council of the City of Destin, Florida will establish land development review, permit and other fees. Fees are set to cover the cost of the work associated with review, permitting, inspection and other activities associated with land development. The City may require, at its discretion, the review and advise of an expert consulting professional on any development application. Applicants will be responsible to reimburse the City for these outside costs plus a 10% Administrative Fee. NOTE: 10% of all fees collected within this section shall be accounted for and deposited in a separate account designated to support development review/compliance quality process improvement initiatives.

Code Reference: Land Development Code 18.01.00

Responsible Department: Community Development

DEVELOPMENT ORDER RELATED APPLICATIONS:

The following development order related application fees include first submittal reviews only. Subsequent submittal reviews and advertisement costs and mailing costs will be invoiced to the applicant at actual cost plus a 10% Administrative Fee. All invoices must be paid in full prior to submittal of additional submittal packages and/or the issuance of the Final Development Order (DO).

TYPE OF APPLICATION	APPLICATION FEE
<u>Pre-Application Review - Residential</u>	\$50
<u>Pre-Application Review - Non residential</u>	\$150
Developer's Agreement	\$4500
Major Developments	\$5500
Minor Developments	\$3500
Major Deviations to a Major Development	\$4500
Minor Deviations to a Major Development	\$2500
Major Deviation to a Minor Development	\$4500
Minor Deviation to a Minor Development	\$2500
Simple Deviation	\$1000
Planned Unit Development (PUD) (in addition to fee for subdivision, major development or minor development)	\$4000
Landscaping Plan Review (if not submitted as part of a DO Application)	\$750
Outdoor lighting plan review (if not submitted as part of a DO Application)	\$750

Section 2: Building Permits and Developer Fees

Development Order Exemption	\$500
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DEVELOPMENT ORDER CONSTRUCTION PERFORMANCE BONDS

Some development orders will require construction performance bonds. After City Engineering staff complete an inspection of the construction site against the development order and find the developer has satisfactorily met the requirements of the development order, the City will issue a bond release letter after payment of:

DESCRIPTION	FEE
341920 Engineering Fee (for Bond Inspection)	\$80
341300 Administrative Service Fee	\$250
341300 Bond Handling Fee	10% of Bond

Code Reference: Land Development Code 2.20.00 C3

Responsible Department: Community Development

SUBDIVISION RELATED APPLICATIONS:

The following subdivision related application fees include first submittal reviews only. Subsequent submittal reviews and advertisement costs and mailing costs will be invoiced to the applicant at actual cost plus a 10% Administrative Fee. All invoices must be paid in full prior to submittal of additional submittal packages and/or final approval.

TYPE OF APPLICATION	APPLICATION FEE
Major Subdivisions	\$4500
Minor Subdivisions	\$2000
Replat of Subdivision/Lot Reconfiguration	\$1500
Lot Split	\$1000
Deed of Gift	\$1000
If easements follow the plat, replat, or lot reconfiguration and are executed by a separate document	\$500 per easement

ORDINANCE AMENDMENT RELATED APPLICATIONS:

An applicant applying for any one of the following ordinance amendment related applications is responsible for paying to the City: administrative expenses, cost recovery for the use of outside consultants by the City to review the application, legal notice costs, and mailing cost at actual cost plus a 10% Administrative Fee.

TYPE OF APPLICATION	APPLICATION FEE
Comprehensive Plan Text Amendment	\$2000
Comp Plan Future Land Use Map (FLUM) Amendment	\$2000
Land Development Code (LDC) Text Amendment	\$2000
LDC Rezoning Map Amendment	\$2000
Code of Ordinance Text Amendment	\$2000

BOARD OF ADJUSTMENT RELATED APPLICATIONS:

An applicant applying for any one of the following Board of Adjustment applications is responsible for paying to the City: administrative expenses, cost recovery for the use of outside consultants by the City to review the application, legal notice costs, and mailing cost, at actual cost plus a 10% Administrative Fee.

Section 2: Building Permits and Developer Fees

TYPE OF APPLICATION	APPLICATION FEE
Administrative Decision Appeal	\$1000
Variance	\$1000
Exception (Marina Siting Only)	\$1000

TABLING AND/OR REHEARING:

The following fees are established for an applicant initiating tabling and/or re-hearing of an application at City Council, Local Planning Agency (LPA), Board of Adjustment (BOA), or Technical Review Team (TRT). The applicant is responsible for paying to the City administrative expenses, cost recovery for the use of outside consultant by the City to review the application, legal notice costs, and mailing cost, at actual cost plus a 10% Administrative Fee.

TYPE OF HEARING	FEE
City Council	\$500
Local Planning Agency (LPA)	\$500
Board of Adjustments	\$500
Technical Review Team	\$500

MISCELLANEOUS APPLICATIONS, FEES, & LETTERS:

TYPE OF APPLICATION, FEE, OR LETTER	FEE (Per Application or Letter)
Alcohol Licenses	\$100
Zoning Compliance Letter	\$100
FDEP Review Letter	\$100
Re-Addressing for Convenience	\$500
Home Occupation	\$55
White Sands Compliance Inspection	\$100
Each re-inspection due to failure of a previous inspection	\$150
Dog Friendly Dining	\$500
Conditional Use	\$1500
Home Solicitation Sales	\$55
Change of Use Application Fee - Commercial	\$500
<u>Change of Use Application Fee - Short Term Rental</u>	<u>\$2000</u>
Change of Use Application Fee - Home Occupation	\$50
Change of Use Application Fee - Mobile Vendor	\$25 per location
Parking Agreement Review	\$500
White Sands Review	\$100
Street Name Change	\$500
<u>Special Beach Event Permit - Residential</u>	<u>\$250</u>
<u>Special Beach Event Permit - Commercial</u>	<u>\$500</u>
Outside Consulting Fee	10% of invoice or \$200 whichever is less

324xxx IMPACT FEES

Fees charged to developers at the time of development for construction of facilities to serve the development site. Impact fees are based on the Impact fee study performed in 2007.

Code Reference: Land Development Code

Responsible Department: Community Development Department

324110 IMPACT FEES - PUBLIC SAFETY- RESIDENTIAL

Land Use Type	Unit	Fee
Residential, less than 500 sq. ft.	Dwelling	\$9
Residential, 500—749 sq. ft.	Dwelling	\$11
Residential, 750—999 sq. ft.	Dwelling	\$13
Residential, 1,000—1,499 sq. ft.	Dwelling	\$16
Residential, 1,500—1,999 sq. ft.	Dwelling	\$19
Residential, 2,000—2,999 sq. ft.	Dwelling	\$23
Residential, 3,000—3,999 sq. ft.	Dwelling	\$27
Residential, 4,000 sq. ft or more	Dwelling	\$31
Mobile home/RV park	Pad	\$21
Hotel/Motel	Room	\$11

324120 IMPACT FEES - PUBLIC SAFETY – COMMERCIAL

Land Use Type	Unit	Fee
Retail/commercial	1,000 sq. ft.	\$31
Office	1,000 sq. ft.	\$18
Industrial	1,000 sq. ft.	\$11
Warehouse	1,000 sq. ft.	\$11
Church/Synagogue	1,000 sq. ft.	\$11
School/college	1,000 sq. ft.	\$11
Hospital	1,000 sq. ft.	\$11
Nursing home	1,000 sq. ft.	\$11
Other institutional	1,000 sq. ft.	\$11

324210 IMPACT FEES - PHYSICAL ENVIRONMENT – RESIDENTIAL

The Net Positive Environmental Benefit Impact Fee is 25% of the cost of construction for all marinas, docks, piers or other similar development within the Destin harbor and canals adjacent to the Destin Harbor.

324220 IMPACT FEES - PHYSICAL ENVIRONMENT - COMMERCIAL

The Net Positive Environmental Benefit Impact Fee is 25% of the cost of construction for all marinas, docks, piers or other similar development within the Destin harbor and canals adjacent to the Destin Harbor.

3243X0 IMPACT FEES – TRANSPORTATION

These Fees help the city address development impacts on transportation to include traffic, roads, sidewalks, streetlights, and parking.

324310 IMPACT FEES - TRANSPORTATION - RESIDENTIAL

Land Use Type	Unit	Fee
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Section 2: Building Permits and Developer Fees

Residential, less than 500 sq. ft.	Dwelling	\$583
Residential, 500—749 sq. ft.	Dwelling	\$724
Residential, 750—999 sq. ft.	Dwelling	\$855
Residential, 1,000—1,499 sq. ft.	Dwelling	\$1,016
Residential, 1,500—1,999 sq. ft.	Dwelling	\$1,198
Residential, 2,000—2,999 sq. ft.	Dwelling	\$1,425
Residential, 3,000—3,999 sq. ft.	Dwelling	\$1,677
Residential, 4,000 sq. ft or more	Dwelling	\$1,896
Mobile home/RV park	Pad	\$780
Hotel/Motel	Room	\$981

324320 IMPACT FEES - TRANSPORTATION - COMMERCIAL

Land Use Type	Unit	Fee
Retail/shopping center	1,000 sq. ft.	\$1,752
Discount Superstore	1,000 sq. ft.	\$2,242
Bank, Walk-in	1,000 sq. ft.	\$2,043
Bank, Drive-in	1,000 sq. ft.	\$3,205
Supermarket	1,000 sq. ft.	\$3,298
Convenience market	1,000 sq. ft.	\$4,216
Golf Course	Acre	\$548
Marina	Berth	\$321
Racquet/Health Club	1,000 sq. ft.	\$3,584
Restaurant, Fast Food	1,000 sq. ft.	\$4,638
Restaurant, High Turnover	1,000 sq. ft.	\$4,464
Restaurant, Sit-Down	1,000 sq. ft.	\$3,244
Service Station	Fuel Position	\$1,030
Office, General	1,000 sq. ft.	\$1,404
Hospital	1,000 sq. ft.	\$2,262
Nursing Home	1,000 sq. ft.	\$786
Church/Synagogue	1,000 sq. ft.	\$883
School/College	1,000 sq. ft.	\$354
Day Care Center	1,000 sq. ft.	\$2,048
Other Institutional	1,000 sq. ft.	\$1,404
General Light Industrial	1,000 sq. ft.	\$888
Warehouse/Storage	1,000 sq. ft.	\$632
Mini-warehouse	1,000 sq. ft.	\$319

324610 IMPACT FEES - LIBRARY - RESIDENTIAL

Land Use Type	Unit	Fee
Residential, less than 500 sq. ft.	Dwelling	\$62
Residential, 500—749 sq. ft.	Dwelling	\$78
Residential, 750—999 sq. ft.	Dwelling	\$93
Residential, 1,000—1,499 sq. ft.	Dwelling	\$112
Residential, 1,500—1,999 sq. ft.	Dwelling	\$133
Residential, 2,000—2,999 sq. ft.	Dwelling	\$160

Section 2: Building Permits and Developer Fees

Residential, 3,000—3,999 sq. ft.	Dwelling	\$190
Residential, 4,000 sq. ft or more	Dwelling	\$217
Mobile home/RV park	Pad	\$149
Hotel/Motel	Room	\$0

324620 IMPACT FEES - LIBRARY - COMMERCIAL

No Library Impact Fees are assessed for Commercial Development

324611 IMPACT FEES – RESIDENTIAL – PARKS

Land Use Type	Unit	Fee
Residential, less than 500 sq. ft.	Dwelling	\$186
Residential, 500—749 sq. ft.	Dwelling	\$235
Residential, 750—999 sq. ft.	Dwelling	\$279
Residential, 1,000—1,499 sq. ft.	Dwelling	\$335
Residential, 1,500—1,999 sq. ft.	Dwelling	\$399
Residential, 2,000—2,999 sq. ft.	Dwelling	\$479
Residential, 3,000—3,999 sq. ft.	Dwelling	\$570
Residential, 4,000 sq. ft or more	Dwelling	\$649
Mobile home/RV park	Pad	\$447
Hotel/Motel	Room	\$243

324621 IMPACT FEES – COMMERCIAL – PARKS

No Parks Impact Fees are assessed for Commercial Development

341920 ENGINEERING FEES

The Land Development Code provides that City Council will establish and collect certain fees for engineering services.

Code Reference: Resolutions 02-06, 02-23, 04-13, 04-15

Responsible Department: Community Development Department/Engineering Division

Development Order Review Fees:

TYPE OF APPLICATION:	E&S Review Fee	Engineering Review Fee	Floodplain Review Fee	Re-Review Fee
MAJOR DEVELOPMENT or DEVIATION	\$200	\$200	\$25	\$100
MINOR DEVELOPMENT or DEVIATION	\$100	\$100	\$25	\$50
SIMPLE DEVIATION	\$100	\$100	\$25	\$50

341940 MARINE APPLICATION FEES

The collection of residential and commercial application fees is for review by the Harbor Board and Staff. NOTE: 10% of all fees collected within this section shall be accounted for and deposited in a separate account designated to support development review/compliance quality process improvement initiatives.

Code Reference: 11.05 Code of Ordinance

Responsible Department: Community Development/Planning Division

	Fee (Per Application or Letter)
RESIDENTIAL	\$250
COMMERCIAL	\$1000

Net Positive environment Benefit (NPEB) is 25% of the cost of construction for all work performed in the Destin Harbor.

341911 MAPS & PUBLICATIONS

Monies collected for providing copies, to include but not limited to, maps, plats and documents.

Responsible Department: Public Services/City Manager's Office (GIS)

Standard data fees: \$3.10 / standard CD
 \$13.40 / standard aerial DVD
 \$13 / Aerial DVD

- Standard CD types are base vectors and aerial rasters. (Land use vectors available in future.)
- Base vector CD includes roads, water, 7.5-minute quads, quarter-quads, fire stations, city government buildings, libraries, parks, police stations, schools, flood zones, category storm surge, county border, city limits, zoning, future land use, community redevelopment agencies/areas, building footprints, digital elevations & aerial index.
- For parcels, contact Okaloosa County at 850-651-7958.
- In the future, free copies of standard CDs will be given quarterly to public library.
- Standard DVD types are base vectors and aerial rasters.
- Base vector DVD includes same layers as a Standard CD in un-zipped format.
- Aerial Raster DVD has same capacity as (3) CD's.

Standard Map Fees per page		
Size	Sparse Shading	Dense Shading
8.5 x 11 A	\$2.60	\$5.15
8.5 x 14	\$2.60	\$5.15
11 x 17 B	\$5.15	\$10.30
13 x 19	\$5.15	\$10.30
17 x 24 C	\$10.30	\$15.45
24 x 36 D	\$15.45	\$25.75
34 x 44 E	\$25.75	\$36.05

The above fees are based on map type, ink shading, and printing time, and color-copy fees at local company for small densely shaded maps. A map with over 25% of page shaded with solid ink is considered densely shaded. Custom requests are considered case by case with additional costs. Cost agreement may be in writing. Fulfilled only if costs are agreed upon, time is permitting, and media is practical. Includes but is not limited to:

- Any creation of new data.
- Any modification to existing data and maps.
- Any non-standard media (other than inkjet paper and CD's).
- Any non-standard format such as AutoCAD.dxf

Custom fees: \$22.65 / hour staff rate (calculated in 15-min increments, no charge for first 15 min), plus media.
 \$3.10 / 650mb CD media, \$13.40 DVD media.

Section 3 Licenses and Permits: Business Tax Receipts (aka business licenses), Rental Registration (LTR/STR), Livery Permits, Vendor Permits, Marine Application Fees, Code Violations

316000 Local Business Taxes (aka Business Tax Receipts aka BTRs)

Fees levied by the City on all businesses, trades, and professions operating with the City or transacting business in interstate commerce where such tax is not prohibited by Sec. 8, Article 1 of the United States Constitution.

Local Business Tax Receipts are invoiced in July and due on October 1 each year. They expire September 30 the succeeding year. A Business Tax Receipt may be transferred to a new owner upon payment of a transfer fee and presentation of evidence of the sale and the original BTR. Receipt holders must comply with all applicable codes of the City and County, including building, fire, and health codes and zoning laws. Fees renewed after ~~October 14~~ September 30 are subject to up to 25% in penalties.

Code Reference: F.S. Chapter 166.201, 205.042, 205.043, 205.053, Sec. 13-40 Code of Ordinances

Responsible Department: Community Development/Building Division

1. Charter boats: All charter boat or fare-carrying boat businesses shall pay a per boat base fee plus a per passenger fee based upon Coast Guard certified passenger capacity.

Charter boats, per boat base	\$ 50 100 per boat
Charter boats, per passenger fee	\$1.25 per passenger

2. Coin-operated machines: All businesses or activities utilizing coin-operated machines, except pay telephones, shall pay a BTR based upon the number of such machines. The local business tax fee will be determined based upon the total number of coin-operated machines the business or activity utilizes within the corporate limits of Destin, with a list of individual locations of coin-operated machines to be provided by the business or activity making application for a license. The owner of the business or activity shall make sufficient copies of the issued license for display at each coin-operated machine location.

Vending machines are those coin-operated devices which dispense a product in exchange for a coin, i.e., soft drinks, candy, grooming aids, cigarettes, etc. Amusement machines include devices such as pinball, electronic games, pool tables, skeet ball, juke boxes, etc. Laundry machines include washers, hot air dryers and dry-cleaning machines.

Amusement machines, per machine	\$ 10
1 to 10 vending machines	\$ 50 62.50
11 to 25 vending machines	\$ 100 125.00
26 or more vending machines	\$ 150 187.50
1 to 25 coin-operated washing machines and dryers	\$ 50 62.50
26 to 50 coin-operated washing machines and dryers	\$ 100 125.00
51 or more coin-operated washing machines and dryers	\$ 150 187.50

Section 3: Business Licenses and Permits

3. Commercial fishing: Net boats, long line and all other commercial non-charter fishing businesses which sell seafood for profit, either retail or wholesale, shall pay a fee based upon the greatest number of vessels.

First boat	\$ 50 100.00
Each additional boat	\$ 25 50.00

4. Contractors and subcontractors: The classifications below are as defined in Florida Statutes Section 489.105.

General contractor	\$ 125 187.50
Building contractor	\$ 100 200.00
Residential, sheet metal, roofing, electrical, class A air conditioning, mechanical, plumbing, and commercial swimming pool contractors and subcontractors	\$ 75 150.00
Class B air conditioning and residential swimming pool contractors and subcontractors	\$ 50 100.00
Class C air conditioning and swimming pool service contractors or subcontractors	\$ 50 100.00
Handymen and similar craftsmen	\$ 25 50.00
All other contractors and subcontractors not listed herein	\$ 50 100.00

5. Food and beverage establishments:

Restaurants, cafes, snack bars, dining rooms, lounges, taverns, nightclubs and the like, whether operating in conjunction with some other line of business or not, base minimum plus per seat	\$ 50 100.00 min \$1.25 per seat
Snack counters, drive-ins, catering services, take-out services which maintain no seats, or like businesses which may provide some seating but whose primary nature of business is take-out or delivery of food and/or beverages	\$ 50 100.00

6. Gasoline stations (including marinas). The annual BT fee shall be based upon the maximum number of vehicles/vessels which can be serviced at any given time, in addition to other fees as may be required pursuant to this article.

1 to 4 vehicles/vessels	\$ 50 62.50
5 to 10 vehicles/vessels	\$ 100 125.00
11 to 15 vehicles/vessels	\$ 150 187.50
16 or more vehicles/vessels	\$ 200 250.00

7. Insurance:

Each insurance company writing any class of insurance upon any person or property residing or located within the city	\$ 50 100.00
Insurance agent or firm doing such business as agent or other representative of insurance company or companies, for each place of business	\$ 100 200.00

Section 3: Business Licenses and Permits

Each traveling or itinerant insurance agent or solicitor, soliciting business within the city	\$100 200.00
Insurance solicitors employed by, or representing, insurance agents who have an annual license as provided by this section	\$50 100.00

8. Leisure rentals: Businesses renting boats, yachts, jet skis, beach equipment, sailboats, motorcycles, mopeds, bicycles, or other similar equipment shall pay a BT fee based upon the number of units. The local business tax fee will be determined based upon the total number of leisure rentals the business or activity rents to the public within the corporate limits of Destin, with a list of individual locations of leisure rental setups to be provided by the business or activity making application for a BT receipt. The business owner or manager shall be responsible for making copies of the issued receipt, with a copy of said license to be distributed to each location site.

1 to 10 units	\$50 62.50
11 to 20 units	\$100 125.00
21 to 30 units	\$150 187.50
31 or more units	\$200 100.00

9. Marinas, dry docks, boat storage: Marinas, dry docks and boat storage annual license fees will be based upon the number of spaces for rent.

Spaces	Wet	Dry
1 to 3	\$50 65.50	\$50 62.50
4 to 10	\$100 125.00	\$50 62.50
11 to 20	\$150 187.50	\$75 93.75
21 to 40	\$200 250.00	\$100 125.00
41 to 60	\$250 312.50	\$125 156.25
61 or more	\$300 375.00	\$150 187.50

10. Professionals: The fees referenced in this section apply to each individual pursuing such profession or professional activities and not against the firm, partnership or corporation. Therefore, each individual must obtain a separate receipt rather than one (1) receipt being acquired by a firm, partnership or corporation. It shall be the responsibility of the principle of each firm to provide to the city a list of individual professionals working from or in the firm's office at the time of application, and to notify the city each time additional professionals assume professional working activities from the office. Each professional is responsible for acquiring his/her individual license BTR and shall post the issued BTR in a conspicuous place in the office in which the professional conducts business activities.

Class 1: Accountants/certified public accountants, architects, attorneys, chiropractors, dentists, engineers, medical doctors, opticians, optometrists, psychiatrists, psychologists, surveyors, and veterinarians	\$150 225.00
Class 2: Real estate brokers and stockbrokers	\$100 200.00
Class 3: Real estate agents, barbers, beauticians, cosmetologists, electrologists, and others not referenced in class 1, class 2, or in the insurance category (item 7 above)	\$25 50.00

Section 3: Business Licenses and Permits

11. Rental units: All hotels, motels, houses, cottages, condominium units, trailer spaces, boardinghouses and all other units or spaces rented. The local business tax fee will be determined based upon the total number of rental units the business or activity manages within the corporate limits of Destin, with a list of individual locations of rental units to be provided by the business or activity making application for a BTR. The business owner or manager shall post the issued BTR in a conspicuous place in the office which manages the rental units.

1 to 4 units	\$ 25 31.25
5 to 10 units	\$5062.50
11 to 50 units	\$ 100 125.00
51 to 100 units	\$ 200 250.00
101 to 200 units	\$ 300 375.00
201 to 500 units	\$ 400 500.00
501 or more units	\$ 500 625.00
Mini-warehouse storage facilities	\$ 200 300.00

12. Retail, wholesale, manufacturing, services, financial institutions, clubs, pawnshops, private schools, car rentals, hospitals, clinics, advertising agencies, consultants, etc. All financial institutions and businesses selling goods, either wholesale or retail; businesses for the manufacture or assembly of goods; businesses providing services; all clubs, including golf, racquetball, swimming, health, social and the like; miniature golf, water slides and bowling alleys; private schools of any description; automobile rental agencies; and wrecker towing services shall pay a fee based upon the total number of employees. An employee shall be defined as any person actively connected with the business working within the city limits. An affidavit may be requested to accompany the application for such BTR stating the greatest number of individuals employed during any twenty-four-hour period during the preceding business tax year. The City Manager or his designee shall be supplied proof of the number of employees upon demand.

1 to 5 employees	\$5062.50
6 to 20 employees	\$ 100 125.00
21 to 50 employees	\$ 150 187.50
50 Or more employess	\$ 200.00 250.00

13. Taxicabs, limousines, buses, private ambulances, courtesy cars, delivery cars, etc.: The annual BTR fee shall be a per-unit charge.

Taxicabs, per unit	\$5062.50
Limousines, per unit	\$ 100 125.00
Buses: up to 40 passengers, per unit	\$ 100 187.50
Buses: 41 or more passengers, per unit	\$ 150 250.00
Courtesy/delivery cars, private ambulances, per unit	\$5062.50

Section 3: Business Licenses and Permits

14. Theaters: Annual BTR fees will be based upon seating capacity.

1 to 30 seats	\$5062.50
31 to 100 seats	\$100125.00
101 to 300 seats	\$150187.50
301 to 500 seats	\$200250.00
501 to 750 seats	\$250312.50
751 or more seats	\$300375.00

15. Miscellaneous.

Any business activity not listed	\$200300.00
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OTHER PERMITS AND LICENSES

329500 Rental Registration

The collection of administrative fees for the processing of applications for long- and short-term rental according to the following schedule: NOTE: 10% of all fees collected within this section shall be accounted for and deposited in a separate account designated to support development review/compliance quality process improvement initiatives.

Code Reference: Chapter 13, Code of Ordinance Article 6 and Article 7

Responsible Department: Code Compliance Department

Long-term Rentals:

The registration is valid May 1st to May 1st.

Rental Unit	\$50
Multiple rental units (i.e., apartment complex) located on one single parcel with onsite property management	\$50 Single Registration fee Via the onsite property management
Multiple rental units not located on one single parcel and no available onsite property management	\$50 Per Unit
Late Fee (after June 1 st)	\$50 After July 1st

Short-term Rentals:

Rental unit is a single-family dwelling unit as defined in Chapter 13, Code of Ordinance. The total fee may include an administrative (paper application) fee of \$25, a reapplication fee of \$25, in addition to the rental registration fee based upon building total area square footage (as per Okaloosa Property Appraiser Building File data) as follows:

Up to 2499 square feet (TOTAL SQUARE FOOTAGE)	\$500
2500-4999 square feet	\$600
5000+ square feet	\$700

Section 3: Business Licenses and Permits

Additional short-term rental fees that may apply:

Administrative Fee (Paper Application)	\$25
Late Fee after March 31 st	\$100
Late Fee after June 1 st	\$500

329400 Livery Vessel Permitting

The Land Development Code provides that City Council will establish and collect fees for the issuance of Livery Vessel Permits. NOTE: 10% of all fees collected within this section shall be accounted for and deposited in a separate account designated to support development review/compliance quality process improvement initiatives.

Code Reference: Ordinance 17-02-CC

Responsible Department: Code Compliance Development

Livery Vessel Permit Fee	\$100 Per Vessel
Late Fee, per vessel After March 1 st of every calendar year	\$25

329504 Beach Management Vendor Permits

The Land Development Code provides that City Council will establish and collect fees for the issuance of Beach Vendor Permits. NOTE: 10% of all fees collected within this section shall be accounted for and deposited in a separate account designated to support development review/compliance quality process improvement initiatives.

Code Reference: LDC 11.08.03

Responsible Department: Code Compliance Department

Wheeled Vehicle Permit, per vehicle	\$50
Beach Vendor Permit, per location	\$150
Late Fee, per location	\$25

329508 Sexually Oriented Business License

Ordinance 09-06-LC provides that City Council will establish and collect fees for the issuance of annual licenses for purposes of ensuring compliance with certain regulations. All licenses shall expire on September 30th of each year unless otherwise suspended or revoked. Applications for renewal shall be made at least 20 days before the expiration of the license. The fines for operating a sexually oriented business without business and employee licenses may be \$250 to \$500 and/or jail for a period not to exceed sixty days for each violation day.

Code Reference: Ordinance 09-06-LC

Responsible Department: Code Compliance Department

Initial Application Fee, per business	\$250
Annual Renewal Fee, per business	\$100
Initial Application Fee, per employee	\$50
Each Additional License, per employee	\$20
Annual Renewal Fee, per employee	\$50
Annual Renewal of each additional license per employee	\$10

354100 Code Violation Fines

These are fines assessed by the Code Board for non-compliance of violations. In the case of a first violation, the code enforcement board may order the violator to pay a fine not to exceed two hundred fifty dollars (\$250.00) for each day the violation continues past the date set by the board's order for compliance.

In cases where the code enforcement board has found that a repeat violation has been committed, the board may order the violator to pay a fine not to exceed five hundred dollars (\$500.00) for each day the repeat violation continues beginning with the date the repeat violation is found to have occurred by the code inspector.

Code Reference: Chapter 14 of the Code Ordinances, Section 14-81.

Responsible Department: Code Compliance Department

Special Magistrate

The Code of Ordinances provides that City Council will establish and collect fees for the prosecution of cases heard before the Special Magistrate.

Administrative Fee: \$500.00

Code Reference: Code of Ordinance Section 14-81

Responsible Department: Code Compliance Department

Section 4 Miscellaneous: Parking Fees and Fines, Clerk's Office, Cemetery, Election Qualifying Fees, NSF returned check fee

344500 PARKING FACILITIES USER FEES

Harbor District: North of highway 98, the Marler, Community Center, and Zerbe parking lot fees are \$20 for up to 24 hours.

Beach Zones: Parking in the beach zones south of Highway 98 is \$20.00 for four (5) hours.

No parking is allowed between 11pm and 3am in the parking lots nor in the Beach Zones.

Code Reference: Resolutions 19-05

Responsible Department: Code Compliance Department

354300 PARKING FINES

Payments collected from parking fines related to parking issues throughout the City limits.

Parking Lot Fines in following areas: Marler, Zerbe, Community Center, Beach paid parking zones \$100

Other parking infractions \$100

Responsible Department: Code Compliance Department

351000 TRAFFIC FINES

A police officer may issue a ticket for any moving violation as set forth in the provision of the Code of Ordinances.

Code Reference: Florida Statutes 34.191; 142.03; 316.660; 318.21

Responsible Department: Community Development

341930 ELECTION QUALIFYING FEES

Elections for candidates running for office in accordance with the City's charter, Section 5.03 Qualifications.

"Candidates for the offices of City Council member and Mayor shall qualify for such office by the filing of a written notice of candidacy with the designated city official, by the payment of any applicable qualifying fee at such time and in such manner as may be prescribed by ordinance." For the March 2004 election was \$25 per candidate.

Code Reference: City Charter Section 5.03

Responsible Department: City Clerk's Office

364200 CEMETERY LOT SALES.

The City Code provides for City ownership and operation of cemeteries. The City has separate fees for both residents and non-residents.

Code Reference: Resolution 23-05

Responsible Department: City Clerk's Office

	RESIDENTS	
BURIAL LOT, EACH	1,350	
DISINTERMENT FEE	\$257	
MAUSOLEUM NICHE	\$618	
SEA MEMORIAL ENGRAVING	\$200 per visit	
WEEKEND/HOLIDAY GRAVE MARKING	\$77	

341900 PUBLIC RECORDS DUPLICATION

Note: The City of Destin will expect/exclude all governmental agencies from photocopying and/or duplicating charges. This policy applies to federal, state, county, or municipal governments, their agencies, and divisions. All other exceptions are at the discretion of the City Manager.

COPIES, CERTIFIED COPY	\$1 PER PAGE + PHOTOCOPY CHARGE
COPIES, COMPUTER DISC	\$6 PER DISC
FAXED (LOCAL)	\$0.10 PER PAGE
FAXED (LONG DISTANCE)	\$0.30 FLAT RATE + PHOTOCOPY CHARGE
PHOTOCOPIES, AERIAL (LARGE-36"x60")	\$10 PER PAGE
PHOTOCOPIES, AERIAL (SMALL- 24"x 36")	\$5 PER PAGE
SITE PLAN Copies (36" x 24")	\$2 PER PAGE
PHOTOCOPIES, DUPLEXED	\$0.20 PER PAGE
PHOTOCOPIES, ONE-SIDED	\$0.15 PER PAGE
SPECIAL SERVICE CHARGE	\$24 PER HOUR OR \$4 PER TEN MINUTE INCREMENT

**FAXED COPIES LIMITED TO 25 PAGES OR LESS AND 8.5"x14"

Adopted August 05, 2019

Revisions approved at June 15, 2020 Regular Council Meeting

Revisions approved at the September 7, 2021 Regular Council Meeting

Code Reference: Resolution 19-11; Resolution 20-13; Resolution 21-11

369000 NSF and returned check fee

The fee for returned checks paying for any City service, user fee, permit, license or payment of fines is \$30 or 10% of check amount, whichever is greater.

ATTACHMENT A - Schedule of Fees

Section 1 Culture and Recreation: Library, Parks, Sports Complex, Community Center

Section 2 Building and Developers: Building Permits, Developer fees, Impact fees, Right-of-Way permits, Engineering, and Map fees

Section 3 Licenses and Permits: Business Tax Receipts (aka business licenses), Rental Registration (LTR/STR), Livery Permits, Vendor Permits, Marine Application Fees, Code Violations

Section 4 Miscellaneous: Parking Fees and Fines, Clerk's Office, Cemetery, Election Qualifying Fees

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Section 1: Culture and Recreation

Section 1 Culture and Recreation

Fees to utilize specific recreational facilities to continue the operations and improvements of the park area. Fees are established for reservations and permits of recreational and park facilities to provide a user fee for programs wherever applicable within the City and to establish procedures for the collection of such fees.

347100 LIBRARY SERVICE FEES

Fees collected for library membership and services

Responsible Department: Library

MEMBERSHIP FEES (RESOLUTION 01-27)

Okaloosa County Residents	No charge
In-network, non-resident*	\$40 per family per year
6-month out-of-network, non-resident	\$30 per person
12-month out-of-network, non-resident	\$60 per person

*In-network areas include the other 15 counties in the Panhandle Library Access Network (PLAN) <https://www.plan.lib.fl.us/about-us/>

SERVICE FEES

Lost items	Replacement cost
Sand in book/ damaged cover	\$3 re-wrap fee
Local fax	\$1 per page
Long-distance fax	\$2 per page
Printing – black and white	\$0.15 per page
Printing – color	\$0.25 per page
Replacement video case	\$1.00
Replacement audiobook case	\$3.00

347200 PARK AND RECREATION FEES

Fees collected for any type of program open to the public that is not athletic.

Code Reference: Florida Statutes 166.201

Responsible Department: Parks & Recreation

SPECIAL EVENT PERMITS **(ALL PARKS)**

Ordinance 15-40 § (c-h) requires all groups of 20 or more wishing to hold events in City parks to obtain a permit from the City in advance of the event.

Groups less than 20	No fee required
Groups 21-49	\$50 fee per day
Groups 50-99	\$100 fee per day
Groups 100-499	\$250 fee per day
Groups 500+	\$500 fee per day

Section 1: Culture and Recreation

DEWEY "BUCK" DESTIN PARK

Non-profit groups and resident family gatherings (per four-hour increment)

Building use, groups 1-25	\$30 + \$25 cleaning fee
Building use, groups 26-50	\$55 + \$50 cleaning fee
Instructional classes	\$2 - \$40 per participant per course up to 12 weeks

Private groups or organizations or non-resident gatherings (per four-hour increment)

Building use, groups 1-25	\$30 + \$25 cleaning fee
Building use, groups 26-50	\$55 + \$50 cleaning fee
Instructional classes	\$4 - \$80 per participant per course

CLEMENT TAYLOR PARK

Pavilion rental limited to groups of 100 or less

Alcoholic beverage permit	\$150.00 per day + \$50 cleaning fee
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Non-profit groups and resident family gatherings (per four-hour increment)

Groups 1-25	\$20 + \$25 cleaning fee
Groups 26-100	\$30 + \$50 cleaning fee

Private groups or organizations or non-resident gatherings (per four-hour increment)

Groups 1-25	\$30 + \$25 cleaning fee
Groups 26-100	\$60 + \$50 cleaning fee

LEONARD DESTIN PARK

Pavilion rental limited to groups of 20 or less

Groups 1-20, Resident	\$50 per 4 hours + \$50 cleaning fee
Groups 1-20, Non-Resident	\$100 per 4 hours + \$50 cleaning fee

WEDDINGS

June White Decker Park	\$150 per 2 hours = \$100 cleaning fee
Shore at Crystal Beach	\$500 150 per 2 hours += \$100 cleaning fee (non-refundable)

Section 1: Culture and Recreation

347260 JOE'S BAYOU RECREATION FEES

Fees collected for boating activities.

