

1 Introduced by Council Member DeFoor and Co-Sponsored by Council
2 Members Pittman, Ferraro & Carlucci and amended by the Neighborhoods,
3 Community Services, Public Health and Safety Committee:

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6 **ORDINANCE 2022-60-E**

7 AN ORDINANCE RELOCATING THE DERELICT VESSEL AND
8 FLOATING STRUCTURE REMOVAL FUND FROM CHAPTER
9 110, PART 4, SECTION 110.414 TO CHAPTER 111,
10 PART 7, SECTION 111.787; REPEALING SECTION
11 110.414 (DERELICT VESSEL AND FLOATING STRUCTURE
12 REMOVAL FUND), PART 4 (CONTINUING
13 APPROPRIATIONS), CHAPTER 110 (CITY TREASURY),
14 *ORDINANCE CODE*; CREATING A NEW SECTION 111.787
15 (DERELICT AND ABANDONED VESSELS AND FLOATING
16 STRUCTURE ENFORCEMENT AND REMOVAL TRUST FUND),
17 PART 7 (ENVIRONMENT AND CONSERVATION), CHAPTER
18 111 (SPECIAL REVENUE AND TRUST ACCOUNTS),
19 *ORDINANCE CODE*; PROVIDING AN EFFECTIVE DATE.

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21 **WHEREAS**, derelict and abandoned vessels, and floating structures
22 have become a greater safety and environmental problem in Duval County
23 over the past few years; and

24 **WHEREAS**, the State of Florida, through the Florida Fish and
25 Wildlife Conservation Commission, has increased their funding match
26 to local governments for the removal of derelict vessels and
27 encourages local governments to be efficient and expedient in the
28 removal of derelict vessels; and

29 **WHEREAS**, the State legislature has also allowed local
30 governments to regulate and abate floating structures which the City
31 has taken on through the creation of Chapter 388 (Boats and

1 Waterways); and

2 **WHEREAS**, in 2021 the State legislature enabled county
3 governments to create anchoring limitation areas in urban residential
4 areas of navigable-in-fact county waters; and

5 **WHEREAS**, the purpose and authority of the Derelict Vessel and
6 Floating Structure Removal Fund to remove derelict vessels and
7 Floating Structures will be increased to include administration and
8 enforcement of Chapter 388, *Ordinance Code*, so the fund should be
9 characterized as a trust fund and housed in Chapter 111, *Ordinance*
10 *Code*, now therefore

11 **BE IT ORDAINED** by the Council of the City of Jacksonville:

12 **Section 1. Repealing Section 110.414 (Derelict Vessel and**
13 **Floating Structure Removal Fund), Part 4 (Continuing Appropriations),**
14 **Chapter 110 (City Treasury), Ordinance Code.** Chapter 110 (City
15 Treasury), Part 4 (Continuing Appropriations), Section 110.414
16 (Derelict Vessel and Floating Structure Removal Fund), *Ordinance*
17 *Code*, is hereby repealed in its entirety. A copy of the repealed
18 Section 110.414 is attached hereto as **Exhibit 1.**

19 **Section 2. Creating a new Section 111.787 (Derelict and**
20 **Abandoned Vessels and Floating Structure Enforcement and Removal**
21 **Trust Fund), Part 7 (Environment and Conservation), Chapter 111**
22 **(Special Revenue and Trust Accounts), Ordinance Code.** Chapter 111
23 (Special Revenue and Trust Accounts), Part 7 (Environment and
24 Conservation), Section 111.787 (Derelict and Abandoned Vessels and
25 Floating Structure Enforcement and Removal Trust Fund), *Ordinance*
26 *Code* is hereby created to read as follows:

27 **CHAPTER 111 - SPECIAL REVENUE AND TRUST ACCOUNTS**

28 * * *

29 **PART 7. ENVIRONMENT AND CONSERVATION**

30 * * *

31 **Sec. 111.787 - Derelict and Abandoned Vessel and Floating Structure**

Enforcement and Removal Trust Fund.

There is hereby created the *Derelict and Abandoned Vessel and Floating Structure Enforcement and Removal Trust Fund* (the "Fund"), a permanent and ongoing trust fund of the City, which shall carry forward each fiscal year. The Fund is authorized to accept grants, gifts, abatement reimbursements, fees, penalty payments, appropriations and other monies. Reimbursement for the abatement of issues regulated by Chapter 388, *Ordinance Code* shall be deposited into the Fund. Monies deposited in the Fund, together with any interest accrued thereon, are automatically appropriated for the uses described herein without further Council action and shall carry over fiscal years to be used for the following purposes: the administration, regulation and enforcement of Chapter 388 (Boats and Waterways), *Ordinance Code*; and the removal of derelict vessels, abandoned vessels, and Floating Structures from the waters of Duval County. Use of the monies accepted into the Fund shall be under the direction and control of the Neighborhoods Department.

Section 3. Effective Date. This ordinance shall become effective upon signature by the Mayor or upon becoming effective without the Mayor's signature.

Form Approved:

 /s/ Mary E. Staffopoulos

Office of General Counsel

Legislation Prepared by: Susan C. Grandin

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