

1 **ORDINANCE NO. 2020- 1714**

2 **AN ORDINANCE OF THE TOWN COMMISSION OF THE**  
3 **TOWN OF SURFSIDE, FLORIDA, AMENDING ARTICLE II,**  
4 **“PUBLIC BEACHES,” OF CHAPTER 86, “WATERWAYS”**  
5 **OF THE TOWN’S CODE OF ORDINANCES RELATING TO**  
6 **BEACH FURNITURE AND PUBLIC BEACHES;**  
7 **PROVIDING FOR CODIFICATION; PROVIDING FOR**  
8 **SEVERABILITY; PROVIDING FOR CONFLICTS;**  
9 **PROVIDING FOR EXPIRATION OF BEACH FURNITURE**  
10 **OPERATOR PERMIT APPROVED PURSUANT TO**  
11 **RESOLUTION NO. 17-2470; AND PROVIDING FOR AN**  
12 **EFFECTIVE DATE.**

13 **WHEREAS,** on December 13, 2016, the Town of Surfside (“Town”) adopted Ordinance  
14 No. 16-1658 amending, among other things, Article II, “Public Beaches,” of Chapter 86,  
15 “Waterways” of the Town Code of Ordinances (the “Code”), to regulate beach furniture on the  
16 public beach in order to protect public access to the beach, prohibit obstructions that impact  
17 reasonable access to the beach by the public and emergency vehicles, and diminish impacts to  
18 native vegetation, sea turtles, and other wildlife; and

19 **WHEREAS,** on June 13, 2017, the Town adopted Ordinance No. 17-1662 further  
20 amending the beach furniture regulations of the Code to clarify terms and conditions, including  
21 beach furniture permit application and requirements; and

22 **WHEREAS,** after having had the benefit of the beach furniture permit requirements and  
23 process as operational since the adoption of Ordinance Nos. 16-1658 and 17-1662, and after  
24 numerous public hearings and input from the public and hotel operators on the placement and  
25 storage of beach furniture on the public beach, the Town wishes to further amend the Code as  
26 provided herein; and

27 **WHEREAS,** the Town Commission finds that beach furniture operations have contributed  
28 to increased litter, and have negatively impacted the natural environment and the health, safety,  
29 and welfare of residents and visitors; and

30 **WHEREAS,** the Town Commission finds that beach furniture use by hotels or  
31 condominiums has become so expansive, often resulting in unoccupied or unused beach furniture  
32 obstructing and limiting the public’s access, use, and enjoyment of the beach, and posing a danger  
33 to the health, safety, and welfare of residents and visitors; and

34 **WHEREAS,** therefore, in an effort to preserve and enhance the local ecology and conserve  
35 and ensure the public’s safe access to, use, and enjoyment of the beach, the Town Commission  
36 desires to amend Chapter 86 as provided herein; and

37 **WHEREAS,** the Town Commission desires to continue to allow the public, hotel guests,  
38 and condominium residents and guests to utilize beach furniture on the public beach for their own,  
39 individual use and enjoyment; and

40           **WHEREAS**, the Town Commission seeks to regulate the placement of beach furniture on  
41 the public beach by hotels and condominiums without demand and in anticipation of use by an  
42 individual beach furniture user by specifically prohibiting the organized preplacement, presetting,  
43 or pre-positioning of beach furniture by a hotel or condominium; and

44           **WHEREAS**, the Town Commission’s intent is to retain beach furniture operator permits  
45 for beach front hotel and condominium properties; and

46           **WHEREAS**, the Town Commission’s intent is for hotels and condominiums to assist  
47 verified hotel guests and condominium residents and guests with placement of beach furniture on  
48 the public beach on an as-needed, on-demand basis; and

49           **WHEREAS**, the Town Commission’s intent is to establish authorized areas where beach  
50 furniture may be placed, without obstructing or impeding lifeguard towers, safety corridors, street  
51 ends, adjacent properties, or public beach access areas; and