Code Reference: Florida Statutes 166.201

Responsible Department: Parks & Recreation

Residential daily launch/recovery fee	\$250 per trailer
Commercial daily launch/recovery fee	\$250 per trailer
Resident/non-commercial annual launch/recovery fee	\$00 per household (1 pass)
	\$00 per senior household, 65+ (1 pass)
	\$50 per additional pass
Non-resident/non-commercial	\$205 per household per year
Destin based commercial launch	\$1,030 per year
Commercial launch, non-Destin	\$2,060 per year
Pump out fee, Destin resident	No charge
Pump out fee, non-resident	\$5 per usage

347265 HENDERSON BEACH STATE PARK FEES

Fees for the use of Henderson Beach State Park

Code Reference: Florida Statutes 166.201

Responsible Department: Parks & Recreation

Daily entrance pass	\$30 per household (1 per household)
	\$25 per senior household, 65+ (1 per household)

347550 MORGAN'S SPORTS CENTER CHILDREN'S PARKS

Monies collected for events held at the children's park.

Responsible Department: Parks & Recreation

PICNIC AREA

Non-profit groups and resident family gatherings (per four-hour increment)

Groups 1-25	\$15 + \$25 cleaning fee
Groups 26-100	\$30 + \$50 cleaning fee

Private groups or organizations or non-resident gatherings (per four-hour increment)

Groups 1-25	\$30 + \$25 cleaning fee
Groups 26-100	\$55 + \$50 cleaning fee

PAVILION AREA

Non-profit groups and resident family gatherings (per four-hour increment)

Groups 1-25	\$30 + \$25 cleaning fee
Groups 26-100	\$55 + \$50 cleaning fee

Section 1: Culture and Recreation

Commercial, private groups or organizations or non-resident gatherings (per four-hour increment)

Groups 1-25	\$55 + \$25 cleaning fee
Groups 26-100	\$85 + \$50 cleaning fee

347220 MORGAN'S SPORTS COMPLEX

Fees collected for a variety of sporting activities such as football, soccer, cheerleading, softball.

Code Reference: Florida Statutes 166.201

Responsible Department: Parks & Recreation

Group activities and special events outside the athletic fields

Single-day event, no concessions	\$50 - \$515
Single-day event, with concessions	\$50 - \$515
Alcoholic beverages permit	\$150.00 per vendor/per day
Vendor fee for tournaments and special event vendors	\$30 per vendor/per day, no hookups
Special event application fee	\$25 non-refundable
Gate/admission fee	15% of gross paid to the city

League activities/instructional classes (residents)

City – adult activities	\$15 - \$100
City – youth activities	\$15 - \$100
Adult instructional classes	\$5 - \$35 per participant (max 10 hours)
Youth instructional classes	\$5 - \$20 per participant (max 10 hours)
Senior programs	\$2 - \$100

League activities/instructional classes (non-residents)

City – adult activities	\$30 - \$200
City – youth activities	\$20 - \$150
Adult instructional classes	\$10 - \$70 per participant (max 10 hours)
Youth instructional classes	\$5 - \$35 per participant (max 10 hours)
Daily user fee	\$3 - \$40

Section 1: Culture and Recreation

EXPERT INSTRUCTORS (Services the City cannot offer)

RECREATIONAL/INSTRUCTIONAL CLASSES – CONTRACTUAL LEADERSHIP

FEES RECEIVED FROM INDIVIDUALS PARTICIPATING IN CITY SPONSORED PROGRAMS, ACTIVITIES or CLASSES THAT ARE FACILITATED BY NON-CITY EMPLOYEES WITH EXPERTISE IN THAT PARTICULAR AREA. (EG. AEROBICS, FLY-FISHING, DANCE...) PERCENTAGE BASED ON SKILL LEVEL OF THE INSTRUCTOR, ASSISTANCE REQUIRED FROM CITY STAFF AND FACILITY/EQUIPMENT/SUPPLIES MAY BE FURNISHED BY THE CITY. THIS STRUCTURING WILL ALLOW THE DEPARTMENT TO EXPAND PROFESSIONALLY LEAD PROGRAMMING FOR YOUTH, TEENS, ADULTS AND SENIORS WHILE GENERATING ADDITIONAL REVENUES FOR THE CITY. THE INCREASE IN REVENUES WILL BE DEPENDENT ON THE NUMBER OF PROGRAMS OFFERED AND THE PERCENTAGE AGREED UPON. THIS IS A WIDELY USED MODEL IN PARKS & RECREATION AGENCIES NATIONWIDE THAT TAPS INTO COMMUNITY RESOURCES THAT COULD OTHERWISE NOT BE AFFORDABLE TO THE AGENCY.

Options	Percentage of fees retained by the city	Percentage of fees retained by the facilitator
Split 1 – City provides material	60%	40%
Split 2 – Instructor only	50%	50%
Split 3 – Instructor provides material	40%	60%
Split 4 – School Fundraiser	20%	80%

DESTIN ELEMENTARY SCHOOL SPORTS FIELD FEES Administrative charges

Personnel cost for hours other than normal hours of operations	\$20 per hour per employee
Holiday/holiday weekend hours	\$30 per hour per employee
Application fee	\$25 per event

FIELD RENTALS (NON-TOURNAMENT PLAY) Non-profit

Field rental 1-25 users	\$20 per field per hour w/o lights
Field rental 1-25 users	\$35 per field per hour with lights
Lining/set up 1-25 users	\$20 - \$50 per field per occurrence
Field rental 26+ users	\$40 per field per hour w/o lights
Field rental 26+ users	\$55 per field per hour with lights
Lining/set up 26+ users	\$20 - \$50 per field per occurrence
Non-refundable deposit/cleaning fee	\$25 - \$500 per field per day

COMMERCIAL

Field rental 1-25 users	\$35 per field per hour w/o lights
Field rental 1-25 users	\$50 per field per hour with lights
Lining/set up 1-25 users	\$20 - \$50 per field per occurrence
Field rental 26+ users	\$70 per field per hour w/o lights
Field rental 26+ users	\$95 per field per hour with lights
Lining/set up 26+ users	\$20 - \$50 per field per occurrence
Non-refundable deposit/cleaning fee	\$25 - \$500 per field per day

FIELD RENTALS (TOURNAMENT FUNCTIONS)—UP TO 12 HOURS Non-profit

First (one) field	\$100 per day without lights
Each additional field	\$80

Section 1: Culture and Recreation

Each additional hour	\$20
Lights	\$15 per hour per field
Additional field preparation	\$20 - \$50 per field per occurrence
Gate fee	15%
Center utilization fee	Up to \$550
Sports equipment usage Fee (EG., temporary mounds, goals, fence)	Up to \$25 per item per day
Vendor permit fee	\$30 per vendor per day
Non-refundable deposit/cleaning fee	\$25 - \$500 per field per day

COMMERCIAL

First (one) field	\$170 per day without lights
Each additional field	\$110
Each additional hour	\$30
Lights	\$25 per hour per field
Additional field preparation	\$20 - \$50 per field per occurrence
Gate fee	15%
Center utilization fee	Up to \$1,550
Sports equipment usage fee (e.g.: temporary mounds/fence)	Up to \$25 per item per day
Vendor permit fee	\$50 per vendor per day
Non-refundable deposit/cleaning fee	\$25 - \$500 per field per day

347520 COMMUNITY CENTER

The City shall levy fees for the rental of the Community Center facilities for activities including, but not limited to arts and crafts, league/team activities, adult sports, theatre productions, concerts, and specialty activities (card games, board games, etc.) for both commercial and noncommercial use. The amount of the rental fee will be assessed as per facility required and/or participation.

Code Reference: City Resolution 01-05

Responsible Department: Recreation Department/Community Center

Administrative charges/non-residents

Personnel cost for hours other than normal hours of operation or holidays	\$20 per hour per employee
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Commercial Use

Entire facility	\$150 per hour, min 4 hours
Meeting room	\$30 per hour
Each additional room	\$20 per hour
Kitchen, with gym or room rental only	\$50 per hour, min 4 hours
Gymnasium	\$60 + 15% gate charge
Non-refundable deposit/cleaning fee	\$25 - \$500 per day

Section 1: Culture and Recreation

Non-commercial use/resident

Entire facility	\$80 per hour, min 4 hours
Meeting room	\$20 per hour
Each additional room	\$15 per hour
Kitchen, with gym or room rental only	\$30 per hour, min 4 hours
Gymnasium	\$30 + 15% gate charge
Non-refundable deposit/cleaning fee	\$25 - \$500 per day

Non-profit play or instructional classes

Per meeting room	\$15 per hour
Gymnasium	\$25 per hour
Administration Fee	\$15 + cost of rental fee

347540 COMMUNITY CENTER PROGRAMS

Monies received for camps, programs that are sponsored by the Community Center.

Responsible Department: Recreation Department/Community Center

League activities/instructional classes (residents)

City – adult activities	\$10 - \$105
City – youth activities	\$10 - \$105
Adult instructional classes	\$3 - \$50 per participant (max 10 hours)
Youth instructional classes	\$3 - \$50 per participant (max 10 hours)
Senior programs	\$2 - \$100

League activities/instructional classes (non-residents)

City – adult activities	\$30 - \$200
City – youth activities	\$20 - \$150.00
Adult instructional classes	\$5 - \$70 per participant (max 10 hours)
Youth instructional classes	\$5 - \$70 per participant (max 10 hours)
Daily user fee	\$2 - \$40
Senior programs	\$3 - \$40
League/activity sponsorship	\$30 - \$1,000

Section 1: Culture and Recreation

RECREATIONAL/INSTRUCTIONAL CLASSES – CONTRACTUAL LEADERSHIP

FEES RECEIVED FROM INDIVIDUALS PARTICIPATING IN CITY SPONSORED PROGRAMS, ACTIVITIES OR CLASSES THAT ARE FACILITATED BY NON-CITY EMPLOYEES WITH EXPERTISE IN THAT PARTICULAR AREA. (EG. AEROBICS, FLY-FISHING, DANCE...) PERCENTAGE BASED ON SKILL LEVEL OF THE INSTRUCTOR, ASSISTANCE REQUIRED FROM CITY STAFF AND FACILITY/EQUIPMENT/SUPPLIES MAY BE FURNISHED BY THE CITY. THIS STRUCTURING WILL ALLOW THE DEPARTMENT TO EXPAND PROFESSIONALLY LEAD PROGRAMMING FOR YOUTH, TEENS, ADULTS AND SENIORS WHILE GENERATING ADDITIONAL REVENUES FOR THE CITY. THE INCREASE IN REVENUES WILL BE DEPENDENT ON THE NUMBER OF PROGRAMS OFFERED AND THE PERCENTAGE AGREED UPON. THIS IS A WIDELY USED MODEL IN PARKS & RECREATION AGENCIES NATIONWIDE THAT TAPS INTO COMMUNITY RESOURCES THAT COULD OTHERWISE NOT BE AFFORDABLE TO THE AGENCY.

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Split 1 – City provides material	60%	40%
Split 2 – Instructor only	50%	50%
Split 3 – Instructor provides material	40%	60%
Split 4 – School Fundraiser	20%	80%

Section 2 Building and Developers: Construction Permits, Developer Fees, Impact Fees, Right-of-Way permits, Engineering, Marine Application Fees, Map Fees

The governing bodies of local governments may provide a schedule of fees, as authorized by statutes for the enforcement of the provisions of its building code. Such fees shall be used solely for carrying out the local government's responsibilities in enforcing the Florida Building Code. All permit, processing, and plan review fees are non-refundable unless extenuating circumstances are submitted, in writing, and approved by the Building Official. All required fees shall be paid prior to the issuance of any permit and at the commencement of any construction.

NOTE: 10% of all fees collected within this section shall be accounted for and deposited in a separate account designated to support development review/compliance quality process improvement initiatives.

Code Reference: Section 125.56, F.S. Chapter 166.222; FS Section 468.631, 553.721, 553.80

Responsible Department: Community Development/Building Division

329505 Plan Review Fee

The following review fees are applicable to all building construction permits.

Plan Review Fee: All projects are subject to a review fee, which equals the greater of (50%) of the permit fee or actual cost, incurred by the City to include one resubmittal.

1. Projects greater than or equal to four stories and assembly occupancy over 5,000 square feet and or large projects/developments determined by the Building Official shall be submitted to the International Code Council (ICC), Birmingham office, for formal plan review. The applicant shall pay the fee to ICC at the time plans are submitted.
2. The City may require, at the Building Official's discretion, a review of the single-family dwelling plans by a structural engineer. In this case, the applicant shall be required to pay the cost of this review.
3. Public Swimming Pool and Applicable Water Features Review Fee:
 - a. Review Fee New Pool – Greater than 25,000 gallons ~~\$4950.00~~ to be paid upon submittal.
 - b. Review Fee New Pool – 25,000 gallons or less ~~\$390.00~~ to be paid upon submittal.
 - c. Renovations and Modifications
 - I. Level I- No Review fee required.
 - II. Level II- Renovations and Modifications Review ~~\$505.00~~ to be paid upon submittal.
 - III. Level III- Renovations and Modifications Review ~~\$20200.00~~ to be paid upon submittal.
4. All projects are subject to a review fee for Engineering/Erosion Control (341920) fee of ~~\$505~~ to be paid upon submittal.
5. FEMA Flood Zone Review: ALL projects within these zones are subject to a review fee for Floodplain Review of ~~\$505~~.
6. Wetlands Protection: ALL projects in or adjacent to environmentally sensitive areas (wetlands & open water bodies) are subject to a review fee of ~~\$505~~. (341920)

Commented [NB1]: @Krystal - The following fees for Section 2 are increased by 10% based on Council Approval during the Nov. 7, 2022 meeting.

Section 2: Building Permits and Developer Fees

- Any additional resubmittal for review shall be assessed an additional review fee of ~~\$27.505~~ or ~~27.505%~~ of the permit fee whichever is greater per division review. (341920)

329506 Contractor Registration Fee

An administrative fee will be charged on all contractors not licensed under FS 489 engaging in business in the City of Destin for which a permit is required. The administrative fee is for verification of state, county, and local licenses, as required by city ordinance and certificate of insurance from a Florida Licensed Insurance Company for General Liability 61G4-15.003(2)(c), and Worker's Compensation as required by FS 440.103, 440.41, 440.42, and 489.144.

Code Reference: Chapter 13 Art. IV, Sec. 13-75, Code of Ordinances

Responsible Department: Community Development/Building Division

Specialty Contractors- The City will charge one annual administrative fee for all contractors engaging in the practice of contracting in the City of Destin whose scope of work is identified in a specialty contractor's category.

Contractor annual administrative fee	\$57.202
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354200 (EBD06) Building Code Violations – Unsafe Code Fines and Fees

Fines and fees will be charged for noncompliance with the Florida Building Code to include the following items will be charged \$100 for first citation, \$300 for second citation, and a third citation will result in a summons to appear before the Construction Regulation Board:

- Failure to obtain a permit before commencing work
- Failure to post a notice of commencement
- Failure to obtain required inspections
- Failure to maintain proof of current workers compensation or public liability insurance
- Failure to inform the City of change of name style, address, or that licensee has ceased qualifying as a business
- Making a material misrepresentation on a permit application

Failure to correct building code violations will be charged \$500 for the first citation. The second citation will result in a Summons to Appear before the Construction Regulation Board.

Code Reference: City of Destin Ordinance 366 and Chapter 489 Florida Statutes

Responsible Department: Community Development/Building Division

322000 Building Construction Permit Fees

- Permit Processing Fee: An administrative processing of ~~\$550~~ is applied to all permits.
- Penalty Fee: Any work which commences prior to securing the appropriate permit or permits shall be charged a rate double the permit fee, which shall be collected by the Building Division. (Note: in accordance with Ordinance 336, the Building Official may issue a citation to the contractor.)
- Re-Permit Fee:

Section 2: Building Permits and Developer Fees

- a. Active permits: The fee for re-permitting any active permit will be 50% of the original building permit fee, no plan review fee, a \$550 processing fee, plus applicable state fees.
 - b. Inactive permits: The fee for re-permitting any inactive permit will be regular fees, no plan review fee, a \$550 processing fee, plus applicable state fees.
4. In accordance with Florida Statute, a Florida Building Code (FBC) Surcharge (208620) is collected on all Building Permits of 1% or a \$2 minimum. In addition, a Building Code Administrators, and Inspectors Fund (BCAIB) Surcharge (208630) is also collected on all Building Permits issued in the amount of 1.5% or a \$2 minimum. Both of these surcharges are remitted to the Florida Department of Professional Regulation.
5. All New (Heated and Cooled) Buildings or Structure Additions (includes Manufactured Buildings).
 - a. Building Division Permit Fee: A permit for any new building or structure, or for any addition to an existing building or structure, or portion thereof is based on square footage of gross floor area multiplied by \$0.157 per square foot.
 - b. Planning Division (329502) permit fee: Residential (Single Family – Attached/Detached or Duplex) is \$0.065 per square foot of gross floor area. This fee includes the initial Certificate of Occupancy as-built site inspection.
 - c. Engineering Division (341920) Permit Fee: Residential (Single Family –Attached/Detached or Duplex) is \$0.087 per square foot gross floor area.
 - d. Planning Division (329502) permit fee: Multiple Family and Commercial Structures. If applicable, the fee is \$13220. This fee includes the Certificate of Occupancy or Certificate of Completion and as-built site inspection.
 - e. Engineering Division (341920) Permit Fee:- Multiple Family and Commercial Structures: If applicable, the fee is \$3390. This fee includes initial Erosion Control inspection and the Certificate of Occupancy or Certificate of Completion and as-built site inspection.
6. Other Structure Fee:
 - a. Building Division Fee: For all other structures to include non-heated and cooled buildings, renovations, interior buildouts, sheds, decks, fences, etc. the permit fee is \$6.606 per \$1,000 (or fraction thereof) of estimated cost, up to \$20,000 plus \$5 per \$1,000 (or fraction thereof) of the estimated cost in excess of \$20,000 up to \$100,000 plus \$4 per \$1,000 (or fraction thereof) of estimated cost in excess of \$100,000 (or fraction thereof).
 - b. Planning Division (329502) permit fee: Residential (Single Family Attached/Detached or Duplex): If applicable, the fee is \$660.00. This fee includes the Certificate of Occupancy/Completion and as-built site inspection.
 - c. Engineering Division (341920) Permit Fee: Residential Fee: Residential (Single Family Attached/Detached or Duplex): If applicable, the fee is: \$660. The fee includes Certificate of Occupancy/Completion and as-built site inspection.
 - d. Planning Division (329502) permit fee: Multiple Family and Commercial Structures: If applicable, the fee is \$1320. This fee includes the Certificate of Occupancy/Completion and as-built site inspection.
 - e. Engineering Division (341920) Permit Fee: Multiple Family and Commercial Structures: If applicable, the fee is: \$16550. This fee includes the Certificate of Occupancy/Completion and as-built site inspection.
 - f. Re-inspection fees are the same as 6 above.
7. Commercial Signs.

Section 2: Building Permits and Developer Fees

- a. The Building Division Permit fee for all permanent signs is based on the total area of each sign (two-sided signs on the same structure are considered as one sign). The following fees per sign are as follows:

Up to 20 square feet	\$440
Over 20 square feet	\$550
Self-illuminated commercial sign, additional fee	\$220

- b. The Planning Division Permit fee (329502) for signs are established:
- If the sign will be mounted to an approved, existing structure, the permit fee is \$440.
 - If the sign will be mounted to a new structure, the permit-processing fee is \$880.

- c. Engineering Division (341920) Permit fee for ground signs only: \$440.

8. Mobile/Manufactured Homes.

- The Building Division Permit fee for mobile/manufactured homes, blocked, with skirts and tie-downs, is \$330.
- The Planning Division (329502) Permit fee for mobile/manufactured homes, blocked, with skirts and tie-downs fee is \$660. This fee includes the initial Certificate of Occupancy/Completion as-built site inspection.
- The Engineering Division (341920) Permit fee for mobile/manufactured homes, blocked, with skirts and tie-downs fee is \$550. This fee includes the initial Certificate/Completion as-built site inspection.

9. In Ground Swimming Pools and applicable water features (which includes all pool and water feature equipment, except electrical).

- Building Permit Fee:
 - The fee for new residential swimming pools and applicable water features (excluding electrical fee) is \$660.
 - The fee for new public swimming pools and applicable water features is \$1650.
 - The fee for renovations/repair/modifications: to existing public swimming pools and applicable water features based on the level of modification as set forth in the Public Pool Modification Matrix Table is:
 - Level I- \$550
 - Level II- \$1100
 - Level III- \$1650
- Planning Division (329502) Permit Fee: The fee for new swimming pools, applicable water features and level III alteration/renovations is \$105,6096.
- The Engineering Division (341920) Permit fee for new residential swimming pools, applicable water features and level III alteration/renovations is \$82,5075.

10. Antennas - Dish and tower, roof and ground installations.

- Domestic (Residential R3) installation: A permit is required only for those towers that are of such height that they cannot be contained on an owner's property if they fall. The permit fee is \$303.
- Commercial (Non-Residential) installations: The fee is \$6.60 per \$1,000 (or fraction thereof) of the estimated cost up to \$20,000, plus \$5.50 per \$1,000 (or fraction thereof) of the estimated cost in excess of \$20,000 up to \$100,000, plus \$4.40 per \$1,000 (or fraction thereof) of the estimated cost in excess of \$100,000 (or fraction thereof).

11. Moving Buildings or Structures (excluding mobile homes): The fee to move any non-portable building or structure from one location to another location is \$990.

Section 2: Building Permits and Developer Fees

12. Demolition of Buildings or Structures:

- a. Building Division Permit Fee: For the demolition of any building or structure, the fee is \$92.4084. In addition to the demolition permit, you must submit a notice of asbestos removal form to the asbestos Coordinator for Northwest Florida District of Florida Department Environmental Protection (FDEP). (Note: The present address is 160 Government Center, Pensacola, Florida 31501). No Plan Review Fee or State fee.
- b. Planning Division (329502) Permit Fee: The demolition permit fee is \$660.
- c. Engineering Division (341920) Permit Fee: For the demolition of any building or structure, the fee is \$27.505. This fee includes initial Erosion Control inspection and the Certificate of Completion and site inspection.

13. Docks, Boathouses, Bulkheads and Seawalls:

- a. Building Division Permit Fee: The fee for construction of docks, boathouses, bulkheads or seawalls is \$132 per \$1,000 (or fraction thereof) of estimated cost up to \$10,000, plus \$6.60 per \$1,000 (or fraction thereof) of the estimated cost in excess of \$10,000.
- b. Planning Division (329502) Permit Fee: The permit fee is \$330.

14. Land clearing:

- a. Planning Division (329502) Permit Fee: The fee for all land clearing permits is \$660.
- b. Engineering Permit (341920) Fee: The fee for land clearing in lots 1 acre or less in size is \$82.5075. The fee for land clearing in lots over 1 acre in size is \$1650. Fee is based on lot size, not the land clearing/area of disturbance.

15. Protected Tree removal:

- a. Planning Division (329502) Permit Fee: The fee for removing any protected or preserved tree shall be \$660.

16. Portable Buildings:

- a. Planning Division (329502) Permit Fee: \$880
- b. Engineering Division (341920) Permit Fee: \$550 (Floodplain)

17. Mobile Vending:

- a. Planning Division (329502) Permit Fee: \$27.505 per location

18. Temporary Tents

- a. Building Division Permit Fee: \$27.505
- b. Planning Division (329502) Permit Fee: \$27.505

19. Solar Energy Systems Permit Fees: Signed Sealed Drawings required. The permit fee is \$123.20 per \$1,000 (or fraction thereof) of estimated cost, up to \$10,000 plus \$6.60 per \$1,000 (or fraction thereof) in excess of \$10,000.

Commented [WW2]: @Louis Zunguze What is the fine for clearing trees/land without a permit? Is it commensurate with this fee?

Commented [NB3R2]: Like with any unpermitted work, Code Compliance can issue citation, etc.

Section 2: Building Permits and Developer Fees

20. Electrical Permit Fees:

a. Electrical Service:

Temporary service to 100 amperes	\$330
Early service power – first service	\$440
Early service power – each additional service	\$13.202
NOTE: Required prior to final inspection and no occupancy shall occur prior to issuance of a Certificate of Occupancy, by the Building Official. If the premises are occupied prior to the issuance of a Certificate of Occupancy, or a Certificate of Completion, the power company may be notified to disconnect the power and the permit will be subject to action by the Code Enforcement Board.	
Permanent service up to 100 amperes	\$49.505
Permanent service 101 to 200 amperes	\$660
Permanent service 201 to 400 amperes	\$82.5075
Permanent service 401 to 600 amperes	\$990
Permanent service 601 to 800 amperes	\$13220
Permanent service over 801 amperes	\$13220 plus \$0.05 per ampere over 800 amperes
Circuits	\$2.750 each
Low voltage systems i.e., tv, phone, sound, alarm (Exclude wireless security systems for 1 & 2 family)	\$6.60 per system
Electrical repair wiring or renovations	\$13.202 per \$1,000 of estimated cost up to \$10,000 plus \$6.60 per \$1000 in excess of \$10,000 and \$3.30 for each circuit added or altered
Meter/service change outs (to include gang meters)	\$336.30 per meter
Functional check	\$550

- b. Swimming Pools and applicable water features: The permit fee, which includes all pool and applicable water feature equipment grounding, and underwater lights, is \$440.

21. Mechanical Permit Fees:

a. Heat and Air Conditioning Unit (including heat pump) New or Change outs:

Up to five tons, per system fee	\$606
Over five tons	\$606 plus \$3.50 per ton over 5 tons

- b. Refrigeration system is \$246.40 each.
c. Commercial kitchen Hood system is \$264.40 each.
d. Incinerator or Boiler is \$264.40 each.
e. Mechanical repair is \$13.202 per \$1,000 (or fraction thereof) of estimated cost, up to \$10,000 plus \$6.6 per \$1,000 (or fraction thereof in excess of \$10,000).

22. Plumbing Permit Fees:

- a. Each fixture, roughed-in and/or final inspection is \$5.5 per plumbing fixture.
b. Each individual tap for sewer, septic, grease trap/interceptor, back-flow protector, roof drain and water connection is \$13.202.
c. Plumbing repair/re-piping or renovations is \$13.202 per \$1,000 (or fraction thereof) of estimated cost, up to \$10,000 plus \$6 per \$1,000 (or fraction thereof in excess of \$10,000).

Section 2: Building Permits and Developer Fees

23. Gas Installation Permit Fees:

- a. Each fixture is \$5.5.
- b. Gas piping (Natural or LP) to a unit or building is \$26.404 per connection, to include installation of generators to existing homes/structures.
- c. Gas repair/re-piping or renovations is \$13.202 per \$1,000 (or fraction thereof) of estimated cost, up to \$10,000 plus \$6.60 per \$1,000 (or fraction thereof in excess of \$10,000).

24. Fire Sprinkler/Suppression Systems Permit Fees:

- a. Commercial kitchen hood suppression:
 - i. \$606 up to 4 nozzles heads
 - ii. \$101 per additional nozzle head thereafter
- b. Fire Sprinkler system:
 - i. The fee is \$0.880 per sprinkler head/nozzle for new construction.
 - ii. The fee is \$110 per water line feeding above systems.
 - iii. The fee is \$101 per standpipe.
 - iv. The fee is \$13.202 for repair or modification per \$1,000 (or fraction thereof) of estimated cost, up to \$10,000 plus \$6.60 per \$1,000 (or fraction thereof) in excess of \$10,000.

25. Utility Site/Infrastructure Permit Fees:

- a. Systems up to 20 devices (manholes, catch basin, storm drains) is \$2200
- b. Systems with over 20 devices is \$3850.
- c. Planning Division (329502) fee is \$13220.
- d. Engineering Division (341920) Fee: \$1650

26. Parking Lot Resurface, Restripe and Overlay Permit Fees:

- a. Building Division fee is \$1100
- b. Planning Division (329502) fee is \$1320
- c. Engineering Division (341920) Fee: \$82.5075

27. Code Compliance Inspection Permit Fee: For anyone who request to have an inspection for general life safety or building code compliance which are outside of performing construction activity, the fee is \$505.

28. Re-inspection Fees: (All subsequent re-inspections shall be doubled the previous fee)

Building Division	Building Inspections	Initial re-inspection	38.50
Planning Division	Certificate of Occupancy -Site Insp	Single Family or Duplex	110.00
		Minor Development Orders	506.00
		Major Development Orders	676.50
Engineering Division	Certificate of Occupancy - Site Insp	Single Family or Duplex	110.00
		Minor Development Orders	165.00
		Major Development Orders	330.00
Eng. & Planning Div.	Certificate of Completion - Site Insp		55.00
Engineering Division	General Site	All Developments	55.00

28. The initial inspection is included in the permit fee. A re-inspection fee to the Building Division of \$358.50 for the first re-inspection (per unit/building or structure). The fee for a second re-inspection shall be \$707.00, and the fee for a subsequent re-inspection shall be \$1540 each. (Note: See FS Section 553.80(4)(c)). Planning Division's (329502) Certificate of Occupancy (As-Built) site re-inspection fees:

Section 2: Building Permits and Developer Fees

Residential (Single Family or Duplex) ~~\$1100~~, Minor Development Order ~~\$45060~~ and Major Development Order ~~\$676,5015~~. Engineering Division's (341920) Certificate of Occupancy (As-Built) site re-inspection fees: Residential (Single Family or Duplex) ~~\$1100~~; Certificate of Completion site re-inspection fee ~~-\$505~~. Site reinspection fee is ~~\$1650~~ for minor development and ~~\$3300~~ for major development.

29. Stop By/Walk Through Inspection Request Fee: The fee will be ~~\$505~~.

329503 Right-of-Way Fees

The Land Development Code provides that City Council will establish and collect fees for issuing Right of Way Construction Permits for work in the City's rights of way. NOTE: 10% of all fees collected within this section shall be accounted for and deposited in a separate account designated to support development review/compliance quality process improvement initiatives.

Code Reference: LDC 8.01.00 & Resolutions 02-06, 02-23, 04-13, 04-15

Responsible Department: Community Development Department – Engineering Division

Utility right-of-way permit	\$260-286
Right-of-way administration fee – Residential single/duplex	\$40-44 per row
Right-of-way administration fee – Commercial or multi-family	\$125-137.50 per row
Construction right-of-way – Nonresidential	\$12-104 per 100 linear feet PLUS: \$78-85.80 per road bore \$260-286 per road cut \$78-85.80 landscaping/irrigation
Commercial right-of-way – Nonresidential individual simple owner fee for hold harmless & maintenance agreement	\$50-55
Commercial right-of-way – Nonresidential other ownership (corporate or trust) fee for hold harmless & maintenance agreement	\$55-93.50
Residential (single or 2-family lot)	\$11-12.10 per 100 linear feet PLUS: \$11-23.10 per bore \$260-286 per road cut \$11-23.10 landscaping/irrigation
Residential (single or 2-family lot) Individual simple owner fee for hold harmless & maintenance agreement	\$50-55
Residential (single or 2-family lot) other ownership (corporate or trust) fee for hold harmless & maintenance agreement	\$55-93.50
Right-of-way inspections – Commercial satisfactory completion	
Initial inspection	No charge
First site re-inspection	\$80-88
Each subsequent re-inspection	\$130-143
Right-of-way inspections – Residential satisfactory completion	
Initial inspection	No charge
First site re-inspection	\$65-71.50
Each subsequent re-inspection	\$55-93.50
Right-of-way – vacation/easement	\$2500-2750

Section 2: Building Permits and Developer Fees

~~329502 – LAND DEVELOPMENT REVIEW FEES (aka ZONING REVIEW FEES)~~

~~The Land Development Regulations provide that the City Council of the City of Destin, Florida will establish land development review, permit and other fees. Fees are set to cover the cost of the work associated with review, permitting, inspection and other activities associated with land development. The City may require, at its discretion, the review and advise of an expert consulting professional on any development application. Applicants will be responsible to reimburse the City for these outside costs plus a 10% Administrative Fee. NOTE: 10% of all fees collected within this section shall be accounted for and deposited in a separate account designated to support development review/compliance quality process improvement initiatives.~~

~~Code Reference: Land Development Code 18.01.00
Responsible Department: Community Development~~

111300-329502 BUILDING DEPARTMENT LIEN REVIEWS

Lien reviews are most commonly related to building permits for homes. As such lien request (aka property status letter) fees are recorded in the Building Department. NOTE: 10% of all fees collected within this section shall be accounted for and deposited in a separate account designated to support development review/compliance quality process improvement initiatives.

<u>Property Status Letter (Lien Requests)</u>	<u>\$35</u>
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01300-329502 LAND DEVELOPMENT REVIEW FEES (aka ZONING REVIEW FEES)

The Land Development Regulations provide that the City Council of the City of Destin, Florida will establish land development review, permit and other fees. Fees are set to cover the cost of the work associated with review, permitting, inspection and other activities associated with land development. The City may require, at its discretion, the review and advise of an expert consulting professional on any development application. Applicants will be responsible to reimburse the City for these outside costs plus a 10% Administrative Fee. NOTE: 10% of all fees collected within this section shall be accounted for and deposited in a separate account designated to support development review/compliance quality process improvement initiatives.

Code Reference: Land Development Code 18.01.00
Responsible Department: Community Development

DEVELOPMENT ORDER RELATED APPLICATIONS:

The following development order related application fees include first submittal reviews only. Subsequent submittal reviews and advertisement costs and mailing costs will be invoiced to the applicant at actual cost plus a 10% Administrative Fee. All invoices must be paid in full prior to submittal of additional submittal packages and/or the issuance of the Final Development Order (DO).

TYPE OF APPLICATION	APPLICATION FEE
<u>Pre-Application Review - Residential</u>	<u>\$50</u>
<u>Pre-Application Review - Non residential</u>	<u>\$150</u>

Section 2: Building Permits and Developer Fees

Developer's Agreement	\$4500
Major Developments	\$4250-5500
Minor Developments	\$3000-3500
Major Deviations to a Major Development	\$3250-4500
Minor Deviations to a Major Development	\$2000-2500
Major Deviation to a Minor Development	\$3000-4500
Minor Deviation to a Minor Development	\$2000-2500
Simple Deviation	\$1000
Planned Unit Development (PUD) (in addition to fee for subdivision, major development or minor development)	\$2500-4000
Landscaping Plan Review (if not submitted as part of a DO Application)	\$750
Outdoor lighting plan review (if not submitted as part of a DO Application)	\$750
Development Order Exemption	\$500

DEVELOPMENT ORDER CONSTRUCTION PERFORMANCE BONDS

Some development orders will require construction performance bonds. After City Engineering staff complete an inspection of the construction site against the development order and find the developer has satisfactorily met the requirements of the development order, the City will issue a bond release letter after payment of:

DESCRIPTION	FEE
341920 Engineering Fee (for Bond Inspection)	\$80
341300 Administrative Service Fee	\$250
341300 Bond Handling Fee	10% of Bond

Code Reference: Land Development Code 2.20.00 C3

Responsible Department: Community Development

SUBDIVISION RELATED APPLICATIONS:

The following subdivision related application fees include first submittal reviews only. Subsequent submittal reviews and advertisement costs and mailing costs will be invoiced to the applicant at actual cost plus a 10% Administrative Fee. All invoices must be paid in full prior to submittal of additional submittal packages and/or final approval.

