

Parks and Recreation Division

**Public Boat Ramp Ordinance
Public Hearing**

March 10, 2020



Presentation Outline

- Purpose
- Background
- Proposed Ordinance
- Requested Action





Presentation Outline

- **Purpose**
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Purpose

- Present an ordinance affecting use of public boat ramps and associated recreational areas and facilities
- Present operational guidelines for business use at each of the 11 boat ramps throughout the County



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Background

- **Concerns with commercial use of boat ramps throughout the County**
 - No contractual relationship with operators
 - Possible liability for non-recreational use
 - Perception that commercial use is authorized by County and therefore meets safety requirements
 - Compliance with license and operating standards
 - Accessibility for citizens to use public boat ramps
- **Conflicts between multiple operators and private businesses at the Highway 50 boat ramp**



Background

- Numerous airboat businesses now advertise the County's Highway 50 boat ramp as their business address
- Midway, an adjacent airboat tour company, objects to the increased commercial use of County boat ramp citing unfair competition by private operators using a public facility

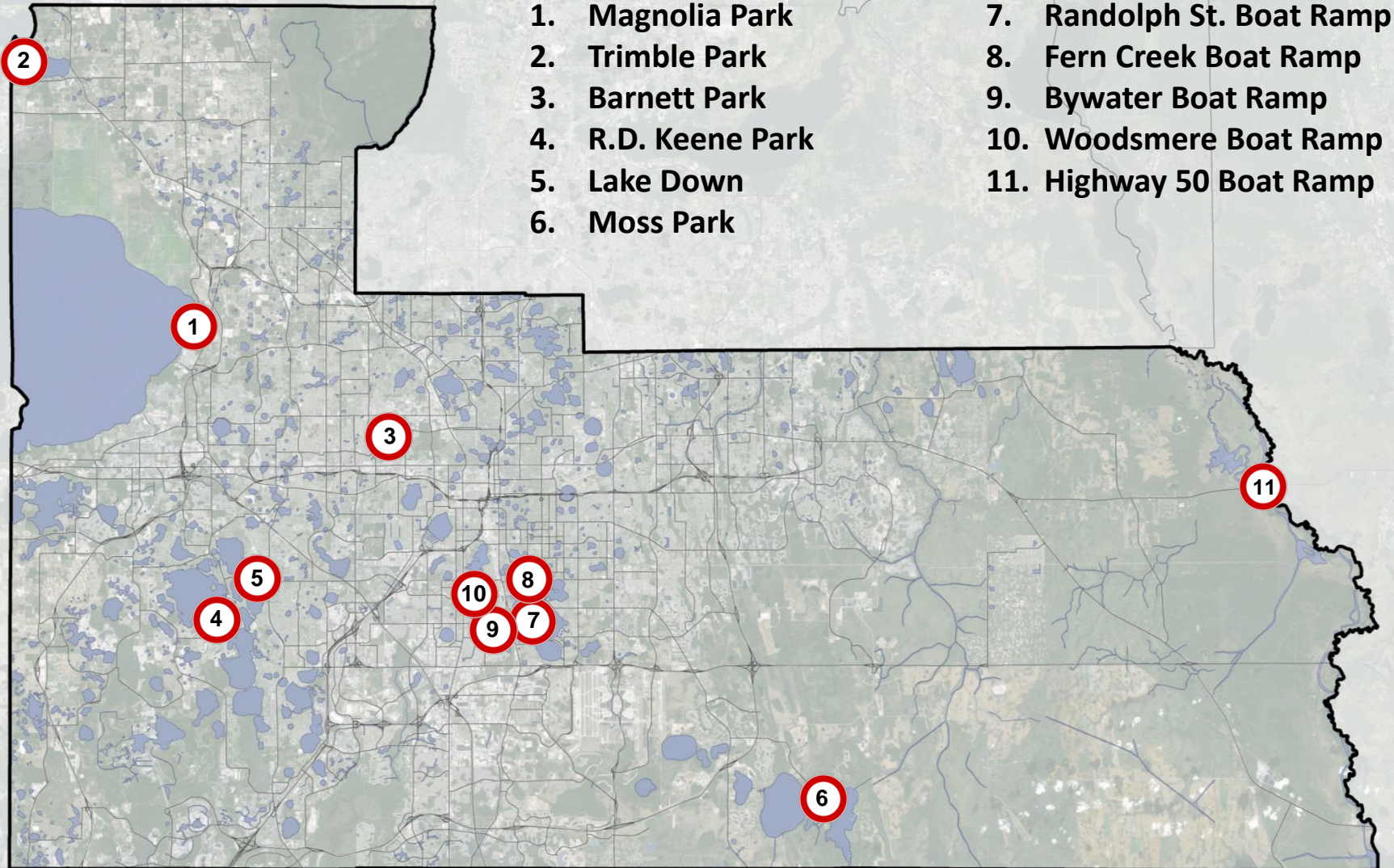


Background

- Existing Parks rules and regulations are not enforceable due to lack of ordinance
- Similar business operations may include fishing guide services, boat and jet ski rentals, etc.
- Adjacent Counties (Brevard & Osceola) regulate business operations through ordinances and vendor agreements



Boat Ramp Locations





Background

▪ Multiple BCC Work Sessions

- On August 29, 2017 concerns with business operations at public boat ramps were presented to the BCC
- January 9, 2018 staff made recommendations to the BCC for the ordinance and operational guidelines
- March 28, 2018 a stakeholder meeting was held
- September 18, 2018 staff presented results of the stakeholder meeting and recommendations
- December 3, 2019 an update was presented to the BCC. Staff directed to proceed with public hearing



