



**BEACH STEWARDSHIP COMMITTEE SPECIAL MEETING
CITY OF ST. PETE BEACH
COMMISSION CHAMBERS**

155 Corey Avenue
St. Pete Beach, FL 33706

Tuesday, September 16, 2025
9:00 AM – 12:00 pm

Call to Order
Pledge of Allegiance
Roll Call

REGULAR MEETING

1. **Audience Comments -**
Comments are limited to 3 minutes for agenda items. Public comment on agenda items will be taken when that item is called. Please complete and submit a comment card to the Clerk.

2. **Items for Discussion -**
 - a. Ordinance 2025-02: Creating Code of Ordinances Chapter 95. - Beaches**
Discussing the proposed content of Ordinance 2025-02, the first of three proposed ordinances intended to address the City's beach regulations, which pertains primarily to conduct and behavior on the sand beaches, and permitting and registration requirements on the public beach.

3. **Adjournment - By time certain 12:00 PM -**

APPEAL: In accordance with 286.0105, Florida Statute (Notices of meetings and hearings must advise that a record is required to appeal), if a person decides to appeal any decision made by this committee, board, agency, or commission with respect to any matter considered at this meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

AMERICANS WITH DISABILITIES ACT (ADA): In accordance with the Americans with Disabilities Act and Florida Statutes, if any person with a disability defined by the ADA needs special accommodation

to participate in this proceeding, then not later than two business days prior to the proceeding, he or she should contact City Hall at (727) 367-2735.

**The public is cordially invited to attend this meeting.
All agenda material is available for review at City Hall or www.stpetebeach.org.**

**BEACH STEWARDSHIP COMMITTEE MEETING
CITY OF ST. PETE BEACH
COMMISSION CHAMBERS**

Agenda Report

Agenda Title Name: Ordinance 2025-02: Creating Code of Ordinances Chapter 95. - Beaches

Action Request: None - Staff will amend the content of this ordinance based upon Committee feedback for presentation at the November meeting.

Strategic Objective:

Date: September 16, 2025

Prepared By: Brandon Berry, Senior Planner

Through: Camden Mills, Public Services Director

Summary of Issue: This meeting is intended to solicit Beach Stewardship Committee feedback on the content of Ordinance 2025-02. As agreed by the Beach Stewardship Committee at the August meeting, this discussion will focus broadly on the content, with feedback being intended to guide staff to amend or draft regulations to return to the Committee at their November meeting. Unless requested by members at this meeting, Staff does not expect that exact language will be proposed during this discussion, or that legal review will actively occur. This discussion is intended to identify if there are large gaps in content that are appropriate for inclusion in this ordinance, and identify content that may not adequately address the desires of the Beach Stewardship Committee.

Funding:

Attachments:

1. Ordinance 2025-02 - Draft
2. Content Comparison - Ordinance 2025-02

Ordinance 2025-02

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA FOR THE PURPOSE OF ADOPTING A BEACH ORDINANCE; CREATING CHAPTER 95. BEACHES, SECTIONS 95-1 THROUGH 95-22; RELOCATING, RENAMING AND AMENDING SECTIONS IN CODE OF ORDINANCES DIVISIONS 6, 14, 58, 62 AND 94; AND RELOCATING AND AMENDING SECTIONS IN LAND DEVELOPMENT CODE DIVISION 25 AND 44; PROVIDING A CONSOLIDATED ORDINANCE PERTAINING TO CONDUCT, BEHAVIOR, OPERATIONS, DEVELOPMENT, PERMITTING, AND MAINTENANCE ON THE CITY'S BEACHES; SPECIFYING PENALTIES FOR VIOLATIONS; PROVIDING FOR CODIFICATION; CONFLICTS; SEVERABILITY; CORRECTION OF SCRIVENER'S ERROR; CONSTRUCTION; PUBLICATION; AND AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of St. Pete Beach intends to preserve and protect the beauty of the City's beaches, parks, and other public property for the use and enjoyment by residents and tourists; and

WHEREAS, the City has a significant tourist population that utilizes its beaches, parks, and other public property; and

WHEREAS, management and enforcement of activities consistent with the designation of Preservation for the areas of the beach seaward of the Florida Coastal Construction Control Line is essential to preserve its aquatic resources, wildlife population and habitat, in order to maintain its environmental and recreational value; and