TYPE OF APPLICATION	APPLICATION FEE
Major Subdivisions	\$3250-4500
Minor Subdivisions	\$1500-2000
Replat of Subdivision/Lot Reconfiguration	\$1300-1500
Lot Split	\$500-1000
Deed of Gift	\$750-1000
If easements follow the plat, replat, or lot reconfiguration and are executed by a separate document	\$300-500 per easement

ORDINANCE AMENDMENT RELATED APPLICATIONS:

An applicant applying for any one of the following ordinance amendment related applications is responsible for paying to the City: administrative expenses, cost recovery for the use of outside consultants by the City to review the application, legal notice costs, and mailing cost at actual cost plus a 10% Administrative Fee.

Section 2: Building Permits and Developer Fees

TYPE OF APPLICATION	APPLICATION FEE
Comprehensive Plan Text Amendment	\$1200 <u>2000</u>
Comp Plan Future Land Use Map (FLUM) Amendment	\$1200 <u>2000</u>
Land Development Code (LDC) Text Amendment	\$1200 <u>2000</u>
LDC Rezoning Map Amendment	\$1200 <u>2000</u>
Code of Ordinance Text Amendment	\$1200 <u>2000</u>

BOARD OF ADJUSTMENT RELATED APPLICATIONS:

An applicant applying for any one of the following Board of Adjustment applications is responsible for paying to the City: administrative expenses, cost recovery for the use of outside consultants by the City to review the application, legal notice costs, and mailing cost, at actual cost plus a 10% Administrative Fee.

TYPE OF APPLICATION	APPLICATION FEE
Administrative Decision Appeal	\$1000 <u>650</u>
Variance	\$650 <u>1000</u>
Exception (Marina Siting Only)	\$650 <u>1000</u>

TABLING AND/OR REHEARING:

The following fees are established for an applicant initiating tabling and/or re-hearing of an application at City Council, Local Planning Agency (LPA), Board of Adjustment (BOA), or Technical Review Team (TRT). The applicant is responsible for paying to the City administrative expenses, cost recovery for the use of outside consultant by the City to review the application, legal notice costs, and mailing cost, at actual cost plus a 10% Administrative Fee.

TYPE OF HEARING	FEE
City Council	\$120 <u>500</u>
Local Planning Agency (LPA)	\$120 <u>500</u>
Board of Adjustments	\$120 <u>500</u>
Technical Review Team	\$120 <u>500</u>

Section 2: Building Permits and Developer Fees

MISCELLANEOUS APPLICATIONS, FEES, & LETTERS:

TYPE OF APPLICATION, FEE, OR LETTER	FEE (Per Application or Letter)
Alcohol Licenses	\$35-100
Zoning Compliance Letter	\$100-75
FDEP Review Letter	\$100-70
Re-Addressing for Convenience	\$500-50
Home Occupation-	\$55
White Sands Compliance Inspection	\$35-100
Each re-inspection due to failure of a previous inspection	\$87-150
Dog Friendly Dining	\$540-00
Conditional Use	\$650-1500
Property Status Letter (Lien Requests)	\$35-
Home Solicitation Sales	\$55
Change of Use Application Fee - Commercial	\$100-500
Change of Use Application Fee - Short Term Rental	\$2000
Change of Use Application Fee - Home Occupation-	\$50
Change of Use Application Fee - Mobile Vender-	\$25 per location-
Parking Agreement Review	\$75-500
White Sands Review	\$50-100
Street Name Change	\$500
Special Beach Event Permit - Residential	\$250
Special Beach Event Permit - Commercial	\$500
Outside Consulting Fee	10% of invoice or \$200 whichever is less

Commented [SO4]: Need to confirm with Louis & Kim

324xxx IMPACT FEES

Fees charged to developers at the time of development for construction of facilities to serve the development site. Impact fees are based on the Impact fee study performed in 2007.

Code Reference: Land Development Code

Responsible Department: Community Development Department

324110 IMPACT FEES - PUBLIC SAFETY- RESIDENTIAL

Land Use Type	Unit	Fee
Residential, less than 500 sq. ft.	Dwelling	\$9
Residential, 500—749 sq. ft.	Dwelling	\$11
Residential, 750—999 sq. ft.	Dwelling	\$13
Residential, 1,000—1,499 sq. ft.	Dwelling	\$16
Residential, 1,500—1,999 sq. ft.	Dwelling	\$19
Residential, 2,000—2,999 sq. ft.	Dwelling	\$23
Residential, 3,000—3,999 sq. ft.	Dwelling	\$27
Residential, 4,000 sq. ft or more	Dwelling	\$31
Mobile home/RV park	Pad	\$21

Section 2: Building Permits and Developer Fees

Hotel/Motel	Room	\$11
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324120 IMPACT FEES - PUBLIC SAFETY – COMMERCIAL

Land Use Type	Unit	Fee
Retail/commercial	1,000 sq. ft.	\$31
Office	1,000 sq. ft.	\$18
Industrial	1,000 sq. ft.	\$11
Warehouse	1,000 sq. ft.	\$11
Church/Synagogue	1,000 sq. ft.	\$11
School/college	1,000 sq. ft.	\$11
Hospital	1,000 sq. ft.	\$11
Nursing home	1,000 sq. ft.	\$11
Other institutional	1,000 sq. ft.	\$11

324210 IMPACT FEES - PHYSICAL ENVIRONMENT – RESIDENTIAL

The Net Positive Environmental Benefit Impact Fee is 25% of the cost of construction for all marinas, docks, piers or other similar development within the Destin harbor and canals adjacent to the Destin Harbor.

324220 IMPACT FEES - PHYSICAL ENVIRONMENT - COMMERCIAL

The Net Positive Environmental Benefit Impact Fee is 25% of the cost of construction for all marinas, docks, piers or other similar development within the Destin harbor and canals adjacent to the Destin Harbor.

3243X0 IMPACT FEES – TRANSPORTATION

These Fees help the city address development impacts on transportation to include traffic, roads, sidewalks, streetlights, and parking.

324310 IMPACT FEES - TRANSPORTATION - RESIDENTIAL

Land Use Type	Unit	Fee
Residential, less than 500 sq. ft.	Dwelling	\$583
Residential, 500—749 sq. ft.	Dwelling	\$724
Residential, 750—999 sq. ft.	Dwelling	\$855
Residential, 1,000—1,499 sq. ft.	Dwelling	\$1,016
Residential, 1,500—1,999 sq. ft.	Dwelling	\$1,198
Residential, 2,000—2,999 sq. ft.	Dwelling	\$1,425
Residential, 3,000—3,999 sq. ft.	Dwelling	\$1,677
Residential, 4,000 sq. ft or more	Dwelling	\$1,896
Mobile home/RV park	Pad	\$780
Hotel/Motel	Room	\$981

Section 2: Building Permits and Developer Fees

324320 IMPACT FEES - TRANSPORTATION - COMMERCIAL

Land Use Type	Unit	Fee
Retail/shopping center	1,000 sq. ft.	\$1,752
Discount Superstore	1,000 sq. ft.	\$2,242
Bank, Walk-in	1,000 sq. ft.	\$2,043
Bank, Drive-in	1,000 sq. ft.	\$3,205
Supermarket	1,000 sq. ft.	\$3,298
Convenience market	1,000 sq. ft.	\$4,216
Golf Course	Acre	\$548
Marina	Berth	\$321
Racquet/Health Club	1,000 sq. ft.	\$3,584
Restaurant, Fast Food	1,000 sq. ft.	\$4,638
Restaurant, High Turnover	1,000 sq. ft.	\$4,464
Restaurant, Sit-Down	1,000 sq. ft.	\$3,244
Service Station	Fuel Position	\$1,030
Office, General	1,000 sq. ft.	\$1,404
Hospital	1,000 sq. ft.	\$2,262
Nursing Home	1,000 sq. ft.	\$786
Church/Synagogue	1,000 sq. ft.	\$883
School/College	1,000 sq. ft.	\$354
Day Care Center	1,000 sq. ft.	\$2,048
Other Institutional	1,000 sq. ft.	\$1,404
General Light Industrial	1,000 sq. ft.	\$888
Warehouse/Storage	1,000 sq. ft.	\$632
Mini-warehouse	1,000 sq. ft.	\$319

324610 IMPACT FEES - LIBRARY - RESIDENTIAL

Land Use Type	Unit	Fee
Residential, less than 500 sq. ft.	Dwelling	\$62
Residential, 500—749 sq. ft.	Dwelling	\$78
Residential, 750—999 sq. ft.	Dwelling	\$93
Residential, 1,000—1,499 sq. ft.	Dwelling	\$112
Residential, 1,500—1,999 sq. ft.	Dwelling	\$133
Residential, 2,000—2,999 sq. ft.	Dwelling	\$160
Residential, 3,000—3,999 sq. ft.	Dwelling	\$190
Residential, 4,000 sq. ft or more	Dwelling	\$217
Mobile home/RV park	Pad	\$149
Hotel/Motel	Room	\$0

324620 IMPACT FEES - LIBRARY - COMMERCIAL

No Library Impact Fees are assessed for Commercial Development

Section 2: Building Permits and Developer Fees

324611 IMPACT FEES – RESIDENTIAL – PARKS

Land Use Type	Unit	Fee
Residential, less than 500 sq. ft.	Dwelling	\$186
Residential, 500—749 sq. ft.	Dwelling	\$235
Residential, 750—999 sq. ft.	Dwelling	\$279
Residential, 1,000—1,499 sq. ft.	Dwelling	\$335
Residential, 1,500—1,999 sq. ft.	Dwelling	\$399
Residential, 2,000—2,999 sq. ft.	Dwelling	\$479
Residential, 3,000—3,999 sq. ft.	Dwelling	\$570
Residential, 4,000 sq. ft or more	Dwelling	\$649
Mobile home/RV park	Pad	\$447
Hotel/Motel	Room	\$243

324621 IMPACT FEES – COMMERCIAL – PARKS

No Parks Impact Fees are assessed for Commercial Development

341920 ENGINEERING FEES

The Land Development Code provides that City Council will establish and collect certain fees for engineering services.

Code Reference: Resolutions 02-06, 02-23, 04-13, 04-15

Responsible Department: Community Development Department/Engineering Division

Development Order Review Fees:

<i>TYPE OF APPLICATION:</i>	<i>E&S Review Fee</i>	<i>Engineering Review Fee</i>	<i>Floodplain Review Fee</i>	<i>Re-Review Fee</i>
MAJOR DEVELOPMENT or DEVIATION	\$200	\$200	\$25	\$100
MINOR DEVELOPMENT or DEVIATION	\$100	\$100	\$25	\$50
SIMPLE DEVIATION	\$100	\$100	\$25	\$50

Section 2: Building Permits and Developer Fees

341940 MARINE APPLICATION FEES

The collection of residential and commercial application fees is for review by the Harbor Board and Staff. NOTE: 10% of all fees collected within this section shall be accounted for and deposited in a separate account designated to support development review/compliance quality process improvement initiatives.

Code Reference: 11.05 Code of Ordinance

Responsible Department: Community Development/Planning Division

	Fee (Per Application or Letter)
RESIDENTIAL	\$50-250
COMMERCIAL	\$100-1000

Net Positive environment Benefit (NPEB) is 25% of the cost of construction for all work performed in the Destin Harbor.

Section 2: Building Permits and Developer Fees

341911 MAPS & PUBLICATIONS

Monies collected for providing copies, to include but not limited to, maps, plats and documents.

Responsible Department: Public Services/City Manager's Office (GIS)

Standard data fees: \$3.10 / standard CD
\$13.40 / standard aerial DVD
\$13 / Aerial DVD

- Standard CD types are base vectors and aerial rasters. (Land use vectors available in future.)
- Base vector CD includes roads, water, 7.5-minute quads, quarter-quads, fire stations, city government buildings, libraries, parks, police stations, schools, flood zones, category storm surge, county border, city limits, zoning, future land use, community redevelopment agencies/areas, building footprints, digital elevations & aerial index.
- For parcels, contact Okaloosa County at 850-651-7958.
- In the future, free copies of standard CDs will be given quarterly to public library.
- Standard DVD types are base vectors and aerial rasters.
- Base vector DVD includes same layers as a Standard CD in un-zipped format.
- Aerial Raster DVD has same capacity as (3) CD's.

Standard Map Fees per page		
Size	Sparse Shading	Dense Shading
8.5 x 11 A	\$2.60	\$5.15
8.5 x 14	\$2.60	\$5.15
11 x 17 B	\$5.15	\$10.30
13 x 19	\$5.15	\$10.30
17 x 24 C	\$10.30	\$15.45
24 x 36 D	\$15.45	\$25.75
34 x 44 E	\$25.75	\$36.05

The above fees are based on map type, ink shading, and printing time, and color-copy fees at local company for small densely shaded maps. A map with over 25% of page shaded with solid ink is considered densely shaded. Custom requests are considered case by case with additional costs. Cost agreement may be in writing. Fulfilled only if costs are agreed upon, time is permitting, and media is practical. Includes but is not limited to:

- Any creation of new data.
- Any modification to existing data and maps.
- Any non-standard media (other than inkjet paper and CD's).
- Any non-standard format such as AutoCAD.dxf

Custom fees: \$22.65 / hour staff rate (calculated in 15-min increments, no charge for first 15 min), plus media. \$3.10 / 650mb CD media, \$13.40 DVD media.

Section 3 Licenses and Permits: Business Tax Receipts (aka business licenses), Rental Registration (LTR/STR), Livery Permits, Vendor Permits, Marine Application Fees, Code Violations

316000 Local Business Taxes (aka Business Tax Receipts aka BTRs)

Fees levied by the City on all businesses, trades, and professions operating with the City or transacting business in interstate commerce where such tax is not prohibited by Sec. 8, Article 1 of the United States Constitution.

Local Business Tax Receipts are invoiced in July and due on October 1 each year. They expire September 30 the succeeding year. A Business Tax Receipt may be transferred to a new owner upon payment of a transfer fee and presentation of evidence of the sale and the original BTR. Receipt holders must comply with all applicable codes of the City and County, including building, fire, and health codes and zoning laws. Fees renewed after ~~October 14~~ September 30 are subject to up to 25% in penalties.

Code Reference: F.S. Chapter 166.201, 205.042, 205.043, 205.053, Sec. 13-40 Code of Ordinances

Responsible Department: Community Development/Building Division

1. Charter boats: All charter boat or fare-carrying boat businesses shall pay a per boat base fee plus a per passenger fee based upon Coast Guard certified passenger capacity.

Charter boats, per boat base	\$ 50 <u>100</u> per boat
Charter boats, per passenger fee	\$ 1.00 <u>1.25</u> per passenger

2. Coin-operated machines: All businesses or activities utilizing coin-operated machines, except pay telephones, shall pay a BTR based upon the number of such machines. The local business tax fee will be determined based upon the total number of coin-operated machines the business or activity utilizes within the corporate limits of Destin, with a list of individual locations of coin-operated machines to be provided by the business or activity making application for a license. The owner of the business or activity shall make sufficient copies of the issued license for display at each coin-operated machine location.

Vending machines are those coin-operated devices which dispense a product in exchange for a coin, i.e., soft drinks, candy, grooming aids, cigarettes, etc. Amusement machines include devices such as pinball, electronic games, pool tables, skeet ball, juke boxes, etc. Laundry machines include washers, hot air dryers and dry-cleaning machines.

Amusement machines, per machine	\$ 10
1 to 10 vending machines	\$ 50 <u>62.50</u>
11 to 25 vending machines	\$ 100 <u>125.00</u>
26 or more vending machines	\$ 150 <u>187.50</u>
1 to 25 coin-operated washing machines and dryers	\$ 50 <u>62.50</u>
26 to 50 coin-operated washing machines and dryers	\$ 100 <u>125.00</u>
51 or more coin-operated washing machines and dryers	\$ 150 <u>187.50</u>

Commented [NB5]: @Krystal Strickland The following fees have are increased based on **Florida Statute 205.033(b) allowances.**

- 100 percent for business taxes that are \$100 or less; and
- 50 percent for business taxes that are between \$101 and \$300; and
- 25 percent for business taxes that are more than \$300 and
- 25 percent for taxes levied at graduated or per unit rates.

Section 3: Business Licenses and Permits

3. Commercial fishing: Net boats, long line and all other commercial non-charter fishing businesses which sell seafood for profit, either retail or wholesale, shall pay a fee based upon the greatest number of vessels.

First boat	\$50 <u>100.00</u>
Each additional boat	\$25 <u>50.00</u>

4. Contractors and subcontractors: The classifications below are as defined in Florida Statutes Section 489.105.

General contractor	\$125 <u>187.50</u>
Building contractor	\$100 <u>200.00</u>
Residential, sheet metal, roofing, electrical, class A air conditioning, mechanical, plumbing, and commercial swimming pool contractors and subcontractors	\$75 <u>150.00</u>
Class B air conditioning and residential swimming pool contractors and subcontractors	\$50 <u>100.00</u>
Class C air conditioning and swimming pool service contractors or subcontractors	\$50 <u>100.00</u>
Handymen and similar craftsmen	\$25 <u>50.00</u>
All other contractors and subcontractors not listed herein	\$50 <u>100.00</u>

5. Food and beverage establishments:

Restaurants, cafes, snack bars, dining rooms, lounges, taverns, nightclubs and the like, whether operating in conjunction with some other line of business or not, base minimum plus per seat	\$50 <u>100.00</u> min <u>\$1.25</u> per seat
Snack counters, drive-ins, catering services, take-out services which maintain no seats, or like businesses which may provide some seating but whose primary nature of business is take-out or delivery of food and/or beverages	\$50 <u>100.00</u>

6. Gasoline stations (including marinas). The annual BT fee shall be based upon the maximum number of vehicles/vessels which can be serviced at any given time, in addition to other fees as may be required pursuant to this article.

1 to 4 vehicles/vessels	\$50 <u>62.50</u>
5 to 10 vehicles/vessels	\$100 <u>125.00</u>
11 to 15 vehicles/vessels	\$150 <u>187.50</u>
16 or more vehicles/vessels	\$200 <u>250.00</u>

7. Insurance:

Each insurance company writing any class of insurance upon any person or property residing or located within the city	\$50 <u>100.00</u>
Insurance agent or firm doing such business as agent or other representative of insurance company or companies, for each place of business	\$100 <u>200.00</u>

Section 3: Business Licenses and Permits

Each traveling or itinerant insurance agent or solicitor, soliciting business within the city	\$100 <u>200.00</u>
Insurance solicitors employed by, or representing, insurance agents who have an annual license as provided by this section	\$50 <u>100.00</u>

8. Leisure rentals: Businesses renting boats, yachts, jet skis, beach equipment, sailboats, motorcycles, mopeds, bicycles, or other similar equipment shall pay a BT fee based upon the number of units. The local business tax fee will be determined based upon the total number of leisure rentals the business or activity rents to the public within the corporate limits of Destin, with a list of individual locations of leisure rental setups to be provided by the business or activity making application for a BT receipt. The business owner or manager shall be responsible for making copies of the issued receipt, with a copy of said license to be distributed to each location site.

1 to 10 units	\$50 <u>62.50</u>
11 to 20 units	\$100 <u>125.00</u>
21 to 30 units	\$150 <u>187.50</u>
31 or more units	\$200 <u>100.00</u>

9. Marinas, dry docks, boat storage: Marinas, dry docks and boat storage annual license fees will be based upon the number of spaces for rent.

Spaces	Wet	Dry
1 to 3	\$50 <u>65.50</u>	\$50 <u>62.50</u>
4 to 10	\$100 <u>125.00</u>	\$50 <u>62.50</u>
11 to 20	\$150 <u>187.50</u>	\$75 <u>93.75</u>
21 to 40	\$200 <u>250.00</u>	\$100 <u>125.00</u>
41 to 60	\$250 <u>312.50</u>	\$125 <u>156.25</u>
61 or more	\$300 <u>375.00</u>	\$150 <u>187.50</u>

10. Professionals: The fees referenced in this section apply to each individual pursuing such profession or professional activities and not against the firm, partnership or corporation. Therefore, each individual must obtain a separate receipt rather than one (1) receipt being acquired by a firm, partnership or corporation. It shall be the responsibility of the principle of each firm to provide to the city a list of individual professionals working from or in the firm's office at the time of application, and to notify the city each time additional professionals assume professional working activities from the office. Each professional is responsible for acquiring his/her individual license BTR and shall post the issued BTR in a conspicuous place in the office in which the professional conducts business activities.

Class 1: Accountants/certified public accountants, architects, attorneys, chiropractors, dentists, engineers, medical doctors, opticians, optometrists, psychiatrists, psychologists, surveyors, and veterinarians	\$150 <u>225.00</u>
Class 2: Real estate brokers and stockbrokers	\$100 <u>200.00</u>
Class 3: Real estate agents, barbers, beauticians, cosmetologists, electrologists, and others not referenced in class 1, class 2, or in the insurance category (item 7 above)	\$25 <u>50.00</u>

Section 3: Business Licenses and Permits

11. Rental units: All hotels, motels, houses, cottages, condominium units, trailer spaces, boardinghouses and all other units or spaces rented. The local business tax fee will be determined based upon the total number of rental units the business or activity manages within the corporate limits of Destin, with a list of individual locations of rental units to be provided by the business or activity making application for a BTR. The business owner or manager shall post the issued BTR in a conspicuous place in the office which manages the rental units.

1 to 4 units	\$25 <u>31.25</u>
5 to 10 units	\$50 <u>62.50</u>
11 to 50 units	\$100 <u>125.00</u>
51 to 100 units	\$200 <u>250.00</u>
101 to 200 units	\$300 <u>375.00</u>
201 to 500 units	\$400 <u>500.00</u>
501 or more units	\$500 <u>625.00</u>
Mini-warehouse storage facilities	\$200 <u>300.00</u>

12. Retail, wholesale, manufacturing, services, financial institutions, clubs, pawnshops, private schools, car rentals, hospitals, clinics, advertising agencies, consultants, etc. All financial institutions and businesses selling goods, either wholesale or retail; businesses for the manufacture or assembly of goods; businesses providing services; all clubs, including golf, racquetball, swimming, health, social and the like; miniature golf, water slides and bowling alleys; private schools of any description; automobile rental agencies; and wrecker towing services shall pay a fee based upon the total number of employees. An employee shall be defined as any person actively connected with the business working within the city limits. An affidavit may be requested to accompany the application for such BTR stating the greatest number of individuals employed during any twenty-four-hour period during the preceding business tax year. The City Manager or his designee shall be supplied proof of the number of employees upon demand.

1 to 5 employees	\$50 <u>62.50</u>
6 to 20 employees	\$100 <u>125.00</u>
21 to 50 employees	\$150 <u>187.50</u>
50 Or more employess	\$200.00 <u>250.00</u>

13. Taxicabs, limousines, buses, private ambulances, courtesy cars, delivery cars, etc.: The annual BTR fee shall be a per-unit charge.

Taxicabs, per unit	\$50 <u>62.50</u>
Limousines, per unit	\$100 <u>125.00</u>
Buses: up to 40 passengers, per unit	\$100 <u>187.50</u>
Buses: 41 or more passengers, per unit	\$150 <u>250.00</u>
Courtesy/delivery cars, private ambulances, per unit	\$50 <u>62.50</u>

Section 3: Business Licenses and Permits

14. Theaters: Annual BTR fees will be based upon seating capacity.

1 to 30 seats	\$50 62.50
31 to 100 seats	\$100 125.00
101 to 300 seats	\$150 187.50
301 to 500 seats	\$200 250.00
501 to 750 seats	\$250 312.50
751 or more seats	\$300 375.00

15. Miscellaneous.

Any business activity not listed	\$200 300.00
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OTHER PERMITS AND LICENSES

329500 Rental Registration

The collection of administrative fees for the processing of applications for long- and short-term rental according to the following schedule: NOTE: 10% of all fees collected within this section shall be accounted for and deposited in a separate account designated to support development review/compliance quality process improvement initiatives.

Code Reference: Chapter 13, Code of Ordinance Article 6 and Article 7

Responsible Department: Code Compliance Department

Long-term Rentals:

The registration is valid May 1st to May 1st.

Rental Unit	\$50
Multiple rental units (i.e., apartment complex) located on one single parcel with onsite property management	\$50 Single Registration fee Via the onsite property management
Multiple rental units not located on one single parcel and no available onsite property management	\$50 Per Unit
Late Fee (after June 1 st)	\$50 After July 1st

Short-term Rentals:

Rental unit is a single-family dwelling unit as defined in Chapter 13, Code of Ordinance. The total fee may include an administrative (paper application) fee of \$25, a reapplication fee of \$25, in addition to the rental registration fee based upon building total area square footage (as per Okaloosa Property Appraiser Building File data) as follows:

Up to 2499 square feet (TOTAL SQUARE FOOTAGE)	\$500
2500-4999 square feet	\$600
5000+ square feet	\$700

Section 3: Business Licenses and Permits

Additional short-term rental fees that may apply:

Administrative Fee (Paper Application)	\$25
Late Fee after March 31 st	\$100
Late Fee after June 1 st	\$500

329400 Livery Vessel Permitting

The Land Development Code provides that City Council will establish and collect fees for the issuance of Livery Vessel Permits. NOTE: 10% of all fees collected within this section shall be accounted for and deposited in a separate account designated to support development review/compliance quality process improvement initiatives.

Code Reference: Ordinance 17-02-CC

Responsible Department: Code Compliance Development

Livery Vessel Permit Fee	\$100 Per Vessel
Late Fee, per vessel After March 1 st of every calendar year	\$25

329504 Beach Management Vendor Permits

The Land Development Code provides that City Council will establish and collect fees for the issuance of Beach Vendor Permits. NOTE: 10% of all fees collected within this section shall be accounted for and deposited in a separate account designated to support development review/compliance quality process improvement initiatives.

Code Reference: LDC 11.08.03

Responsible Department: Code Compliance Department

Wheeled Vehicle Permit, per vehicle	\$50
Beach Vendor Permit, per location	\$150
Late Fee, per location	\$25

Section 3: Business Licenses and Permits

329508 Sexually Oriented Business License

Ordinance 09-06-LC provides that City Council will establish and collect fees for the issuance of annual licenses for purposes of ensuring compliance with certain regulations. All licenses shall expire on September 30th of each year unless otherwise suspended or revoked. Applications for renewal shall be made at least 20 days before the expiration of the license. The fines for operating a sexually oriented business without business and employee licenses may be \$250 to \$500 and/or jail for a period not to exceed sixty days for each violation day.

Code Reference: Ordinance 09-06-LC

Responsible Department: Code Compliance Department

Initial Application Fee, per business	\$250
Annual Renewal Fee, per business	\$100
Initial Application Fee, per employee	\$50
Each Additional License, per employee	\$20
Annual Renewal Fee, per employee	\$50
Annual Renewal of each additional license per employee	\$10

354100 Code Violation Fines

These are fines assessed by the Code Board for non-compliance of violations. In the case of a first violation, the code enforcement board may order the violator to pay a fine not to exceed two hundred fifty dollars (\$250.00) for each day the violation continues past the date set by the board's order for compliance.

In cases where the code enforcement board has found that a repeat violation has been committed, the board may order the violator to pay a fine not to exceed five hundred dollars (\$500.00) for each day the repeat violation continues beginning with the date the repeat violation is found to have occurred by the code inspector.

Code Reference: Chapter 14 of the Code Ordinances, Section 14-81.

Responsible Department: Code Compliance Department

Special Magistrate

The Code of Ordinances provides that City Council will establish and collect fees for the prosecution of cases heard before the Special Magistrate.

Administrative Fee: \$500.00

Code Reference: Code of Ordinance Section 14-81

Responsible Department: Code Compliance Department

Section 4 Miscellaneous: Parking Fees and Fines, Clerk's Office, Cemetery, Election Qualifying Fees, NSF returned check fee

344500 PARKING FACILITIES USER FEES

Harbor District: North of highway 98, the Marler, Community Center, and Zerbe parking lot fees are \$~~5.00~~20 for up to 24 hours.

Beach Zones: Parking in the beach zones south of Highway 98 is \$~~5.00~~20.00 for ~~five~~four (5) hours.

No parking is allowed between 11pm and 3am in the parking lots nor in the Beach Zones.

Code Reference: Resolutions 19-05

Responsible Department: Code Compliance Department

354300 PARKING FINES

Payments collected from parking fines related to parking issues throughout the City limits.

Parking Lot Fines in following areas: Marler, Zerbe, Community Center, Beach paid parking zones \$~~33~~100

Other parking infractions \$~~100~~39

Responsible Department: Code Compliance Department

351000 TRAFFIC FINES

A police officer may issue a ticket for any moving violation as set forth in the provision of the Code of Ordinances.

Code Reference: Florida Statutes 34.191; 142.03; 316.660; 318.21

Responsible Department: Community Development

341930 ELECTION QUALIFYING FEES

Elections for candidates running for office in accordance with the City's charter, Section 5.03 Qualifications.

"Candidates for the offices of City Council member and Mayor shall qualify for such office by the filing of a written notice of candidacy with the designated city official, by the payment of any applicable qualifying fee at such time and in such manner as may be prescribed by ordinance." For the March 2004 election was \$25 per candidate.

Code Reference: City Charter Section 5.03

Responsible Department: City Clerk's Office

Section 4: Miscellaneous Fees, Parking, Clerk, Cemetery

364200 CEMETERY LOT SALES.

The City Code provides for City ownership and operation of cemeteries. The City has separate fees for both residents and non-residents.

Code Reference: Resolution 01-23, 11/05/0123-05

Responsible Department: City Clerk's Office

	RESIDENTS	NON-RESIDENT
BURIAL LOT, EACH	\$1,400 <u>\$1,350</u>	\$1,600
UPRIGHT HEADSTONE PHASE II	\$1,350	\$2,150
DISINTERMENT FEE	\$257	
MAUSOLEUM NICHE	\$618	\$875
SEA MEMORIAL ENGRAVING	\$200 per visit	
WEEKEND/HOLIDAY GRAVE MARKING	\$77	

341900 PUBLIC RECORDS DUPLICATION

Note: The City of Destin will expect/exclude all governmental agencies from photocopying and/or duplicating charges. This policy applies to federal, state, county, or municipal governments, their agencies, and divisions. All other exceptions are at the discretion of the City Manager.

COPIES, CERTIFIED COPY	\$1 PER PAGE + PHOTOCOPY CHARGE
COPIES, COMPUTER DISC	\$6 PER DISC
FAXED (LOCAL)	\$0.10 PER PAGE
FAXED (LONG DISTANCE)	\$0.30 FLAT RATE + PHOTOCOPY CHARGE
PHOTOCOPIES, AERIAL (LARGE-36"x60")	\$10 PER PAGE
PHOTOCOPIES, AERIAL (SMALL- 24"x 36")	\$5 PER PAGE
SITE PLAN Copies (36" x 24")	\$2 PER PAGE
PHOTOCOPIES, DUPLEXED	\$0.20 PER PAGE
PHOTOCOPIES, ONE-SIDED	\$0.15 PER PAGE
SPECIAL SERVICE CHARGE	\$24 PER HOUR OR \$4 PER TEN MINUTE INCREMENT

**FAXED COPIES LIMITED TO 25 PAGES OR LESS AND 8.5"x14"

Adopted August 05, 2019

Revisions approved at June 15, 2020 Regular Council Meeting

Revisions approved at the September 7, 2021 Regular Council Meeting

Code Reference: Resolution 19-11; Resolution 20-13; Resolution 21-11

369000 NSF and returned check fee

The fee for returned checks paying for any City service, user fee, permit, license or payment of fines is \$30 or 10% of check amount, whichever is greater.

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: May 1, 2023
TYPE OF AGENDA ITEM: City Manager Report
AGENDA OUTLINE NUMBER: 4.C.

TO: City Council

THRU: Lance Johnson, City Manager

FROM: lisa Firth, Parks & Rec Director

DATE: April 24, 2023

SUBJECT: Captain Royal Melvin Heritage Park's Rules and Regulations

I. BACKGROUND: Captain Royal Melvin Heritage Park (CRMHP) operating rules and regulations discussion.

With the opening of Captain Royal Melvin Park in the near future, staff is requesting the Council's guidance on operating policies within this park due to its unique location and circumstances.

1. Operating Hours for CRMHP amenities, including restrooms. Staff recommends operating hours be established from sunrise to one hour after sunset.
2. Since CRMHP provides access to and from the City's Marler Parking Lot, staff is recommending that the Council allow the public to traverse the park north and south after operating hours with the caveat of "No Loitering in the park after hours".
3. . The park is located in the "festive marketplace" where open alcohol is allowed. Will open alcohol be allowed in the park too? We currently have two exemptions to the alcohol prohibition in parks that is outlined in Ordinance 15-64. We can bring back a revision to this ordinance adding an exemption for CRMHP if the Council desires.
4. Water Taxi Stop. Does the Council want to allow a Water Taxi Stop to be established on the boardwalk adjacent to the park?
5. Leashed dogs are permitted on the harbor boardwalk. It would make sense to allow leashed dogs in CRMHP also. Staff recommends allowing for leashed dogs in the park and, if approved, will install dog waste stations.

II. DISCUSSION: On April 25th, 2023 this matter was discussed with the Parks & Recreation Committee, who made a motion endorsing:

Park Hours are from Sunrise to One Hour After Sunset.

Allow pedestrians to traverse the park north and south after park hours but not be allowed to loiter after hours.

Allow open alcohol in the park in accordance with the Festive Marketplace rules.
Working with Community Development to allow for a Water-Taxi stop to be allowed. Ordinances attached

Allow leashed dogs in the park. (item identified by the Parks & Rec Committee)

A. Link to Strategic Goals / Objectives: 1 A green and sustainable environment

2 Improve mobility and connectivity

3 Enhance quality of life and safety for families

B. Effect on Budget (EOB): TBD by the hours the Council proposes, (staffing hours).

C. Level of Service (LOS):

D. Legislative Sponsor:

III. CONCLUSION: Staff recommendations:

1. Establish operating hours to be open at sunrise and close one-hour-after sunset.
2. Allow pedestrians to traverse the park north and south on the walkway during the closed hour of one-hour after sunset to sunrise but not allow loitering during that timeframe.
3. Align the Park's alcohol policy with that of the Festive Market Place.
4. Allow for the future establishment of a Water-Taxi pickup/dropoff space in the waters adjacent to the Park.
5. Allow leashed pets in this park.

IV. RECOMMENDED MOTION: I move to direct the City Manager to bring back the required ordinance and/or resolution revisions to adopt the operating policies as presented for Council's approval.

or

I move to direct the City Manager to bring back the required ordinance and/or resolution revisions to adopt the operating policies with the following changes for Council's approval.

Attachments:

1. Ordinance 16-12-LC Defining Boundary for Harbor Festive Market
2. Chapter_15__PARKS_AND_RECREATION
3. Memo- Water Taxi

ORDINANCE 16-12-LC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA RELATING TO FURTHER DEFINING THE BOUNDARY OF THE SOUTH HARBOR FESTIVE MARKET PLACE; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR THE AMENDMENT OF SECTION 7.16.04. OPEN CONTAINERS OF ALCOHOL; PROVIDING FOR INCORPORATION INTO LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DESTIN, FLORIDA, AS FOLLOWS:

SECTION 1. AUTHORITY. The authority for enactment of this Ordinance is Article 1, Section 1.01(b) of the City Charter, Section 166.021, Florida Statutes and Chapter 163, Part II, Florida Statutes.