52           **WHEREAS**, the Town Commission seeks to continue to prohibit the daytime and  
53 overnight storage of beach furniture on the beach and finds that storage may constitute a nuisance  
54 and is contrary to the public health, safety, and welfare; and

55           **WHEREAS**, the Town Commission desires to prohibit vehicular traffic and the operation  
56 of any vehicles on the public beach and dunes, with limited exceptions, such as when needed by  
57 the Town or other governmental agencies or entities for cleanup, maintenance, repairs, public  
58 safety, or emergencies, or by an individual with a mobility impairment; and

59           **WHEREAS**, the Town Commission seeks to prohibit business or commercial activities on  
60 the public beach, such as the sale, vending, or rental of beach furniture, equipment, goods, and  
61 services; and

62           **WHEREAS**, the Town Commission seeks to designate the Town’s code compliance  
63 officers to administer the provisions of Chapter 705, Florida Statutes, which pertain to lost or  
64 abandoned property; and

65           **WHEREAS**, the Town Commission finds that this Ordinance is necessary to conserve and  
66 ensure the public’s access to, use, and enjoyment of the beach; the preservation of the public beach,  
67 environment, and marine wildlife and vegetation; and the public health, safety and welfare of the  
68 Town’s residents, property owners and visitors.

69           **NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE TOWN**  
70 **OF SURFSIDE AS FOLLOWS:**<sup>1</sup>

71           **Section 1. Recitals.** That the above-stated recitals are true and correct and are  
72 incorporated herein by this reference.

73 **Section 2. Town Code Amended.** That the Code of Ordinances of the Town of  
74 Surfside, Florida is hereby amended by amending Article II, “Public Beaches” of Chapter 86,  
75 “Waterways” as follows:

76 Chapter 86 – Waterways

77 \* \* \*

78 Article II. – Public Beaches

79 Division 1. – Generally

80 Section 86-26. - Definitions.

81 The following words, terms and phrases, when used in this article, shall have the meanings  
82 ascribed to them in this section, except where the context clearly indicates a different meaning:

83 *Beach furniture* includes, but is not limited to, any chair (including lounge chair), umbrella,  
84 tent or any other object that is used on the public beach.

85 *Beach furniture operator* is a hotel or condominium association located on the east side of  
86 Collins Avenue that provides beach furniture services to its residents and verified guests-

87 *Beach furniture setup* is the daily organized preplacement, presetting, pre-positioning or  
88 stacking of beach furniture by a beach furniture operator or user in anticipation of use. Beach  
89 furniture setup shall not include beach furniture staging.

90 *Beach furniture staging* is the organized, daily and temporary placement or stacking of beach  
91 chairs by a beach furniture operator in a designated staging area not to exceed 8’ by 8’ of the public  
92 beach (located within the beach furniture operation allocation area 15-feet seaward of the  
93 vegetation line of the dune as set forth in Section 86-30(g)(iii)) in preparation for as-needed, on-  
94 demand distribution to beach furniture users.

95 *Beach furniture storage* is the daytime or overnight storage of beach furniture on the public  
96 beach.

97 *Beach furniture user* is an individual using any item of beach furniture while on the public  
98 beach. This applies to the general public, condominium residents and guests, and verified hotel  
99 guests.

100 *Exclusion zone* means all waters within the center line of 96th Street on the north and  
101 southward to the northerly line of 87th Terrace, including all improvements, recreational areas and  
102 property therein measured from the mean low water line; and that portion of the water area of the  
103 Atlantic Ocean, marked by regulatory markers, extended up to a maximum of 300 feet off shore  
104 from the mean high water line lying between the center line of 96th Street to the northerly line of  
105 87th Terrace, as described on Exhibit A. As the markers will move about their anchor location  
106 with the tides and currents, enforcement of the exclusion zone shall extend to the area defined by  
107 the markers at the water surface at the time of infraction.

108 **Editor's note**— Exhibit A is not included herein but is available for public inspection at town  
109 offices.