WHEREAS, the City's development regulations are intended to promote health and the general welfare, and prevent the overcrowding of land, which the imposition of setbacks for commercial beach activities, prohibition on most forms of smoking and the use of Styrofoam on the beach, and other new and maintained limitations contained in this Ordinance, are intended to promote; and

WHEREAS, these regulations are carefully drafted with the intent of balancing the tourist trade and residential character of the City while providing for the continued enjoyment of natural resources and limiting the degradation of environmental resources along the City's beaches; and

WHEREAS, the City's beaches and parks are a valuable asset as the City is a large recreational and tourist community; and

WHEREAS, such beaches and parks are intended to be used solely for recreational purposes and not to be used for sleeping during nighttime hours; and

Items in ~~strikethrough~~ are to be deleted;

Items in underline are to be added.

*** indicates text that is unaltered but to be left out of the document for purposes of brevity.

WHEREAS, the City Commission finds that the provisions of this Ordinance are necessary and are in the best interest of the citizens of and visitors to the City, and are necessary to promote the public health, safety and welfare of the community at large; and

WHEREAS, a business impact estimate pursuant to Florida Statute 166.041(4)(c)5 has been prepared; and

WHEREAS, the City is setting the effective date for the enforcement of the provisions of this Ordinance for a future date which will allow time for entities subject to the provisions of this Ordinance to apply for eligible waivers or other relief from the Ordinance provisions before enforcement will occur.

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH FLORIDA, HEREBY ORDAINS:

SECTION 1. Recitals. The above recitals (“Whereas” clauses) are hereby adopted as legislative findings, purpose and intent of the City Commission.

SECTION 2. The City Code and Land Development Code is amended as shown in EXHIBIT A to this Ordinance.

SECTION 3. Codification. This Ordinance shall be codified in the Code of Ordinances of the City of St. Pete Beach.

SECTION 4. Conflicts. All ordinances or parts of ordinances, in conflict herewith are hereby repealed to the extent of any conflict with the Ordinance.

SECTION 5. Severability. The provisions of this Ordinance are declared to be severable, and if any section, sentence, word, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, words, clauses, and phrases of this Ordinance as they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 6. Scrivener’s Error. The City Attorney may correct scrivener’s errors found in this Ordinance by filing a corrected copy of this Ordinance with the City Clerk.

SECTION 7. Construction. This Ordinance is to be liberally construed to accomplish its objectives.

SECTION 8. Publication. This Ordinance shall be published in accordance with the requirements of law.

SECTION 9. Effective Date. This ordinance shall take effect immediately upon adoption.

Items in ~~strikethrough~~ are to be deleted;

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FIRST READING: _____
SECOND READING: _____
PUBLIC HEARING: _____

CITY COMMISSION, CITY OF ST. PETE
BEACH, FLORIDA.

Adrian Petril, Mayor

I, Renee Rose, City Clerk of the City of St. Pete Beach, Florida, do hereby certify that the foregoing Ordinance was duly adopted in accordance with the provisions of applicable law this _____ day of _____, 2025.

Renee Rose, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

City Attorney

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Exhibit A

Existing Code of Ordinances Section 58-1. is amended as follows:

Senior means an individual 55 years of age or older.

Sunrise means the time when the upper limb of the sun appears above the horizon as a result of the diurnal rotation of the earth even if obscured by clouds or the reported time of sunset by time and date for the City of St Pete Beach.

Sunset means the time when the upper limb of the sun disappears below the sensible horizon as a result of the diurnal rotation of the earth even if obscured by clouds or the reported time of sunset by time and date for the City of St Pete Beach.

Youth means any individual between three and 17 years of age.

Existing Code of Ordinances Section 58-26. is amended as follows:

Sec. 58-26 – Prohibited activities in city parks and beaches.

Except for activities of the city, or a governmental agency within the scope of its governmental authority, it shall be unlawful for any person to do any one or more of the following in a public park or beach owned or controlled by the city:

- (1) Sleep at any time during the hours from sunset to sunrise of the following day;
- (2) Construct any hut, shanty, or other shelter, except by special permit issued by the department in association with a special event;
- (3) Discharge or deposit human wastes, except in toilet facilities provided by the city;
- (4) Drive, putt or otherwise hit golf balls;
- (5) Sleep as prohibited in Section 58-32 or otherwise be, or remain in any bushes, shrubs, or other foliage at any time; or
- (6) Use public restrooms to shave and or shower or bathe unless showers are provided for purposes of showering before going into a public pool, or showers are provided to wash off sand or salt water at the beach.
- (7) Offer for sale, rent or trade any article or thing, or station or place any stand, cart or vehicle for the transportation, sale or display of any article or merchandise, other than the department or concessionaires acting by and under the authority of the City of St. Pete Beach.

