

**EXHIBIT B,
ORDINANCE NO. 07-26**

ARTICLE 7.9. MOORING STRUCTURES

Section 7.9.1. Purpose and Intent.

The intent of this Article is to provide safe navigation, to allow access to waterways, to maintain reasonable water views, and to safeguard the public and natural environment by providing standards for the construction of docks, pilings, finger piers, boat lifts, marinas and other marine appurtenances.

Section 7.9.2 Locations of Mooring Structures.

(A) Mooring Structures may be located on the following properties:

- (1) Single family lots and duplex structures on a single lot.
- (2) Multi-family, commercial, and public properties, as regulated by zoning district regulations.

Section 7.9.3. Procedure.

- (A) Permits from the City are required to construct docks, pilings, finger piers, boat lifts, and marinas.
- (B) Marine construction requires review and approval by the respective jurisdiction with authority over the waterbody prior to issuance of a City permit.

Section 7.9.4. Technical Requirements: Docks, Pilings, Finger Piers, Boat Lifts, and Marinas.

(A) General

- (1) A combination of docks, finger piers, and other mooring structures that comply with this section may be allowed on a property.
- (2) A mooring structure shall not be located within the distance established for the side yard setback or ten feet, whichever is greater, from the adjacent property line. Dockage for multiple vessels on single-family lots may be allowed if the setback requirement is met.
- (3) For purposes of this article, an extended property line shall mean the extension into the water of a plot line intersecting the property line along the body of water if the extension forms right angles with the property line along the water. When the property line along the body of water is curved, the extended property line shall mean a line extended into a body of water at right angles to the tangent of the curve at the point of intersection with the plot line.

(B) **Docks.** Docks, whether fixed or floating, shall be constructed pursuant to the following specifications:

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- (1) Docks shall not extend closer than ten feet from a property line adjoining an adjacent property or the distance established for the side yard setback, whichever is greater.
 - (2) Docks shall not extend more than eight feet from the seawall, wetface, or property line.
 - (3) Docks attached to a seawall may be constructed at an elevation less than the elevation of the seawall, but shall not exceed the seawall elevation per Section 7.1.7.
 - (4) At least one ladder extending from the dock surface to two feet below the mean low waterline shall be provided for each 50 feet of dock.
 - (5) Only one floating dock shall be allowed for single-family detached residential property and must be permanently attached to a fixed-structure such as a dock or seawall.
 - (6) No floating dock shall create a hazard that obstructs the waterway or discourages safe mooring practices.
- (C) **Pilings.** Pilings for mooring purposes may be installed in conjunction with docks and finger piers, and shall be constructed pursuant to the following specifications:
- (1) Pilings for mooring purposes shall not extend any further than 25 percent of the width of the existing waterway from the property line, seawall, or bulkhead, whichever is closest to the waterway.
 - (2) A minimum of 50 percent of the waterway width must remain to guarantee safe mooring for other vessels.
 - (3) For waterways greater than 100 feet in width, the maximum distance a piling may be installed shall be 25 feet from the extended property line or seawall or bulkhead, whichever is closer to the waterway.
 - (4) Pilings shall be constructed of preservative-treated wood or other material with a minimum butt dimension or diameter of ten inches. A piling shall be of sufficient length so that after being driven it will extend not less than six feet nor more than eight feet from the water level at mean high tide. All pilings shall have a reflectorized band approximately two feet below the top.
- (D) **Finger piers.** A finger pier shall be constructed pursuant to the following specifications:
- (1) Finger piers shall not extend further than 25 percent of the width of the existing waterway from the property line or seawall, bulkhead, or dock, whichever is nearest to the waterway.

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- (2) Finger piers shall not exceed eight feet in width.
 - (3) The distance between finger piers must be at least 25 feet.
 - (4) At least one ladder extending from the dock surface to two feet below the mean low waterline shall be provided for each 50 feet of finger pier.
 - (5) T-shaped and L-shaped configurations, created by the combining of a dock or finger pier compliant with the technical requirements above shall be allowed.
- (E) ***Boat Lifts.*** A boat lift may be installed subject to the following specifications:
- (1) Only one boat lift is allowed per single-family lot.
 - (2) The boat lift shall be located so that the vessel in its raised position shall not extend closer to the adjacent property line than ten feet or the building side setback, whichever is greater.
- (F) ***Marinas.*** Marinas are subject to the following specifications:
- (1) ***New marina or docking facilities.*** New marinas and docking facilities are subject to all applicable zoning regulations and the site plan approval process in Section 2.4.10.
 - (a) The following facilities must be provided:
 - 1. At least one sewage pumpout connected to the City sanitary sewer system.
 - 2. One potable water hose bib and one electrical outlet for each 25 feet of dock length or major fraction (over 50 percent) thereof or for each boat where the design of the docks and finger piers clearly indicates a specific number of boats to be moored.
 - (2) ***Modifications to existing marinas or docking facilities.*** All proposed work to existing marinas, including maintenance, removal and replacement of any marine structures including seawalls, mooring structures and pilings are subject to the requirements of this article.
 - (a) An improvement that changes over 50 percent of the configuration of an existing facility is subject to the review process for new marinas or docking facilities.

Section 7.9.5. Maintenance; nuisance abatement of unsafe structures.

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- (A) Docks, pilings, finger piers, and boat lifts shall be maintained by the property owner in a safe condition.
- (B) A dock, piling, finger pier, or boat lift that is determined to be in an unsafe condition shall be declared a public nuisance and shall be repaired or removed.

Section 7.9.6. Modification of technical requirements; appeals.

- (A) Relief or modifications of the technical requirements in this article are subject to the relief process in Chapter 2.
- (B) To approve a relief request, the approving body must make a finding that the request meets the required findings in Section 2.4.11.