110 *Idle speed/no wake* means a motorboat speed not greater than that necessary to maintain  
111 steerageway. A motorboat that is operating on a plane is not proceeding at idle speed/no wake.

112 *Motorboat* means any vessel, including personal watercraft, that is propelled or powered by  
113 machinery and that is used or capable of being used as a means of transportation on water.

114 *Operate* means to be in charge of, or in command of or in actual physical control of a  
115 motorboat in the exclusion zone.

116 *Personal watercraft* means a small class A-1 or A-2 vessel that uses an outboard motor or an  
117 inboard motor powering a water jet pump as its primary source of motive power and that is  
118 designed to be operated by a person sitting, standing, or kneeling on or being towed behind the  
119 vessel, rather than in the conventional manner of sitting or standing inside the vessel.

120 *Public beach* means land that is seaward of the erosion control line. It shall also include all  
121 easements and rights-of-way within the area that are utilized for public beach purposes.

122 *Regulatory marker* means any anchored or fixed marker in, on or over the water, or anchored  
123 platform on the surface of the water, and includes, but is not limited to, a bathing beach marker,  
124 speed zone marker, information marker, congested area marker or warning marker.

125 *Vessel* is synonymous with boat as referenced in Section 1(b), Article VII of the Florida  
126 Constitution and includes every description of watercraft, barge and airboat, other than a seaplane  
127 on the water, used or capable of being used as a means of transportation on water.

128 Sec. 86-27. - Intent of article.

129 It is the intent of the town commission to prohibit those activities by persons on the public beach  
130 of the town that adversely affect the attractiveness of the public beach or endanger citizens,  
131 residents and visitors who use its facilities. The town commission further finds and determines that  
132 motorboats that operate in the exclusion zone at excessive speeds or in a reckless and unsafe  
133 manner create a situation dangerous to the lives and property of persons using said waters within  
134 the exclusion zone; that excessive motorboat speed erodes shoreline property and destroys  
135 bulkheads, seawalls, docks and piers; and that said excessive speed or the operation of motorboats  
136 in a reckless and unsafe manner reduces other available recreational uses for said waters. The town  
137 commission further finds and determines that because different size motorboats create different  
138 problems when they operate at the same speed, a flexible regulatory scheme is required.

139 \* \* \*

140 Section 86-30. - Limitations on beach furniture; prohibitions on beach and dune system.

141 (a) Beach furniture shall not inhibit access to or use of the public beach, nor obstruct  
142 reasonable access on the public beach for pedestrians and emergency vehicles, nor impact  
143 native vegetation, nor ~~affect~~ destroy or disturb sea turtles or other wildlife, including their  
144 habitats and nesting sites.

145 (b) Beach furniture setup shall be limited to five (5) chairs per beach furniture operator.

146 (c) Beach furniture storage shall be prohibited.

147 (d) Beach furniture shall be removed from the public beach when not in use. Removal shall  
148 occur promptly after use of the beach furniture ceases.

