

**DESTIN CITY COUNCIL MEETING
AUGUST 4, 2025
ANNEX COUNCIL CHAMBERS
6:00 PM**

*****Core Value of the Month - Stewardship*****

CALL TO ORDER

*** INVOCATION (Pastor David J. Butler, Faith Assembly Christian Church)**

PLEDGE OF ALLEGIANCE

AGENDA APPROVAL

- 1. PROCLAMATIONS / RECOGNITIONS / SPECIAL / **PUBLIC PRESENTATIONS / ANNOUNCEMENTS**
- 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. Parks and Recreation Purchase of Field Pro
 - B. Concrete Continuing Services Contact (S.H. Hayes) - adjustment to "Exhibit A"
 - C. Declaration of City Property as Surplus (Mowers and Tractor)
 - D. Approval of minutes of July 7, 2025, Regular City Council Meeting
- 4. CITY MANAGER REPORTS Announcements**
 - A. Resolution 25-17 Restated Schedule of Fees Adoption of STR Registration Fees
 - B. POSTPONED TO AUGUST 18TH REGULAR COUNCIL MTG: Sea Chase: livery vessel agreement partial extension request (Sheri Andrews)
 - C. Resolution 25-15 Social Media Policy for Elected Officials and Board/Committee Appointees
 - D. No Wake Zones for Joe's Bayou
 - E. Re-Striping Airport Road Discussion
 - F. Draft Minutes of Volunteer Board & Committees - **Informational Only**
 - G. Announcements
- 5. PUBLIC HEARINGS**
 - A. First Reading of Proposed Ordinances 25-14-LC – Creation of Design Standards for Low-Speed Vehicles (LSV) Parking on City-Owned Property
 - B. First reading of Ordinance 25-05-CC - Relating to livery vessels; amending Article VIII "Registration of livery vessels" of the city Code of Ordinances; amending provisions related to transferability of permits; providing for additional required training and safety measures.
 - C. Second reading of Ordinance 24-17-CC - Amending Chapter 6 of the Code of Ordinances to create a new Article 5, "Property Maintenance Code."

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

- A. Councilmember Braden
- B. Councilmember Trammell
- C. Councilmember Destin
- D. Councilmember Bagby
 - 1) Parks Foundation update
- E. Councilmember Hebert
- F. Councilmember Geile
 - 1) Projects Status/Updates
- G. Councilmember Schmidt
- H. Mayor Wagner
- I. City Attorney
 - 1) Resolution to Engage Outside Council at Flat Fee to Join Senate Bill 180 Litigation

7. PUBLIC COMMENTS

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.***

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.

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: August 4, 2025
TYPE OF AGENDA ITEM: Consent Agenda
AGENDA OUTLINE NUMBER: 3.A.

TO: City Council

THRU: Krystal Strickland, Finance Director
 Larry Jones , City Manager

FROM: Lisa Firth, Parks & Rec Director

DATE: July 29, 2025

SUBJECT: Parks and Recreation Purchase of Field Pro

I. BACKGROUND: Parks and Recreation would like to replace the 2013 field pro with money that was budgeted and saved in our renewal and replacement budget. The FY 2025 renewal and replacement fund budgeted \$1.3 million to replace lights at the MSC athletic fields and parking lot. Actual encumbrances and expenditures to date project over \$500 thousand in remaining budget balance. Parks and Recreation would like to use some of this remaining budget to replace the 2013 Field Pro that will take better care of our athletic fields. The Toro Field Pro 6040 incorporates new and improved technology. The Field Pro plus accessories and shipping is \$48,543.30. Giving our staff the tools to be the best at their job, making our fields the best!!!

II. DISCUSSION: The FP640 was designed as a multi-purpose tool to serve multiple different functions the first of which being for field grading and leveling. The unit comes standard with the “multi-tool” which consists of a box blade and scarifier tines both stiff and flexible. These two items are an accessory to a Sand Pro build. It also comes standard with the QAS system (Quick Attachment System) on the back equivalent to what you find on Sand Pro’s. The FP6040 has the capacity to mount a laser receiver and control box to fully automate the box blade if so desired to work in conjunction with a laser for precise accuracy in laser grading. This is what makes the FP6040 unique. You also have the ability on the unit to manually adjust depths from above grade, below grade, or at an even plane with a manual stop adjustment in .25” increments. The QAS on the back of the machine as I said is equivalent to the Sand Pro which is what makes this unit so versatile. Yes, it is primarily designed to move and level surfaces but can also be used for daily infield grooming and is compatible with any of the Sand Pro QAS attachments that are available on the market today. It is a one stop shop unit. Instead of having to manually pull strings or use the naked eye for grading, you now have a machine that can set that up for you in just a few minutes with minimal tools required. It will save money from having to hire an outside company to come in every year or two and perform the same

maintenance as an in-house crew could now do themselves. Plus, you can use it for tournaments for quick drags, and if you wanted to, you could be grooming in between games, drop the manual depth stop down .25” and level out the pushed clay spots all in one motion. You could also use this machine as a sod cutter. It has the option to attach a planer blade to the bottom of the box blade to eradicate weeds and or lips around the back arc. You also have the option of adding an edger disk as well. These are just a few of the benefits of the FP6040 for infield maintenance.

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

Effective, efficient and aesthetically pleasing infrastructure

A green and sustainable environment

B. Effect on Budget (EOB): Funds were adopted in the FY 2025 budget for renewal and replacement at Morgan Sport Center. The Field Pro plus accessories and shipping will cost \$48,543.30.

The City's Purchasing resolution requires formal bid solicitations in the form of RFP or RFB for items with a total purchase cost of \$35,000 and Council approval. Exemptions for the RFP/RFB requirement include sole-source items. Jerry Pate Turf is the sole source for Toro Field Pro equipment in our region. A quote is attached from Jerry Pate Turf. In addition, our purchasing policy allows cooperative purchasing in lieu of the RFP/RFB system. Omnia has negotiated pricing for Toro field maintenance equipment on their contract#2017025. The quote from Jerry Pate Turf is based upon the Omnia cooperative purchasing contract.

301.5722.565000	
MSC FieldPro	
Project 100049	
FY 25 Adopted Budget*	1,387,050
Internal Budget Transfer	-
Revised Budget	1,387,050
Previous Expenses/Encumbrances	(884,639)
Available Program Budget	502,411
Potential Agreement +(-)	(48,543)
FY 25 Remaining Program Budget	\$ 453,868

C. Level of Service (LOS):

D. Legislative Sponsor: Kevin Schmidt

E. Business Impact Statement:

III. CONCLUSION:

IV. RECOMMENDED MOTION: Vote for Parks and Recreation to purchase the Toro Field Pro 6040 with budgeted 2025 money.

Attachments:

ITEM # 2025-726

1. City of Destin Parks Rec. FP6040 with Futura Laser Q188071 071125

Jerry Pate Turf & Irrigation

Jerry Pate Turf & Irrigation
 301 Schubert Drive
 Pensacola, FL 32504
 800-700-7001
 850-484-8596 (fax)
 www.jerrypate.com

DATE: July 11, 2025
 EXPIRATION DATE: Valid 30 Days

Exclusively For: City of Destin Parks & Rec.

Proposed Order

OMNIA Partners Participant Contract 2017025
Participant Number 5018441

Attn: Ryan Reed
 4200 Indian Bayou Trail
 Destin, FL 32541

[Ph#] 850-737-3468

[Fax#]

[Customer Acct#]

[Email] rreed@cityofdestin.com

Account Executive: Ben Wilson
 850-393-4556 Cell
bwilson@jerrypate.com

Per your request, I am pleased to submit a proposal on the following equipment:

Qty	Model #	Description	Unit Price	Extension
Jerry Pate Turf & Irrigation, Inc. reserves the right to adjust pricing at time of delivery in the event of any tariffs, surcharges, or other fees are incurred. Any such potential tariffs or surcharges at time of shipment will be added to final invoice. ***PLEASE INITIAL HERE***				

Final Toro Pricing Will Reflects The OMNIA Contract Discount
Omnia Customer 5018441

1	08839	Toro Field Pro 6040, 25 hp Kohler Command Pro	\$ 36,725.60	\$ 36,725.60
1	08854	Field Pro MultiTool		
1	08865	Laser Level Installation Kit		
1	08756	QAS Drag Mat Carrier System		
1	08757	Steel Drag Mat		
*Futura Laser Kit not on Contract Discount				
1	TFP6040-EG1M	Toro Laser Grading Kit	\$ 4,226.10	\$ 4,226.10
1	Kit-EG1M-Toro	Toro Field Pro Accessory Kit		
1	CB-EG1-M(F)	EG1-M Metal Control Box		
1	RC-EG1(F)	EG1 Receiver 7"		
1	EG-MAST-4	Manual Mast 4'		
1	DGLP-Standard	Dual Grade Laser Package - Standard	\$ 3,541.32	\$ 3,541.32
1	1051612-21	Topcon RL-SV2S (alkaline battery) Dual Grade Laser		
1	210678-185	NEDO Machine Control Tripod (up to 116")		
1	06-816C	16 ft Aluminum Grade Rod (ft/inches)		

1-800-700-7001 • 301 Schubert Drive, Pensacola, Florida, 32504 • www.JerryPate.com





Jerry Pate Turf & Irrigation

OMNIA Contract Discount is 22% off Current MSRP

Subtotal	\$	44,493.02
Toro Surcharge 5%	\$	1,836.28
Dealer Prep	\$	1,745.00
Destination Fee	\$	469.00
Total Proposal	\$	48,543.30

Jerry Pate Turf & Irrigation offers service agreements for your turf equipment, utility vehicles, irrigation, and pump stations. Ask your Account Executive for more information today!

Prices Do Not Include Sales Tax or Applicable Documentation Fees

This is a proposal on the goods named, subject to the following conditions: The prices and terms on this proposal are not subject to verbal changes or other agreements unless approved in writing by the Home Office of the Seller. All proposals and agreements are contingent on availability of product from the manufacturer. Prices are based on costs and conditions existing on date of proposal and are subject to change without notice. Typographical errors are subject to correction.

To accept this proposal, please sign and return _____
Signature *Date*

_____ _____
Print Name *Title*

Thank you, we appreciate your business!

1-800-700-7001 • 301 Schubert Drive, Pensacola, Florida, 32504 • www.JerryPate.com



CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: August 4, 2025
TYPE OF AGENDA ITEM: Consent Agenda
AGENDA OUTLINE NUMBER: 3.B.

TO: City Council

THRU: Larry Jones , City Manager
Kimberly Kopp, City Attorney

FROM: Michael Burgess, Public Works Director

DATE: 07/23/2025

SUBJECT: Concrete Continuing Services Contact (S.H. Hayes) - adjustment to "Exhibit A"

I. BACKGROUND: The City of Destin entered into a continuing services contract with S.H. Hayes Enterprises LLC on September 20, 2021, for the provision of miscellaneous concrete services. This agreement has been extended annually under the terms of the original contract.

II. DISCUSSION: S.H. Hayes Enterprises has formally requested price increases for various unit price items under the contract, citing continued inflation in the construction sector, rising material costs, and impacts on both their operations and their suppliers. These changes were proposed in correspondence dated July 16, 2025, and detailed in the submitted revised cost sheet (attached).

A. Link to Strategic Goals / Objectives: I. Financially Sound City providing Service Excellence
IV. Effective, efficient, and aesthetically pleasing infrastructure

B. Effect on Budget (EOB): These increases will impact the City's cost per project unit, depending on the nature and volume of concrete-related work performed in FY25. The FY25 Public Works budget contains sufficient funding to absorb the increased rates for anticipated work volumes.

C. Level of Service (LOS): There will be no reduction in the level of service provided. S.H. Hayes Enterprises has consistently delivered satisfactory and timely work throughout the previous contract terms.

D. Legislative Sponsor:

E. Business Impact Statement:

III. CONCLUSION: The requested price adjustments are reasonable and justified based on prevailing economic conditions and cost escalations within the concrete and construction

materials sectors. Staff recommends approval of both the pricing changes and the 2025 contract extension.

This action ensures continuity of services essential to the City's public infrastructure program, while honoring the contractual relationship with S.H. Hayes Enterprises LLC.

IV. RECOMMENDED MOTION: I move to approve the associated price adjustments and revised payment schedule associated with the City's continuing services contract with S.H. Hayes, and authorize the City Manager to execute all necessary documents.

Attachments:

1. SH Hayes Enterprises LLC 2021-2022 Contract - Misc Concrete
2. CY24 S.H. Hayes contract extension
3. SH Hayes price adjustment letter and supporting documents for amendment 1
4. SH Hayes CY25 Renewal signed w-costs
5. Amendment Request from SH Hayes 7-16-2025
6. SH Hayes contract amendment 2 August 2025

CITY OF DESTIN, FLORIDA

CONTRACT

**MISCELLANEOUS CONCRETE
CONTINUING SERVICES CONTRACT**

On SEPTEMBER 20, 2021, THE CITY COUNCIL OF THE CITY OF DESTIN, FLORIDA, herein referred to as the **City**, accepted the bid of S.H. Hayes Enterprises LLC, herein referred to as the **Contractor**, to supply miscellaneous concrete services. The Contractor's Cost Schedule for the terms of their engagement is included in their entirety by reference at Exhibit "A" and as completely as if incorporated herein.

TERMS AND CONDITIONS OF CONTRACT FOR THE MISCELLANEOUS CONCRETE SERVICES

1. **Entire Contract:**

This Contract represents the entire and integrated Contract between the City and Contractor and supersedes all prior negotiations, representations or contracts, either written or oral. Provisions of this Contract may be amended only by written instrument approved by the Destin City Council and signed by the City Manager and Contractor.

2. **Intent of Contract:**

This Contract is for supplying the City with all applicable miscellaneous concrete services for specific City projects. The Scope of Work, herein referred to as the **Work**, encompasses the foregoing and all descriptive work components described within Exhibit "A".

3. **Term of Contract and Time Extensions:**

This contract will be in effect from **October 1, 2021** through **December 31, 2022** and is for supplying the City with miscellaneous concrete services. Upon the agreeance of both parties, this contract is eligible for up to four one-year renewals.

4. **Time for Performance:**

The Contractor agrees to provide miscellaneous concrete services to the satisfactory approval and acceptance by the City.

5. **Compensation:**

All payments upon contract are contingent upon the Contractor's Work being acceptable to the City. For satisfactory completion and acceptance of the Work, the City agrees to pay the Contractor in accordance with the terms of this Contract and the Contractor's Cost Schedule as identified in the Bid Form submitted by the Contractor, as may have been adjusted at the time of contract approval and incorporated herein.

a. **Requests for Compensation (Invoices) shall be accompanied by the following:**

1. A description of the Work performed and a copy of email (or similar) that initiated said Work;
2. An itemized list of goods or services to include materials, flat fees, billable man-hours with rates, and any other payable items identified in Exhibit "A"; and
3. Dates when these services were performed and the names of Contractor's staff who performed billable Work.

6. **Changes in the Work:**

The City shall have the right at any time during the progress of the Work to increase or decrease the Work. Promptly after having been notified of a change, the Contractor shall submit an itemized estimate of any costs and/or time increases or savings it foresees as a result of the change. No additions or changes to the Work shall be made except upon written order of the City and the City shall not be liable to Contractor for any increased compensation without such written order.

7. Insurance:

Contractor shall, during the performance of the contract, maintain Worker's Compensation Insurance sufficient to secure benefits of the Florida Workmen's Compensation Law for all employees and any of the work sublet to any vendor or subcontractor, Comprehensive General Liability Insurance, Auto Liability Insurance, Builder's Risk Insurance, all with companies and in the form and amounts acceptable to the City. Said certificates of insurance of contractor are attached hereto and made a part hereof by reference. If any part of the work is sublet, similar insurance shall be provided by and in behalf of any subcontractors.

Evidence of Insurance: Contractor shall provide the City Certificates of Insurance naming the City as an additional insured. All binders, policies, or certificates of insurance shall provide for at least ten days notice from insurers to the City of any cancellation or amendment to any of the insurance policies.

8. Indemnification:

Contractor shall indemnify, defend, save, and hold the City, its agents, officers and employees, harmless of and from any losses, fines, penalties, costs, damages, claims, demands, suits, and liabilities of any nature, including reasonable attorney's fees (including regulatory and appellate fees), arising out of, because of, or due to any accidents arising in any manner on account of the exercise or attempted exercise of Contractor's rights hereunder whether the same regards person or property of any nature whatsoever, regardless of the apportionment of negligence, unless due to the sole negligence of the City.

Contractor shall indemnify, defend, save and hold the City, its agents, officers and employees, harmless of and from and against any and all liens, claims, damages, demands, suits and liabilities, attorney's fees and costs, including appellate attorney's fees and costs, of and for mechanics and materialmen furnishing labor and materials in the performance of this contract.

9. Licensing:

The Contractor shall obtain all permits and maintain at his expense all professional and business certificates and licenses required by law and as necessary to perform services under this Contract. If Contractor performs any Work without obtaining, or contrary to, permits and licenses, Contractor shall bear all costs arising therefrom. The City may waive fees for City controlled permits, but in no instance can the City waive permit requirements nor fees beyond their control.

10. Cancellation:

This contract may be canceled by either party with a thirty day written notice and is contingent upon the annual appropriation by the City of legally available funds. City's obligation to pay the amount due hereunder in any fiscal year is contingent upon the appropriation by the City Council of legally available funds for the purposes set forth in this contract.

11. Performance of Work/Responsibilities:

For each task, the Contractor will be issued a work order by the City's Public Works Director or designee. The Public Works Director or designee will issue verbal work orders only in emergency situations. The Contractor shall commence work in a reasonable length of time and shall complete the

work in an expeditious manner. In emergency situations, the Contractor shall endeavor to commence work immediately. All work shall be done under the supervision of the City's Public Works Director or designated representative. The performance of Work and responsibilities hereto are outlined and made a part hereof as identified in Exhibit "A".

12. Termination for Default:

The Contract will remain in force for the full period specified and until the City Manager or his designee determines that all requirements and conditions have been satisfactorily met and the City Manager or his designee has accepted the work under the Contract Documents following the initial contract terms and all subsequent contract terms, including warranty and guarantee periods. However, the City Manager will have the right to terminate this Contract sooner if the Contractor has failed to perform satisfactorily the work required or comply with the other requirements of the Contract.

In the event the City Manager decides to terminate this Contract for the Contractor's failure to perform satisfactorily or meet its other responsibilities under the Contract, the City Manager will give the Contractor five (5) days' notice, whereupon the Contract will terminate, unless during the notice period the Contractor cures the failure to perform or meets its other responsibilities under the Contract to the satisfaction of the City Manager.

Upon Contract termination for the Contractor's failure to provide satisfactory contract performance, the Contractor will be entitled to receive compensation for Contract services satisfactorily performed by the Contractor and allocable to the Contract and accepted by the City Manager or his designee prior to such termination. However, an amount equal to all additional costs required to be expended by the City to complete the Work covered by the Contract, including costs of delay in completing the project, shall be either subtracted from any amount due or amount charged to the Contractor in the event the City Manager terminates the Contract.

Except as otherwise directed by the City Manager, or in the case of termination for default (in which event the Contractor may be entitled to cure, at the option of the City Manager), the Contractor shall stop work on the date of receipt of the notice or other date specified in the notice, place no further orders or subcontract for materials, services, or facilities except as are necessary for the completion of such portion of the work not terminated, and terminate all contractor and subcontracts and settle all outstanding liabilities and claims.

In the event that any termination for default shall be found to be improper or invalid by any court of competent jurisdiction, then such termination shall be deemed to have been a termination for convenience.

13. Termination for Convenience:

The performance of work under this Contract may be terminated by the City Manager in whole or in part whenever the City Manager, in their discretion, determines that such termination is in the City's best interest. Any such termination shall be effected by the City Manager giving at least five (5) days' notice to the Contractor, specifying the extent to which performance of the work under this Contract is terminated and the date upon which such termination becomes effective.

As to termination for convenience, after receipt of the date of termination, the Contractor shall stop all work as specified in the notice; place no further orders or subcontract for materials, services, or facilities except as are necessary for the completion of such portion of the Work not terminated; immediately transfer all documentation and paperwork for terminated work to the City; and terminate all contractors and subcontracts and settle all outstanding liabilities and claims.

14. Disclosure:

Contractor warrants that it has not employed or retained any company or person, other than a bona fide employee working solely for the Contractor to solicit or secure this Contract and that it has not paid or agreed to pay any person, company, corporation, individual, or firm, other than a bona fide employee working solely for the Contractor, any fee, commission, percentage, gift, or other consideration contingent upon or resulting from the award or making of this Contract.

15. Miscellaneous:

15.1 Governing Law

The parties intend that this Contract and the relationship of the parties shall be governed by the laws of the State of Florida. Venue for any action arising out of this contract shall be in Okaloosa County Florida and no where else.

15.2 Severability

If any section, subsection, term or provision of this Contract or the application thereof to any party or circumstance shall, to any extent, be invalid or unenforceable, the remainder of said section, subsection, term or provision of this Contract or the application of same to parties or circumstances other than those to which it was held invalid or unenforceable, shall not be affected thereby and each remaining section, subsection, term or provision of this Contract shall be valid or enforceable to the fullest extent permitted by law.

15.3 Sovereign Immunity

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

15.4 Construction

The Parties have participated jointly in the negotiation and drafting of this Contract. In the event an ambiguity or question of intent or interpretation arises, this Contract 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 contract.

15.5 Jury Trial Waiver

CONTRACTOR AND CITY AGREE TO WAIVE THEIR RIGHTS TO A TRIAL BY JURY REGARDING ANY LAWSUIT INVOLVING THE INTERPRATION, CONSTRUCTION, ENFORCEMENT, OR GOVERNANCE OF THIS CONTRACT, AND FOR ANY LAWSUIT RELATED IN ANY WAY TO THIS CONTRACT OR FOR THE WORK PERFORMED PURSUANT TO THIS CONTRACT.

15.6 Attorney's Fees

In any dispute relating to this contract each party shall be responsible for their respective attorney's fees and costs.

15.7 Notices

All notices under the Contract shall be in writing and shall be effective when mailed by certified mail, return receipt requested, or when delivered personally, as provided hereafter, or to such other addresses as may be designated by notice:

15.8 Public Records

Contractor shall comply with Florida Public Records Laws, specifically to:

- a) Keep and maintain public records that ordinarily and necessarily would be required by the City of Destin in order to perform the service.
- b) Provide the public with access to public records on the same terms and conditions that the City of Destin would provide the records and 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.
- d) Meet all requirements for retaining public records and transfer, at no cost, to the City of Destin all public records in possession of the contractor upon termination of the contract and destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. All records stored electronically must be provided to the City of Destin in a format that is compatible with the information technology systems of the City of Destin.

As to the City:


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

As to the Contractor:

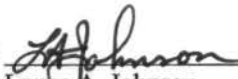
S.H. Hayes Enterprises, LLC
707 W 8th Street Circle
Lynn Haven, FL 32444

IN WITNESS WHEREOF, the City hereunto caused these presents to be subscribed and the Contractor has affixed their name and seal, this the 30th day of September, 2021.

ATTEST:


Rey Bailey
City Clerk

CITY OF DESTIN

By: 
Lance A. Johnson
City Manager

SEAL

As to Legal Form:

Kyle Bauman, Esq.
City Attorney

S.H. Hayes Enterprises, LLC

Samuel A. Hayes
Witness

Dawn Mickle
Witness

CONTRACTOR:

By:

(Signature)

(Printed Name)

Its:

(Title)

Leslie Hayes
Leslie Hayes
Owner

EXHIBIT A – BID FORM

PART I Bid submitted by:

Company: S.H. Hayes Enterprises, LLC
 Address: 707 W 8th Street Circle
 City & State: Lynn Haven, FL Zip Code: 32444
 Telephone: (850) 814-9139 Fax: ()
 Number of Years in Business: 45 Email: Shayes1218@yahoo.com

PART II Bidding RFB No. 21-05-PS, Miscellaneous Concrete Continuing Services:

Contractor shall provide proper signs and traffic control measures as per Florida Department of Transportation's Manual on Uniform Traffic Control Devices and the Florida Department of Transportation's Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (aka Florida Green Book), current edition. All construction, methods of measurement, and basis of payment shall be in accordance with Division II and III of the Florida Department of Transportation Standards Specifications for Road and Bridge Construction (current edition), copies of which are available from the Florida Department of Transportation. Contractor must be FDOT Maintenance of Traffic (MOT) certified and use those traffic controls identified in FDOT Standard Plans (102-600 series). Contractor will perform sidewalk work consistent with the FDOT's Local Agency Program (LAP) concrete specifications for formwork, joint placement/depth/material, and concrete finishing and will comply with the FDOT's Standard Plans for Curbing (520-001) and Sidewalk (522-001).

SERVICE DESCRIPTION AND SPECIFICATIONS

Item	Unit	Unit Price
Concrete Driveway, 6 inches thick*	Square Foot	\$ 8.95
Concrete Sidewalk, 4 inches thick*	Square Foot	\$ 10.25
Concrete Flat/Ribbon Curb (12" wide by 8" deep)*	Linear Foot	\$ 18.00
Concrete Type "D" Curb*	Linear Foot	\$ 18.00
Concrete Type "E" Curb & Gutter*	Linear Foot	\$ 24.00
Concrete Type "F" Curb & Gutter*	Linear Foot	\$ 30.00
Concrete Modified (18") Type "F" Curb & Gutter*	Linear Foot	\$ 30.00
Concrete Pads <1000 square feet*	Square Foot	\$ 10.25
Concrete Pads ≥1000 square feet*	Square Foot	\$ 5.75
Fill Dirt provided, delivered, spread, and compacted	Cubic Yard	\$ 24.00
FDOT qualified Traffic Control (MOT) cost	Per Day	\$ 200.00
Bermuda Sod installed	Square Foot	\$ 2.75 AT

Initials of Bidder: YH

City of Destin – RFB 21-05-PS

Miscellaneous Concrete Continuing Services

St Augustine Sod installed	Square Foot	\$ 8.75 1.97	VH
Centipede Sod installed	Square Foot	\$ 7.75 .86	VH
Removal of Concrete 4 inches thick	Square Foot	\$ 2.00	
Removal of Concrete 6 inches thick	Square Foot	\$ 3.00	
Removal of Asphalt (up to 4 inches thick)	Square Foot	\$ 2.00	
Clear & Grub	Square Foot	\$ 2.50	
Debris Hauling	Cubic Yard	\$ 40.00	
Silt Fence	Linear Foot	\$ 4.25	
Asphalt Cut with Abrasive Blade	Linear Foot	\$ 4.50	
Concrete Cut with Abrasive Blade	Linear Foot	\$ 5.50	
Concrete (sidewalk joint) Grinding	Linear Foot	\$ 12.00	
Tree trimming	Per Hour	\$ 100.00	
Aluminum Pipe Guiderail (FDOT Index 870)	Linear Foot	\$ 40.00	
Irrigation Repair	Per hour	\$ 60.00	
American Disabilities Act (ADA) truncated dome "cast-in-place" paver unit installation, yellow <i>materials provided by City to match</i>	24" x 48" (each)	\$ 372.00	
	24" x 60" (each)	\$ 408.00	
	24" x 72" (each)	\$ 455.00	
	24" x 96" (each)	\$ 555.00	
	24" x 120" (each)	\$ 700.00	
Swale Installation (grading)	Cubic Foot	\$ 11.50	
Additional Services not previously described			
Item	Unit	Unit Price	
Manhole Adjustments	one ring + lid	\$ 475.00	
Asphalt Patching (Hot mix)	Sq. FF X 2" thick	\$ 34.50	
		\$	
		\$	
		\$	

*All concrete installations shall be fiber-reinforced 4000psi.

Materials and Supplies will be billed at the contractor's wholesale price or contractor's wholesale price plus 15 %. Preference may be given to contractors providing materials at cost. The contractor shall supply materials invoices upon request.

SAFETY NOTE

All work associated with this bid must be conducted with safety in mind. It is expected that the contractor will provide all necessary personal protective equipment that will be utilized by their staff while performing work for the City of Destin. In addition, the contractor will ensure that all FDOT, OSHA and other applicable State and Federal workplace safety guidelines are adhered to while working on behalf of the City of Destin.

The contractor will ensure that work vehicles, equipment and trailers are properly outfitted with proper, adequate, and working signage, lightbars, arrow boards, etc.

Initials of Bidder: VH

CONTRACT EXTENSION AGREEMENT

This agreement dated the First day of January 2024 is between the City of Destin, Florida ("City"), a Florida municipal corporation, of 4200 Indian Bayou Trail, Destin, Florida, 32541 and S.H. Hayes Enterprises LLC. The purpose of this agreement is to extend for one year a contract for services dated September 20, 2021 (as amended) between the City of Destin and S.H. Hayes Enterprises LLC to provide miscellaneous concrete services for the City. This agreement will begin on January 1, 2024 and will extend through December 31, 2024.

This is the 2nd of 4 possible extensions.

The following provision amends the contract of the parties and is binding upon them. The Parties mutually agree to add a jury trial waiver, and a public records provision, as follows:

Jury Trial Waiver:

CONTRACTOR AND CITY AGREE TO WAIVE THEIR RIGHTS TO A TRIAL BY JURY REGARDING ANY LAWSUIT INVOLVING THE INTERPRATION, CONSTRUCTION, ENFORCEMENT, OR GOVERNANCE OF THIS CONTRACT, AND FOR ANY LAWSUIT RELATED IN ANY WAY TO THIS CONTRACT OR FOR THE WORK PERFORMED PURSUANT TO THIS CONTRACT.

Public Records:

IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THE CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT THE OFFICE OF THE CITY CLERK, (850) 837-4242, 4200 INDIAN BAYOU TRAIL, DESTIN, FLORIDA 32541, rbailey@cityofdestin.com

Contractor shall comply with Florida Public Records Laws, specifically to:

- Keep and maintain public records that ordinarily and necessarily would be required by the City of Destin in order to perform the service.
- Shall immediately provide the City Clerk for the City with any documents requested by the Clerk in response to a public records request.
- Provide the public with access to public records on the same terms and conditions that the City of Destin would provide the records and at a cost that does not exceed the cost provided in Chapter 119, Florida Statutes or as otherwise provided by law.
- Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law.

It is understood that final authorization for this Agreement must be made by the Destin City Council, and that either party may cancel this contract extension with 30 days written notice.

- Meet all requirements for retaining public records and transfer, at no cost, to the City of Destin all public records in possession of the Contractor upon termination of the contract and destroy any duplicate public records that are exempt or confidential and exempt from public

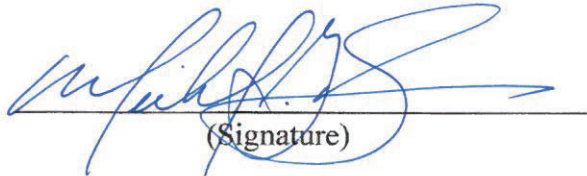
records disclosure requirements. All records stored electronically must be provided to the City of Destin in a format that is compatible with the information technology systems of the City of Destin.

It is expressly agreed by the parties that this contract is an extension to the Contract dated September 20, 2021, and the amendment from April 2023, are made parts hereof as though expressly rewritten, incorporated, and included herein.

It is understood that final authorization for this Agreement must be made by the Destin City Council, and that either party may cancel this contract extension with 30 days written notice.

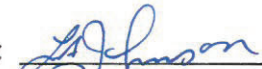
IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals on the day and year first above written.


Witnesses:

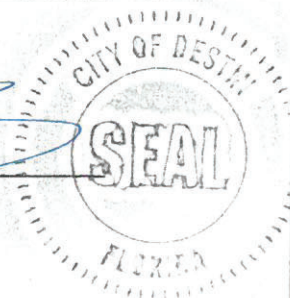

(Signature)


(Signature)

City of Destin

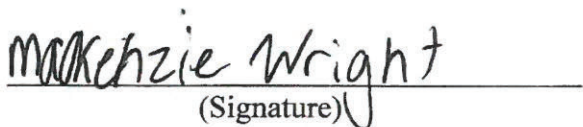
By: 
Lance A. Johnson
City Manager

ATTEST: 
Rey Bailey
City Clerk

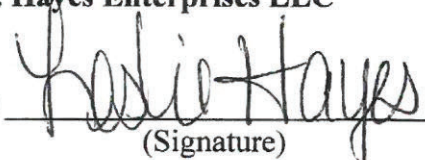


Witnesses:


(Signature)

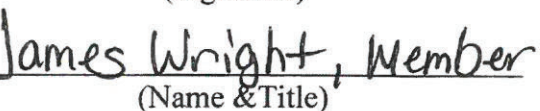

(Signature)

S.H. Hayes Enterprises LLC

By: 
(Signature)


(Name & Title)

ATTEST: 
(Signature)


(Name & Title)

S.H. Hayes Enterprises

1776 Tranquil Court
Chipley, FL 32428
(850) 326-5471
ShannonH@SHHayesEnterprises.com

March 02, 2023

City of Destin
4100 Indian Bayou Trail
Destin, FL 32541

To Whom It May Concern,

As many of you may know, during the last two years the price of lumber, concrete, rebar, diesel fuel, and every other construction material has soared in price. Due to the epidemic of Coronavirus, we have made little to no profit from our work with the City of Destin performing miscellaneous concrete projects because of these soaring prices. These are some examples of the inflation in our current economy.

- **FDOT Regulation 4000 PSI Concrete - Exhibit A**
 - September 23, 2021 - \$135/Cubic Yard
 - February 15, 2023 - \$175/Cubic Yard
 - **\$40/Cubic Yard Price Increase (30%)**

- **Concrete Fiber - Exhibit B**
 - November 11, 2021 - \$7.50/Cubic Yard
 - February 15, 2023 - 10.50/Cubic Yard
 - **\$3/ Cubic Yard Price Increase (40%)**

- **USA Average Diesel Fuel - Exhibit C**
 - September 23, 2021 - \$3.38/Gallon
 - February 13, 2023 - 4.44/Gallon
 - **\$1.05/Gallon Price Increase (31%)**

These economic price increases are affecting S.H. Hayes as a business, as well as affecting our concrete suppliers.

Today, we are asking to amend our contract prices to better serve you, and the citizens of Destin, FL. A revised price sheet is attached to this letter.

When reviewing our revised prices, please take into consideration that our prices are based on what we as a business have to profit in order to pay our vendors as well as pay our employees.

We would be more than happy to explain our prices, answer any questions, or discuss price changes.

Best regards,

James "Dylan" Wright

dylanw@shhayesenterprises.com

(850) 814-3866

Project Manager, S.H. Hayes Enterprises

RBM CONTRACTING
SERVICES-LLC

118 Industrial Park Rd
Freeport, FL 32439
Office: 850-622-1434

PAST DUE

Invoice

Date	11/11/2021
Invoice #	807
Terms	Due on receipt

Bill To
S H Hayes 707 W 8th St Lynn Haven, FL 32444

Ship To
862 US Hwy 98 Destin, FL

P.O. No.	
----------	--

Description	Qty	Rate	Amount
Ticket # 24591-Pour Date 11/10/21			
Concrete Sales-4000 PSI W/89 Stone Exhibit A	4.85	135.00	654.75T
Fuel Surcharge	1	40.00	40.00
Fiber Exhibit B	4.85	7.50	36.38T

Subtotal	\$731.13
Sales Tax (6.5%)	\$44.93
Total	\$776.06
Payments/Credits	\$0.00
Balance Due	\$776.06

RBM Concrete Services appreciates your patronage.
Florida CGC# 1518187 - WOSB & FDOT Certified
www.rbmcontracting.com

RBM CONTRACTING SERVICES-LLC

Quote

Date: 2/15/2023

Bill To:

Job Site Address:

Item Code	Description	Price Each	Quantity	Amount
Concrete Sales	3000 psi concrete	165.00	1	165
Concrete Sales	3500 psi concrete	170.00	1	170
Concrete Sales	4000 psi concrete	175.00	1	175
Concrete Sales	4500 psi concrete	180.00	1	180
Concrete Sales	5000 psi concrete	185.00	1	185
	Fiber per yard	10.50	1	10.5
	Surcharge per truck	40.00	1	40
	1% calcium	10.50	1	10.50
	2% calcium	21.00	1	21.00
	Over hour fee \$25/ 15 minutes over first hour	25.00	1	25
	*** 4 YDS Minimum ***			
Total				\$982.00

Exhibit A

Exhibit B

b 27 2023

unsaved) ▾

EXPORT

Annotate ⤴

CHART OPTIONS ▾

1D 5D 1M 3M 6M YTD 1Y 3Y 5Y 10Y MAX

DATE RANGE ▾ 09/20/2021 10/20/2021

● US Retail Diesel Price (I:USRDP)

Sep 20 '21

3.385

Exhibit C

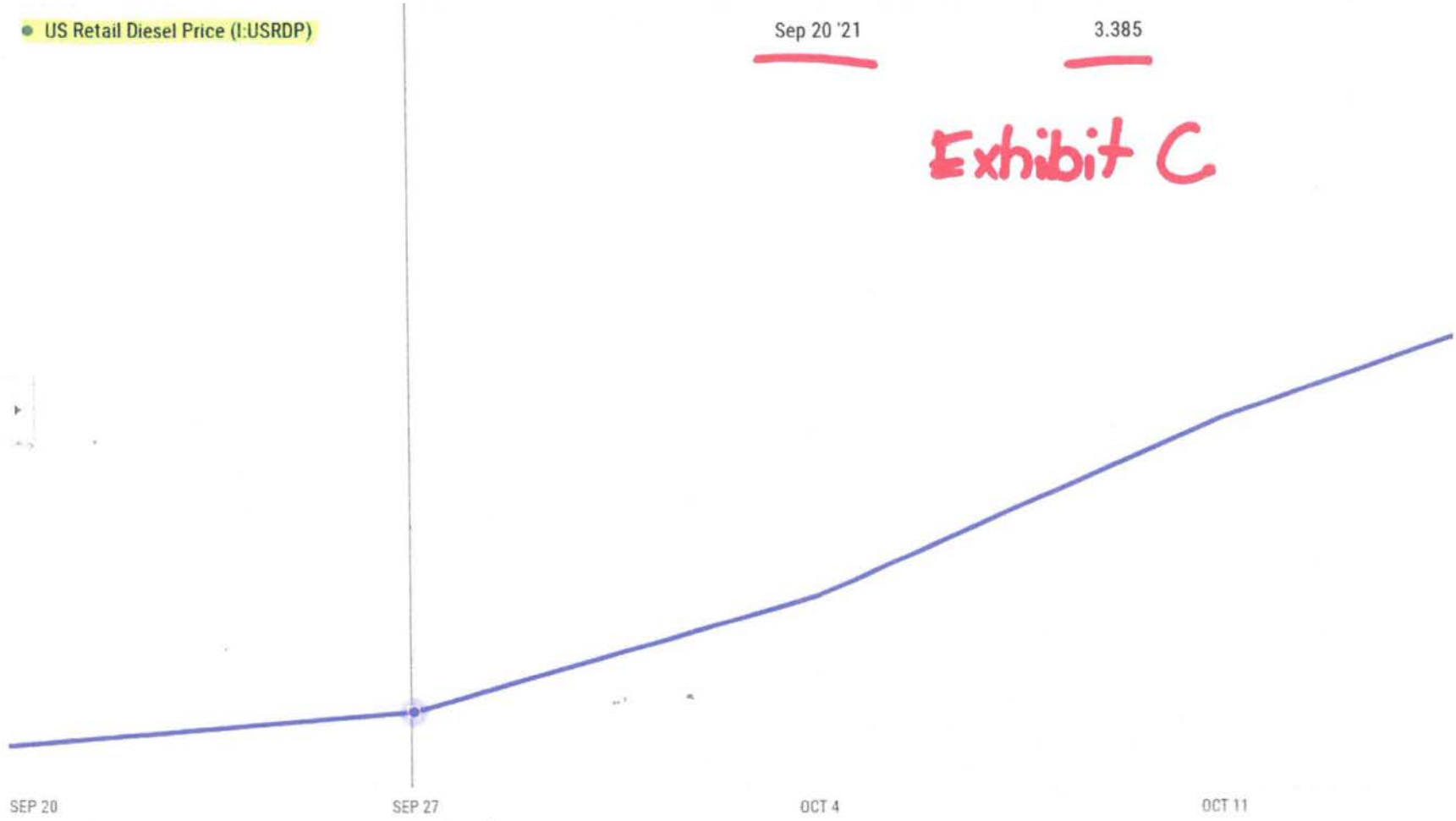
ADD

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ADD BROWSE

LIST

+ CREATE



27 2023

unsaved) ▾

EXPORT

Annotate ⬆

CHART OPTIONS ▾

PI

ADD

1D

5D

1M

3M

6M

YTD

1Y

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MAX

DATE RANGE ▾

09/20/2021

02/20/2023

• US Retail Diesel Price (I:USRDP)

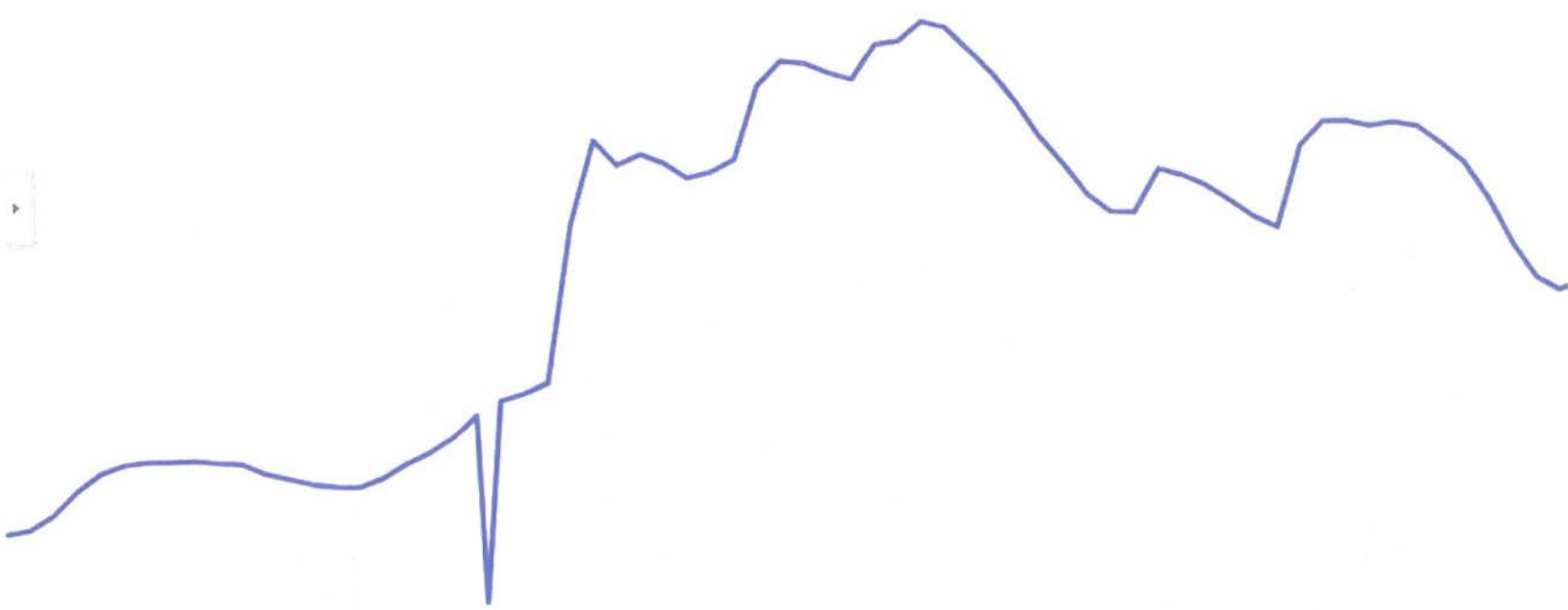
Feb 13 '23

4.444

Exhibit C

ADD BROWSE

LIST



+ CREATE

JAN '22

MAY '22

SEP '22

11

Item	Unit	Previous Unit Price	New Unit Price
Concrete Driveway, 6 Inches Thick*	Square Foot	\$8.95	\$11.99
Concrete Sidewalk, 4 Inches Thick*	Square Foot	\$6.25	\$8.37
Concrete Flat/Ribbon Curb (12" Wide by 8" Deep)*	Linear Foot	\$18.00	\$24.12
Concrete Type "D" Curb*	Linear Foot	\$18.00	\$24.12
Concrete "E" Curb & Gutter*	Linear Foot	\$24.00	\$32.16
Concrete Type "F" Curb & Gutter*	Linear Foot	\$30.00	\$40.20
Concrete Modified (18") Type "F" Curb & Gutter*	Linear Foot	\$30.00	\$40.20
Fill Dirt Provided, Delivered, Spread, and Compacted	Cubic Yard	\$24.00	\$31.44
FDOT Qualified Traffic Control (MOT) Cost	Per Day	\$200.00	\$250.00
Bermuda Sod Installed	Square Foot	\$0.87	\$0.87
St. Augustine Sod Installed	Square Foot	\$0.97	\$0.97
Centipede Sod Installed	Square Foot	\$0.86	\$0.86
Removal of Concrete 4 Inches Thick	Square Foot	\$2.00	\$2.62
Removal of Concrete 6 Inches Thick	Square Foot	\$3.00	\$3.93
Removal of Asphalt (Up to 4 Inches Thick)	Square Foot	\$2.00	\$2.62

Clear & Grub	Square Foot	\$2.50	\$3.27
Debris Hauling	Cubic Yard	\$40.00	\$52.40
Silt Fence	Linear Foot	\$4.25	\$4.25
Asphalt Cut with Abrasive Blade	Linear Foot	\$4.50	\$5.89
Concrete Cut with Abrasive Blade	Linear Foot	\$5.50	\$7.20

Tree Trimming	Per Hour	\$100.00	\$131.00
Aluminum Pipe Guiderail (FDOT Index 870)	Linear Foot	\$140.00	\$183.40
Irrigation Repair	Per Hour	\$60.00	\$60.00
Manhole Adjustments	One Ring & Lid	\$475.00	\$475.00
Asphalt Patching (Hot Mix)	Square Foot x 2" Thick	\$34.50	\$34.50
Excavation	Square Foot	\$2.50	\$2.50
Curb Removal	Square Foot	\$6.50	\$6.50

*All Concrete Installations shall be fiber-reinforced 4000psi.