SECTION 2. FINDINGS OF FACT.

WHEREAS, the City Council of the City of Destin has determined that in the interest of the citizens health, safety, and welfare, the allowance of open containers of alcohol shall be limited to a specific defined area known as the "South Harbor Festive Market Place" and such area shall be further delineated;

WHEREAS, the City Council has determined that this ordinance is consistent with the adopted comprehensive plan and is in the best interests of the City and its citizens;

WHEREAS, a public hearing has been conducted after due public notice by the Destin Local Planning Agency and its recommendations reported to the City Council; and

WHEREAS, a public hearing has been conducted by the City Council after due public notice.

NOTE: *Language in section 3 of this ordinance that is ~~struck through~~ is language proposed to be deleted, underlined language is language proposed to be added, language that is not ~~struck through~~ or underlined is not to be changed, and * * * represents sections of the Land Development Code that have been skipped and remain unchanged.*

SECTION 3. AMENDMENT OF LAND DEVELOPMENT CODE SECTION 7.16.04. OPEN CONTAINERS OF ALCOHOL. Section 7.16.04. *Open containers of alcohol* of the Land Development Code is hereby amended as follows:

* * *

7.16.04. *Open containers of alcohol.* Any establishment located in the South Harbor Festive Market Place Open Container Area, as set forth in this Section, that is licensed to dispense alcoholic beverage by the drink for consumption on the premises is authorized to dispense an alcoholic beverage in a paper or plastic cup or other container for removal from the premises to another premises located within the South Harbor Festive Market Place. The "South Harbor Festive Market Place Open Container Area" is defined as the area south of but not including the Harbor Boulevard public sidewalk, east of the East Pass, north of the mean high water line of the Harbor, and west of the east property line of parcel # 00-2S-22-0700-000E-0060. Open containers of alcohol shall not be possessed anywhere outside of the "South Harbor

Festive Market Place Open Container Area" boundary as defined herein above, unless approved as part of a general special event permit issued by the City. "Other container" as used in this Section, shall not include a glass bottle, ceramic mug or any other frangible container. No establishment shall dispense to any person more than one such alcoholic beverage at a time for removal from the premises, and no person shall remove at one time more than one such alcoholic beverage from the licensed premises.

* * *

SECTION 4. INCORPORATION INTO LAND DEVELOPMENT CODE. This ordinance shall be incorporated into the City of Destin's Land Development Code and any section or paragraph number or letter and any heading may be changed or modified as necessary to effectuate the foregoing.

SECTION 5. CONFLICTING PROVISIONS. Special Acts of the Florida Legislature applicable to the incorporated area of the City of Destin, City Ordinances and City Resolutions, or parts, thereof, in conflict with the provisions of this ordinance are hereby superceded by this ordinance to the extent of such conflict.

SECTION 6. SEVERABILITY. Each separate provision of this ordinance is deemed independent of all other provisions herein so that if any portion or provision of this ordinance is declared invalid, all other provisions thereof shall remain valid and enforceable.

SECTION 7. EFFECTIVE DATE. This ordinance shall become effective upon its adoption by the City Council and signature by the Mayor.

ADOPTED THIS 3RD DAY OF OCTOBER 2016

By: Scott Fischer
Scott Fischer, Mayor

ATTEST:

Rey Bailey
Rey Bailey, City Clerk

The form and legal sufficiency of the foregoing has been reviewed and approved by the City Land Use Attorney.

Scott Shirley
Scott Shirley, City Land Use Attorney

First Reading: September 20, 2016

Second Reading: October 3, 2016

Chapter 15 PARKS AND RECREATION¹

ARTICLE I. IN GENERAL

Sec. 15-1. Findings of fact.

The city council finds the following:

- (1) The tranquility, and orderly and safe use of beaches, public parks and public recreational lands is of prime importance to the city, its citizens and visitors.
- (2) The operation of motor vehicles on beaches, public parks and public recreational lands, except in areas clearly designated or posted for vehicular traffic or parking, and except for certain necessary purposes, presents a public safety hazard and impacts detrimentally upon beach and dune stability.
- (3) The possession and use of glass or ceramic containers on beaches, public parks and public recreational lands creates public safety and environmental hazards.
- (4) Fires on beaches, public parks and public recreational lands create property, public safety and environmental hazards.
- (5) Camping on the beaches, public parks and public recreational lands, except in areas clearly designated for camping and providing proper sanitary facilities, creates public health and safety hazards.
- (6) The adoption of this chapter is necessary for the improvement and general interest of the city, and the protection of the health, safety, life, property, environment and general welfare of the city and its inhabitants.

(Ord. No. 079, § 2, 5-18-87)

Sec. 15-2. Definition.

As used in this chapter, "camping" shall mean sleeping or resting in an attitude of sleep in the nighttime, or purposing to reside, even temporarily, in any such area, or sitting or standing about the posted hours of operation.

(Ord. No. 079, § 3(B), 5-18-87; Ord. No. 345, § 2, 4-17-00)

Cross reference(s)—Definitions and rules of construction generally, § 1-2.

Sec. 15-3. Reserved.

Editor's note(s)—Ord. No. 12-09-CN, § 2, adopted January 7, 2013, repealed § 15-3, which pertained to operation of motor vehicles restricted and derived from Ord. No. 079, § 4, 5-18-87.

¹Charter reference(s)—Authority, § 1.01(b), (k).

Cross reference(s)—Boats, harbor, waterways and shoreline, Ch. 5; streets and public places, Ch. 18.

State law reference(s)—Powers of cities generally, F.S. § 166.021.

Sec. 15-4. Reserved.

Editor's note(s)—Ord. No. 12-09-CN, § 3, adopted January 7, 2013, repealed § 15-4, which pertained to possession or use of glass or ceramic containers prohibited and derived from Ord. No. 079, § 5, 5-18-87.

Sec. 15-5. Reserved.

Editor's note(s)—Ord. No. 12-09-CN, § 4, adopted January 7, 2013, repealed § 15-5, which pertained to fires restricted and derived from Ord. No. 079, § 6, 5-18-87.

Sec. 15-6. Reserved.

Editor's note(s)—Ord. No. 12-09-CN, § 5, adopted January 7, 2013, repealed § 15-6, which pertained to camping restricted and derived from Ord. No. 079, § 7, 5-18-87; Ord. No. 345, § 3, 4-17-00.

Sec. 15-7. Recreation fees.

- (a) *Purpose.* The purpose of this section is to establish fees for the various recreational activities that utilize public property within the city and to establish procedures for the enforcement of such fees.
- (b) *Schedule.* The city shall levy fees for recreational activities that utilize public property including, but not limited to, arts and crafts, league/team activities, adult field sports, field usage, and specialty activities (video games, board games, etc.). The amount of the recreation fee required is calculated per participant and/or area/facility, and as established by resolution of the city council.
- (c) *[Reserved.]*
- (d) *[Reserved.]*

(Ord. No. 148, § 1, 10-2-89; Ord. No. 189, §§ 2, 3, 11-19-90; Ord. No. 208, § 2, 8-19-91; Ord. No. 208.1, § 2, 4-20-92; Ord. No. 208.2, § 2, 11-16-92; Ord. No. 235, § 2, 1-4-93; Ord. No. 345, § 4, 4-17-00; Ord. No. 03-12-CC, § 2, 7-7-03)

Secs. 15-8—15-30. Reserved.

ARTICLE II. STANDARDS OF BEHAVIOR AND OPERATION OF PUBLIC PARKS²

Sec. 15-31. Authority.

The authority for enactment of this article is Section 1.01(e)(1) and Section 3.10(d)(5) of the City Charter and Section 166.021, Florida Statutes.

(Ord. No. 117, § 1, 9-5-89)

²Editor's note(s)—Ord. No. 117, §§ 1—12, adopted Sept. 5, 1989, has been codified herein at the discretion of the editor as Art. II, §§ 15-31—15-42.

Sec. 15-32. Purpose.

The purpose of this article is to establish procedures by which city parks are operated and standards of behavior within the city parks, and will serve to enhance public administration and the health, safety and welfare of the city and its citizens.

(Ord. No. 117, § 2, 9-5-89)

Sec. 15-33. Definitions.

For the purpose of this article the following terms, phrases, words, abbreviations and their derivations shall have the following meaning herein given. When not inconsistent with the context, words used in the present tense include the future tense, words in the plural number include the singular number and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. Words not defined shall be given their common and ordinary meaning, or for those so included, the meaning found in Ordinance 001 [section 1-2].

Commercial activity shall mean any sale, rental, service, lesson, instruction, tour or other activity conducted by any person or entity other than the city, or city employee(s) or contractor(s), for which there is charged any fare, fee, rate, or other consideration, or which is otherwise conducted directly or indirectly in connection with any business. Commercial activity shall also include the provision or receipt of any rental commercial watercraft including, but not limited to, pontoon boats, personal watercraft, kayaks or paddle boards, and shall also include the picking up or dropping off of customers or users of any rental commercial watercraft. Commercial activity shall also include the loading or unloading of customers, users, watercraft of any type, equipment, supplies or other materials in connection with any offsite commercial activity. The following are expressly exempt from the definition of commercial activity:

- (1) *Designated place.* Commercial activity shall not include any activity or use that is conducted in any park in an area designated and clearly marked for such activity or use by the city.
- (2) *Special events.* Nothing herein shall preclude the city, or any individual or entity expressly authorized by the city, from engaging in commercial activity as part of a special event approved, or sponsored, by the city.
- (3) *Permitted activity.* Commercial activity shall not include any activity permitted by the city pursuant to section 15-39 of this article, or pursuant to a license from the city, such as a beach vending license, nor shall it include concessions permitted by the city as part of sporting events.
- (4) *Franchises.* Commercial activity shall not include the provision of rental services for water related items such as kayaks and paddle boards, including related equipment, where such services are conducted pursuant to franchise granted by the city.
- (5) *Commercial photography.* Commercial activity shall not include the taking of photos for commercial purposes.
- (6) *Joe's Bayou Recreation Area: Commercial boat launching/recovery.* Properly licensed and registered commercial watercraft may be launched and/or recovered at any boat launch within Joe's Bayou Recreation Area, and such activity shall not be considered commercial activity, provided:
 - a. A daily launch fee has been paid* or the launching party has in their possession a valid annual commercial launch pass; and
 - b. The designated launch ramp is used; and
 - c. Commercial activities are not conducted during the launch and/or recovery of the watercraft and are not conducted on or about the Joe's Bayou Recreation Area.

*Commercial daily launch fees are valid for one launch and one recovery only and expire at sunset on the date they were paid and issued.

Park is a park, reservation, playground, beach, boat ramp, recreation center or any other area in the city, owned or used by the city and devoted to active or passive recreation.

Vehicle is any wheeled conveyance, whether motor powered, animal-drawn, or self-propelled. The term shall include any trailer in tow of any size, kind or description. Exception is made for baby carriages, wheel chairs, and vehicles in the service of the city parks.

Vessel is defined in accordance with F.S. § 327.02(39), to wit: "Vessel is synonymous with boat as referenced in s. 1(b), Art. VII of the State Constitution and includes every description of watercraft, barge, and airboat, other than a seaplane on the water, used or capable of being used as a means of transportation on water.

(Ord. No. 117, § 3, 9-5-89; Ord. No. 12-04-CN, § 2, 3-5-12; Ord. No. 17-12-CC, § 3, 8-21-17)

Sec. 15-34. Park property.

No person in a park shall:

(a) *Buildings and other property.*

- (1) *Disfiguration and removal.* Willfully mark, deface, disfigure, injure, tamper with, or displace or remove, any buildings, bridges, tables, benches, fireplaces, railings, paving or paving material, water lines or other public utilities or parts or appurtenances thereof, signs, notices or placards whether temporary or permanent, monuments, stakes, posts, or other boundary markers, fences, gates, or other structures or equipment, facilities or park property or appurtenances whatsoever, either real or personal.
- (2) *Restrooms and washrooms.* Fail to cooperate in maintaining restrooms and washrooms in a neat and sanitary condition. No person over the age of five (5) years shall use the restrooms and washrooms designed for the opposite sex.
- (3) *Removal of natural resources.* Dig, or remove any beach sand, whether submerged or not, or any soil, shell, rock, stones, trees, shrubs or plants, down-timber or other wood or materials, or make any excavation by tool, equipment, blasting, or other means or agency.
- (4) *Erection of structures.* Construct or erect any building or structure of whatever kind, whether permanent or temporary in character, or run or string any public service utility into, upon, or across such lands, except on special written permit issued hereunder.

(b) *Trees, shrubbery, lawns.*

- (1) *Injury and removal.* Damage, cut, carve, transplant or remove any tree or plant or injure the bark, or pick the flowers or seeds, of any tree or plant. Nor shall any person attach any rope, wire, or other contrivance to any tree or plant. A person shall not dig in or otherwise disturb grass areas, or in any other way injure or impair the natural beauty or usefulness of any area.
- (2) *Climbing trees, etc.* Climb any tree or walk, stand or sit upon monuments, vases, fountains, railing, fences, or gates, or upon any other property not designated or customarily used for such purposes.
- (3) *Hitching of animals.* Tie or hitch a horse or other animal to any tree or plant.

- (c) *Wild animals, birds, etc.* Hunt, molest, harm, frighten, kill, trap, chase, tease, shoot or throw missiles at any animal, reptile or bird; nor shall he remove or have in his possession the young of any wild animal, or the eggs or nest, or young of any reptile or bird. Exception to the foregoing is made in that snakes

known to be deadly poisonous, such as rattle snakes, moccasins, or coral snakes may be killed on sight. Nothing herein shall be interpreted, applied or enforced in a manner which might constitute the regulation of the use or possession of firearms, an area of regulation which is preempted to the state by F.S. § 790.33.

(Ord. No. 117, § 4, 9-5-89; Ord. No. 11-13-CC, § 5, 9-19-11)

Sec. 15-35. Sanitation.

No person in a park shall:

- (a) *Pollution of waters.* Throw, discharge, or otherwise place or cause to be placed in the waters of any fountain, pond, lake, stream, canal, bayou, bay, pass, lagoon, the Gulf of Mexico, or other body of water in or adjacent to any park or any tributary, stream, storm sewer, or drain flowing into such waters, any substance, matter or thing, liquid or solid, which will or may result in the pollution of said waters.
- (b) *Refuse and trash.* Have brought in or shall dump, deposit or leave any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage, or refuse, or other trash. No such refuse or trash shall be placed in any waters in or contiguous to any park, or left anywhere on the grounds thereof, but shall be placed in the proper receptacles where these are provided; where receptacles are not so provided, all such rubbish or waste shall be carried away from the park by the person responsible for its presence, and properly disposed of elsewhere.

(Ord. No. 117, § 5, 9-5-89)

Sec. 15-36. Traffic.

No person in a park shall:

- (a) *State motor vehicle laws apply.* Fail to comply with all applicable provisions of the state motor vehicles traffic laws in regard to equipment and operation of vehicles together with such regulations as are contained in this or other ordinances.
- (b) *Enforcement of traffic regulations.* Fail to obey all traffic officers, park employees, and other city employees, such persons being hereby authorized and instructed to direct traffic whenever and wherever needed in the parks and on the highways, streets or roads immediately adjacent thereto in accordance with the provisions of these regulations.
- (c) *Obey traffic signs.* Fail to observe carefully all traffic signs indicating speed, direction, caution stopping, or parking, and all others posted for proper control and to safeguard life and property.
- (d) *Speed of vehicles.* Ride or drive a vehicle at a rate of speed exceeding ten (10) miles an hour, except upon such roads as the city may designate, by posted signs, for faster travel.
- (e) *Operation of motor vehicles and all-terrain vehicles.* No person, firm, corporation, joint venture, partnership, or other legal entity shall operate any motor vehicle in, on, or over any public land, right-of-way, or city park, beach, or recreational area in the city that is not clearly designated or posted for vehicular traffic, vehicular parking or emergency vehicular traffic, unless the same shall have been issued a permit by the city manager or their designee. This provision shall not apply to city, public safety or emergency motor vehicles being operated in the line of duty. Personal or privately owned all-terrain vehicles are not permitted on the public beach. *Exception:* All-terrain vehicles used by sheriff's deputies, Destin Fire Control District employees, and city employees may be driven on the beach in the performance of official business.

(f) *Parking.*

- (1) *Designated areas.* Park a vehicle in other than an established or designated parking area, and such use shall be in accordance with the posted directions there at and with the instructions of any attendant who may be present.
- (2) *Full-parking.* Full-park on the road or driveway at any time. In order to enjoy some special natural scenic feature, vehicles may be parked with the two (2) left wheels near the right edge of the paving for not more than ten (10) minutes. No stopping or parking is permitted even briefly on the left-hand side of any road or driveway.
- (3) *Double-parking.* Double-park any vehicle on any road or parkway unless directed by a city official.
- (4) *Impeding access.* Park in a manner that impedes or otherwise blocks emergency vehicle access points, service vehicle access points, pedestrian access points or pedestrian walkways.

(g) *Bicycles.*

- (1) *Confined to roads.* Ride a bicycle on other than a paved vehicular road or path designated for that purpose. A bicyclist shall be permitted to wheel or push a bicycle by hand over any grassy area or wooded trail or on any paved area reserved for pedestrian use.
- (2) *Operation.* Ride a bicycle other than on the right-hand side of the road paving as close as conditions permit, and bicycles shall be kept in single file when two (2) or more are operating as a group. Bicyclists shall at all times operate their machines with reasonable regard to the safety of others, signal all turns, pass to the right of any vehicle they are overtaking, and pass to the right of any vehicles they may be meeting.
- (3) *Rider prohibited.* Ride any other person on a bicycle.
- (4) *Designated racks.* Leave a bicycle in a place other than a bicycle rack when such is provided and there is a space available.
- (5) *Immobile.* Leave a bicycle lying on the ground or paving, or set against trees, or in any place or position where other persons may trip over or be injured by them.
- (6) *Night operation.* Ride a bicycle on any road between sunset and sunrise.

(Ord. No. 117, § 6, 9-5-89; Ord. No. 345, § 5, 4-17-00; Ord. No. 12-09-CN, § 6, 1-7-13)

Cross reference(s)—Operation of motor vehicles restricted in parks and recreational lands, § 15-3.

Sec. 15-37. Recreational activities.

No person in a park shall:

(a) *Bathing and swimming.*

- (1) *Designated areas.* Swim, bathe, or wade in any waters or waterways in or adjacent to any park, except in such waters and at such places as are provided therefor, and in compliance with such regulations as are herein set forth or may hereafter be adopted. Nor shall any person frequent any waters or places customarily designated for the purpose of swimming or bathing, or congregate thereat when such activity is prohibited by the city upon a finding that such use of the water would be dangerous or otherwise inadvisable.
- (2) *Certain hours.* Frequent any waters or places designated for the purpose of swimming or bathing, or congregate thereat, except between the hours of sunrise and sunset, or as otherwise posted.

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- (3) *Structure on beach.* Erect, maintain, use or occupy on or in any beach or bathing area any tent, shelter or structure of any kind unless there shall be an unobstructed view into said tent, shelter or structure from at least two (2) sides; nor shall any guy wire, rope or extension or exterior brace or support be connected or fastened from any such structure to any other structure, stake, rock or other object outside thereof.
 - (4) *Bath-houses.* Dress or undress on any beach, or in any vehicle, toilet or other place, except in such bathing houses or structures as may be provided for that purpose.
 - (b) *Boating.*
 - (1) *Designated areas.* Bring into or operate any boat, raft, or other water craft, whether motor-powered or not, upon any waters, except at places designated for boating by the city. Such activity shall be in accordance with applicable regulations as are now or may hereafter be adopted.
 - (2) *Prohibition during closing hours.* Launch, dock, or operate any boat of any kind on any waters between the closing hour of the park at night and opening hour the following morning, nor shall any person be on, or remain on or in, any boat during the said closed hours of the park.
 - (3) *Beaching between posted signs prohibited.* Beach, dock, land, or moor any vessel or seaplane, between posted signs prohibiting such activity.
 - (c) *Picnic areas and use.*
 - (1) *Regulated.* Picnic or lunch in a place other than those designated for that purpose.
 - (2) *Availability.* Violate the regulation that use of the individual fireplaces, gazebos or pavilions, together with tables and benches follows generally the rule of "First come, first served, unless permitted and reserved through the recreation department with a deposit."
 - (3) *Nonexclusive.* Use any portion of the picnic areas or of any of the buildings or structures therein for the purpose of holding picnics to the exclusion of other persons, nor shall any person use such area and facilities for an unreasonable time if the facilities are crowded.
 - (4) *Duty of picnicker.* Leave a picnic area before the fire is completely extinguished and before all trash in the nature of boxes, papers, cans, bottles, garbage and other refuse is placed in the disposal receptacles where provided. If no such trash receptacles are available, then refuse and trash shall be carried away from the park area by the picnicker to be properly disposed of elsewhere.
 - (d) *Camping.* No person shall set up tents, shacks, or any other temporary shelter for the purpose of overnight camping, nor shall any person leave in a park after closing hours any movable structure or special vehicle to be used or that could be used for such purpose, such as house-trailer, camp-trailer, camp-wagon, car, truck or the like.
 - (e) *Games.* Take part in or abet the playing of any games involving thrown or otherwise propelled objects such as balls, stones, arrows, javelins or model airplanes except in areas set apart for such forms of recreation. The playing of rough or comparatively dangerous games such as football, baseball and soccer is prohibited except on the fields and courts or areas provided therefor. Roller-skating and driving golf balls shall be confined to those areas specifically designated for such pastime.
 - (f) *Horseback riding.* Ride a horse except on designated bridle trails. Where permitted, horses shall be thoroughly broken and properly restrained, and ridden with due care, and shall not be allowed to graze or go unattended, nor shall they be hitched to any structure, equipment, furniture, rock, tree or shrub.
 - (g) In a non-governmental capacity, operate a concession at Norriego Point Park or otherwise use such park in any manner other than in the capacity as a member of the general public. For purposes of this

prohibition, "concession" is defined as the provision of any type of goods or services by a person or entity other than the park user regardless of whether such goods or services are provided for compensation. Nothing herein shall preclude the city, or any individual or entity expressly authorized by the city, from providing services as part of a city sponsored special event. Nothing herein shall preclude providing assistance to a disabled person who, without such assistance, would be unable to visit and enjoy such park.

(Ord. No. 117, § 7, 9-5-89; Ord. No. 345, § 6, 4-17-00; Ord. No. 12-04-CN, § 3, 3-5-12; Ord. No. 16-15-CC, § 4, 9-8-16)

Cross reference(s)—Camping restricted on beaches and recreational areas, § 15-6.

Sec. 15-38. Behavior.

- (a) *Fireworks and explosives.* Have brought, or have in his possession, or set off or otherwise cause to explode or discharge or burn, any firecrackers, torpedo, rocket, or other fireworks or explosives of inflammable material, or discharge them or throw them into any such area from land or highway adjacent thereto. This prohibition includes any substance, compound, mixture, or article that in conjunction with any other substance or compound would be dangerous from any of the foregoing standpoints. Nothing herein shall be interpreted, applied or enforced in a manner which might constitute the regulation of the use or possession of a firearm, an area of regulation which is preempted to the state by F.S. § 790.33. Exceptions to this item may be made by the city manager for properly licensed professional pyrotechnics providers.
- (b) *Domestic animals.* Have been responsible for the entry of a dog or other domestic animal into areas other than the Destin Dog Park or other official city dog park, automobile parking concourses and walks immediately adjacent thereto, and in such other areas as may be clearly marked by signs bearing the words "Domestic Animals Permitted in This Area." Nothing herein shall be construed as permitting the running of dogs at large except for those located within the Destin Dog Park or other official city dog park. All dogs in those areas where such animals are permitted shall be restrained at all times, except for those located within the Destin Dog Park or other official city dog park, on adequate leashes not greater than four (4) feet in length. This section shall not apply to any dog trained to aid disabled or handicapped persons, when any such dog is actually being used to assist any such person.
- (c) *Reservation of facilities.* Occupy any seat or bench, or enter into or loiter or remain in any pavilion or other park structure or section thereof which may be reserved and designated by the city.
- (d) *Fires.* Build or attempt to build a fire except in such areas designated for fires. No person shall drop, throw, or otherwise scatter lighted matches, burning cigarettes or cigars, tobacco paper or other inflammable material, within any park area or on any highway, road or street abutting or contiguous thereto.
- (e) *Closed areas.* Enter an area posted as "Closed to the Public," nor shall any person use, or abet the use of any area in violation of posted notices.
- (f) *Loitering and boisterousness.* Sleep or protractedly lounge on the seats, or benches, or other areas, or engage in loud, boisterous, threatening, abusive, insulting or indecent language, or engage in any disorderly conduct or behavior tending to a breach of the public peace. Nor operate any audio device that can be heard by a person using normal hearing facilities, at a distance of one hundred (100) feet or more from the source of the sound except for equipment used by law enforcement, rescue or beach safety personnel, city personnel or at city approved special events.
- (g) *Interference with permittees.* Disturb or interfere unreasonably with any person or party occupying any area, or participating in any activity, under the authority of a permit.

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- (h) *Possession or use of glass or ceramic containers.* Possess or use any glass or ceramic container at, in or on the beaches, public parks or public recreational lands in the city.

(Ord. No. 117, § 8, 9-5-89; Ord. No. 11-13-CC, § 5, 9-19-11; Ord. No. 12-09-CN, § 7, 1-7-13)

Cross reference(s)—Fires restricted on beaches and recreational lands, § 15-5.

Sec. 15-39. Commercial activity, merchandising, advertising and signs.

No person in a park shall:

- (a) *Commercial activity.* Engage in any commercial activity as defined in this article, unless the activity is expressly exempt from such definition. [Note: Section 15-37(g) sets out a more restrictive standard which specifically applies only to Norriego Point Park].
- (1) *Permits authorized.* The city manager or designee may authorize the following commercial activity by permit at either June White Decker Park or the Shores at Crystal Beach Park, provided that such commercial activity shall be limited to twenty-five (25) or fewer persons and further provided that the time of the commercial activity shall be limited at both city parks as follows:
- (i) Up to one (1) commercial wedding per day, per city park, between dawn and 12:00 noon; and
- (ii) Up to one (1) commercial wedding per day, per city park, between 12:00 noon and sunset.
- Nothing herein shall authorize the city to issue a permit for a commercial wedding at any other city park.
- (2) Any person applying for a permit from the city pursuant to this subsection shall, at the time of filing the required application, pay a fee to the city to cover the administrative costs associated with issuing such permit. Such fee shall be established from time to time by resolution of the city council.
- (b) *Vending and peddling.* Expose or offer for sale, barter, swap, trade or donation any article or thing, nor shall he station or place any stand, cart, or vehicle for the transportation, sale or display of any such article or thing. Exception is here made as to any regularly licensed concessionaire action by and under the authority and regulation of the city.
- (c) *Advertising.* Announce, advertise, or call the public attention in any way to any article or service for sale or hire.
- (d) *Signs.* Paste, glue, tack or otherwise post any sign, placard, advertisement, or inscription whatever, nor shall any person erect or cause to be erected any sign whatever on any public lands or highways or roads adjacent to a park.

(Ord. No. 117, § 9, 9-5-89; Ord. No. 17-12-CC, § 3, 8-21-17)

Sec. 15-40. Park operating policy.

- (a) *Hours.* Except for unusual and unforeseen emergencies, parks shall be open to the public every day of the year unless otherwise established by resolution of the council. The opening and closing hours for each individual park shall be posted therein for public information and compliance.
- (b) *Closed areas.* Any section or part of any park may be declared closed to the public by the city manager at any time and for any interval of time, either temporarily or at regular and stated intervals (daily or otherwise)

and either entirely or merely to certain uses, as the city manager, or his designee, shall find reasonably necessary.

- (c) *Permit.* A permit shall be obtained from the city before participating in a group activity composed of twenty (20) or more persons, pursuant to the following:
- (d) *Application.* A person seeking issuance of a permit hereunder shall file an application with the city's recreation department.
- (e) *Appeal.* If a permit is denied, within three (3) days after receipt of an application, the city manager, or his designee, shall apprise an applicant in writing of the reasons for refusing a permit, and any aggrieved person shall have the right to appeal in writing within three (3) days to the council, which shall consider the application under the standards set forth in subsection (2) hereof and sustain or overrule the city manager's, or his designee's, decision within fourteen (14) days. The decision of the council shall be final.
- (f) *Effect of permit.* A permittee shall be bound by all park rules and regulations and all applicable ordinances fully as though the same were inserted in said permits.
- (g) *Liability of permittee.* The person or persons to whom a permit is issued shall be liable for any loss, damage or injury sustained by any person whatever by reason of the negligence of the person or persons to whom such permit shall have been issued.
- (h) *Revocation.* The city manager shall have the authority to revoke a permit upon a finding of violation of any rule or ordinance, or upon good cause shown.

(Ord. No. 117, § 10, 9-5-89; Ord. No. 235, § 1, 1-4-93; Ord. No. 345, § 7, 4-17-00)

Sec. 15-41. Enforcement.

- (a) *Ejectment.* City employees designated by the city manager shall have the authority to eject from the park any person acting in violation of this article.
- (b) *Seizure of property.* City employees designated by the city manager shall have the authority to seize and confiscate any property, thing or device in the park used in violation of this article.

(Ord. No. 117, § 11, 9-5-89)

Sec. 15-42. Penalty.

- (a) *Misdemeanor offense.* Any person violating the provisions of this article is guilty of an offense and shall be punished by a fine not exceeding five hundred dollars (\$500.00) or imprisonment for a period not exceeding sixty (60) days or by both such fine and imprisonment. Each day a violation of this article continues is a separate offense.
- (b) *Civil Infraction.*
 - (1) Alternatively, a citation may be issued to any person violating the provisions of this article. In such circumstances, the violation shall be deemed a civil infraction. Any citations issued pursuant to this provision shall be issued in accordance with the procedures specified in Code of Ordinances, Section 14-97 and in a form established in Code of Ordinances, Section 14-98.
 - (2) Any person to whom a citation is issued shall pay the fine by the designated date or appear in county court at the time, date, and location designated in the citation. Any person requesting a hearing in county court waives the right to pay the minimum civil penalties. Penalties shall be in addition to court costs established by statute.

(3) Minimum civil penalties for a violation not otherwise listed are as follows:

First violation\$100.00

Second violation\$200.00

Third or subsequent violation\$500.00

(4) Minimum civil penalties for a violation of section 15-34, Park Property:

First violation\$100.00

Second violation\$200.00

Third or subsequent violation\$500.00

(5) Minimum civil penalties for a violation of section 15-35, Sanitation:

First violation\$200.00

Second violation\$300.00

Third or subsequent violation\$500.00

(6) Minimum civil penalties for a violation of section 15-36(g), Bicycles:

First violationVerbal warning

Second violationWritten warning

Third or subsequent violation\$50.00

(7) Minimum civil penalties for a violation of section 15-37, Recreational Activities:

First violation\$100.00

Second violation\$200.00

Third or subsequent violation\$300.00

(8) Minimum civil penalties for a violation of section 15-37(b), Boating:

First violation\$100.00

Second violation\$200.00

Third or subsequent violation\$500.00

(9) Minimum civil penalties for a violation of section 15-37(d), Overnight Camping:

First violation\$100.00

Second violation\$200.00

Third or subsequent violation\$300.00

(10) Minimum civil penalties for a violation of section 15-38(a), Fireworks and Explosives:

First violation\$100.00

Second violation\$200.00

Third or subsequent violation\$500.00

(11) Minimum civil penalties for a violation of section 15-38(b), Domestic Animals:

First violation\$100.00

Second violation\$200.00

Third or subsequent violation\$300.00

(12) Minimum civil penalties for a violation of section 15-38(d), Fires:

First violation\$200.00

Second violation\$300.00

Third or subsequent violation\$500.00

(13) Minimum civil penalties for a violation of section 15-38(h), Possession or Use of Glass or Ceramic Containers:

First violation\$50.00

Second violation\$150.00

Third or subsequent violation\$300.00

(14) The maximum civil penalty for each violation shall be \$500.00.

(Ord. No. 117, § 12, 9-5-89; Ord. No. 12-09-CN, § 8, 1-7-13; Ord. No. 16-15-CC, § 5, 9-8-16)

Secs. 15-43—15-60. Reserved.

ARTICLE III. ALCOHOLIC BEVERAGES IN PUBLIC PLACES³

Sec. 15-61. Authority.

The authority for enactment of this article is Section 1.01(e)(1) and Section 3.10(d)(5) of the City Charter and Section 166.021, Florida Statutes.

(Ord. No. 119.2, § 1, 5-15-89)

Sec. 15-62. Definitions.

For the purpose of this article, the following terms, phrases, words, abbreviations and their derivations shall have the following meaning herein given. When not inconsistent with the context, words used in the present tense include the future tense, words in the plural number include the singular number and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. Words not defined shall be given their common and ordinary meaning, or for those so included, the meaning found in Ordinance 001 [section 1-2].

Alcoholic beverages are distilled spirits, wines, malt beverages, and all beverages containing one-half of one percent or more alcohol by volume.

Beer means all brewed beverages containing malt.

³Editor's note(s)—Ord. No. 119.2, §§ 1—7, adopted May 15, 1989, has been codified herein at the discretion of the editor as Art. III, §§ 15-61—15-67.

Cross reference(s)—Alcoholic beverages, Ch. 3.

Park is a park, reservation, playground, beach, boat ramp, recreation center, community center or any other area in the city, owned or used by the city and devoted to active or passive recreation.

Wine means all beverages made from fresh fruits, berries, or grapes, either by natural fermentation or by natural fermentation with brandy added, in the manner required by the laws and regulations of the United States, and includes all sparkling wines, champagnes, combination of the aforesaid beverages, vermouths, and like products.

(Ord. No. 119.2, § 2, 5-15-89)

Sec. 15-63. Alcoholic beverage prohibitions.

No person in a park shall:

- (a) Have brought or possessed alcoholic beverages, nor shall any person consume alcoholic beverages at any time.
- (b) Have entered or be under the influence of alcoholic beverages.

(Ord. No. 119.2, § 3, 5-15-89)

Sec. 15-64. Alcoholic beverage prohibition exception—Clement Taylor Park.

- (a) Beer and wine may be brought, possessed and consumed in Clement Taylor Park after first obtaining a permit therefor from the city. A permit is required for each separate event. Such a permit may be obtained by applying to the city using an application on a form which shall be prescribed by the city manager.
- (b) Once an application is approved but before a permit is issued, a cleanup and repair deposit will be required for the applicant. Expenses incurred by the city for cleanup and repair for damage resulting from the activity will be deducted from the deposit and the balance, if any, returned to the applicant within a fifteen (15) days.
- (c) The city manager shall have the authority to determine whether or not to grant a permit. In considering whether or not to grant a permit, the city manager shall consider the following factors:
 - (1) The nature or purpose of the proposed use of the park;
 - (2) The extent of interference with other simultaneous users of or events in the park;
 - (3) The existence of other scheduled events in the park;
 - (4) The probable frequency of requests for such a permit, if the application is approved; and
 - (5) Such other factors as will result in a fair and equal opportunity to make such use of the park.
- (d) To apply, the applicant must be an adult. The event for which a permit may be granted must be for a group activity. An event for commercial profit is prohibited.
- (e) Upon approval, notice of the approval shall be published, at the expense of the permittee, in a newspaper of general circulation in the city once, at least five (5) days prior to the date of the use, giving the date and time of the permitted use.