- 149 (e) Beach furniture provided by a beach furniture operator or a user that is a hotel or  
150 condominium for use by verified hotel guests or condominium residents or guests, shall  
151 be clearly identified as to its ownership, maintained in good condition, free from evidence  
152 of deterioration, weather, and discoloration at all times.
- 153 (f) Storage boxes or similar shed-type structures on the public beach shall be prohibited.
- 154 (g) Placement of beach furniture on the public beach shall comply with the following  
155 regulations and restrictions:
- 156 i. Beach furniture shall not be placed within 12 feet of the perimeter of a lifeguard  
157 tower, or within a 12-foot-wide path (6 feet to the north and south of the center  
158 line) extending behind and in front of a lifeguard tower, from the erosion control  
159 line to the ocean to allow lifeguard or emergency personnel unobstructed view and  
160 access to the public beach or ocean.
- 161 ii. Beach furniture shall not be placed at or within a 12-foot-wide path (6 feet to the  
162 north and south of center line) extending from any street end or public beach access  
163 route to the ocean, or in the 12-foot area immediately adjacent to the street ends,  
164 to ensure clear and unobstructed access by the public and emergency and  
165 maintenance vehicles and personnel.
- 166 iii. Beach furniture, including staging, shall be placed no less than 15 feet seaward of  
167 the edge of the vegetation line of the dune to ensure clear and unobstructed access  
168 by the public and emergency and maintenance vehicles and personnel.
- 169 iv. Beach furniture shall not be placed at or within 20 feet of the high tide water's  
170 edge to provide for unobstructed access to the water and recreational use.
- 171 (h) In the event of a declared state of emergency, natural disaster, storm warning or severe  
172 weather alert, any beach furniture placed on the public beach shall be removed from the  
173 public beach within two (2) hours of the declared state of emergency, natural disaster,  
174 storm warning, or severe weather alert. Beach furniture shall not be placed on the public  
175 beach until such time as the beach is cleaned and/or raked after the emergency, natural  
176 disaster, storm, or severe weather event, and the Town Manager or designee advises that  
177 beach furniture may be placed on the public beach.
- 178 (i) A request to relocate or remove beach furniture in violation of this article from a code  
179 enforcement officer, police or law enforcement personnel, or lifeguard shall be complied  
180 with immediately.
- 181 (j) Motorized vehicular traffic and the operation of any motorized vehicles, whether engine,  
182 battery or electric-powered, is prohibited on the beach, upon a dune, in an area containing  
183 dune vegetation, or in the waters adjacent to the beach. The provisions of this subsection  
184 shall not apply to a person acting under authority of or with permission of the Town or  
185 other governmental agencies or entities for cleanup, maintenance, repairs, public safety,  
186 or emergencies, or to the use of any wheelchair or approved conveyance by an individual  
187 with a mobility impairment.
- 188 (k) It is prohibited for any person or entity, including beach furniture operators, to sell, rent,  
189 or conduct any business or commercial activity, or to enter into any type of arrangement  
190 with other persons or entities including properties on the west side of Collins Avenue,

191 related to beach furniture on the beach, upon a dune, in an area containing dune vegetation,  
192 or in the waters adjacent to a beach. Only beach furniture operators are permitted to  
193 conduct beach furniture operations on the public beach for their residents and verified  
194 guests, and no other person or entity may provide beach furniture services except as  
195 permitted in this article. Notwithstanding, this subsection shall not prohibit a hotel or  
196 condominium, either itself or through a third party vendor, from providing its verified  
197 hotel guests or condominium residents or guests with beach furniture in accordance with  
198 the provisions of this article.

199 Section 86-31. –Beach furniture operator permits and requirements

200 A beach furniture operator must obtain a permit for beach furniture services. A beach furniture  
201 operator must procure a local business tax receipt and comply with the regulations of section 70-  
202 41 of the Town of Surfside Code and all required licenses or permits from Miami-Dade County,  
203 the State of Florida and federal entities.

204 *Application.* A beach furniture operator shall apply annually by August 1 for a beach furniture  
205 operator permit on a form prepared by the Town with the applicable permit application fee. For  
206 the fiscal year beginning October 1, 2020 and ending September 30, 2021, a beach furniture  
207 operator shall apply no later than September 15, 2020 for a beach furniture operator permit. Beach  
208 furniture operator permits shall be valid annually from October 1 through September 30.

209 (1) Beach furniture operator permit applications shall include the following:

- 210 a. An application fee of \$500.00 for hotels and \$250.00 for condominiums;
- 211 b. Beach furniture operations plan, including specifications on setup, storage, staffing  
212 and clean-up, and an evacuation plan, in the event of a natural disaster such as a  
213 tropical storm or hurricane, specifying a storage area during the natural disaster;
- 214 c. Signed and sealed survey of the beach furniture operator’s property, which shall  
215 depict the dimension of beach frontage; and
- 216 d. Compliance with indemnification and insurance requirements pursuant to section 86-  
217 32 of the Town of Surfside Code.