CONTRACT EXTENSION AGREEMENT

This contract extension agreement ("Extension") dated the 1st day of January, 2025, is between the City of Destin, Florida ("City"), a Florida municipal corporation, of 4200 Indian Bayou Trail, Destin, Florida, 32541 and S.H. Hayes Enterprises LLC. The purpose of this agreement is to extend for an additional one year term that certain contract for services dated September 20, 2021 (as amended) between the City of Destin and S.H. Hayes Enterprises LLC "Contract" to provide miscellaneous concrete services for the City. This agreement will begin on January 1, 2025 and will extend through December 31, 2025.

This is the 3rd of 4 possible extensions.

The following provision amends the contract of the parties and is binding upon them.

Anti-Human Trafficking Affidavit:

ALL NONGOVERNMENTAL ENTITIES THAT ARE OR POTENTIALLY WILL BE CONTRACTING, RENEWING OR EXTENDING CONTRACTS WITH THE CITY OF DESTIN MUST HAVE AN OFFICER OR REPRESENTATIVE FULLY EXECUTE THE ATTACHED AFFIDAVIT.

It is expressly agreed by the parties that this Extension is made a part of the Contract as though expressly rewritten, incorporated, and included herein. To the extent of any conflict between this Extension and the Contract, this extension prevails, but all other terms and conditions of the Contract remain in full force and effect.


It is understood that final authorization for this Extension must be made by the Destin City Council, and that either party may cancel this Extension with 30 days written notice, without penalty.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals on the day and year first above written.

Witnesses:




(Signature)




(Signature)

City of Destin

By: 

Larry Jones
City Manager

ATTEST: 

Rey Bailey
City Clerk

Witnesses:

James Wright
(Signature)

MaCheryle Wright
(Signature)

S.H. Hayes Enterprises LLC

By:

Leslie Hayes
(Signature)

Leslie Hayes, Owner
(Name & Title)

ATTEST:

Samuel H. Hayes, Registered Agent
(Signature)

Samuel H. Hayes - Registered Agent
(Name & Title)

S.H. Hayes Enterprises

1776 Tranquil Court
Chipley, FL 32428
(850) 326-5471
ShannonH@SHHayesEnterprises.com

January 3, 2025

City of Destin
4100 Indian Bayou Trail
Destin, FL 32541

To Whom It May Concern,

As many of you may know, prices are still on the rise in the construction industry across the entire country. Since last amending this contract in 2023, prices have continued to rise, affecting how we can adequately serve you, and the citizens of the citizens of Destin.

- **FDOT Regulation 4000 PSI Concrete - Exhibit A**
 - September 23, 2021 - \$135/Cubic Yard
 - February 15, 2023 - \$175/Cubic Yard - **Previous Contract Amendment**
 - **\$40/Cubic Yard Price Increase (30%)**
 - January 3, 2025 - \$210/Cubic Yard
 - **\$35/Cubic Yard Price Increase (15.6%)**

These economic price increases are affecting S.H. Hayes as a business, as well as affecting our concrete suppliers.

Today, we are asking to amend our contract prices to better serve you, and the citizens of Destin, FL. A revised price sheet is attached to this letter.

Along with these necessary price increases, we propose that S.H. Hayes Enterprises will be placed on a NET 10 days payment schedule. This comes at the need to better satisfy our material suppliers with payment.

When reviewing our revised changes, please take into consideration that our prices are based on what we as a business have to profit in order to pay our vendors as well as pay our employees.

We would be more than happy to explain our prices, answer any questions, or discuss price changes.

Best regards,

James "Dylan" Wright

dylanw@shhayesenterprises.com

(850) 814-3866

Project Manager, S.H. Hayes Enterprises

Item	Unit	Current Unit Price	New Unit Price
Concrete Driveway, 6 Inches Thick*	Square Foot	\$11.99	\$13.91
Concrete Sidewalk, 4 Inches Thick*	Square Foot	\$8.37	\$9.71
Concrete Flat/Ribbon Curb (12" Wide by 8" Deep)*	Linear Foot	\$24.12	\$27.98
Concrete Type "D" Curb*	Linear Foot	\$24.12	\$27.98
Concrete "E" Curb & Gutter*	Linear Foot	\$32.16	\$37.31
Concrete Type "F" Curb & Gutter*	Linear Foot	\$40.20	\$46.64
Concrete Modified (18") Type "F" Curb & Gutter*	Linear Foot	\$40.20	\$46.64
Fill Dirt Provided, Delivered, Spread, and Compacted	Cubic Yard	\$31.44	\$45.00
FDOT Qualified Traffic Control (MOT) Cost	Per Day	\$250.00	\$290.00
Bermuda Sod Installed	Square Foot	\$0.87	\$2.50
St. Augustine Sod Installed	Square Foot	\$0.97	\$2.50
Centipede Sod Installed	Square Foot	\$0.86	\$2.50
Removal of Concrete 4 Inches Thick	Square Foot	\$2.62	\$3.04
Removal of Concrete 6 Inches Thick	Square Foot	\$3.93	\$4.56
Removal of Asphalt (Up to 4 Inches Thick)	Square Foot	\$2.62	\$3.04

Clear & Grub	Square Foot	\$3.27	\$3.80
Debris Hauling	Cubic Yard	\$52.40	\$60.79
Silt Fence	Linear Foot	\$4.25	\$4.93
Asphalt Cut with Abrasive Blade	Linear Foot	\$5.89	\$6.84
Concrete Cut with Abrasive Blade	Linear Foot	\$7.20	\$8.36

Tree Trimming	Per Hour	\$131.00	\$151.96
Aluminum Pipe Guiderail (FDOT Index 870)	Linear Foot	\$183.40	\$212.75
Irrigation Repair	Per Hour	\$60.00	\$69.60
Manhole Adjustments	One Ring & Lid	\$475.00	\$551.00
Asphalt Patching (Hot Mix)	Square Foot x 2" Thick	\$34.50	\$40.02
Excavation	Square Foot	\$2.50	\$2.90
Curb Removal	Square Foot	\$6.50	\$7.54
ADA Mat (Install Only)	Square Foot	\$0	\$200
Concrete Flume (6" Thick)	Square Yard	\$0	\$85

*All Concrete Installations shall be fiber-reinforced 4000psi.

S.H. Hayes Enterprises

1776 Tranquil Court
Chipley, FL 32428
(850) 326-5471
Shayes1218@yahoo.com

July 16, 2025

City of Destin
4100 Indian Bayou Trail
Destin, FL 32541

To Whom It May Concern,

As many of you may know, prices are still on the rise in the construction industry across the entire country. Since last amending this contract in 2023, prices have continued to rise, affecting how we can adequately serve you and the citizens of Destin.

- FDOT Regulation 4000 PSI Concrete - **Exhibit A**
 - September 23, 2021 - \$135/Cubic Yard
 - February 15, 2023 - \$175/Cubic Yard - **Previous Contract Amendment**
 - **\$40/Cubic Yard Price Increase (30%)**
 - January 3, 2025 - \$210/Cubic Yard
 - **\$35/Cubic Yard Price Increase (15.6%)**

These economic price increases are affecting S.H. Hayes as a business, as well as affecting our concrete suppliers.

Today, we are asking to amend our contract prices to better serve you, and the citizens of Destin, FL. A revised price sheet is attached to this letter.

When reviewing our revised changes, please take into consideration that our prices are based on what we as a business have to profit in order to pay our vendors as well as pay our employees.

We would be more than happy to explain our prices, answer any questions, or discuss price changes.

Best regards,

James "Dylan" Wright

dylanw@shhayesenterprises.com

(850) 814-3866

[Project Manager, S.H. Hayes Enterprises](#)

Line Item	Unit of Measurement	Previous Contract Price	Proposed New Contract Price
Concrete Driveway, 6 Inches Thick*	Square Foot	\$11.99	\$14.00
Concrete Sidewalk, 4 Inches Thick*	Square Foot	\$8.37	\$9.71
Concrete Flat/Ribbon Curb (12" Wide by 8" Deep)*	Linear Foot	\$24.12	\$27.98
Concrete Type "D" Curb*	Linear Foot	\$24.12	\$30.00
Concrete "E" Curb & Gutter*	Linear Foot	\$32.16	\$37.31
Concrete Type "F" Curb & Gutter*	Linear Foot	\$40.20	\$47.00
Concrete Modified (18") Type "F" Curb & Gutter*	Linear Foot	\$40.20	\$46.64
Fill Dirt Provided, Delivered, Spread, and Compacted	Cubic Yard	\$31.44	\$45.00
FDOT Qualified Traffic Control (MOT) Cost	Per Day	\$250.00	\$290.00
Bermuda Sod Installed	Square Foot	\$0.87	\$2.50
St. Augustine Sod Installed	Square Foot	\$0.97	\$2.50
Centipede Sod Installed	Square Foot	\$0.86	\$2.50
Removal of Concrete 4 Inches Thick	Square Foot	\$2.62	\$4.50

Removal of Concrete 6 Inches Thick	Square Foot	\$3.93	\$4.56
Removal of Asphalt (Up to 4 Inches Thick)	Square Foot	\$2.62	\$3.04

Clear & Grub	Square Foot	\$3.27	\$3.80
Debris Hauling	Cubic Yard	\$52.40	\$60.79
Silt Fence	Linear Foot	\$4.25	\$4.93
Asphalt Cut with Abrasive Blade	Linear Foot	\$5.89	\$6.84
Concrete Cut with Abrasive Blade	Linear Foot	\$7.20	\$8.36

Tree Trimming	Per Hour	\$131.00	\$151.96
Aluminum Pipe Guiderail (FDOT Index 870)	Linear Foot	\$183.40	\$212.75
Irrigation Repair	Per Hour	\$60.00	\$69.60
Manhole Adjustments	One Ring & Lid	\$475.00	\$475.00
Asphalt Patching (Hot Mix)	Square Foot x 2" Thick	\$34.50	\$40.02
Excavation	Square Foot	\$2.50	\$3.50
Curb Removal	Square Foot	\$6.50	\$7.54
ADA Mat (Install Only)	Square Foot	\$20.00	\$24.00
Concrete Flume (6" Thick)	Square Yard	\$0	\$85

*All Concrete Installations shall be fiber-reinforced 4000psi.

**AMENDMENT NO. 2 TO
MISCELLANEOUS CONCRETE SERVICES CONTRACT
BETWEEN
CITY OF DESTIN
AND
S.H. HAYES ENTERPRISES**

THIS AMENDMENT is made and entered into this 4th day of August 2025, by and between the **CITY OF DESTIN** (hereinafter referred to as "CITY") and **S.H. HAYES ENTERPRISES** (hereinafter referred to as "CONTRACTOR"), to amend the Miscellaneous Concrete Services Contract dated September 30, 2021; and

NOW, THEREFORE, the CITY and the CONTRACTOR further amend the agreement as follows:

Item (*all concrete items are 4000psi w/ reinforcement fibers)	Unit	2023 Unit Price	2025 Unit Price
Concrete Driveway 6" thick*	Square Foot	\$11.99	\$13.91
Concrete Sidewalk, 4" thick*	Square Foot	\$8.37	\$9.71
Concrete Flat/Ribbon Curb (12"W x 8"D)*	Linear Foot	\$24.12	\$27.98
Concrete Curb Type "D"*	Linear Foot	\$24.12	\$27.98
Concrete Type "E" Curb & Gutter*	Linear Foot	\$32.16	\$37.31
Concrete Type "F" Curb & Gutter*	Linear Foot	\$40.20	\$46.64
Concrete Mod. Type "F" Curb & Gutter*	Linear Foot	\$40.20	\$46.64
Fill Dirt Provided, Delivered, Spread, and Compacted	Cubic Yard	\$31.44	\$45.00
FDOT Qualified Traffic Control (MOT)	Per day	\$250.00	\$290.00
Bermuda Sod Installed	Square Foot	\$0.97**	\$2.50
St. Augustine Sod Installed	Square Foot	\$0.97**	\$2.50
Centipede Sod Installed	Square Foot	\$0.86	\$2.50
Removal of concrete 4" thick	Square Foot	\$2.62	\$3.04
Removal of concrete 6" thick	Square Foot	\$3.93	\$4.56
Removal of Asphalt (up to 4" thick)	Square Foot	\$2.62	\$3.04
Clear & Grub	Square Foot	\$3.27	\$3.80
Debris Hauling	Cubic Yard	\$52.40	\$60.79
Silt Fence	Linear Foot	\$4.25	\$4.93
Asphalt Cut w/ Abrasive Blade	Linear Foot	\$5.89	\$6.84
Concrete Cut w/ Abrasive Blade	Linear Foot	\$7.20	\$8.36
Tree Trimming	Per Hour	\$131.00	\$151.96
Aluminum Pipe Guardrail (FDOT Index 870)	Linear Foot	\$183.40	\$212.75

Irrigation Repair	Per Hour	\$60.00	\$69.60
Manhole Adjustments	One Ring & Lid	\$475.00	\$551.00
Asphalt Patching (Hot Mix)	Square Foot (2" thick)	\$34.50	\$40.02
Excavation	Square Foot	\$2.50	\$2.90
Curb Removal	Square Foot	\$6.50	\$7.54
** Scrivner's error on 2023 Exhibit "A", corrected by staff for reference for this contract amendment.			

IN WITNESS WHEREOF, the City and Contractor, through their duly authorized representatives, execute this Amendment.

CITY OF DESTIN

S.H. HAYES ENTERPRISES

 Larry Jones
 City Manager

 Leslie Hayes
 Owner

Attest:

 City Clerk

SEAL

EXHIBIT
 None

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: August 4, 2025
TYPE OF AGENDA ITEM: Consent Agenda
AGENDA OUTLINE NUMBER: 3.C.

TO: City Council

THRU: Larry Jones , City Manager
 Krystal Strickland, Finance Director
 Kimberly Kopp, City Attorney

FROM: Michael Burgess, Public Works Director

DATE: 07/28/2025

SUBJECT: Declaration of City Property as Surplus (Mowers and Tractor)

I. BACKGROUND: Per Ordinance 23-01-CN, the City Council must declare property as surplus prior to the items being disposed of via Online Auction.

II. DISCUSSION: The Surplus Items Disposal Ordinance 23-01-CN is provided as ATT1.

Items will be listed with a 14-day bid window. The Public will have the opportunity to inspect these items on a designated date prior to the close of the auction.

Items to be declared as Surplus include:

2019 John Deere Z-Turn Mower (Asset REC 19-M1)
 2021 John Deere Z-Turn Mower (Asset REC 21-M2)
 2021 John Deere Z-Turn Mower (Asset REC 21-M3)
 2000 John Deere 4500 Tractor (Asset REC 00-05)

NOTE: City Council provided authorization to purchase mowers to replace REC 19-M1, REC 21-M2, and REC 21-M3 at their meeting on April 7, 2025. These mowers have now been received from the vendor and are in service. Authorization was also given to replace REC 00-05 with a new tractor, also on April 7, 2025. This tractor has not yet been received. 00-05 will be auctioned once the replacement tractor is in service.

A. Link to Strategic Goals / Objectives: I. Financially Sound City providing Service Excellence

B. Effect on Budget (EOB): Proceeds from the online auction of these items will be treated per the attached Ordinance.

Proceeds will be credited to the General Fund.

If it is on our current Fixed Asset Schedule, sales proceeds will be recorded in 001.3000.364000 Sale of Fixed Assets

If the item is not on our tracked Fixed Asset Schedule, then the sales proceeds will be recorded in 001.3000.365000 Sale of Surplus Materials

C. Level of Service (LOS): Disposal of unneeded, obsolete, or broken vehicles, equipment, and other miscellaneous items.

D. Legislative Sponsor:

E. Business Impact Statement:

III. CONCLUSION: If approved, these items will be listed by Govdeals.com as soon as possible.

IV. RECOMMENDED MOTION: I move that the City Council declare those items listed in the attachment provided as surplus and direct the City Manager to have them disposed of via online auction, with unsold items to be disposed of at the discretion of the City Manager.

Attachments:

1. ATT1 ORD 23-01-
CN Disposal of
Surplus Property

ORDINANCE NO. 23-01-CN

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, PROVIDING FOR AMENDMENT OF SECTIONS 2-61 THROUGH 2-65 OF THE CITY'S CODE OF ORDINANCES, DISPOSAL OF SURPLUS PROPERTY; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR CONFLICTING PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

SECTION 1. AUTHORITY.

The authority for the enactment of this ordinance is Article I, Section 1.01 of the City Charter and Section 166.021, Florida Statutes.

SECTION 2. FINDINGS OF FACT.

WHEREAS, the City Council has previously adopted Ordinance Number 135 (codified in section 2-61 through 2-65 of the City's Code of Ordinances) and Ordinance Number 13-12-CN, both of which relate to the disposal of surplus property (the "Surplus Property Disposal Ordinances"); and

WHEREAS, the Surplus Property Disposal Ordinances conflict and are in need of revision to more efficiently and economically dispose of surplus City property; and

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 City of Destin's Ordinance 109, As Amended, Personnel Rules and Regulations, that have been skipped and remain unchanged.**

SECTION 3. AMENDMENT OF CITY CODE, DISPOSAL OF SURPLUS PROPERTY, BY AMENDING SECTION 2-62 – DEFINITIONS; SECTION 2-63 - SURPLUS PROPERTY ; SECTION 2-64 - DISPOSAL OF SURPLUS PROPERTY TO GOVERNMENTAL UNITS; SECTION 2-65 – DISPOSAL OF SURPLUS PROPERTY TO PERSONS

Section 2-62 is hereby amended as follows:

Section 2-62. Definitions.

Charitable organization shall mean a not-for-profit business entity whose primary objectives are philanthropy or social well-being and is tax exempt under Internal Revenue Code Section 501(c)(3).

Governmental unit shall mean the governing board, commission or authority of Okaloosa County, other municipalities within Okaloosa County, taxing districts of the state within Okaloosa County, or the Sheriff of Okaloosa County, or the governing board of the Okaloosa County fair.

Person shall mean any individual person or any other legal entity.

Trade-in shall mean property which is accepted by a retailer as partial payment for an item which will become property after it is purchased.

Section 2-63 is hereby amended as follows:

Section 2-63. Surplus property.

The city council ~~shall~~ may, upon the recommendation of the city manager, classify as surplus any ~~of its~~ property that is obsolete or the continued use of which is uneconomical or inefficient, or which serves no useful function. The city manager's recommendation shall include ~~his~~ a best estimate of the property's value. The city council may, in its reasonable discretion and upon consideration of the best interest of the city, the value and condition of property classified as surplus, and the probability of such property being desired by prospective bidders to whom offered, direct the city manager to dispose of surplus property to governmental units and charitable organizations through the procedures described in Section 2-64, to other persons through the procedures described in Section 2-65, or to destroy or abandon the property through the procedures described in Section 2-65.

Section 2-64 is hereby amended as follows:

Section 2-64. Disposal of surplus property to governmental units and charitable organizations.

~~Within the reasonable exercise of the discretion of the city council and having consideration for the best interest of the city, the value and condition of property classified as surplus, and the probability of such property being desired by prospective bidders to whom offered, Upon consideration of the factors described in Section 2-63, the city council may direct the city manager to offer, by letter, surplus property to all other governmental units and charitable organizations; and through the following procedures:~~

- ~~(1) Such offer shall disclose the estimated value and condition of the property, the date and time by which bids should be received. The city may solicit sealed, competitive bids~~

from all interested governmental units and charitable organizations. If the city elects to solicit sealed, competitive bids, then the city shall disclose the estimated value and condition of the property to prospective bidders, permit inspection of the property (if feasible), and include a date and time certain by which bids must be received. The city shall accept the highest bid from a responsible bidder.

- (2) ~~Such offer shall disclose the estimated value and condition of the property, the date and time by which bids should be received. In lieu of soliciting sealed bids or if no sealed bids are received after soliciting sealed bids, the city may, in its reasonable discretion, directly contact potentially interested governmental units and charitable organizations and donate the property directly to a governmental unit or charitable organization that desires the property.~~
- (3) ~~The cost of delivering and transferring the property shall be paid by the successful bidding governmental unit or charitable organization receiving the property, whether that property is received through sealed, competitive bidding or through donation.~~
- (4) ~~If no acceptable bid is received from a governmental unit, the city council may offer for donation such property to the governmental units. The cost of delivering and transferring the property shall be paid by the governmental unit accepting the property.~~

Section 2-65. Disposal of surplus property by destroying or abandoning the surplus property or to persons through trade-in or auction.

~~Within the reasonable exercise of the discretion of the city council and having consideration for the best interest of the city, the value and condition of property classified as surplus, and the probability of such property being desired by prospective bidders to whom offered, Upon consideration of the factors described in Section 2-63, the city council may direct the city manager to either destroy or abandon the surplus property or to dispose of surplus property for value to any person through the following procedures:~~

- (a) ~~Destroy or abandon surplus property. Trade-in the property; or~~
- (b) ~~Dispose of surplus property for value to any person. Auction the property through either a public auction or online auction.~~
- (c) ~~Public auction. If the Property of which the city council directs the property be sold through a public auction, then the following procedures control: pursuant to this section shall be sold only to the highest responsible bidder after a request for at least three bids, or by public auction.~~
 - (1) ~~If the sale is by bid, all bids shall be submitted on bid forms provided by the city. All bids shall be executed and submitted in a sealed envelope prior to the date and time of the bid opening as advertised in the notice. It is the bidder's responsibility~~

~~to assure that the bid is delivered at the property time and place of the bid opening. Notice of the sale by bid shall be published twice, more than seven (7) days prior to the date and time of the bid opening, in a newspaper having general circulation within the city and in additional papers, if in the judgment of the city manager, the best interest of the city will better be served by the additional notices. The notice shall contain a description, the estimated value, the location where and time when the surplus property may be inspected, the name and the telephone number of the person to contact regarding the property, and the place, date and time by which the bids must be received. All auction items must be available for review to all interested parties for two weeks prior to the auction.~~

(2) If the sale is by public auction, notice thereof shall be published twice, more than seven (7) days prior to the sale, in a newspaper having general circulation within the city and in additional papers, if in the judgment of the city manager, the best interest of the city will better be served by the additional notices. The notice shall contain a description, the estimated value, the location where and time when the surplus property may be inspected, the name and the telephone number of the person to contact regarding the property, and the place, date and time when the public auction will be conducted. The city will publish an advertisement outlining the items for sale, the auction location and time to all interested parties in the local newspaper of general circulation at least 14 days prior to the auction. The city council may waive this requirement so long as notice is adequately published through electronic means in accordance with subsection (c)(3).

(3) The city shall advertise the auction with all the details listed in subsection (c)(2) on the City's website at least 14 days prior to the auction.

(4) All property sold at a public auction will be made to the highest responsible bidder.

(5) If a written bid is submitted, it must be received prior to the auction date and time advertised.

(6) All costs of transporting and delivering the auctioned item will be borne by the winning bidder.

(d) Online auction. If the city council direct the property be sold through an online auction, then the following procedures control:

(1) All online auctions will be coordinated between the IT Director and Finance Director.

(2) All online auctions will be placed with a reputable and qualified online auction site that ensures transparency between the City and potential bidders.

(3) All costs of transporting and delivering the auctioned items will be borne by the winning bidder.

SECTION 4. INCORPORATION INTO 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, City Resolutions, or parts thereof, 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, phrase, sentence, provision, 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 provisions, and such holding shall not affect the validity of the remaining portions thereof.

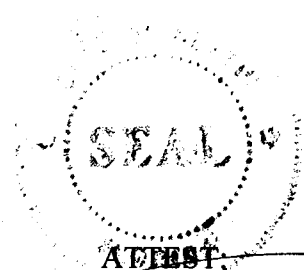
SECTION 7. EFFECTIVE DATE.

This Ordinance shall take effect immediately upon its adoption by the City Council and the signature of the mayor.

ADOPTED THIS 17TH DAY OF JANUARY 2023.
BY:




Bobby Wagner, Mayor



SEAL

ATTEST,



Rey Bailey, City Clerk

**REGULAR MEETING
DESTIN CITY COUNCIL
JULY 7, 2025
ANNEX COUNCIL CHAMBERS**

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 Sandy Trammell

Councilmember Dewey Destin
Councilmember Torey Geile
Councilmember Jim Bagby
Councilmember Rodney Braden

Destin City Staff

City Manager Larry Jones
Human Resources Director Jaime Haynes
Deputy Comm Dev Director Steve O'Connor
Projects/Grants/Contract Manager Jeffrey Cozadd
Principal Planner Daniel Butler
Community Development Director David Prichard
City Attorney Kimberly Kopp

City Clerk Rey Bailey
IT Director Andy Peters
Public Works Director Michael Burgess
City Engineer Robert Tomasek
Parks & Recreation Director Lisa Firth
Public Information Director Tamara Young
Finance Director Krystal Strickland

CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Bobby Wagner called the meeting to order at 6:00 PM. The mayor asked for a moment of silence, which was then followed by the recitation of the Pledge of Allegiance.

AGENDA APPROVAL

Motion by Councilmember Hebert, seconded by Councilmember Bagby, to approve the agenda passed 7-0.

1. PROCLAMATIONS / RECOGNITIONS / SPECIAL / **PUBLIC PRESENTATIONS / ANNOUNCEMENTS

A. Proclamation - Parks and Recreation Month

The mayor read the Proclamation designating the month of July 2025 as *Parks and Recreation Month* in the City of Destin and then presented it to the Chair of the Parks & Recreation Committee Autumn Weidenhamer and Parks and Recreation Director Lisa Firth.

B. National Civics Bee Florida State Finals - Noah Finkler from Destin Middle School, winner

Mayor Wagner recognized Noah Finkler of Destin Middle School, the winner of the Florida State Finals of the National Civics Bee.

2. PUBLIC COMMENTS

Patty Brown, a Destin resident, began by emphasizing her strong belief in civic participation, stating that one must actively engage to be part of the process. She noted her 20 years of involvement with the City of Destin, including serving three times on the short-term rental task force, most recently as its chair. Her central concern was the lack of effective enforcement of city regulations. She urged the city to move beyond warnings and start issuing fines to deter violations, specifically highlighting how Crystal Beach has deteriorated in the past year. Many homes display signage indicating space for four vehicles, yet she regularly sees nine or more trucks and SUVs, with cars often blocking sidewalks and streets. She acknowledged that the city is short-staffed, with only two code enforcement officers, which limits their capacity to respond. Her own calls about parking violations have gone unanswered, and violations remain unaddressed.

Ms. Brown also spoke as a local business owner, explaining that she and other yacht operators have worked diligently and legally with the city to secure livery permits and meet all necessary business requirements. She voiced concern over out-of-town operators from states like Texas and Tennessee who are bypassing the permitting process by using residential slips without obtaining Business Tax Receipts or adhering to local rules. This undermines legitimate operators who pay commercial rates for dock space and taxes, and she urged the city to prevent further abuse of the system.

Ms. Brown also described an increase in property damage, trash on beaches, and disregard for parking rules. She referred to the mess left at James Lee Park after the Fourth of July—burned trash cans, broken tents, and litter everywhere—and said it is often locals who clean up the aftermath. She believes tourists have become less respectful, noting comments she's seen online from visitors who claim they can do whatever they want because they spend money in Destin. She suggested that the city coordinate with the TDC and look to Walton County, which she believes attracts more respectful tourists.

Finally, Ms. Brown addressed the idea of allowing beach bonfires. While supportive in principle, she insisted that the activity must be properly regulated. Drawing on her experience in California, where unregulated beach fires result in dirty, blackened sand, she stressed the need for permitting and cleanup protocols, as people today often do not manage their behavior responsibly.

Ricky Grant introduced himself as a Cincinnati native who now lives in Destin, currently residing in the warehouse where he repairs beach chairs. He explained that he sleeps in the office space there and has been making a living doing chair repairs for Catch22 and Sunrise Share Coffee Co. He stated he recently became a licensed real estate agent and is working toward opening his own brokerage and establishing a farm in Tennessee. He dreams of building a life that includes a coastal beach house and possibly a fishing cabin, reflecting the influence of the fishing culture he has absorbed while living in Destin.

He shared that his life has involved many struggles, including challenges interacting with business owners and being trespassed from the public library following a misunderstanding. Despite hardships, he is trying to stay grounded, keeping faith at the center of his life through his church at St. Andrews. He expressed hope that new technologies like AI and support from local leadership could help people like him navigate life's challenges.

Brian Decker, a Destin resident, addressed the topic of beach bonfires, referencing a recent article he had read. He stated he has spent over 25 years closely involved with Destin's beachfront, and supports allowing bonfires but has concerns about the initial proposal suggesting a single-vendor system. He believes that while it may be appropriate for the city to employ a single vendor on city-owned beachfronts, private beachfront owners and HOAs should retain the freedom to select their own vendors. Removing that choice, in his view, would be a disservice to property owners.

Mr. Decker also emphasized that regulation is key to implementing bonfires responsibly and stated that many HOAs and management teams he works with have voiced support for a structured permitting system. He recommended mirroring existing beach vending requirements, including liability insurance, vendor authorization, and indemnification clauses. He also encouraged the city to consult with the South Walton Fire District's chief, who helped design a successful bonfire program that could serve as a useful model. He noted important considerations such as fire safety, turtle nesting protection, and the potential for new revenue streams for vendors, the fire department, HOAs, and the city. He concluded by offering a counterpoint to earlier comments critical of Walton County, stating that many visitors actually return to Destin for its unique charm. He encouraged the council to consider allowing bonfires not only for enjoyment but also to remain competitive with surrounding counties.

Britney Zirkle a disabled veteran, registered nurse, and mother, began her remarks by explaining why she declined to provide her address—due to concerns for her safety stemming from a prior restraining order. She explained that she was speaking on behalf of over 1,700 people who signed a petition in just one week to support mobile ice cream vending on the beach. She stated that these supporters include locals, tourists, parents, and veterans who cherish the tradition of getting ice cream at the beach, which has never been a problem until recently.

Ms. Zirkle asserted that the sudden scrutiny of mobile vendors stems not from public complaints, but from a single competitor—Rainbow Frost Ice Cream—whose repeated objections appear to have unfairly influenced city policy. She said her family's vending operation is legal, compliant, and enjoyed by the community, and that past vendors have operated without issue for decades. The shift, she argued, is not about safety or zoning but about a business trying to create a monopoly by pushing out competition. She reminded the council that even a city code officer had acknowledged on camera that her operation was legal. She urged council members not to let personal interests overshadow the will of the people, especially when over 1,700 voices had spoken so clearly and quickly in favor of preserving a simple, joyful tradition.

3. CONSENT AGENDA

- A. 506 & 508 Harbor Blvd, Commercial Marine Construction, HWB-001589-2025
- B. 742 & 744 Harbor Blvd, Residential Marine Construction, HWB-001616-2025
- C. Atkins Amendment 7 - Post Design Services
- D. FY 2024 Edward Byrne Grant Funding 51% Letters of Support
- E. Destin Rodeo Run 5k Run/Walk - October 5, 2025
- F. Destin Fishing Museum Foundation, Inc. - 5k Mullet Run/Walk September 28, 2025
- G. Approval of minutes of June 16, 2025, Council Executive Session
- H. Approval of minutes of June 2, 2025, Regular City Council Meeting
- I. Approval of minutes of May 19, 2025, Regular City Council Meeting

Councilmember Schmidt made a motion to approve Consent Agenda items 3A through 3I, as printed above, and was seconded by Councilmember Hebert. Motion passed 7-0.

4. CITY MANAGER REPORTS

A. RFB 25-07-CM Crosstown Phase 1 Construction Contract

The City Manager introduced the item, which pertains to awarding the contract H&T Contractors for the Crosstown Connector project. This item follows a previous decision made by the council to award the project, and the current step involved approving the contract and authorizing the City Manager to execute it and issue a notice to proceed. Staff recommended approval of this contract.

Councilmember Schmidt made a motion to approve the contract with H&T for RFB 25-07-CM and direct the City Manager to execute the contract and issue a notice to proceed. Motion was seconded by Councilmember Hebert.

Councilmember Destin raised serious concerns regarding the planned connection of the Crosstown Connector to the Stahlman Avenue intersection. He emphasized that no funded or projected improvements had been made to the intersection despite its existing congestion issues, especially given the anticipated increase in traffic from Commons Drive and the potential expansion of Emerald Grande, which could double the area's density. Councilmember Destin warned that moving forward without addressing the intersection could be one of the most significant mistakes in his 30 years on the council. He suggested alternative traffic solutions, such as a roundabout like the one on Hollywood Boulevard in Fort Walton Beach, which disperses traffic across multiple intersections on Highway 98. He stated his intention to make a motion to study and explore alternatives to improve the intersection before any connection is made.

Councilmember Braden echoed Councilmember Destin's concerns and noted that the city had allocated \$50,000 several years ago for a redesign study of the Stahlman intersection. However, he questioned the tangible outcomes of that expenditure, noting that no visible improvements had been delivered.

The City Manager informed the Council that a pre-construction meeting for the current stormwater phase of the project was scheduled for Wednesday of that week. He assured members that he would provide an estimated timeline following that meeting.

The mayor asked for a vote on the current motion, which passed 7-0.

Councilmember Destin moved that the Crosstown Connector not be connected to Stahlman Avenue until such time as improvements to the intersection have been made or funded to the satisfaction of the city council. Councilmember Hebert provided a second to the motion.

Councilmember Schmidt expressed confusion about how Councilmember Destin's motion would affect project phases. He sought clarification on whether completed segments, such as Beach to Benning Drive, would still be opened as scheduled.

Councilmember Destin clarified that his motion was not meant to delay opening completed segments but to ensure that the final connection to Stahlman Avenue does not occur until appropriate improvements are made. He highlighted options to divert traffic through other north-south roads such as Palmetto or Marler Street, although those routes currently lack signalized intersections.

The mayor called for a vote on Councilmember Destin's motion, which passed 7-0.

B. Community Rating System Update - upgrading to a Class 5

The City Manager provided an update on the Community Rating System (CRS), specifically regarding the possibility of improving the city's rating from Class 6 to Class 5. He explained that Okaloosa County Emergency Management is leading a countywide Program for Public Information (PPI), which aims to enhance public outreach, improve CRS-eligible activities, strengthen documentation practices, engage stakeholders more effectively, and promote interagency collaboration. Although the PPI initiative alone may not be sufficient to achieve the Class 5 designation, it would contribute significant points toward that goal and serve as a foundation for future improvements. Achieving a Class 5 rating could result in savings of approximately \$250 to \$280 per year on flood insurance for the average policyholder. The City Manager recommended that the city participate in the county's PPI initiative and requested authorization to appoint a staff representative and stakeholder to the committee, as well as to work in cooperation with Okaloosa County Emergency Management to support the necessary activities associated with this effort.

Councilmember Bagby moved to approve the City of Destin's participation in the Okaloosa County Program for Public Information (PPI) initiative, authorize the City Manager to designate a staff representative and stakeholder for the PPI committee, and direct staff to coordinate with Okaloosa County Emergency Management to support documentation and outreach activities necessary for Destin's CRS Class 5 advancement. The motion was seconded by Councilmember Hebert and passed 7-0.

C. RFQ 25-06-CD Crosstown CEI Presentations

The City of Destin held a public meeting to hear presentations from three firms—Anchor CEI, Halff Associates, and Volkert—for Construction Engineering and Inspection (CEI) services on the Cross Town Connector project. The City Manager Larry reminded the council of the qualification-based ranking system, where firms would be evaluated solely on their presentations and ranked accordingly: the top-ranked firm receiving a "1", second a "2", and third a "3". The lowest total score would determine the top choice, and staff would be directed to negotiate a contract with that firm. If negotiations failed, the city would move down the list.

The following firms made presentations to the council as part of the RFQ 25-06-CD selection process:

- Anchor CEI
- Halff Associates
- Volkert

Anchor CEI emphasized its comprehensive in-house capabilities—from planning to construction inspection. The leadership team, with about 70 years of combined experience, showcased deep regional knowledge and FDOT certifications. Their proposed team included local project leads and a senior inspector, all committed to providing responsive, high-quality service. Anchor stressed their specialty in construction administration for municipalities and their hands-on problem-solving experience with drainage and roadway issues. They positioned themselves as an extension of city staff and highlighted their ongoing and past work across Northwest Florida.

Halff Associates, in partnership with Utility Consultants of Florida, focused heavily on their local presence and CEI specialization. Their team, led by seasoned professionals underscored extensive CEI experience, particularly in neighborhood-scale infrastructure similar to the Cross Town Connector. They detailed proactive outreach to local stakeholders and school officials, promising high communication standards and innovative solutions like live-streaming construction cameras and real-time email updates for residents. Halff also outlined their approach to mitigating

cost overruns, ensuring compliance with FDOT specs, and avoiding excessive change orders. Their approach emphasized community engagement and schedule control.

Councilmember Schmidt questioned how **Halff** would enforce their commitment to minimizing construction noise impacts, particularly regarding reverse alarms and early-morning disruptions. **Halff** explained that restrictions could be included in the project plan and enforced through daily on-site inspection and coordination.

Volkert discussed their long-standing relationship with the city and current engagements such as the Commons Drive project. Their team would be led by an experienced professional, with additional support from experienced inspectors and a compliance specialist to ensure proper documentation for reimbursement. Volkert emphasized responsiveness, local availability, and experience with FDOT and LAP-funded projects. Their approach included detailed quality assurance reviews, robust documentation protocols, and adherence to the city's budget and schedule. They closed by highlighting their 100-year history and core values—service, quality, ethics, and safety.

Following the presentations, the council ranked the firms one through three in order of preference. The City Clerk tallied the results and announced the following:

- 1. Top rank firm is Halff Associates with 9 points.**
- 2. Second rank firm is Anchors CEI with 12 points.**
- 3. Third rank firm is Volkert with 21 points.**

Councilmember Trammell inquired whether a specific element from one firm could be incorporated into a contract negotiated with another.

The City Attorney affirmed that the ranking motion did not need to include contract details, that such provisions could be added through a separate motion after the top firm was selected.

Councilmember Schmidt moved to authorize staff to negotiate a contract, starting with the top-ranked firm, Halff Associates, which will be subject to final approval by the city council. And if negotiations with that firm fail, moving down the list of the three firms in order of ranking until a proposed contract is reached with a firm. Motion was seconded by Councilmember Hebert and passed 7-0.

Councilmember Trammell moved to include the installation of cameras as part of the project, allowing residents to access the camera feeds and monitor daily progress on the project. The motion was seconded by Councilmember Hebert and passed 7-0.

D. Undergrounding Update with Parking Lot Light Discussion

The City Manager introduced the topic by explaining that as part of the undergrounding of power lines on Highway 98, approximately 60 parking lots with light fixtures are affected. Since servicing these lights via overhead lines will no longer be possible once the undergrounding is complete, the City is proposing to fund the installation of conduit infrastructure in the amount of \$147,000. This infrastructure would allow the light fixtures to be connected to the new underground system. The proposal includes using funds from the project's landscaping budget to cover the cost. The City Manager emphasized that this move would ensure consistency in the look of the streetlights throughout the corridor and suggested a future amendment to the Land Development Code requiring uniform lighting standards for parking lots within the designated area. Under this

plan, property owners would then pay FPL a monthly fee per pole and light fixture, using the same type of fixtures installed along the roadway.

Mark Porter of Utility Consultants of Florida provided a project update and technical details. He stated that 65% of the major underground infrastructure is now complete, specifically between Main Street and the west bridge, and that the remaining segment eastward is also progressing. The most difficult part—installing conduit—has been largely addressed, and efforts are now focused on transitioning service, which requires close coordination with FPL. The project remains on schedule and within budget. He explained that the proposed \$147,000 would fund approximately 14,000 linear feet of conduit needed to connect 59 affected parcels. This cost reflects a rate of \$10.50 per linear foot as quoted by FPL. All other aspects, including poles, wires, and light fixtures, would be installed by FPL and paid for by the property owners on a monthly basis. He also highlighted that new LED lights may provide better coverage, potentially reducing the number of fixtures needed. Estimated monthly charges would decrease for floodlights and slightly increase for smaller parking lot lights, though LED efficiency could offset some of the cost increases.

Councilmember Hebert raised questions regarding the specifics of the \$147,000 cost and the durability of the proposed black concrete light poles. Mr. Porter clarified that the figure only covers the installation of conduit, not the wires or light fixtures, which would be addressed separately between FPL and individual property owners. Regarding the poles, he explained they are concrete with a weather-resistant coating rather than dyed through, and have been proven to hold up well in coastal environments. He further noted that FPL would be responsible for maintenance and replacement, ensuring the city is not burdened with ongoing upkeep.

Councilmember Trammell expressed concern that the landscaping budget is often tapped for unrelated expenditures, potentially leaving projects unfinished. In response, the city's Finance Director, clarified that the \$147,000 would be funded using electric franchise fees, specifically from a 10% allocation within that fund designated for landscaping under the ordinance related to the undergrounding project. She confirmed that these funds have not been significantly spent and that sufficient budget remains available.

Councilmember Bagby moved to direct the City Manager to approve a change order consistent with the consultant's presentation and bring back any necessary budget amendment to the city council taking those funds from the landscaping budget as discussed. Councilmember Hebert provided a second to the motion, which passed 6-0. Councilmember Destin abstained from voting.

Councilmember Bagby moved to direct the City Manager and City Attorney to prepare an ordinance for future council consideration to require uniform light poles consistent with the consultant's presentation. Motion was seconded by Councilmember Hebert and passed 7-0

Councilmember Bagby volunteered to be the legislative sponsor for this item.

E. Public Beach Vending RFP Discussion

The City Manager introduced the topic by noting that staff had been asked to explore what a procurement process for beach vending might look like. The council's meeting packet included Destin's proposed standards and limitations, sample responses from potential applicants, and an example RFP and ordinance from Walton County. He clarified that for vending activities such as bonfires, food sales, or merchandise to be permitted, the City's code would need to be amended.

Before proceeding further, he asked whether the council had any interest in allowing vending at all, stressing the desire to avoid unnecessary staff work if there was no support.

Councilmember Bagby responded by stating he was not strongly in favor of beach vending. Drawing on his experience in Walton County, where vending regulations went through several difficult iterations, he cautioned that Destin lacks the extensive public beach access that other counties have. He noted the absence of public demand for vending and emphasized that private beachfront property owners are already able to contract vendors for their own use. For these reasons, he concluded that the effort to permit vending was likely not worthwhile unless there was overwhelming public interest or a compelling regulatory framework.

Councilmember Trammell also opposed the idea, emphasizing the city's limited ability to enforce such regulations. She warned that without the capacity to monitor vendors, enforcement would be ineffective. She highlighted that Destin's unique no-vending policy sets it apart from other beach communities and adds to its charm, suggesting that the city should only adopt policies it can realistically manage.