(Ord. No. 119.2, § 4, 5-15-89; Ord. No. 149, § 1, 10-2-89; Ord. No. 345, § 8, 4-17-00)

Sec. 15-65. Same—Morgan Sports Center.

- (a) Non-profit applicants, who hold a tax exempt certificate as defined within the Internal Revenue Code, for a permit pursuant to section 15-40(c) of this chapter for reservation of the Morgan Sports Center outside the sports fields, may submit an application for a permit to sell, serve and allow consumption of beer and wine at the special event for which the center is being reserved. An alcohol beverage permit is required for each separate event. Such a permit may be obtained by applying to the city using an application form accompanying the event reservation application.
- (b) To apply, the applicant must be an authorized agent or officer of the non-profit tax exempt agency. The event for which an alcohol beverage permit may be granted must be a group activity as defined within section 15-40(c) of this chapter and proposed for a duration of not less than three (3) days.
- (c) The city manager shall have the authority to determine whether or not to grant an alcohol beverage permit. In considering whether or not to grant a permit, the city manager shall consider the following factors:
 - (1) The nature, purpose and duration of the proposed use of the center;
 - (2) The extent of interference with other simultaneous users of or events at the center;
 - (3) The existence of other scheduled events at the center;
 - (4) The probable frequency of requests for such a permit, if the application is approved; and
 - (5) Such other factors as will result in a fair and equal opportunity to make such use of the center.
- (d) Once an alcohol beverage application is approved, but before a permit is issued, a cleanup and repair deposit shall be required of the applicant. Expenses incurred by the city for cleanup and repair for damage resulting from the event will be deducted from the deposit and the balance, if any, returned to the applicant within thirty (30) days of final cleanup and repair of damages.
- (e) Upon approval of the alcohol beverage permit, notice of the approval shall be published, at the expense of the permittee, in a newspaper of general circulation in the city once, at least five (5) days prior to the date of the event, giving the dates and times of the permitted use.

(Ord. No. 03-12-CC, § 6, 7-7-03)

Sec. 15-66. Same—Joe's Bayou Boat Landing.

- (a) Any person utilizing the Joe's Bayou Boat Ramp is allowed to transport unopened beer and wine containers through the boat ramp area to and from a boat or vehicle.
- (b) Disposing of empty beer and wine containers properly, in trash receptacles provided by the city, is permitted.

(Ord. No. 119.2, § 5, 5-15-89; Ord. No. 03-12-CC, § 3, 7-7-03)

Sec. 15-67. Enforcement.

- (a) *Ejectment.* City or contract employees designated by the city manager shall have the authority to eject from the park any person acting in violation of this article.
- (b) *Seizure of property.* City or contract employees designated by the city manager shall have the authority to seize and confiscate any property, thing or device in the park used in violation of this article.

(Ord. No. 119.2, § 6, 5-15-89; Ord. No. 03-12-CC, § 4, 7-7-03)

Sec. 15-68. Penalty.

- (a) *Misdemeanor offense.* Any person violating the provisions of this article is guilty of an offense and shall be punished by a fine not exceeding five hundred dollars (\$500.00) or imprisonment for a period not exceeding sixty (60) days or by both such fine and imprisonment. Each day a violation of this article continues is a separate offense.
- (b) *Civil infraction.*
 - (1) Alternatively, a citation may be issued to any person violating the provisions of this article. In such circumstances, the violation shall be deemed a civil infraction.
 - (2) Any person to whom a citation is issued shall pay the fine by the designated date or appear in county court at the time, date, and location designated in the citation. Any person requesting a hearing in county court waives the right to pay the minimum civil penalties. Penalties shall be in addition to court costs established by statute.
 - (3) Minimum civil penalties for a violation of section 15-63. Alcoholic Beverages Prohibited:

First violation\$100.00

Second violation\$200.00

Third or subsequent violation\$500.00

(Ord. No. 119.2, § 7, 5-15-89; Ord. No. 03-12-CC, § 5, 7-7-03; Ord. No. 12-09-CN, § 8, 1-7-13)

Sec. 15-69. Reserved.

ARTICLE IV. FLAG WARNING SYSTEM

Sec. 15-70. Flag warning system at city beaches.

A flag warning system is hereby adopted by the city council.

- (1) All beaches within the city, and access points to beaches leading to the Gulf of Mexico within the city, shall display a sign informing the public of the beach flag warning system, and hours lifeguards are on duty and notification that when lifeguards are not on duty swimmers shall swim at their own risk. The sign shall not be less than twenty-four (24) inches wide and thirty (30) inches long.
- (2) Beach vendors and contractors and other governmental entities are encouraged to post the beach flag warning system sign in a prominent place at their place of business. The sign shall be in color and not less than twenty-four (24) inches wide and thirty (30) inches long.
- (3) Beach lifeguards at beaches shall post the appropriate flags depicting current conditions at each designated beach from the second Saturday in March through the second weekend in October. Warning flags will be raised when lifeguards are on duty and actively guarding and will be lowered when lifeguards leave the beach daily.

(Ord. No. 22-05-CC , § 3, 4-4-22)

Sec. 15-71. Enforcement of beach flag warning system.

- (1) The city manager, city manager's designee, or the Okaloosa County Sheriff shall have the authority to declare that a state of emergency exists and order the posting of double red flags prohibiting entry into the water. This shall apply to all city beaches and beach access ways.
- (2) Following a declaration of a state of emergency for any portion of any water body in the city and the posting of double red flags prohibiting entry into the water, failure to comply with directions of lifeguards or law enforcement officers shall be a violation of F.S. § 843.02, or other applicable statute. Those persons surfing as defined herein with a surfboard attached to the surfer by a leash are exempt from this article.
- (3) No person, firm, corporation or other legal entity except a lifeguard or other person actually engaged in a rescue attempt shall swim or bathe in violation of an order given pursuant to this section.
- (4) Sections 15-70 and 15-71 may be enforced pursuant to any method authorized in law or equity, including but not limited to enforcement pursuant to section 1-9, City Code of Ordinances.

(Ord. No. 22-05-CC , § 3, 4-4-22)



Community Development

Office of the
Director

Phone: 850-654-1119

MEMORANDUM

DATE: April 26, 2023
TO: Lance Johnson, City Manager
Lisa Firth, Parks and Recreation Director
FROM: Louis Zunguze, Community Development Director
SUBJECT: Water Taxi Policies and Regulations

Pursuant to our discussion regarding the potential of having a water taxi location at the new Captain Royal Melvin Park, the following are the Comprehensive Plan Policies and Land Development Code (LDC) regulations governing the promotion and location requirements of water taxis in the City.

Comprehensive Plan:

- **Policy 2-1.3.14: Promote Water Taxi/Shuttle Service.** Prior to the next EAR, the City shall adopt a process to accept private and public contributions toward the provision of space for water taxi/shuttle docking facilities and multimodal connections to water taxi/shuttle locations, in order to promote water taxi/shuttle service in the City.
- **Policy 2-1.3.15: Encourage and Facilitate Expanded Water Taxi/Shuttle Operations.** The City shall encourage expanded water taxi/shuttle operations that serve potential patrons along Choctawhatchee Bay, Joe's Bayou, Indian Bayou, and other strategic shoreline access points.
- **Glossary Chapter 13: Water-taxi:** A watercraft that ferries passengers along relatively short distances between boat docks approved by the City of Destin and the Florida Department of Environmental Protection for general public access. A water-taxi is navigated by a helmsman who holds applicable licenses from the State of Florida for ferrying passengers across state or coastal waters.

Land Development Code:

- **8.09.03.A.9.d - Water taxi stop.** All nonresidential, mixed use and multifamily development that border the Destin Harbor, the East Pass or Choctawhatchee Bay shall provide a minimum of one loading and unloading area or slip which shall be reserved for use by a water taxi. This water taxi stop must be clearly marked by signage stating that it is reserved for the water taxi.

Additionally, water taxi amenities shall be provided in conjunction with the water taxi stop. Water taxi amenities shall include:

- i) a minimum of at least one bench that accommodates a minimum of eight people.

- ii) a trash receptacle.
- iii) sufficient outdoor lighting for safe pedestrian movement at night.
- iv) a location/information sign that at a minimum shows the location of the water taxi stop in regard to other water taxi stops, transit stops, and public parking garages; and
- v) a boardwalk/sidewalk that connects the water taxi stop area to the internal (development site) and, if applicable, external (public) sidewalk system.

Additionally, for details on increasing the length of docks and pilings beyond the 200-foot limit in certain areas of the Destin Harbor please refer to **Section 11.05.09**.

- **Parking requirements: Water taxi main terminal:** 1 space for every 4 seats or 4 occupants based on maximum number of seats or occupancy.

Should you have any questions, please let me know.

Thank you.

Cc: Steve O'Connor, Principal Planner
Cindy Runyon, Administrative Assistant

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: May 1, 2023

TYPE OF AGENDA ITEM: City Manager Report

AGENDA OUTLINE NUMBER: 4.D.

TO: City Council

THRU: Lance Johnson, City Manager

FROM: Louis Zunguze, Community Development Director
Noell Bell, Chief Building Official

DATE: April 26, 2023

SUBJECT: Permit Processing Criteria and Timeline

I. BACKGROUND: At the March 6, 2023, City Council meeting, Council directed City Staff to develop criteria for simplifying the permitting process for what would be considered simple permits and to bring the proposed item back for Council's consideration.

II. DISCUSSION: Pursuant to that direction, Staff has simplified the application process for all permits and approvals into three (3) classifications. These classifications enable Staff to process applications methodically and efficiently. These classifications and their criteria and process times are as follows (also see attachment):

Class 1:

- **Permit Type:** A/C Change Outs, Water Heater Change Outs, Service Meter Change Outs, Master Permit-sub.
- **Review and Approval:** Permit Tech Only review. (Requires NO Florida Building Code (FBC) information for Building Official review).
- **Review Time:** 2 Business Days

Class 2:

- **Permit Type:** Shutters, Doors, Windows, Roofing, Solar, Interior Renovations (non-commercial) permits. Right-of-Way, Repair and Replacement of roadways, sidewalks, access points, or other infrastructure in the Right-of-Way permits.
- **Review and Approval:** Building or Engineering Division Only review.
- **Review Time:** 3-5 Business Days

Class 3(a):

- **Permit Type:** New Structures & Additions (Commercial & Residential), Marine, Fences, Walls, Gates, Driveways, Walkways, Pathways, Pools, etc.
- **Review and Approval:** Multi Divisional Review- Building, Planning, and Engineering. (Requires both FBC and LDC related information).
- **Review Time:** 5-10 Business Days

Class 3(b):

- **Permit Type:** Major DO, PUD, Major Subdivision, Major Deviation, Minor DO, Minor Subdivision, Lot Split, Minor Deviation, Simple Deviation, Variance, Change of Use.
- **Review and Approval:** Multi Divisional Review- Building, Planning and Engineering AND External City Partner Review (DWU, Fire District, etc.)
- **Review Times:** See chart below.

Process	² Completeness	³ Substantive Review	DRR	Staff Report	Approval
Major DO / PUD / Major Sub	Max: 30 days Avg: 14 days	TRC: 3 weeks Staff: 2 weeks	1 week	1-2 weeks	City Council
Major Deviation	Max: 30 days Avg: 10 days	TRC: 2 weeks Staff: 1 week	1 week	1 week	City Council
Minor DO/Minor Sub/Lot Split	Max: 30 days Avg: 7 days	TRC: 2 weeks Staff: 2 week	1 week	1 week	ComDev
Minor Deviation	Max 14 days Avg: 5 days	TRC: 2 weeks Staff: 1 week	<1 week	1 week	ComDev
Simple Deviation	Max 14 days Avg: 5 days	Staff: <1 week	N/A	<1 week	ComDev
Variance	<1 week	1 week	N/A	<1 Week	BOA
Change of Use	<1 week	1-2 weeks	N/A	N/A	Staff

1 - The turnaround time is subject to a complete and accurate application submittal

2 - If a second or third review is required, depending on the number of materials missing or comments Staff has or receives, the subsequent Completeness and TRC reviews generally decrease by about a week. However, Staff always gives TRC at least 1 week for review.

3 - All review times reflect Staff or external City partners' review only. This does not include the time it takes applicants to resubmit materials if required. If a public hearing is required, noticing, and ad publication are required, which can add 2-4 weeks.

- A. **Link to Strategic Goals / Objectives:** #1. Financially sound city providing service excellence.
#5. Economic development and revitalization.
- B. **Effect on Budget (EOB):** Increased Resources
- C. **Level of Service (LOS):** Improved Level of Service
- D. **Legislative Sponsor:**

III. CONCLUSION: With respect to productivity and revenue generation, the Community Development Department has seen the following significant improvements:

- Since the inception of COMPASS, the average processing time for all permit types has improved. For example:
 - Class 1 permits previously took approximately 13 business days to issue and now only take 2 business days. This is an 84% improvement
 - Class 2 permits previously took approximately 33 business days to issue and now only take 5-10 business days. This is an 85% improvement.
 - Class 3(a) permits previously took approximately 55 business days to issue and now only take 5-10 business days, which is a 91% improvement.
- The building permits issued from FY21 to FY22 increased from 3,775 to 5,743, which is a 31% increase.
- Additionally, there has been an increase in revenue from FY21 to FY22 from \$1,183,599 to \$1,736,656 which is an increase of 46.72%. (See Attachment 2).

Given the ongoing process improvements that the Community Development Department is implementing, this positive trend is expected to continue.

IV. RECOMMENDED MOTION: Information Only

Attachments:

1. Development Review Timelines Chart
2. Utilization Report FY21 and FY22 Comparision
3. Permit Processing Criteria and Timeline PP 05.01.23

DESCRIPTION	FY21	FY22	% Difference
Direct and Indirect Costs Incurred by the Local Government to Enforce the Florida Building Code			
Personnel service costs, including salary and related employees benefit costs incurred by the local government to enforce the Florida Building code	\$652,935	\$639,555	-2.07%
Operating expenditures and expenses	\$188,866	\$201,081	6.26%
Plan Review, Permit and Inspection Utilization Information			
Number of plan reviews	1542	1580	2.43%
Number of building permit applications submitted	3686	5743	44.00%
Number of building permits issued, approved or denied	3775	5176	31.00%
Number of building inspections and re-inspections requested	3954	5836	38.00%
Number of building inspections and re-inspections conducted	4657	5825	22.00%
Number of building inspections conducted by a private provider	0	59	100.00%
Number of audits conducted by the local government of private provider building inspections	0	0	0.00%
Number of personnel dedicated by the local government to enforce the Florida Building Code, issue building permits, and conduct inspections	8.73 Full Time Equivalent	7.70 Full Time Equivalent	
Revenue Information			
Revenue derived from fees pursuant to Section 553.80 (7) (a) of the Florida Statutes	\$889,826.00	\$976,380.00	9.00%
Revenue derived from fines pursuant to Section 553.80 (7) (a) of the Florida Statutes	\$2,000.00	\$0.00	-100.00%
When applicable, investment earnings from the local government's investment of revenue derived from fees and fines pursuant to Section 553.80 (7) (a) of the Florida Statutes	\$0.00	\$0.00	0.00%
Balances carried forward from the prior fiscal year by the local government pursuant to Section 553.80 (7) (a) of the Florida Statutes	\$258,921.00	\$310,750.00	18.00%
Balances carried forward into the next fiscal year by the local government pursuant to Section 553.80 (7) (a) of the Florida Statutes	\$310,749.00	\$446,464.00	36.00%
Balances refunded by the local government pursuant to Section 553.80 (7) (a) of the Florida Statutes	\$0.00	\$0.00	0.00%
Revenue derived from other sources, including local government general revenue	\$1,803.00	\$3,062.00	52.00%

Permit Processing Criteria and Timeline



City Council Directive

Develop criteria for simplifying the permitting process.



Context of Development Review Approval and Permitting

Elements of Development Review Approval and Permitting Process

1. Clarity of Regulations and Requirements
2. Clarity of Processes for Review
3. Effective Application Review and Permitting Tools
(System)
4. Personnel

Current Status Development Review Approval and Permitting Process

1. Clarity of Regulations and Requirements

- Land Development Code (LDC) Rewrite

2. Clarity of Processes for Review

- Permit Classifications

- Class 1:

- **Permit Type:** A/C Change Outs, Water Heater Change Outs, Service Meter Change Outs, Master Permit-sub..
- **Review and Approval:** Permit Tech Only review. (Requires NO Florida Building Code (FBC) information for Building Official review).
- **Review Time:** 2 Business Days

- Class 2:

- **Permit Type:** Shutters, Doors, Windows, Roofing, Solar, Interior Renovations (non-commercial) permits. Right-of-Way, Repair and Replacement of roadways, sidewalks, access points, or other infrastructure in the Right-of-Way permits.
- **Review and Approval:** Building or Engineering Division Only review.
- **Review Time:** 3-5 Business Days

- Class 3(a):

- **Permit Type:** New Structures & Additions (Commercial & Residential), Marine, Fences, Walls, Gates, Driveways, Walkways, Pathways, Pools, etc.
- **Review and Approval:** Multi Divisional Review- Building, Planning, and Engineering. (Requires both FBC and LDC related information).
- **Review Time:** 5-10 Business Days

- **Class 3(b):**

- **Permit Type:** Major DO, PUD, Major Subdivision, Major Deviation, Minor DO, Minor Subdivision, Lot Split, Minor Deviation, Simple Deviation, Variance, Change of Use.
- **Review and Approval:** Multi Divisional Review- Building, Planning and Engineering AND External City Partner Review (DWU, Fire District, etc.)
- **Review Times:** See chart below.

Process	² Completeness	³ Substantive Review	DRR	Staff Report	Approval
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Minor DO/Minor Sub/Lot Split	Max: 30 days Avg: 7 days	TRC: 2 weeks Staff: 2 week	1 week	1 week	ComDev Dir.
Minor Deviation	Max 14 days Avg: 5 days	TRC: 2 weeks Staff: 1 week	<1 week	1 week	ComDev Dir.
Simple Deviation	Max 14 days Avg: 5 days	Staff: <1 week	N/A	<1 week	ComDev Dir.
Variance	<1 week	1 week	N/A	<1 Week	BOA
Change of Use	<1 week	1-2 weeks	N/A	N/A	Staff

3. Effective Application Review and Permitting Tools (System)

- COMPASS

4. Personnel

- Availability and Quality of Personnel

Productivity and Revenue Generation Improvements

- Since the inception of COMPASS, the average processing time for all permit types has improved. For example:
 - **Class 1** permits previously took approximately 13 business days to issue and now only take 2 business days. This is an **84% improvement**.
 - **Class 2** permits previously took approximately 33 business days to issue and now only take 5-10 business days. This is an **85% improvement**.
 - **Class 3(a)** permits previously took approximately 55 business days to issue and now only take 5-10 business days, which is a **91% improvement**.
- The building permits issued from FY21 to FY22 increased from 3,775 to 5,743, which is a **31% increase**.
- Additionally, there has been an increase in revenue from FY21 to FY22 from \$1,183,599 to \$1,736,656 which is an increase of **46.72%**.

Conclusion

These process improvements
are ongoing.



Questions



CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: May 1, 2023
TYPE OF AGENDA ITEM: City Manager Report
AGENDA OUTLINE NUMBER: 4.E.

TO: City Council
THRU: Lance Johnson, City Manager
FROM: Jeffrey Cozadd, Grants Manager
DATE: 4/26/23
SUBJECT: Linear Park Update

I. BACKGROUND: Proposals for RFQ 23-02-CD Design and Permitting Services for the Linear Park and 98 Palms were received and opened on March 30, 2023. At the April 17, 2023, City Council meeting the council directed staff to negotiate a contract with DAG Architects Group for the design and permitting of Linear Park and 98 Palms.

II. DISCUSSION: City staff held several meetings with DAG Architects Group recently to negotiate a contract for the design of Linear Park. Due to the complexity of the project DAG has requested that they have until May 10th to develop a fee schedule and project schedule that would be necessary for executing a contract and task order. A contract will be brought to the council at the May 15th meeting.

Initial discussions with DAG have indicated that they believe they will need additional time beyond the current grant ending date for them to complete the design and secure all necessary permits. Based on this information, the city staff has initiated a grant extension request with FDOT.

- A. Link to Strategic Goals / Objectives:**
- B. Effect on Budget (EOB): N/A**
- C. Level of Service (LOS): N/A**
- D. Legislative Sponsor:**

III. CONCLUSION:

IV. RECOMMENDED MOTION: Informational Only

Attachments:

None

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: May 1, 2023
TYPE OF AGENDA ITEM: City Manager Report
AGENDA OUTLINE NUMBER: 4.F.

TO: City Council
THRU: Lance Johnson, City Manager
FROM: Kyle Bauman, City Attorney
DATE:
SUBJECT: Pickleball Update

I. BACKGROUND: At the April 3, 2023 City Council meeting the council directed the City Manager to enter into negotiations with the Emerald Coast Fitness Foundation and the Mattie Kelly Arts Foundation and to bring back to the council an interlocal agreement for their consideration.

II. DISCUSSION: Staff and the City Attorney provided a draft version of the Donor, Operations, and Service Agreement to the ECFF and MKAF on April 19, 2023. Staff and the City Attorney received feedback from ECFF on April 27, 2023, and the City Attorney has had brief discussions with MKAF's attorney regarding the Agreement, but has not received any feedback from MKAF as of the publication of the Agenda.

- A. Link to Strategic Goals / Objectives:**
- B. Effect on Budget (EOB):**
- C. Level of Service (LOS):**
- D. Legislative Sponsor:**

III. CONCLUSION:

IV. RECOMMENDED MOTION: Informational Only at this time

Attachments:

None

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: May 1, 2023

TYPE OF AGENDA ITEM: Public Hearing

AGENDA OUTLINE NUMBER: 5.A.

TO: City Council

THRU: Lance Johnson, City Manager

FROM: Louis Zunguze, Community Development Director
Kimberly Kopp, Land Use Attorney

DATE: April 19, 2023

SUBJECT: Second reading of Ordinance 23-04-CC - which amends the code of ordinances to establish a code compliance lien reduction application process and criteria for the reduction of code compliance liens; amending chapter 14 "offenses and miscellaneous provisions", creating section 14-86, "application to the city council for reduction of existing code compliance lien"; creating section 14-87, "required criteria for the reduction of existing code compliance lien"

I. BACKGROUND: Lately, the Council has been asked to review multiple code compliance lien reduction requests, which requests are authorized by the City Code. However, notwithstanding this Code authorization, the City Code does not currently contain guidelines or criteria that might help the City Council in making the determinations. On January 3, 2023, the City Council directed that proposed code compliance lien reduction Code provisions be brought back to the City Council for consideration before the end of March. This was done, and the March 20, 2023 City Council directive was to bring back the following ordinance for first reading and a public hearing.

II. DISCUSSION: The following is a recommended amendment to the City Code of Ordinances. If acceptable, it will be put in ordinance form and advertised to go before the City Council for formal consideration at public hearings.

Section 14-86. Application to City Council for Reduction of Existing Code Compliance Lien.

1. The City Council shall have the authority to reduce any lien imposed by the City's special magistrate for code compliance based on the criteria set forth in Section 14-87 of this Code, and subject to the maximum reduction amounts set forth in subsection 14-86(C).

2. It shall be the responsibility of the applicant for the lien reduction to demonstrate, and each application shall contain, written statements of fact addressing the criteria prescribed in Subsection 14-87.
3. All lien reduction requests are subject to the following maximum percentage reductions:

<u>Length of time the Violation Remained</u>		<u>Percentage Reduction</u>
<u>Non-Compliant with Special Magistrate's Order</u>		
<u>Up to 1 Year</u>		<u>Reduction up to no more than 30% of lien amount</u>
<u>More than 1 Year, up to 2 Years</u>		<u>Reduction up to no more than 25% of lien amount</u>
<u>More than 2 Years, up to 5 Years</u>		<u>Reduction up to no more than 10% of lien amount</u>
<u>More than 5 Years, up to 10 Years</u>		<u>Reduction up to no more than 5% of lien amount</u>
<u>More than 10 Years, up to 15 Years</u>		<u>Reduction up to no more than 2% of lien amount</u>
<u>More than 15 Years</u>		<u>None</u>

-

4. Each request for a lien reduction, and each decision appealed, shall be the subject matter of a separate application.
5. Nothing herein shall obligate the City Council to reduce any code compliance lien.

Section 14-87. Required Criteria for Reduction of Existing Code Compliance Lien.

The following criteria must be considered in order for the City Council to reduce a lien imposed by the special magistrate in a code compliance case:

1. The amount of any administrative and out-of-pocket costs incurred by the city which are directly associated with the underlying code enforcement case and lien, including, but not limited to, code compliance staff and attorney time, postage, advertising and recording costs, and other city expenses related to any measure taken by the city to abate a nuisance caused by the violation;
2. The gravity and number of the violation(s);
3. The amount of the requested reduction;
4. Whether the applicant was responsible for the violation which caused the lien;
5. Whether the applicant is or will be a bona fide purchaser of the subject property and is filing or has filed for a homestead exemption evidencing a desire to reside within the city on a non-transient basis, or whether the property is or will be acquired for investment purposes;
6. The time it took to bring the property into compliance;
7. The accrued amount of the code compliance fine or lien as compared to the current market value of the property;
8. Any previous or subsequent code violations pertaining to the property unless an order finding a violation is under appeal at the time of determination;

9. Any previous or subsequent code violations of the applicant pertaining to other properties owned within the city, unless an order finding a violation is under appeal at the time of the determination;
10. Any relevant information contained in any title policy required to be submitted to the city under this section;
11. Any demonstrated financial hardship;
12. Any other mitigating circumstance which may warrant the reduction or satisfaction of the penalty or fine; and
13. Any other administrative review criteria relevant to whether it is equitable to reduce or release a lien which is adopted by the city manager, in writing, and is intended to be applied to all applications on a uniform basis.

A. Link to Strategic Goals / Objectives:

B. Effect on Budget (EOB):

C. Level of Service (LOS):

D. Legislative Sponsor: City Council 3/20/2023

III. CONCLUSION: The City Code does not currently contain guidelines or criteria that might help the City Council in making the determinations. Adoption of a Code will allow for fair and consistent decisions, while encouraging code compliance and more efficient payment of liens.

IV. RECOMMENDED MOTION: I move to adopt Ordinance 23-04-CC on second reading.

Attachments:

1. 23-04-CC LIEN REDUCTION

ORDINANCE NO. 23-04-CC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, PROVIDING FOR AMENDMENTS TO THE CODE OF ORDINANCES TO ESTABLISH A CODE COMPLIANCE LIEN REDUCTION APPLICATION PROCESS AND CRITERIA FOR REDUCTION OF CODE COMPLIANCE LIENS; AMENDING CHAPTER 14 “OFFENSES AND MISCELLANEOUS PROVISIONS”, CREATING SECTION 14-86, “APPLICATION TO CITY COUNCIL FOR REDUCTION OF EXISTING CODE COMPLIANCE LIEN”; CREATING SECTION 14-87, “REQUIRED CRITERIA FOR REDUCTION OF EXISTING CODE COMPLIANCE LIEN”; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR INCORPORATION INTO THE CODE OF ORDINANCES; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

SECTION 1. AUTHORITY.

The authority for enactment of this Ordinance is Article 1, Section 1.01 (b) of the City Charter, Section 166.021, Florida Statutes and Chapter 162, Florida Statutes.

SECTION 2. FINDINGS OF FACT.

WHEREAS, section 162.09, Florida Statutes provides that a certified copy of an order imposing a fine, or a fine plus repair costs, may be recorded in the public records and thereafter shall constitute a lien against the land on which a City code violation exists and upon any other real or personal property owned by the violator; and

WHEREAS, such fines imposed continue to accrue until the violator comes into compliance or until judgment is rendered in a suit filed pursuant to state law, whichever occurs first; and

WHEREAS, a lien arising from a fine imposed pursuant to Chapter 162, Florida Statutes runs in favor of the local governing body, and the local governing body may reduce the lien, execute a satisfaction or release of lien entered, foreclose on the lien, or sue to recover a money judgment for the amount of the lien plus accrued interest, and

WHEREAS, the City Council of the City of Destin finds that the safety, health, and welfare of the citizens of and visitors to the City of Destin would be best protected implementation of a code compliance lien reduction process; and

WHEREAS, the City Council has determined that this ordinance is in the best interests of the City and citizens; and

WHEREAS, two public hearings have been conducted by the City Council after due public notice.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DESTIN, FLORIDA, AS FOLLOWS:

NOTE: Language in all sections of this ordinance that is ~~strike-thru~~ is language proposed to be deleted, underline language is language to be added, language that is not in strike-thru or underlined is not to be changed. The symbol *** represents sections of the Code of Ordinances that have been skipped and remain unchanged.

SECTION 3. AMENDING CHAPTER 14 OF THE CODE OF ORDINANCES TO ESTABLISH A CODE COMPLIANCE LIEN REDUCTION APPLICATION PROCESS AND CRITERIA FOR REDUCTION OF CODE COMPLIANCE LIENS.

Chapter 14 of the Code of Ordinances is hereby amended as follows:

CHAPTER 14 - OFFENSES AND MISCELLANEOUS PROVISIONS

Section 14-86. Application to City Council for Reduction of Existing Code Compliance Lien.

- A. The City Council shall have the authority to reduce any lien imposed by the City's special magistrate for code compliance based on the criteria set forth in Section 14-87 of this Code, and subject to the maximum reduction amounts set forth in subsection 14-86(C).
- B. It shall be the responsibility of the applicant for the lien reduction to demonstrate, and each application shall contain, written statements of fact addressing the criteria prescribed in Subsection 14-87.
- C. All lien reduction requests are subject to the following maximum percentage reductions:

<u>Length of time the Violation Remained Non-Compliant with Special Magistrate's Order</u>	<u>Percentage Reduction</u>
<u>Up to 1 Year</u>	<u>Reduction up to no more than 30% of lien amount</u>
<u>More than 1 Year, up to 2 Years</u>	<u>Reduction up to no more than 25% of lien amount</u>
<u>More than 2 Years, up to 5 Years</u>	<u>Reduction up to no more than 10% of lien amount</u>
<u>More than 5 Years, up to 10 Years</u>	<u>Reduction up to no more than 5% of lien amount</u>
<u>More than 10 Years, up to 15 Years</u>	<u>Reduction up to no more than 2% of lien amount</u>
<u>More than 15 Years</u>	<u>None</u>

- D. Each request for a lien reduction, and each decision appealed, shall be the subject matter of a separate application.
- E. Nothing herein shall obligate the City Council to reduce any code compliance lien.

Section 14-87. Required Criteria for Reduction of Existing Code Compliance Lien.

The following criteria must be considered in order for the City Council to reduce a lien imposed by the special magistrate in a code compliance case:

1. The amount of any administrative and out-of-pocket costs incurred by the city which are directly associated with the underlying code enforcement case and lien, including, but not limited to, code compliance staff and attorney time, postage, advertising and recording costs, and other city expenses related to any measure taken by the city to abate a nuisance caused by the violation;
2. The gravity and number of the violation(s);
3. The amount of the requested reduction;
4. Whether the applicant was responsible for the violation which caused the lien;
5. Whether the applicant is or will be a bona fide purchaser of the subject property and is filing or has filed for a homestead exemption evidencing a desire to reside within the city on a non-transient basis, or whether the property is or will be acquired for investment purposes;
6. The time it took to bring the property into compliance;
7. The accrued amount of the code compliance fine or lien as compared to the current market value of the property;
8. Any previous or subsequent code violations pertaining to the property unless an order finding a violation is under appeal at the time of determination;
9. Any previous or subsequent code violations of the applicant pertaining to other properties owned within the city, unless an order finding a violation is under appeal at the time of the determination;
10. Any relevant information contained in any title policy required to be submitted to the city under this section;
11. Any demonstrated financial hardship;
12. Any other mitigating circumstance which may warrant the reduction or satisfaction of the penalty or fine; and
13. Any other administrative review criteria relevant to whether it is equitable to reduce or release a lien which is adopted by the city manager, in writing, and is intended to be applied to all applications on a uniform basis.

SECTION 4. INCORPORATION INTO CITY CODE OF ORDINANCES. This ordinance shall be incorporated into the City of Destin's Code of Ordinances and any section or paragraph number or letter and any heading may be changed or modified as necessary to effectuate the foregoing.

SECTION 5. CONFLICTING PROVISIONS. Special Acts of the Florida Legislature applicable to the incorporated area of the City of Destin, City Ordinances and City Resolutions, or parts, thereof, in conflict with the provisions of this ordinance are hereby superseded by this ordinance to the extent of such conflict.

SECTION 6. SEVERABILITY. If any section, phase, sentence, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 7. EFFECTIVE DATE. This ordinance shall become effective upon its adoption by the City Council and signature by the Mayor.

ADOPTED this ____ day of _____, 2023.

Bobby Wagner, Mayor

ATTEST:

Rey Bailey, City Clerk

The form and legal sufficiency of the foregoing
has been reviewed and approved by the City Land
Use Attorney, for the City of Destin, only.

Kimberly Romano Kopp, City Land Use Attorney

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: May 1, 2023
TYPE OF AGENDA ITEM: Public Hearing
AGENDA OUTLINE NUMBER: 5.B.

TO: City Council

THRU: Lance Johnson, City Manager

FROM: Louis Zunguze, Community Development Director
Kimberly Kopp, Land Use Attorney

DATE: April 19, 2023

SUBJECT: MRD Associates, Inc., on behalf of Mike Abadie of ABC Amusement Co, has submitted an application for City Council review for the construction of a ±3,346 square foot, 200' long, 16-slip wooden dock to the east of the existing 20-slip Gilligan's docking facility at 530 Harbor Boulevard, along with a boardwalk that spans from the property line to property line. Approximately 27 timber mooring piles shall be installed within the slips.

I. BACKGROUND: MRD Associates, Inc., on behalf of Mike Abadie of ABC Amusement Co, has submitted an application for City Council review for the construction of a ±3,346 square foot, 200' long, 16-slip wooden dock to the east of the existing 20-slip Gilligan's docking facility at 530 Harbor Boulevard, along with a boardwalk that spans from property line to property line. Approximately 27 timber mooring piles shall be installed within the slips.

On March 6, 2022, the City Council reviewed a larger project proposed by this applicant, which was to construct a 4,353-square-foot, 17-slip wooden dock to the east of the existing 20-slip Gilligan's docking facility. At that time, approximately 36 timber mooring piles were proposed to be installed within the slips. In connection with that PRIOR application, the Board of Adjustment approved a variance to allow an increased dock length to 262' based on the identified shoal at the proposed dock location. However, the City Council denied the application on March 6, 2023. The applicant has reduced the application such that it meets the requirements of the LDC, and no longer requires a variance. The current proposed dock length is now 200'. A Board of Adjustment variance is not required for the current request as the dock plans have been revised to comply with the Land Development Code dock length limits.

II. DISCUSSION: The applicant requests City Council approval for Commercial Marine Construction located at 530 Harbor Blvd., located within Destin Harbor, a Class II Florida

Waterbody.