218 (2) A beach furniture operator:

- 219 a. Shall place beach furniture directly seaward of the beach furniture operator’s property  
220 and only within an area that is 10 feet north of the seaward extension of the southern  
221 boundary and 10 feet south of the seaward extension of the northern boundary of the  
222 beach furniture operator’s property in order to allow corridors to the ocean for use,  
223 safe access, and enjoyment by the general public.
- 224 b. Shall provide trash receptacles to support beach furniture operations and remove all  
225 garbage, trash, litter, and debris contained therein when full. Trash receptacles must  
226 be removed from the public beach by the end of the beach operation day. A beach  
227 furniture operator shall conduct at least three inspections of the beach, a minimum of  
228 three hours apart, to remove any garbage, trash, litter, or debris generated by the  
229 beach furniture operator’s activity.

230 c. Shall have no more than 0.30 chairs per lineal foot of beach frontage and 0.15  
231 umbrellas per lineal foot of beach frontage within the allowable beach furniture  
232 operation allocation area of the public beach at any one time, as depicted on **Exhibit**  
233 **A** attached hereto (graphic on Beach Furniture Operation Allocation Area) on file  
234 and available for inspection at the Town Clerk's office.

235 d. Notwithstanding the foregoing, in no event shall a beach furniture operator have more  
236 than the maximum number of chairs and umbrellas on the public beach at any one  
237 time as specified herein and in **Exhibit B** attached hereto (Maximum Beach Furniture  
238 Allocation Chart), as may be amended by the Town from time to time, and on file  
239 and available for inspection at the Town Clerk's office, unless additional beach  
240 furniture is approved by the Town Manager or designee upon a finding in his/her  
241 discretion that the beach furniture operator has made written application in advance  
242 that demonstrates increased demand for a specified time period and that the additional  
243 beach furniture can be reasonably placed within the Beach Furniture Operation  
244 Allocation Area.

245 e. Shall be permitted to conduct beach furniture (chair) staging up to 10 chairs  
246 maximum at any one time between the hours of 8:00 AM to 6:00 PM, after which  
247 time the staging area must be completely broken down and all beach furniture (chairs)  
248 must be removed and stored on private property daily. The staging area shall be kept  
249 in a compact and orderly configuration, with all beach furniture/chairs stacked when  
250 not in use.

251 (3) Exemption. Nothing in this article shall require a permit from a beach furniture user to  
252 place beach furniture on the public beach for personal use on an as needed basis.

253 (4) Review of beach furniture operator permit application. A permit shall be granted upon  
254 the submittal of a completed application and the required fee in compliance with this  
255 article, as determined by the town manager or designee.

256 (5) A beach furniture operator permit is revocable if the applicant does not meet the  
257 requirements as specified in this article. A beach furniture operator permit shall not be  
258 renewed if open violations of this article or the beach furniture operator permit exist at  
259 the time of renewal.

260 (6) Appeals. If a beach furniture operator permit is denied or revoked by the town manager  
261 or designee, the beach furniture operator may, within 30 days of the decision, file a notice  
262 of appeal to the town commission. The appeal shall be heard as a quasi-judicial matter.

263 Section 86-32. - Indemnification and insurance.

264 (a) The beach furniture operator agrees to indemnify, defend, save and hold harmless the town,  
265 its officers and employees from any and all claims, liability, lawsuits, damages and causes of  
266 action which may arise out of the permit and/or the beach furniture operator's activity on the  
267 public beach.

