

ORDINANCE NO. 2026-XX

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH TO DESIGNATE ALL CITY CANALS AS IDLE SPEED/NO WAKE ZONES AND PORTIONS OF BISCAYNE BAY AS SLOW SPEED/MINIMUM WAKE ZONES; PROVIDING FOR PENALTIES; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, SCRIVENER'S ERRORS, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, Section 327.60, Florida Statutes, authorizes municipalities to enact ordinances governing the operation of vessels on waterways located within the municipality, with the exception of the Florida Intracoastal Waterway; and

WHEREAS, the City of North Miami Beach has numerous canals located within the City that are adjacent to residential areas; and

WHEREAS, the City is concerned about damage to docks, wharves, seawalls, and other boats caused by the operation of vessels above an idle speed; and

WHEREAS, the City is concerned with the protection of the manatees inhabiting the waters surrounding the City; and

WHEREAS, the City Commission has determined that reducing vessel speeds within the City's canals and designated portions of Biscayne Bay is necessary to preserve the health, safety, and welfare of the residents, protect property, and safeguard natural resources; and

WHEREAS, enactment of this Ordinance is necessary prior to requesting the Florida Fish and Wildlife Conservation Commission to post the appropriate regulatory signage designating the affected waterways as Idle Speed/No Wake Zones and Slow Speed/Minimum Wake Zones.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA:

Section 1: The foregoing whereas clauses are true and correct and adopted as the legislative and administrative findings of the City Commission and made a specific part of this Ordinance; all exhibits attached hereto are made a specific part of this Ordinance.

Section 2: That the Code of Ordinances of the City of North Miami Beach be and the same is hereby amended to include a new Section entitled "Boat Speeds" which shall read as follows:

(A) Designation of Speed Restricted Zones.

1. All canals located within the City shall be designated as **Idle Speed/No Wake Zones** and posted as such.
2. Snake Creek Canal and all other navigable canals located within the City limits shall be designated as Slow Speed/Minimum Wake Zones and posted as same.
3. It shall be unlawful for any person to operate any boat or other watercraft upon any waterway or body of water within the City at a rate of speed that causes waves to damage docks, wharves, seawalls, or boats moored or tied to docks or wharves.
4. It shall be unlawful for any person to operate any boat or other watercraft in any waters within the City in such a manner as to endanger life or property.

(B) Penalties.

Any violation of this Section shall be subject to the applicable enforcement provisions and penalties set forth in the Code of Ordinances of the City of North Miami Beach.

Section 3: It is the intention of the City Commission of the City of North Miami Beach, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of North Miami Beach, Florida. The sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and the word “ordinance” may be changed to “section,” “article” or any other appropriate word.

Section 4: If the provisions of this Ordinance conflict with any other ordinance, rule or regulation, the provisions of this Ordinance shall prevail. All ordinances or parts of ordinances in conflict herewith are repealed.

Section 5. Any typographical errors that do not affect the intent of this Ordinance may be corrected with notice to and authorization of the City Attorney and City Manager without further process.

Section 6. The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance, but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 7. This Ordinance shall become effective immediately upon adoption on second reading.

APPROVED on the first reading by the City of North Miami Beach City Commission at the regular meeting assembled this __ day of _____, 2026.

APPROVED AND ADOPTED on second reading by the City of North Miami Beach City Commission at the regular meeting assembled this _____ day of _____ 2026.

ATTEST:

ANDRISE BERNARD, MMC
CITY CLERK

MICHAEL JOSEPH
MAYOR

(CITY SEAL)

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY FOR THE USE AND
RELIANCE OF THE CITY OF NORTH
MIAMI BEACH:

GREENSPOON MARDER, LLP

BY: _____
CITY ATTORNEYS

SPONSORED BY: Commissioner Lynn Su