The proposed Commercial Marine Construction project meets the following requirements of **Section 11.05.00, City of Destin Land Development Code (LDC)**, in addition to providing the 25-foot riparian setback,

- **11.05.01.A** – *Construction of new dock*
- **11.05.01.C, 11.05.01.D, 11.05.01.Y** – *Waste Disposal into the Harbor and Waterways of Destin*
- **11.05.01.N** – *Slip density*
- **11.05.01.V** – *Commercial dock access to firefighting facilities*

The Florida Department of Environmental Protection (FDEP) Receipt of Submittal states that the project reviewed was for ±4,189 SF of new dock construction; however, the REVISED plans submitted state that the proposed dock is ±3,346 SF. At the time of building permit submittal, the proposed square footage, piling count and slip count must match the amount approved by FDEP and USACE.

Additionally, while the required Water Taxi Stop is not illustrated per **LDC Section 8.09.03.A.9.d**, the applicant will be required to incorporate such stop (and sign) on the westernmost finger pier, or another sufficient location that is compliant with **LDC Section 8.09.03.A.9.d**.

COMPREHENSIVE PLAN CONSISTENCY: The proposed Commercial Marine Construction project is consistent with **Coastal Management Element Policy 6-1.1.6: Reduce Commercial Land Use Impacts to Choctawhatchee Bay.**

- A. Link to Strategic Goals / Objectives:** Economic development & revitalization
- B. Effect on Budget (EOB):** There is no anticipated effect on the budget.
- C. Level of Service (LOS):** There is a minimal impact anticipated on the LOS from this dock construction; however, a Traffic Impact Analysis will be provided and reviewed during the Development Order Deviation process.
- D. Legislative Sponsor:**

III. CONCLUSION: The applicant provided a receipt of submittal from **Florida Department of Environmental Protection (FDEP), Application No. 0295725-005-EI/46**. Additionally, the applicant has provided a receipt of submittal from the **United States Army Corps of Engineers (USACE), with an assigned project number of SAJ-2009-01597**.

City staff reviewed the application and determined that the plans comply with City Codes and regulations. Specifically, the proposed dock complies with **LDC Section 11.05.01M, Marina Siting**, and the Coastal Management Element of the City's Comprehensive Plan (**Coastal Management Element Policy 6-1.1.6**).

HARBOR AND WATERWAYS RECOMMENDATION:

On January 23, 2023, the Harbor and Waterways Board reviewed, deliberated, and recommended the City Council approve the applicant's prior request for the larger dock

(previously, the request of the applicant was for a 4,353 SF dock at 262' in length, with 17 slips. The Board of Adjustment had approved a variance to the dock length previously reviewed by Council.

A Board of Adjustment variance is not required for the current request as the dock plans have been revised to comply with the Land Development Code dock length limits).

The Harbor and Waterways Board reviewed the revised (CURRENT) request on **April 24, 2023** and made a motion to approve the proposed dock. The Board's vote was a 2-2 tie, resulting in no recommendation from the HWB. Therefore, City Council will need to consider the Staff Report, application materials, and citizen input to make a determination for approval or denial.

IV. RECOMMENDED MOTION: I move that the City Council approve the Commercial Marine Construction project located at 530 Harbor Blvd. with the condition provided, subject to the applicant meeting all applicable Federal, State, and City permitting requirements.

OR

ALTERNATE MOTION:

I move that the City Council approve with conditions/approve with modifications/deny the Commercial Marie Construction project located at 530 Harbor Blvd.

Attachments:

1. A. Structural Plans
2. B. Site Plan
3. C. Warranty Deed
4. D. Parking Plan
5. E. Adjacent Property Notification
6. F. FDEP Army Corps
7. G. Agent Affidavit
8. H. Site Photos

Permit Sketches and General Notes *Gilligan's Marina Expansion*



APPLICANT NAME AND ADDRESS

A B C Amusement Company
c/o Mike Abadie
P.O. Box 5436
Destin, Florida, 32540

LOCATION

Section 00, Township 02 S, Range 22 W
Okaloosa County, Florida
30°23'31.96" N, 86°29'52.65" W
530 Harbor Boulevard
Destin, Florida 32541

INDEX OF SHEETS

<u>SHEET NO.</u>	<u>DESCRIPTION</u>	<u>SHEET NO.</u>	<u>DESCRIPTION</u>
1	Cover Sheet and Index of Sheets	9	Cross Sections E-E' and F-F'
2	Project Location	10	Typical Fixed Pier
3	Existing Conditions	11	Typical Finger Pier
4	Proposed Marina	12	Utility Plan
5	Dimensioned Site Plan	13	Typical Fire Protection Details
6	Cross Section A-A'	14	Typical Power Pedestal Detail
7	Cross Section B-B'	15	Typical Ladder Detail
8	Cross Sections C-C' and D-D'	16	Existing and Preempted Areas
		17	General Notes



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COVER SHEET AND INDEX OF SHEETS *Gilligan's Marina Expansion*

A B C Amusement Company, c/o Mike Abadie
P.O. Box 5436, Destin, Florida, 32540

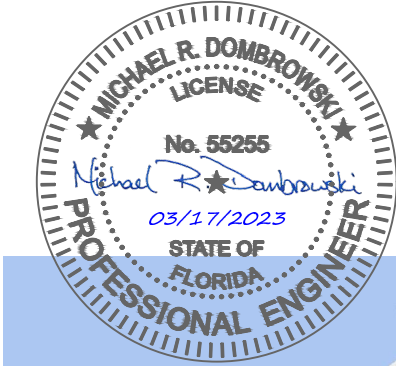
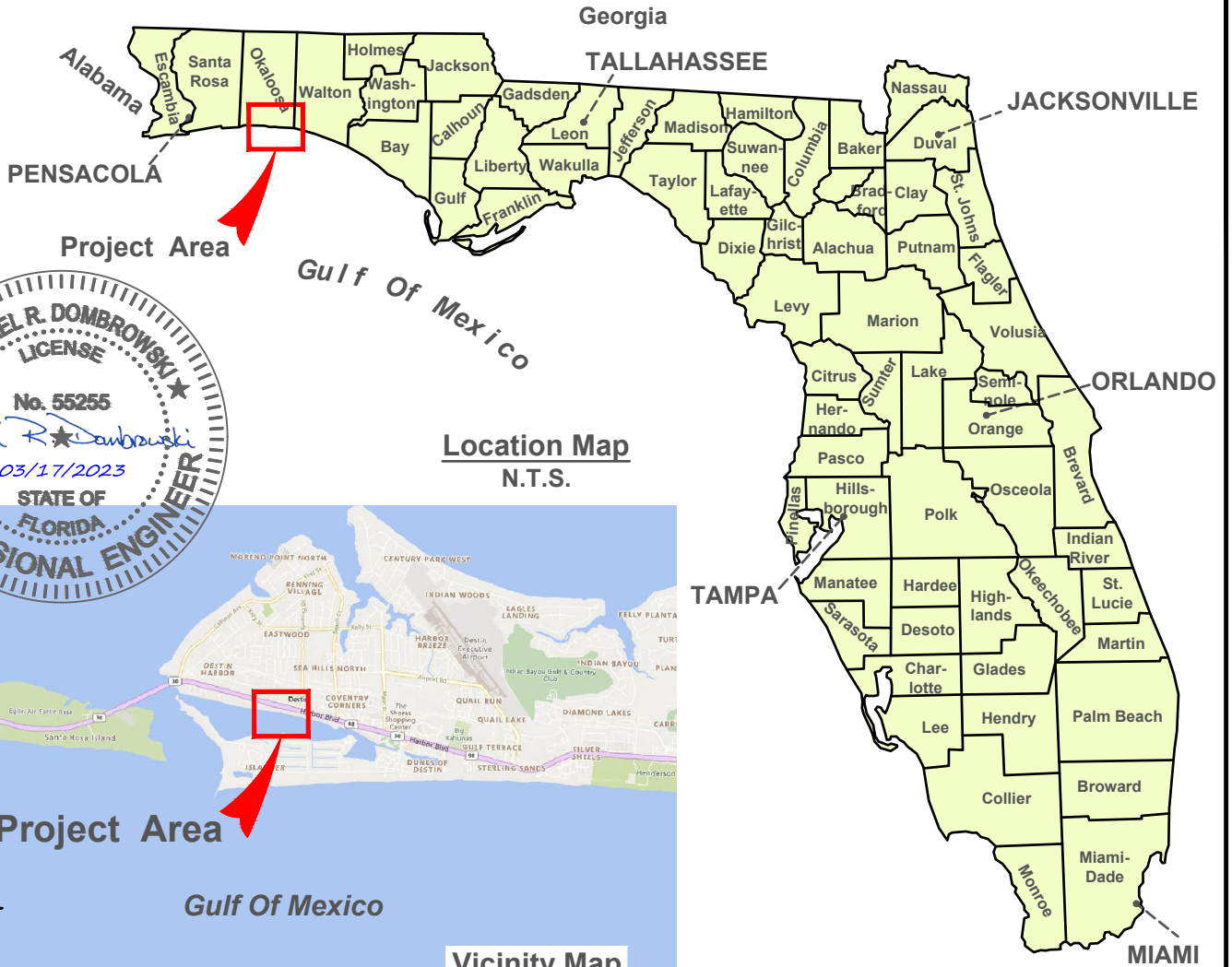
Michael R. Dombrowski, P.E.
Florida P.E. Number 55255

Date: March 17, 2023

Sheet Rev Date:

PROJECT NUMBER
22-261

SHEET NUMBER
1



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PROJECT LOCATION
Gilligan's Marina Expansion

A B C Amusement Company, c/o Mike Abadie
P.O. Box 5436, Destin, Florida, 32540

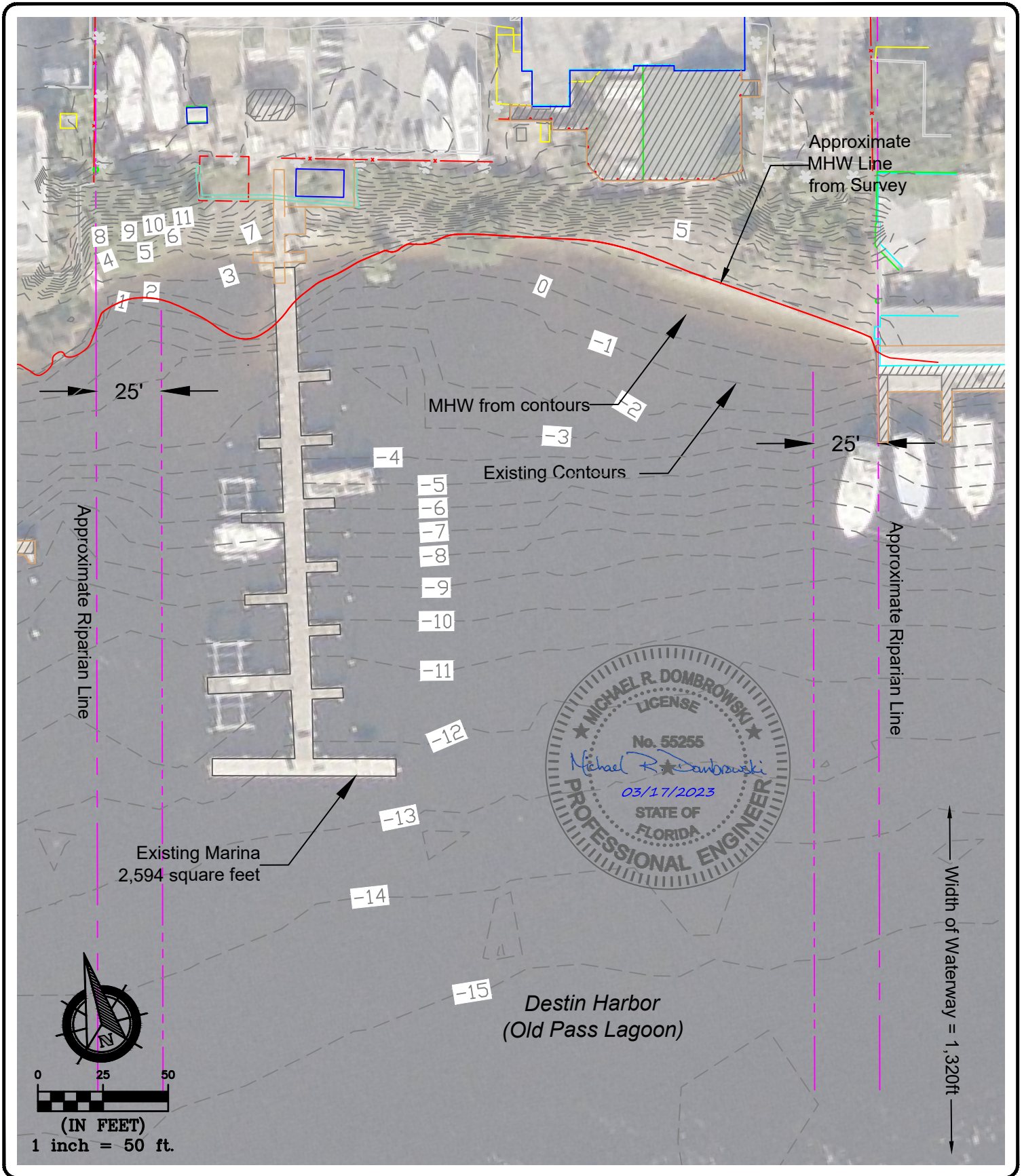
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Florida P.E. Number 55255

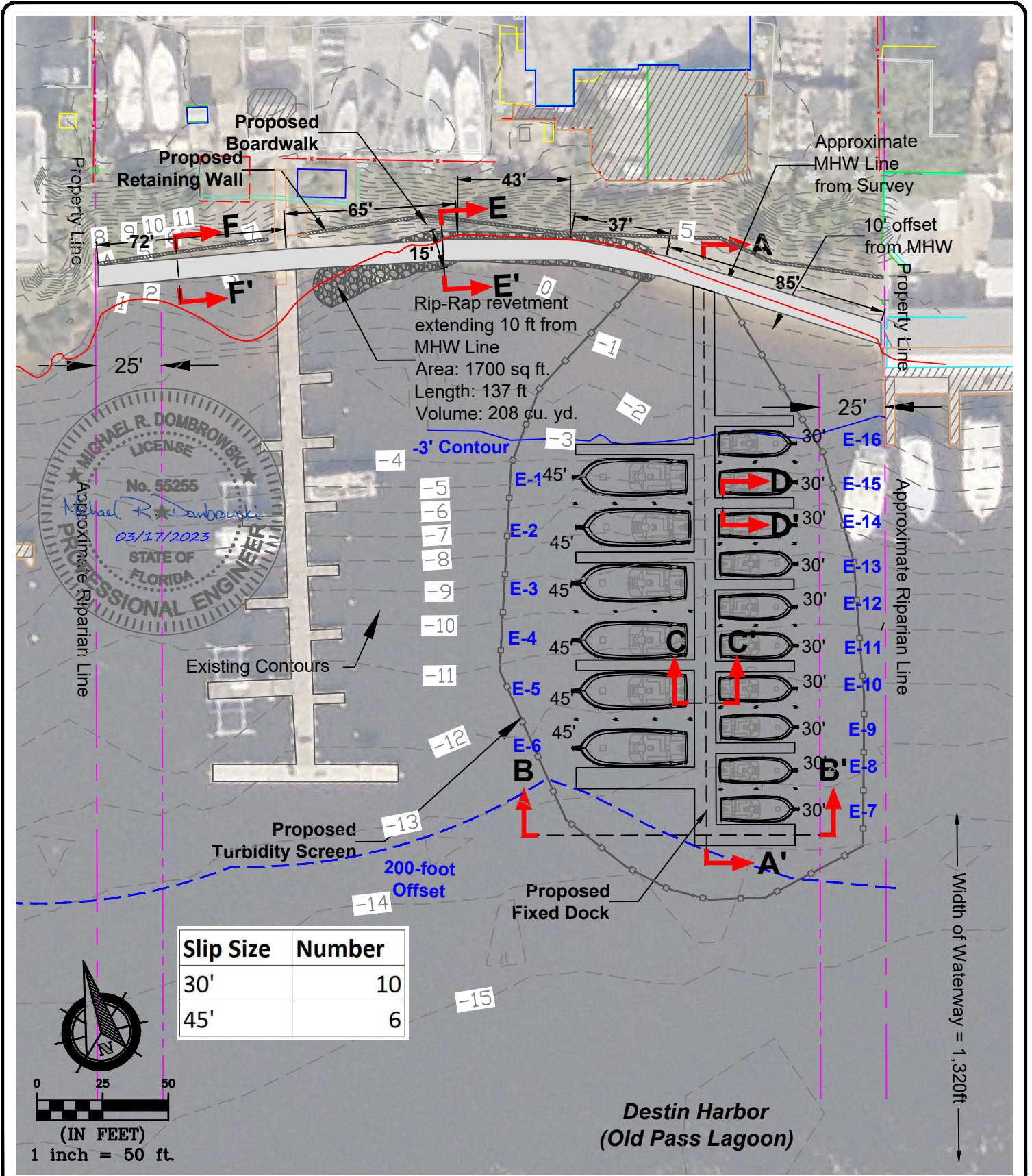
Date: March 17, 2023

Sheet Rev Date:

PROJECT NUMBER
22-261

SHEET NUMBER
2





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PROPOSED MARINA PLAN
Gilligan's Marina Expansion

A B C Amusement Company, c/o Mike Abadie
 P.O. Box 5436, Destin, Florida, 32540

Michael R. Dombrowski, P.E.
 Florida P.E. Number 55255

Date: March 17, 2023

Sheet Rev Date:

PROJECT NUMBER
22-261

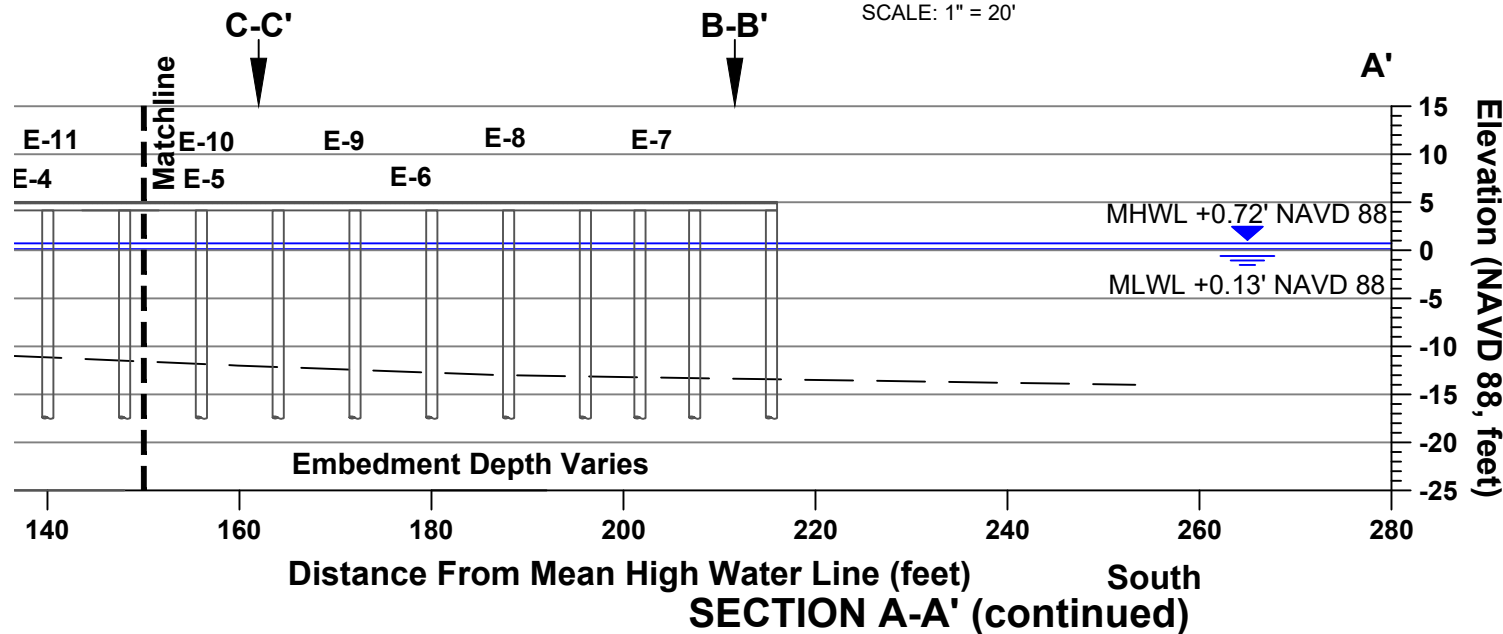
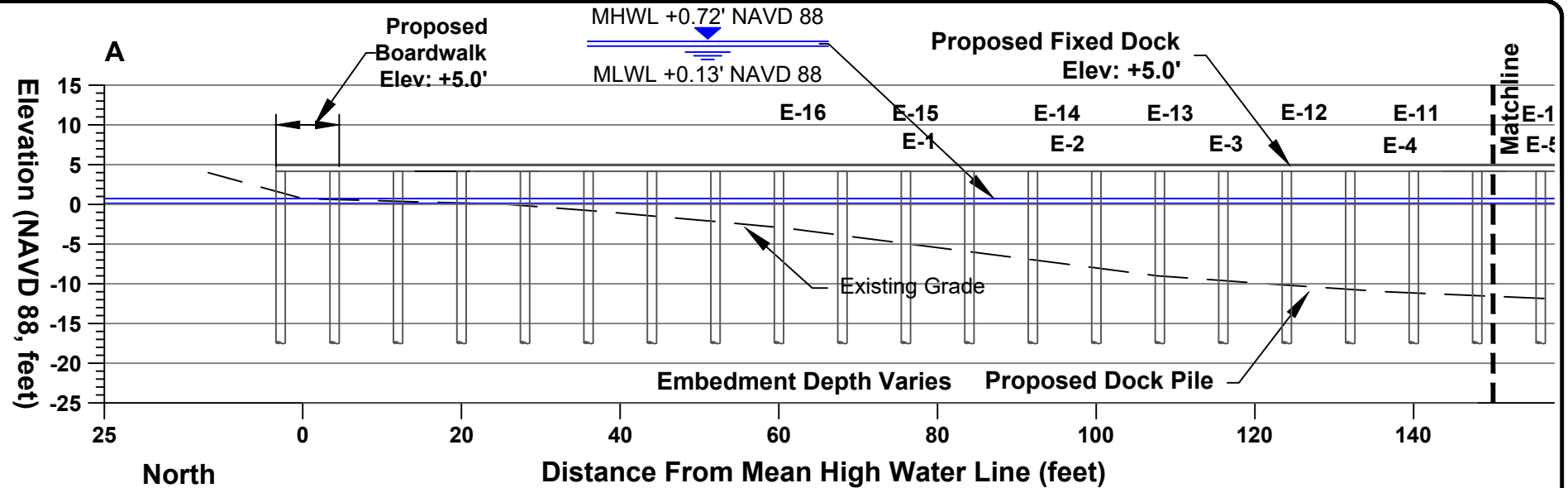
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SHEET NUMBER
5



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CROSS SECTION A-A'
Gilligan's Marina Expansion

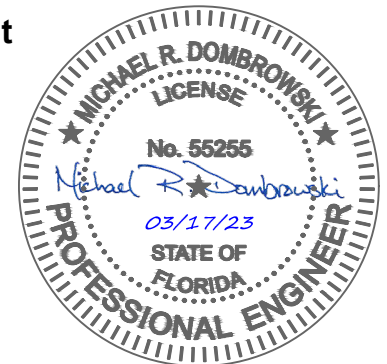
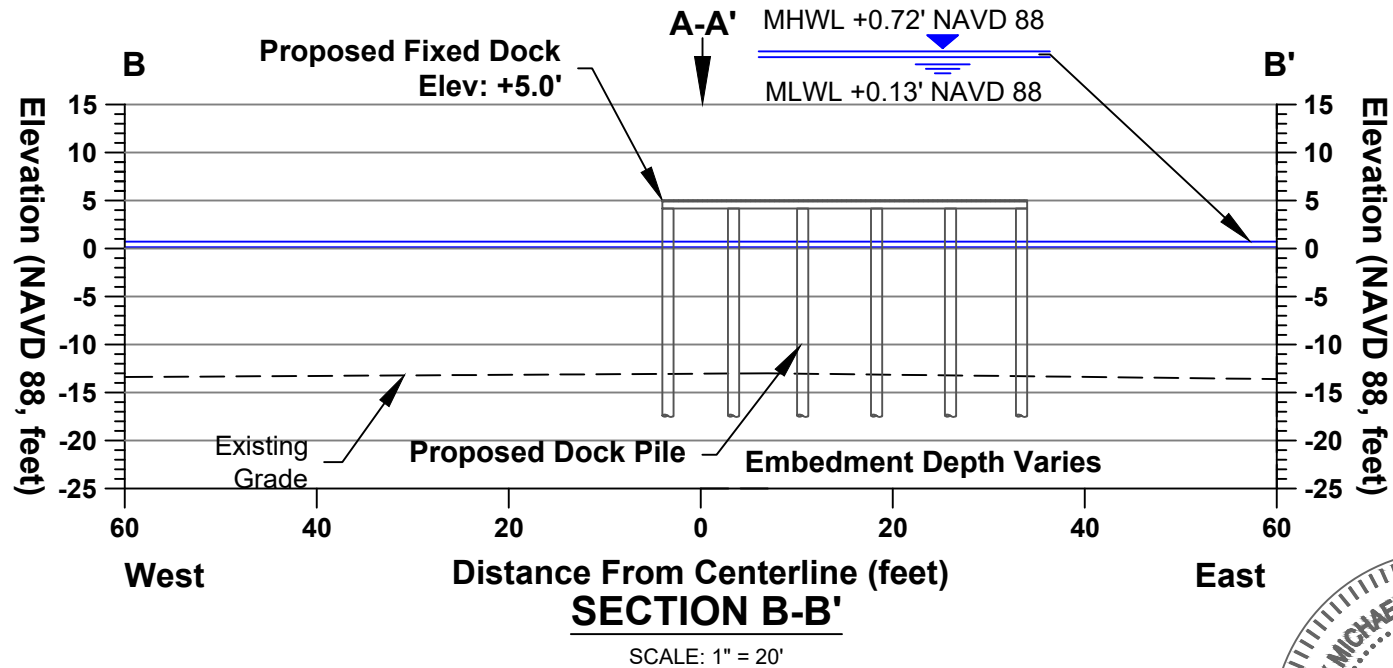
A B C Amusement Company, c/o Mike Abadie
P.O. Box 5436, Destin, Florida, 32540

Michael R. Dombrowski, P.E.
Florida P.E. Number 55255

Date: March 17, 2022

Sheet Rev Date:

PROJECT NUMBER 22-261	SHEET NUMBER 6
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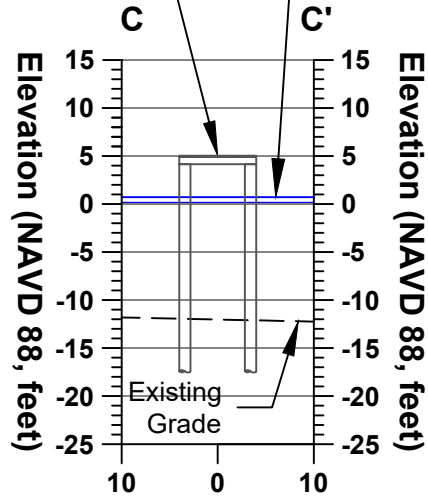
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CROSS SECTION B-B'
Gilligan's Marina Expansion

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Michael R. Dombrowski, P.E. Florida P.E. Number 55255	
Date: March 17, 2023	
Sheet Rev Date: March 17, 2023	
PROJECT NUMBER 22-261	SHEET NUMBER 7

Proposed Fixed Dock
Elev: +5.0'



Distance From Centerline (feet)

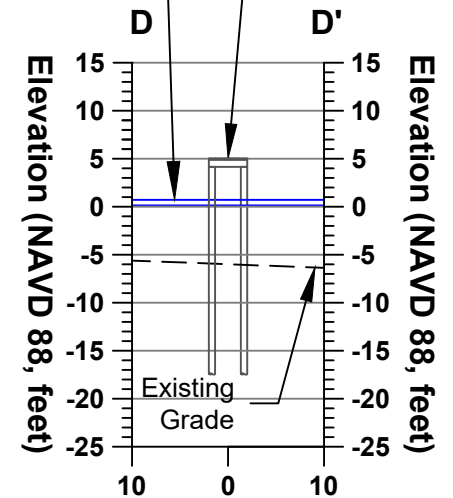
SECTION C-C'

SCALE: 1" = 20'

MHW +0.72', NAVD 1988

MLW +0.13', NAVD 1988

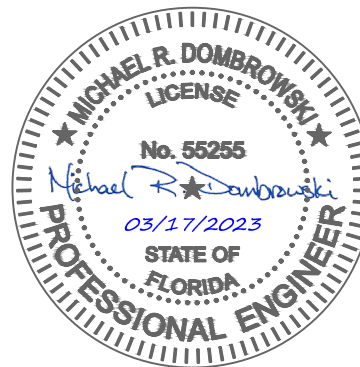
Proposed Fixed
Finger Pier
Elev: +5.0'



Distance From Centerline (feet)

SECTION D-D'

SCALE: 1" = 20'



CROSS SECTIONS C-C' AND D-D'
Gilligan's Marina Expansion

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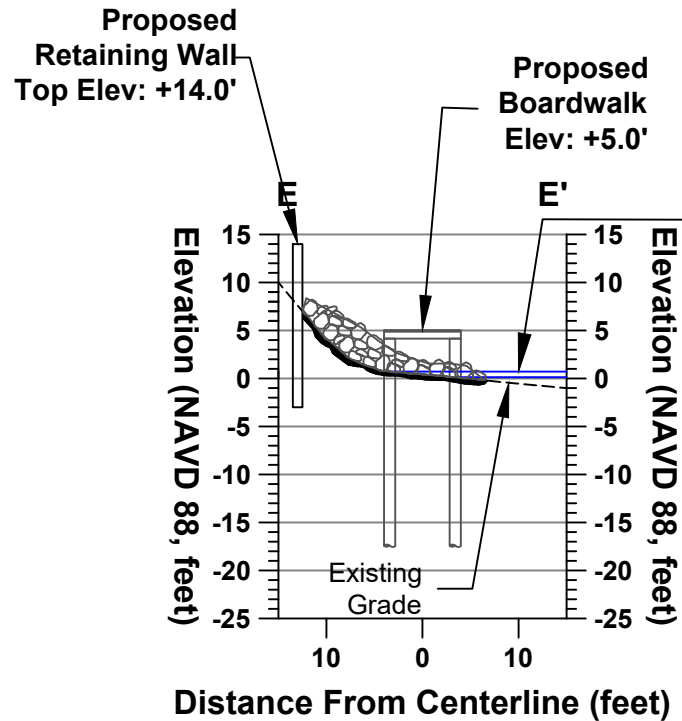
Michael R. Dombrowski, P.E.
Florida P.E. Number 55255

Date: March 17, 2023

Sheet Rev Date:

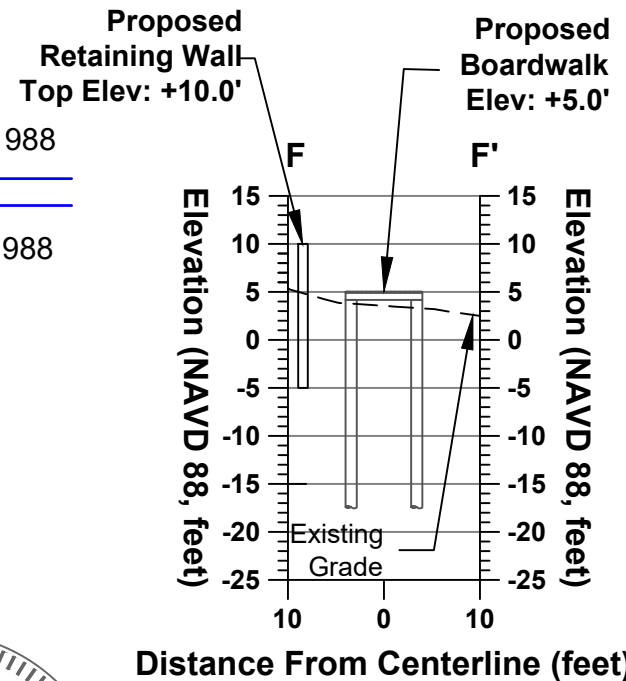
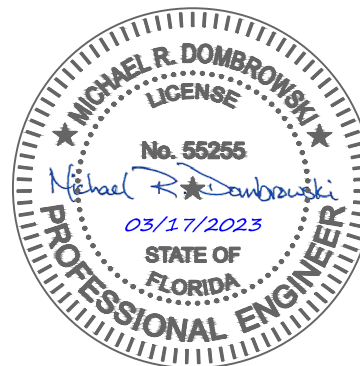
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8



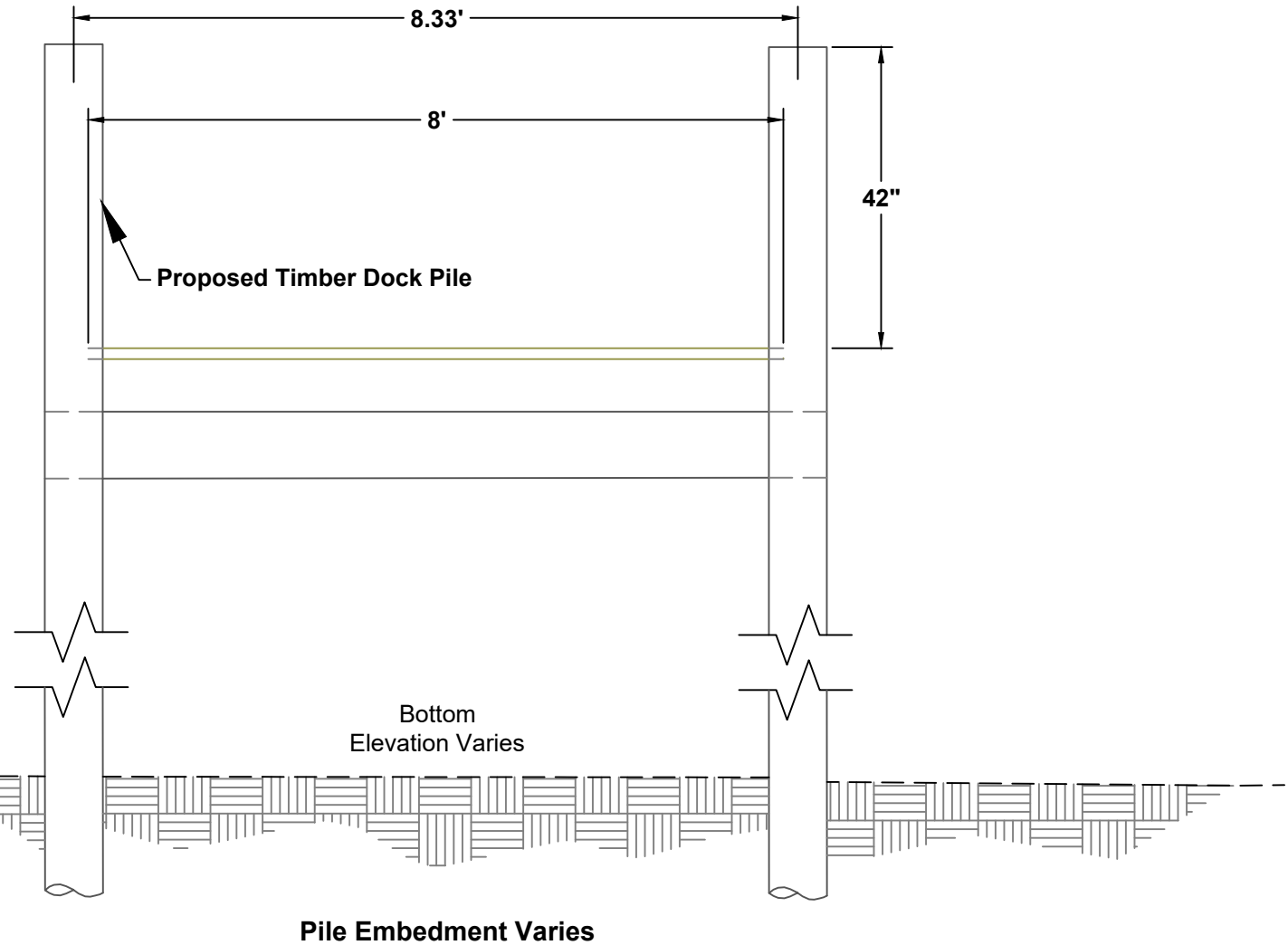
SECTION E-E'