268 (b) The beach furniture operator agrees to obtain and maintain for the entire permit period, at its  
269 own expense, the following requirements:

- 270 (1) Commercial general liability insurance in the amount of \$1,000,000.00 per occurrence  
271 for bodily injury and property damage. The town must be named as an additional insured  
272 on this policy, and an endorsement must be issued as part of the policy reflecting  
273 compliance with this requirement.
- 274 (2) Workers' compensation and employers' liability as required by the state.
- 275 (c) All policies must be issued by companies authorized to do business in the state and rated  
276 B+:VI or better per Best's Key Rating Guide, latest edition.
- 277 (d) The town must receive 30 days' written notice prior to any cancellation, non-renewal or  
278 material change in the coverage provided.
- 279 (e) The beach furniture operator must provide and have approved by the town an original  
280 certificate of insurance as evidence that the requirements set forth in this section have been  
281 met prior to commencing operations.
- 282 (f) Failure to comply with these requirements shall be deemed to be operating without a valid  
283 permit and shall cause an immediate suspension or revocation of the permit.

284 Section 86-33. - Violations, civil fines and penalties.

285 Any person or entity found to be in violation of any condition of this article issued herein shall  
286 first be issued a warning. Failure to correct the violation within 24 hours following the beach  
287 furniture operator's receipt of a warning shall result in the issuance of a civil violation notice as  
288 provided in section 15-10 of the Town Code.

289 Violations of this section shall be subject to the following fines:

- 290 (1) If the violation is the first violation—\$100.00
- 291 (2) If the violation is the second violation of the original violation for which a \$100 fine  
292 was paid within the preceding 12 months—\$250.00
- 293 (3) Any subsequent violation after the second violation of the original violation within the  
294 preceding 12 months—\$500.00
- 295 (4) After the third violation for the same violation, a beach furniture operator shall be  
296 suspended from beach furniture operations for a period of one year from the date of  
297 violation.

298 Sec. 86-34. – Lost or Abandoned Beach Furniture.

299 Whenever a code compliance officer or law enforcement officer shall ascertain that an article of  
300 lost or abandoned beach furniture is present on the public beach, the officer shall follow the  
301 procedures set forth in Chapter 705, Florida Statutes, as may be amended from time to time.  
302 Notwithstanding, a code compliance officer may also enforce the provisions of this section in  
303 accordance with Section 86-33 of this article. Code compliance officers are designated to  
304 administer the provisions of this section and Chapter 705, Florida Statutes, as may be amended  
305 from time to time, pertaining to lost or abandoned property. For the purpose of ascertaining  
306 whether unattended beach furniture has been lost or abandoned, any beach furniture left unattended  
307 for more than 24 hours shall be presumed to be lost or abandoned property.



308 Section 86-35. - Reserved.

309 \* \* \*

310 Division 2. – Conduct

311 Sec. 86-36. - Scope.

312 The provisions of this division apply to any of the areas within the corporate limits of the town  
313 which by virtue of law or through municipal ownership or common usage are determined and  
314 considered to be public beaches.

315 Sec. 86-37. - Soliciting for commercial photography.

316 No person shall solicit for a commercial photographer or to take pictures in connection with  
317 commercial photography unless invited to do so by the person desiring that the picture be taken.

318 Sec. 86-38. - Picnicking.

319 No person shall picnic or eat or consume food on the beaches coming under this division.

320 Sec. 86-39. - Drinking alcoholic beverages.

321 No person shall drink or consume alcoholic beverages on the beaches coming under this division.

322 Sec. 86-40. - Build fires; Cooking.

323 No person shall build or maintain a fire or cook on any beach coming under this division.

324 Sec. 86-41. - Peddling.

325 No person, firm or entity (other than the Town of Surfside) shall sell, or rent goods or services,  
326 or carry on any business on the beaches coming under this division.

327 \* \* \*

328 **Section 3. Codification.** It is the intent of the Town Commission that the provisions  
329 of this ordinance shall become and be made a part of the Town’s Code of Ordinances, and that the  
330 sections of this Ordinance may be renumbered or relettered, and the word “ordinance” may be  
331 changed to “section,” “article,” “regulation,” or such other appropriate word or phrase in order to  
332 accomplish such intentions.

333 **Section 4. Severability.** The provisions of this Ordinance are declared to be severable  
334 and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be  
335 invalid or unconstitutional, such decision shall not affect the validity of the remaining sections,  
336 sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the  
337 legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

338 **Section 5. Conflicts.** All ordinances or parts of ordinances, resolutions or parts of  
339 resolutions, in conflict herewith, are repealed to the extent of such conflict.

340 **Section 6. Expiration of Beach Furniture Permit.** The beach furniture operator  
341 permit approved by the Town Commission on November 14, 2017 pursuant to Resolution No. 17-  
342 2470, shall expire on September 30, 2020 at 11:59 p.m. As of October 1, 2020, no beach furniture  
343 operator permits shall be authorized, renewed, or issued unless done in accordance with this  
344 Ordinance.

345 **Section 7. Effective Date.** This Ordinance shall become effective immediately upon  
346 final adoption on second reading.

347 **PASSED** on first reading on the 25<sup>th</sup> day of August, 2020.

348 **PASSED AND ADOPTED** on second reading on the 10<sup>th</sup> day of September, 2020.

349 **First Reading:**

350 Motion by: Vice Mayor Paul

351 Second by: Commissioner Salzhauer

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353

354 **Second Reading:**

355 Motion by: Mayor Burkett

356 Second by: Commissioner Velasquez

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359 **FINAL VOTE ON ADOPTION**

360 Commissioner Charles Kesl Absent

361 Commissioner Eliana R. Salzhauer Yes

362 Commissioner Nelly Velasquez Yes

363 Vice Mayor Tina Paul Yes

364 Mayor Charles W. Burkett Yes

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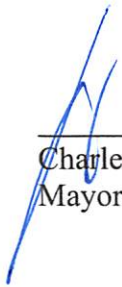
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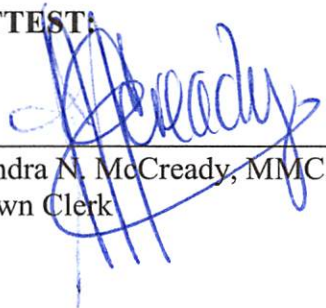
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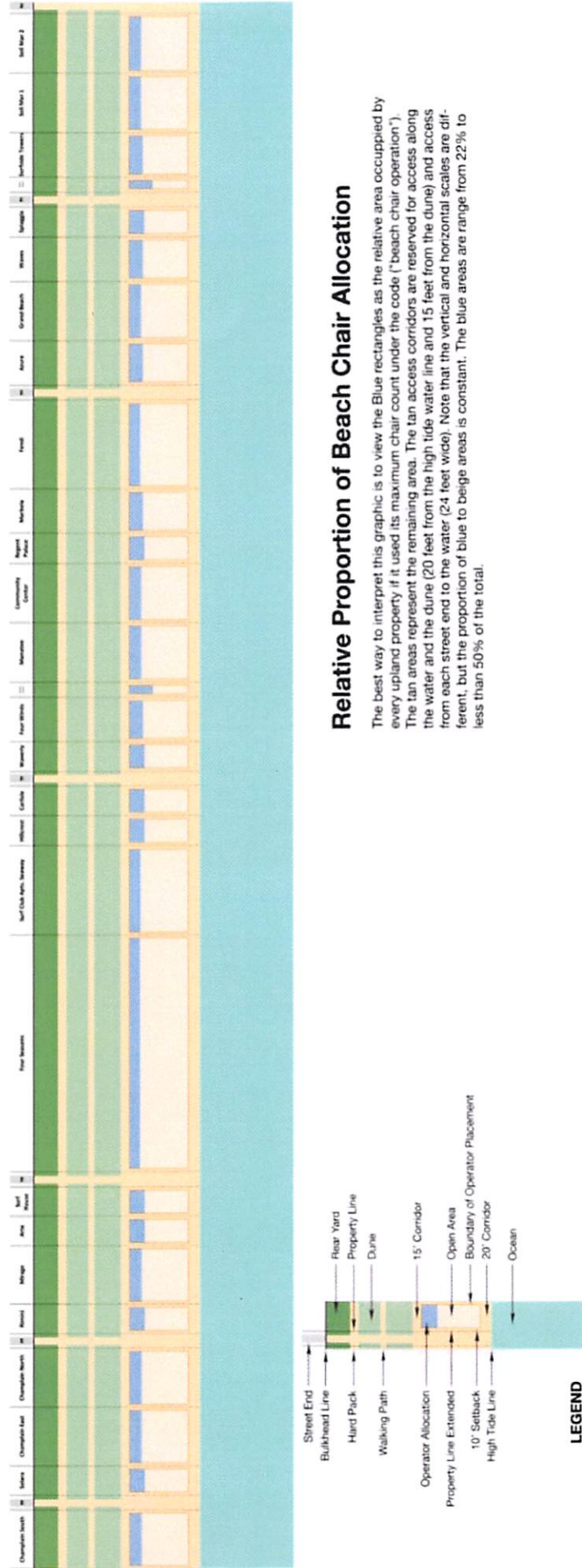
  
\_\_\_\_\_  
Charles W. Burkett  
Mayor

**ATTEST:**

  
\_\_\_\_\_  
Sandra N. McCready, MMC  
Town Clerk

383 **APPROVED AS TO FORM AND LEGALITY FOR THE USE**  
384 **AND BENEFIT OF THE TOWN OF SURFSIDE ONLY:**

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386  
387   
388 \_\_\_\_\_  
388 Weiss Serota Helfman Cole & Bierman, P.L.  
389 Town Attorney



## Relative Proportion of Beach Chair Allocation

The best way to interpret this graphic is to view the Blue rectangles as the relative area occupied by every upland property if it used its maximum chair count under the code ("beach chair operation"). The tan areas represent the remaining area. The tan access corridors are reserved for access along the water and the dune (20 feet from the high tide water line and 15 feet from the dune) and access from each street end to the water (24 feet wide). Note that the vertical and horizontal scales are different, but the proportion of blue to beige areas is constant. The blue areas are range from 22% to less than 50% of the total.

**LEGEND**

## Maximum Beach Furniture Allocation Chart

	Name	Property Address	Frontage	Rate	Condo Chairs	Hotel Chairs	Umbrellas
1	Champlain Towers South Condo		200	0.3	60		30
2	Solara Surfside Condo/Hotel		100	0.3		30	15
3	Champlain Towers East Condo		200	0.3	60		30
4	Champlain Towers North Condo		200	0.3	60		30
5	Rimini Beach Condo		100	0.3	30		15
6	Mirage Condo		200	0.3	60		30
7	Arte Condo	8955 Collins	100	0.3	30		15
8	Surfhouse Condo		90	0.3	27		13
9	Four Seasons Hotel	9001-9111 Collins	200	0.3		60	30
9	Surf Club Condos		575	0.3	172		86
10	Surf Club Apartments		200	0.3	60		30
11	Seaway Villas Condo/Hotel		150	0.3	45		22
12	Hillcrest by the Sea Co-op Apt.		100	0.3	30		15
13	Carlisle on the Ocean Condo		100	0.3	30		15
14	Waverly at Surfside Condo		100	0.3	30		15
15	Four Winds Condo		150	0.3	45		22
16	Seaside Terrace Condo		50	0.3	15		7
17	Manatee Condo		200	0.3	60		30
18	Town of Surfside (Community Center)		215	0.3		64	32
19	Regent Palace Condo		100	0.3	30		15
20	Marbella Condo		150	0.3	45		22
21	Chateau Ocean Condo		300	0.3	90		45
22	Azure Condo		150	0.3	45		22
23	Beach House Hotel		200	0.3		60	30
24	The Waves Condo		150	0.3	45		22
25	Spiaggia Ocean Condo		100	0.3	30		15
26	Ocean Seven Condo		50	0.3	15		7
27	9500 Oceans Condo		150	0.3	45		22
28	Solimar Condo		400	0.3	120		60
<b>Total:</b>					1279	214	742