Councilmember Geile clarified that he had initially requested the beach vending discussion not to advocate for or against it, but to ensure the council conducted proper due diligence. He believed it was important for the council to review potential regulations and impacts in order to make an informed decision.

Council members Braden and Hebert both voiced strong opposition to beach vending. Councilmember Braden cited the absence of recent complaints and concerns over reigniting past enforcement issues. Councilmember Hebert expressed concerns about the city's limited enforcement staff and the potential for rogue operators to skirt regulations, noting that the city already struggles to monitor existing activities, such as illegal pontoon operations.

Councilmember Schmidt asked several questions to clarify the issue. He sought to understand the distinction between public and private beach vending, and whether private beachfront owners could host vendors. He also inquired about the types of vending being considered—such as food, t-shirts, and bonfires—and whether these activities could be limited to certain areas. Although Schmidt expressed some openness to limited vending on public beaches, he acknowledged the topic was complex and confusing.

The City Manager responded that permits are currently required for vending on both public and private beaches. He explained that if council chose to expand vending options, regulations would need to be clearly defined. Limited vending on designated public access points could, he suggested, include a form of self-regulation among permitted vendors. He also noted that making violations a misdemeanor offense could enhance enforcement.

The City Attorney further clarified that commercial vending requires a permit regardless of beach ownership, and some condo properties may offer private amenities that fall under different standards.

Councilmember Hebert reiterated enforcement concerns, citing specific examples of rogue operations that already tax the city's limited code enforcement staff. She argued that adding more permitted activities would create unfair burdens on compliant vendors while allowing non-compliant ones to flourish.

Councilmember Destin expressed concern that beach vending could make Destin's beaches feel over-commercialized. He noted that even Walton County restricts vending to specific sites and

prohibits mobile carts. He stated that he would only consider permitting vending if beachfront property owners clearly supported it, but he had not received any such requests.

Councilmember Bagby explained that there is a clear difference between private property owners hiring vendors for personal use and public vending operations that function like monopolies. He warned that issuing a single RFP to one vendor would create a government-sanctioned monopoly, which he felt was not the proper role of local government.

Councilmember Destin moved to prohibit all beach vending activities, with the exception of bonfires, which will be addressed separately in a later discussion. Motion seconded by Councilmember Hebert and passed 6-1, with Councilmember Schmidt dissenting.

F. Transient Boat Slips Signage Discussion

The City Manager explained the background for proposing standardized signage for transit boat slips. After a recent code compliance hearing regarding Mr. Perry's property—which was found in violation for misidentifying three boat slips—there was agreement to install signs designating them as transit/public slips. However, the property owner objected, citing that current city code did not mandate such signage, and they were technically correct. While some signage was eventually installed, it was substandard. This prompted discussions among city staff and council to consider a uniform, city-designed sign for all transit/public slips. The proposal includes adding a requirement in the Land Development Code to mandate such signs for existing and future slips.

Councilmember Trammell supported the sign mockup but recommended that it include the specific code section at the bottom. This would give the signage more legal authority, allowing enforcement for violations like unauthorized commercial activity.

The mayor expressed concern about signage clarity and public perception. He observed that large "No Parking" signs at the front of some docks might mislead the public into thinking the entire dock is off-limits. He suggested that while the new transit slip signs might be mounted facing the slip (and not outward), this could still be overridden by the more visible "No Parking" signs. He proposed possibly adding another type of sign to clarify public access and minimize misdirection.

The City Attorney emphasized that the proposed signage policy would apply harbor-wide, not to a specific property. The intent is to standardize signage across all properties with public/transit slips, many of which already have inconsistent or unclear signage. The Attorney also acknowledged the Mayor's suggestion and indicated that additional language could be incorporated into the new ordinance to address this issue further.

Councilmember Braden supported the effort and echoed the mayor's concerns. He pointed out that current signage is often mounted horizontally, which may not be visible or effective. He recommended also requiring a vertical sign to enhance visibility. Additionally, he preferred having the word "Public" appear at the top of the sign instead of "Notice" to better communicate its intent.

Councilmember Destin raised a concern about entering into a "dueling signs" competition with property owners, where different parties try to outdo each other with larger or more prominent signage. He emphasized the importance of uniformity to avoid such situations. He acknowledged the mayor's suggestion but advised keeping the current motion focused on the standardized signage proposal to avoid diluting the initiative.

Motion by Councilmember Hebert, seconded by Councilmember Trammell, to direct the City Manager and City Attorney to bring back a proposed amendment to the LDC for uniform signage for public transient slips passed 7-0.

Councilmember Hebert volunteered to be the legislative sponsor for this ordinance.

The City Attorney confirmed that additional signage types (e.g., for water taxis) could be incorporated into the same ordinance at first reading, based on council consensus.

G. Appointment of Council Representatives to Various Local and Regional Committees and Boards

The City Manager asked the Council to consider appointing alternate representatives to the following regional committees, so that in the event the primary representative is unavailable, the alternate may attend in their place:

- Emerald Coast Regional Council (ECRC)
- Walton/Okaloosa/Santa Rosa Regional Utility Authority (RUA)
- Okaloosa County Public Transit Cooperative

Motion by Councilmember Bagby, seconded by Councilmember Hebert to appoint Mayor Wagner as the alternate council representative to the Emerald Coast Regional Council (ECRC) passed 7-0.

Motion by Councilmember Hebert, seconded by Councilmember Bagby, to appoint Councilmember Bagby as the alternate council representative to the Walton/Okaloosa/Santa Rosa Regional Utility Authority (RUA) passed 7-0.

Motion by Councilmember Hebert, seconded by Councilmember Bagby, to appoint Councilmember Trammell as the alternate council representative to the Okaloosa County Public Transit Cooperative passed 7-0.

The City Manager noted that many of these local and regional committees generate meeting minutes that are not currently shared with the city council. There will now be a coordinated effort to obtain these minutes from the various committees. The City Clerk has agreed to assist in collecting and distributing these documents. Moving forward, council members will receive these minutes regularly, ensuring they are kept informed about the activities and discussions occurring within each committee.

H. Minutes from Standing Board & Committees - Informational Only

I. Absentee Report - Volunteer Committees and Boards - Informational Only

J. Announcements:

1. The City of Destin successfully reopened the harbor side of Noriego Point to boat access just in time for the Fourth of July holiday. Staff managed to reposition fencing further up the hill and relocate the appropriate signage, creating enough space to open the shoreline for use. Councilmember Schmidt, along with the contractor and representatives from D-Rep, collaborated on-site to make this possible. Special thanks were extended to Kevin for his role in facilitating the outcome, which was well received by residents who appreciated being able to park at Noriego Point during the holiday period.

2. In legislative news, the city secured a \$1 million appropriation from the Florida Legislature, which was signed into the state budget by the Governor despite numerous vetoes on the same day. The city is grateful for this funding. Kelly Horton, the city's lobbyist, will attend the next council meeting to provide a comprehensive wrap-up of the legislative session and to address any questions regarding the appropriation and related matters.
3. Regarding the city's paid parking initiative, the request for proposals (RFP) process has concluded, and staff are now reviewing a substantial number of submissions. Due to the volume and complexity of the proposals, a final recommendation was not ready for the current meeting but will be brought forward at the next council session following a thorough evaluation.
4. The city has also scheduled a utility coordination meeting for July 16th from 4:00 to 6:00 p.m., in response to numerous conflicts between fiber optic boring contractors and other utility providers such as natural gas and Destin Water Users. This meeting will bring all stakeholders together in one room to address long-standing disputes and attempt to resolve them efficiently. City staff will review work records to identify where and when conflicts occurred, with the goal of clearing obstacles to future utility work. Residents experiencing unresolved utility issues are encouraged to attend and are asked to email their name, address, and specific concerns in advance to publicinfo@cityofdestin.com, so the appropriate representatives can be prepared with answers.
5. Mr. Chris Cook will be joining the Code Compliance Division as the new Operations Supervisor and Training Coordinator, beginning July 14th. His primary duties will include overseeing daily staffing and operations as well as ensuring that officers and staff receive proper training.
6. The city's beloved Big Truck Day will return on August 1st at the Destin Community Center from 9:00 to 11:00 a.m. The event, which is a favorite among families and children, will be promoted through the city's website and social media channels.

5. PUBLIC HEARINGS

A. Allowing Beach Bonfires on Destin Beaches

The City Manager introduced the topic of bonfires on Destin beaches as a public hearing item intended to gather community input. He stated that the city had reached out to Walton County to understand their successful bonfire permitting process, which is handled by the South Walton Fire District. Permits in Walton County cost \$105, with \$100 split between the county and fire district. Though Destin is unlikely to generate similar revenue (\$936,000 annually in Walton County), the City Manager acknowledged there is demonstrated demand. He proposed allowing bonfires only on *private beach property* due to the limited nature of public access. Certified vendors would be required, permits issued through the Destin Fire Control District, and strict guidelines on fire placement, safety, and environmental protection would be enforced—similar to Walton County's model. The proposal would require an amendment to the Land Development Code and a legislative sponsor to move forward.

The floor was opened by the mayor for comments from the public concerning the issue

Carrie Harbarger (307 Mountain Drive) spoke against the proposal. She argued that Destin’s limited beach space and existing management issues make bonfires inappropriate. She emphasized that there’s no economic necessity for this and that most locals oppose the idea.

Gary Troop (86 Shirah Street) opposed bonfires unless code enforcement is improved. He doubted the city's ability to manage additional oversight and enforcement. He also questioned the revenue projections and highlighted the risk of unauthorized fires and environmental degradation.

Guy Tadlock (502 Noriego) agreed with earlier opposition, suggesting “fire pits” is a more appropriate term than bonfires. He expressed safety concerns and environmental risks, particularly for parks like Norriego Point. He raised questions about potential conflicts with park hours and residential proximity.

Steve Napier (126 Country Club Drive West) Criticized the city's ability to enforce current beach regulations, such as dog restrictions, and warned that bonfires would create more enforcement problems and environmental damage. He urged visitors seeking bonfires to go to Walton County.

Marcie Bell, a Destin resident, reinforced earlier concerns about inadequate code enforcement and warned that unpermitted bonfires would proliferate if rules were not strictly enforced. She added that she submitted her opposition in an email as well and cited environmental risks.

John Karns (2701 Scenic 98) and General Manager of Henderson Beach Resort supported the proposal if limited to private property and well-regulated. He emphasized the economic and experiential benefits for guests and staff, particularly for weddings and reunions. He offered his resort as a *beta site* to test the process in cooperation with the fire department but stated access would be limited to hotel guests and not the general public.

Councilmember Schmidt volunteered as a *legislative sponsor* to develop an ordinance for permitting bonfires on private beaches.

Councilmember Schmidt moved to direct the City Manager and City Attorney to bring back an ordinance to allow beach bonfires on private properties. Motion failed for lack of a second.

The issue was deferred for potential future discussion during individual council member comment periods.

- B. A public hearing regarding the submittal of a Major Development Order for the construction of an Alvin’s Island retail store at 1073 East Highway 98 (Parcel ID: 00-2S-22-0000-0024-0020)

The City Clerk swore in the following individuals for testimony:

- Principal Planner Daniel Butler
- Robert Carroll, Engineer of Record

Principal Planner Daniel Butler began by introducing the public hearing for a major development order request concerning the reconstruction of an Alvin's Island retail store at 1073 East Highway 98. The proposed structure is a 12,600-square-foot retail store intended to replace the previous 22,000-square-foot store that was destroyed by fire in 2021. This type of general

merchandise use is permitted within the Town Center Mixed-Use Zoning District. He confirmed that the project had undergone a full technical review process and received approvals from all applicable entities. Staff recommended approval of the development order as presented

Robert Carroll of McNeil Carroll Engineering, the engineer of record, confirmed that his team was responsible for the project's engineering. He noted that the proposed new structure would be about half the size of the original building. He emphasized their compliance with all city regulations and expressed eagerness to begin construction. He also explained that although a similar approval had been obtained years ago, ongoing insurance disputes caused the permit to expire, requiring the team to restart the process.

The mayor opened a public hearing to receive comments for or against the proposed development. Having none, the mayor closed the public hearing and turned the matter over to the city council for their discussion and consideration.

Councilmember Trammell raised questions about the building elevations, specifically inquiring about the facade facing Highway 98. The applicant clarified that the top elevation shown in the visuals represented the south-facing facade on Highway 98, while the bottom was the north-facing side toward the neighborhood.

Councilmember Trammell also questioned the labeling under the main signage, asking if the term "vision" indicated windows. The applicant confirmed that the space labeled "vision" referred to display windows, which would feature staged beach scenes and mannequins, not static posters.

Councilmember Trammell expressed concern about the potential for excessive window signage, citing examples of similar stores using oversized window graphics. The applicant assured the council that the design intended to use the display windows for thematic presentations rather than poster-style advertisements. He described the areas as 2.5-foot-deep display chambers intended for showcasing scenes with umbrellas, mannequins, and beachwear.

Councilmember Bagby focused on the signage and electronic reader boards. He asked for clarity on whether the two reader boards were electronic signs, which the applicant confirmed. Councilmember Bagby counted at least six signs above the windows and questioned whether the cumulative signage would exceed city code limits.

The Principal Planner responded that signage is not reviewed during the development order stage but at the permitting stage. He explained that at that point, the applicant would have to submit facade measurements and signage square footage calculations. The signage would be limited to 15% of the facade's square footage or 150 square feet, whichever is less.

Councilmember Bagby expressed concern that this signage threshold might already be nearly met with just the proposed signs and wanted to ensure staff would strictly enforce signage limits, especially for window areas. Staff explained that any visible signage, including that in windows, would be subject to the same calculations and limitations. If unapproved signage were added later, the city could issue a code citation.

Councilmember Bagby emphasized the importance of maintaining a refined aesthetic, avoiding visual clutter. He recommended that a clear provision be added as a condition of the development order approval, limiting window signage and ensuring the total signage remained within the allowed percentage. He reiterated that window signage must be considered in the total calculation.

The Deputy Community Development Director, clarified that all signage, including temporary signs visible from the right-of-way, would be included in the 15% facade calculation. He confirmed that any window signage would be treated as an attached sign and thus must fall within the maximum signage allowance. He also reassured the council that staff would verify these limits during the signage permit phase, and any violations or excessive signage would not be approved.

Councilmember Trammell moved to approve Alvin’s Island #11, a Major Development Order, as presented; seconded by Councilmember Hebert. Motion passed 7-0.

- C. First reading of proposed Ordinance 25-13-PC - Making transportation-related amendments to Chapter 1 - Future Land Use Element, Chapter 2 - Transportation Element, Chapter 9 – Capital Improvements Element, Chapter 12 - Administration, and Chapter 13 - Glossary, of the city's comprehensive plan; deleting the Multimodal Transportation District; providing for goals, objectives, and policies relating to the city mobility plan city mobility fees.

The City Attorney read proposed Ordinance 25-13-PC by title, and then presented it to the city council on first reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, MAKING TRANSPORTATION-RELATED AMENDMENTS TO CHAPTER 1 – FUTURE LAND USE ELEMENT, CHAPTER 2 – TRANSPORTATION ELEMENT, CHAPTER 9 - CAPITAL IMPROVEMENTS ELEMENT, CHAPTER 12 - ADMINISTRATION, AND CHAPTER 13 - GLOSSARY, OF THE CITY’S COMPREHENSIVE PLAN; DELETING THE MULTIMODAL TRANSPORTATION DISTRICT; PROVIDING FOR GOALS, OBJECTIVES AND POLICIES RELATING TO THE CITY MOBILITY PLAN AND CITY MOBILITY FEES; PROVIDING FOR TRANSMITTAL TO THE FLORIDA DEPARTMENT OF COMMERCE; PROVIDING FOR INCORPORATION INTO THE COMPREHENSIVE PLAN; PROVIDING FOR A BUSINESS IMPACT ESTIMATE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The mayor opened a public hearing to receive comments for or against the proposed ordinance. Having none, the mayor closed the public hearing and turned the matter over to the city council for their discussion and consideration.

Motion by Councilmember Bagby, seconded by Councilmember Trammell, to approve proposed Ordinance 25-13-PC on first reading passed 7-0.

- D. First reading of proposed Ordinance 25-15-CC - Amending Chapter 14 "Offenses and Miscellaneous Provisions" of the Code of Ordinances, establishing that solicitation canvassing and/or vending on the beach without a permit is a misdemeanor offense; and providing for penalties consistent with state law.

The City Attorney read proposed Ordinance 25-15-CC by title, and then presented it to the city council on first reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, AMENDING THE CODE OF ORDINANCES; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; AMENDING CHAPTER 14 “OFFENSES AND MISCELLANEOUS PROVISIONS” OF THE CODE OF ORDINANCES; PROVIDING DEFINITIONS; ESTABLISHING THAT SOLICITATION, CANVASSING AND/OR VENDING ON THE BEACH WITHOUT A PERMIT IS A MISDEMEANOR OFFENSE; PROVIDING FOR PENALTIES CONSISTENT WITH STATE LAW; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The City Attorney explained that Chapter 162 of the Florida Statutes allows municipalities to designate certain offenses as misdemeanors, carrying penalties of up to \$500 in fines and up to 60 days in jail. The ordinance under review had been coordinated with the Okaloosa County Sheriff's Office, which confirmed its belief that the proposed enforcement structure was legally defensible.

The City Manager then added that the Sheriff's Office indicated that enforcement of this ordinance would require an additional beach deputy, as current resources were insufficient for that purpose.

Councilmember Braden questioned the necessity of additional personnel, citing a photo sent to the City Manager by a tourist from Alabama showing two deputies on four-wheelers on the beach. He raised a concern about existing coverage, suggesting that if deputies were already patrolling the area, it might not be necessary to fund another position.

Captain Fulghum of the Sheriff's Office responded by clarifying that the Sheriff's Office currently has only three designated beach deputies, with none funded by the City of Destin. Two are funded by the Tourist Development Department (TDD), and often one deputy must cover both Okaloosa Island and Destin. On days when two deputies are observed, it is likely due to seasonal staffing during busy periods like spring break. He emphasized that these deputies respond to over 6,000 criminal calls annually and do not have the bandwidth to handle municipal ordinance enforcement, such as unpermitted beach vending or animals on the beach. Their primary responsibilities include handling fights, underage drinking, and water rescues.

Councilmember Destin noted that the cost of hiring a deputy—quoted by Captain Fulghum as approximately \$157,348 per year—should be subject to negotiation. He suggested that staffing could be limited to peak tourist months, such as May through early September, rather than year-round. He also noted that the city had already allocated \$30,000 for legal support related to the ordinance and expressed hope that the City and Sheriff's Office could arrive at a compromise during contract discussions.

Motion by Councilmember Destin, seconded by Councilmember Hebert, to approve proposed Ordinance 25-15-CC on first reading passed 6-1, with Councilmember Schmidt dissenting.

- E. Second reading of proposed Ordinance 25-03-PC - Providing for the adoption of a small-scale amendment to the Comprehensive Plan Future Land Use Map to include a change in Future Land Use Designation of 3 parcels of real property located within a portion of the area of Beach Drive to Benning Drive consisting of approximately 8.53 acres, from Medium Density Residential -Village (MDR-V) to Recreation (REC).

The City Attorney read proposed Ordinance 25-03-PC by title, and then presented it to the city council on first reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, AMENDING THE COMPREHENSIVE PLAN; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR THE ADOPTION OF A SMALL SCALE AMENDMENT TO THE COMPREHENSIVE PLAN FUTURE LAND USE MAP TO INCLUDE A CHANGE IN FUTURE LAND USE DESIGNATION OF 3 PARCELS OF REAL PROPERTY LOCATED WITHIN A PORTION OF THE AREA OF BEACH DRIVE TO BENNING DRIVE, AS MORE PARTICULARLY DESCRIBED AND DEPICTED IN EXHIBIT "A", CONSISTING OF APPROXIMATELY 8.53 ACRES, FROM MEDIUM DENSITY RESIDENTIAL - VILLAGE (MDR-V) TO RECREATION (REC); PROVIDING FOR INCORPORATION INTO THE COMPREHENSIVE PLAN; PROVIDING FOR A BUSINESS IMPACT ESTIMATE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The mayor opened a public hearing to receive comments for or against the proposed ordinance. Having none, the mayor closed the public hearing and turned the matter over to the city council for their discussion and consideration.

Councilmember Bagby made a motion to adopt Ordinance 25-03-PC, seconded by Councilmember Hebert. Motion passed 7-0.

- F. Second reading of Proposed Ordinances 25-04-LC – Amending the official zoning map as referenced in the LDC, Section 7.12.01 (A)2, to include a change in the zoning designation of 3 parcels of real property located within a portion of the area of Beach Drive to Benning Drive, consisting of approximately 8.53 acres, from Medium Density Residential - Village (MDR-V) to Recreation (REC). Second reading of proposed Ordinance 25-10-LC - Permitting decks to encroach up to five feet into rear setbacks for town homes that are not waterfront within the High-Density Residential zoning district.

The City Attorney read proposed Ordinance 25-04-LC by title, and then presented it to the city council on first reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, AMENDING THE OFFICIAL ZONING MAP AS REFERENCED IN THE LAND DEVELOPMENT CODE, SECTION 7.12.01(A)2, ZONING MAPS, TO INCLUDE A CHANGE IN THE ZONING DESIGNATION OF 3 PARCELS OF REAL PROPERTY LOCATED WITHIN A PORTION OF THE AREA OF BEACH DRIVE TO BENNING DRIVE, AS MORE PARTICULARLY DESCRIBED AND DEPICTED IN EXHIBIT "A", CONSISTING OF APPROXIMATELY 8.53 ACRES, FROM MEDIUM DENSITY RESIDENTIAL-VILLAGE (MDR-V) TO RECREATION (REC); PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR JURISDICTION; PROVIDING FOR ZONING MAP AMENDMENTS; PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The mayor opened a public hearing to receive comments for or against the proposed ordinance. Having none, the mayor closed the public hearing and turned the matter over to the city council for their discussion and consideration.

Councilmember Bagby moved to adopt Ordinance 25-04-LC, seconded by Councilmember Hebert. Motion passed 7-0.

- G. Second reading of proposed Ordinance 25-10-LC - Permitting decks to encroach up to five feet into rear setbacks for town homes that are not waterfront within the High Density Residential zoning district.

The City Attorney read proposed Ordinance 25-10-LC by title, and then presented it to the city council on first reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, PERMITTING DECKS TO ENCROACH UP TO FIVE FEET INTO REAR SETBACKS FOR TOWNHOMES THAT ARE NOT WATERFRONT WITHIN THE HIGH DENSITY RESIDENTIAL ("HDR") ZONING DISTRICT; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The mayor opened a public hearing to receive comments for or against the proposed ordinance. Having none, the mayor closed the public hearing and turned the matter over to the city council for their discussion and consideration.

Motion by Councilmember Destin, seconded by Councilmember Hebert, to adopt Ordinance 25-10-LC passed 7-0.

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

A. Councilmember Braden

Councilmember Braden inquired about the current number of code enforcement officers employed by the City. The City Manager responded that there are four officers currently on staff, with one out on extended sick leave. The city is actively seeking to hire more staff and is exploring alternative ways to supplement the department to improve service coverage.

Councilmember Braden also raised a question regarding the 25% parking requirement related to open-air seating in the Land Development Code (LDC) rewrite. He expressed confusion about how the city arrived at the 25% figure. Staff clarified that the number originated from deliberations involving both the Local Planning Agency (LPA) and City Council during workshops. Originally, staff recommended a 100% parking requirement, the LPA proposed 50%, and eventually, Council settled on 25% for the Harbor District and 50% elsewhere.

Councilmember Braden questioned the rationale behind this decision, especially since many open-air seating areas are used year-round, similar to fully enclosed areas. Staff elaborated that calculating parking based on seat count can be problematic, as outdoor spaces often accommodate more than what's shown on official plans.

Councilmember Braden criticized the city's historical approach to permitting and enforcement, stating that business owners submit questionable parking plans reused by multiple establishments without consequence. He expressed frustration that such practices contribute to ongoing parking problems.

Next, Councilmember Braden handed a printed document to the mayor, asking him to read it aloud. The mayor read Section 3.07 of the city charter, outlining the powers and duties of the mayor, including ceremonial representation, presiding over meetings, presenting a state of the city message, and casting tie-breaking votes—but notably not making or seconding motions and always representing the council's adopted position.

Councilmember Braden then voiced serious concerns over the mayor's conduct. He described receiving multiple calls from citizens confused about the mayor's actions, such as speaking in Tallahassee or hosting bonfire-related meetings, without prior council approval. He expressed frustration that these activities give the impression the mayor is speaking on behalf of the entire city without proper authority. He also criticized the mayor for potentially taking credit for projects that were years in the making and driven by past councils and staff.

Mayor Wagner defended his actions by emphasizing his commitment to transparency and public engagement. He stated that his intent is to gather feedback and foster communication, not to act unilaterally or against council policy. He clarified that initiatives like the "fireside chats" are personal efforts to engage with the public and are not meant to represent official city positions.

unless explicitly approved. He acknowledged a need to be cautious with details and expressed a willingness to issue an apology for any miscommunications.

Councilmember Destin supported the mayor's enthusiasm but expressed concern about potential Sunshine Law violations through social media use. He suggested the need for a formal social media policy to prevent legal missteps. He warned that elected officials expressing opinions on issues visible to other officials could potentially cross legal boundaries.

Councilmember Hebert commended Mayor Wagner's energy but echoed concerns about crediting ongoing projects. She pointed out a specific example where the mayor posted about a beach project that had been years in the making, making it seem like a recent initiative of his. She advised him to recognize the collective, long-term effort of staff and past councils in his public communications.

Councilmember Bagby supported the need for a social media policy but defended the mayor's intent. He pointed out that every mayor has had causes they championed and reminded the group that the acquisition of public beach access has long been a shared council priority, validating the mayor's efforts in lobbying for it in Tallahassee.

Councilmember Schmidt strongly supported Mayor Wagner, encouraging him to continue his outreach efforts. He dismissed criticisms from those who felt overlooked or offended by the mayor's posts and emphasized that the mayor's communication style was not intentionally dismissive.

Councilmember Trammell offered clarification on the procedural concerns about the fireside chats, especially when referencing projects such as the one associated with Mr. John Stephens. She noted that any project being publicly promoted must first be approved by the council or relevant committee, particularly when involving a former councilmember. She stressed the importance of following proper protocols and not publicizing projects before they are officially vetted.

Mayor Wagner responded that he had adjusted his communication plan to avoid overstepping and that he had avoided discussing certain unapproved topics based on staff guidance. He reiterated his goal of engaging citizens and ensuring they feel heard. He acknowledged the concerns raised and expressed a commitment to transparency and collaboration, while reiterating his pride in his role and the work of the city team.

B. Councilmember Trammell

Councilmember Trammell requested that the City Clerk include a list of current vacancies on citizen volunteer committees and boards in the quarterly absentee report submitted to the council.

Councilmember Trammell requested a motion from the council allowing her to attend the Florida League of Cities Annual Conference in Orlando, Florida in August.

Councilmember Destin moved to allow Councilmember Trammell to attend the Florida League of Cities Annual Conference in August 2025, seconded by Councilmember Hebert. Motion passed 7-0.

C. Councilmember Destin

Councilmember Destin moved to direct the City Attorney to bring back a social media policy for the council’s review and approval, seconded by Councilmember Hebert. Motion passed 7-0.

Councilmember Destin volunteered to be the legislative sponsor for this policy.

- D. Councilmember Bagby
- C. Councilmember Hebert
 - 1) Bad Roosters

- E. Councilmember Geile
 - 1) Projects Status/Updates

Councilmember Geile expressed strong concerns regarding the current direction of the Tourist Development Council (TDC), emphasizing that it is attracting the wrong type of tourist to Destin. He lamented the negative impact this has on local residents, who face long wait times at restaurants, overcrowded areas, and disrespectful behavior from visitors. He underscored a shared community sentiment that the TDC’s strategy is misaligned with Destin’s needs. He also criticized the TDC’s responsiveness, noting that he requested a presentation from them over three months ago, with no follow-up.

The City Manager confirmed that the TDC Director had previously stated she was checking with commissioners but had not provided further updates.

Councilmember Schmidt, who serves as the city’s representative to the TDC, explained that the July meeting was canceled to allow for data collection, and a presentation on targeted tourist demographics would be given in August. He committed to bringing that information to the council himself if the TDC does not.

Councilmember Geile further proposed reserving certain city-owned parking lots exclusively for Destin residents during major events such as the Fourth of July. He argued this would ease the burden on locals, referencing a disappointing revenue figure of only \$2,000 generated from one parking lot during the Fourth of July. He suggested enforcing such restrictions through tow truck sweeps for non-Florida-tagged vehicles, highlighting the importance of prioritizing access for local taxpayers.

Councilmember Geile raised concerns about unregulated gutter installations, citing a recent incident at the Morgan Sports Complex where a contractor installed gutters improperly and justified the work by blaming a prior installer. He criticized the lack of basic skills and oversight, pointing out that incorrect gutter installation can cause structural damage such as rotting fascia and soffits. He proposed that the city require permits for gutter installations and restrict the work to properly licensed contractors holding one of five specific licenses: specialty structure, residential, building, general, or roofing.

Councilmember Geile also initiated a discussion about inspections of short-term rentals (STRs), questioning whether the city or law enforcement can enter these properties without a warrant in the event of complaints. Captain Fulghum of the Sheriff’s Office responded that unless the area is open to the public, law enforcement needs a warrant due to renters’ expectation of privacy, even if the property is considered a business. He noted that landlords or rental agencies cannot authorize law enforcement entry without proper legal authority. In response to a related legal question, it was clarified that while inspections can be mandated for permitted activities such as construction, including a blanket inspection right within STR or Business Tax Receipt (BTR) agreements could be controversial and difficult to enforce—unless clearly tied to life safety.

Throughout the discussion, Councilmember Geile voiced deep frustration over the strain that unchecked tourism and weak regulation are placing on local infrastructure and quality of life. He shared a personal experience from the Fourth of July, where parking issues and confrontations with disrespectful tourists nearly led to physical altercations. He described one incident where a tourist discarded trash mere feet from a garbage can, and he had to forcefully intervene. This, he argued, exemplifies the broader behavioral problem stemming from the city's current tourist demographic. He called on the council to seek solutions that prioritize locals, including regulatory changes, better enforcement, and a strategic shift in tourism focus to attract respectful and responsible visitors who align with Destin's values and standards.

F. Councilmember Schmidt

Councilmember Schmidt inquired about the status of the Lee Parcel on Indian Trail, specifically asking whether it was still under consideration and if the city was waiting for appraisals. In response, Councilmember Bagby explained that the Park Foundation—particularly Keith and Jay Howard—were in discussions with the Lee family to potentially donate the parcel in exchange for a tax write-off. The parcel spans from Indian Trail to Indian Bayou. He noted he would follow up with Jay Howard for more information and report back. Councilmember Schmidt asked the City Manager and the City Attorney to coordinate with relevant parties and present an update at the August council meeting.

Councilmember Schmidt requested an update on the Clement Taylor Park project. Grants and Projects Manager Jeff Cozadd responded that the city had received a request for additional information from the county, stemming from the Treasury, related to insurance and flood impact requirements. That request had been promptly addressed.

Councilmember Schmidt expressed frustration over the repeated delays and asked whether more assertive action could be taken with the county or federal contacts. Mr. Cozadd acknowledged the difficulties and the multiple efforts made to expedite the process. There was discussion about contacting Jane Evans and potentially revisiting a direct conversation with the Treasury, as had been done during the Royal Melvin project.

Councilmember Schmidt asked about the status of the Joe's Bayou state project—specifically whether it had gone out for bid. Staff replied it had not yet done so and was still in the permitting phase.

Councilmember Schmidt raised questions about the status of no wake zone signage in Joe's Bayou. Staff reported that all existing no wake signs were currently in place, including those at the fingers of the bayou. However, a council directive had also requested the addition of a new no wake sign 500 feet from the Joe's Bayou boat launch. Councilmember Schmidt noted that this directive and the associated cost and GIS mapping had not yet been fully addressed. Staff confirmed they had the GIS map and would send it to council. There was also discussion about exploring the designation of additional kayak launch areas, which could expand no wake zones, specifically near a piece of right-of-way waterfront property.

Councilmember Schmidt voiced concerns about code enforcement, noting there were only four code officers and questioning if staffing, budgeting, or advertisement strategies were at fault. The City Manager acknowledged it was a priority and mentioned a discussion had occurred earlier that day exploring options such as hiring part-time officers—potentially former military police or officers from other jurisdictions. One additional officer was expected to start the following week, and efforts were ongoing to improve recruitment. Councilmember Schmidt offered legislative

support to ensure adequate code enforcement and suggested reallocating resources from beach enforcement to city streets to better serve residents.

G. Mayor Wagner

Mayor Wagner discussed paid parking stating that to his understanding, there is over \$2 million in parking revenue generated from the harbor parking lot. He remarked that the current city council doesn't seem interested in making further improvements to harbor parking, which he's fine with. Given that, he suggested that during budget season, the city should consider using those parking funds for improvements at Morgan's Sports Complex or Crystal Beach. He pointed out that if the city is developing public beach access points, then upland facilities—such as parking areas that are not as costly as Gulf-side lots—are necessary. He emphasized that this could tie into the city's mobility plan, which already identifies two potential locations in Crystal Beach for parking enhancements. Addressing the ongoing issue of cars parking on sidewalks, he proposed that rather than only enforcing code violations through tickets, the city could instead guide drivers to proper paid parking areas, both for daily use and overnight stays.

H. City Attorney

The City Attorney informed the council of two new Florida legislative mandates requiring ordinances or resolutions, such as one affecting plat policies, which would shift final approval authority from the council to city staff. She asked if a legislative sponsor was needed for such state-mandated items. The council agreed that such mandates came from the state and would be noted accordingly without requiring an internal sponsor.

7. PUBLIC COMMENTS

John Stephens, a resident on Indian Trail, referenced a recent incident at Osteen Beach and noted that Okaloosa County had removed all safety corridor buoys from Crab Island. He recommended the city repurpose those buoys for use as cautionary markers in areas with swift currents. Staff confirmed they had already spoken with Mike Norberg and planned to pick up the buoys soon for potential repurposing.

ADJOURNMENT

Having no further business at this time, the meeting was adjourned at 10:20 PM.

Bobby Wagner, Mayor

ATTEST:

Rey Bailey, City Clerk

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: August 4, 2025
TYPE OF AGENDA ITEM: Resolution
AGENDA OUTLINE NUMBER: 4.A.

TO: City Council

THRU: Kimberly Kopp, City Attorney
Larry Jones , City Manager

FROM: David Prichard, Community Development Director
Krystal Strickland, Finance Director

DATE: July 24, 2025

SUBJECT: Resolution 25-17 Restated Schedule of Fees Adoption of STR Registration Fees

I. BACKGROUND:

The City of Destin has expanded its Short-Term Rental Registration Program.

On March 3, 2025, the City Council held a Second Reading of Ordinance 24-23-CC, Requiring short-term rental registrations of multi-family units, including condominium units, within the City of Destin. The ordinance was approved by a 7-0 vote.

Resolution 25-17, which establishes the associated registration fees, is up for discussion. Council will also consider the implementation strategy for the resolution—whether administration should be handled in-house or outsourced to an external vendor.

The attached Revised and Restated Schedule of Fees incorporates four updates:

1. Adds a section regarding short-term rental registration fees for Condominiums (redlined version page 27).
2. Increases Public Records Request fees from \$21 per hour to \$28 per hour (redlined version page 30).
3. Adds an alert at beginning of each section regarding 3% fee collected by merchant service providers for payments by credit card (Council motion of February 3, 2025) (redlined version pages 4, 7, 22, and 29).
4. Adjusts library service fees to replace video cases or audiobook cases from \$1-\$3 to "Replacement cost" (redlined version page 4).
5. Fixes a number of scrivener and formatting errors. Adds back the page numbers, updates the table of contents, and adjusts account numbers to match the new accounting system.

The most significant change and impact is related to the Short-Term Rental Registration Program.

II. DISCUSSION: **Resolution 25-17**

Proposed Fee Schedule

Council members have proposed \$300 per unit under 1500 square feet. This is by far the majority of condominium units.

Staff have proposed to apply the same rates for the remaining size categories.

Up to 1499 square feet (TOTAL SQUARE FOOTAGE)	\$300
1500-2499 square feet	\$500
2500-4999 square feet	\$600
5000+ square feet	\$700

Implementation Strategy

IN-HOUSE

Staff estimate between 3,500 to 4,000 condominium rental units shall be added to the City’s existing registration program of 1200 single-family units in the short-term rental program. Administering this expanded program internally would likely require the addition of one or more full-time Code Enforcement Officers to manage the increased workload and enforcement activities.

Should the resolution be implemented in-house, City staff anticipates using the new MyGovernmentOnline (MGO) software to administer the program. However, identifying unregistered short-term rental properties would remain a manual task. Code Enforcement personnel would continue monitoring online platforms—such as Airbnb—for compliance.

OUTSOURCE

As an alternative to in-house administration, the City could consider outsourcing the execution of the program to a third-party vendor. Under this model, the vendor would collect registration fees on behalf of the City and remit them accordingly. Additionally, the vendor would be responsible for identifying unregistered properties through automated web-scraping methods, issuing notification letters, and referring non-compliant operators to the City’s Code Enforcement Office for follow-up.

Several vendors with experience in short-term rental compliance are known to the City, including one that currently manages bed tax remittances for Okaloosa County. This vendor, and others with similar capabilities, could reasonably be expected to respond to a formal Request for Proposals (RFP) issued by the City. An RFP to find such a vendor is attached to this report.

A. Link to Strategic Goals / Objectives:

B. Effect on Budget (EOB): The amount of additional revenue depends on the rate schedule to be adopted, and whether administration is outsourced. Under the current proposal, most units would pay \$300 per unit. Gross revenues with this proposed fee schedule come to \$1.2 million

per year before billing, collection, and merchant service fees.

Preliminary research estimates the cost to outsource billing, collections, and web-scraping range from \$40 to \$50 per unit, depending on level of service. This equates to approximately \$200,000 per year. If performed in-house, the city would require at minimum one more code compliance officer.

C. Level of Service (LOS):

D. Legislative Sponsor: Torey Geile

E. Business Impact Statement:

Business Impact Statement

[In accordance with Section 166.041(4), Florida Statutes]

Title: Resolution 25-17 establishing a new short-term rental registration fee

1. Summary of the Proposed Ordinance and Public Purpose

Resolution 25-17 proposes the imposition of a **new annual registration fee** for short-term rental (STR) units, including condominiums and similar facilities. The public purpose is to enhance the City of Destin's ability to oversee and regulate the short-term rental market—improving compliance with local standards, supporting enforcement efforts (including identifying unregistered units), and protecting the health, safety, and welfare of residents, property owners, and visitors.

2. Estimate of Direct Economic Impact on Private, For-Profit Businesses

a) Direct Compliance Costs

Operators of short-term rentals would incur compliance costs including:

- Payment of the registration fee (estimated at **\$300 per unit annually, unless a different fee is adopted**)
- Time or expense associated with gathering and submitting required registration information
- Potential penalties or fees if in violation

b) New Charge or Fee

A **new registration fee of approximately \$300 per unit per year (subject to final fee schedule in Resolution 25-17)** would be imposed on each short-term rental operator.

c) City Regulatory Costs and Fee Revenue

- **Estimated annual revenue:** An additional **4,000 unregistered units** × **\$300** = **\$1.2 million per year**, to be deposited into the City’s General Fund.
- **Regulatory costs:** Minimal administrative costs anticipated if managed in-house, primarily through the additional Code Enforcement Officer and use of MGO software. If a third-party vendor is hired, the vendor would likely retain a portion of fees for administration, with net revenue to the City slightly reduced, but with enforcement activities outsourced. Approximately \$200,000 per year to administer if through an outsourced service provider.

3. Good Faith Estimate of Number of Businesses Impacted

Approximately **4,000** short-term rental units would become regulated. These units are owned or operated by private individuals or businesses offering short-term lodging. Therefore, the number of affected entities is estimated at **4,000 operators or rental units**.

4. Additional Information Considered Useful

- **Revenue-to-cost comparison:** Estimated \$1,200,000 in fee revenue versus roughly one full-time Code Officer salary and associated benefits (for in-house management (\$145k/year) or vendor contract costs (\$200k/year).
- **Enforcement value:** The fee structure supports compliance monitoring, enforcement of safety/occupancy standards, and ensures equitable application of City regulations.
- **Implementation options:** In-house vs. outsourced administration (vendor) should be evaluated for cost-efficiency, technology capacity, and enforcement effectiveness.
- **Community outreach:** Operators may receive notification in advance of new requirements; outreach through chambers or property manager groups can help mitigate compliance burdens.

III. CONCLUSION: Council to Decide:

Should Resolution 25-17 be adopted, and what rates should be applied to registration and regulation of short-term rental condominiums?

Should implementation of the program be in-house, or outsourced?

IV. RECOMMENDED MOTION: I move that Council adopt Resolution 25-17 as presented. I move that implementation of the program to include billing, collections, and monitoring be outsourced.

Attachments:

1. Resolution 25-17 Schedule of Fees with Attachment CLEAN
2. Resolution 25-17 Schedule of Fees with Attachment REDLINED
3. CITY OF DESTIN Short Term Rental Compliance Provider RFP (7)

RESOLUTION 25-17

A RESOLUTION OF THE CITY OF DESTIN, FLORIDA PROVIDING FOR AUTHORITY; AMENDING THE SCHEDULE OF FEES FOR FISCAL YEAR 2025; 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 4th DAY OF AUGUST 2025.

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. Fees paid by credit card may now or in the future be charged up to 3% by the merchant services provider as per council motion of February 3, 2025.

3471xx 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	Replacement cost
Replacement audiobook case	Replacement cost

3472xx 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

RECREATION & CULTURAL SERVICES		
Department and/or Service	Fee Description	Current Rate
Athletics	Youth & Adult Sports Residents, Per Player	\$30.00 (\$150 Tackle Football \$80 NFL Flag Football)
	Youth & Adult Sports Non-Residents, Per Player	\$50.00 (\$225 Tackle Football \$120 NFL Flag Football)
	Child of Volunteer Head Coach	no charge
	Cheerleading Uniform	\$140.00
Team Sponsors	All Sports Adult & Youth (7yrs. & UP)	\$300.00
	All Youth Sports (3-6yrs)	\$200.00
	Youth Basketball (all ages)	\$150.00
Tournament Fees	Rental Rate, per field – per day	\$150.00, plus \$20/hour per field with lights
	Gymnasium Rental, per gym – per day	300.00, plus \$15/hour attendant fee
	Disc Golf Tournament, per player	\$5.00 + tax
	Field Attendant fields A/B/C/D/F/G	\$10.00 per hour, per field
	Admin fee	\$100.00 per day
	Trash Clean Up	w/concession \$75.00 per day w/o concession \$150.00 per day
	Field Lining (excludes softball/baseball)	\$150.00 per field
	Quick Dry, per bag	\$20.00
	Temporary field fencing, per fence	\$50.00
Rental – Recreational Facilities		
	Destin Community Center – price includes the following: kitchen usage, overhead sound system in gym, portable sound system and set up, microphone, podium, pull down screen with DVD in meeting rooms	Gym (Full) \$100.00/hour Gym (Half) \$50.00/hour Small Meeting Room \$30.00/hour Large Meeting Room \$50.00/hour Attendant \$15.00/hour (after normal business hours)
	Stage rental	\$100.00
	Tables – special event	\$1.00 each
	Chairs – special event	\$0.25 each
	Other Equipment/Supply Rental	Prices vary per item
	Special Event Set up/Breakdown Fee	\$100.00
	Morgan Sports Complex Children’s Park Pavillion, Buck Destin Park, Clement Taylor Park Pavillion, Leonard Destin Park Pavillion	\$65.00 per day
	Alcoholic beverages permit	\$200

Section 1: Culture and Recreation

	Park Water Source	\$30.00 per day
	Park Electric Source	\$10.00 per day
Rental – Ball Parks		
	Athletic Fields, Per Hour	\$30.00 without lights \$50.00 with lights
Programs/activities		
	After School Program Resident/Property owner	\$120.00/month
	After School Program Non-Resident	\$135.00/month
	After School Program – 2 nd Child Resident	\$110.00/month
	After School Program – 2 nd Child Non-Resident	\$125.00/month
	Spring Break Camp Resident/Property Owner	\$150.00/week
	Spring Break Camp Non-Resident	\$180.00/week
	Summer Recreation Resident/Property Owner	\$85.00/week
	Summer Recreation Non-Resident	\$100.00/week
	Daily “Drop In” Rate	\$5/person
	Special Events/Specialty Camps/Other Instructor Led Classes	Prices vary (due to varying instructor charges)
Joe’s Bayou		
	Residential daily launch/recovery fee, per trailer	\$25
	Commercial daily launch/recovery fee, per trailer	\$25
	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, per household per year	\$205
	Destin based commercial launch, per year	\$1,030
	Commercial launch, non-Destin, per year	\$2,060
	Pump out fee, Destin resident	No charge
	Pump out fee, non-resident, per usage	\$5
Henderson Beach State Park Fees		
	Daily entrance pass	\$30 per household (1 per household) \$25 per senior household, 65+ (1 per household)

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. Fees paid by credit card may now or in the future be charged up to 3% by the merchant services provider as per council motion of February 3, 2025.