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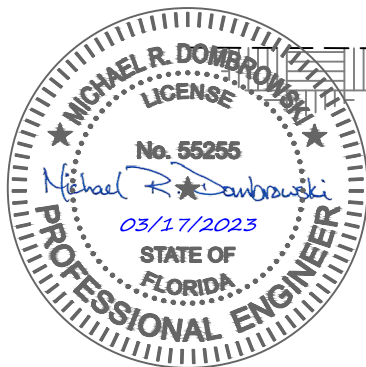
SECTION F-F'

SCALE: 1" = 20'



TYPICAL 8 FOOT FIXED PIER SECTION

SCALE: 1" = 2'



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TYPICAL FIXED PIER SECTION
Gilligan's Marina Expansion

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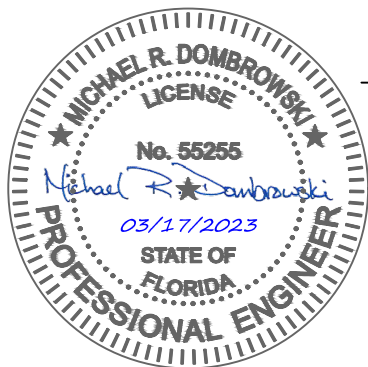
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TYPICAL 4 FOOT FIXED PIER SECTION

SCALE: 1" = 2'



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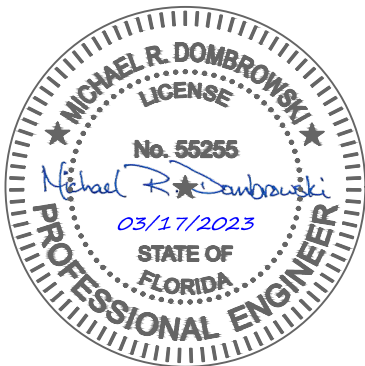
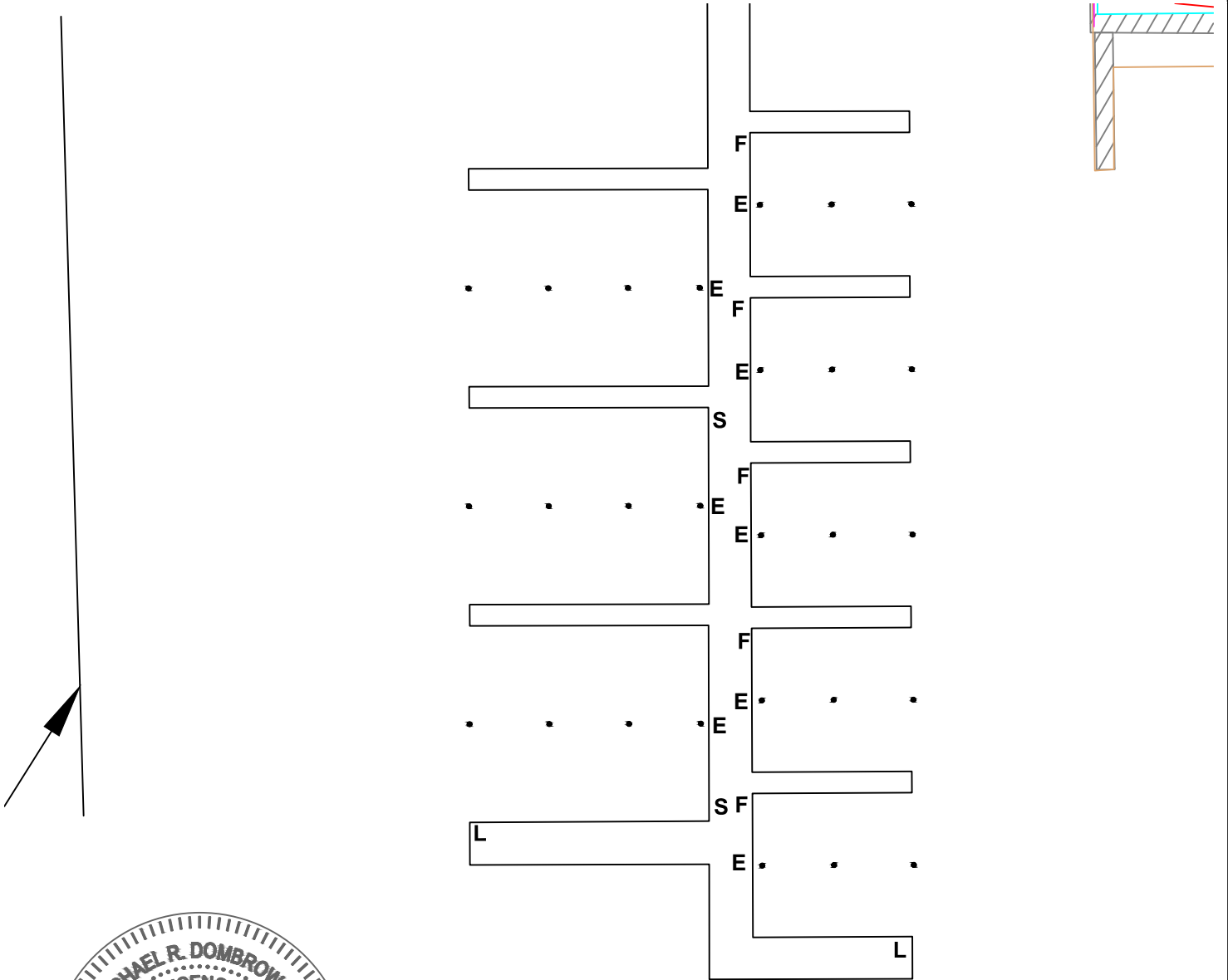
TYPICAL FIXED FINGER PIER SECTION
Gilligan's Marina Expansion

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P.O. Box 5436, Destin, Florida, 32540

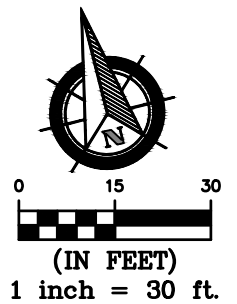
Sheet Rev Date:

PROJECT NUMBER
22-261

SHEET NUMBER
11



E	Proposed Power Pedestal
F	Proposed Fire Extinguisher
S	Proposed Standpipe
L	Proposed Safety Ladder



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UTILITY PLAN Gilligan's Marina Expansion

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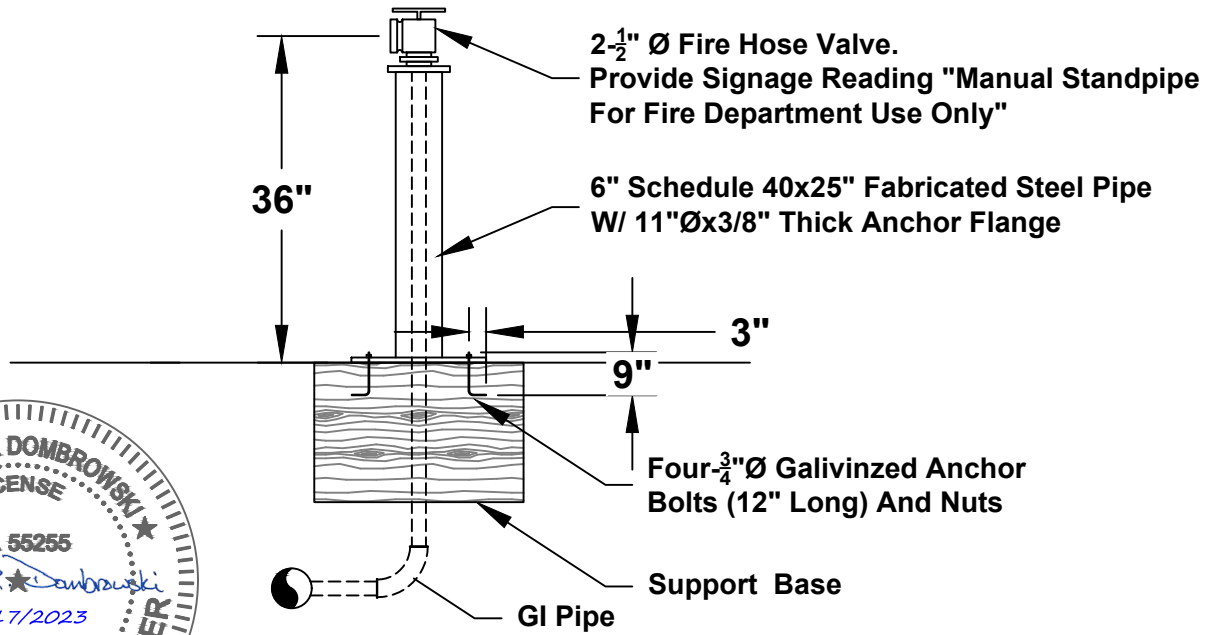
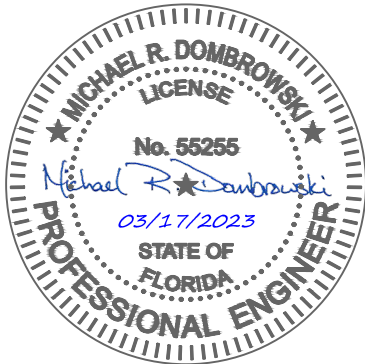
Michael R. Dombrowski, P.E.
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Date: March 17, 2023

Sheet Rev Date:

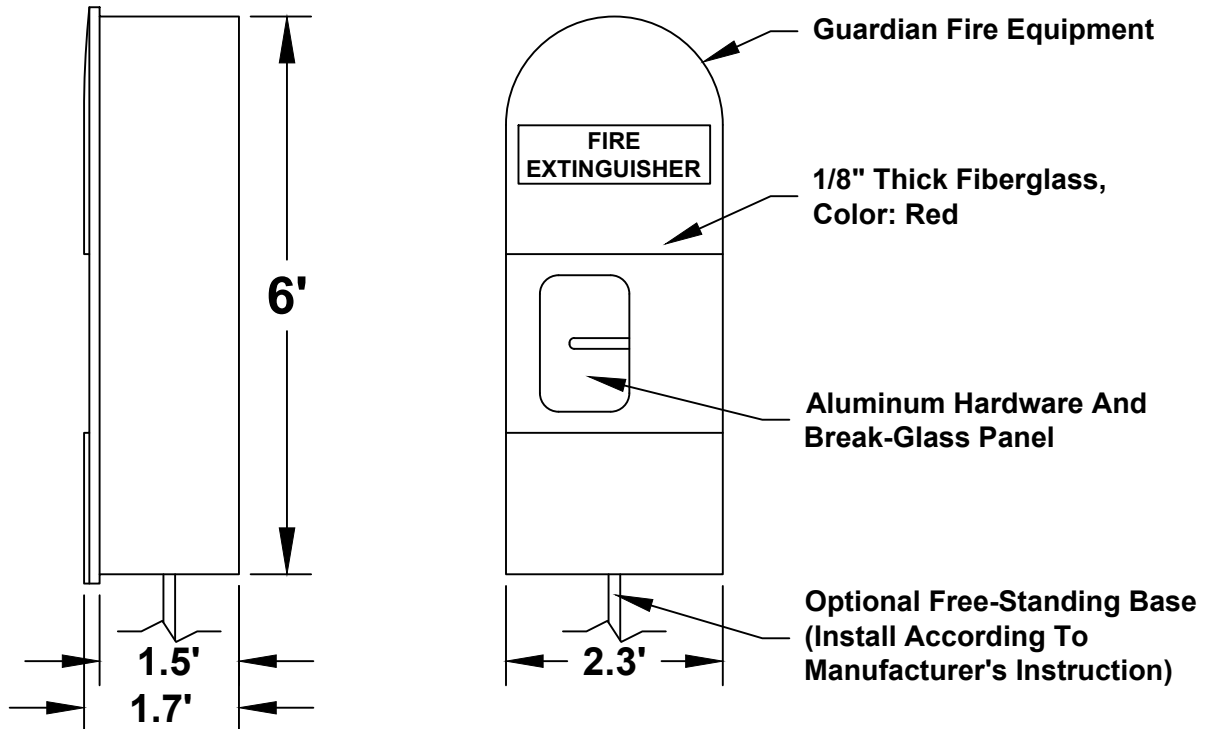
PROJECT NUMBER
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12



STANDPIPE DETAIL

SCALE: N.T.S.



FIRE HYDRANT CABINET DETAIL

SCALE: N.T.S.



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TYPICAL FIRE PROTECTION DETAILS *Gilligan's Marina Expansion*

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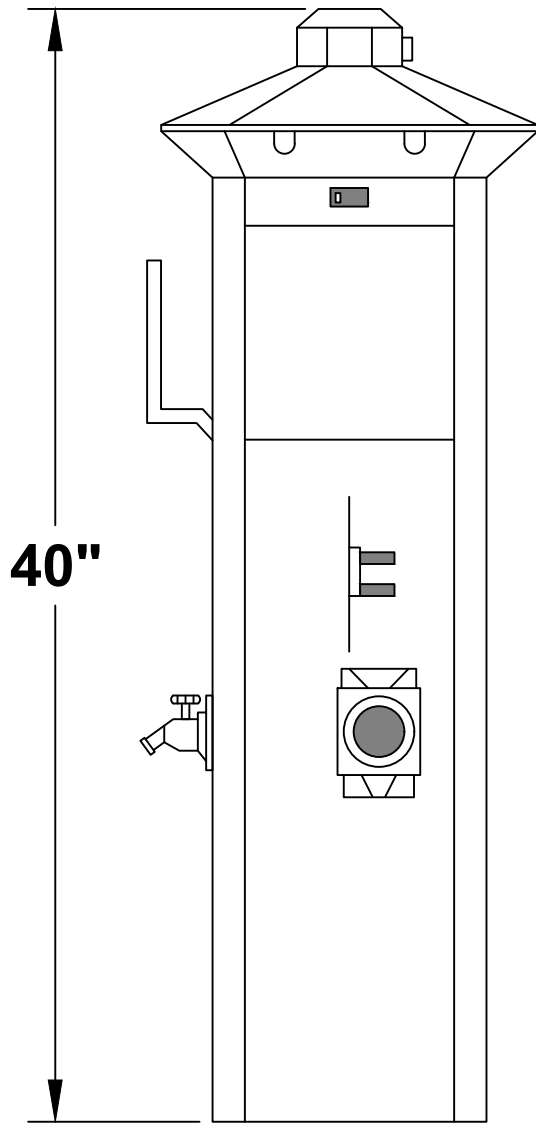
Michael R. Dombrowski, P.E.
Florida P.E. Number 55255

Date: March 17, 2023

Sheet Rev Date:

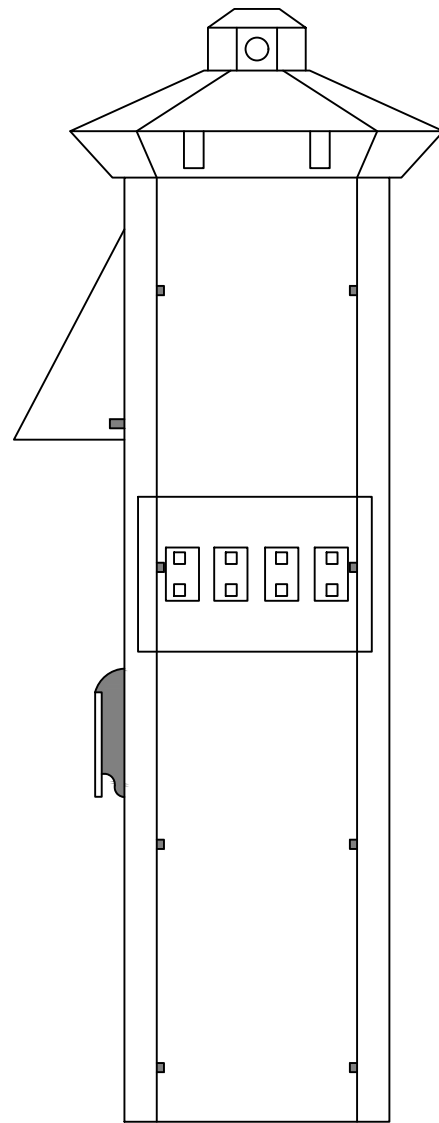
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22-261

SHEET NUMBER
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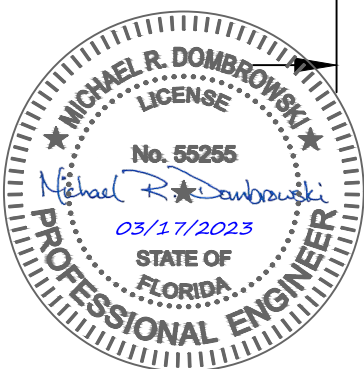
40"

9.875"



9.563"

N.T.S.



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TYPICAL POWER PEDESTAL DETAIL
Gilligan's Marina Expansion

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Michael R. Dombrowski, P.E.
Florida P.E. Number 55255

Date: March 17, 2023

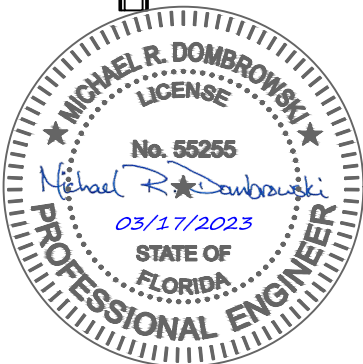
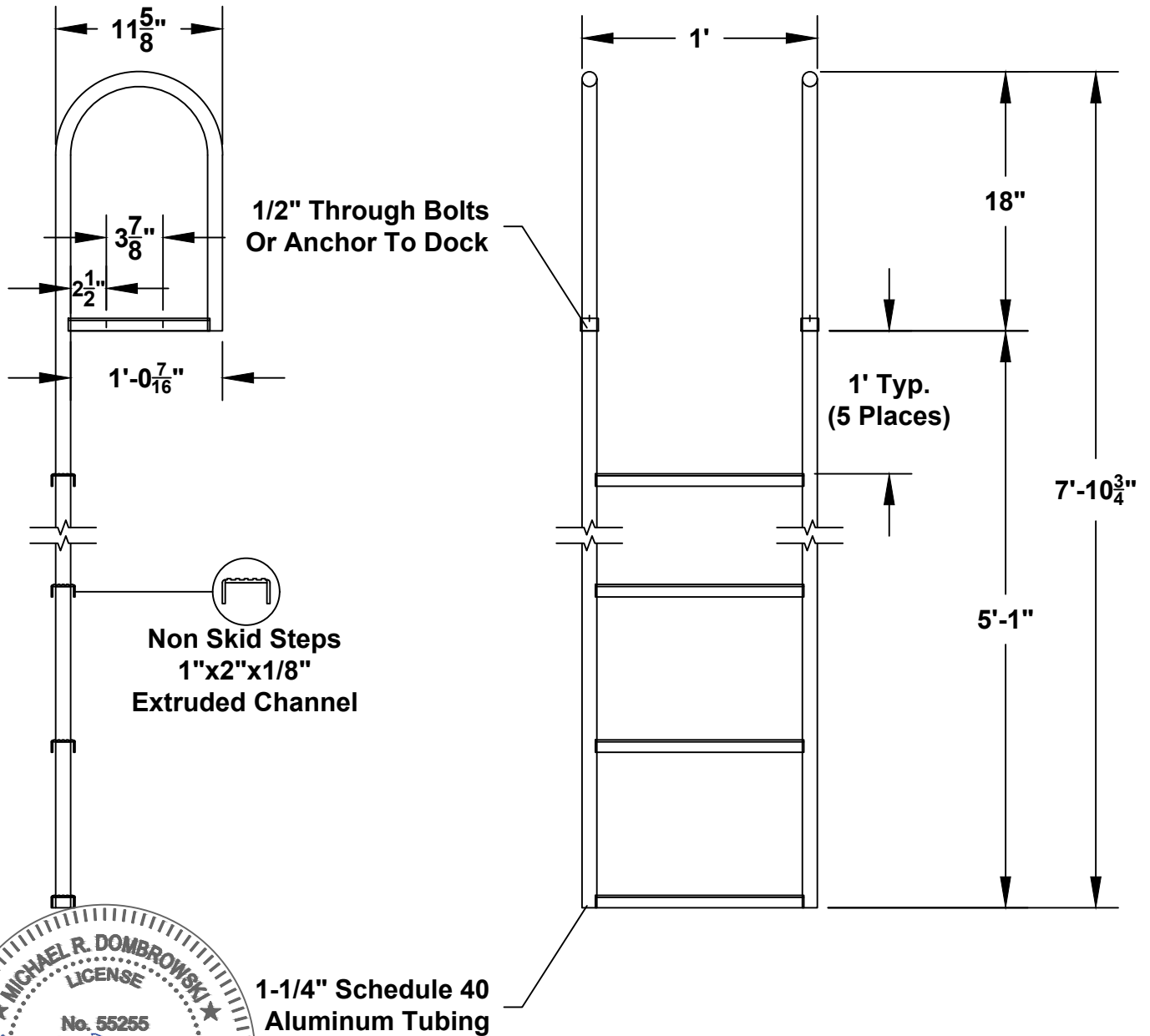
Sheet Rev Date:

PROJECT NUMBER
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NOTE:

Safety ladders, approved by Engineer, to be placed at locations shown on plan.



TYPICAL SAFETY LADDER

SCALE: N.T.S.



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TYPICAL LADDER DETAIL
Gilligan's Marina Expansion

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P.O. Box 5436, Destin, Florida, 32540

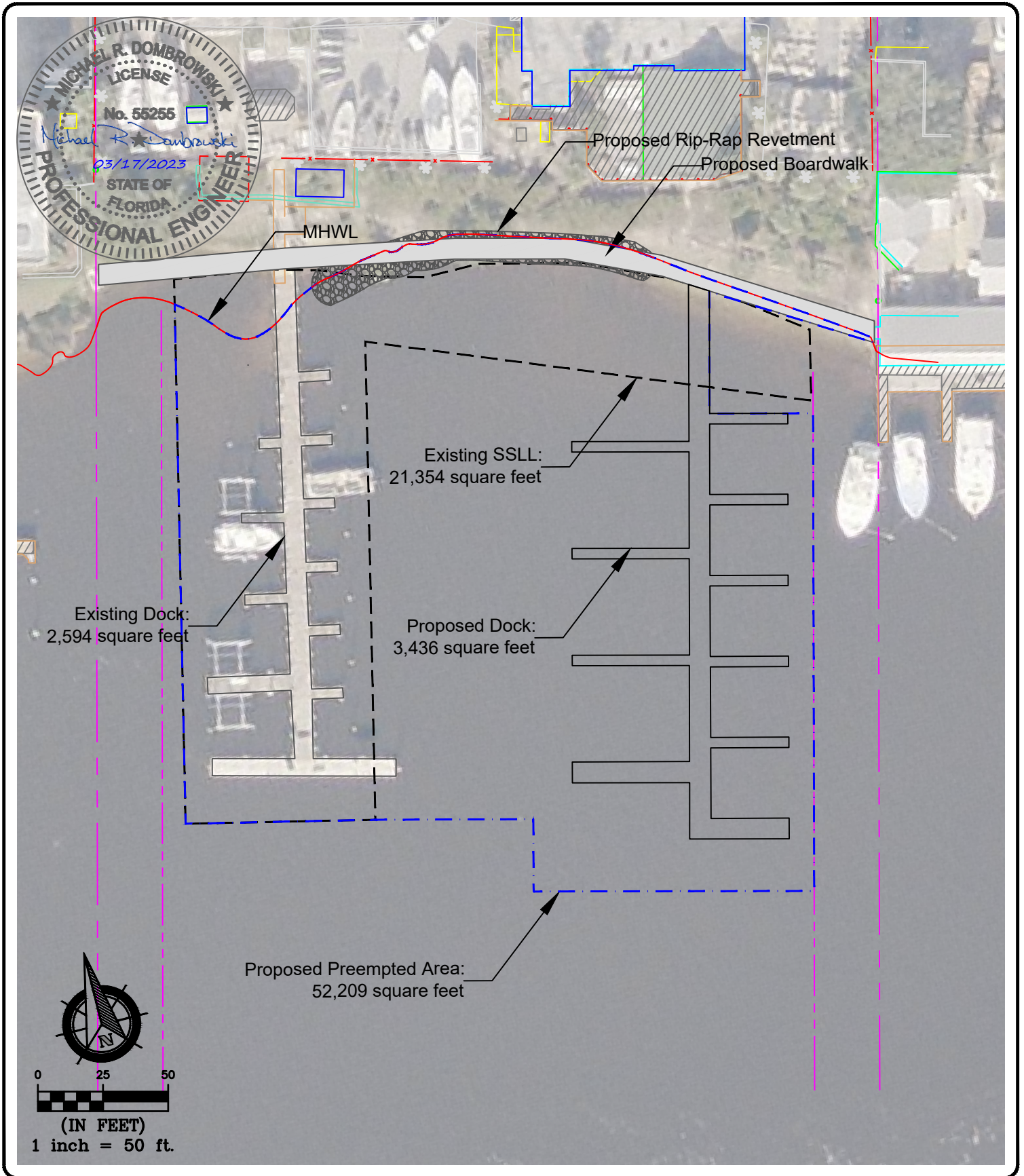
Michael R. Dombrowski, P.E.
Florida P.E. Number 55255

Date: March 17, 2023

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EXISTING AND PREEMPTED AREAS
Gilligan's Marina Expansion

A B C Amusement Company, c/o Mike Abadie
 P.O. Box 5436, Destin, Florida, 32540

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 Florida P.E. Number 55255

Date: March 17, 2023

Sheet Rev Date:

PROJECT NUMBER
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SHEET NUMBER
16

NOTES:

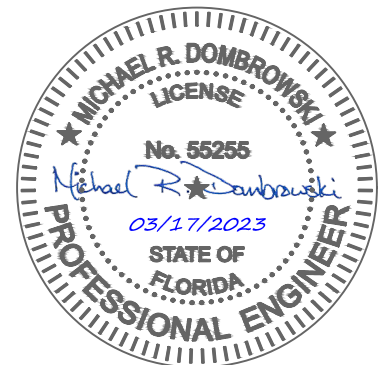
- Drawing referenced to Florida State Plane North, North American Datum of 1983 (NAD 83).
- Elevations shown hereon are based on North American Vertical Datum of 1988 (NAVD 88).
- Boundary, topographic and Bathymetric survey performed by performed by Gustin, Cothorn & Tucker, Inc. dated July 26, 2022
- Construction shall not violate State of Florida water quality standards.
- Materials are subject to change. Pile dimensions will be determined during final design.
- Aerial photography obtained from LABINS.org and flown 2016. The location of all objects in the photograph are approximate and may not represent currently existing conditions.
- The location of turbidity curtains shown on these drawings is for illustrative purposes only. Turbidity curtains will be located to best assure water quality standards and relocated as construction activities warrant to ensure water quality standards are maintained throughout construction.
- Proposed retaining wall to be constructed landward of mean high water line (MHWL)

DOCK SCHEDULE:

- Fixed timber pier:
 - 16 slips
 - 3,436 ft² of deck area
 - Wood pilings with wood pile caps and wood decking. Final material selection will be determined during final design
- Mooring Piles:
 - 27 timber mooring piles
 - Timber mooring piles shall be southern pine, pressure treated with chromated-copper-arsenate (CCA), water bourne preservative, 2.5 pounds dry chemical retention per cubic foot in accordance with AWPA standards C3 and C18.

UTILITIES:

- No liveboards are proposed at this facility.
- NFPA Fire Stations.
- Power Station to be Lighthouse Power Pedestal, as manufactured by Marina Power & Lighting, Inc. or approved equal.



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GENERAL NOTES
Gilligan's Marina Expansion

A B C Amusement Company, c/o Mike Abadie
P.O. Box 5436, Destin, Florida, 32540

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Florida P.E. Number 55255

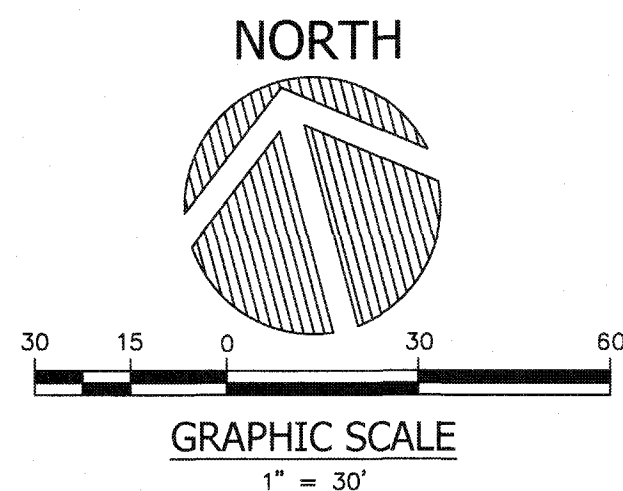
Date: March 17, 2023

Sheet Rev Date:

PROJECT NUMBER
22-261

SHEET NUMBER
17

ABC AMUSEMENT PARCEL
BOUNDARY, TOPOGRAPHIC & AS-BUILT SURVEY
530 HARBOR BOULEVARD



LEGAL DESCRIPTION

ABC AMUSEMENT PARCEL (O.R. BOOK 1620, PAGE 1645)

THE WEST 300 FEET OF THE EAST 500 FEET OF LOT 3-A, MORENO POINT MILITARY RESERVATION LYING SOUTH OF STATE ROAD NO. 30, DESTIN, OKALOOSA ISLAND, FLORIDA.

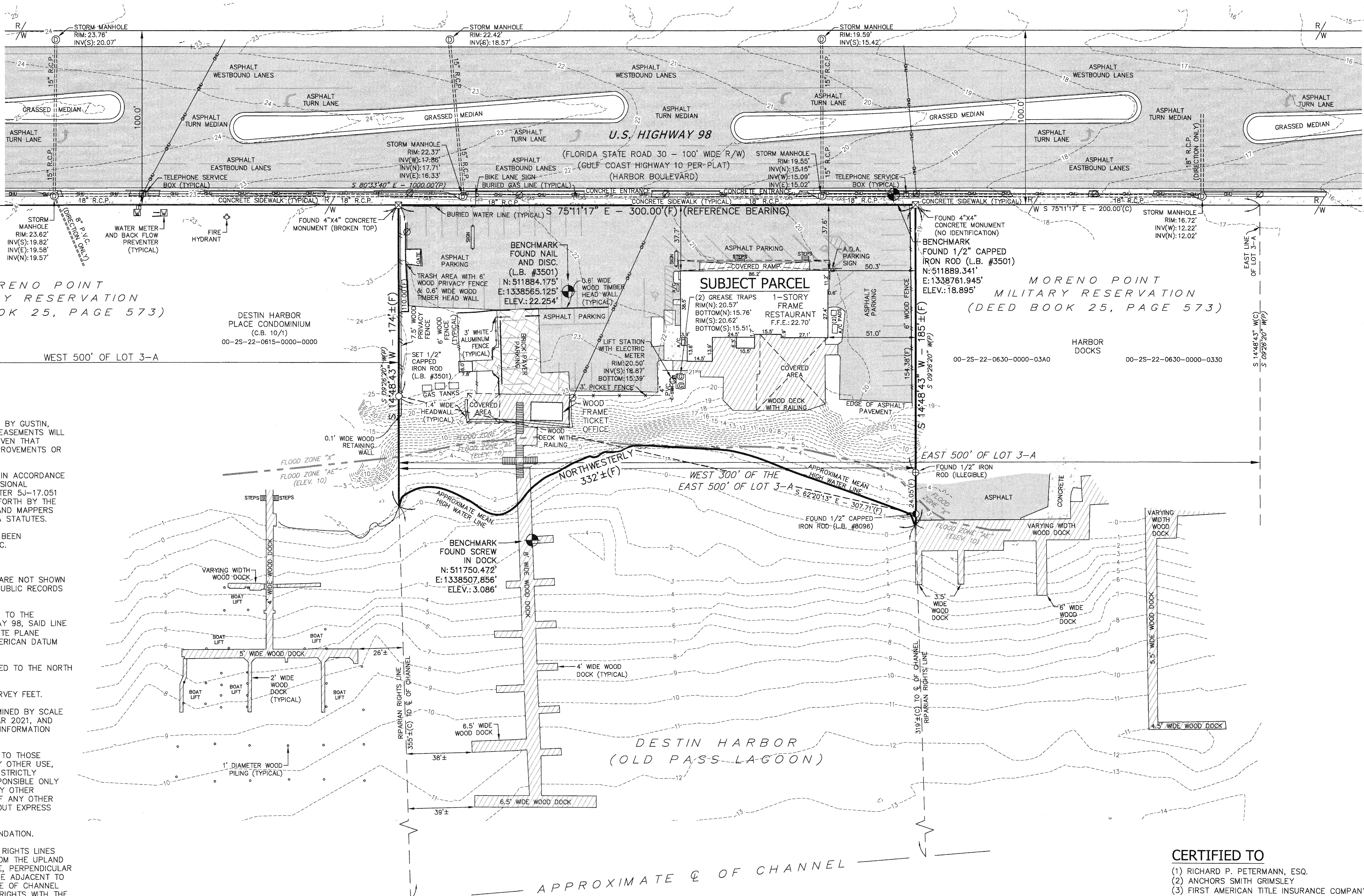
[SAID MORENO POINT MILITARY RESERVATION BEING RECORDED IN THE PUBLIC RECORDS OF OKALOOSA COUNTY AT DEED BOOK 25, PAGE 573.]