Background

- **August 29, 2017 BCC Meeting**
- **Board Comments**
 - **Ordinance provides clear regulation and enforcement**
 - **Each boat ramp has its own nuances**
 - **Allow guides and fishing tournaments**
 - **Priority given to Orange County residents**
 - **Ensure citizen access**
 - **Priority for public use not private**
 - **Directed staff to create a County-wide boat ramp ordinance**



Background

- **January 9, 2018 BCC Meeting**
- **Board Comments**
 - **Staff presented draft ordinance and operating guidelines**
 - **Board confirmed need for ordinance**
 - **Recognized challenges with accessibility at all boat ramps**
 - **The Board directed staff to conduct a stakeholder meeting**



Background

- **March 28, 2018 Stakeholder Meeting**
- **Citizen Comments**
 - Parking constraints and general public access was a big part of the discussion
 - Parking capacity is only a problem on the weekend during the boating season
 - Utilize SJRWMD boat ramp and property for overflow
 - Use FDOT ROW like Midway does for much of their parking
 - No actual data regarding parking utilization and needs



Background

- **March 28, 2018 Stakeholder Meeting**
- **Citizen Comments**
 - Small operators have been on the river for 20+ years or generations.
 - Enforcement concerns will still exist (Subcontractors, fishing guides, tour business as fishing guide, advertising, etc.)
 - Unfair limiting to Orange County businesses – only public ramp on the River for 40 miles
 - Ordinance does not consider maximum airboat passenger size and insurance availability



Background

- **September 18, 2018 BCC Meeting**
 - Staff presented results of the stakeholder meeting and recommendations

- **April 2019, Parking Study Completed for Hwy 50 Boat Ramp**
 - Study completed during Spring Break from March 6, 2019 to March 27, 2019
 - 95% of time there was sufficient parking



Background

- **December 3, 2019 BCC Meeting**
 - An overview of previous work sessions was presented
 - Issues at all 11 eleven boat ramps throughout the county were discussed
 - Directed to finalize ordinance and guidelines and have public hearing



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Proposed Ordinance

- **Proposed ordinance is similar to those in adjoining Counties**
- **Ordinance would include Operational Guidelines to regulate commercial activity permitted at each public boat ramp**





Proposed Ordinance

▪ Proposed ordinance:

- Establishes hours of operation
- Establishes time limits on docking and anchoring
- Prohibits unauthorized commercial activities at public boat ramps:
 - No picking up or dropping off passengers
 - No soliciting or advertising commercial activity for hire
 - No designating county site as physical business address
 - No collecting compensation for any service
- Authorizes enforcement and penalties



Proposed Ordinance

- **Ordinance provides certain exemptions from the commercial activity prohibition:**
 - Licensed commercial fishing guides with County permit may pick up or drop off passengers
 - Vendors under contract with County to provide services (rentals, vending, etc.)
 - Persons or entities with a valid County permit issued in accordance with Parks Division Operational Guidelines



Proposed Ordinance

- **Operational Guidelines established to regulate commercial activity at each boat ramp**
 - Boat Tours
 - Fishing Tournaments
 - Fishing Guides
 - Rentals (power boats & jet skis)
 - Paddle Sports



Proposed Ordinance

- **Operational Guidelines established to regulate commercial activity at each boat ramp**
 - **Boat Tours**
 - **R.D. Keene Park Boat Ramp & Highway 50 Boat Ramp**
 - **Issue permits to qualified boat businesses**
 - **Recommending \$3,000 annual permit fee**
 - **\$1 million insurance requirement**



Proposed Ordinance

▪ Boat Tours

- Recommending \$3,000 annual permit fee
- Permit fee calculation based on cost recovery analysis
- Major cost components include:
 - Infrastructure costs
 - Operations and maintenance costs
 - Ratio of public and private (business) use
 - Number of vendors
- Fee calculation: \$3,150
- Other local government permit fees range from \$1,271 to \$5,350



Proposed Ordinance

▪ Boat Tours

–\$1 million Insurance Requirement

- Standard requirement across the Division for vendors and rentals
- Tour boat operators currently have \$500,000 policy at a cost of approximately \$1,800/yr.
- \$1 million policy may cost approximately \$6,000/yr.
- A \$1 million policy is consistent with requirements by other local governments to include St. Johns River Water Management District, Osceola, and Brevard Counties



Proposed Ordinance

- **Operational Guidelines established to regulate commercial activity at each boat ramp**
 - **Boat Tours**
 - **Fishing Tournaments**
 - **Only permitted at designated sites**
 - **Special Event Fees will apply for peak hour events**



Proposed Ordinance

- **Operational Guidelines established to regulate commercial activity at each boat ramp**
 - **Boat Tours**
 - **Fishing Tournaments**
 - **Fishing Guides**
 - **Each guide must purchase an annual pass**
 - **Sign agreement**
 - **Meet insurance requirements**



Proposed Ordinance

- **Operational Guidelines established to regulate commercial activity at each boat ramp**
 - Boat Tours
 - Fishing Tournaments
 - Fishing Guides
 - Rentals (power boats & jet skis)
 - Prohibited at all boat ramps





Proposed Ordinance

- **Operational Guidelines established to regulate commercial activity**
 - **Boat Tours**
 - **Fishing Tournaments**
 - **Fishing Guides**
 - **Rentals (power boats & jet skis)**
 - **Paddle Sports**
 - **Request For Proposal will be issued on a case-by-case basis**



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Requested Action

- **Approve Public Boat Ramp Ordinance and the Parks and Recreation Division Operational Guidelines**
- **Allow staff to correct any non-substantial grammatical or scrivener's errors**