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-story and assembly occupancy over 5,000 square feet and/or large projects/developments determined by the Building Official shall be reviewed by a duly Florida Licensed Private Provider. The applicant shall pay the fee to the private provider for their review and the City will waive the Plan Review Fee.
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. All projects are subject to a review fee for Engineering/Erosion Control (344900) fee of \$55 to be paid upon submittal.
4. FEMA Flood Zone Review: ALL projects within these zones are subject to a review fee for the Floodplain Review of \$110.00.
5. Wetlands Protection: ALL projects in or adjacent to environmentally sensitive areas (wetlands & open water bodies) are subject to a review fee of \$55. (344900)
6. 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. (329505)

Section 2: Building Permits and Developer Fees

329506 Contractor Registration Fee

An administrative fee will be charged to 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	\$80.00
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354003 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 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

1. Permit Processing Fee: Administrative processing of \$77.00 is applied to all permits.
2. Penalty Fee: Any work which commences prior to securing the appropriate permit or permits shall be charged double the permit fee rate, which shall be collected by the Building Division. (Note: in accordance with Ordinance 336, the Building Official may issue a citation to the contractor.)
3. Re-Permit Fee:
 - a. Active permits (Change of Contractor): The fee for re-permitting any active permit will be 50% of the original building permit fee, no plan review fee, a \$77 processing fee.
 - b. Inactive permits (Expired): The fee for re-permitting any inactive permit will be regular fees, no plan review fee, and a \$77 processing fee.

Section 2: Building Permits and Developer Fees

4. In accordance with Florida Statute, a Florida Building Code (FBC) Surcharge (208002) is collected on all Building Permits of 1% or a \$2 minimum. In addition, a Building Code Administrators, and Inspectors Fund (BCAIB) Surcharge (208003) 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 \$0.22 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 (344900) 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 (344900) 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, site disturbance (applies to Planning & Engineering fees only),etc. the permit fee is \$8.60 per \$1,000 (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 (344900) 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 (344900) 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. _____

7. Commercial Signs.

- 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	\$71
Over 20 square feet	\$110

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

Section 2: Building Permits and Developer Fees

- ii. If the sign will be mounted to a new structure, the permit-processing fee is \$88.
 - c. Engineering Division (344900) Permit fee for ground signs only: \$44.
8. Mobile/Manufactured Homes.
 - a. The Building Division Permit fee for mobile/manufactured homes, blocked, and skirts and tie-downs, is \$53.
 - b. 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.
 - c. The Engineering Division (344900) 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).
 - a. Building Permit Fee:
 - i. The fee for new residential swimming pools and applicable water features (excluding electrical fee) is \$132.
 - ii. The fee for new public swimming pools and applicable water features is \$297.
 - iii. The fee for renovations/repair/modifications: to existing public swimming pools and applicable water features is \$110.00
 - b. Planning Division (329502) Permit Fee: The fee for new swimming pools, applicable water features and level III alteration/renovations is \$105.60.
 - c. The Engineering Division (344900) 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.
 - a. 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 \$53.
 - b. Commercial (Non-Residential) installations: The fee is \$8.60 per \$1,000 (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 \$119.
12. Demolition of Buildings or Structures:
 - a. Building Division Permit Fee: For the demolition of any building or structure, the fee is \$111.00. 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 (344900) 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 \$16.30 per \$1,000 (or fraction thereof).
 - b. Planning Division (329502) Permit Fee: The permit fee is \$33.
14. Land clearing:

Section 2: Building Permits and Developer Fees

- a. Planning Division (329502) Permit Fee: The fee for all land clearing permits is \$66.
- b. Engineering Permit (344900) 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 (344900) 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: \$55
- b. Planning Division (329502) Permit Fee: \$27.50

19. Solar Energy Systems Permit Fees: Signed Sealed Drawings required. The permit fee is \$16.50per \$1,000 (or fraction thereof).

20. Electrical Permit Fees:

- a. Electrical Service:

Temporary service to 100 amperes	\$41.25
Low voltage systems i.e., tv, phone, sound, alarm (Exclude wireless security systems for 1 & 2 family)	\$8.60per system
Electrical work for New construction, alteration, renovations, additions, generators, repairs, etc.	\$16.50 per \$1,000 of estimated
Meter/service change outs (to include gang meters)	\$69 per meter
Functional check	\$69

- b. Swimming Pools and applicable water features: The permit fee, which includes all pool and applicable water feature equipment grounding, and underwater lights, is \$88.

21. Mechanical Permit Fees:

Heat and Air Conditioning Unit (including heat pump) New or Change outs, refrigeration systems, commercial hoods systems, Incinerators, boilers, chillers, Mechanical repair is \$16.50per \$1,000 (or fraction thereof).

22. Plumbing Permit Fees:

Plumbing for New construction, W/H change outs, repair/re-piping or renovations work is \$16.50 per \$1,000 (or fraction thereof).

23. Gas Permit Fees:

Gas for New construction, W/H change outs, repair/re-piping or renovations work is \$16.50 per \$1,000 (or fraction thereof).

Section 2: Building Permits and Developer Fees

24. Fire Sprinkler/Suppression Systems Permit Fees:
- New Construction, repair/re-pipe, renovation. modification is \$16.50 per \$1000 (or fraction thereof).
25. Utility Site/Infrastructure Permit Fees:
- a. Systems up to 20 devices (manholes, catch basin, storm drains) is \$220 (Engineering Division 344900)
 - b. Systems with over 20 devices is \$385. (Engineering Division 344900)
 - c. Planning Division (329502) fee is \$132.
 - d. Engineering Division (344900) Fee: \$165
26. Parking Lot Resurface, Restripe and Overlay Permit Fees:
- a. Building Division fee is \$130
 - b. Planning Division (329502) fee is \$132
 - c. Engineering Division (344900) Fee is \$82.50
27. Life Safety Inspection Permit Fee: For anyone who request or is required to have an inspection for general life safety or standard housing inspection which are outside of performing permitted construction activity, the fee is \$69.

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

Building Division	Building Inspections	Initial re-inspection	80.00
		Second re-inspection	320.00
		Third or more re-inspection	320.00
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

29. Stop By/Walk Through Inspection Request Fee: The fee will be \$80.

Section 2: Building Permits and Developer Fees

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

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
<i>Pre-Application Review - Residential</i>	\$50
<i>Pre-Application Review - Non residential</i>	\$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
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
344900 Engineering Fee (for Bond Inspection)	\$80
341300 Administrative Service Fee	\$250
341300 Bond Handling Fee	10% of Bond

Section 2: Building Permits and Developer Fees

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.

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.

Section 2: Building Permits and Developer Fees

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
White Sands Compliance Inspection	\$100
Each re-inspection due to failure of a previous inspection	\$150
Dog Friendly Dining	\$500
Conditional Use	\$1500
Property Status Letter (Lien Requests) BLDG (329501)	\$52.50
Home Solicitation Sales	\$55
Change of Use Application Fee - Commercial	\$500
<i>Change of Use Application Fee - Short Term Rental</i>	<i>\$2000</i>
Parking Agreement Review	\$500
White Sands Review	\$100
Street Name Change	\$500
<i>Special Beach Event Permit - Residential</i>	<i>\$250</i>
<i>Special Beach Event Permit - Commercial</i>	<i>\$500</i>
<i>Outside Consulting Fee</i>	<i>10% of invoice or \$200 whichever is less</i>

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

Section 2: Building Permits and Developer Fees

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

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

344900 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

329507 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

322900 NET POSITIVE ENVIRONMENTAL BENEFIT (NPEB) FEES

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.

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 September 30 are subject up to 25% in penalties. Fees paid by credit card may now or in the future be charged up to 3% by the merchant services provider as per council motion of February 3, 2025.

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	\$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	
1 to 10 vending machines	\$62.50
11 to 25 vending machines	\$125.00
26 or more vending machines	\$187.50
1 to 25 coin-operated washing machines and dryers	\$62.50
26 to 50 coin-operated washing machines and dryers	\$125.00
51 or more coin-operated washing machines and dryers	\$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	\$100.00
Each additional boat	\$50.00

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

General contractor	\$187.50
Building contractor	\$200.00
Residential, sheet metal, roofing, electrical, class A air conditioning, mechanical, plumbing, and commercial swimming pool contractors and subcontractors	\$150.00
Class B air conditioning and residential swimming pool contractors and subcontractors	\$100.00
Class C air conditioning and swimming pool service contractors or subcontractors	\$100.00
Handymen and similar craftsmen	\$50.00
All other contractors and subcontractors not listed herein	\$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	\$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	\$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	\$62.50
5 to 10 vehicles/vessels	\$125.00
11 to 15 vehicles/vessels	\$187.50
16 or more vehicles/vessels	\$250.00

7. Insurance:

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

Section 3: Business Licenses and Permits

Each traveling or itinerant insurance agent or solicitor, soliciting business within the city	\$200.00
Insurance solicitors employed by, or representing, insurance agents who have an annual license as provided by this section	\$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	\$62.50
11 to 20 units	\$125.00
21 to 30 units	\$187.50
31 or more units	\$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	\$65.50	\$62.50
4 to 10	\$125.00	\$62.50
11 to 20	\$187.50	\$93.75
21 to 40	\$250.00	\$125.00
41 to 60	\$312.50	\$156.25
61 or more	\$375.00	\$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	\$225.00
Class 2: Real estate brokers and stockbrokers	\$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)	\$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	\$31.25
5 to 10 units	\$62.50
11 to 50 units	\$125.00
51 to 100 units	\$250.00
101 to 200 units	\$375.00
201 to 500 units	\$500.00
501 or more units	\$625.00
Mini-warehouse storage facilities	\$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	\$62.50
6 to 20 employees	\$125.00
21 to 50 employees	\$187.50
50 Or more employess	\$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	\$62.50
Limousines, per unit	\$125.00
Buses: up to 40 passengers, per unit	\$187.50
Buses: 41 or more passengers, per unit	\$250.00
Courtesy/delivery cars, private ambulances, per unit	\$62.50

Section 3: Business Licenses and Permits

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

1 to 30 seats	\$62.50
31 to 100 seats	\$125.00
101 to 300 seats	\$187.50
301 to 500 seats	\$250.00
501 to 750 seats	\$312.50
751 or more seats	\$375.00

15. Miscellaneous.

Any business activity not listed	\$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 – Single-Family Residences:

The registration period is January – March of each year. The decal is good for one calendar year.

The following fees apply to single-family dwelling units 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

Section 3: Business Licenses and Permits

5000+ square feet	\$700
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Short-term Rentals – Condominiums:

The following fees apply to condominium units 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 1499 square feet (TOTAL SQUARE FOOTAGE)	\$300
1500-2499 square feet	\$500
2500-4999 square feet	\$600
5000+ square feet	\$700

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

354001 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

Fees paid by credit card may now or in the future be charged up to 3% by the merchant services provider as per council motion of February 3, 2025.

34450X PARKING FACILITIES USER FEES

Residents may obtain up to two (2) parking passes in January of each year at City Hall or the Community Center by presenting their vehicle registration.

Harbor District: North of highway 98, the Marler, Community Center, and Zerbe parking lot fees are \$20 for up to 24 hours. Non-residents may purchase a parking pass for the Harbor District lots for \$205 per year.

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

354000X 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

351500 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

341900 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

343800 CEMETERY LOT SALES

The City Code provides for City ownership and operation of cemeteries.

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

341300 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	\$28 PER HOUR OR \$7 PER FIFTEEN MINUTE INCREMENT

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

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.

Code Reference: Resolution 19-11; Resolution 20-13; Resolution 21-11; Resolution; Resolution 23-05; Resolution 23-06; Resolution 23-21; Resolution 25-10

RESOLUTION 25-170

A RESOLUTION OF THE CITY OF DESTIN, FLORIDA PROVIDING FOR AUTHORITY; AMENDING THE SCHEDULE OF FEES FOR FISCAL YEAR 2025; 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 54th DAY OF ~~MAY~~AUGUST 2025.

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. Fees paid by credit card may now or in the future be charged up to 3% by the merchant services provider as per council motion of February 3, 2025.

3471~~xx00~~ 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 cost
Replacement audiobook case	\$3.00 Replacement cost

3472~~xx00~~ 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

RECREATION & CULTURAL SERVICES		
Department and/or Service	Fee Description	Current Rate
Athletics	Youth & Adult Sports Residents, Per Player	\$30.00 ((\$150 Tackle Football \$80 NFL Flag Football))
	Youth & Adult Sports Non-Residents, Per Player	\$50.00 ((\$225 Tackle Football \$120 NFL Flag Football))
	Child of Volunteer Head Coach	no charge
	Cheerleading Uniform	\$140.00
Team Sponsors	All Sports Adult & Youth (7yrs. & UP)	\$300.00
	All Youth Sports (3-6yrs)	\$200.00
	Youth Basketball (all ages)	\$150.00
Tournament Fees	Rental Rate, per field – per day	\$150.00, plus \$20/hour per field with lights
	Gymnasium Rental, per gym – per day	300.00, plus \$15/hour attendant fee
	Disc Golf Tournament, per player	\$5.00 + tax
	Field Attendant fields A/B/C/D/F/G	\$10.00 per hour, per field
	Admin fee	\$100.00 per day
	Trash Clean Up	w/concession \$75.00 per day w/o concession \$150.00 per day
	Field Lining (excludes softball/baseball)	\$150.00 per field
	Quick Dry, per bag	\$20.00
	Temporary field fencing, per fence	\$50.00
Rental – Recreational Facilities		
	Destin Community Center – price includes the following: kitchen usage, overhead sound system in gym, portable sound system and set up, microphone, podium, pull down screen with DVD in meeting rooms	Gym (Full) \$100.00/hour Gym (Half) \$50.00/hour Small Meeting Room \$30.00/hour Large Meeting Room \$50.00/hour Attendant \$15.00/hour (after normal business hours)
	Stage rental	\$100.00
	Tables – special event	\$1.00 each
	Chairs – special event	\$0.25 each
	Other Equipment/Supply Rental	Prices vary per item
	Special Event Set up/Breakdown Fee	\$100.00
	Morgan Sports Complex Children’s Park Pavillion, Buck Destin Park, Clement Taylor Park Pavillion, Leonard Destin Park Pavillion	\$65.00 per day
	Alcoholic beverages permit	\$200

Section 1: Culture and Recreation

	Park Water Source	\$30.00 per day
	Park Electric Source	\$10.00 per day
Rental – Ball Parks		
	Athletic Fields, Per Hour	\$30.00 without lights \$50.00 with lights
Programs/activities		
	After School Program Resident/Property owner	\$120.00/month
	After School Program Non-Resident	\$135.00/month
	After School Program – 2 nd Child Resident/ Property Owner	\$110.00/month
	After School Program – 2 nd Child Non-Resident	\$125.00/month
	Spring Break Camp Resident/Property Owner	\$150.00/week
	Spring Break Camp Non-Resident	\$180.00/week
	Summer Recreation Resident/Property Owner	\$85.00/week
	Summer Recreation Non-Resident	\$100.00/week
	Daily “Drop In” Rate	\$5/person
	Special Events/Specialty Camps/Other Instructor Led Classes	Prices vary (due to varying instructor charges)
Joe’s Bayou		
	Residential daily launch/recovery fee, per trailer	\$25
	Commercial daily launch/recovery fee, per trailer	\$25
	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, per household per year	\$205
	Destin based commercial launch, per year	\$1,030
	Commercial launch, non-Destin, per year	\$2,060
	Pump out fee, Destin resident	No charge
	Pump out fee, non-resident, per usage	\$5
Henderson Beach State Park Fees		
	Daily entrance pass	\$30 per household (1 per household) \$25 per senior household, 65+ (1 per household)

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. Fees paid by credit card may now or in the future be charged up to 3% by the merchant services provider as per council motion of February 3, 2025.

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-story and assembly occupancy over 5,000 square feet and/or large projects/developments determined by the Building Official shall be reviewed by a duly Florida Licensed Private Provider. The applicant shall pay the fee to the private provider for their review and the City will waive the Plan Review Fee.
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. All projects are subject to a review fee for Engineering/Erosion Control (~~3419204900~~) fee of \$55 to be paid upon submittal.
4. FEMA Flood Zone Review: ALL projects within these zones are subject to a review fee for the Floodplain Review of \$110.00.
5. Wetlands Protection: ALL projects in or adjacent to environmentally sensitive areas (wetlands & open water bodies) are subject to a review fee of \$55. (~~3419204900~~)
6. 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. (~~32950541920~~)

Section 2: Building Permits and Developer Fees

329506 Contractor Registration Fee

An administrative fee will be charged to 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	\$80.00
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354~~003250~~ ~~(EBD05)~~ 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 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

1. Permit Processing Fee: Administrative processing of \$77.00 is applied to all permits.
2. Penalty Fee: Any work which commences prior to securing the appropriate permit or permits shall be charged double the permit fee rate, which shall be collected by the Building Division. (Note: in accordance with Ordinance 336, the Building Official may issue a citation to the contractor.)
3. Re-Permit Fee:
 - a. Active permits (Change of Contractor): The fee for re-permitting any active permit will be 50% of the original building permit fee, no plan review fee, a \$77 processing fee.
 - b. Inactive permits (Expired): The fee for re-permitting any inactive permit will be regular fees, no plan review fee, and a \$77 processing fee.

Section 2: Building Permits and Developer Fees

4. In accordance with Florida Statute, a Florida Building Code (FBC) Surcharge (208002629) is collected on all Building Permits of 1% or a \$2 minimum. In addition, a Building Code Administrators, and Inspectors Fund (BCAIB) Surcharge (208003630) 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..22 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 (344900341929) 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 (344900341929) 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, site disturbance (applies to Planning & Engineering fees only),etc. the permit fee is \$8.60 per \$1,000 (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 (344900341929) 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 (344900341929) 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. _____

7. Commercial Signs.

- 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	\$71
Over 20 square feet	\$110

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

Section 2: Building Permits and Developer Fees

- ii. If the sign will be mounted to a new structure, the permit-processing fee is \$88.
 - c. Engineering Division ([344900341920](#)) Permit fee for ground signs only: \$44.
8. Mobile/Manufactured Homes.
 - a. The Building Division Permit fee for mobile/manufactured homes, blocked, and skirts and tie-downs, is \$53.
 - b. 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.
 - c. The Engineering Division ([344900341920](#)) 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).
 - a. Building Permit Fee:
 - i. The fee for new residential swimming pools and applicable water features (excluding electrical fee) is \$132.
 - ii. The fee for new public swimming pools and applicable water features is \$297.
 - iii. The fee for renovations/repair/modifications: to existing public swimming pools and applicable water features is \$110.00
 - b. Planning Division (329502) Permit Fee: The fee for new swimming pools, applicable water features and level III alteration/renovations is \$105.60.
 - c. The Engineering Division ([344900341920](#)) 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.
 - a. 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 \$53.
 - b. Commercial (Non-Residential) installations: The fee is \$8.60 per \$1,000 (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 \$119.
12. Demolition of Buildings or Structures:
 - a. Building Division Permit Fee: For the demolition of any building or structure, the fee is \$111.00. 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 ([341920344900](#)) 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 \$16.30 per \$1,000 (or fraction thereof).
 - b. Planning Division (329502) Permit Fee: The permit fee is \$33.

Section 2: Building Permits and Developer Fees

14. Land clearing:

- a. Planning Division (329502) Permit Fee: The fee for all land clearing permits is \$66.
- b. Engineering Permit (341920344900) 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 (341920344900) 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: \$55
- b. Planning Division (329502) Permit Fee: \$27.50

19. Solar Energy Systems Permit Fees: Signed Sealed Drawings required. The permit fee is \$16.50per \$1,000 (or fraction thereof).

20. Electrical Permit Fees:

a. Electrical Service:

Temporary service to 100 amperes	\$41.25
Low voltage systems i.e., tv, phone, sound, alarm (Exclude wireless security systems for 1 & 2 family)	\$8.60per system
Electrical work for New construction, alteration, renovations, additions, generators, repairs, etc.	\$16.50 per \$1,000 of estimated
Meter/service change outs (to include gang meters)	\$69 per meter
Functional check	\$69

- b. Swimming Pools and applicable water features: The permit fee, which includes all pool and applicable water feature equipment grounding, and underwater lights, is \$88.

21. Mechanical Permit Fees:

Heat and Air Conditioning Unit (including heat pump) New or Change outs, refrigeration systems, commercial hoods systems, Incinerators, boilers, chillers, Mechanical repair is \$16.50per \$1,000 (or fraction thereof).

22. Plumbing Permit Fees:

Plumbing for New construction, W/H change outs, repair/re-piping or renovations work is \$16.50 per \$1,000 (or fraction thereof).

23. Gas Permit Fees:

Gas for New construction, W/H change outs, repair/re-piping or renovations work is \$16.50 per \$1,000 (or fraction thereof).

Section 2: Building Permits and Developer Fees

24. Fire Sprinkler/Suppression Systems Permit Fees:
- New Construction, repair/re-pipe, renovation. modification is \$16.50 per \$1000 (or fraction thereof).
25. Utility Site/Infrastructure Permit Fees:
- a. Systems up to 20 devices (manholes, catch basin, storm drains) is \$220 (Engineering Division [341920344900](#))
 - b. Systems with over 20 devices is \$385. (Engineering Division [341920344900](#))
 - c. Planning Division (329502) fee is \$132.
 - d. Engineering Division ([341920344900](#)) Fee: \$165
26. Parking Lot Resurface, Restripe and Overlay Permit Fees:
- a. Building Division fee is \$130
 - b. Planning Division (329502) fee is \$132
 - c. Engineering Division ([341920344900](#)) Fee is \$82.50
27. Life Safety Inspection Permit Fee: For anyone who request or is required to have an inspection for general life safety or standard housing inspection which are outside of performing permitted construction activity, the fee is \$69.

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

Building Division	Building Inspections	Initial re-inspection	80.00
		Second re-inspection	320.00
		Third or more re-inspection	320.00
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

29. Stop By/Walk Through Inspection Request Fee: The fee will be \$80.

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

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
<i>Pre-Application Review - Residential</i>	\$50
<i>Pre-Application Review - Non residential</i>	\$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
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
341920344900 Engineering Fee (for Bond Inspection)	\$80
341300 Administrative Service Fee	\$250
341300 Bond Handling Fee	10% of Bond

Section 2: Building Permits and Developer Fees

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.

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.

Section 2: Building Permits and Developer Fees

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
White Sands Compliance Inspection	\$100
Each re-inspection due to failure of a previous inspection	\$150
Dog Friendly Dining	\$500
Conditional Use	\$1500
Property Status Letter (Lien Requests) BLDG (329501)	\$52.50
Home Solicitation Sales	\$55
Change of Use Application Fee - Commercial	\$500
<i>Change of Use Application Fee - Short Term Rental</i>	<i>\$2000</i>
Parking Agreement Review	\$500
White Sands Review	\$100
Street Name Change	\$500
<i>Special Beach Event Permit - Residential</i>	<i>\$250</i>
<i>Special Beach Event Permit - Commercial</i>	<i>\$500</i>
<i>Outside Consulting Fee</i>	<i>10% of invoice or \$200 whichever is less</i>

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

Section 2: Building Permits and Developer Fees

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
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

341920344900 –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

32950741940 _____-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

322900 NET POSITIVE ENVIRONMENTAL BENEFIT (NPEB) FEES

~~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.

~~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 September 30 are subject up to 25% in penalties. [Fees paid by credit card may now or in the future be charged up to 3% by the merchant services provider as per council motion of February 3, 2025.](#)

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	\$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	
1 to 10 vending machines	\$62.50
11 to 25 vending machines	\$125.00
26 or more vending machines	\$187.50
1 to 25 coin-operated washing machines and dryers	\$62.50
26 to 50 coin-operated washing machines and dryers	\$125.00
51 or more coin-operated washing machines and dryers	\$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	\$100.00
Each additional boat	\$50.00

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

General contractor	\$187.50
Building contractor	\$200.00
Residential, sheet metal, roofing, electrical, class A air conditioning, mechanical, plumbing, and commercial swimming pool contractors and subcontractors	\$150.00
Class B air conditioning and residential swimming pool contractors and subcontractors	\$100.00
Class C air conditioning and swimming pool service contractors or subcontractors	\$100.00
Handymen and similar craftsmen	\$50.00
All other contractors and subcontractors not listed herein	\$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	\$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	\$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	\$62.50
5 to 10 vehicles/vessels	\$125.00
11 to 15 vehicles/vessels	\$187.50
16 or more vehicles/vessels	\$250.00

7. Insurance:

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

Section 3: Business Licenses and Permits

Each traveling or itinerant insurance agent or solicitor, soliciting business within the city	\$200.00
Insurance solicitors employed by, or representing, insurance agents who have an annual license as provided by this section	\$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	\$62.50
11 to 20 units	\$125.00
21 to 30 units	\$187.50
31 or more units	\$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	\$65.50	\$62.50
4 to 10	\$125.00	\$62.50
11 to 20	\$187.50	\$93.75
21 to 40	\$250.00	\$125.00
41 to 60	\$312.50	\$156.25
61 or more	\$375.00	\$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	\$225.00
Class 2: Real estate brokers and stockbrokers	\$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)	\$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	\$31.25
5 to 10 units	\$62.50
11 to 50 units	\$125.00
51 to 100 units	\$250.00
101 to 200 units	\$375.00
201 to 500 units	\$500.00
501 or more units	\$625.00
Mini-warehouse storage facilities	\$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	\$62.50
6 to 20 employees	\$125.00
21 to 50 employees	\$187.50
50 Or more employess	\$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	\$62.50
Limousines, per unit	\$125.00
Buses: up to 40 passengers, per unit	\$187.50
Buses: 41 or more passengers, per unit	\$250.00
Courtesy/delivery cars, private ambulances, per unit	\$62.50

Section 3: Business Licenses and Permits

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

1 to 30 seats	\$62.50
31 to 100 seats	\$125.00
101 to 300 seats	\$187.50
301 to 500 seats	\$250.00
501 to 750 seats	\$312.50
751 or more seats	\$375.00

15. Miscellaneous.

Any business activity not listed	\$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 – Single-Family Residences:

The registration period is January – March of each year. The decal is good for one calendar year.

The following fees apply to single-family dwelling units 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

Section 3: Business Licenses and Permits

5000+ square feet	\$700
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Short-term Rentals – Condominiums:

The following fees apply to condominium units 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:

<u>Up to 1499 square feet (TOTAL SQUARE FOOTAGE)</u>	<u>\$300</u>
<u>1500-2499 square feet</u>	<u>\$500</u>
<u>2500-4999 square feet</u>	<u>\$600</u>
<u>5000+ square feet</u>	<u>\$700</u>

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

35401001 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

Fees paid by credit card may now or in the future be charged up to 3% by the merchant services provider as per council motion of February 3, 2025.

34450~~X0~~ ____-PARKING FACILITIES USER FEES

Residents may obtain up to two (2) parking passes in January of each year at City Hall or the Community Center by presenting their vehicle registration.

Harbor District: North of highway 98, the Marler, Community Center, and Zerbe parking lot fees are \$20 for up to 24 hours. Non-residents may purchase a parking pass for the Harbor District lots for \$205 per year.

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

3540~~300X~~ 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

3515~~000~~ 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

3419300 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

343864200 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

341300 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	\$ 28 4 PER HOUR OR \$74 PER TEN-FIFTEEN MINUTE INCREMENT

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

Section 4: Miscellaneous Fees, Parking, Clerk, Cemetery

~~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.

~~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; Resolution; Resolution 23-05; Resolution 23-06; Resolution 23-21; Resolution 25-10~~

CITY OF DESTIN, FLORIDA

REQUEST FOR BIDS NO. 25-01-IT

SHORT TERM RENTAL COMPLIANCE SOLUTION PROVIDER



April 9, 2024

Larry Jones
City Manager
Phone (850) 837-4242
FAX (850) 837-3267
4200 Indian Bayou Trail
Destin, Florida 32541

Advertisement and Proposal Instructions

The City of Destin will receive proposals for a SHORT TERM RENTAL COMPLIANCE SOLUTION PROVIDER. The project is located in the City of Destin at 4200 Indian Bayou Trail. As outlined in the RFP, this project shall include, but may not be limited to, support for City Code Compliance Staff in:

- Registration management
- Fee collection
- Mailer notifications
- Confirmation of required documents by Operators
- Search capabilities for noncompliant properties within the City
- Evidence collection

To submit a proposal for this project you must be placed on the Plan Holders List. To do so, obtain a copy of the RFP (containing the full specifications and requirements) by emailing the City Clerk's Office at cityclerk@cityofdestin.com. Please include "Request for Proposal Documents – RFP 25-01-IT" in the subject line of the email. Vendors may also obtain the RFP by contacting the City of Destin, City Clerk's Office at (850) 837-4242, between the hours of 8 a.m. and 5 p.m., Monday through Friday. Proposal submissions must be received by the City Clerk's Office by email in PDF format with the subject line "RFP NO. 25-01-IT - SHORT TERM RENTAL COMPLIANCE SOLUTION PROVIDER", along with the name, return address and telephone number of the submitter, no later than 2:00 p.m. (CT), on April 23, 2025. The City reserves the right to reject any and all submittals or portions thereof, to waive minor defects and informalities in the process, to accept the Proposals(s) or take any other actions deemed by the City to be in the City's best interest.

Scope of Work

The City of Destin is issuing this Request for Proposal (RFP) to seek a qualified vendor to provide comprehensive Short-Term Rental (STR) Compliance services in support of City Code Enforcement officers. The selected vendor will deliver a suite of integrated solutions designed to identify, monitor, and enforce compliance for STRs, streamline registration and fee collection, and enhance the overall community experience. The vendor should familiarize themselves with the latest City Ordinance and Resolution related to Short Term Rentals as approved by Council in February 2025. The scope of work includes, but is not limited to, the following areas:

1. Short-Term Rental (STR) Identification and Monitoring

- Implement a robust STR identification solution that:
 - Collects and analyzes data from STR websites, including major platforms (e.g., Airbnb, Expedia, TripAdvisor, Booking.com) and independent property manager sites.
 - Uses advanced algorithms, AI, and human analyst verification to de-duplicate listings and accurately assess compliance.

- Identifies properties through public records, mapping, and social media cross-referencing.
- Captures listings with varying availability patterns, including those designed to evade detection (e.g., vampire listings).
- Provide a heatmap and dashboard with real-time insights into STR inventory within City boundaries.

2. Compliance Monitoring and Enforcement

- Develop workflows to continuously monitor STR compliance with local ordinances, including:
 - Ensuring required documents are submitted by operators.
 - Confirming proper registration and payment of fees.
 - Identifying non-compliant operators and notifying them via mailer notifications.
 - Managing late fee and non-payment mailings.
- Facilitate compliance management via a 24/7 hotline and web-based tip submission portal with capabilities for:
 - Incident reporting (e.g., noise, parking, trash, and safety violations).
 - Evidence upload (photos, videos, audio).
 - Automated escalation to City Code Compliance or police when necessary.

3. Registration and Fee Collection

- Design and implement an online registration portal that:
 - Allows property owners to register and pay fees easily.
 - Provides confirmation of completed registrations and fee payments.
 - Tracks and reports registration statuses.
- Manage all aspects of fee collection, including issuing late fee notices and managing non-payment cases.
- Remits all fees collected to the City of Destin.

4. Analytics and Reporting

- Deliver a user-friendly analytics dashboard with capabilities for:
 - Tracking compliance rates, STR density, and violations.
 - Generating ad-hoc and scheduled reports with customizable templates (e.g., GIS-compatible formats, violation reports).
 - Monitoring ongoing STR compliance and identifying trends.
- Provide sufficient evidence and documentation to support special magistrate hearings related to non-compliant STR operators.

5. Community Engagement and Outreach

- Facilitate community engagement through:
 - Town hall events or virtual meetings to educate stakeholders on STR compliance and permitting.
 - Proactive outreach campaigns targeting non-compliant operators.
- Provide ongoing support for citizen inquiries related to STR operations, permits, and complaints.

6. Maintenance and Support

- Ensure system uptime and reliability through:
 - Regular system updates and maintenance with minimal downtime.
 - Technical support during business hours and emergency support for system outages.
- Offer training sessions for City staff to ensure efficient use of the STR compliance tools.

7. Optional Services

Vendors may propose additional services that enhance the City’s ability to manage STRs effectively, such as:

- Custom zoning-specific workflows for compliance in regulated districts.
- Integration with third-party systems through APIs or manual data import/export.

Proposals Must Include

Proposals will be evaluated based on:

- Experience and qualifications.
- Understanding of the project goals.
- Proposed methodology and approach.
- Cost proposal, on a per-STR Managed basis.
- Proposed contract and terms
- References or case studies from similar projects

Proposal body must be less than 10 pages. Appendices are allowed.

Evaluation of Responses

The City Destin Bid Committee will shortlist the top 3 proposals, who will then be asked to Demo their software and services to City Staff. Staff will then recommend a winning bidder to Council based on the criteria to determine the lowest, best responsive, and responsible proposer, as listed numerically below by their relative order of importance.

EVALUATION CRITERIA	Max POINTS
Price Proposal (1-5 points) x2	10 (40%)
Qualifications/Experience (1-5 points)	5 (20%)
Project Approach (1-5 points)	5 (20%)
Past Performance (1-5 points)	5 (20%)
TOTAL	25

Scoring Guidance

5 points: Meets the requirement 100%.

4 points: Some minor gaps but substantially meet the requirements.

3 points: More moderate gaps and does not meet the requirements.

2 points: Only partially meets the requirements.

1 point: Does not meet the requirements at all.

Criteria Descriptions

a. Price Proposal

- Costs will be evaluated based on the items outlined in the scope of work and price proposal submission requirements.
- Are costs reasonable compared to the work performed? Are assumptions used in developing costs reasonable?
- Did bidder provide all the requested cost information?
- How competitive is the price proposal compared to the others received?

b. Qualifications and Experience

- Does the contractor have the experience necessary to carry out the specific work for this project? Does the contractor have experience with similar projects?
- Does the background and qualifications of individual key team members provide proven technical, operational, and managerial experience needed to handle the proposed project? Are the company structure and the relation of the project team clearly shown?
- Do financial qualifications clearly demonstrate financial stability of the company?

c. Project Approach and Performance Differentiators

- Does the submittal include detailed information that demonstrates the bidder's understanding of the scope of work and how they intend to meet the objectives of the project?
- Does submittal demonstrate the firm's ability to manage existing budgets and implement cost controls throughout a project?
- Has bidder demonstrated knowledge of local site conditions and applicable requirements? Does submittal contain approach to receiving permitting and maintaining the original construction scheduled as provided for in the scope of work?
- Is project approach specific, describing the means and methods of accomplishing the work. Does it identify any key issues on the project and/or propose some potential solutions?
- Is contractors schedule and availability practical and meet project requirements?

d. Past Performance

- Do past performance evaluations and/or past performance information provided reflect a trend of satisfactory performance?

- Basis of evaluation:
- A pattern of successful completion of work
- A pattern of work identical to, similar to, or related to the work the project requires.
- Ability shown, through workmanship provided on other projects.
- Did the bidder provide references, did they demonstrate the company's quality of work?

Submittal Requirements

No Contact Clause

All prospective bidders are hereby instructed to not contact any member of the Destin City Council, City Manager, or City of Destin staff member other than the authorized city contact person identified below regarding this solicitation or the bidder's submittal package. In order to ensure a fair, competitive, and open process, once a project is advertised all communication between interested bidder and the City must be directed to:

City Clerk
City of Destin
4200 Indian Bayou Trail
Destin, Florida 32541
850-837-4242
cityclerk@cityofdestin.com
Office Hours: Monday- Friday, 8:00 A.M. TO 5:00 P.M. CT

Any such contact to anyone but the Clerk may be cause for rejection of your submittal.

Public Records

IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT (850) 837-4242, CITY CLERK, 4200 INDIAN BAYOU TRAIL, DESTIN, FL.

Conflict of Interest Disclosure

Each proposal is subject to the provisions of Florida Statutes, Chapter 112, providing that all bidders must disclose with the RFB submittal the name of any officer, director, or agent who is also a public officer or an employee of the City of Destin. Further, all bidders must disclose the name of any City officer or employee who owns, directly or indirectly, an interest of five percent or more in the Bidding firm.

Public Entity Crime Statement

Has the bidder, its principals, officers or predecessors' organization(s) been CONVICTED OF a Public Entity Crime, debarred or suspended from bidding by any government during the last five (5) years? If so, provide details.

Drug Free Workplace Program

Proposers must certify that they comply with Florida's Drug-Free Workplace requirements, ensuring a drug-free environment as described in Florida Statutes.

Anti Human Trafficking Affidavit

All proposers must complete and submit an Anti-Human Trafficking Affidavit as required by Section 787.06(13), Florida Statutes.

Anti-Collusion Statement

Proposers must submit an Anti-Collusion Statement affirming their proposal has been made independently, without collusion or fraud

PLACEHOLDER – Signed and approved STR Ordinance

PLACEHOLDER – Proposed Fee Schedule Resolution

//END RFP//

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: August 4, 2025
TYPE OF AGENDA ITEM: City Manager Report
AGENDA OUTLINE NUMBER: 4.B.

TO: City Council

THRU: Kimberly Kopp, City Attorney
Larry Jones , City Manager

FROM: David Prichard, Community Development Director

DATE: July 30, 2025

SUBJECT: POSTPONED TO AUGUST 18TH REGULAR COUNCIL MTG: Sea Chase:
livery vessel agreement partial extension request (Sheri Andrews)

I. BACKGROUND: The City Council previously approved an agreement with Sea Chase for a **TEMPORARY EXCEPTION** to the livery vessel moratorium and regulations that allowed Sea Chase to maintain ten (10) City livery registrations which were assigned to the following ten vessels:

1. FL 7753RU 119
2. FL 7756RU 120
3. FL 2365RJ 121
4. FL 7748RU 122
5. FL 7759RU 123
6. FL 7755RU 124
7. FL 2363RJ 126
8. FL 7761RU 127
9. FL 7750RU 131
10. FL 7763RU 132

This Agreement terminated on June 30, 2025, but may be extended by mutual written agreement of the Parties, including approval by the City Council.

This item has been postponed until the August 18, 2025 regular City Council meeting.

II. DISCUSSION: Postponed such that first reading of Ordinance 25-05-CC (relating to livery vessels) can be considered by Council in advance of the request)

A. Link to Strategic Goals / Objectives:

- B. Effect on Budget (EOB):
- C. Level of Service (LOS):
- D. Legislative Sponsor:
- E. Business Impact Statement:

III. CONCLUSION:

IV. RECOMMENDED MOTION: N/A

Attachments:

None

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: August 4, 2025
TYPE OF AGENDA ITEM: Resolution
AGENDA OUTLINE NUMBER: 4.C.

TO: City Council

THRU:

FROM: Kimberly Kopp, City Attorney
Larry Jones, City Manager

DATE: July 24, 2025

SUBJECT: Resolution 25-15 Social Media Policy for Elected Officials and Board/Committee Appointees

I. BACKGROUND: The City Council directed the City Attorney and City Manager to prepare a social media policy for compliance with Sunshine and Public Records Law. The City Attorney and City Manager have worked together and respectfully submit the attached Resolution 25-15 for consideration by the City Council.

II. DISCUSSION: The proposed policy is set forth in Resolution 25-15 as follows:

Prohibition on Engagement in On-Line Discussions on Matters to Foreseeably Come Before City Council or the Respective Board/Committee. City officials who are subject to the Sunshine Law including, but not limited to, the Mayor, City Council members, and board and committee members shall not engage in on-line discussions concerning matters which may foreseeably come before them as a governing board for action.

Such officials are encouraged to consult with the City Manager and the City Attorney if they have questions concerning compliance with these laws. The Attorney General in AGO 2009 19 (dated April 23, 2009) opined that websites and social media are subject to the Sunshine law as well as to the Public Records Act. Accordingly, such officials are encouraged not to make any comment on a social media site or external Internet facility on the web related to a matter of public business that may be pending before the collegial body of which the person is a member or any matter that may reasonably be understood to potentially come up before such body, because of the substantial risk that other members of the same collegial body may be online and may inadvertently respond to such communication, establishing a “meeting” outside of the requirements of the Sunshine law.

Quasi-Judicial Matters. In addition, such officials should also consider that any comments posted on social media or websites involving quasi-judicial matters that may come before the City Council may prejudice their ability to participate in the hearing on the matter, under due process of law, because their posts or comments undermine their ability to participate in the hearing in an unbiased, fair and impartial way, or may create such an appearance to the public, even if they remain unbiased.

Social Media Records Retention by City Clerk. City Officials remain obligated to adhere to existing Resolution 19-27, the City's Enhanced Public Records Policy. To, the fullest extent possible, the City Clerk and other personnel responsible for development and maintenance of the Records Retention Schedule of the City of Destin will develop categories of record retention that will permit the disposal of transitory and obsolete electronic communications received from third parties on City social media and external website facilities. Such communications will be retained for the shortest time frame reasonably allowed by law. City officials and employees of the City are reminded that using personal computers and other electronic communication devices such as Smartphones and other similar devices for communication or posting of matters related to public business of the City of Destin may, under certain circumstances, subject such devices to inspection related to a request for public records.

A. Link to Strategic Goals / Objectives:

B. Effect on Budget (EOB): n/a

C. Level of Service (LOS):

D. Legislative Sponsor: Destin City Council

E. Business Impact Statement:

III. CONCLUSION: Resolution 25-15 would establish a social media policy for City elected officials and City board/committee appointees. Additionally, related and existing Resolution 19-27, the City's Enhanced Public Records Policy, is attached for convenience.

IV. RECOMMENDED MOTION: I move to adopt Resolution 25-___, establishing a social media policy for City elected officials and City board and committee appointees

Attachments:

1. Resolution 25-15
Social Media Policy
Resolution (1)
2. Resolution 19-27
Enhanced Public
Records Policy

Resolution No. 25-15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DESTIN, FLORIDA; ESTABLISHING A SOCIAL MEDIA POLICY FOR CITY ELECTED OFFICIALS AND CITY BOARD/COMMITTEE APPOINTEES; PROVIDING FINDINGS OF FACT; AND PROVIDING FOR AN EFFECTIVE DATE.

SECTION 1. FINDINGS OF FACT.

WHEREAS, it is a goal of the City Council to be proactive in its efforts to inform the public of pending matters and to afford members of the public open access to City Council members while complying with the Public Records and Sunshine Laws of the State of Florida; and

WHEREAS, the Florida Attorney General in AGO 2009-19 (dated April 23, 2009) opined that social media and similar such websites are subject to the Sunshine law as well as to the Public Records Act; and

WHEREAS, the City employs a full time public information officer to inform the public of city business outside of public city council meetings; and

WHEREAS, Section 286.011, Florida Statutes, the Government in the Sunshine Law, has three basic requirements:

- (1) meetings of public boards or commissions must be open to the public;
- (2) reasonable notice of such meetings must be given; and
- (3) minutes of the meetings must be taken and promptly recorded; and

WHEREAS, the Sunshine Law applies to any gathering, whether formal or casual, of two or more members of the same board or commission to discuss some matter on which foreseeable action will be taken by the public board or commission; and

WHEREAS, the Sunshine law extends to the discussions and deliberations as well as the formal action taken by a public board or commission, with no requirement that a quorum be present for a meeting of members of a public board or commission to be subject to section 286.011, Florida Statutes; and

WHEREAS, Section 119.011(12), Florida Statutes, however, defines "Public records" for purposes of Chapter 119, Florida Statutes, to include "all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency."