SITE DATA TABLE

SITE: ABC AMUSEMENT PARCEL (GILLIGAN'S RESTAURANT)
ADDRESS: 530 HARBOR BLVD, DESTIN, FL, 32541-2328
AREA: 1.08± ACRES
PARCEL ID(S): 00-25-22-0630-0000-03A1
00-25-22-0630-0000-03A2
00-25-22-0630-0000-03A3

- LEGEND
- No. OR # = NUMBER
— = DISTANCE NOT TO SCALE
L.B. = LICENSED BUSINESS
L.S. = LICENSED SURVEYOR
P.S.M. = PROFESSIONAL SURVEYOR AND MAPPER
± = MORE OR LESS
R/W = RIGHT-OF-WAY
C.L. = CENTERLINE
NAD = NORTH AMERICAN DATUM
NAVD = NORTH AMERICAN VERTICAL DATUM
D.B. = DEED BOOK / PAGE
C.B. = CONDOMINIUM PLAT BOOK / PAGE
(F) = FIELD MEASURED DATA
(C) = CALCULATED DATA
(P) = RECORD PLAT DATA
ELEV. = ELEVATION
F.F.E. = FINISHED FLOOR ELEVATION
N = NORTHING
S = SOUTHING
INV = INVERT
R.C.P. = REINFORCED CONCRETE PIPE
A/C = AIR CONDITIONER
P.O. = POWER POLE AND GUY ANCHOR
O.H.U. = OVERHEAD UTILITIES
E-WL = BURIED WATER LINE
E-GAS = GAS MAIN
A.P.O. = A PORTION OF
A.D.A. = AMERICANS WITH DISABILITIES ACT OF 1990

MORENO POINT
MILITARY RESERVATION
(DEED BOOK 25, PAGE 573)



SURVEY REPORT

- NO SEARCH OF THE PUBLIC RECORDS WAS DONE BY GUSTIN, COTHERN & TUCKER, INC. VISIBLE EVIDENCE OF EASEMENTS WILL BE SHOWN HEREON, BUT NO CERTIFICATION IS GIVEN THAT EASEMENTS, DEED OVERLAPS, UNDERGROUND IMPROVEMENTS OR APPARENT USES DO NOT EXIST.
- THIS SURVEY DEPICTED HEREON WAS PREPARED IN ACCORDANCE WITH THE STANDARDS OF PRACTICE FOR PROFESSIONAL SURVEYORS AND MAPPERS AS DEFINED IN CHAPTER 5J-17.051 OF THE FLORIDA ADMINISTRATIVE CODE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES.
- NO ENVIRONMENTAL JURISDICTIONAL LINES HAVE BEEN DETERMINED BY GUSTIN, COTHERN & TUCKER, INC.
- APPARENT USES ARE AS SHOWN.
- THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT SHOWN ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA.
- THE BEARINGS SHOWN HEREON ARE REFERENCED TO THE SOUTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 98, SAID LINE BEARING S 75°11'17" E, AS ESTABLISHED BY STATE PLANE COORDINATES, FLORIDA NORTH ZONE, NORTH AMERICAN DATUM OF 1983.
- THE ELEVATIONS SHOWN HEREON ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988.
- THE DISTANCES SHOWN HEREON ARE IN U.S. SURVEY FEET.
- THIS PARCEL LIES IN FLOOD ZONE X, AS DETERMINED BY SCALE FROM FEMA PANEL #12091C0469 J, DATED 9 MAR 2021, AND FURNISHED BY OKALOOSA COUNTY GEOGRAPHIC INFORMATION SERVICE.
- NOTICE OF LIABILITY: THIS SURVEY IS CERTIFIED TO THOSE INDIVIDUALS SHOWN ON THE FACE THEREOF. ANY OTHER USE, BENEFIT OR RELIANCE BY ANY OTHER PARTY IS STRICTLY PROHIBITED AND RESTRICTED. SURVEYOR IS RESPONSIBLE ONLY TO THOSE CERTIFIED AND HEREBY DISCLAIMS ANY OTHER LIABILITY AND HEREBY RESTRICTS THE RIGHTS OF ANY OTHER INDIVIDUAL OR FIRM TO USE THIS SURVEY, WITHOUT EXPRESS WRITTEN CONSENT OF THE SURVEYOR.
- THE BUILDING TIES SHOWN HEREON ARE TO FOUNDATION.
- THE METHOD USED TO ESTABLISH THE RIPARIAN RIGHTS LINES SHOWN HEREON INVOLVED PROJECTING LINES FROM THE UPLAND PROPERTY LINES AT THE MEAN HIGH WATER LINE, PERPENDICULAR TO THE MEAN ALE OF THE 4 FOOT DEPTH LINE ADJACENT TO THE UPLAND PROPERTY, OUT TO THE CENTERLINE OF CHANNEL WHILE MAINTAINING EQUITABLE DISTRIBUTION OF RIGHTS WITH THE ADJACENT PROPERTY IMPROVEMENTS AS SHOWN HEREON.

CERTIFIED TO

- RICHARD P. PETERMANN, ESQ.
- ANCHORS SMITH GRIMSLEY
- FIRST AMERICAN TITLE INSURANCE COMPANY
- HANCOCK WHITNEY BANK
- ABC AMUSEMENT COMPANY

Conventional Surveying • Aerial & Bathymetric • Laser Scanning & LIDAR

Gustin, Cothern & Tucker, Inc.
G.C. LAND SURVEYING & MAPPING

www.gustinsurveying.com
Niceville, FL 32578 (850) 678-5141 Fax: (850) 729-2460
121 Hart Street
L.B. No. 3501

NOT VALID WITHOUT
STATE OF FLORIDA
Professional Seal

ALLEN E. TUCKER, P.S.M. No. 6584
JOSHUA P. WOOD, P.S.M. No. 6960
DATE 15 AUG 2022
© G.C.T. INC. 2022

BOUNDARY, TOPOGRAPHIC &
AS-BUILT SURVEY

ABC AMUSEMENT PARCEL

A.P.O. LOT 3-A, MORENO POINT MILITARY RESERVATION (O.R. BOOK 25, PAGE 573) IN SECTION 25, TOWNSHIP 2 SOUTH, RANGE 22 WEST, CITY OF DESTIN, OKALOOSA COUNTY, FLORIDA

PARCEL ID: 00-25-22-0630-0000-03A1

REV	DESCRIPTION	DRAFTED BY	DATE
A	INITIAL RELEASE	J. FOWLER	15 AUG 2022
SURVEY TYPE: BOUNDARY, TOPOGRAPHIC & AS-BUILT			
FIELD DATE: 26 JUL 2022			
FIELD BOOK: 22-07, P. 49 (D.B.)			
DATUM: (HORIZONTAL/VERTICAL) NAD 83 NAVD 88			
CLIENT: CORE ENGINEERING & CONSULTING			
SHEET 1 OF 1		PROJECT 220501	
		ORDER# 220501.03	
MAP# 220501.01			

This Warranty Deed Made and executed the 23rd day of July A. D. 1991 by

ABC AMUSEMENT CO., INC.

a corporation existing under the laws of THE STATE OF FLORIDA and having its principal place of business at 333 West Baya Ave., Lake City, Florida hereinafter called the grantor, to

ABC AMUSEMENT CO., INC.

a corporation existing under the laws of the State of Florida, with its permanent postoffice address at P.O. Box 2072, Lake City, Florida 32056 hereinafter called the grantee:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth: That the grantor, for and in consideration of the sum of \$ 10.00 and other valuable considerations, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the grantee, all that certain land situate in Okaloosa County, Florida, viz:

The West 100 feet of the East 500 feet of the portion of Lot 3-A lying South of U.S. Highway 98, Moreno Point Military Reservation Survey of Lots, Destin, Florida, in Okaloosa County, Florida.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in any-wise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that it is lawfully seized of said land in fee simple; that it has good right and lawful authority to sell and convey said land; that it hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances

FLORIDA DOCUMENTARY STAMP TAX REQUIRED
BY LAW IN THE AMOUNT OF \$ 60 HAS
BEEN PAID. NEWMAN C. BRACKIN, CLERK
OKALOOSA COUNTY.
BY: Raye Smith DC



In Witness Whereof the grantor has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year first above written.

ATTEST: Mary Ann Philpot Secretary
Signed, sealed and delivered in the presence of:
Dale C. Ferguson DALE C. FERGUSON
Karen M. Wright KAREN M. WRIGHT
By: John V. Philpot President

STATE OF FLORIDA
COUNTY OF COLUMBIA

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared John V. Philpot and Mary Ann Philpot

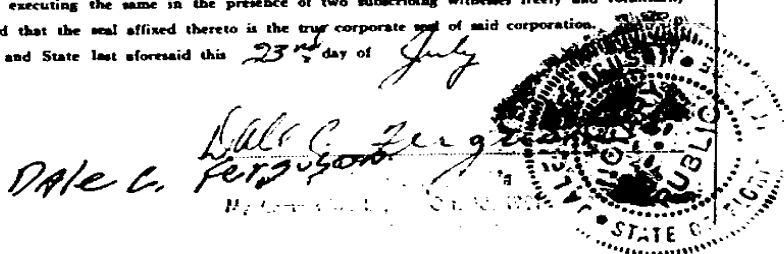


well known to me to be the President and Secretary respectively of the corporation named as grantor in the foregoing deed, and that they severally acknowledged executing the same in the presence of two subscribing witnesses freely and voluntarily under authority duly vested in them by said corporation and that the seal affixed thereto is the true corporate seal of said corporation.

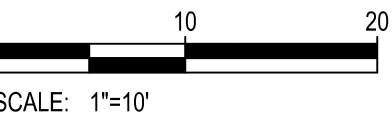
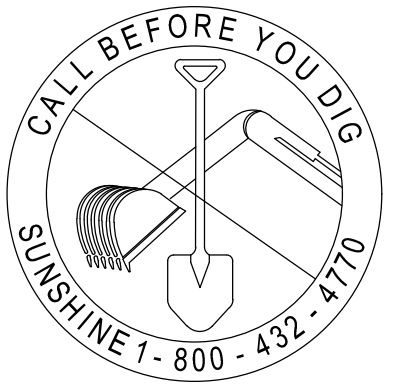
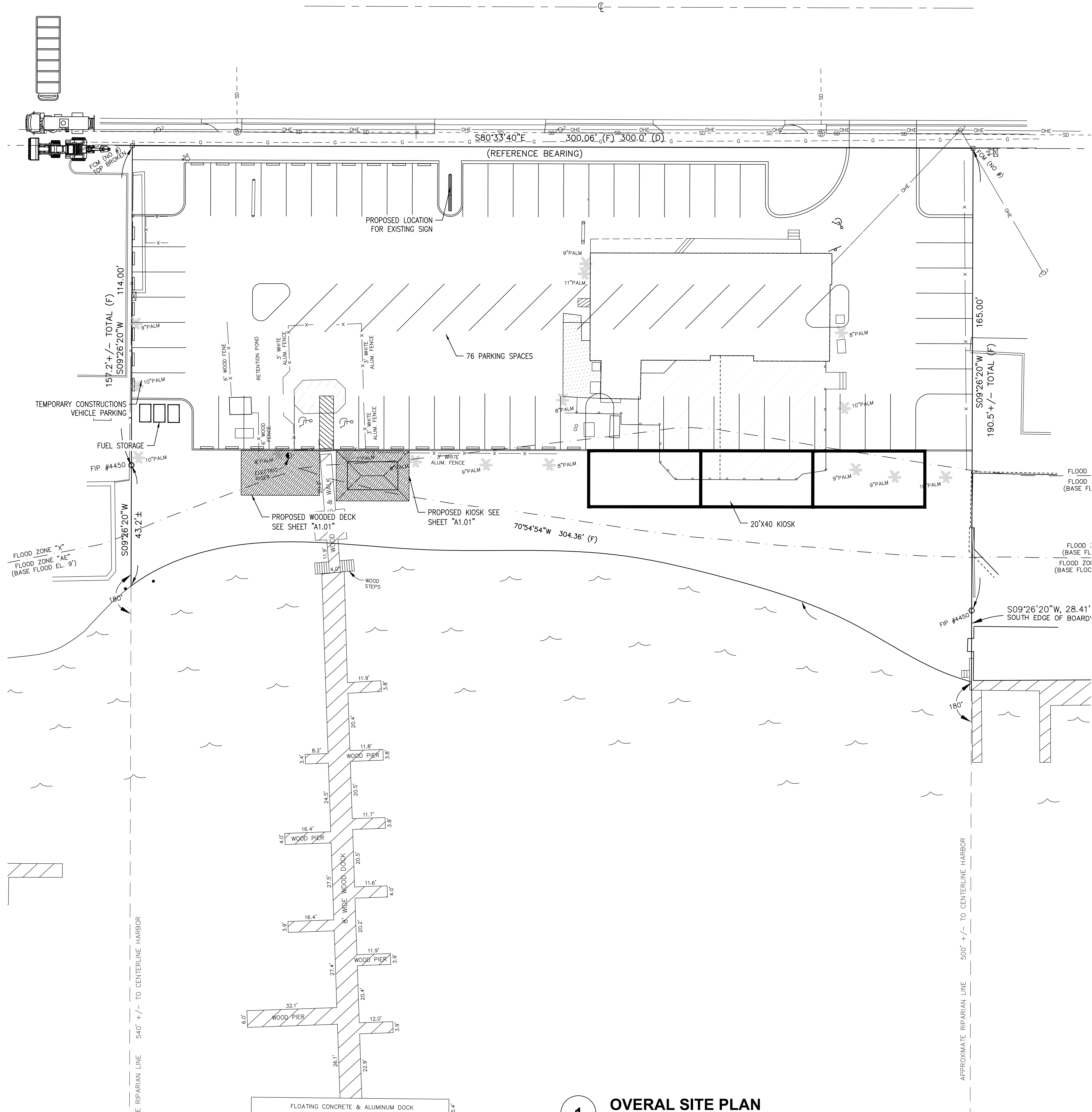
WITNESS my hand and official seal in the County and State last aforesaid this 23rd day of July

FILE# 1149594
OKALOOSA COUNTY, FLORIDA

RCD: AUG 12 1991 @ 3:44 PM
NEWMAN C BRACKIN, CLERK



Z:\Civil\0620 - Mike Abadie\0620.19.001 - Gilligans4-0 Production\Drawing CAD\C-revised site.dwg

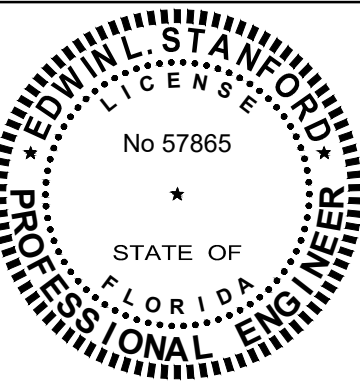
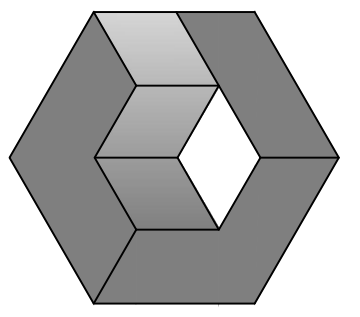


EXISTING LIGHTING TO REMAIN. NO LIGHTING PROPOSED FOR THIS PROJECT.

SITE DATA TABLE		
PARCEL ID	00-28-22-0630-0000-03A2/03A3/A1	
FLOOD ZONE	FLOOD ZONE X/AE 9	
ZONING	GULF RESORT MIXED USE (GRMU)	
FUTURE LAND USE	SOUTH HARBOR MIXED USE (SHMU)	
EXISTING LAND USE	WATERSPORTS RENTALS/RESTAURANT	
PROPOSED USE	WATERSPORTS RENTALS/RESTAURANT	
	EXISTING	PROPOSED
TOTAL SITE AREA	45,749.9 S.F. (1.05 AC)	45,749.9 S.F. (1.05 AC)
TOTAL IMPERVIOUS AREA	26,222 S.F. (57.2%)	25,687 S.F. (56.1%)
TOTAL PERVIOUS AREA	19,527.9 S.F. (42.7%)	20,062.9 S.F. (43.8%)
PROJECT AREA	19,689 S.F. (0.452 AC)	19,689 S.F. (0.452 AC)
IMPERVIOUS AREA	14,755.1 S.F.	14,221 S.F.
PERVIOUS AREA	4,933.9 S.F.	5,468 S.F.
LANDSCAPED AREA	730 S.F.	2,624 S.F.
STORMWATER RETENTION	432 S.F./324 C.F.	770 S.F./451 C.F.
	REQUIRED	PROPOSED
BUILDING HEIGHT/ STORIES (MAX)	35 FT/ 3 STORIES	<20 FT
MAX DENSITY (UNITS PER ACRE)	NA	NA
FLOOR AREA RATIO (MAX)	0.60	0.14
OPEN SPACE (MIN)	25%	43.8%
BUILDING SETBACKS (MIN)		
FRONT	<10 FT	< 45 FT
REAR	15 FT	15.30 Ft
SIDE	0 Ft	0 Ft
PARKING SPACES	EXISTING	PROPOSED
TOTAL	57	65
HANDICAP	2	3
COMPACT	0	1

1 OVERALL SITE PLAN
1" = 20'

CORE ENGINEERING & CONSULTING, INC.
CIVIL & ENVIRONMENTAL ENGINEERING
3997 COMMONS DRIVE W., SUITE F
DESTIN, FLORIDA 32541
PH. 850.650.2646
FAX. 850.837.1576
CORECONSULTING.COM



REVISIONS:	REV	DATE	DESCRIPTION

GILLIGAN'S WATERSPORTS
KIOSK AND SITE REVISIONS
530 HARBOR BOULEVARD
CITY OF DESTIN, FLORIDA 32541
SITE PLAN
Not valid unless bearing Engineer's seal & original signature

Job:	0620.09.001
Date:	10/09/19
Designed:	ELS
Drawn By:	ZDB
Checked:	ELS
DRAWING NUMBER	C1.01
SHEET NUMBER	3 OF 11

THIS DRAWING IS THE PROPERTY OF CORE ENGINEERING & CONSULTING, INC. & IS NOT TO BE REPRODUCED WITHOUT EXPRESSED WRITTEN CONSENT.



Community Development Planning Division

4100 Indian Bayou Trail | Destin, FL 32541 | Phone: 850-654-1119 | Email: planning@cityofdestin.com

April 11, 2023

**Subject: Notification of Harbor & Waterways Board (HWB) Application Submittal
Commercial Marine Construction – 530 Harbor Blvd.**

Dear Property Owner:

The purpose of this letter is to notify you of the Marine Construction application received by the Community Development Department. The Marine Construction application seeks Harbor and Waterways Board approval for the construction of a commercial dock. **The Application will be heard by the Harbor and Waterways Board at 5:00 p.m. at Destin City Hall Annex, 4100 Indian Bayou Trail on Monday, April 24, 2023.** As an owner of property located adjacent of this project, **Section 2.17.00 & 11.05.01.S of the Destin Land Development Code (LDC)** requires a written notice providing you the following information.

This notice is for informational purposes only and no action is required of you. However, citizens are encouraged to provide a written response to email address provided below.

1. Name of Owner: ABC Amusement Co.
2. Name of Agent: Thomas Hurlimann of MRD Associates, Inc.
3. Address of Project: 530 Harbor Boulevard
4. Parcel ID Number: 00-2S-22-0630-0000-03A1, 00-2S-22-0630-0000-03A3, 00-2S-22-0630-0000-03A2
5. Project Description: The project proposes to construct a new 3,436 square foot, 16-slip wooden dock to the east of the existing 20-slip Gilligan's docking facility, along with a boardwalk that spans from property line to property line. Approximately 27 timber mooring piles shall be installed within the slips.
6. Location of Application Package: To request a digital copy of the application package be sent to you, please call the City Clerk at (850) 837-4242 or fill out a Public Records Request (PRR) online: <http://www.cityofdestin.com/forms.aspx?fid=121>

If you have any questions or concern regarding this letter, please do not hesitate to call (850) 654-1119 option 2 or email at planning@cityofdestin.com.

Sincerely,

Daniel Butler
Senior Planner



CC: Louis Zunguze, MURP, Community Development Director
Planning Division
Community Development Department Project File



FLORIDA DEPARTMENT OF Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

Electronic Submission **Application for an Individual or Conceptual Permit**

You have successfully submitted an Application for an Individual or Conceptual Permit in accordance with Part IV of Chapter 62-330 F.A.C.. Your request was received on August 10, 2022.

You have indicated that your project does not include any dredge or fill activities in wetlands or surface waters assumed by the State of Florida under Section 404 of the Clean Water Act.

You HAVE waived, in accordance with subsection 62-330.090(8), F.A.C., the agency action deadlines in section 5.5.3 of Volume I in the event your project also requires a State 404 Program authorization (other than an exemption) under Chapter 62-331, F.A.C., and request that the agency actions for the ERP and State 404 Program authorizations be issued at the same time.

Below is a copy of the details of your request for your records.

Facility Information

Site Name: ABC AMUSEMENT COMPANY (DBA GILLIGAN'S MARINA)
Address Line 1: 530 Harbor Blvd
Address Line 2:
City/State/Zip Code: Destin, FL 32541 2328

Mailing Address

Address Line 1: 530 Harbor Blvd
Address Line 2:
City/State/Zip Code: Destin, FL 32541 2328

Applicant

Company Name: ABC AMUSEMENTS COMPANY
Title:
Name: MIKE ABADIE
Address Line 1: PO Box 5436
Address Line 2:
City/State/Zip Code: Destin, FL 32540 5436

Phone Number: (850) 650-4400
Extension:
Cell Number:
Fax Number:
E-mail Address: mikeabadie@earthlink.net

Agent

Company Name: MRD ASSOCIATES
Title:
Name: MICHAEL DOMBROWSKI
Address Line 1: 543 Harbor Blvd
Address Line 2: Ste 204
City/State/Zip Code: Destin, FL 32541 7359
Phone Number: (850) 654-1555
Extension:
Cell Number:
Fax Number:
E-mail Address: md@mrd-associates.com

Property Owner

Company Name: ABC AMUSEMENTS COMPANY
Title:
Name: MIKE ABADIE
Address Line 1: PO Box 5436
Address Line 2:
City/State/Zip Code: Destin, FL 32540 5436
Phone Number: (850) 650-4400
Extension:
Cell Number:
Fax Number:
E-mail Address: mikeabadie@earthlink.net

Project Information

Tax Parcel Identification Number(s): 00-2S-22-0630-0000-03A1 00-2S-22-0630-0000-03A3
Anticipated Commencement Date:
Anticipated Completion Date:
Project Name (including Phase): Gilligan's Marina Expansion
This project **IS NOT** part of a larger plan of development or sale.

Project or project phase area (in acres): 0.1

Impervious or semi-impervious area (excluding wetlands and other surface waters): 0

In: SQ FT

Volume of water the system is capable of impounding (in acre-feet): 0

The total number of proposed new (not existing) in-water boat slips (including mooring areas and boat lifts): 17

Total area of work (dredging, filling, construction, alteration, or removal) in, on, or over wetlands or other surface waters: 4189

In: SQ FT

Total volume of material to be dredged (in cubic yards): 0

Total volume of material to be filled (in cubic yards): 0

Pre-Application Meetings:

None.

Project Description:

The proposed project is located within Destin Harbor. The project consists of the construction of a 17-slip pile supported marina with 4,189 ft² of wood deck. 36 additional timber piles shall be installed as mooring piles. At least 90 percent of the slips will be maintained for rent to the public on a first-come, first-served basis.

Waterbodies Information:

Destin Harbor

DEP Permits:

Project Name	Permit/Application Number	Expiration Date
GILLIGANS MARINA	0295725-002-DF	04/16/2015
ABC AMUSEMENT-530 HARBOR BLVD	0295725-004-DF	04/16/2015

Other Permits:

Attachments:

File Description: SWERP Supporting Document - Permit Sketches

File Name: 2022-08-01 Gilligans Permit Drawings.pdf

File Hash: c97bae22ea9382b570020c47af78367cc1e713727b13cbee5bf9f2eb278e54db

File Description: SWERP Supporting Document - Signatures

File Name: 2022-08-10 signatures.pdf

File Hash: a3c9bef10512f55baa7b1252375e17863d0a53817e6892ca7250fbb9cb003604

File Description: SWERP Supporting Document - Upland Interests

File Name: Real Property Interest.pdf

File Hash: 74a70c4a5c9d9c95a618538d207fb158e55878153ceb461aa83b401f3708ac7f

File Description: SWERP Supporting Document - Landuse and Landcove

File Name: 2022-07-29 Gilligan's Marina Landuse and Landcover.pdf

File Hash: b6117d4cc0915b3114a9dcac2df2e84c2522077b65f1f59da354fe04f84d762c

File Description: SWERP Supporting Document - Hydrographic Report

File Name: Gilligan's Hydro Report.pdf

File Hash: 7ce959d64dedef1a54c0a261f2e7083da7cce2825455e85ce4cd15a5a45d1629

File Description: Section D - Within Surface Waters

File Name: 2022-07-29 Gilligan's Marina Expansion Section D.docx

File Hash: d94e524bbf7c2a0f3838852454b1de5266bf617ff1ba2da3fee2d895421c0447

File Description: Section C - In On or Over Wetlands Other Surface Waters

File Name: 2022-07-29 Gilligan's Marina Expansion Section C.docx

File Hash: 019969e4b5cd95437f1c2da2be43bad5565ef87e15e5cbda6095f4f7b4b152a9

File Description: Section D - Within Surface Waters

File Name: 2022-07-29 Gilligan's Marina Expansion Section D.docx

File Hash: d94e524bbf7c2a0f3838852454b1de5266bf617ff1ba2da3fee2d895421c0447

File Description: SWERP Supporting Document - 500 ft radius

File Name: 500 ft radius.pdf

File Hash: a7f94ce95f9e1b02f7b4a76cd9d482f2798e6ce9d06d7c2fd82c7636f11b9243

File Description: SWERP Supporting Document - Landuse and Landcove

File Name: 2022-07-29 Gilligan's Marina Landuse and Landcover.pdf

File Hash: b6117d4cc0915b3114a9dcac2df2e84c2522077b65f1f59da354fe04f84d762c

File Description: SWERP Supporting Document - NRCS Soil Report

File Name: 2022-07-29 NRCS Soil Report.pdf

File Hash: d45aecf755864239d075111535a08e2d3ab8da93b526d5642a90e4b214f481f6

File Description: SWERP Supporting Document - Hydrographic Report

File Name: Gilligan's Hydro Report.pdf

File Hash: 7ce959d64dedef1a54c0a261f2e7083da7cce2825455e85ce4cd15a5a45d1629

File Description: Section D - Within Surface Waters

File Name: 2022-07-29 Gilligan's Marina Expansion Section D.docx

File Hash: 8c3eb8fef50f802dbeb5dcfedbf47ebca84e70442901e5e7608200badff16909

File Description: Section C - In On or Over Wetlands Other Surface Waters

File Name: 2022-07-29 Gilligan's Marina Expansion Section C.docx

File Hash: 8934e051e1de491e1dbe2ece4dd0dfe1e3649092968e10984971a343e34ec53f

Notification Submitted By

Name: Thomas Hurlimann
Phone Number: (512) 659-3715
E-mail Address: th@mrd-associates.com

All information submitted was certified true, accurate, and correct to the best of the knowledge of the person whose name appears above.

If you have any questions or concerns about the information contained in this report, please contact the Division of Water Resource Management at (850) 245-8336 or by e-mail at ERP_eApps@dep.state.fl.us.



FLORIDA DEPARTMENT OF
Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

Electronic Submission
Application for an Individual or Conceptual Permit
Section D - Supplemental Information for Works or Activities within Surface Waters

Proposed Activities:

X	Pier, dock, wharf, mooring field, marina, (including dry storage associated with a boat launch), boat ramp, ski course or other boating-related activity.
	Breakwater, groin, jetty, shoreline stabilization structures, artificial reefs, intake or discharge structures, subaqueous utility lines or other submerged structures.
	Bridge, causeway, culverted crossing, other traversing work or Structure.
	Dredging (for navigation channels, boat basins or other purposes) or filling in surface waters.
	Any other structures, works or other in-water activities.

Boating Related:

This project **DOES NOT** construction of any boat ramp or launch area.

	Existing	Proposed
Square Ft Over the Water	0	4189
# of Wet Slips (Permanent)	0	17
# of Wet Slips (Temporary)	0	0
# of Dry Slips	0	0
Live-Aboard Slips	0	0
Fueling Facilities	0	0
Sewage Pump-outs	0	0
Other boating-related supplies or services (e.g. boat maintenance or washdown areas, fish cleaning stations, etc.)	0	0



FLORIDA DEPARTMENT OF
Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

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Lt. Governor

Shawn Hamilton
Secretary

Electronic Submission
Application for an Individual or Conceptual Permit
Section F - Application for Authorization to Use State-Owned Submerged Lands

Type of Authorization Requested:

Exceptions:

	Construction or maintenance of a county water or sewer system under Section 153.04 F.S.
	Removal of material from the area adjacent to an intake or discharge structure under 403.813(1)(f), F.S.
	Removal of organic detrital material under Section 403.813(1)(r) or (u), F.S.
	Construction of floating vessel platforms under Section 403.813(1)(s), F.S.
	Trimming or alteration of mangroves under Sections 403.9321 through 403.9334, F.S.

Consent by Rule:

	Section 403.813(1), F.S., paragraphs (a); (b), provided that the structure is the only dock or pier on a parcel and it is not a private residential multi-family dock with three or more slips.
	Section 403.813(1), F.S., paragraphs (c); (d); (e); (f), provided that no severance fee is required under Rule 18-21.011, F.A.C., and the existing activity has a valid Board of Trustees authorization.
	Section 403.813(1), F.S., paragraphs (g); (h); (i), provided that no private residential multi-family dock or pier is constructed.
	Section 403.813(1), F.S., paragraph (k), provided that any channel markers delineate existing and authorized or permitted navigation channels.

Letter of Consent:

	One minimum-size private residential single-family dock (see definition in Rule 18-21.003, F.A.C.).
	Private residential single-family or multi-family docks, piers, boat ramps, and similar existing and proposed activities that cumulatively preempt no more than

	10 square feet of sovereignty submerged land for each linear foot of the applicant's riparian shoreline, along sovereignty submerged land on the affected waterbody within a single plan of development (see "preempted area" definition in Rule 18-21.003, F.A.C.).
	Private channels that provide access to an upland single-family or multi-family residential parcel and that measures no more than 10 square feet of sovereignty submerged land for each linear foot of the applicant's riparian shoreline along sovereignty submerged land on the affected waterbody within a single plan of development.
	Seawalls, bulkheads, or other shoreline stabilization structures no more than three feet waterward of mean or ordinary high water.
	Placement, replacement, or repair of riprap, groins, breakwaters, or intake and discharge structures no more than ten feet waterward of the line of mean or ordinary high water.
	Restoration and nourishment of naturally occurring sandy beaches, including borrow areas to be used for five years or less.
	Artificial reefs or fish attractors that are constructed for public use.
	Public docks or piers that are exempt from permit requirements under Section 403.813(1), F.S., or that qualify as minimum-size docks or piers or are less than or equal to the 10:1 preempted area to shoreline ratio; public boat ramps; public channels; or public swimming areas, provided that all such structures or activities are owned and operated by governmental entities and any revenues collected are used solely for operation and maintenance of the structure or adjacent public recreational facilities.
	Ski course buoys and ski jumps not associated with revenue-generating water skiing activities.
	Removal of wrecked, abandoned or derelict vessels or structures.
	Habitat restoration.

Lease:

X	Private residential single-family or multi-family docks or piers, other docks or piers, boat ramps, or other similar activities that do not qualify for a letter of consent.
	Private residential multi-family docks designed or used to moor three or more vessels within aquatic preserves.
	Docks designed or used to moor ten or more vessels in Monroe County.
	Commercial/industrial docks, as defined in Rule 18-18.004, F.A.C., in Biscayne Bay Aquatic Preserve, as required by paragraph 18-18.006(3)(c), F.A.C.
X	All revenue-generating activities.
	Oil and gas exploration and development.
	Open-water mooring fields.
	Mining.

Easement:

	Utility crossings and rights of way.
	Road and bridge crossings and rights of way, including such structures built prior to the need to obtain an easement when proposed for modification or repair.
	Groins, breakwaters, and shoreline protection structures, except when constructed as part of a docking facility that requires a lease.
	Public navigation projects other than public channels.
	Private residential channels that do not qualify for a letter of consent, and channels that provide access to revenue-generating facilities in uplands.
	Oil, gas and other pipelines.
	Intake and discharge structures more than 10 feet waterward of the mean or ordinary high water line.
	Spoil disposal sites.
	Borrow areas that will be used for longer than five years for beach nourishment.
	Public water management projects other than public channels.
	Treasure salvage (Cultural Resource Recovery).

Thomas Hurlimann

From: Michael Dombrowski
Sent: Monday, August 22, 2022 10:47 AM
To: Thomas Hurlimann
Subject: FW: SAJ-2009-01597-TSH (ABC AMUSEMENT COMPANY)

Should you have any questions please feel free to contact me. Thank you. Michael

-----Original Message-----

From: Maxwell, Susanna R CIV USARMY CESAJ (USA) <Susanna.R.Maxwell@usace.army.mil>
Sent: Monday, August 22, 2022 9:06 AM
To: Michael Dombrowski <md@mrd-associates.com>
Cc: Millsap, Holly M CIV USARMY CESAJ (USA) <Holly.M.Millsap@usace.army.mil>; Maxwell, Susanna R CIV USARMY CESAJ (USA) <Susanna.R.Maxwell@usace.army.mil>
Subject: SAJ-2009-01597-TSH (ABC AMUSEMENT COMPANY)

Your application for a Department of the Army permit has been assigned number SAJ-2009-01597. The proposed work is also identified as " (ABC AMUSEMENT COMPANY)". Your file has been assigned to Holly Millsap (project manager) for processing.

If you have any questions please contact Holly Millsap at telephone number 850-410-9823-or by email at holly.m.millsap@usace.army.mil.

Thanks, Sue

Sue Maxwell

Jacksonville District FDOT / NP / NL RPA US Army Corps of Engineers Panama City Field Office Panama City Beach, Florida 32407 850-763-0717, X5 susanna.r.maxwell@usace.army.mil

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My office hours are 7:00 am to 3:30 pm Monday through Friday. I telework on Tuesday and Friday, so the best way to reach me is by email or (850)287-0189.

Let us know how we're doing! Complete this brief survey:
blockedhttp://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey

**AGENT AFFIDAVIT
SPECIAL POWER OF ATTORNEY**

KNOWN ALL MEN BY THESE PRESENTS, THAT I, Michael Abadie am
presently the owner and/or leaseholder at ABC AMUSEMENT COMPANY, and desiring
to execute a Special Power of Attorney, have made, constituted and appointed, and by these presents do
make, constitute and appoint Michael Dombrowski
whose address is 543 Harbor Boulevard # 204, County of Okaloosa, State of Florida,
my Attorney-in-Fact to act as follows, GIVING AND GRANTING unto said attorney full power to act as
my agent in any and all matters pertaining to: Gilligan's Marina Expansion.

FURTHER, I do authorize the aforesaid Attorney-in-Fact to perform all necessary acts in the execution of
the aforesaid authorization with the same validity as I could effect if personally present. Any act or thing
lawfully done hereunder by the said attorney shall be binding on myself and my heirs, legal and personal
representative, and assigns.

PROVIDED; however, that any and all transactions conducted hereunder for me or for my account shall
be transacted in my name, and that all endorsements and instruments executed by the said attorney for the
purpose of carrying out the foregoing powers shall contain my name, followed by that of my said attorney
and the designation "Attorney-in-Fact."

OWNER

Mike Abadie
Signature

Mike Abadie
Printed Name

STATE OF Florida
COUNTY OF Okaloosa

The foregoing instrument was acknowledged before me by means of physical presence ☒ or
online notarization ☐ this 31 day of October, 2022.

By: Michael Abadie
(Print name)

Personally known OR Produced Identification Divers License

Ashley Logsdon
Notary Signature

Seal:

