

ARTICLE III. - VEHICLES ON BEACH

Footnotes:

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Cross reference— *Traffic and vehicles, ch. 50.*

DIVISION 1. - GENERALLY

Sec. 54-61. - Title of article.

This article shall be known and may be cited as the "City of Marco Island Vehicles on the Beach Regulations."

(Ord. No. 99-4, § 2, 3-1-1999)

Sec. 54-62. - Penalties.

Violation of this article is punishable according to the penalties and procedures in chapter 14 of this code.

(Ord. No. 99-4, § 7, 3-1-1999; Ord. No. 24-15, § 2(Exh. A), 9-9-2024)

Sec. 54-63. - Intent and purpose of article.

It is the intent and purpose of this article to protect and promote the health, safety and welfare of the public at large, including residents and visitors to the city, by providing reasonable regulation of vehicles that may be allowed to operate on the beach, including limitations and restrictions during sea turtle nesting season. It is further intended that this article shall be liberally construed to effect such intent and purpose.

(Ord. No. 99-4, § 1, 3-1-1999)

Sec. 54-64. - Reserved.

Editor's note— Ord. No. 24-15, § 2(Exh. A), adopted Sept. 9, 2024, repealed § 54-64, which pertained to applicability of article and derived from Ord. No. 99-4, § 3, adopted March 1, 1999.

Sec. 54-65. - Driving on sand dunes or beach; disturbing sand dunes.

It shall be unlawful to:

- (1)

Operate or cause to be operated a hand-, animal- or engine-driven wheeled, tracked or other vehicle on, over or across any part of the sand dunes, hill or ridge nearest the gulf, or the vegetation growing thereon or seaward thereof, or to operate or drive such a vehicle without a permit or authorized exemption, on the a beach as defined in section 54-32.

- (2) Alter or cause to be altered any sand dune or the vegetation growing thereon or seaward, make any excavation, remove any material, trees, grass or other vegetation or otherwise alter existing ground elevations or conditions of such dune without first securing a permit.

(Ord. No. 99-4, § 4, 3-1-1999; Ord. No. 24-15, § 2(Exh. A), 9-9-2024)

Secs. 54-66—54-80. - Reserved.

DIVISION 2. - PERMIT FOR USE OF VEHICLES ON THE BEACH

Footnotes:

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Editor's note— Ord. No. 24-15, § 2(Exh. A), adopted Sept. 9, 2024, amended the title of Div. 2 to read as herein set out. The former Div. 2 title pertained to Permit.

Sec. 54-81. - Exemptions.

- (a) City, sheriff, state and federal public safety vehicles are exempt from permits required by this article and may be operated on the beach as long as they are operated or authorized by officers of these departments under orders in the normal course of their duties. Vehicles used for emergency environmental cleaning and turtle monitoring are also exempt.
- (b) Baby buggies (perambulators), toy vehicles, toy wagons, wheelchairs or similar devices to aid mobility challenged or nonambulatory persons shall be exempt.

(Ord. No. 99-4, § 5(1), 3-1-1999)

Sec. 54-82. - Vehicles requiring permit; display.

Owners or operators of vehicles used on the beach in connection with environmental operations, conservation operations, lawfully permitted beach vendor operations, construction, or property maintenance operations must obtain a permit. The permit shall be prominently displayed on the windshield or attached to such vehicle and kept with the vehicle and available for inspection.

(Ord. No. 99-4, § 5(2), 3-1-1999; Ord. No. 24-15, § 2(Exh. A), 9-9-2024)

Sec. 54-83. - Application; issuance; fee.

For all vehicles requiring a permit under this article, the permit shall be obtained by application to the city on the requisite forms, including a written justification of necessity for the vehicle to be operated on the beach, and whether the vehicle needs to be operated during sea turtle nesting season. If so, the application should suggest minimum hours of operation during that period. The city shall issue a permit for such vehicle if it determines that a lawful and necessary purpose will be served and all conditions are met. A schedule of permit fees will be established by the city council by resolution, and may be changed or amended by subsequent resolutions.

(Ord. No. 99-4, § 5(3), 3-1-1999; Ord. No. 24-15, § 2(Exh. A), 9-9-2024)

Sec. 54-84. - Conditions.

All vehicles requiring a permit under this article shall have wide, low footprint pressure tires. Except for emergency vehicles, all vehicles will be limited to ten miles per hour.

(Ord. No. 99-4, § 5(4)(a), 3-1-1999)

Sec. 54-85. - Temporary permit.

Vehicles which must travel on the beach in conjunction with a special event must first obtain a city temporary use permit.

(Ord. No. 99-4, § 5(4)(b), 3-1-1999; Ord. No. 24-15, § 2(Exh. A), 9-9-2024)

Sec. 54-86. - Expiration.

All permits to allow operation of vehicles on city beaches, other than temporary permits, shall expire on April 30 of each year, to coincide with the beginning of sea turtle nesting season.

(Ord. No. 99-4, § 5(4)(c), 3-1-1999)

Sec. 54-87. - Restrictions during sea turtle nesting season.

During sea turtle nesting season, May 1 through October 31 of each year, vehicles which must travel on the beach in connection with environmental operations, conservation operations, lawfully permitted beach vendor operations, construction, and property maintenance operations shall not operate on the beach until (i) after a daily sea turtle monitoring has been conducted by a state-certified sea turtle permit holder, or (ii) 8.00 a.m., whichever occurs first. Operators should additionally consult their permit for other restrictions on normal operations that may apply during sea turtle nesting season. Vendors on the beach will be required to maintain a minimum 25 feet of distance between any marked sea turtle nest and their merchandise and vehicles.

(Ord. No. 99-4, § 5(4)(d), 3-1-1999; Ord. No. 24-15, § 2(Exh. A), 9-9-2024)

Secs. 54-88—54-99. - Reserved.