WHEREAS, Attorney General 2008-07 that the public records on a website maintained by a city council member that related to the transaction of city business would appear to be subject to the city's policies and retention schedule regarding city records; and

WHEREAS, the Attorney General opined in Opinion 2008-07 "[w]hile there is no statutory prohibition against a city council member posting comments on a privately maintained electronic bulletin board or blog, . . . members of the board or commission must not engage in an exchange or discussion of matters that foreseeably will come before the board or commission for official action. *The use of such an electronic means of posting one's comments and the inherent availability of other participants or contributors to act as liaisons would create an environment that could easily become a forum for members of a board or commission to discuss official issues which should most appropriately be conducted at a public meeting in compliance with the Government in the Sunshine Law. It would be incumbent upon the commission members to avoid any action that could be construed as an attempt to evade the requirements of the law.*"*{emphasis added}*.

WHEREAS, elected officials should consider that any comments posted on websites and social media involving quasi-judicial matters that may come before the City Council may prejudice their ability to participate in the hearing on the matter, under due process of law, because their posts or comments undermine their ability to participate in the hearing in an unbiased, fair and impartial way, or may create such appearance to the public, even if the Council Member remains unbiased;

WHEREAS, the City Council has determined this policy is in the best interest of the public.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DESTIN, THAT:

Section 1. Recitals. The foregoing recitals are true and correct, and incorporated into this Resolution.

Section 2. Purpose and Scope of Social Media Policy.

Purpose: The purpose of this policy is to establish clear guidelines for use of social media for City elected officials as well as City board and committee appointees.

Scope: This policy applies to all City of Destin elected officials, City board appointees and City committee appointees.

Section 3. Social Media Policy for Elected Officials

Prohibition on Engagement in On-Line Discussions on Matters to Foreseeably Come Before City Council or the Respective Board/Committee. City officials who are subject to the Sunshine Law including, but not limited to, the Mayor, City Council members, and board and committee members shall not engage in on-line discussions concerning matters which may foreseeably come before them as a governing board for action.

Such officials are encouraged to consult with the City Manager and the City Attorney if they have questions concerning compliance with these laws. The Attorney General in AGO 2009

19 (dated April 23, 2009) opined that websites and social media are subject to the Sunshine law as well as to the Public Records Act. Accordingly, such officials are encouraged not to make any comment on a social media site or external Internet facility on the web related to a matter of public business that may be pending before the collegial body of which the person is a member or any matter that may reasonably be understood to potentially come up before such body, because of the substantial risk that other members of the same collegial body may be online and may inadvertently respond to such communication, establishing a “meeting” outside of the requirements of the Sunshine law.

Quasi-Judicial Matters. In addition, such officials should also consider that any comments posted on social media or websites involving quasi-judicial matters that may come before the City Council may prejudice their ability to participate in the hearing on the matter, under due process of law, because their posts or comments undermine their ability to participate in the hearing in an unbiased, fair and impartial way, or may create such an appearance to the public, even if they remain unbiased.

Social Media Records Retention by City Clerk. City Officials remain obligated to adhere to existing Resolution 19-27, the City’s Enhanced Public Records Policy. To, the fullest extent possible, the City Clerk and other personnel responsible for development and maintenance of the Records Retention Schedule of the City of Destin will develop categories of record retention that will permit the disposal of transitory and obsolete electronic communications received from third parties on City social media and external website facilities. Such communications will be retained for the shortest time frame reasonably allowed by law. City officials and employees of the City are reminded that using personal computers and other electronic communication devices such as Smartphones and other similar devices for communication or posting of matters related to public business of the City of Destin may, under certain circumstances, subject such devices to inspection related to a request for public records.

Section 4. Effective Date. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED BY THE CITY OF DESTIN, FLORIDA THIS ___ DAY OF AUGUST, 2025.

BOBBY WAGNER, MAYOR

ATTEST:

The form and legal sufficiency of the foregoing has been reviewed and approved by the City Attorney for the City of Destin, only.

Rey Bailey, City Clerk

Kimberly Romano Kopp, City Attorney

RESOLUTION 19-27

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DESTIN, FLORIDA, ADOPTING THE ENHANCED PUBLIC RECORDS, RECORD RETENTION, AND RECORD DISPOSITION POLICY ATTACHED HERETO AS EXHIBIT "A"; PROVIDING FOR DIRECTIONS TO THE CITY STAFF; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 119, Florida Statutes, states that the policy of the State of Florida is that all state, county, and municipal records are open for personal inspection and copying by any person and that providing access to public records is a duty of each agency; and

WHEREAS, the public's prompt and efficient access to records is in the interest of the public's health, safety, and welfare; and

WHEREAS, the City of Destin, Florida (the "City") had long standing policies in place supporting the general goals of transparency and open records; and

WHEREAS, the City Council of the City (the "City Council") wishes to further strengthen the City's already robust policies supporting the general goals of transparency and open records; and

WHEREAS, the City has recently implemented processes which will strengthen the City's goals of providing efficient and robust access to public records to the public and wishes to take further action strengthening these goals; and

WHEREAS, the attached Exhibit "A" is a Public Records, Record Retention, and Record Disposition Policy, which further strengthens the City's policies supporting the general goals of transparency and open records; and

WHEREAS, the City Manager of the City and the City Attorney of the City support the implementation of the attached Exhibit "A"; and

WHEREAS, adoption of the attached Exhibit "A," is in the interest of the public's health, safety and welfare, and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DESTIN, AS FOLLOWS:

Section 1. Recitals.

The foregoing recitals are true and correct, and incorporated into this Resolution.

Section 2. Adoption of the Enhanced Public Records, Record Retention, and Record Disposition Policy Attached Hereto as Exhibit "A."

An Enhanced Public Records, Record Retention, and Record Disposition Policy is attached to this Resolution as Exhibit "A." By passage of this Resolution, Exhibit "A" is hereby adopted in its entirety.

Section 3. Directions to City Staff.

City staff is hereby directed to take all action necessary to implement and manage the Public Records, Record Retention, and Record Disposition Policy attached hereto as Exhibit "A."

Section 4. Effective Date.

This Resolution shall become effective immediately upon its adoption.

**PASSED AND ADOPTED BY THE CITY OF DESTIN, FLORIDA THIS
4TH DAY OF NOVEMBER 2019.**



Gary Jarvis, Mayor

ATTEST:



Key Bailey, City Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE
CITY OF DESTIN, ONLY:



Kyle S. Bauman, Esquire
City Attorney

EXHIBIT "A"

CITY OF DESTIN, FLORIDA

PUBLIC RECORDS, RECORD RETENTION, & DISPOSITION POLICY

SECTION A – EXECUTIVE SUMMARY

A.01 – Authority

Florida Constitution, Article I, Section 24;
Florida Statutes, Chapter 119 (Public Records);
Florida Statutes, § 257.36 (Records Disposition);
Florida Statutes, Chapter 668 (Electronic Commerce)
Florida Statutes (various chapters / exemptions to public access to certain records);
Florida Administrative Code (F.A.C.), Ch. 1B-24 (Disposal of Records);
Florida Administrative Code (F.A.C.), Ch. 1B-26 (Electronic Record-keeping);
City of Destin City Charter;
City of Destin City Ordinances;
City of Destin Resolution __ - __.

A.02 - Scope and Applicability

This policy shall apply to all departments of the City.

A.03 – Purpose

It is the purpose of this policy to ensure that the public records of the City of Destin, Florida (the "City"), are efficiently retained and disposed in a manner consistent with Florida Statutes, Florida Administrative Code, the Florida Public Records Act, and the City Charter.

A.04 – Policy Statement

It is the policy of the City to comply with the Public Records Act by making the City's public records available for inspection at reasonable times and under reasonable circumstances and, upon request provide copies of such records at costs authorized by Florida Statutes. Furthermore, it is recognized that employees have a duty to preserve and retain all public records, including certain electronic communications, in compliance with Florida law.

A.05 – Supplemental Administrative Policies & Procedures

The City Clerk (the "Clerk") or City Manager is authorized to adopt additional administrative policies necessary to carry out the recordkeeping and public records functions of the City. All such policies and procedures are incorporated herein.

A.06 – Prompt Handling

It is the goal of the City to fulfill public records requests within 3 business days, provided that the requested records are readily accessible and absent of exempt or confidential information. Voluminous requests, requests spanning multiple city departments, or requests for records

requiring redaction of statutorily exempt or confidential information may result in longer response times.

SECTION B – CUSTODIAN OF RECORDS

B.01 – Custodian of Records.

While public records requests may be submitted to city departments, for the most expeditious processing, public records requests should be directed to the following:

City Clerk
4200 Indian Bayou Trail
Destin, FL 32541
(850) 837-4242

Public records requests can also be submitted through the City's electronic intake portal at: <https://www.cityofdestin.com/prr>

Departments receiving a public records request directly shall promptly notify the Clerk.

SECTION C – DEFINITIONS

Confidential Public Record: Shall be those records, or portions thereof, specifically designated as “confidential” by applicable statute. Unlike “exempt” records, the City has no discretion and may not release records designated by the Florida Legislature as confidential.

Electronic Communications: All communications, regardless of the technology or means of transmission, sent electronically from one device to another. This includes, but is not limited to, electronic mail (e-mail), SMS messages (text messages), MMS (multimedia / picture messages), social media records (Facebook, Instagram, YouTube, Twitter, etc.).

Employee: As used in this policy, employee shall include all persons who are full-time or part-time employees of the City, including elected officials such as the City Council, Mayor, and shall also include any non-paid volunteers, interns, and appointees to the City's various advisory boards or committees.

Exempt Public Record: Shall be those records, or portions thereof, specifically designated as “exempt” by applicable statute. As exempt records, the City has discretion to release such records, in whole or in part, when there is a specific public purpose.

Long-Term Record: For purposes of this policy, records having a minimum retention period of 5 years, or greater, shall be considered long-term records. In addition, any records a department intends to or has retained for 5 or more years, regardless of the minimum retention period, shall be considered long-term records.

Public Record: Shall have the definition as specified by § 119.011(12), Florida Statutes, as may be amended from time to time, which, as of the date of adoption of this document, reads:

“all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.”

This definition shall be interpreted liberally to include all records prepared in connection with official agency business, including electronic communications, which are intended to perpetuate, communicate, or formalize knowledge. This definition includes e-mails and text messages created or transmitted in connection with the transaction of official business, regardless if the communications were sent from a City-owned device or a privately-owned device.

Redact / Redaction: The act of censoring all or part of a record to obscure or excise exempt or confidential information contained therein, thereby preventing public disclosure of the protected content.

Research: Shall mean those instances where the City elects to compile information that is not routinely developed or maintained by the agency or that requires an extensive amount of manipulation or computer programming.

Records Management System (RMS): The centralized record management system implemented by the City and administered by the Clerk.

Readily Accessible Record: A record that is routine in nature, easily located by staff with a minimum amount of effort, is in a medium that affords easy duplication, and which requires no redaction of exempt or confidential information. Examples of readily accessible records may include City budgets, minutes of official meetings, copies of public notices, etc.

Section D – Records Retention

D.01 – Retention

Records meeting the statutory definition of “public records” must be retained in accordance with Florida law. Records may not be disposed until the longest applicable retention period has been satisfied, per the published retention schedules.

D.02 – Retention Schedules

The State of Florida, Department of State, Division of Library & Information Services (DLIS), per rulemaking authority granted by § 257.36(6), Florida Statutes, has developed a set of records schedules containing individual record series definition various public records, and establishing minimum retention requirements. Employees must adhere to these schedules and shall keep records in compliance with the longest retention period imposed therein.

D.03 – Long-Term Records

It is the policy of the City that all departments utilize the established records management system (RMS) as the primary public records repository for all long-term records of the City. Short-term records may also be stored in the RMS, at the discretion of the appropriate department director.

D.04 – Mandatory Disposal of Source Record

In the interests of efficiency and to eliminate the retention of duplicate copies of records, departments shall expeditiously dispose of all copies of records which have been placed into the RMS archive. Administrative policies will provide specific guidance to staff concerning the disposal of source records.

D.05 – Electronic Mail

All electronic mail (e-mail) communications meeting the statutory definition of a “public record” must be retained in accordance with Florida law. To satisfy this requirement, the City shall maintain IT systems which maintain a searchable archive of messages sent or received from the agency’s centralized e-mail platform (e.g., Microsoft Outlook/Exchange).

To ensure that all e-mail messages meeting the definition of a “public record” are retained, employees are specifically prohibited from using private, non-City e-mail servers to conduct City business (e.g., @gmail.com, @yahoo.com, etc.). Furthermore, should any employee receive unsolicited e-mail communications to their private/personal e-mail account, it is the duty of the employee to preserve and retain all communications meeting the definition of a “public record” and to promptly transfer those records to the custody of the City. (See also: D.06 Text Messaging & Other Electronic Communications).

D.06 – Text Messaging & Other Electronic Communications

In addition to designated City staff, each City Councilmember and the Mayor shall be issued a cellular/mobile phone owned or leased by the City.

Employees shall transmit and/or receive text messages only on devices owned or leased by the City. All City-issued cellular/mobile phones shall be enrolled into the retention system to ensure that all communications sent or received on the City-owned device are automatically retained for public record purposes.

Under this policy, it shall be permissible to transmit messages from a personally owned phone to a City-issued phone, or vice versa, as the City-issued phone will preserve a record of the communications. It is the intent of this section to prohibit City business-related communications originating from a private device from being transmitted to another personally owned device, thereby circumventing the City’s automatic-retention software.

Private Messaging Systems: Employees are specifically prohibited from transmitting or receiving any written electronic communications concerning City business on private messaging systems. Should an employee (1) receive unsolicited communications on a private messaging system or (2) inadvertently transmit such communications, it is the duty of the employee to preserve and retain all communications meeting the definition of a “public record” and to promptly transfer those records to the custody of the City. The Clerk may promulgate written procedures for these circumstances. (See also: D.05 Electronic Mail).

Technologies other than text messaging: The prohibition found in this section shall be broadly interpreted to prohibit the use of any technology for which the City lacks a mechanism to automatically retain every written communication, including instant messaging, personal messaging, social media (Facebook, Twitter, Instagram, Skype), etc.

D.07 – Social Media Records

The IT Department shall implement a retention system to collect and store all content posted to City-owned or maintained social media accounts. All City departments who manage a City-sponsored social media account shall enroll such account into the retention system. All elected officials maintaining a social media account shall maintain public records in all such accounts.

D.08 – Non-City Storage Prohibited

In general, records stored off-site are not protected by the City's insurance policies. Therefore, City records shall be kept and maintained in a City owned or operated facility.

Employees shall not store City records or equipment on devices not owned, leased, or controlled by the City. Any records stored on non-City equipment or non-City premises shall be promptly returned to the custody of the City.

SECTION E – RECORDS DISPOSITION AND DESTRUCTION

E.01 – Disposal of Records; Active Requests or Litigation

No record which is the subject of an active public records request or which pertain to active, pending, threatened, or anticipated litigation shall be disposed without the written consent of the City Attorney and/or the City Land Use Attorney. Upon receipt of a public records request, the Clerk shall relay the public records request to the City Attorney and the City Land Use Attorney. The City Attorney and/or City Land Use Attorney shall provide written notification to the Clerk, of the litigation. The Clerk shall notify each affected department director, the IT director, and the City Manager, and each shall take the appropriate measures to enact a "legal hold" to prevent the disposal or destruction of any records pertaining thereto. Upon the conclusion of litigation, the City Attorney and/or City Land Use Attorney shall inform the parties to lift the "legal hold" placed upon the records.

Records pertaining to an inactive or abandoned records request shall be maintained for at least 30 days after the completion of the request.

All other records may be disposed upon the expiration of the longest applicable retention period. When disposal is conducted, all records containing exempt or confidential information shall be disposed using a means of destruction authorized by the Florida Administrative Code.

E.02 – Disposal Notification

Departments shall notify the Clerk prior to the destruction of any public records in the custody of the City. Prior to the public record's destruction, the Clerk shall ensure that the public records may be destroyed. The Clerk shall consult with the City Attorney and/or the City Land Use

Attorney if there is any vagueness or ambiguity relating to whether the public record may be destroyed.

E.03 – Annual Report to Florida Department of State

In accordance with Chapter 257, Florida Statutes, the Clerk shall complete and return the annual statement to the Florida Department of State summarizing the records disposed during the year.

SECTION F – PUBLIC RECORDS REQUESTS

F.01 – Written Request Not Required

A member of the public shall not be required to submit their request in writing, or upon any pre-printed form. A request may be submitted in any format including written, orally, or via electronic communication including telephone, e-mail or fax. Employees must honor a public records request in any format and/or means of submittal. Anonymous requests are permitted. However, the City encourages requestors to submit written requests through the City’s public records request portal, thereby providing documentation of their request should any dispute arise.

F.02 – Acknowledgement and Timely Response Required

Florida courts have ruled that the only permissible delay to providing access to public records is the reasonable amount of time necessary for custodians to locate the responsive records, enforce any applicable exemptions thereto, and to consult with legal counsel as reasonable and necessary. Therefore, staff shall promptly acknowledge all public records requests and respond in good faith.

F.03 – Clerk to Coordinate Requests

The Clerk shall serve as a centralized coordinator of all requests for City records.

F.04 – Log of Requests

The Clerk shall be notified of all requests for City records and the Clerk shall keep a log of all requests.

F.05 – City Attorney and/or City Land Use Attorney to Participate

The City Attorney and/or the City Land Use Attorney shall participate in collection of documents in response to all public records requests as needed.

F.06 – Requests When Litigation Pending or Threatened

In the event the individual or entity requesting access to public records is involved in active or threatened litigation, or is representing such persons, such request shall immediately be relayed to the City Attorney, the City Land Use Attorney, and the City Manager by the Clerk. The Clerk shall consult with the City Attorney and/or the City Land Use Attorney prior to responding to the request.

F.07 – Screening of Records for Exempt or Confidential Information

By Florida law, records custodians are mandated to review records which are known or suspected to contain exempt or confidential content. If a review of the responsive record(s) is warranted, it shall be completed expeditiously by a properly trained employee.

Public records declared as “exempt” or “confidential” by law shall not be made available for inspection or copying to a member of the public, unless the exempted portions are sufficiently redacted to prevent disclosure.

F.08 – Choice of Formats

If City records are available in more than one format, the requestor may choose which format/medium to receive; however, staff are not required to convert records into a new medium or format. Furthermore, staff shall not convert records from one format to another with the intent of frustrating or inconveniencing the request or hindering the requestors ability to easily and conveniently utilize the records or data.

F.09 – Search Parameters

Requestors are highly encouraged to provide as much detail and specificity in each request so as to positively identify the records sought. Specifically, it is helpful for the requestor to:

1. Provide a date range.
2. Provide the name(s) of the specific employees, individuals, City departments, and/or business entities pertaining to your inquiring.
3. Provide a list of relevant keywords or search parameters.
4. If the request pertains to e-mail, provide the relevant e-mail address(es) and/or domain name(s), if known.
5. If the request pertains to property, provide the address, parcel number, or owner’s name, if known.

Providing such detail greatly assists the City staff in narrowing the scope of the request to encompass only those records sought – which reduces the time necessary to provide access to the requested records and can reduce the cost of fulfilling the request, if any.

F.10 – Fees and Fee Schedule

The City shall assess fees associated with public records requests as authorized by Chapter 119, Florida Statutes. Fees are for those items set out in § 119.07(4), Florida Statutes. The following fee schedule is established and consistent with § 119.07(4), Florida Statutes:

- One-sided copy \$ 0.15 per page
- Two-sided copy \$ 0.20 per page
- Certified copy \$ 1.00 per page
- Compact disc \$ 6.00 per disc
- Special service charge \$ 21.00 per hour

The Special service charge shall mean the cost assessed for personnel engaged in the clerical and/or supervisory assistance required for the production of public records. The first aggregate of 15 minutes is at no cost to the requestor; thereafter, the fee is \$21.00 per hour per person and billable in increments of 10 minutes each at \$3.50 per increment, or portion thereof.

For other consumable materials not specifically addressed by said statute, the actual cost of duplication, materials, and postage shall be charged.

If § 119.07(4), Florida Statutes, is amended and the amendment affects this fee schedule or the City's fee schedule is amended, then this fee schedule is self-executing and automatically amended to be consistent with the amendment to § 119.07(4), Florida Statutes and the City's adopted fee schedule.

F.11 – Deposit Required When Fees Assessed

For requests where a fee or special service charge is assessed, staff shall transmit a cost estimate to the requestor and obtain a deposit in the amount of 50% of the total estimate prior to initiating any work relative to the request. In such cases, the responsive records shall not be provided to the requestor until all outstanding assessments have been paid in full (see F.12 – Abandoned Requests).

If the requestor asserts that the deposit requirement is a hardship, the Clerk is authorized to discuss and approve alternative terms.

F.12 – Abandoned Requests

Should the City attempt to contact the requestor and/or transmit a cost estimate and the requestor fails to respond in good faith, the City shall deem the request as “abandoned” after a period of 5 business days and the log shall reflect the abandonment. In cases where holidays or other closures of the City's administrative offices occur, staff shall afford reasonable additional time to the requestor to respond.

F.13 – Requests for Employee Personnel Files

As the City possesses many records relative to individual employees, it is necessary to define the specific items that shall comprise the official “personnel file” in order to provide consistency in the release of records pursuant to a public records request. For purposes of responding to a public records request, the “personnel file” shall constitute those items which document an employee's work history and career events (hiring, transfer, promotion, dismissal, resignation, retirement, etc.), compensation, training, commendations, performance evaluations, disciplinary actions, and/or workplace injuries. This definition thereby excludes records pertaining to fringe benefit selections (i.e., annual open enrollment), garnishments, timesheet/payroll data, background or driving history checks, drug and alcohol tests, federal tax-related forms, pension records, etc. In the event that this policy conflicts with state statutes, then state statutes prevail.

F.14 – Electronic Data

Florida Law mandates that information technology (IT) systems implemented by public agencies shall not erode the public's access to records (see § 119.01(2)(a), Florida Statutes). Therefore, staff shall provide access to public records stored within agency IT systems, including providing access to raw data. In the event no preexisting report or query exists to extract the records sought, a special service charge for extensive use of resources or staff time may be assessed in compliance with this policy. In accordance with Florida State Statutes, the city is not compelled to create new mediums for data.

F.15 – Requests for Research

Requests for research of City records must be responded to reasonably pursuant to Florida Statutes.

F.16 – Standing Requests

The City shall not accept any “standing requests” for records that do not yet exist, or for records which may be created or received by the City at some future date. The City is only obligated to respond to requests by providing records which exist at the time a public records request is submitted.

F.17 – Requests by Employees

City Councilmembers and Mayor: The City Councilmembers and Mayor shall have access to all general records of the municipality, except as otherwise excluded by law.

All other Employees: Requests by an employee other than those specified above in the normal course of his or her duties, shall not fall under the purview of this policy.

F.18 – E-mail Address Confidentiality

Under Florida law, e-mail addresses are public records. If a requestor does not want his or her e-mail address released in response to a public-records request, do not send electronic mail to the City. Instead, the requestor should contact the Clerk’s office by phone or in writing (see § 668.6076, Florida Statutes).

F.19 – Certified Records

For certification, eligible records in City custody shall be certified by affixing the City Seal and being countersigned by the Clerk, Deputy Clerk, or Records Administrator. The Clerk may assess the statutory fee for certification of records.

SECTION G – REDACTION OF PERSONAL INFORMATION

G.01 – Redaction of Personal Information

Certain current and/or former public employees, victims of certain crimes or domestic abuse, and other persons enumerated in statute are entitled to protection of certain personal information per Florida law.

SECTION H – TRAINING, COMPLIANCE & VIOLATIONS

H.01 – Violations

Employees are hereby notified that violation of public records law or City policies concerning records shall be grounds for disciplinary action. Repeated violations or flagrant abuses shall be grounds for termination.

H.02 – Senior Leadership Annual Compliance Statement

The City Council, Mayor, City Manager, and Department Heads shall complete annual training, conducted by the City Attorney, concerning the Florida Public Records Law and City public records policies.

H.03 – Sunshine Manual

On an annual basis, the City Council, Mayor, City Manager, and department heads shall be provided a copy of the latest version of the Florida Attorney General’s Sunshine Manual.

H.04 – Critical Policy Reminders Circulated by Human Resources

The annual critical policies memorandum distributed by the Human Resources Department shall advise employees of the existence of this policy and inform employees of their responsibility to adhere thereto.

H.05 - Critical Policy Reminders for Committees and Board Members

The annual critical policies memorandum distributed by the City Clerk shall advise Committee and Board Members of their responsibility to adhere thereto.

SECTION I – MISCELLANEOUS PROVISIONS

I.01 - Administration

The Clerk shall be responsible for the preparation of any forms necessary for the implementation of this policy. It shall be his responsibility to administer this policy and to recommend any amendments that may, from time to time, be appropriate.

I.02 – Ministerial Amendments

The Clerk is authorized to periodically update this policy in the event of legislative changes to the Public Records Act or other exemptions created or abolished by the Legislature, or to incorporate new case law from Florida courts. A record of such amendments shall be kept by the Clerk and shall be reflected in the revision history of this policy.

The Clerk shall notify the City Council, Mayor, City Manager, City Attorney, and City Land Use Attorney via memorandum of any planned ministerial revisions to this policy and the revisions shall become effective 10 days thereafter, notwithstanding the objection of any City Councilmember, Mayor, City Manager, City Attorney, and City Land Use Attorney. Upon any objection, the Clerk shall place the revisions on a regular meeting agenda for ratification by the full City Council.

All substantive amendments to this policy shall require ratification by the City Council.

I.03 – Effective Date

This policy shall become effective upon adoption of Resolution by the City Council.

I.04 – Sunset Review

Notwithstanding any administrative updates, it shall be the Clerk’s responsibility to schedule this policy for sunset review by the City Council when necessary.

I.05 – Conflicting Provisions

Any conflicting provision of City policy or operating instruction is hereby superseded by this policy. Any provisions of City policy or operating instruction not conflicting with this policy are not superseded.

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: August 4, 2025
TYPE OF AGENDA ITEM: City Manager Report
AGENDA OUTLINE NUMBER: 4.D.

TO: City Council

THRU: Larry Jones , City Manager
Kimberly Kopp, City Attorney

FROM: Lisa Firth, Parks & Rec Director

DATE: July 29,2025

SUBJECT: No Wake Zones for Joe's Bayou

I. BACKGROUND: Council directed staff to look into options for an additional No Wake Zone in Joe's Bayou.

II. DISCUSSION: Both of the 'fingers' back in Joe's Bayou have had an established No Wake Zone since the mid-90s. Those zones have been identified and remain so. The City of Destin also elected to establish a No Wake Zone around Joe's Bayou Boat Ramp and Kayak Launch. No Wake Zones are identified and marked 500ft from the ramp. To add additional No Wake Zones, a Kayak launch would need to be constructed. This would require establishing an ordinance and obtaining the necessary permits (including the necessary construction permits for the launch).

Section 327.46, Florida Statutes authorizes an ordinance establishing an idle speed, no wake boating-restricted area, if the area is within 500 feet of any boat ramp, hoist, marine railway, or other launching or landing facility available for use by the general boating public on waterways more than 300 feet in width or within 300 feet of any boat ramp, hoist, marine railway, or other launching or landing facility available for use by the general boating public on waterways not exceeding 300 feet in width.

- A. Link to Strategic Goals / Objectives:** Enhanced quality of life and safety for families
- B. Effect on Budget (EOB):**
- C. Level of Service (LOS):**
- D. Legislative Sponsor:**
- E. Business Impact Statement:**

III. CONCLUSION: Discussion and direction for staff

IV. RECOMMENDED MOTION: No motion, direction for staff

Attachments:

1. Ordinance 17-31-CC
2. Ordinance 23-11
3. Map
4. Map 2
5. Florida Statutes

ORDINANCE 17-31-CC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA RELATING TO JOE'S BAYOU BOAT RAMP AREA, BOATING SAFETY ZONES; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR AMENDMENT OF THE CODE OF ORDINANCES CHAPTER 5, BOATS, HARBORS AND WATERWAYS, ARTICLE II, RESTRICTED AREAS - JOE'S BAYOU, SECTION 5-29, FINDINGS FACT, SECTION 5-30, DEFINITIONS, SECTION 5-31, RESTRICTED AREAS, SECTION 5-32 PROHIBITED ACTIVITY, SECTION 5-33 REGULATORY MARKERS, SECTION 5-34, PENALTY, ESTABLISHING BOATING RESTRICTIONS/REGULATIONS FOR THE JOE'S BAYOU BOAT RAMP AREA; ESTABLISHING AN IDLE SPEED - NO WAKE ZONE ADJACENT TO THE JOE'S BAYOU BOAT RAMP AREA, PROVIDING FOR PENALTIES; PROVIDING FOR CODIFICATION; 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 and section 166.021, Florida Statutes.

SECTION 2. FINDINGS OF FACT.

WHEREAS, boating safety concerns in the waters adjacent to Joe's Bayou Recreation Area Boat Ramp and Kayak Launch were brought to the attention of City of Destin Officials; and

WHEREAS, Florida Statutes § 327.46(1)(b) authorizes the City of Destin to establish Idle Speed No Wake boating safety zones by ordinance without additional agency approval within 500 feet of public boat ramps; and

WHEREAS, the City of Destin has elected to establish Idle Speed No Wake boating safety zones around the Joe's Bayou Boat Ramp and Kayak Launch within Joe's Bayou, and

WHEREAS, the City Council of the City of Destin has determined that such measures are necessary to promote the health, safety and welfare of the City of Destin; and

WHEREAS, a public hearing has been conducted by the City Council after due public notice.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF DESTIN, FLORIDA:

NOTE: *Language in Sections 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 Code of Ordinances that have been skipped and remain unchanged.*

SECTION 3. AMENDMENT OF CODE OF ORDINANCES CHAPTER 5. BOATS, HARBORS and WATERWAYS, ARTICLE II, RESTRICTED AREA-JOE'S BAYOU. Code of Ordinances Chapter 5. BOATS, HARBORS And WATERWAYS, ARTICLE II, RESTRICTED AREA-JOE'S BAYOU., Sections 5-29 through 5-34 are hereby amended as follows:

Sec. 5-29. - Findings of fact.

(1) The city council reaffirms the following findings of fact:

~~(2) The city council has the authority of establishing certain restricted areas of the waterways of the City of Destin Florida Statutes § 327.46(1)(b)1.a. authorizes municipalities to establish Idle~~

~~Speed No Wake boating safety zones by ordinance within 500 feet of public boat ramps; and~~

(3) The manner and degree of speed to which boaters proceed through Joe's Bayou needs to be regulated in order to protect the public safety; due to vessel traffic congestion, obstructed visibility, and the likelihood of boating accidents; and

~~(4) The Department of Environmental Protection of the State of Florida is empowered by statute to issue regulations specific to restrictions and the posting thereof on waters not in the Florida Interoceanal Waterway; and~~

~~(5) The Department of Environmental Protection of the State of Florida requires the city to seek its approval of all posting of restricted waterway activity upon waters not in the Florida Interoceanal Waterway.~~

(6) After thoroughly reviewing the evidence presented, the City of Destin seeks to conform to the attendant above described requirements and in order to provide enforceable restrictions.

Sec. 5-30. - Definitions.

For the purpose of this article the following phrases, words, abbreviations and their derivations shall have the 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 section 1-2 of the codified ordinances of the city.

Idle speed is that speed which is necessary to maintain steerage way. Pursuant to Florida Administrative Code Chapter 68D-23.103, "Idle Speed No Wake" and "Idle Speed" may be used interchangeably and mean that a vessel must proceed at a speed no greater than that which will maintain steerageway and headway. At no time is any vessel required to proceed so slowly that the operator is unable to maintain control over the vessel or any other vessel or object that it has under tow.

Restricted areas are areas on waterways where the speed of vessels is limited to "idle speed/no wake."

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.

Wake is the movement of waves created by the motion of the vessel. It is the track or path that the vessel leaves behind it.

Sec. 5-31. - Restricted areas.

The following waterways within the City of Destin are hereby designated "restricted areas": That portion of that certain body of water known as Joe's Bayou in the City of Destin, Florida, highlighted and marked on "Exhibit A," and attached hereto and made a part hereof by reference. Joe's Bayou Boat Ramp and Kayak Launch Sub-Area.

Idle Speed No Wake boating safety zone from shoreline seaward 500 feet, into Joe's Bayou, southeast of a line that passes through a point 30.411795/-86.490649 perpendicular to the centerline of the waterway, and northwest of a line that passes through a point 30.409903/-86.489609 perpendicular to the centerline of the waterway, as depicted in the attached Exhibit A. This boundary describes a boating safety zone that extends 500 feet east of the Joe's Bayou Recreation Area Boat Ramp and Kayak Launch 30.410437/-86.491089.

Sec. 5-32. - Prohibited activity.

It shall be unlawful to operate a vessel in the above described restricted area at a speed in excess of idle speed/no wake.

Sec. 5-33. - Regulatory markers.

Regulatory markers shall be posted in accordance with the provisions of all local, federal, or state laws, rules, or regulations, applicable thereto.

Sec. 5-34. - Penalty.

~~Violations of this chapter shall be prosecuted and punished as provided in F.S. § 327.73. The provisions of this section may be enforced by any law enforcement officer as defined in Section 943.10, Florida Statutes. Pursuant to Section 327.73, Florida Statutes, any person cited for a violation of any such provision shall be deemed to be charged with a noncriminal infraction, shall be cited for such an infraction, and shall be cited to appear before the county court. The civil penalty for any such infraction is \$50, except as otherwise provided for allowable county court costs for boating infractions. Where a statute or administrative rules are referenced herein, this shall mean the most recently adopted version of said statute and administrative rules.~~

SECTION 4. REFERENCE TO OTHER AUTHORITY. Where a statute or administrative rules are referenced herein, this shall mean the most recently adopted version of said statute and administrative rules.

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.

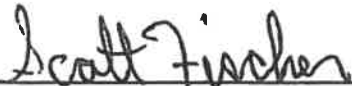
SECTION 6. SEVERABILITY. Each separate provision of this ordinance is deemed independent of all other provisions herein so that if any portion or provision of this ordinance is declared invalid, all other provisions thereof shall remain valid and enforceable.

SECTION 7. CODIFICATION. The provisions of this ordinance shall become and be made a part of the code of laws and ordinances of the City of Destin. The sections of this ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section", "article", or any other appropriate word.

SECTION 8. EFFECTIVE DATE. This Ordinance shall be effective upon completion of the following: upon its adoption by the City Council and signature by the Mayor, approval by the Florida Fish and Wildlife Conservation Commission pursuant to Section 327.46, Florida Statutes and upon posting of the regulatory markers.

ADOPTED THIS 18TH DAY OF DECEMBER 2017

By:



Scott Fischer, Mayor

ATTEST:

The form and legal sufficiency of the foregoing have been reviewed and approved by the City Attorney.



Rey Bailey, City Clerk

Jeffrey L. Burns, City Attorney

First Reading: December 4, 2017

Second Reading: December 18, 2017

ORDINANCE 23-11

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF OKALOOSA COUNTY, FLORIDA; MAKING VARIOUS FINDINGS OF FACT; CREATING CERTAIN SECTIONS UNDER CHAPTER 19, ARTICLE III OF THE CODE OF OKALOOSA COUNTY; ESTABLISHING BOATING RESTRICTED AREAS AS PROVIDED IN SECTION 327.46(1)(B)1.A., FLORIDA STATUTES; PROVIDING FOR CODIFICATION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Okaloosa County (the “Board”) is empowered by section 125.01, Florida Statutes, to establish, coordinate, and enforce such regulations as are necessary for protection of the health, safety and welfare of the public; and

WHEREAS, section 7.46, Florida Statutes, sets forth the boundaries of Okaloosa County, Florida, which includes the surface waters within the jurisdiction of the State of Florida; and

WHEREAS, section 327.46(1)(b)1.a., Florida Statutes, grants counties and municipalities the authority to establish Idle Speed, No Wake boating-restricted areas if the area is within 500 feet of any boat ramp, hoist, marine railway, or other launching or landing facility available for use by the general boating public on waterways more than 300 feet in width; and

WHEREAS, in order to enhance boater safety and the safety of the general public deemed necessary based on visibility, vessel traffic congestion, and other navigational hazards the County has determined that it is in the public interest to establish a “Idle Speed No Wake” boating-restricted area around the Liza Jackson Park Boat Ramp and “Slow Speed Minimum Wake” boating-restricted areas around the Okaloosa Island Boat Basin and Fort Walton Beach Landing Boat Ramp; and

WHEREAS, the establishment of a boating-restricted area at these locations has been the subject of public discussion, and is being coordinated with the Florida Fish and Wildlife Conservation Commission, Florida Department of Environmental Protection, United States Army Corps of Engineers, and the United States Coast Guard.

NOW, THEREFORE, be it ordained by the Board of County Commissioners of Okaloosa County:

SECTION 1. FINDINGS OF FACT. The above recitals are incorporated by reference into this Ordinance and are adopted as Findings of Fact.

SECTION 2. ESTABLISHMENT OF A NEW BOATING-RESTRICTED AREA.

Article III of Chapter 19 of the Code of Okaloosa County is hereby amended to include the following:

Sec. 19-92. Boating-restricted areas established.

The following boating-restricted areas are hereby established:

(4) Liza Jackson Boat Ramp “Idle Speed No Wake” boating-restricted area as provided by Section 327.46(1)(b)1.a., Florida Statutes, and as shown by Exhibit A attached hereto. Within the area shown by Exhibit A, all vessels must proceed at a speed no greater than that which will maintain steerageway and must comply with requirements set forth in 68D-24.002(2), F.A.C, as may be amended.

(a) This boundary describes a boating safety zone that extends 500 feet in all directions from a point (30° 24.336’N, 86° 38.290’W) at the Liza Jackson Boat Ramp.

(5) Okaloosa Island Boat Basin and Kayak Launch “Slow Speed Minimum Wake” boating-restricted area as provided by Section 327.46(1)(b)1.a., Florida Statutes, and as shown by Exhibit B attached hereto. Within the area shown by Exhibit B, all vessels must proceed at a speed no greater than that which is reasonable and prudent to avoid an excessive wake or other hazardous condition under the existing circumstances and must comply with requirements set forth in 68D-24.002(2), F.A.C, as may be amended.

(a) This boundary describes a boating safety zone that extends 500 feet in all directions from the western-most entrance (30° 23.937’N, 86° 36.439’W) of the Okaloosa Island Boat Basin and Kayak Launch.

(6) Fort Walton Beach Landing Park “Slow Speed Minimum Wake” boating-restricted area as provided by Section 327.46(1)(b)1.a., Florida Statutes, and as shown by Exhibit B attached hereto. Within the area shown by Exhibit B, all vessels must proceed at a speed no greater than that which is reasonable and prudent to avoid an excessive wake or other hazardous condition under the existing circumstances and must comply with requirements set forth in 68D-24.002(2), F.A.C, as may be amended.

(a) This boundary describes a boating safety zone that extends 500 feet in all directions from the seaward-most point (30° 24.099’N, 86° 36.401’W) of the Fort Walton Beach Landing Park public dock.

SECTION 3. DEFINITIONS; ENFORCEMENT AND PENALTIES; EMERGENCY, LAW ENFORCEMENT, FIRE-FIGHTING, OR RESCUE VESSELS.

The provisions of Sections 19-91, 19-93 and 19-94, which address definitions, enforcement and penalties, and exempt vessels shall apply to the boating-restricted area established in Section 2 of this Ordinance.

SECTION 4. CODIFICATION IN THE CODE OF ORDINANCES. It is the intention of the Board and it is hereby ordained that the provisions of this Ordinance shall become and be made part of the Okaloosa County Code of Ordinances and that the sections of this Ordinance may be renumbered to accomplish that intent.

SECTION 5. SEVERABILITY. Should any section or provision of this Ordinance or any portion thereof, or any paragraph, sentence, or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof other than the part declared to be invalid.

SECTION 6. EFFECTIVE DATE. This Ordinance will become effective upon receipt of the notice of its filing with the Office of the Secretary of State.

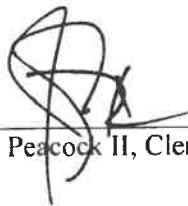
PASSED AND ADOPTED in Regular Session this 18th day of April 2023.

BOARD OF COUNTY COMMISSIONERS
OF OKALOOSA COUNTY


Robert A. "Trey" Goodwin III
Chairman




ATTEST:

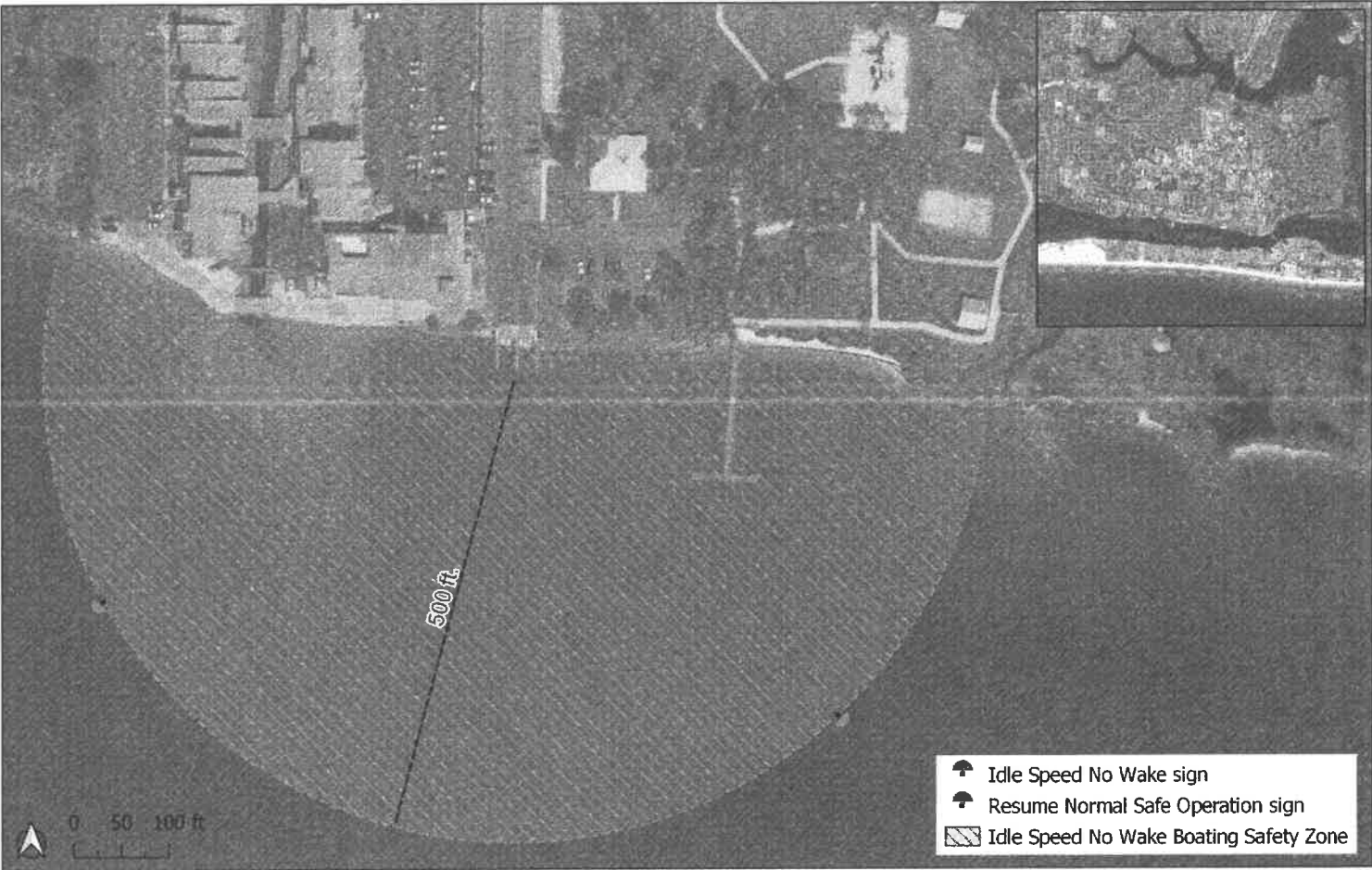

J.D. Peacock II, Clerk



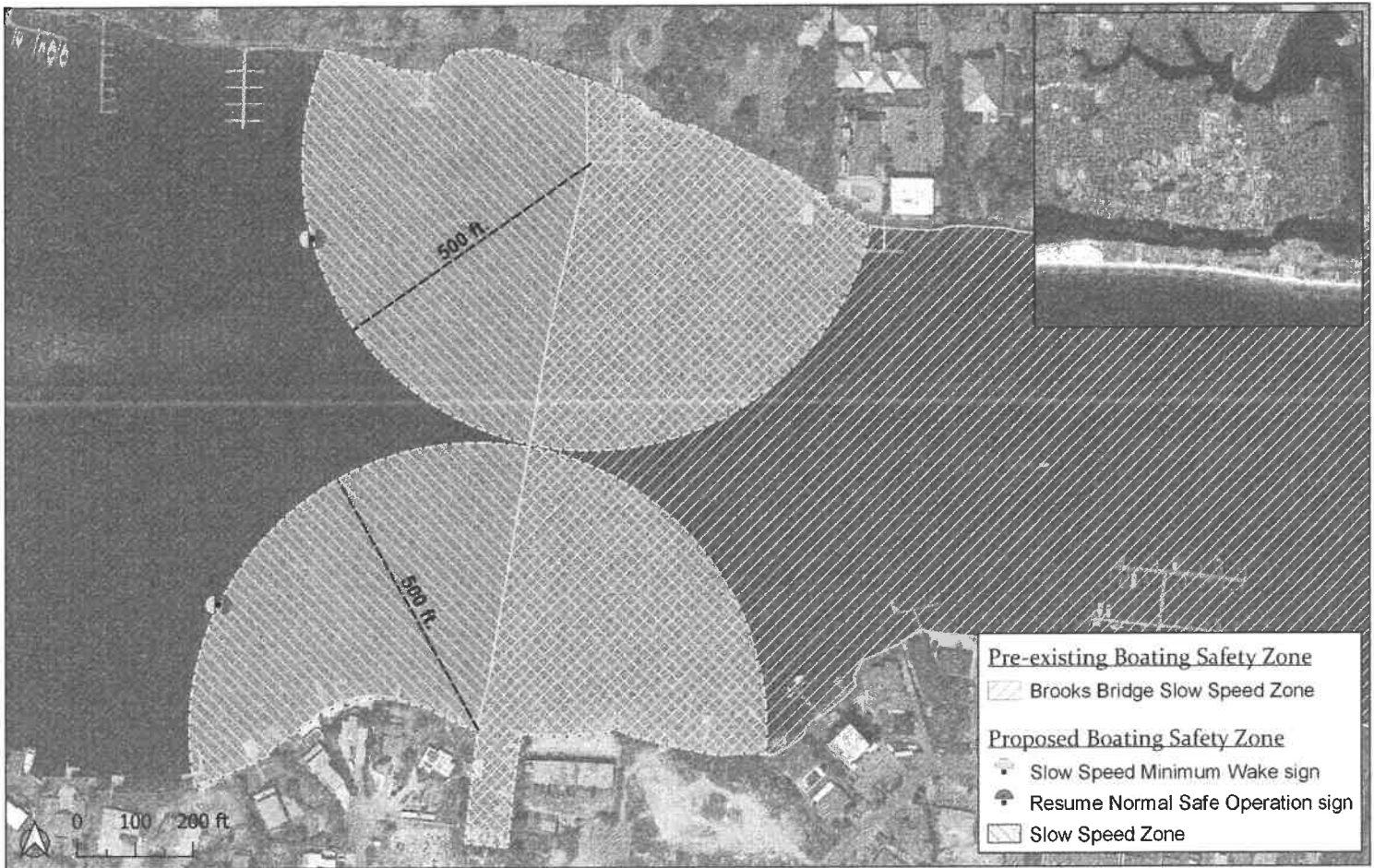
APPROVED AS TO FORM:

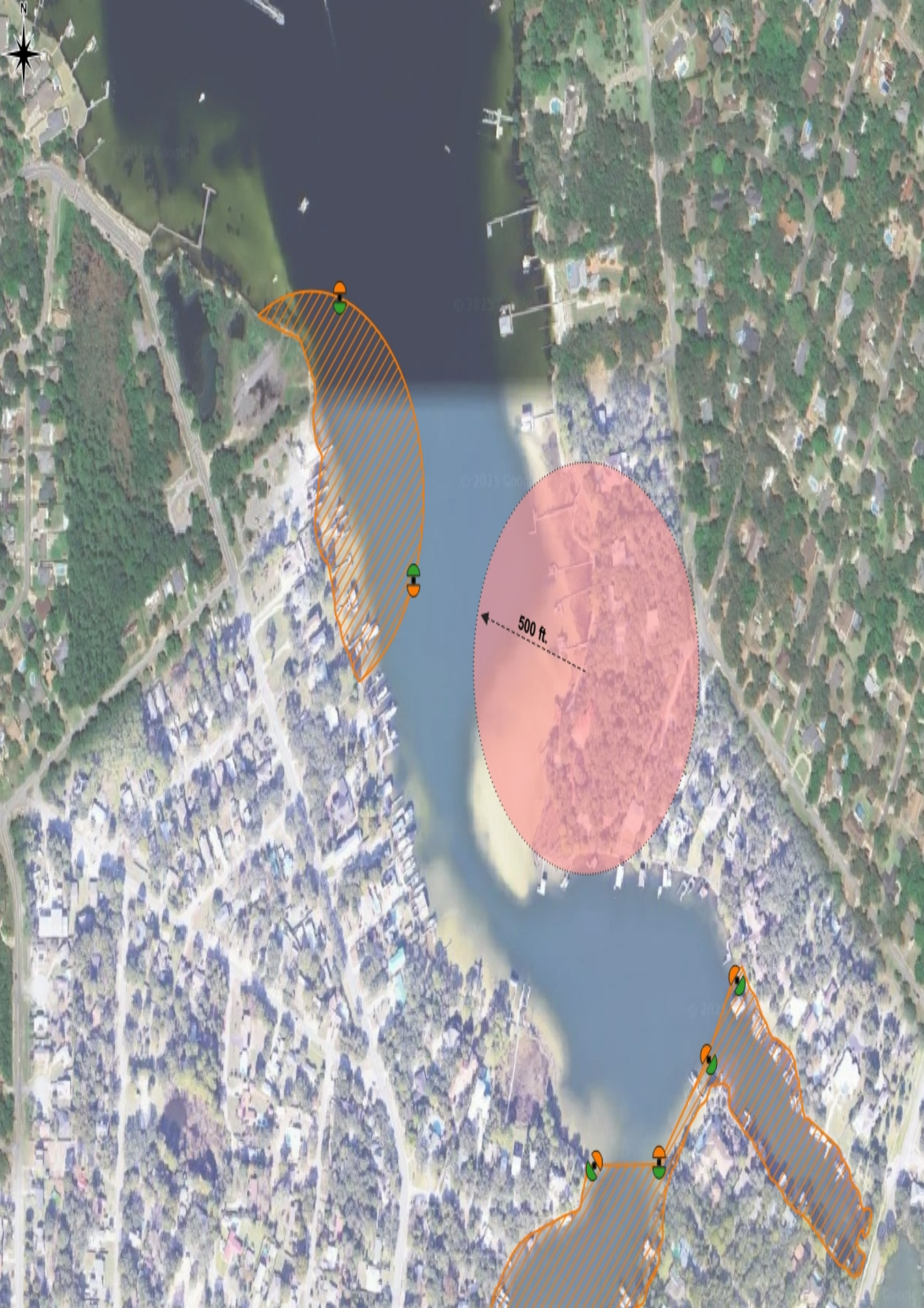

Lynn M. Hoshihara
County Attorney

Proposed Boating Safety Zone
Liza Jackson Park Boat Ramp



Fort Walton Beach Landing Park and Okaloosa Island Boat Basin Proposed Boating Safety Zones

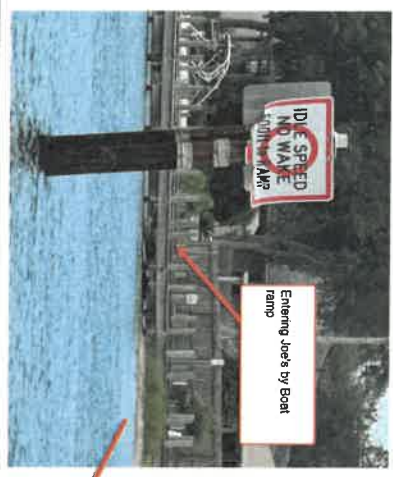




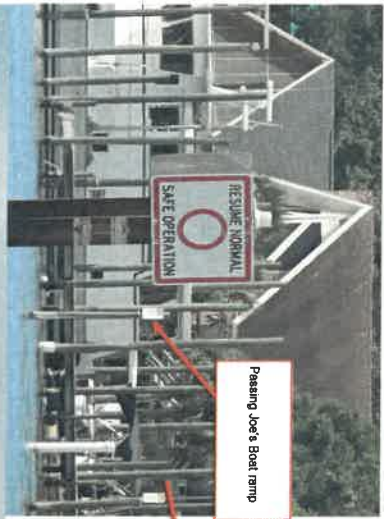


Crab pots

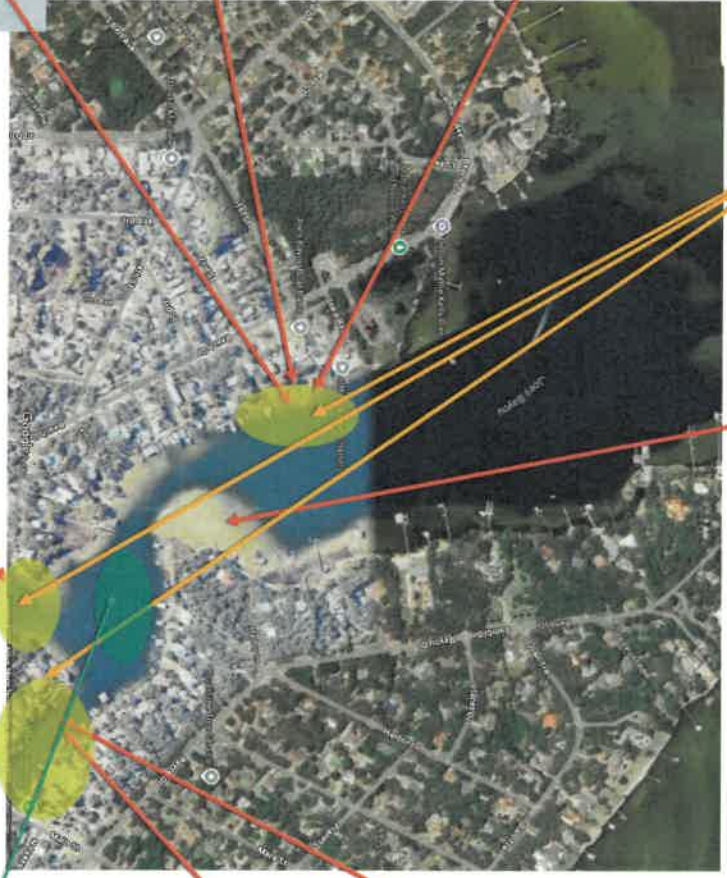
Idle Zone



Entering Joe's by Boat ramp



Passing Joe's Boat ramp



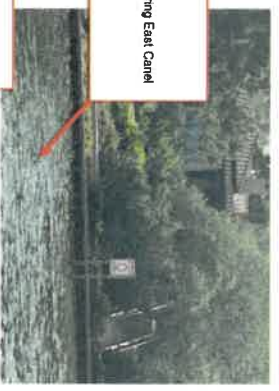
Coming from Back of Joe's approaching Boat Ramp



Entering West canal



Entering West Canal



Entering East Canal



Entering East Canal

Jet Ski Reaces were here in 2024 (in resume wake areas)

The 2024 Florida Statutes (including 2025 Special Session C)

[Title XXIV](#)
VESSELS

[Chapter 327](#)
VESSEL SAFETY

[View Entire Chapter](#)

327.46 Boating-restricted areas.—

(1) Boating-restricted areas, including, but not limited to, restrictions of vessel speeds and vessel traffic, may be established on the waters of this state for any purpose necessary to protect the safety of the public if such restrictions are necessary based on boating accidents, visibility, hazardous currents or water levels, vessel traffic congestion, or other navigational hazards or to protect seagrasses on privately owned submerged lands.

(a) The commission may establish boating-restricted areas by rule pursuant to chapter 120.

(b) Municipalities and counties may establish the following boating-restricted areas by ordinance, including, notwithstanding the prohibition in s. [327.60\(2\)\(c\)](#), within the portion of the Florida Intracoastal Waterway within their jurisdiction:

1. An ordinance establishing an idle speed, no wake boating-restricted area, if the area is:

a. Within 500 feet of any boat ramp, hoist, marine railway, or other launching or landing facility available for use by the general boating public on waterways more than 300 feet in width or within 300 feet of any boat ramp, hoist, marine railway, or other launching or landing facility available for use by the general boating public on waterways not exceeding 300 feet in width.

b. Within 500 feet of fuel pumps or dispensers at any marine fueling facility that sells motor fuel to the general boating public on waterways more than 300 feet in width or within 300 feet of the fuel pumps or dispensers at any licensed terminal facility that sells motor fuel to the general boating public on waterways not exceeding 300 feet in width.

c. Inside or within 300 feet of any lock structure.

2. An ordinance establishing a slow speed, minimum wake boating-restricted area if the area is:

a. Within 300 feet of any bridge fender system.

b. Within 300 feet of any bridge span presenting a vertical clearance of less than 25 feet or a horizontal clearance of less than 100 feet.

c. On a creek, stream, canal, or similar linear waterway if the waterway is less than 75 feet in width from shoreline to shoreline.

d. On a lake or pond of less than 10 acres in total surface area.

e. Within the boundaries of a permitted public mooring field and a buffer around the mooring field of up to 100 feet.

f. Within 500 feet of a sewage pumpout station at any public or private nonresidential marina if the sewage pumpout station is within 100 feet of the marked channel of the Florida Intracoastal Waterway.

3. An ordinance establishing a vessel-exclusion zone if the area is:

a. Designated as a public bathing beach or swim area, except that such areas may not be created on waters that include any portion of the Florida Intracoastal Waterway or that are within 100 feet of the marked channel of the Florida Intracoastal Waterway.

b. Within 300 feet of a dam, spillway, or flood control structure.

Vessel exclusion zones created pursuant to this subparagraph must be marked with uniform waterway markers permitted by the commission in accordance with this chapter. Such zones may not be marked by ropes.

(c) Municipalities and counties have the authority to establish by ordinance the following other boating-restricted areas:

1. An ordinance establishing an idle speed, no wake boating-restricted area, if the area is within 300 feet of a confluence of water bodies presenting a blind corner, a bend in a narrow channel or fairway, or such other area if an intervening obstruction to visibility may obscure other vessels or other users of the waterway.

2. An ordinance establishing a slow speed, minimum wake, or numerical speed limit boating-restricted area if the area is:

a. Within 300 feet of a confluence of water bodies presenting a blind corner, a bend in a narrow channel or fairway, or such other area if an intervening obstruction to visibility may obscure other vessels or other users of the waterway.

b. Subject to unsafe levels of vessel traffic congestion.

c. Subject to hazardous water levels or currents, or containing other navigational hazards.

d. An area that accident reports, uniform boating citations, vessel traffic studies, or other creditable data demonstrate to present a significant risk of collision or a significant threat to boating safety.

3. An ordinance establishing a vessel-exclusion zone if the area is reserved exclusively:

a. As a canoe trail or otherwise limited to vessels under oars or under sail.

b. For a particular activity and user group separation must be imposed to protect the safety of those participating in such activity.

Any of the ordinances adopted pursuant to this paragraph shall not take effect until the commission has reviewed the ordinance and determined by substantial competent evidence that the ordinance is necessary to protect public safety pursuant to this paragraph. Any application for approval of an ordinance shall be reviewed and acted upon within 90 days after receipt of a completed application. Within 30 days after a municipality or county submits an application for approval to the commission, the commission shall advise the municipality or county as to what information, if any, is needed to deem the application complete. An application shall be considered complete upon receipt of all requested information and correction of any error or omission for which the applicant was timely notified or when the time for such notification has expired. The commission's action on the application shall be subject to review under chapter 120. The commission shall initiate rulemaking no later than January 1, 2010, to provide criteria and procedures for reviewing applications and procedures for providing for public notice and participation pursuant to this paragraph.

(d) Owners of private submerged lands that are adjacent to Outstanding Florida Waters, as defined in s. 403.061(28), or an aquatic preserve established under ss. 258.39-258.399 may request that the commission establish boating-restricted areas solely to protect any seagrass and contiguous seagrass habitat within their private property boundaries from seagrass scarring due to propeller dredging. Owners making a request pursuant to this paragraph must demonstrate to the commission clear ownership of the submerged lands. The commission shall adopt rules to implement this paragraph, including, but not limited to, establishing an application process and criteria for meeting the requirements of this paragraph. Each approved boating-restricted area shall be established by commission rule. For marking boating-restricted zones established pursuant to this paragraph, owners of privately submerged lands shall apply to the commission for a uniform waterway marker permit in accordance with ss. 327.40 and 327.41, and shall be responsible for marking the boating-restricted zone in accordance with the terms of the permit.

(e) As used in this section, the term "seagrass" has the same meaning as in s. 253.04.

(2) Each such boating-restricted area shall be developed in consultation and coordination with the governing body of the county or municipality in which the boating-restricted area is located and, when the boating-restricted area is to be on the navigable waters of the United States, with the United States Coast Guard and the United States Army Corps of Engineers.

(3) It is unlawful for any person to operate a vessel in a prohibited manner or to carry on any prohibited activity, as defined in this chapter, within a boating-restricted area which has been clearly marked by regulatory markers as authorized under this chapter.

CHAPTER 68D-21
APPROVAL OF LOCAL ORDINANCES ESTABLISHING BOATING RESTRICTED AREAS

- 68D-21.001 Requirements for Applications
- 68D-21.002 Procedures for Reviewing Applications
- 68D-21.003 Procedures for Providing for Public Notice and Participation
- 68D-21.004 Criteria for Approval of Ordinances

68D-21.001 Requirements for Applications.

(1) Approval by the Florida Fish and Wildlife Conservation Commission is not required for ordinances adopted pursuant to Section 327.46(1)(b), F.S. Regulatory markers necessary for implementing those ordinances must be permitted as required in Sections 327.40 and 327.41, F.S., and as provided in Chapter 68D-23, F.A.C.

(2) Any municipality or county application for approval of an ordinance establishing a boating-restricted area pursuant to Section 327.46(1)(c), F.S., must be submitted to: Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, Boating and Waterways Section.

(3) Each application must include:

(a) The name of the applicant municipality or county.

(b) The name, mailing address, telephone number, and any email address or facsimile number of the applicant's:

1. Primary contact person; and,

2. Attorney or qualified representative.

(c) A certified copy of the adopted ordinance for which approval is sought. A county or municipality may submit a draft ordinance for review and approval. Approval, if granted, is conditioned upon the draft ordinance being adopted without amendment and does not become effective until a certified copy of the ordinance as adopted is received by the Boating and Waterways Section. If the draft ordinance is amended, approval of the draft ordinance will be rescinded and the ordinance as adopted will be reviewed.

(d) A statement identifying the provision within Section 327.46(1)(c), F.S., authorizing regulation of vessel speed or operation by the ordinance.

(e) One or more scaled drawings no larger than 8 1/2 inches by 11 inches, reproducible in black and white on standard office photocopying equipment which clearly show the following:

1. The jurisdictional boundaries of the municipality or county enacting the ordinance and, for county ordinances, the jurisdictional boundaries of any municipality in which a boating-restricted area is located.

2. The exact boundaries of each boating-restricted area established by the ordinance and the restrictions on vessel operation imposed within each boating-restricted area.

3. Any other known boating-restricted area (federal, state, county, other municipality, etc.) located within 2,500 feet of any boating-restricted area established by the ordinance.

4. The location of any of the following within a proposed boating-restricted area or used as a basis for establishing a boating restricted area, identified with a label or legend as to whether or not it is available for use by the general public:

a. Any boat ramp, hoist, marine railway, or other launching or landing facility.

b. Any fuel pump or dispenser at any marine fueling facility or licensed terminal facility.

c. Any lock structure.

d. Any designated public bathing beach or swim area.

5. The location of any of the following within a proposed boating-restricted area or used as a basis for establishing a boating restricted area:

a. Any bridge, including any bridge fender system, if present.

b. Any dam, spillway, or flood control structure.

c. Any confluence of water bodies presenting a blind corner.

d. Any bend or other intervening obstruction to visibility that may obscure other vessels or other users of the waterway in a narrow channel, fairway, or other similar area within the meaning of Inland Navigation Rule 9 (33 U.S.C. §2009) as adopted by Section 327.33, F.S.

e. Any specific hazards to navigation (with a label or legend describing the hazard).

6. If relied upon as a basis for establishing the boating-restricted area, the location and description of any of the following:

- a. Any specific area subject to unsafe levels of vessel traffic congestion.
- b. Any specific area subject to hazardous water levels or currents.
- c. Any reported boating accident.
- d. Any issuance of a Uniform Boating Citation.

7. The shoreline-to-shoreline width of the body of water upon which the boating restricted area is to be established and, if the water body is a lake or pond, the total surface area expressed in acres.

(f) Documentation that the ordinance was developed, prior to presenting language for adoption, in consultation and coordination with:

1. The governing body of every other county or municipality sharing jurisdiction over the area in which the boating-restricted area is located.

2. The United States Coast Guard if the boating-restricted area is to be established on navigable waters of the United States as defined in 33 C.F.R. §2.36(a) (2009), which is adopted by reference and is available at <http://www.gpoaccess.gov/cfr/index.html>.

3. The United States Army Corps of Engineers if the boating-restricted area is to be established on navigable waters of the United States as defined in 33 C.F.R. §329.4 (2009), which is adopted by reference and is available at <http://www.gpoaccess.gov/cfr/index.html>.

(g) A summary of the facts and circumstances the applicant contends justifies the establishment of the restriction on speed or operation and a list of the evidence in support of that contention the applicant desires for the agency to review.

(h) An appendix containing all evidence listed in paragraph (g), above, except that the appendix need not include the following:

1. Copies of Boating Accident Reports or Boating Accident Investigation Reports if those reports are identified by law enforcement agency case number and provided in a list. If the Boating and Waterways Section does not have a copy on file of one or more such reports, it will request that the applicant supplement the application appendix with copies of those reports.

2. Copies of Florida Uniform Boating Citations if identified by citation number in a list. If one or more citations are not already entered into the ArrestNet Database maintained by the Field Services Section, the Boating and Waterways Section will request the applicant to supplement the application appendix with copies of those citations.

(i) Proof that the applicant has at its own cost published, as provided by Sections 50.011-.031, F.S., once a week for 2 consecutive weeks, prior notice of the public hearing on the ordinance in a newspaper of general circulation in the area(s) affected by the ordinance.

(j) The signature of the applicant's attorney or qualified representative.

(k) The date the application is submitted.

(4) Complete applications may be submitted:

(a) By mail or in person to the Fish and Wildlife Conservation Commission, Boating and Waterways Section, 620 South Meridian Street, Tallahassee, FL 32399-1600, or

(b) As a Portable Document Format (.pdf) file attached to an email addressed to waterway.management@myfwc.com.

(5) The Boating and Waterways Section will not process partial or incomplete applications.

Rulemaking Authority 327.04, 327.46 FS. Law Implemented 327.46 FS. History--New 10-6-10.

68D-21.002 Procedures for Reviewing Applications.

(1) Upon receipt of all statements and other documents specified above, the Boating and Waterways Section will determine whether or not the application is complete.

(a) If the application is not substantially complete or has not been completed substantially correctly, the Boating and Waterways Section will within 30 days of receipt return it to the applicant with a statement of the items that are missing or that must be corrected.

(b) If the application is substantially complete and only minor additions or corrections are required, the Boating and Waterways Section will within 30 days following receipt notify the applicant of the apparent errors or omissions and request the required additional or corrected information. If the requested additional or corrected information is not received within 30 days, the Boating and Waterways Section will return the application to the applicant with a statement of the items that are missing or that must be corrected.

(2) Within 30 days following receipt of a completed application, the Boating and Waterways Section will provide notice of such receipt to the applicant by mail or by email using the same method by which the application was submitted and to the public as provided in Rule 68D-21.003, F.A.C.

(3) The Boating and Waterways Section will within 90 days following receipt of a completed application, review and act upon the application as follows:

(a) The Boating and Waterways Section will determine whether or not each boating-restricted area created in the ordinance is authorized under Section 327.46(1)(b) or (c), F.S. If any boating-restricted area created in the ordinance is not authorized pursuant to one of those paragraphs, the application will be denied. As provided in subsection 68D-21.001(1), F.A.C., approval is not required for ordinances in which every boating-restricted area established therein is authorized under Section 327.46(1)(b), F.S.

(b) The Boating and Waterways Section will determine whether or not each boating-restricted area established in the ordinance was developed prior to adoption of the ordinance:

1. For municipal ordinances, in consultation and coordination with the governing body of the county in which the boating-restricted area is located,

2. For county ordinances, in consultation and coordination with the governing body of each municipality in which a boating-restricted area is located unless all boating-restricted areas are located in unincorporated portions of the county,

3. For boating-restricted area on navigable waters of the United States, in consultation and coordination with the United States Coast Guard and the United States Army Corps of Engineers.

If the required consultation and coordination has not taken place, the application will be denied. This paragraph shall not be construed to require an applicant to wait indefinitely for a response to a request for consultation and coordination. If a municipality or county has made such a request for consultation and coordination in writing and has not received a response within 30 days, the Boating and Waterways Section will, if requested, attempt to facilitate such consultation and coordination. If a response is still not forthcoming, the Boating and Waterways Section will conclude that the municipality, county, or federal agency to whom the request was addressed has no objection to the proposed ordinance and no further consultation or coordination will be required.

(c) The Boating and Waterways Section will determine whether or not the application and appendix establish a *prima facie* showing that the ordinance is necessary to protect public safety by evaluating if at least one of the criteria in Rule 68D-21.004, F.A.C., has been met.

(d) If there is a *prima facie* showing that the ordinance is necessary to protect public safety and that at least one of the criteria in Rule 68D-21.004, F.A.C., has been met, the Boating and Waterways Section will:

1. Review all written public comments received within 21 days following the notice provided to the public as required in Rule 68D-21.003, F.A.C., and all testimony, evidence, and exhibits presented at a public hearing if one was requested,

2. Review all comments provided by the United States Coast Guard and the United States Army Corps of Engineers received prior to the determination.

3. Conduct a public hearing within the applicant's jurisdiction if a written request for such a hearing is received within 21 days following the notice provided to the public as required in Rule 68D-21.003, F.A.C.

(e) Based on the totality of the information received, the Boating and Waterways Section will determine whether or not there is substantial competent evidence that the ordinance is necessary to protect public safety.

1. An ordinance will be considered necessary to protect public safety only if it is required for the purposes of protecting human life and limb, vessel traffic safety, and, as defined in Rule 68D-23.103, F.A.C., maritime property.

2. No ordinance establishing a boating restricted area will be approved for the purpose of noise abatement or for the protection of shoreline, shore-based structures, or upland property from vessel wake or shoreline wash. As provided in Section 327.33(2), F.S., "vessel wake and shoreline wash resulting from the reasonable and prudent operation of a vessel shall, absent negligence, not constitute damage or endangerment to property." The wake resulting from the reasonable and prudent operation of a vessel is a force which should be anticipated by the owners of property adjacent to the navigable waters of this state.

(4) The Boating and Waterways Section will act to approve or deny the application within the time limits specified in Section 327.46(1)(c), F.S. Upon approval or denial of the application, the Boating and Waterways Section will provide notice of the approval or denial as provided in Rule 68D-21.003, F.A.C. If no request for review is timely received, this notice will constitute final agency action.

(5) The Florida Fish and Wildlife Conservation Commission, sitting as agency head at its next available regularly scheduled meeting, will review any approval or denial determination made by the Boating and Waterways Section upon timely receipt of a

request for review. Any substantially affected person may request review of the approval or denial; the request must be received by the Boating and Waterway Section within 21 days following the notice provided to the public as required in Rule 68D-21.003, F.A.C.

Rulemaking Authority 327.04, 327.46 FS. Law Implemented 327.46 FS. History—New 10-6-10.

68D-21.003 Procedures for Providing for Public Notice and Participation.

(1) Public Notice. The Boating and Waterways Section will provide notice of complete applications received, public meetings or hearing concerning applications, and denial or approval of applications: on the Boating and Waterways Section's web page at <http://www.myfwc.com/boating> and to all parties listed in the "Boating and Waterways Section's Public Distribution List – Ordinances" in which any member of the public may join by a request to the mailing or email address found below in paragraph 68D-21.003(2)(a), F.A.C.

(2) Public Participation.

(a) Members of the public may provide written comments, recommendations, requests, inquiries, or other correspondence to the Boating and Waterways Section at 620 South Meridian Street, Tallahassee, FL 32399-1600; or by email at waterway.management@myfwc.com. Any attachments to emails must be in one or more of the following file formats, as appropriate: Microsoft Word Document (.doc or .docx); Rich Text File (.rtf); Portable Document Format (.pdf); Joint Photographic Experts Group format (.jpg or .jpeg); or Tagged Image File Format (.tif or .tiff).

(b) If a public hearing is requested under subparagraph 68D-21.002(3)(d)3., F.A.C., or review by the agency head is requested under subsection 68D-21.002(5), F.A.C., members of the public may:

1. Testify at the hearing or Commission meeting,
2. Submit relevant and material exhibits to the record of the proceeding.

Rulemaking Authority 327.04, 327.46 FS. Law Implemented 327.46 FS. History—New 10-6-10.

68D-21.004 Criteria for Approval of Ordinances.

(1) Any ordinance submitted pursuant to Section 327.46(1)(c), F.S., and in compliance with Chapter 68D-21, F.A.C., is subject to review and approval by the Commission.

(2) An ordinance establishing either an "idle speed, no wake" or a "slow speed, minimum wake" boating restricted area will be approved for areas not more than 300 feet from a confluence (intersection) of water bodies presenting a blind corner, a bend in a narrow channel or fairway, or such other area if an intervening obstruction to visibility may obscure other vessels or other users of the waterway.

(a) A blind corner is presented where an intervening obstruction to visibility prevents the operator of a vessel on one of the water bodies from seeing a vessel on the other water body at a distance of 300 feet or less from the confluence.

(b) A bend or other intervening obstruction to visibility in a narrow channel, fairway, or other similar water body within the meaning of Inland Navigation Rule 9 (33 U.S.C. §2009) as adopted by Section 327.33, F.S., is presented where a decision sight distance of less than 300 feet exists and prevents the operator of a vessel from seeing other vessels or other users of the waterway.

(3) An ordinance establishing a "slow speed, minimum wake" boating-restricted area or numerical speed limit boating-restricted area regulated at 25 or 30 miles per hour will be approved for areas:

(a) Subject to hazardous water levels or currents if:

1. The boating-restricted area established in the ordinance is active and enforceable only when the water levels are at or above flood stage on a river gauge operated or reported by the National Weather Service's River Forecast Center (<http://www.srh.noaa.gov/serfc/>) or at the equivalent level on a river gauge operated or reported by the United States Geological Survey's National Water Information System (<http://waterdata.usgs.gov/fl/nwis/rt>) and the specific gauge and flood stage water level is specified in the ordinance.

2. The United States Coast Pilot (<http://www.nauticalcharts.noaa.gov/nsd/cpdownload.htm>) identifies the area as being subject to hazardous tides or currents.

3. A navigation chart published by the National Oceanic and Atmospheric Administration's National Ocean Service (<http://www.nauticalcharts.noaa.gov/>) identifies the area as being subject to hazardous tides or currents.

4. Creditable data demonstrate that the area is subject to water levels or currents that endanger vessels operating in the area or the occupants of such vessels.

(b) Containing a documented navigational hazard of a nature that vessel operation in its vicinity at speed in excess of slow speed, minimum wake endangers the vessel or its occupants. Navigational hazards are presumed to exist within the marked boundaries of mooring fields as permitted by Section 327.40, F.S.

(c) Subject to unsafe levels of vessel traffic congestion, seasonal or year-round, such that:

1. The traffic density including concentration of fishing vessels or any other vessels would require that vessels slacken speed under Inland Navigation Rule 6(a)(ii) (33 U.S.C. §2006) as adopted by Section 327.33, F.S., or

2. It presents a significant risk of collision or a significant threat to boating safety.

3. Unsafe levels of vessel traffic congestion, a significant risk of collision, or a significant threat to boating safety may be demonstrated by:

a. Accident reports – The following reports of boating accidents are acceptable if prepared contemporaneously with the boating accident being reported and if vessel traffic congestion or the speed or wake of a vessel involved in the accident caused or contributed to the accident:

I. Florida Boating Accident Investigation Report, form FWCDLE 146, or Florida Boating Accident Self Report, form FWCDLE 146C, supplied by the Commission as provided in Section 327.302, F.S.; United States Coast Guard Recreational Boating Accident Report, form CG-3865, as provided in 33 C.F.R. §§173.55, 173.57; United States Coast Guard Report of Marine Casualty, Injury or Death, form CG-2692, as provided in 46 C.F.R. §4.05-10. The current versions of these forms are adopted by reference in subsection (5); prior editions of these forms are also acceptable.

II. A law enforcement agency's official offense or incident report prepared and signed by an officer authorized under Section 327.70, F.S., to enforce the provisions of Chapters 327 and 328, F.S.

III. Medical records, including EMS and medical examiner reports, if they document death or injuries as a result of a boating accident and specify the nature and location of the boating accident;

b. Uniform boating citations issued on citation forms supplied by the Commission as provided in Section 327.74, F.S., if the violation alleged in the citation is related to the cited vessel's speed or wake.

c. A vessel traffic study if the conclusions of the study are, as determined by the Boating and Waterways Section, based upon sufficient facts or data, are the product of reliable principles and methods, and if the study has applied the principles and methods reliably to the facts or data considered. In assessing the creditability of a vessel traffic study, the following factors (as applicable) shall be among those considered:

I. Whether the study's methodology can be or has been tested (i.e., whether the study's methodology can be challenged in some objective sense, or whether it is instead simply a subjective, conclusory approach that cannot reasonably be assessed for reliability),

II. Whether the study's methodology has been subject to peer review and publication,

III. The known or potential rate of error of the study's methodology,

IV. The existence and maintenance of standards and controls; and,

V. Whether the methodology has been generally accepted in the scientific community.

d. Other creditable data. For the purposes of this subparagraph, "other creditable data" means facts or data that are of a type reasonably relied upon by experts in the fields of boating safety, maritime safety, navigation safety, ports and waterways safety assessments, or vessel traffic management, as contemplated in Section 90.704, F.S.

(d) That could have been established as an idle speed, no wake boating-restricted area under Section 327.46(1)(b)1., F.S., provided the applicant demonstrates by competent substantial evidence how the specific regulation will adequately solve public safety concerns in the area.

(4) An ordinance establishing a vessel exclusion zone (an area from which all vessels or certain classes of vessels are excluded) will be approved if the area is reserved exclusively:

1. As a canoe trail or otherwise limits vessel propulsion if the applicant demonstrates by competent substantial evidence how the restriction is necessary to protect public safety pursuant to Section 327.46, F.S., and if:

a. One of the following restrictions, as defined in Rule 68D-23.103, F.A.C., is imposed: "No Motorized Vessels" or "No Motorboats" or "Motorboats Prohibited;" "No Power-driven Vessels;" "No Internal Combustion Motors;" "Manually Propelled Vessels Only;" and,

b. Imposition of the restriction will not unreasonably or unnecessarily endanger navigation or interfere with the use of a navigation channel that is lawfully marked with lateral aids to navigation.

2. For a particular specified activity (e.g.: sailing instruction, marine research, water skiing, personal watercraft use, sailboard use, etc.) if the applicant demonstrates by competent substantial evidence how certain classes of vessels (including all vessels if appropriate under the prevailing circumstances) endanger or are likely to endanger those participating in the specified activity and that the specified classes of vessels must be excluded from the area in order to adequately protect the safety of those participating in the specified activity.

(5) The following forms are adopted and incorporated by reference:

(a) Florida Boating Accident Investigation Report, form FWCDLE 146 (07/2010), and Florida Boating Accident Self Report, form FWCDLE 146C (07/2010), supplied by the Commission as provided in Section 327.302, F.S. These forms may be obtained from the Boating and Waterways Section, 620 South Meridian Street, Tallahassee, FL 32399-1600.

(b) United States Coast Guard Recreational Boating Accident Report, form CG-3865 (Rev. 07/08), as provided in 33 C.F.R. §§173.55, 173.57. This form may be obtained from Commandant (CG-5422), U.S. Coast Guard Headquarters, 2100 Second St. S.W., Stop 7581, Washington, DC 20593-7581, or downloaded at <http://www.uscgboating.org/assets/1/Publications/cg3865barform2008.pdf>.

(c) United States Coast Guard Report of Marine Casualty, Injury or Death, form CG-2692 (Rev. 06/04), as provided in 46 C.F.R. §4.05-10. This form may be obtained from the Coast Guard Sector Office, Coast Guard Marine Inspection Office or Coast Guard Group Office nearest the scene of the marine casualty, or from Commander, USCG Seventh District, Brickell Plaza Federal Building, 909 S.E. 1st Avenue, Miami, FL 33131-3050, or downloaded at http://www.uscg.mil/forms/CG/CG_2692.pdf.

Rulemaking Authority 327.04, 327.302, 327.46 FS. Law Implemented 327.302, 327.46 FS. History—New 10-6-10.

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: August 4, 2025
TYPE OF AGENDA ITEM: Action Item
AGENDA OUTLINE NUMBER: 4.E.

TO: City Council

THRU: Larry Jones , City Manager
Kimberly Kopp, City Attorney

FROM: Robert Tomasek, City Engineer

DATE: July 30, 2025

SUBJECT: Re-Striping Airport Road Discussion

I. BACKGROUND: During the July 21, 2025, Regular City Council meeting, the following motion was made and passed:

Councilmember Bagby moved to approve Consent Agenda items 3C and 3D, as printed above, and to direct staff to prepare and return a report outlining the necessary actions and recommendations for the road going forward. Councilmember Hebert provided a second to the motion, which passed 5-1, with Councilmember Braden dissenting.

II. DISCUSSION: As directed by the Council, the City Engineer has prepared a report detailing the required actions and recommendations for striping Airport Road, which is attached to this item.

- A. Link to Strategic Goals / Objectives:** II. Enhanced quality of life and safety for families
IV. Effective, efficient and aesthetically pleasing infrastructure
V. Improve mobility and connectivity
- B. Effect on Budget (EOB):**
- C. Level of Service (LOS):**
- D. Legislative Sponsor:**

E. Business Impact Statement:

III. CONCLUSION: City staff are seeking the Council's decision on how Airport Road should be striped moving forward.

IV. RECOMMENDED MOTION:

Attachments:

1. City Engineer Report

Request for Information

07/21/2025 Council Items 3C & 3D

The current configuration of Airport Rd is 2~11.5-foot Travel Lanes, with a 1-foot flush outside ribbon curb. The is currently a 15.5-foot median area that is utilized by either grass or left turn lanes.

More described:

1'-ribbon curb-11.5' travel lane-11.5' travel lane-15.5' median-11.5' travel lane-11.5' travel lane-1' ribbon curb.

1'--11.5'--11.5'--15.5'--11.5'--11.5'--1'

Current "Florida Greenbook": *2023 Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways*

Current design requirements:

- 22-foot median (may be reduced to 15.5 in certain situations)
- 11-foot lanes (may be reduced to 10-foot certain situations). Even though it may be reduced in certain situations, Airport Rd would not be a desirable location for the narrowing of the lanes to 10-foot. 10-foot lanes on multi-lane roads bring up new issues in regard to vehicle safety.
- 4-foot minimum bicycle lane.
- In order to place bicycle lanes along Airport Rd we would need a minimum 26 feet of pavement. We currently have 22 feet.
- Since median is already at absolute minimum width, any widening must be done to the outside, which would involve the removal and replacement of the ribbon curb. It would also involve adjusting any inlets and catch basins located along the outside curb or radii of intersecting roadways.
- We can stripe the lane configuration along Airport Rd, after overlay, to 11-foot inside lane with a 12-foot outside shared use lane. This would also require a few extra lane markings and possibly a few new signs.

Green paint designating bicycle lanes is typically limited to conflict points to highlight that there are other users to the roadway. i.e. at the beginning of right turn lanes, or through intersections. The greenbook states: "The effectiveness of green colored pavement is maximized if the treatment is used only where the path of bicyclists and other road users cross and yielding must occur."

Other topics brought into discussion were road diets and traffic calming.

Traffic calming is typically used on 2-lane roadways and not multi-lane roadways. Narrowing lanes by itself does not make users slow down on multi-lane roadways.

Road diets include reducing the number of lanes in each direction to accommodate other road users. This depends on traffic counts for the roadway that is being studied. These are not recommended for roadway volumes of 1600 users/hr during peak periods. This number reduces for other factors like turning movements and traffic signals.

Robert C. Tomasek, P.E.
Destin City Engineer

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: August 4, 2025
TYPE OF AGENDA ITEM: City Manager Report
AGENDA OUTLINE NUMBER: 4.F.

TO: City Council

THRU:

FROM:

DATE:

SUBJECT: Draft Minutes of Volunteer Board & Committees - **Informational Only**

I. BACKGROUND:

II. DISCUSSION:

- A. Link to Strategic Goals / Objectives:**
- B. Effect on Budget (EOB):**
- C. Level of Service (LOS):**
- D. Legislative Sponsor:**
- E. Business Impact Statement:**

III. CONCLUSION:

IV. RECOMMENDED MOTION:

Attachments:

1. 7-8-25 pwps
2. 7-9-25 - hcraac
3. 7-17-25 LPA

**PUBLIC WORKS/PUBLIC SAFETY
COMMITTEE MEETING MINUTES
DESTIN CITY HALL ANNEX CHAMBERS
TUESDAY, JULY 8, 2025 - 5:30 PM**

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE:

Vice Chairman Green called the Public Works/Public Safety Committee to order on Tuesday, July 8, 2025, at 5:30 p.m. at the City Hall Annex Chambers, with the Pledge of Allegiance immediately following.

2. ROLL CALL:

Members Present

John Green
Tom Weidenhamer
Marcie Bell
Tammy Weidenhamer
Andrea Ansley

Members Absent

James T. Wood, Jr.
Curtis Smith

Staff

Kim Montgomery, Deputy City Clerk
Joe Bodi, Deputy Public Works Dir
David Prichard, CD Director
Robert Tomasek, City Engineer

3. APPROVAL OF AGENDA:

Motion by Committee member Bell, seconded by Committee member Tom Weidenhamer to approve the agenda as presented, the motion passed 5-0.

4. MINUTES: MAY 13, 2025

Motion to approve the minutes of May 13, 2025 meeting as written was made by Committee member Weidenhamer with Committee member Green providing the second. Motion passed with a unanimous vote of 5-0.

5. NEW BUSINESS:

A) Introduction - David Prichard, Community Development Director

Mr. Prichard provided the members with his past career experience.

B) Introduction - Robert Tomasek, City Engineer

Mr. Tomasek provided the members with his past career experience.

➤ Introduction and welcome new member: Andrea Ansley.

C) Work Plan Presentation - Chairman John Stephens HCRA Advisory Committee

➤ Camera Systems Installed City Wide

- Camera is now installed at city properties and recently installed at Capt. Royal Melvin Heritage Park, facing the harbor where transient slips are located.

Mr. Stephens explained his proactive approach to presenting his work plans to all relevant committees before City Council's review, in order to expedite approvals and address questions early on. The plan is to eventually have the cameras installed in as many city facilities and parks

as possible, especially in the high pedestrian areas. Once setup, they can be connected to OCSO Realtime Monitoring System.

System Details:

- Cameras will be integrated with the Okaloosa County Sheriff's Office through their Fusus Connect system.
- Real-time access: Deputies can immediately access camera feeds without needing to contact business or city staff when a situation occurs.
- Private businesses or residents (e.g., using Ring, Arlo, etc.) can opt in to integrate their own security systems with the Sheriff's system using a small connection box.

Mr. Stephens personally uses this system at his business, Luther's Pontoon.

Technical Notes:

- Turing Sky-Shield brand cameras.
- City's IT department maintains access.
- Code compliance officers do not have live access; only the Sheriff's Office and City IT department does.

Possible Locations:

- Focus on Harbor CRA district, especially:
 - City Boardwalk
 - Additional camera suggestions:
 - North side of the park between park walkways
 - Potential expansion toward the county line was suggested but noted being outside of Mr. Stephen's Harbor CRA's purview for his workplan.

Mr. Stephens noted to the members that the Harbor CRA District's fund balance is currently financially constrained due to the One Harbor Boulevard acquisition. However, the Parks & Rec-related nonprofit group expressed interest in possibly funding park cameras.

Funding and Next Steps:

- Funding not committed yet, Stephens suggested possibilities:
 - 2026 Public Safety budget allocations
 - Grants
 - Destin Parks Foundation support

Motion to accept this work plan as presented to move forward in support of without committing any of our specific funds until we have further information in reference to the cost was made by Committee member Bell, with Committee member Tom Weidenhamer providing the second. The motion passed 5-0.

D) Paving Reprioritized - Airport Rd West & Regatta Bay Blvd Joe Bodi, Deputy Public Works Director

DRAFT

Mr. Bodi informed the members that a reallocation of the final round of paving for 2025 to focus on critically deteriorating roadways segments:

- Airport Road: From Main Street to the airport curve
- Regatta Bay Boulevard: North of Windstar, between two paver sections.
- These roads are rapidly degrading and were described as “scrub board” condition near the fire station.

➤ **Postponed 2025 Projects:**

- Five roads will be deferred to FY 2026:
 - Gulf Shore Drive (Sandpiper Cove to the dead-end)
 - Misty Way
 - Sea Hills Drive
 - Spanish Moss Trail
 - Spring Lake Drive

➤ **Stripping Update:**

- Delayed by weather and materials.
- New thermal markings will be applied once pavement cures.
- Sidewalk at Durango Drive:
 - Project has advanced in the 5-year CIP and is awaiting further review.

Motion by Committee member Weidenhamer, seconded by Committee member Ansley to redirect the funds to the improvements to Airport Road and Regatta Bay. The motion passed 5-0.

6. MEMBERS’ COMMENTS:

- **Committee member Bell** asked the status of the beacon flashing lights on Gulf Shore Drive. According to Mr. Bodi, the P.O is ready, however, the Finance Dept. is still dealing with the FY-26 Budget as well as a big software conversion from Munis to Aclarian and staff is just waiting for the purchase order to be approved so they can be ordered.

7. STORMWATER/FLOODPLAIN PUBLIC COMMENTS:

Vice Chairman Green opened the floor for public comments on this item. With no one coming forward, he closed the public discussion on the topic.

8. PUBLIC COMMENTS: None

9. ADJOURNMENT:

Having no further business at this time, the meeting adjourned at 6:00 p.m.

Adopted and approved this _____ day of _____ 2025.

DRAFT

John Green, Vice Chairman

Kim Montgomery, Deputy City Clerk

DRAFT

MINUTES
HARBOR COMMUNITY REDEVELOPMENT AGENCY
ADVISORY COMMITTEE MEETING
JULY 9, 2025 - 5:30 PM
DESTIN CITY HALL ANNEX CHAMBERS

1. CALL TO ORDER:

The Harbor Community Redevelopment Agency Advisory Committee meeting was called to order by Chairman Stephens in the Destin City Hall Annex Council Chambers at 5:30 p.m., on July 9, 2025, followed immediately with the Pledge of Allegiance.

2. ROLL CALL:

Present

John Stephens
Jim Green
Guy Tadlock
Jay Howard
Lance Johnson
Casey Jones

Staff Present

Kim Montgomery Deputy City Clerk
Daniel Butler Principal Planner
Jesse Hernandez Planner
David Prichard Community Development
Kyle Bauman Special Projects Counsel

3. AGENDA APPROVAL:

Motion by Committee member Green to approve the agenda with Committee member Jones providing the second, the motion passed 6-0.

4. CURRENT BUSINESS:

➤ **Development and City Projects Update – Principal Planner Daniel Butler**

- **Clement Taylor Park Update** – The Treasury Department has now received all the information they have required, and Okaloosa County has requested the Treasury Department to release the funds so that the Notice to Proceed can be issued to the contractor hired for the project.

- No new projects for this month.
 - A brief discussion took place about a social rumor that the city is interested in purchasing Point Mezzanine Property, staff informed the members they have no knowledge of this subject.
- **One Harbor Blvd.**
 - Staff reiterated that One Harbor Boulevard was purchased using Harbor CRA funds in conjunction with tax-exempt bonds.
 - Legal counsel (Bryant Miller Olive PA) briefed staff on tax-exempt bond stipulations.
 - Key legal constraints:
 - Federal funds must not be used for improvements, or the bond's tax-

exempt status may be jeopardized.

- Uses must qualify as public benefit such as:
 - public parking
 - waterfront access.

Potential Uses of the Property:

- Paid Municipal Parking Lot
 - Deemed a permissible and bond-compliant use.
 - Must be operated by the city or a city-approved vendor under clear municipal control.
 - Automated enforcement systems (e.g., license plate capture) are acceptable.
 - A temporary parking lot with gravel was proposed to avoid costly infrastructure like stormwater systems.
- **City Marina or Public Facilities**
 - Both are possible but must be operated by city employees, not third parties.
 - Similar rules apply if a research facility or other use is pursued.
 - Since the City owns the property, not the CRA, an interlocal agreement may be needed to allocate revenues back to the Harbor CRA Fund.
 - Temporary pedestrian walkway under Destin Bridge.
 - Preservation of the large trees along the site was agreed.

Motion by Committee member Green, seconded by Committee member Jones for the Harbor CRA to recommend the CRA Board to pursue the construction of a temporary paid parking lot at 1 Harbor Blvd. property, to generate funds for the Harbor CRA fund, encompassed by any applicable agreements. Committee member Johnson suggested amending the motion to include the parking for residents of Destin would be free under their parking pass. Both Committee members Green and Jones were not in agreement with the amendment, with no further discussion, Chairman Stephens called for the vote and the motion passed 5-1 with Chairman Stephens dissenting.

5. COMMITTEE MEMBER COMMENTS:

➤ **Committee member Tadlock – Marler Bridge Replacement**

- The members discussed FDOT's potential bridge expansion or reconstruction.
 - Committee member Howard mentioned he has an August 21st meeting with FDOT to discuss bridge alignment and possible land repurchase or compensation to the city and,
 - Discussed the possibility of 40 parking spaces could fit under the future bridge design.

➤ **Chairman Stephens – Mooring Field Workplan**

- Chairman Stephens presented his work plan aiming to:
 - Establish limited mooring control within Destin Harbor and Joe’s Bayou.
 - The preliminary plan proposed is to start with five mooring balls to ensure the city has more jurisdiction over the waterways to have better control the boats mooring in the harbor.
 - Currently there are about five boats anchored that have not moved in a long time.
 - Fulfill conditions to enable the appointment of a harbor master.
 - Supports enforcement, sanitation, laundry services, and tourist-friendly boating.
- Upland facilities would include:
 - Restrooms, showers, laundry, and dinghy docks.
 - Potential for a modular harbor master office at One Harbor.
- Preferred infrastructure: holding tanks (not connected to city sewers) to manage waste.
 - Research how the City of Pensacola used American Rescue Plan Act (ARPA) funds to fund their mooring field study, and he expressed interest for the city to possibly apply for a similar grant in the future.

Motion by Chairman Stephens to recommend the CRA Board approve the Mooring Field work plan item as presented with Committee member Johnson providing the second. After a brief discussion regarding the committee’s purview, it was recommended by Council member Trammell to include the Harbor & Waterways Board’s partnership with the work plan. Chairman Stephens amended his motion to for the Harbor CRA Advisory Committee to pursue this plan in coordination with the Harbor and Waterways Board due to jurisdictional limitations of the Harbor District with Committee member Johnson seconding the amended motion, the motion passed 6-0.

➤ **Vice Chairman Green –**

Motion by Vice Chairman Green for the CRA board to direct staff to identify all non-paid city parking spaces within the Harbor CRA District and move them to paid parking allowing the local pass to be utilized, with Chairman Stephens providing the second. The motion passed 6-0.

Motion by Vice Chairman Green for the CRA Board to consider and evaluate a percentage of parking revenue within the Harbor CRA District to be shared with the Harbor CRA district to be shared with the CRA, the Harbor CRA fund, with Committee member Johnson providing the second. In discussion, it was decided to recommend an actual percentage amount. Vice Chair Green amended the motion for the CRA board to consider and evaluate

a 50% split of parking revenue within the Harbor CRA district for the Harbor CRA fund. Committee member Johnson agreed to the amended motion for his second, and the motion passed with a 6-0.

- Chairman Stephens asked the members to look over his draft Annual Report and make any changes or feedback they feel is necessary at their next meeting in August.
- Committee member Johnson mentioned a motion made back when the Chairman Stephens was on City Council, that when made, he thought it would be more geared towards the Harbor Capacity Committees purview, for City Council to direct the city manager to have the city staff review and determine the feasibility of a potential mooring harbor plan, present the results for the input.
- Committee member Jones informed the board that he would be out of the state for the August meeting.
- **Next meeting is August 13, 2025**

6. ADJOURNMENT:

Having no further business at this time, the meeting was adjourned at 7:20 PM.

Adopted and approved this _____ day of _____ 2025.

John Stephens, Chairman

Kim Montgomery, Deputy City Clerk

**LOCAL PLANNING AGENCY MEETING MINUTES
JULY 17, 2025 - 5:30 P.M.
DESTIN CITY HALL ANNEX CHAMBERS**

1. CALL TO ORDER & PLEDGE OF ALLEGIENCE:

Chairman Wood called the Local Planning Agency meeting to order on Thursday, July 17, 2025, at 5:30 p.m., in the Destin City Annex Chambers; with the Pledge of Allegiance immediately following.

2. ROLL CALL:

Members Present

James T. Wood, Jr.
Ken Wampler
Jay Purut
Tammy Weidenhamer
Marcie Bell
Bree Uptigrove
Todd Buhr

Members Absent

Staff Members Present

Kim Montgomery Deputy City Clerk
Daniel Butler Principal Planner
Jesse Hernandez Planner
David Prichard, CD Director
Kim Kopp City Attorney

3. AGENDA APPROVAL:

Motion by Agency member Bell, seconded by Agency member Wampler to approve the agenda with no changes. The motion passed with a unanimous vote of 7-0.

4. MINUTES: June 5, 2025 & June 24, 2025

Motion by Agency member Bell, seconded by Agency member Wampler to approve the minutes of both June 5, 2025 & June 24, 2025, with a correction to the attendance in June 24, 2025 minutes, the motion passed 7-0.

4. NEW BUSINESS:

Mr. Butler explained to the Agency members how staff has been working with Okaloosa County Staff to ensure the plans for the Shores at Crystal Beach public access comply with the Land Development Code (LDC), while furthering the original intent of the property purchase, which is maximizing public benefit and accessibility. Staff provided a draft Design Standards for LSV parking areas within city owned properties for their review and provide feedback for City Council's consideration.

- The new beach access plan has been in development with Okaloosa County for nearly three years.
 - The property includes two parking areas:
 - West Side: Standard vehicular parking (9' x 19')
 - East Side: Dedicated LSV-only parking
 - Due to the lack of current LDC standards for LSVs (drive aisle width or stall dimensions), staff proposes the following standards:
 - Stall Size: Minimum 6' wide by 12' deep
 - Drive Aisle Width: 20' (fire code compliant)
 - Marking: Spaces must be clearly marked with “LSV” signage or pavement markings
 - Segregation: LSV parking must not be intermixed with standard vehicle parking
 - Applicability: Ordinance applies to city-owned property only
 - Parking Credit: LSV spaces do not count toward required vehicular parking minimums

Additionally, the proposed definition of Low Speed Vehicle (LSV) is provided, to be consistent with the State, as follows:

“Low-speed vehicle (LSV): means any four-wheeled vehicle whose top speed is greater than 20 miles per hour but not greater than 25 miles per hour, including, but not limited to, neighborhood electric vehicles, consistent with section 320.01, Florida Statutes.”

Motion by Chairman Wood for the Local Planning Agency recommend City Council approve the proposed Ordinance 25-14-LC, with Committee member Uptigrove providing the second.

Concerns were raised regarding the maneuverability of LSVs, especially the longer ones that seat more than the average of four people.

Agreement was reached to add parenthetical language noting that the 6' x 12' dimension applies to 0°, 45°, and 90° angles.

- Concerns raised regarding the maneuverability of LSVs.
- Agreement reached to add parenthetical language noting that the 6' x 12' dimension applies to 0°, 45°, and 90° angles.
- Suggestion made by Agency member Bell to capitalize “City-Owned” throughout the LDC to reduce misinterpretation by readers, particularly in private contexts (e.g., HOAs).
- Discussion ensued on whether the ordinance should be expanded citywide; staff reiterated that the current scope is limited to city-owned properties only for simplicity and enforceability.

Several members questioned why LSV spaces do not count toward required parking.

- Staff clarified:
 - LSVs are considered amenities.
 - LSVs cannot legally drive on Highway 98.
 - Residents are still allowed to park LSVs in standard vehicular spots.
- Discussion commenced regarding the need for LSVs to be registered, licensed, and operational.
- Staff agreed to add language clarifying that LSVs must be:
 - Licensed
 - Registered
 - Operational
- Statutory references were reviewed to ensure alignment with FS 320.01 and federal standards (49 CFR).
- Members suggested including intent language in the ordinance to clarify that 20' aisle width is based on fire/emergency vehicle access requirements.
- Staff agreed to incorporate the rationale in the ordinance for long-term clarity.

Agency member Buhr made the substitute motion Wood for the Local Planning Agency recommend City Council approve the proposed Ordinance 25-14-LC with the following additions to the language:

- 1. Add dimensional reference for (0°- 45° and 90° parking angles).**
- 2. Include rationale for 20' aisle width (emergency vehicle access).**
- 3. Modify LSV definition to include “licensed and registered.”**

6. AGENCY MEMBER COMMENTS:

Agency member Buhr raised a concern about implications of Senate Bill 180 on the Comprehensive Plan and Land Development Code (LDC) rewrite and suggests combining everything that has been approved so far with an October 2027 effective date.

According to the City Attorney, staff is reviewing them to determine what can proceed under SB 180 and should have some information available at their next meeting.

7. PUBLIC COMMENTS: None

7. ADJOURNMENT:

Having no further discussion at this time, the meeting adjourned at 6:05 p.m.

Adopted and approved this _____ day of _____ 2025.

James Wood, Jr.

Kim Montgomery, Deputy City Clerk

CITY OF DESTIN – COMMUNITY DEVELOPMENT



AGENDA ITEM

MEETING DATE: August 4, 2025
BOARD/COMMITTEE: City Council
TYPE OF AGENDA ITEM: Ordinance
OUTLINE NUMBER: 5.A.

TO: City Council

THRU: Larry Jones , City Manager
Kimberly Kopp, City Attorney

FROM: Daniel Butler, Principal Planner
David Prichard, Community Development Director

DATE: July 25, 2025

SUBJECT: First Reading of Proposed Ordinances 25-14-LC – Creation of Design Standards for Low-Speed Vehicles (LSV) Parking on City-Owned Property

I. BACKGROUND: City Staff and Okaloosa County Staff have been collaborating on a mutually beneficial and code compliant parking lot for the Shores at Crystal Beach public access since December 2022. The Shores at Crystal Beach is to be located at 2942, 2966, & 2970 Scenic Highway 98.

As recently as April 21, 2025, Staff have provided City Council with the most recent draft of the civil plans for the Shores at Crystal Beach to ensure that the proposed work is compliant with the Land Development Code (LDC), while still meeting the intent of the original purchase of the property, to which the Council provided positive feedback.

The Shores at Crystal Beach access consists of two (2) separate parking lots, with the westerly parking area designed for standard vehicle parking spaces only, while the easterly parking area is designed to accommodate parking for only Low-Speed Vehicles (LSVs).

To date, the City does not currently have adopted ordinances that govern the minimum parking stall widths/depths and/or drive aisle widths for LSV parking. Therefore, Staff was directed to bring back draft design standards in regards to LSV parking areas for LPA and Council consideration.

II. DISCUSSION: As currently designed, the westerly parking area will provide parking for nineteen (19) standard vehicle spaces, plus one (1) ADA parking space. Alternatively, the

easterly parking area is currently designed to accommodate 34 LSVs only.

Currently, the City does not have any design standards codified for minimum parking stall widths/depths and/or drive aisle widths for LSV parking. Therefore, Staff has drafted regulations for LPA and Council review (with a positive recommendation from the LPA), including a proposed definition to be consistent with the State, as well as minimum standards for LSV parking based on Staff research and best practice and is seeking feedback at this time. As drafted, the ordinance would only apply to City-owned properties.

The drafted regulations are as follows:

Low-Speed Vehicle (LSV) parking spaces on City-Owned Property. This Section is intended to provide design standards for LSV parking spaces located within City-owned property only.

1. LSV parking spaces shall not count towards the required vehicular parking count based on the uses onsite.
2. LSV parking spaces shall be located in one or more continuous areas that are separated from, and not intermixed with, spaces designed for full-size vehicles.
3. Each LSV parking space shall be clearly designated by either white pavement marking stating "LSV" or signs stating "Low-Speed Vehicle Parking Only".
4. The minimum dimensions of LSV parking stalls and driving aisles shall be as follows:
 - a. LSV parking stalls shall measure a minimum of 6' wide by 12' deep.
 - i. The complete stall dimension shall be paved and no deduction shall be obtained for bumper overhang.
 - ii. These dimensions apply to all LSV parking angles.
 - b. LSV driving aisles shall measure a minimum of 20' wide (two-way) to accommodate emergency response vehicles.

Additionally, the proposed definition to be consistent with the State is as follows:

Low-speed vehicle (LSV): means any registered and licensed four-wheeled vehicle whose top speed is greater than 20 miles per hour but not greater than 25 miles per hour, including, but not limited to, neighborhood electric vehicles, consistent with section 320.01, Florida Statutes.

**Underlined text = New text to be adopted*

PUBLIC COMMENT:

None received to date.

A. Link to Strategic Goals / Objectives:

- II. Enhanced quality of life and safety for families
- III. Economic development and revitalization
- IV. Effective, efficient, and aesthetically pleasing infrastructure
- V. Improve mobility and connectivity

B. Effect on Budget (EOB):

This ordinance will not have any effect on the City budget.

C. Level of Service (LOS):

This ordinance will not have any effect on the surrounding LOS.

D. Legislative Sponsor:

E. Business Impact Statement:

III. CONCLUSION: City Staff has been working with Okaloosa County Staff to ensure the plans for the Shores at Crystal Beach public access comply with the LDC while furthering the original intent of the property purchase, which was maximizing public benefit and accessibility.

At the regularly scheduled LPA meeting on Thursday, July 17, 2025, the LPA unanimously recommended to approved Ordinance 25-14-LC with the following additions:

1. Add the language ‘registered and licensed’ to the proposed definition of an LSV.
2. Add language that details why the minimum drive aisle is twenty feet (20’), which is to comply with accommodate emergency response vehicles, compliant with the Fire Code.
3. Add either language or a chart that details that these required LSV parking dimensions apply to all LSV parking angles.

As recommended, Staff has made the revisions noted above and are hereby providing a draft of design standards for LSV parking areas within City-owned properties for Council feedback and consideration.

IV. RECOMMENDED MOTION: I move that City Council approve proposed Ordinance 25-14-LC on first reading.

ALTERNATE MOTION:

I move that the City Council approve with conditions/approve with modifications/deny proposed Ordinance 25-14-LC.

Attachments:

1. DRAFT 25-14-LC LSV
Parking Standards
Ordinance

ORDINANCE NO. 2025-14-LC

**AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA;
CREATING DESIGN STANDARDS FOR LOW-SPEED VEHICLE
("LSV") PARKING; DEFINING LOW SPEED VEHICLES
CONSISTENTLY WITH STATE LAW; PROVIDING FOR FINDINGS
OF FACT; PROVIDING FOR INCORPORATION INTO THE LAND
DEVELOPMENT CODE; 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 163, Part II, Florida Statutes.

SECTION 2. FINDINGS OF FACT.

WHEREAS, Chapter 163, Part II, of Florida Statutes, entitled the Community Planning Act ("Act"), empowers and requires the City Council to plan for the City's future development and growth and to adopt and amend its Land Development Code, or elements of portions thereof, to guide the future growth and development of the City; and

WHEREAS, the City Council desires to provide for design standards for LSV parking within certain areas of the City; and

WHEREAS, section 320.01.(41), Florida Statutes defines *low-speed vehicle* as any four-wheeled vehicle whose top speed is greater than 20 miles per hour but not greater than 25 miles per hour, including, but not limited to, neighborhood electric vehicles; and

WHEREAS, the City Council desires to define LSVs consistently with Florida Statutes; and

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; and

WHEREAS, the Local Planning Agency held a public hearing, with all required public notice on for the purpose of providing recommendations to the City Council with regard to this Ordinance amending the Land development Code and recommended that the City Council adopt the Ordinance amending the Land Development Code; and

WHEREAS, a public hearing has 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 Land Development Code that have been skipped and remain unchanged.

SECTION 3. AMEDNMENT TO ARTICLE 3. DEFINITIONS.

ARTICLE 3. DEFINITIONS.

3.00.01. Definitions.

For the purpose of this Code, the following terms, phrases, words and their derivations shall have the meaning contained herein, except where the context clearly requires otherwise.

Low-speed vehicle (LSV): means any registered and licensed four-wheeled vehicle whose top speed is greater than 20 miles per hour but not greater than 25 miles per hour, including, but not limited to, neighborhood electric vehicles, consistent with section 320.01, Florida Statutes.

SECTION 4. AMEDNMENT TO ARTICLE 8. TRANSPORTATION.

ARTICLE 8. TRANSPORTATION.

8.06.00. Vehicle and bicycle parking standards.

8.06.04. *Parking design standards.*

Parking design standards. All development, including that which is located within and outside of the City's Multimodal Transportation District, shall conform to the following parking design standards:

C. *On-site parking spaces.* The design standards for on-site parking spaces are as follows:

5. *Low-Speed Vehicle (LSV) parking spaces on City-Owned Property.* This Section is intended to provide design standards for LSV parking spaces located within City-owned property only.

1. LSV parking spaces shall not count towards the required vehicular parking count based on the uses onsite.

2. LSV parking spaces shall be located in one or more continuous areas that are separated from, and not intermixed with, spaces designed for full-size vehicles.

3. Each LSV parking space shall be clearly designated by either white pavement marking stating "LSV" or signs stating "Low-Speed Vehicle Parking Only".

4. The minimum dimensions of LSV parking stalls and driving aisles shall be as follows:

a. LSV parking stalls shall measure a minimum of 6' wide by 12' deep.

i. The complete stall dimension shall be paved and no deduction shall be obtained for bumper overhang.

ii. These dimensions apply to all LSV parking angles.

b. LSV driving aisles shall measure a minimum of 20' wide (two-way) to accommodate emergency response vehicles.

SECTION 5. 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 6. 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 7. 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 8. EFFECTIVE DATE. This ordinance shall become effective upon its adoption by the City Council and signature by the Mayor.

**ADOPTED THIS ____ DAY OF _____,
2025.**

By: _____
Bobby Wagner, Mayor

ATTEST:

The form and legal sufficiency of the foregoing has been reviewed and approved by the City Attorney for the City of Destin, only.

Rey Bailey, City Clerk

Kimberly Romano Kopp, City Attorney

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: August 4, 2025
TYPE OF AGENDA ITEM: Ordinance
AGENDA OUTLINE NUMBER: 5.B.

TO: City Council

THRU: Kimberly Kopp, City Attorney
Larry Jones , City Manager

FROM: David Prichard, Community Development Director

DATE: July 27, 2025

SUBJECT: First reading of Ordinance 25-05-CC - Relating to livery vessels; amending Article VIII "Registration of livery vessels" of the city Code of Ordinances; amending provisions related to transferability of permits; providing for additional required training and safety measures.

I. BACKGROUND: Proposed Ordinance 25-05-CC requires additional training and safety measures for livery vessel operators and their customers, codifies the livery vessel cap within the City, and makes clarifications to permit transferability. The cap on the number of livery vessels is based on the current number of livery vessels legally registered and expected to register based on the recent clarifications related to bareboat yachts and the existing boat club within the city. Proposed clarifications on permit registration transferability include the ability to transfer permit registrations provided the vessel is transferred with the permit, but prohibits separate permit transfers if detached from the vessel to which the permit is registered. Abandoned permits would be required to be returned to the City.

The Ordinance initially was discussed by the City Council on May 19, 2025, and again at the Harbor and Waterways Board on May 22nd. Comments obtained from both the Council and HWB have been incorporated into the proposed Ordinance before the Council this evening, and the Ordinance is now before Council on first reading.

II. DISCUSSION: Proposed Ordinance 25-05-CC contains updates related to safety measures for livery operators as well as clarifications on transferability of livery registration permits. With respect to safety measures, the City is proposing to adopt standards consistent with those adopted by Okaloosa County. The additional safety measures include additional required training for both operator employees and customers, as well as a bracelet system for livery operator identification, as further detailed below:

Required Safety Measures.A. Employee training.

Employees shall be required to complete the following training and upon request provide documentation at the site to the city manager or city manager's designee. At all times during business hours, an employee that has completed the training must be located at the business facility. Employees that have not completed the training shall have 30 days from start of employment to complete the training and may temporarily operate under the supervision of someone who has completed the training. Current/existing employees shall have six months from the effective date of this article to comply with these training requirements.

Documentation of training must be kept at the business location and be made available for inspection at all times while the business is open. Training shall apply to all employees that supervise, receive reservations, handle paperwork with customers, provide pre-ride/pre-rental training, or otherwise operate the rental or response/recovery equipment and shall include the following:

- (1) State of Florida Boating Safety Education Course;
- (2) Okaloosa Boating and Waterway Safety Video;
- (3) FWC's online livery course;
- (4) American Heart Association First Aid Response Course;
- (5) PWC or pontoon equipment training. In-house training on the safety/operation on the specific apparatus rented by the vendor; and
- (6) Contingency training. In-house training for the employee on the specific contingency plans required for this business location.

B. Rental customer operating requirements.

(1) Training. In addition to any and all state mandated training, all operators of the rental vessel shall undergo the following training:

- (a) Okaloosa Boating and Waterway Safety Video;
- (b) PWC or Pontoon equipment video/training on the safety/operation on the specific apparatus rented; and

(c) Emergency contact information for law enforcement, Coast Guard, 911, and vendor.

(2) Operator identification. Operators shall have a wristband indicating they have met the training requirements above and are properly licensed. There shall be two separate identification colored wristbands which shall be used by the business to identify the operators, the color coordination of wristbands is as follows:

(a) Green - to use when operator is over the age of 18 years old and was born before January 1, 1988, and by Florida law is not required to obtain a Florida Temporary Boaters Certification or obtain the National Association of State Boating Law Administrators (NASBLA) approved boaters license or passed a Florida Temporary Boaters Certification.

(b) Pink - to use when operator is over the age of 18 but born after January 1, 1988.

(3) License. All livery vessel businesses shall maintain a copy of the operator/renters state drivers' license/certification which can be provided to the appropriate county/state authorities if and when requested.

(4) Required documentation.

(a) The rental customer shall have a copy of the rental agreement;

(b) Contact number/call sign to contact rental agency;

(c) Safety and operational information for the device;

(d) Map of the area with the location of rental agency shown as well as any boater restrictive areas;

(e) Emergency contact information and other emergency rental agency; communication device

- Shall be an operational cell phone, portable marine radio or other device capable to communicate to the business and emergency personnel; and
- (f) Identification markings shall be placed on each personal flotation device worn by operators of the livery vessels which distinguishes the business from other businesses engaged in the rental of livery vessels.

Sec. 13-148. - Permit not transferable.

1. The number of livery vessel permits within the City of Destin is capped at Four Hundred and Ninety (490). Livery vessel permits must be attached to a designated vessel at all times, by virtue of attaching to the vessel's current, unexpired and valid State of Florida vessel registration number, or shall be automatically returned to the City of Destin and made available to other applicants subject to all requirements of the City's Code of Ordinances and Land Development Code. Unassigned vessels as of the Effective Date of this Ordinance shall have one year before their permit is revoked.
2. No permit issued under this article creates any vested right. Except as provided in subsection (c), no No permit shall be transferable or assignable. No permit shall be used by any vendor other than the one to whom it is issued. If a vendor is an entity, of any kind, and the ownership of the entity is sold, transferred, or assigned, then the entity shall notify the city within ten (10) days of change in ownership, or any permit shall be deemed automatically revoked and returned to the City of Destin. No permit shall be used at any location other than the one for which it is issued except as provided in subsection (c).
100. Provided the permit remains attached to a designated vessel, the vessel and permit are transferable and assignable within the City of Destin, subject to the following:
 1. To avoid artificial inflation of sales pricing or price gouging, registered vessels may not be sold for more than the then current NADA Guide value plus 10%.
 2. Transfer or assignment of such permitted vessel does not relieve the new owner of the obligation to comply with all provisions of the City's Code of Ordinances and Land Development Code applicable to livery vessels.
 3. If the permitted vessel is sold, transferred, or assigned, then the purchasing entity, transferee or assignee shall notify the city within ten (10) days of change in ownership, or any permit shall be deemed automatically revoked and returned to the City of Destin.
 4. Vessels may not be sold, transferred or assigned again within a two year period from the date of such notification.
500. A livery vessel permit is deemed revoked and automatically returned to the City at such

time as the use of the permit has been abandoned for a period of at least 60 days. For purposes of this subsection, abandonment shall mean that the permitted vessel has not been used in the normal course of business for at least 60 days, including but not limited to the operator's failure to annually register with the City.

A. Link to Strategic Goals / Objectives:

B. Effect on Budget (EOB):

C. Level of Service (LOS):

D. Legislative Sponsor: City Council on May 19, 2025

E. Business Impact Statement:

III. CONCLUSION: This ordinance will provide more consistent guidance that follows the county and the surrounding community regarding livery regulations.

IV. RECOMMENDED MOTION: I move to approve Ordinance 25-05-CC on first reading.

Attachments:

1. 25-05-CC LIVERY
8.4.25

ORDINANCE 25-05-CC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA RELATING TO LIVERY VESSELS; AMENDING ARTICLE VIII “REGISTRATION OF LIVERY VESSELS” OF THE CITY CODE OF ORDINANCES; AMENDING PROVISIONS RELATED TO TRANSFERABILITY OF PERMITS; PROVIDING FOR ADDITIONAL REQUIRED TRAINING AND SAFETY MEASURES; PROVIDING FOR FINDINGS OF FACT; 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 386, Florida Statutes.

SECTION 2. FINDINGS OF FACT.

WHEREAS, the tranquility, environmentally sound, and orderly and safe use of City waterways is of prime importance to the city, its citizens and visitors; and

WHEREAS, the City Council of the City of Destin recognizes that the unregulated rental of livery vessels by the public impacts the welfare of the historic working waterfront, and jeopardizes the health, safety and welfare of the city's residents, property owners, and visitors; and

WHEREAS, it is therefore necessary and in the interest of the public health, safety and welfare to monitor and provide reasonable means to ensure adherence to state laws and ensure safe and responsible operation of such livery vessels; and

WHEREAS, the unregulated rental of livery vessels has led to increased instances of unlicensed businesses renting livery vessels to inexperienced operators, which has led to unsafe conditions in the waters of the city during many times of the year; and

WHEREAS, the requirement of a permit for each livery vessel, that shall be rented out within the city, and the permit fees collected and used to support the code enforcement division in enforcing this ordinance, have allowed the city to effectively regulate and monitor livery vessels being rented by businesses within the city, which is reasonably related to protecting the public health, safety, and welfare of the city's residents and visitors, and is also reasonably related to preserving the historic working waterfront of the city; and

WHEREAS, the City Council desires to cap the number of permitted livery vessels operating within the City at 490 to reflect the number of livery vessels that are either currently, legally permitted to operate within the City of Destin, or are expected to become legally permitted in the immediate future pursuant to Ordinance Number 24-15-CC (which made clarifications to the definition of livery vessels set forth in section 13-141 of the City Code of Ordinances and contained provisions making clarifications for bareboat liveries such as yachts and boat clubs pursuant to the terms of the ordinance); and

WHEREAS, the City Code of Ordinances, Article VIII requires permitting and regulations of livery vessels; and

WHEREAS, the City Council desires to require additional training and safety measures for operators and renters of livery vessels in order to best protect the public health, safety and welfare; and

WHEREAS, the City Council finds that this Ordinance serves the public interest and is necessary and appropriate to protect public health, safety, and welfare of its citizens and visitors.

WHEREAS, the City Council has determined that this ordinance is in the best interests of the City and its 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 ARTICLE VIII OF THE CODE OF ORDINANCES, SECTION 13-141, “DEFINITIONS” AND SECTION 13-144 “APPLICATION FOR PERMIT.”

Article VIII of the Code of Ordinances is hereby amended as follows:

ARTICLE VIII. - PERMITTING OF LIVERY VESSEL RENTALS

Sec. 13-145. - General regulations/standards.

- (1) Livery vessel vendor shall ensure compliance with boater safety identification pursuant to F.S. § 327.395, and with livery safety regulations pursuant to F.S. § 327.54.
- (2) Boater safety information shall be located in a place visible to the renting public.
- (3) Livery vessel vendor shall provide local safety and regulatory instruction, such as the locations of no-wake zones, Crab Island safety corridor, etc. (may be combined with requirements of F.S. § 327.54).
- (4) Permanent restrooms and business-owned trash and recycling receptacles must be provided on the property on which the livery vessel docking location is located.
- (5) Each livery vessel for rental shall have legible information identifying the rental company name, telephone number and vessel name or number.
- (6) Required Safety Measures.

A. Employee training.

Employees shall be required to complete the following training and upon request provide documentation at the site to the city manager or city manager's designee. At all times during business hours, an employee that has completed the training must be located at the business facility. Employees that have not completed the training shall have 30 days from start of employment to complete the training and may temporarily operate under the supervision of someone who has completed the training. Current/existing employees shall have six months from the effective date of this article to comply with these training requirements. Documentation of training must be kept at the business location and be made available for inspection at all times while the business is open. Training shall apply to all employees that supervise, receive reservations, handle paperwork with customers, provide pre-ride/pre-rental training, or otherwise operate the rental or response/recovery equipment and shall include the following:

- (1) State of Florida Boating Safety Education Course;
- (2) Okaloosa Boating and Waterway Safety Video;
- (3) FWC's online livery course;
- (4) American Heart Association First Aid Response Course;
- (5) PWC or pontoon equipment training. In-house training on the safety/operation on the specific apparatus rented by the vendor; and
- (6) Contingency training. In-house training for the employee on the specific contingency plans required for this business location.

B. Rental customer operating requirements.

(1) Training. In addition to any and all state mandated training, all operators of the rental vessel shall undergo the following training:

- (a) Okaloosa Boating and Waterway Safety Video;
- (b) PWC or Pontoon equipment video/training on the safety/operation on the specific apparatus rented; and
- (c) Emergency contact information for law enforcement, Coast Guard, 911, and vendor.

(2) Operator identification. Operators shall have a wristband indicating they have met the training requirements above and are properly licensed. There shall be two separate identification colored wristbands which shall be used by the business to identify the operators, the color coordination of wristbands is as follows:

- (a) Green - to use when operator is over the age of 18 years old and was born before January 1, 1988, and by Florida law is not required to obtain a Florida Temporary Boaters Certification or obtain the National Association of State Boating Law Administrators (NASBLA) approved boaters license or passed a Florida Temporary Boaters Certification.

(b) Pink - to use when operator is over the age of 18 but born after January 1, 1988.

(3) License. All livery vessel businesses shall maintain a copy of the operator/renters state drivers' license/certification which can be provided to the appropriate county/state authorities if and when requested.

(4) Required documentation.

(a) The rental customer shall have a copy of the rental agreement;

(b) Contact number/call sign to contact rental agency;

(c) Safety and operational information for the device;

(d) Map of the area with the location of rental agency shown as well as any boater restrictive areas;

(e) Emergency contact information and other emergency rental agency; communication device - Shall be an operational cell phone, portable marine radio or other device capable to communicate to the business and emergency personnel; and

(f) Identification markings shall be placed on each personal flotation device worn by operators of the livery vessels which distinguishes the business from other businesses engaged in the rental of livery vessels.

Sec. 13-148. - Permit not transferable.

(a) The number of livery vessel permits within the City of Destin is capped at Four Hundred and Ninety (490). Livery vessel permits must be attached to a designated vessel at all times, by virtue of attaching to the vessel's current, unexpired and valid State of Florida vessel registration number, or shall be automatically returned to the City of Destin and made available to other applicants subject to all requirements of the City's Code of Ordinances and Land Development Code. Unassigned vessels as of the Effective Date of this Ordinance shall have one year before their permit is revoked.

(b) No permit issued under this article creates any vested right. Except as provided in subsection (c), no permit shall be transferable or assignable. No permit shall be used by any vendor other than the one to whom it is issued. If a vendor is an entity, of any kind, and the ownership of the entity is sold, transferred, or assigned, then the entity shall notify the city within ten (10) days of change in ownership, or any permit shall be deemed automatically revoked and returned to the City of Destin. No permit shall be used at any location other than the one for which it is issued except as provided in subsection (c).

(c) Provided the permit remains attached to a designated vessel, the vessel and permit are transferable and assignable within the City of Destin, subject to the following:

- i. To avoid artificial inflation of sales pricing or price gauging, registered vessels may not be sold for more than the then current NADA Guide value plus 10%.
- ii. Transfer or assignment of such permitted vessel does not relieve the new owner of the obligation to comply with all provisions of the City's Code of Ordinances and Land Development Code applicable to livery vessels.
- iii. If the permitted vessel is sold, transferred, or assigned, then the purchasing entity, transferee or assignee shall notify the city within ten (10) days of change in ownership, or any permit shall be deemed automatically revoked and returned to the City of Destin.
- iv. Vessels may not be sold, transferred or assigned again within a two year period from the date of such notification.

(d) A livery vessel permit is deemed revoked and automatically returned to the City at such time as the use of the permit has been abandoned for a period of at least 60 days. For purposes of this subsection, abandonment shall mean that the permitted vessel has not been used in the normal course of business for at least 60 days, including but not limited to the operator's failure to annually register with the City.

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.

(Signature Page Follows)

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 _____, 2025.

Bobby Wagner, Mayor

ATTEST:

Rey Bailey, City Clerk

The form and legal sufficiency of the foregoing has been reviewed and approved by the City Attorney, for the City of Destin, only.

Kimberly Romano Kopp, City Attorney

First Reading:
Second Reading:

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: August 4, 2025
TYPE OF AGENDA ITEM: Ordinance
AGENDA OUTLINE NUMBER: 5.C.

TO: City Council

THRU: Larry Jones , City Manager
Kimberly Kopp, City Attorney

FROM: Noell Bell, Chief Building Official
David Prichard, Community Development Director

DATE: July 25, 2025

SUBJECT: Second reading of Ordinance 24-17-CC - Amending Chapter 6 of the Code of Ordinances to create a new Article 5, "Property Maintenance Code."

I. BACKGROUND:

Article 20.06.00 of the **Land Development Code (LDC) – Unsafe Building Abatement** was adopted in 2015 and was modeled from the **1985 Standard Unsafe Building Abatement Code**. Staff have found that these regulations do not fully capture all elements of public health, safety, welfare and the preservation of neighborhoods, as they apply only to structures and do not address a property's general site conditions. Due to the limits of these regulations, the City's Code Compliance efforts are limited.

Therefore, staff are seeking to expand the regulations to include the property as a whole, including exterior elements (yard).

II. DISCUSSION:

The purpose of the Property Maintenance Code is to ensure properties and structures maintain the regulations of the Land Development Code and Florida Building Codes AFTER the issuance of a Certificate of Occupancy or Certificate of Completion. It is NOT the intent of the City to drop in and conduct inspections on a regular basis on any property in Destin without due cause. The Property Maintenance Code is to focus on Changes of Use, problematic, damaged or dilapidated structures and properties that may become blighted, unkept or determined to be unsafe to occupants, or the general welfare of the public.

Meeting History:

- **LPA October 3, 2024:** LPA had originally recommended the City Council approve Ordinance 24-17-CC.
- **City Council October 21, 2024:** Staff presented Ordinance 24-17-CC, and the Council made a substitute motion to refer the item back to the LPA for a workshop.
- **LPA January 16, 2025:** It was discussed for the members to read through the Proposed Code and bring back further recommendations to the current written language for discussion.

- **LPA February 6, 2025:** Staff found it best to share the Word version of the Ordinance with the members so they could provide their direct edits or recommended changes to the code as presented.
- **LPA March 6, 2025:** Based on discussions, Staff have taken their feedback and made the suggested edits to the proposed **Property Maintenance Code Ordinance**.
- **LPA May 15, 2025:** LPA recommendation for City Council to approve ordinance 24-17-CC passed. (4-0).
- **Council June 16, 2025:** A substitute motion was presented to incorporate the City Manager, or his/her designee shall be known as the Code Official, and any disputes of the Code Officials decision or determination shall have a right to an appeal to be heard before the City Council, in addition, any imminent danger that require emergency action taken by the Code Official, the City Manager shall report such actions to the City Council at the next regular City Council Meeting. (Passed 6-0 on 1st reading).
- **Council July 21, 2025:** Council request amending the appeal section to allow for (14) fourteen days versus (5) five days of written rendering by Code Official and add a WHEREAS clause: it is *NOT* the intent of the City to drop in and conduct inspections on a regular basis on any property in Destin without due cause. These changes have been incorporated in Ordinance 24-17-CC.

The Property Maintenance Code has been revised accordingly and contains the following topics:

- **SCOPE:** The provisions of this code apply to all existing residential and non-residential structures and all existing *premises* and constitute minimum requirements and standards for *premises*, structures, equipment and facilities.
- **PURPOSE:** **The purpose of this code is to establish minimum requirements to provide a reasonable level of health, safety, property protection and general welfare insofar as they are affected by the continued occupancy and maintenance of structures and premises. Existing structures and premises that do not comply with these provisions shall be altered or repaired to provide a reasonable minimum level of code standards, health, safety and general welfare as required herein.**
- **ADMINISTRATION AND ENFORCEMENT:**
 - **Code Official:** The City Manager or his/her designee shall be known as the Code Official.
 - **Appeals:** Any decision or determination by the Code Official shall have the right to appeal before the City Council.
Imminent Danger: Any emergency action taken by the Code Official due to an imminent danger shall be reported by the City Manager to the City Council at the next regular City Council Meeting.

- **GENERAL REQUIREMENTS:**

Govern the minimum conditions and responsibilities of owners for maintenance of structure, equipment and exterior property. Some items of note include but are not limited to:

- Premises and exterior property shall be maintained free from weeds or excess grass growth of NINE (9) inches.
- Provides increased ability for abatement. The Current Code allows for the abatement of unsafe structures. PMC authorizes abatement for additional violations including accumulation of trash, overgrown weeds/grass, etc.

- **Incorporated into the Property Maintenance Code from the LDC**

- Unsafe Building Abatement, LDC20.06.00

- Duties and powers of the Code Official
- Violation Notices
- Unsafe Structures and Equipment – defined with reference to Chapters 4-7 of the ICC 2024 Property Maintenance Code)
- Prosecution of violation
- Abatement of Violation

- Conserve Established Residential Neighborhoods, LDC 09.05.00, B. Public Nuisance

A. Link to Strategic Goals / Objectives:

II. Enhanced Quality of Life and safety for Families

B. Effect on Budget (EOB):

N/A

C. Level of Service (LOS):

N/A

D. Legislative Sponsor:

E. Business Impact Statement:

III. CONCLUSION:

- The primary objective is to protect **public health, safety, and welfare**, maintaining code standards for **residential and commercial properties**.
- The code aims to **preserve neighborhoods and commercial areas**, ensuring properties remain **safe and well-maintained**.
- The proposed move from the LDC to the Code of Ordinances is **a logical and necessary change**.
- The **Property Maintenance Code** is well-structured and aligns with industry standards (ICC 2024), ensuring **long-term safety and maintenance** for all properties in Destin.

IV. RECOMMENDED MOTION:

I move that City Council adopt **Ordinance 24-17-CC Property Maintenance Code** on Second reading.

Attachments:

1. Property Maintenance Code Ordinance 24-17-CC
2. Business Impact Statement 24-17-CC

ORDINANCE NO. 24-17-CC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA; AMENDING CHAPTER 6 OF THE CODE OF ORDINANCES TO CREATE A NEW ARTICLE 5, "PROPERTY MAINTENANCE CODE"; 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 and Section 166.021, Florida Statutes.

SECTION 2. FINDINGS OF FACT.

WHEREAS, the City Council in providing for the quality of life, health, safety and welfare of its citizens finds that the City should create a property maintenance code and

WHEREAS, the City Council desires to amend the Code of Ordinances to adopt a property maintenance code; and

WHEREAS, the purpose of the Property Maintenance Code is to ensure properties and structures maintain the regulations of the Land Development Code and Florida Building Codes *AFTER* the issuance of a Certificate of Occupancy or Certificate of Completion; and

WHEREAS, it is *NOT* the intent of the City to drop in and conduct inspections on a regular basis on any property in Destin without due cause; and

WHEREAS, the Property Maintenance Code is to focus on Changes of Use, problematic, damaged or dilapidated structures and properties that may become blighted, unkept or determined to be unsafe to occupants, or the general welfare of the public; and

WHEREAS, 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; and

WHEREAS, a public hearing has been conducted after due public notice by the 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.

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. AMENDMENTS TO CHAPTER 6, CITY CODE OF ORDINANCES.

Chapter 6 of the Code of Ordinances is hereby amended as follows:

Chapter 6 – BUILDINGS AND BUILDING REGULATIONS

ARTICLE V. – PROPERTY MAINTENANCE CODE

PART 1 - SCOPE AND ADMINISTRATION

SECTION 101

SCOPE AND GENERAL REQUIREMENTS

101.1 Title.

These regulations shall be known as the Property Maintenance Code of **CITY OF DESTIN**, hereinafter referred to as “this code.”

101.2 Scope.

The provisions of this code shall apply to all existing residential and nonresidential structures and all existing premises and constitute minimum requirements and standards for premises, structures, equipment and facilities.

101.3 Purpose.

The purpose of this code is to establish minimum requirements to provide a reasonable level of health, safety, property protection and general welfare insofar as they are affected by the continued occupancy and maintenance of structures and premises. Existing structures and premises that do not comply with these provisions shall be altered or repaired to provide a reasonable minimum level of health, safety and general welfare as required herein.

101.4 Severability.

If a section, subsection, sentence, clause or phrase of this code is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

SECTION 102

APPLICABILITY

102.1 Maintenance.

Equipment, systems, devices and safeguards required by this code or a previous regulation or code under which the structure or premises was constructed, altered or repaired shall be maintained in good working order. An owner, owner's authorized agent, operator or occupant shall not cause any service, facility, equipment or utility that is required under this section to be removed from, shut off from or discontinued for any occupied dwelling, except for such temporary interruption as necessary while repairs or alterations are in progress. The requirements of this code are not intended to provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures. Except as otherwise specified herein, the owner or the owner's authorized agent shall be responsible for the maintenance of buildings, structures and premises.

102.2 Application of other codes.

Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the Land Development Code, Code of Ordinances, Florida Building Code, Florida Existing Building Code, Florida Energy Conservation Code, Florida Fire Code, Florida Fuel Gas Code, Florida Mechanical Code, Florida Residential Code, Florida Plumbing Code and NFPA 70 – National Electrical Code (NEC).

102.3 Existing remedies.

The provisions in this code shall not be construed to abolish or impair the City's existing remedies relating to the removal or demolition of any structure that is dangerous, unsafe or insanitary.

102.4 Requirements not covered by code.

Requirements necessary for the strength, stability or proper operation of an existing fixture, structure or equipment, or for the public safety, health and general welfare, not specifically covered by this code, shall be determined by the Code Official.

102.5 Other laws.

The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

PART 2 – ADMINISTRATION AND ENFORCEMENT

SECTION 103

CODE OFFICIAL

103.1 Code Official

The City Manager or City Manager's Designee, (which designee may be the City Building Official), is also referred to as the Code Official.

SECTION 104

FEES

104.1 Fees.

The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as established by the City Council.

SECTION 105

DUTIES AND POWERS OF THE CODE OFFICIAL

105.1 General.

The Code Official is hereby authorized and directed to enforce the provisions of this code. The Code Official, in his or her discretion, may authorize City Code Compliance staff to enforce the provisions of this code under his or her supervision.

105.2 Determinations, Interpretations and Appeals.

Determinations and Interpretations. The Code Official (in consultation with and the Fire Official, where applicable) shall determine compliance with this code and render interpretations of this code. The Code Official shall not waive requirements specifically provided for in this code or other applicable codes and ordinances. In determination of a violation of this code or an Unsafe Building the official code shall include a statement indicating the building or structure has been declared unsafe by the City and a detailed report documenting the conditions determined to have rendered the building or structure unsafe under the Code and shall be signed by the Code Official. Such a determination shall be forwarded to the Code Enforcement Officer for further action according to the following procedures, and the procedures in Chapter 14, Article III, Code Enforcement Board; Special Magistrate.

Appeals: Interpretations of this Code and determinations by the Code Official of noncompliance with this Code are appealable to the City Council within fourteen (14) days of the written rendering of the interpretation or determination by the Code Official. However, any matter adjudicated by the Special Magistrate or Code Enforcement Board (where a final order of the Special Magistrate or Code Enforcement Board is rendered), is appealable only to the circuit court of Okaloosa County, and may not be appealed to the City Council.

105.3 Right of Entry.

When the Code Official or Fire Official or their designee has reasonable cause to believe that there exists in a structure or on any premises a condition that is contrary to or in violation of this code that makes the structure or premises unsafe, dangerous or hazardous, the Code Official is authorized to enter the structure or premises at all reasonable times to inspect or perform the duties imposed by this code.

- a. When entering a building, structure or property that is occupied, the official(s) shall first identify themselves, present proper credentials and request entry.
- b. If the building, structure or property is unoccupied, the official(s) shall make a reasonable effort to locate the owner or other persons having charge of the building and demand entry.
- c. If the official(s) are unable to obtain authorization to enter and inspect a building, structure or property, the officials may enter and inspect such building, structure or property by any other lawful means, including through the inspection warrant process as provided in Chapter 933, Florida Statutes.

105.4 Disconnect of Utilities.

The Code Official shall have the authority to authorize disconnection of utility service to any structure where necessary to eliminate an immediate hazard to life or property or when such utility connection is made without proper authorization. The Code Official shall notify the serving utility and, whenever possible, the owner or occupant of the structure, of the decision to disconnect such service prior to taking such action. The Code Official shall use best efforts to determine those instances where service is connected to more than one customer to avoid unintentional disconnection of utilities of innocent third parties.

105.5 Imminent Danger.

Regardless of whether notice has been issued by the code officer, the Code Official is authorized to take the following emergency measures where, in the opinion of the Code Official, there is imminent danger of fire, failure, or collapse of a building or structure which endangers life, or when any portion of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the structure's occupants or those in proximity because of explosives, explosive fumes or vapors, or the presence of toxic fumes, gases or materials:

- a. Disconnection of utility service as provided hereinabove.
- b. Order and require that the occupants vacate the building, structure or property immediately.
- c. Posting the building, structure or property at each entrance informing all persons that it is unlawful for any person to enter the building, structure or property except for the purpose of securing the building or structure, making an inspection, making required repairs, removing the hazardous condition, cleanup or remediation of hazardous materials or toxic substances, or for demolition and removal.
- d. Temporarily close or board up buildings or structures against further entry, or order to close sidewalks, streets, public rights-of-way, and places adjacent to such buildings, structures or property.
- e. When there is an imminent danger due to the condition of the building, structure or property, order emergency work to reduce or eliminate such condition to be performed by the property owner, or if the owner fails to perform such work within such reasonable time as specified by the Code Official, take such steps as are necessary to eliminate such condition and present such costs to the Code Enforcement Board or Special Magistrate for an Order authorizing the placement of a lien to be recorded against the property for the costs of such work if the finding of imminent danger is confirmed by the code compliance hearing.

The City Manager shall report any action taken under this section 105.5 to the City Council at the next regularly scheduled City Council meeting.

105.6 Notices and orders.

The Code Official (or code compliance staff as directed by the Code Official), shall issue all necessary notices or orders to ensure compliance with this code, in accordance with Chapter 162, Florida Statutes.

105.7 Method of service.

Such notice shall be deemed to be properly served where a copy thereof is served in accordance with Chapter 162, Florida Statutes.

SECTION 106 **VIOLATIONS**

106.1 Notice of violation.

The code compliance officer, upon receiving a determination of a violation from the Code Official, shall serve a notice of violation or order in accordance with Chapter 162, Florida Statutes, and shall include the following:

- (1) The street address or location on which road, if no address is assigned and the property I.D. of the structure, building or property.
- (2) If it's a determination of an unsafe structure, the Determination of Unsafe Structure by the Code Official shall be included in its entirety.
- (3) A statement advising that if the following required actions, as determined by the Code Official, are not commenced within or completed by the time specified, the matter will be referred to the Code Enforcement Board or Special Magistrate for a hearing, which may result in a finding of violation and an order imposing fine and costs and requiring that the building, structure or property will be repaired or ordered vacated and, if applicable, demolished and all costs incurred, together with any accrued fines; and that the order imposing fine and costs may be filed in the public records, and as such, thereafter will constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the violator.
 - a. If the building or structure is to be repaired, the notice shall require that all necessary permits be secured and the work commenced within 60 days and continue to completion within such time as allowed per code.
 - b. If the building or structure is to be vacated, the notice shall indicate the time within which vacation is to be completed and the building or structure secured against further occupancy, which time shall not exceed 30 days.
 - c. If the building or structure is to be demolished, the notice shall require that the premises be vacated within 30 days, and that all required permits for demolition be secured in 60 days and completed within such time as allowed per the Florida Building Code.
- (4) A statement that the Code Official has the authority to authorize disconnection of utility service to any structure where necessary to eliminate an immediate hazard to life or property or when such utility connection was made without proper authorization.
- (5) A statement providing notice that it is unlawful for any person, firm, corporation, or other entity, or any agent thereof, to remove, deface or destroy the Notice of Unsafe Structure and Notice of Violation without the permission, or for any person to enter or otherwise occupy the building except for the purpose of making the required repairs or demolishing the building or structure based on applicable permitting and approvals by the Code Official.

Once a notice is served and posted, it shall be unlawful for any person, firm, corporation, or other entity, or any agent thereof, to remove, deface or destroy the Notice of Violation without permission, or for any person to enter or otherwise occupy the building except for the purpose of making the required repairs or demolishing the building or structure based on applicable permitting and approvals by the Code Official.

106.2 Placarding.

If the violation consists of an unsafe structure, a placard shall be posted stating the structure is unsafe at each entrance of the building or upon the structure.

106.2.1 Placard removal.

The Code Official shall remove the unsafe structure placard whenever the defect or defects upon which the unsafe structure and placarding action were based have been eliminated. Any person who defaces or removes a placard without the approval of the Code Official shall be subject to the penalties provided by this code.

106.3 Prosecution of violation.

Code Compliance Hearing. Upon failure of the owner to comply with the remedial measures and actions as required in the Notice of Violation and/or Notice of Unsafe Structure, the Code Enforcement Officer shall schedule the matter to be heard by the Code Enforcement Board or Special Magistrate as provided in Chapter 14, City Code of Ordinances. If the Code Enforcement Board or Special Magistrate determines that there is a violation and affirms the code officer's Determination of Unsafe Building, the Board or Special Magistrate shall in its order provide a reasonable time for the owner to correct the unsafe or dangerous condition, subsequent to which the code officer may be directed to take any necessary remedial measures to have the building, structure or property secured by repair, closing up all entrances, or demolition. All such costs of remedial measures incurred by the City shall be charged against the real property upon which the building or structure is located and shall be a lien upon such real estate, and upon any other real or personal property owned by the violator and may be collected in any legal manner.

106.4 Abatement of violation.

Method of Demolition or Repair.

- (1) The Code Enforcement Board or Special Magistrate shall order either the demolition or repair of a building or structure as follows, based on the Code Official's expertise:
 - a) Demolition and removal shall be ordered when any building or structure is so deteriorated or dilapidated or has become so out of repair as to be dangerous, unsafe, unsanitary, or otherwise unfit for human habitation or occupancy to such an extent that it is unreasonable to repair the building or structure. Such order shall specify a time in which demolition is to be completed and shall require that the owner board up such building or structure pending demolition and removal.
 - b) Repair shall be ordered where such building or structure is capable of being made safe by repair. Such order shall specify the time in which such repairs are to be made and shall require the owner to board up the building or structure pending such repair.
- (2) Boarding up a building or structure for future demolition or repair pursuant to an order of the Code Enforcement Board or Special Magistrate shall not extend beyond one year, unless approved by the Code Enforcement Board or Special Magistrate upon a showing of good cause.
- (3) When any building or structure is to be demolished and removed by the City, the City, or any entity under contract to the City, may enter onto the real property that is the subject of the order and undertake such demolition by any lawful means. The City, or any entity under contract with the City, shall have the right to sell salvage and valuable materials at the highest price obtainable. The proceeds of the sale, after deducting the expenses of such demolition and removal, shall be promptly remitted to the owner with a report of such sale of transaction, including the items of expense and the amounts deducted. If there is not surplus to remit to the owner, the report shall so state.

SECTION 107

UNSAFE STRUCTURES AND EQUIPMENT

10871 General

All buildings, structures, or premises, (including but not limited to electrical, gas, mechanical or plumbing systems within a building structure or premises) which are unsafe, unsanitary, or do not provide adequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life, or which in relation to existing use, constitute a hazard to safety or health, or which are otherwise unfit for human habitation, as may be further defined hereinbelow, are considered unsafe buildings, structures, or premises. All such unsafe buildings, structures or premises are hereby declared illegal and shall be abated by repair and rehabilitation or by demolition in accordance with the provisions of this Code or other applicable local ordinance.

107.1.1 Unsafe Structures

Any building, structure, equipment or property that has any of the following conditions, such that life, health, property or safety of the public or the building occupants, either permanent or occasional are endangered:

Violation Conditions:

- (1) Any means of egress or portion thereof is not of adequate size, or is not arranged to provide a safe path of travel in case of fire or panic, or otherwise does not conform to the Florida Building Code or Florida Life Safety Code as related to the requirements for existing buildings or to the approved plans, if any.
- (2) Any means of egress or portion thereof, such as, but not limited to, fire doors, closing devices and fire resistive ratings, is in disrepair or in a dilapidated or nonworking condition such that the means of egress could be rendered unsafe in case of fire or panic.
- (3) The stress in any material, member or portion thereof, due to all imposed loads including dead load exceeds the stress allowed in the Florida Building Code as related to the requirements for existing buildings.
- (4) The building, structure or portion thereof has been damaged by fire, flood, earthquake, wind or other cause to the extent that the structural integrity of the building or structure is less than it was prior to the damage and is less than the minimum requirements established by the Florida Building Code as related to the requirements for existing buildings.
- (5) Any exterior appendage or portion of the building or structure is not securely fastened, attached or anchored such that it is incapable of resisting wind, seismic or similar loads as required by the Florida Building Code as related to the requirements for existing buildings.
- (6) If, for any reason, the building, structure or portion thereof is manifestly unsafe or unsanitary for the purpose for which it is being used.
- (7) The building, structure or portion thereof as a result of damage, decay, deterioration or dilapidation is likely to fully or partially collapse.
- (8) The building, structure or portion thereof has been constructed or maintained in violation of a specific requirement of the Florida Building Code, was not constructed according to the approved plans, if any, or was constructed without first obtaining a building construction permit, where a building permit was required.
- (9) Any building, structure or portion thereof that is unsafe, unsanitary or not provided with adequate egress, or which constitutes a fire hazard, or is otherwise dangerous to human life, or

which in relation to existing use, constitutes a hazard to safety or health by reason of inadequate maintenance, dilapidation, obsolescence or abandonment.

(10) Any building, structure or portion thereof that displays any of the above is in such a condition so as to constitute a public nuisance or an unsafe or dangerous attractive nuisance.

(11) Any building, structure or property rendered unsafe or dangerous to human health by the presence of unlawful hazardous materials or toxic substances.

Any violation of Chapter 4 through 7 of the International Code Congress (ICC) 2024 Property Maintenance Code, which is for the purpose of and establishing minimum rules for maintaining building code standards and regulations for the use, occupancy and maintenance of property, building or structure in the corporate limits of the City could be determined to be an Unsafe Structure depending on the nature of the violation, but at a minimum would be a violation of the code.

107.2 Closing of vacant structures.

If the structure is vacant and unfit for human habitation and occupancy, and is not in danger of structural collapse, the Code Official is authorized to direct posting a placard of condemnation on the premises and order the structure closed up so as not to be an attractive nuisance. Upon failure of the owner or owner's authorized agent to close up the premises within the time specified in the order, the Code Official may cause the premises to be closed and secured through order of the Special Magistrate, code enforcement board, any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate and shall be collected by any other legal resource.

107.3 Transfer of ownership.

It shall be unlawful for the owner of any dwelling unit or structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of such dwelling unit or structure to another until the provisions of the compliance order or notice of violation have been complied with, or until such owner or the owner's authorized agent shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the Code Official and shall furnish to the Code Official a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

SECTION 202

GENERAL DEFINITIONS.

Terms utilized in this Article V, Property Maintenance Code, are as defined in the latest edition of the Florida Building Code, Chapter 2 – Definitions.

SECTION 301

GENERAL REQUIREMENTS

301.1 Scope.

The provisions of this Article V, Property Maintenance Code, shall govern the minimum conditions and the responsibilities of persons for maintenance of structures, equipment and exterior property.

301.2 Responsibility.

The owner of the premises shall maintain the structures and exterior property in compliance with these requirements and the code under which the building was constructed, except as otherwise provided for in this Article V, Property Maintenance Code. The owner or owner's agent shall be responsible to ensure that any repairs, additions or alterations to the building or portion thereof are performed or constructed in accordance with the Florida Building Code, Florida Residential Code or Florida Existing Building Code. A person shall not occupy as owner-occupant or permit another person to occupy premises that are not in a sanitary and safe condition and that do not comply with the requirements of this Article V, Property Maintenance Code. Occupants of a dwelling unit, rooming unit or housekeeping unit are responsible for keeping in a clean, sanitary and safe condition that part of the dwelling unit, rooming unit, housekeeping unit or premises they occupy and control.

301.3 Vacant structures and land.

Vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

SECTION 302

EXTERIOR PROPERTY AREAS

302.1 Sanitation.

Exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property that such occupant occupies or controls in a clean and sanitary condition.

302.2 Sidewalks and driveways.

Sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair and maintained free from hazardous conditions. This includes the drive access way through the Right of Way (ROW) and within (15) fifteen feet of the established drive access.

302.3 Landscape Maintenance.

Premises and exterior property shall be maintained free from weeds or excess grass growth of **NINE (9) INCHES**. Noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than ornamental grasses, trees or shrubs provided; however, this term shall not include cultivated flowers and gardens. Upon failure of the owner or agent having charge of a property to maintain the landscape after a finding of violation by the special magistrate or code enforcement board, any duly authorized employee of the City or contractor hired by the City shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property.

A. Maintenance. Landscaping shall be maintained as follows:

1. All plant material shall be maintained in a healthy and viable condition.
2. Structural elements relating to nonliving landscape material shall be maintained in good condition at all times.
3. All landscaping planted abutting sidewalks, multiuse pathways, pedestrian gathering areas, bicycle lanes or vehicular use areas shall be trimmed so as to not interfere in the use of said areas.

4. All permitted development (or land identified for future development per a development order) shall maintain any and all landscaping, sidewalks, and roadways.
5. Trash shall not be permitted to accumulate at the premises including but not limited to grounds.
6. Any vacant area identified for future development shall be, covered with a living ground cover such as grass, sod, or other low growing ground cover species, irrigated, and maintained as per this Code.
7. If a vacant lot identified for future development has not been cleared of trees, the ground shall be grubbed or cleared of overgrown vegetation and maintained in a manner as to not attract pest or rodents.
8. All permitted development is required to maintain the storm water retention areas or systems per the approved development Stormwater Plan.

Upon failure of the owner or agent having charge of a property to maintain the landscape after a finding of violation by the special magistrate or code enforcement board, any duly authorized employee of the City or contractor hired by the City shall be authorized to enter upon the property in violation, abate the violation, and the costs of such abatement shall be paid by the owner or agent responsible for the property

302.4 Rodent harborage.

Structures and exterior property shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by approved processes that will not be injurious to human health. After pest elimination, proper precautions shall be taken to eliminate rodent harborage and prevent reinfestation.

302.5 Exhaust vents.

Pipes, ducts, conductors, fans or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly on abutting or adjacent public or private property or that of another tenant.

302.6 Accessory structures.

Accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.

302.7 Motor vehicles.

Except as provided for in other regulations, inoperative or unlicensed motor vehicles shall not be parked, kept or stored on any premises, and vehicles shall not at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth.

Exception: A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes.

302.8 Defacement of property.

A person shall not willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving or graffiti.

It shall be the responsibility of the owner to restore said surface to an approved state of maintenance and repair.

302.9 Conserve Established Residential Neighborhoods

302.9.1 Public Nuisances

Public nuisances which tend to annoy the neighborhood, depreciate property values, injure public health or are deemed inconsistent with community standards may have a deleterious effect on a neighborhood. Therefore, public nuisances in the city shall be the same as described in Florida Statutes chapter 823. The following regulations shall apply:

1. Dilapidated buildings and structures. The city may remove or compel the removal or demolition of any building which has for any cause become a nuisance. Pursuant to such action, the structure must be found in a dilapidated state and in violation of this Code. If special dangers or appearance deficiencies arising from the condition of the building can be eliminated by lawful repair and alterations, then improvement rather than demolition may be ordered by the city.
2. Abandonment of vehicles and/or vessels. It shall be unlawful to abandon, discard or hold for resale on the premises any vessel or vehicle visible to the public, but not in use by the owner. A place of business authorized to maintain and operate a junkyard or deal in the sale or exchange of secondhand merchandise is not affected by this restriction.
 - a. Reef building materials may be stored on the property of those persons who will use such materials to construct reefs in accordance with Code of Ordinances, chapter 12. In such cases, a permit for storing materials is required from the city.
3. Commercial vehicles in a residential area. All commercial vehicles larger than 1½ tons shall not be allowed to park in residential districts except for the purpose of delivering materials or providing a service that is temporary in nature. It shall be unlawful for vehicles containing hazardous materials such as fuels, explosives, chemicals or gases to be parked unattended in residential districts at any time.
4. Accumulation of trash and debris. It shall be unlawful to permit rubbish, trash, debris, dead trees, or other unsightly or unsanitary matters to accumulate on any lot, tract, or parcel of land within the city which may reasonably become infested, inhabited by, or a breeding place for rodents, vermin, reptiles or wild animals which threaten or endanger the public health, safety and welfare.
5. Noise. Refer to Destin Code of Ordinances, Chapter 14, Offenses and miscellaneous provisions, Article II, Noise.

302.9.2 Motor Vehicles, Recreational Vehicles, Vessels, and Trailers

The following, unless otherwise stated, shall only be allowed to be parked and/or stored on an improved accessway/vehicle use area as defined herein or the side yard area closest to the improved accessway/vehicle use area on any residentially zoned property and shall not be allowed within the public right-of-way unless otherwise permitted (Refer to LDC Article 8, Section 8.01.00.6):

1. Multiple motor vehicles as defined by Chapter 320 of Florida Statutes (all operable and under current registration), not including recreational vehicle-type units and trailers as referenced below, are permitted only on improved accessways/vehicle use areas or the side yard area closest to the improved accessway/vehicle use area and shall be located completely upon the property owner's property and shall not impact or impeded neighboring properties.
 - ii. One (1) recreational vehicle-type unit, as defined by Chapter 320.01(1)(b) of Florida Statutes (operable and under current registration), plus two (2) of the following for a total of three (3) are allowed:
 - a. Vessels (under current registration and properly tagged) with trailer (under current registration) or vessels with multiple personal watercraft (all under current registration and properly tagged) on single trailers (under current registration). All vessels shall be on a trailer when parked or stored; and

- b. Trailers (operable and under current registration), which shall include but not be limited to any storage trailers, utility trailers, horse trailers, and vessel trailers.
2. Temporary Portable on Demand Storage (PODS) units, shipping containers or similar portable storage units and dumpsters shall not be stored for longer than 30 days unless an active building permit is on file with the city.

302.9.2 All other vehicles.

All other motor vehicles, recreation vehicle-type units, vessels, trailers, and temporary portable storage units, beyond what is allowed as stated above, shall either be stored in an enclosed building, off-site or located within the rear or side yard behind the front of the primary structure on the property and not visible, while standing at grade, from any adjoining property or the public right-of-way.

SECTION 303

SWIMMING POOLS, SPAS AND HOT TUBS

303.1 Swimming pools.

Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.

303.2 Enclosures.

Private swimming pools, hot tubs and spas, containing water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or barrier not less than 48 inches (1219 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than 54 inches (1372 mm) above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches (152 mm) from the gatepost. An existing pool barrier shall not be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.

Exceptions:

1. Spas or hot tubs equipped with a lockable safety cover that complies with ASTM F1346.
2. Private swimming pools equipped with a power safety cover that complies with ASTM F1346 and is in working condition using the control switch.

SECTION 304

EXTERIOR STRUCTURE

304.1 General.

The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

304.1.1 Potentially unsafe conditions.

The following conditions shall be considered to be potentially unsafe, shall be assessed and shall be addressed in compliance with the Florida - Existing Building Code, the Florida - Residential Code or the Florida - Building Code:

1. Structural members have deterioration or distress that reduces their load-carrying capacity.
2. The anchorage of the floor or roof to walls or columns, and of walls and columns to foundations has deterioration or distress that reduces its load-carrying capacity.

3. Structures or components thereof have deterioration or distress that reduces their load-carrying capacity.
4. Siding and masonry joints including joints between the building envelope and the perimeter of windows, doors and skylights are not maintained, weather resistant or watertight.
5. Foundation systems that are not firmly supported by footings, are not plumb and free from open cracks and breaks, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects.
6. Exterior walls that are not anchored to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects.
7. Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of deterioration, fatigue or without proper anchorage and incapable of supporting all nominal loads and resisting all load effects.
8. Flooring and flooring components with defects that affect serviceability or flooring components that show signs of deterioration or fatigue, are not properly anchored or are incapable of supporting all nominal loads and resisting all load effects.
9. Veneer, cornices, belt courses, corbels, trim, wall facings and similar decorative features not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.
10. Overhang extensions or projections including, but not limited to, trash chutes, canopies, marquees, signs, awnings, fire escapes, standpipes and exhaust ducts not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.
11. Exterior stairs, decks, porches, balconies and all similar appurtenances attached thereto, including guards and handrails, are not structurally sound, not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.
12. Chimneys, cooling towers, smokestacks and similar appurtenances not structurally sound or not properly anchored, or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.

Exceptions:

1. Where substantiated otherwise by an approved method.
2. Demolition of unsafe conditions shall be permitted where approved by the Code Official.

304.2 Premises identification.

Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be not less than 4 inches (102 mm) in height with a minimum stroke width of 0.5 inch (12.7 mm).

304.3 Structural members.

Structural members shall be maintained free from deterioration and shall be capable of safely supporting the imposed dead and live loads.

304.4 Foundation walls.

Foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests.

304.5 Exterior walls.

Exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.

304.6 Roofs and drainage.

The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

304.7 Decorative features.

Cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

304.8 Overhang extensions.

Overhang extensions including, but not limited to, canopies, marquees, signs, metal awnings, fire escapes, standpipes and exhaust ducts shall be maintained in good repair and be properly anchored so as to be kept in a sound condition.

304.9 Stairways, decks, porches and balconies.

Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.

304.10 Chimneys and towers.

Chimneys, cooling towers, smokestacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair.

304.11 Handrails and guards.

Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

304.12 Window, skylight and door frames.

Every window, skylight, door and frame shall be kept in sound condition, good repair and weathertight.

304.12.1 Glazing.

Glazing materials shall be maintained free from cracks and holes.

304.12.2 Openable windows.

Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.

Operable windows located in whole or in part within 6 feet (1828 mm) above ground level or a walking surface below that provide access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a window sash locking device.

304.13 Doors.

Exterior doors, door assemblies, operator systems if provided, and hardware shall be maintained in good condition. Locks at all entrances to dwelling units, sleeping units, rooming units and housekeeping units shall tightly secure the door. Locks on means of egress doors shall be in accordance with Chapter 7 ICC 2024 Property Maintenance Code, Section 702.3.

SECTION 305 **INTERIOR STRUCTURE**

305.1 General.

The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. Occupants shall keep that part of the structure that they occupy or control in a clean and sanitary condition. Every owner of a structure containing a rooming house, housekeeping units, a hotel, a dormitory, two or more dwelling units or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property.

305.1.1 Potentially unsafe conditions.

The following conditions shall be considered to be potentially unsafe, shall be assessed and shall be addressed in compliance with the Florida - Existing Building Code, the Florida - Residential Code or the Florida - Building Code:

1. Structural members have deterioration or distress that appears to reduce their load-carrying capacity.
2. The anchorage of the floor or roof to walls or columns, and of walls and columns to foundations has deterioration or distress that appears to reduce its load-carrying capacity.
3. Structures or components thereof have deterioration or distress that appears to reduce their load-carrying capacity.
4. Stairs, landings, balconies and all similar walking surfaces, including guards and handrails, are not structurally sound, not properly anchored or are anchored with connections not capable of supporting all nominal loads and resisting all load effects.
5. Foundation systems that are not firmly supported by footings are not plumb and free from open cracks and breaks, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects.

Exceptions:

1. Where substantiated otherwise by an approved method.
2. Demolition of unsafe conditions shall be permitted where approved by the Code Official.

305.2 Structural members.

Structural members shall be maintained structurally sound and be capable of supporting the imposed loads.

305.3 Stairs and walking surfaces.

Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and good repair.

305.4 Handrails and guards.

Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

305.5 Interior doors.

Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers or tracks as intended by the manufacturer of the attachment hardware.

305.6 Kitchen Facilities

Every dwelling unit shall contain a kitchen equipped with the following minimum facilities:

1. Food preparation surfaces impervious to water and free of defects which could trap food or liquid.
2. Shelving, cabinets or drawers for the storage of food and cooking and eating utensils, all of which shall be maintained in good repair.
3. Freestanding or permanently installed cookstove. Portable electric cooking equipment shall not fulfill this requirement. Portable cooking equipment employing flame shall be prohibited.
4. Mechanical refrigeration equipment for the storage of perishable foodstuffs.

EXCEPTION: Nothing herein shall preclude a written agreement between an owner and tenant that the tenant will furnish mechanical refrigeration equipment and/or a cookstove as required in this section. It shall be an affirmative defense available to an owner charged with a violation of this section if such an agreement exists.

SECTION 306 **RUBBISH AND GARBAGE**

306.1 Accumulation of rubbish or garbage.

Exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage.

306.2 Disposal of rubbish and garbage.

Every occupant of a structure shall dispose of all rubbish and garbage in a clean and sanitary manner by placing such rubbish in approved containers.

Every dwelling unit or developed property shall have adequate garbage disposal facilities or garbage storage containers, of a type and location approved by the applicable governing body.

306.2.2 Refrigerators.

Refrigerators and similar equipment not in operation shall not be discarded, abandoned or stored on premises. All such appliances if no longer in use or working order shall be disposed of properly. They may be placed at the ROW for waste pickup if such services are available the day before scheduled pickup.

SECTION 307
PEST ELIMINATION

307.1 Infestation.

Structures shall be kept free from insect and rodent infestation. Structures in which insects or rodents are found shall be promptly exterminated by approved processes that will not be injurious to human health. After pest elimination, proper precautions shall be taken to prevent reinfestation.

307.2 Owner.

The owner or occupant of any structure shall be responsible for pest elimination within the structure

SECTION 308
ACCESSIBILITY

308.1 General.

A facility that is required to be accessible shall be maintained accessible during occupancy.

308.1.1 Maintenance.

The accessible features of a facility shall be maintained in good repair, in a clean, structurally sound and sanitary condition, and free from impediments to accessibility.

CHAPTER 4 – LIGHT, VENTILATION AND OCCUPANCY LIMITS, Refer to International Code Congress (ICC) 2024 Property Maintenance Code.

The following sections of chapter 4 are exempt from this code:

404.5 Overcrowding.

Dwelling units shall not be occupied by more occupants than permitted by the minimum area requirements of Table 404.5.

CHAPTER 5 – PLUMBING FACILITIES AND FIXTURE REQUIREMENTS, Refer to International Code Congress (ICC) 2024 Property Maintenance Code.

CHAPTER 6 – MECHANICAL AND ELECTRICAL REQUIREMENTS, Refer to International Code Congress (ICC) 2024 Property Maintenance Code.

CHAPTER 7 – FIRE SAFETY REQUIREMENTS, Refer to International Code Congress (ICC) 2024 Property Maintenance Code.

SECTION 4. INCORPORATION INTO 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. 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 _____, 2025.

By: _____
Bobby Wagner, Mayor

ATTEST:

The form and legal sufficiency of the foregoing has been reviewed and approved by the City Attorney, for the City of Destin, only.

Rey Bailey, City Clerk

Kimberly Romano Kopp, City Attorney

First Reading: _____
Second Reading: August 4, 2025



Community Development Department

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

Business Impact Statement for Proposed Ordinance 24-17-CC

1. Summary of proposed Ordinance 24-17-CC

An Ordinance creating an Article V in the Code of Ordinance under Chapter 2 for Property Maintenance Code in order to uphold property standard for Building and Housing Codes for existing development and undeveloped properties.

2. Estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the city.

a. Estimate of direct compliance costs that businesses may reasonably incur if the ordinance is enacted.

If a property is found in violation and does not remedy the violation, they will be issued a Notice of Hearing to appear before a Magistrate, which will impose an administration fee of up to \$500.00.

b. Identification of any new charge or fee on businesses subject to the proposed ordinance or for which businesses will be financially responsible.

None.

c. An estimate of the City's regulatory costs, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs.

None.

3. A good faith estimate of the number of businesses likely to be impacted by the ordinance.

Unknown.

4. Any additional information the board determines may be useful.

None.

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: August 4, 2025
TYPE OF AGENDA ITEM: Resolution
AGENDA OUTLINE NUMBER: 6.I.

TO: City Council

THRU: Larry Jones , City Manager

FROM: Kimberly Kopp, City Attorney

DATE: July 30, 2025

SUBJECT: 1) Resolution to Engage Outside Council at Flat Fee to Join Senate Bill 180 Litigation

I. BACKGROUND: Legal arguments may include but not be limited to: SB 180 is unconstitutional and invalid because, among other things, it: (a) embraces more than one subject and matter properly connected therewith in violation of Article III, Section 6 of the Florida Constitution; (b) includes a defective title in violation of Article III, Section 6 of the Florida Constitution; (c) requires municipalities and counties to spend in the aggregate an amount that exceeds an insignificant fiscal impact fails without including a finding that the law fulfills an important state interest as required by Article VII, Section 18 of the Florida Constitution; (d) constitutes a sweeping intrusion on home-rule authority, threatening local ability to enact land use, zoning, flood-resiliency, and environmental protections, contrary to Article VIII, Section 2(b) of the Florida Constitution to a degree that renders the constitutional provision hollow; and (e) contains provisions that classify political subdivisions on a basis that is not reasonably related to the subject of the law in violation of Art. III, Section 11(b) of the Florida Constitution.

II. DISCUSSION: This resolution authorizes the hiring of the referenced outside counsel on a flat fee basis to pursue litigation related to the unconstitutionality of SB 180 pursuant to the details set forth in the ordinance.

A. Link to Strategic Goals / Objectives:

B. Effect on Budget (EOB): \$10,000 flat fee

\$5,000 flat fee on initial appeal

\$5,000 flat fee on secondary appeal

C. Level of Service (LOS):

D. Legislative Sponsor:

E. Business Impact Statement:

III. CONCLUSION:

IV. RECOMMENDED MOTION:

Attachments:

1. Destin Resolution for Participation in Lawsuit Relating to SB 180

RESOLUTION NO. 2025-16

A RESOLUTION OF THE CITY OF DESTIN, FLORIDA; AUTHORIZING PARTICIPATION IN A LAWSUIT SEEKING, AMONG OTHER THINGS, TO DECLARE THAT SENATE BILL 180'S IMPOSITION OF A BLANKET STATEWIDE PROHIBITION ON THE EXERCISE OF HOME RULE AUTHORITY OVER LAND USE AND ZONING REGULATIONS IS UNCONSTITUTIONAL AND SHOULD BE ENJOINED; AND RETAINING LITIGATION COUNSEL TO PROSECUTE THE LAWSUIT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Article VIII, Section 2(b) of the Florida Constitution provides that municipalities “shall have governmental, corporate and proprietary powers to enable them to conduct municipal government, perform municipal functions and render municipal services,” and authorizes municipalities to exercise any power for municipal purposes except as otherwise provided by law; and

WHEREAS, pursuant to Section 2(b) of Article VIII of the Florida Constitution and Chapters 163 and 166, Florida Statutes, municipalities have broad authority to adopt comprehensive plans, enact land development regulations, issue development permits, and impose temporary moratoria in furtherance of local public health, safety, and welfare, including for purposes of orderly growth, environmental protection, disaster recovery, and community resiliency; and

WHEREAS, on June 26, 2025, Senate Bill 180 (“SB 180”), titled “Emergencies,” was signed into law by Governor Ron DeSantis and became effective immediately as Chapter 2025-190, Florida Statutes; and

WHEREAS, among other things, Section 28 of SB 180 prohibits all local government-initiated ordinances that impose “more restrictive or burdensome” comprehensive plan

amendments, land development regulations, or procedures concerning review, approval, or issuance of site plans, development permits, or development orders (collectively, “Land Use and Zoning Regulations”) for the period commencing retroactively from August 1, 2024, through October 1, 2027, even if such amendments, regulations or procedures are in no way related to any hurricane or other emergency and even if such amendments, regulations, or procedures were duly enacted prior to the enactment of SB 180; and

WHEREAS, Section 28 of SB 180 also bans local moratoria on construction, reconstruction, or redevelopment of property damaged by a hurricane during the same timeframe; and

WHEREAS, Section 18 of SB 180 further prohibits local governments that are located in counties that are entirely or partially within 100 miles of the track of any future hurricane from enacting “more restrictive or burdensome” Land Use and Zoning Regulations, and moratoria on construction, reconstruction, or redevelopment of any property, damaged or not, for a period of one year after the storm makes landfall; and

WHEREAS, SB 180 is unconstitutional and invalid because, among other things, it:

(a) embraces more than one subject and matter properly connected therewith in violation of Article III, Section 6 of the Florida Constitution;

(b) includes a defective title in violation of Article III, Section 6 of the Florida Constitution;

(c) requires municipalities and counties to spend in the aggregate an amount that exceeds an insignificant fiscal impact without including a finding that the law fulfills an important state interest as required by Article VII, Section 18 of the Florida Constitution;

(d) constitutes a sweeping intrusion on home-rule authority, threatening local ability to enact land use, zoning, flood-resiliency, and environmental protections, contrary to Article VIII,

Section 2(b) of the Florida Constitution to a degree that renders the constitutional provision hollow; and

(e) contains provisions that classify political subdivisions on a basis that is not reasonably related to the subject of the law in violation of Art. III, Section 11(b) of the Florida Constitution; and

WHEREAS, for example, despite SB 180 being titled “Emergencies,” SB 180 contains various matters that are not connected and/or are unrelated to emergencies, including Section 18 and 28’s total ban on any “more restrictive or burdensome” Land Use and Zoning Regulations, and Section 18’s prohibition on moratoria on construction, reconstruction, and redevelopment of property, even if the property is intact and was not damaged by a hurricane or other emergency event; and

WHEREAS, the provisions of SB 180 also impose expenditure obligations upon municipalities and counties that, as conceded in the Florida Legislature’s own staff analysis, exceed the threshold amount for an unfunded mandate, despite the lack of any finding in SB180 that the law fulfills an important state interest; and

WHEREAS, Section 18 of SB 180 infringes upon municipal home rule authority by prohibiting municipalities from enacting Zoning and Land Use Regulations if they are located within a county that is entirely or partially within 100 miles of the track of a hurricane for one year in a completely indiscriminate manner that disregards the size, intensity, or impact of a hurricane on the municipality, whether a proposed Zoning and Land Use Regulation has even a *de minimis* impact on hurricane recovery efforts, or even if the Zoning and Land Use Regulations are necessary to protect the public health, safety, and welfare from the effects of a hurricane; and

WHEREAS, Section 18 of SB 180 further usurps the municipal home rule authority

guaranteed by the citizens of Florida in the Florida Constitution by imposing blanket prohibitions on any moratoria on construction, reconstruction, or redevelopment of property for one year whenever a future hurricane falls within 100 miles of the county where the municipality is located, regardless of the necessity or impetus behind such moratoria; and

WHEREAS, Section 28 of SB 180 similarly prohibits municipalities from enacting Zoning and Land Use Regulations for the entire state of Florida retroactively from August 1, 2024, through October 1, 2027, without any rational justification; and

WHEREAS, SB 180's vague prohibitions on moratoria on construction, reconstruction, and redevelopment of properties and Land Use and Zoning Regulations that are "more restrictive or burdensome," and other ambiguous provisions render SB 180 incomprehensible, create uncertainty, chill local governance, and encourage preemptive, potentially frivolous, litigation to force local governments into repealing legislation, even if it might otherwise be a valid exercise of home rule authority; and

WHEREAS, the City Council of the City of Destin (the "City") desires to authorize the participation of the City in a lawsuit seeking declaratory, injunctive, and other appropriate relief from the provisions of SB 180, which impose a blanket statewide prohibition on the exercise of home rule authority relating to Land Use and Zoning Regulations, based upon the any appropriate legal theories, including, without limitation, those set forth herein, subject to the participation of at least ten local governments (the "Lawsuit"); and

WHEREAS, it is in the best interest of the City to participate in the Lawsuit and to urge other local governments to join as plaintiffs; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DESTIN, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above-stated recitals are hereby adopted and fully incorporated herein.

Section 2. Authorization to Participate in Lawsuit. The City Council hereby authorizes the participation of the City of Destin in the Lawsuit, subject to participation of at least ten local governments.

Section 3. Legal Representation and Fee Structure. Weiss Serota Helfman Cole + Bierman, PL (the "Firm") is retained to represent the City in the Lawsuit, at both the trial and appellate levels. The Firm will charge a flat fee, inclusive of attorneys' fees and costs, of \$10,000 to represent the City of Destin in the Lawsuit in the trial court, which shall be payable within ten days of the effective date of this Resolution. The City of Destin shall also pay \$5,000 to the Firm to represent it in any appeal related to the Lawsuit that is filed at the District Court of Appeal within 30 days of the filing of such appeal, and \$5,000 to the Firm to represent it in any appeal that is filed at the Florida Supreme Court within 30 days of the filing of such appeal. The City acknowledges that the Firm will be representing other local governments in the Lawsuit and waives any conflicts related to such representation. The City also acknowledges that the Firm may represent other entities, private or public, and that the representation of the City of Destin in this Lawsuit alone, because it is part of a coalition, will not constitute a conflict of interest and, to the extent it does, waives such conflict of interest. The Firm shall communicate at all times with Kimberly Romano Kopp, City Attorney for the City of Destin ("City Attorney"), and the City Attorney shall keep the Destin City Council apprised as to the status of the lawsuit.

Section 4. Urge Participation. The City of Destin invites and urges other local governments to join as plaintiffs in the Lawsuit and to coordinate their efforts with the City of Destin.

Section 5. **Transmittal.** The Clerk is directed to distribute this Resolution to all local governments in Okaloosa County. The Clerk is further directed to distribute this Resolution to the Firm.

Section 6. **Implementation.** The appropriate City of Destin officials are authorized to execute all necessary documents and to take any necessary action to effectuate the intent of this Resolution.

Section 7. **Effective Date.** That this Resolution shall take effect immediately upon the adoption hereof.

PASSED AND ADOPTED this ___ day of _____, 2025.

Bobby Wagner, Mayor

ATTEST:

Rey Bailey, City Clerk

Approved as to form and legal sufficiency
For the City of Destin:

Kimberly Romano Kopp, City Attorney