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Existing Code of Ordinances Section 94-70 is relocated to Section 58-32 and amended as follows:

Sec. ~~94-70~~58-32. – Sleeping during nighttime prohibited.

- (a) *Intent*. It is the intent of the city commission to preserve and protect the beauty of the city's beaches, parks and other public property for use by residents and tourists. In furtherance of such purpose, the city commission makes the following findings of fact:
- (1) The city has a significant tourist population that utilizes its beaches, parks and other public property.
 - (2) Being a largely recreational and tourist community, the city's beaches, parks and other public property are a very valuable asset.
 - (3) ~~Such~~ The beaches, parks and any other public properties are intended to be used solely for recreational purposes and not for sleeping during nighttime hours.
 - (4) Permitting persons to sleep on the beaches, in the parks and on any other public property during nighttime hours will have a negative effect on ~~the appearance of such areas~~ public access and use of the area and upon the city's tourism industry.
 - (5) Persons sleeping on the beaches, in the parks or on any other public property are exposed to the risk of harm from others or the elements.
 - (6) Prohibiting persons from sleeping on the public beaches, in the parks and on other public property during the nighttime hours will promote the public health, safety and welfare.
 - (7) ~~The beaches beginning at 30th Avenue and running north to the north boundary of block "M," Don Ce Sar Subdivision, and beginning at the south boundary line of block "N," Don Ce Sar Subdivision, and running north to 37th Avenue, are gulfward of residential property. Sleeping on the beach in these areas is contrary to the health and safety of the public.~~
- (b) *Prohibition*. It shall be unlawful for any person to sleep in or on any public park, public beach, or any other public property within the corporate limits ~~at the following places between sunset and sunrise the hours of 9:00 p.m. and 6:00 a.m. of the following day, referred to in this section as the nighttime hours:~~
- (1) ~~On any public beach or in any public park or any other public property within the corporate limits.~~
 - (2) ~~Between the waters of the Gulf of Mexico on the west and the most landward line of the sand dune or permanent construction, whichever first occurs, in the following area: beginning at 30th Avenue and running north to the north boundary of block~~

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~~"M," Don Ce Sar Subdivision, and beginning at the south boundary line of block "N,"
Don Ce Sar Subdivision, and running north to 37th Avenue.~~

- (c) *Penalty.* Any person found guilty of violating this section shall, upon conviction, be penalized as provided in section 1-14 subject to a fine not to exceed \$500.00 or imprisonment not to exceed 60 days.

The Code of Ordinances Chapter 95 is created as follows:

Chapter 95. Beaches.

Section 95-1 is created as follows:

Sec. 95-1. – Intent and purpose.

It is the intent and purpose of these regulations to safeguard and beautify the city's beaches by limiting certain activity conducted on the beaches. These regulations are also intended to provide for the health, safety, and welfare of the city's residents and the visitors of the City of St. Pete Beach.

Section 95-2 is created as follows:

Sec. 95-2. – Definitions.

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

Animals means any domesticated or non-domesticated animal, but specifically does not include service animals.

Beach means the zone of unconsolidated material that extends landward from the mean low-water line to the place where there is marked change in material or physiological form, or to the line of permanent vegetation, usually the effective limit of storm waves. When not preceded by the terms "private" or "public" elsewhere in this ordinance, this term shall be inclusive of both.

City manager means the person appointed by the city commission as the chief administrative official for the city or the designated representative thereof.

Consumption on premises means the drinking of beer, wine, and/or liquor on the property of a business which is licensed through the Florida Department of Business and Professional Regulation or its successor with a COP-class, SFS-class, or other license class that provides at least the minimum approval to allow for an on-premises consumption type of sale. The use of the term premise shall not be construed to include land located seaward of the rear property line when the upland property is not owned to the mean high-water line.

Dune means a mound or ridge of loose sediments, usually sand-sized sediments, lying landward of the beach and deposited by any natural or artificial mechanism.

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Frontal dune means the first natural or manmade mound or bluff of sand which is located landward of the beach and which has sufficient vegetation, height, continuity, and configuration to offer protective value.

Micromobility device means any motorized transportation device which is not capable of traveling at a speed greater than 20 miles per hour on level ground. This term includes motorized scooters, electric bicycles, and electric personal assistive mobility devices as defined by F.S. 316.003, as amended. Devices when required and when used by handicapped persons are exempt as set forth in City Code Section 74-91.

Permanent structure means an assembly of materials that is constructed on or placed over land or water, with either its own location on the ground or attached to something with a location on the ground, in which it is anticipated that the structure will remain in place for its expected lifespan or for which a temporary period of placement has not been defined and permitted through this Code. All structures erected for a period of longer than 180 days shall be considered permanent and must be permitted or maintained pursuant to the permit under which they were authorized.

Service animal means an animal that is trained to do work or perform tasks for an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The work done or tasks performed must be directly related to the individual's disability and may include, but are not limited to, guiding an individual who is visually impaired or blind, alerting an individual who is deaf or hard of hearing, pulling a wheelchair, assisting with mobility or balance, alerting and protecting an individual who is having a seizure, retrieving objects, alerting an individual to the presence of allergens, providing physical support and assistance with balance and stability to an individual with a mobility disability, helping an individual with a psychiatric or neurological disability by preventing or interrupting impulsive or destructive behaviors, reminding an individual with mental illness to take prescribed medications, calming an individual with posttraumatic stress disorder during an anxiety attack, or doing other specific work or performing other special tasks. A service animal is not a pet. The crime-deterrent effect of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for purposes of this definition.

Smoking means inhaling, exhaling, burning, or vaping any lighted product, including cigarettes, cigars, pipe tobacco, hemp, other smokeable substances, with the exception of unfiltered cigars. As used in this section, "unfiltered cigar" means a cigar consisting of a roll of tobacco wrapped in leaf tobacco without a filter and containing only tobacco and no other substance. Vaping means to inhale or exhale vapor produced by a vapor-generating electronic device or to possess a vapor-generating electronic device while that device is actively employing an electronic, a chemical, or a mechanical means designed to produce vapor or aerosol from a nicotine product or any other substance. The term does not include the mere possession of a vapor-generating electronic device.

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Sunrise means the time when the upper limb of the sun as affected by refraction appears above the sensible horizon as a result of the diurnal rotation of the earth.

Sunset means the time when the upper limb of the sun as affected by refraction disappears below the sensible horizon as a result of the diurnal rotation of the earth.

Temporary structure means an assembly of materials, including structures such as but not limited to cabanas, beach chairs, tables, umbrellas, tents and inflatable materials, which is constructed or placed, in compliance with the provisions, procedures and standards of this Code, for a limited and defined period of time, and which does not involve the construction or alteration of any permanent structure. A structure erected for a period of 180 days or longer shall not be considered a temporary structure and is a permanent structure.

Unattended fishing and/or line means a fishing line to which no person is actively directing their attention.

Zoning lot shall have the same meaning as in the Land Development Code.

Section 95-3 is created as follows:

Sec. 95-3. – Penalties.

~~(d)~~a Any person violating this Chapter shall constitute an offense against the city, and where no specific penalty is provided therefore shall subject the offender, upon conviction, to a fine or penalties applicable to misdemeanor violation of a municipal ordinance.

~~(d)~~b The City may issue citations for violations of the City Code of Ordinances and assess a penalty for such violations. Citations may be appealed to the City Code Enforcement Special Magistrate under the procedures set forth in Code Section 22-287 and 22-288, or a court of competent jurisdiction.

~~(d)~~e The judgment of a court of proper jurisdiction imposing any fine or fine and cost of prosecution may contain provision for a period of imprisonment in default of payment of the fine or cost. The payment of fines and costs of prosecution may also be enforced by attachment summarily against the property of the delinquent.

~~(d)~~d In addition to the penalties provided in subsections (a), (b) and (c) of this section, any condition caused or permitted to exist in violation of any of the provisions of this Code or any ordinance shall be deemed a nuisance, pursuant to Chapter 46, Article II of the City’s Code of Ordinances, and shall be subject to abatement by the city, and each day that such condition continues shall be regarded as a new and separate offense.

Existing Code of Ordinances Section 94-66 and 94-67 are stricken as follows:

Sec. 94-66. – Definitions.

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

~~Sunrise means the time when the upper limb of the sun as affected by refraction appears above the sensible horizon as a result of the diurnal rotation of the earth.~~

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Sunset means the time when the upper limb of the sun as affected by refraction disappears below the sensible horizon as a result of the diurnal rotation of the earth.

Sec. 94-67. Penalties.

Any person violating this article shall be subject to the penalties of section 1-14.

Existing Code of Ordinances Section 94-68 is relocated to create Section 95-4, renamed, and amended as follows:

Sec. ~~94-68~~95-4. Chairs, tables, benches, and umbrellas.

- (a) It shall be unlawful for any person to place upon the public beach any chair, bench, table or umbrella that alone or in combination with a group of chairs, benches, tables or umbrellas, ~~which~~ is in a location or is of a size which would interfere with the use of the public access beach by the general public.
- (b) It shall be unlawful for any person placing or causing to be placed any chair, bench, table or umbrella equipment upon the public beach to allow such to remain upon such public beach between sunset and sunrise and each chair, bench, table or umbrella shall constitute a separate violation. This shall not apply to an entity operating in compliance with the conditions of an issued special event permit.
- (c) Any operation from a franchise to set up chairs, tables, umbrellas, or cabanas on or upon the public beach requires a permit from the city.
- (d) The maximum tent size allowed on the public beach is 10 feet by 10 feet, except when a larger tent size is temporarily permitted within a designated area as part of an approved special event permit.
- (e) Any items left on the public beach out of compliance with this section may be disposed of by the City in its sole and absolute discretion.

Existing Code of Ordinances Section 94-69 is relocated to create Section 95-5, renamed, and amended as follows:

Sec. ~~94-69~~95-5. Picnics, ~~and food consumption, and fire pits.~~

- (a) Except as provided in subsection (b) of this section, no person shall conduct or participate in a picnic on any of the city's beaches. Except as provided in section 6-595-10, no person shall possess or consume any alcoholic beverages upon any of the city's beaches.
- (b) Picnics and the consumption of food and nonalcoholic beverages shall be permitted on the public city beaches of Pass-a-Grille and Upham Beach, provided that:
 - (1) Those persons having picnics or consuming food or nonalcoholic beverages within the area shall be responsible for cleaning up and removing from the beach all of the food, papers, cartons, bottles and other refuse or debris which may ~~shall~~ remain or be left from the consumption of such food or beverage.
 - (2) It shall be unlawful to build any fire for any purpose, including the cooking of food, within the sand beaches of the city, unless approved under subsection (c).

Items in ~~strikethrough~~ are to be deleted;

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(3) Glass containers or bottles associated with the consumption of food, alcoholic, or nonalcoholic beverages shall be prohibited.

(c) Notwithstanding subsection (b)(2) of this section, the city commission, the city manager or their designee shall be entitled to authorize the building of a temporary beach fire pit, ~~with This authorization may contain conditions and such requirements as the deemed~~ appropriate by the city commission or city manager's designee, that considering the advice of the fire department, the considerations of the rights of nearby property owners and the best interests of the city and its residents and visitors, such a temporary beach fire is deemed appropriate. Any person receiving authorization to build a fire shall agree in writing to comply fully with all requirements imposed by the city commission and/or city manager or designee.

(d) Signs may be posted notifying the public of the prohibitions and penalties for violating this section at beach ends, city parks, or other appropriate locations. ~~Anyone convicted of violating this section shall pay a fine of not less than \$100.00 or more than \$500.00. Signs shall be posted notifying the public of the penalty for violating this section.~~

Existing Code of Ordinances Section 94-71 is relocated to create Section 95-6, renamed, and amended as follows:

Sec. ~~94-71~~95-6 – Tiki (or Chickee) huts.

Tiki (or Chickee) huts are prohibited on any beach unless a permit has been issued by the city manager or designee and the structure and development ~~is~~department of planning and development in compliance with the following:

- (1) ~~(a)~~ (a) The tiki (or chickee) hut does not violate the terms of F.S. § 161.053.
- (2) ~~(b)~~ (b) The person applying for the tiki (or chickee) hut permit has the written approval of the upland property owner.
- (3) ~~(c)~~ (c) The applicant is licensed as a commercial watersport business and the tiki (or chickee) hut size, location, and placement meets all requirements contained in the City Code and Florida Statutes as provided by the land development regulations is subpart B of this Code.
- (4) ~~(d)~~ (d) The tiki (or chickee) hut meets all requirements of the Florida Statutes, Florida Building Code, and the city's Land Development Code, except that pursuant to Sec. 553.73.(10(i), Fla. Stat., Chickees constructed by the Miccosukee Tribe of Indians of Florida or the Seminole Tribe of Florida are exempt from the Florida Building Code ~~The tiki hut is constructed as provided in section 98-67.~~

Existing Land Development Code Section 25.6. is stricken, with its content modified and amended into newly-created Section 95-6. as follows, with subsequent sections renumbered:

~~Sec. 25.6. Tiki huts.~~

~~(a) The city may permit the location of a tiki hut on the beach in accordance with the following:~~

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~~(1) Tiki huts shall be allowed only in conjunction with the approval of the owner of the property upon which the tiki hut will be located. No tiki hut shall have utility services, shall serve food or drinks, or shall be used for any other service beyond the sales of services for an approved commercial water sports operation.~~

(25) Tiki huts shall be removed from the beach in the event of the issuance of a warning for a storm that, in the opinion of the city, is expected to be of sufficient strength to warrant such removal.

(36) Any tiki hut or other similar structure placed or erected on the beach after the adoption of this Code without a permit from the city shall in violation of this Code and all remedies shall be sought in accordance with the provisions of section 3.16 of this Code.

Sec. 25.76. - Dune preservation and enhancement.

Sec. 25.87. - Development requirements.

Sec. 25.98. - Permit required.

Sec. 25.109. - Permitting procedures.

Sec. 25.11. - Variances.

Existing Code of Ordinances Section 94-72 is relocated to create Section 95-7 and amended as follows:

Sec. ~~94-72~~95-7 – Temporary Structures.

No temporary structure of any kind shall be erected on any beach unless otherwise authorized by this article or other section of this Code or otherwise approved by the City.

Existing Code of Ordinances Section 94-73 is relocated to create Section 95-8 and amended as follows:

Sec. ~~94-73~~95-8. – Vehicle permits.

- (a) *Required.* No person, municipality, county or other public agency shall drive any vehicle or ride any electric or non-electric bicycle on, over or across any beach unless such motor vehicle or bicycle has been issued a “vehicle on the beach” permit under this section, ~~except in emergency situations as approved by the police department or fire department.~~ Emergency or law enforcement vehicles are exempt and shall be coordinated through the city manager or designee.

Items in ~~strikethrough~~ are to be deleted;

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- (b) *Criteria for issuance.* Permits for the operation of vehicles on the beach shall be issued for the following purposes:
 - (1) City beach maintenance operations~~Public works and public safety~~;
 - (2) Permitted commercial activities;
 - (3) Special events; and
 - (4) Mechanical beach cleaning.
- (c) *Issuance; additional federal, state or county permits.* Permits shall be issued by application to the ~~department of planning and development~~ city manager or designee based on the scope of activity, and the determination that the issuance serves a public purpose. Where necessary, the applicant shall obtain whatever additional permits that may also be required by either federal, state or county law. Where federal, state or county approval is necessary, no permit issued by the department shall become effective until such approval has been granted.
- (d) ~~Bond~~; Insurance. Based on the scope of activity, the ~~department~~ city manager or designee may require the posting of a ~~bond~~ or a liability insurance policy protection against damage to property or persons as part of a “vehicle on the beach” permit.
- (e) *Compliance.* In reviewing the application for a permit, the ~~department~~ city manager or designee shall require the applicant to provide all information necessary to determine whether the vehicle will be operated to comply with the requirements of this ~~article~~ Chapter or to set reasonable conditions to ensure compliance.
- (f) *Safe operation.* Operating vehicles permitted under this section shall be subject to all of the regulations set forth in this ~~article~~ Chapter and other ordinances governing the safe operation of vehicles. Safe operation shall be deemed as 10 mph or any other limit later established per Land Development Code Section 6.12.(h)(3).
- (g) *Exemptions.* A one-time exemption may be obtained per approval of the City Manager.

Chapter 94 reservations are updated as follows:

Secs. 94-7466 – 94-79. – Reserved.

Existing Code of Ordinances Section 94-101 is relocated to create Section 95-9, renamed, and amended as follows:

Sec. ~~94-101.~~95-9. – ~~Requirements~~Beach maintenance regulations.

(a) Mechanical beach cleaning shall be conducted in accordance with the following requirements:

- (1) All mechanical beach cleaning equipment operated on the beach shall require a permit issued by the city in accordance with this ~~article~~ Chapter.
- (2) Cleaning equipment shall meet the requirements of state and local law governing the permitting of beach maintenance activities, including the requirements of F.S. §§ 161.052 and 161.053 and the rules and regulations adopted by the state department of environmental protection, division of beaches and shores.
- (3) Cleaning activities shall be performed only between sunrise and sunset.

Items in ~~strikethrough~~ are to be deleted;

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- (4) Seaweed and other natural sea vegetation may be placed within the five-foot zone, at seaward of the toe of the frontal dune, as long as the dune is not disturbed.

Existing Code of Ordinances Section 94-102. is relocated to newly-created Section 95-9, with its content amended as follows:

Sec. 94-102. — Prohibitions.

(5) The following activities shall be prohibited on beaches:

~~(1)~~a. Mechanical beach cleaning shall ~~be prohibited~~ within five feet of the toe of the dune.

~~(2)~~b. Mechanical beach cleaning equipment activities shall ~~not~~ which disturb any natural beach vegetation.

~~(3)~~c. Penetration of the beach surface with mechanical beach cleaning equipment by more than two inches into the surface of the beach.

~~(4)~~d. Any mechanical beach cleaning during the period May 1 through October 31 (turtle nesting season) except seaward of the prior day's high-tide mark or debris line or where authorized by a permit from the state department of environmental protection, division of beaches and shores.

Existing Code of Ordinances Section 94-103. is relocated to Section 95-9, with its content amended as follows:

Sec. 94-103. — Exemptions.

(b) The city shall be exempt from permitting requirements of this ~~division~~ section, but shall otherwise comply with all federal, state and local laws.

Chapter 94 reservations are updated as follows:

Secs. 94-104 101– 94-130. – Reserved.

Code of Ordinances Section 6-5 is amended as follows:

Sec. 6-5. – Consumption or possession of alcoholic beverages.

(a) Except as provided in subsection ~~(d)~~ (e) of this section, it shall be unlawful to drink or consume alcoholic beverages on or upon:

(1) All public streets.

~~(2) All public beach lands.~~

~~(3)~~ (2) Any public sidewalk.

~~(4)~~ (3) Any city park.

~~(5) All private sand beach areas upland of the Gulf of Mexico and adjacent to private property.~~

~~(6) All sovereignty submerged land.~~

Items in ~~strikethrough~~ are to be deleted;

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(b) Except as provided in Chapter 95, it shall be unlawful to drink or consume alcoholic beverages on or upon:

(1) All public beach lands.

(2) All private sand beach areas upland of the Gulf and adjacent to private property.

(c) It shall be unlawful to drink or consume alcoholic beverages on or upon all sovereignty submerged land.

~~(b) *Notices.* For public beach lands, notice of this section shall be posted in a prominent beach access location by the city. For upland property is used for some commercial use, including but not limited to hotels and resorts on the beach, notice shall be posted by the owner and shall contain language determined to be acceptable by the city attorney. For upland property used as multifamily residential use, the owner or condominium association shall be responsible for posting the notice. For upland property is less than three residential living units, the city shall post the notice at the closest public access to the beach.~~

~~(e)~~ (d) *Containers.* It shall be unlawful for any person to carry on or about his person any container of alcoholic beverages, whether or not the container is a bottle, can, carton or other form of container, in those areas described in subsection (a) through (c) of this section unless a permit has been issued pursuant to subsection (e) of this section or Chapter 95 of this code otherwise allowing said activity to occur under any certain terms and conditions stated in the permit. This subsection shall not be applicable in those areas described in subsections (a)~~(1)~~ and ~~(3b)~~ of this section if the alcoholic beverage is contained in a sealed container or if the bottle, can, carton or other container has never been opened since the time the beverage was originally bottled at the manufacturer's or bottler's plant. Possession of any container of alcoholic beverages wherein the seal has been broken, the bottle cap or pop-top has been opened or removed or where the container may seem to be open or to have been opened shall constitute prima facie evidence of a violation of this section.

~~(d)~~ (e) *Permits.* Permits allowing for the consumption of alcohol for special events, outdoor dining or outdoor drinking areas, or special occasions may be issued as follows:

(1) *Special event permit on public non-beach lands.* The city commission may authorize the consumption of alcoholic beverages in the areas described in subsections (a)~~(1)~~, (2) and (3), ~~and (4)~~ as stated above, in connection with the approval of a special event permit issued pursuant to Article II of Chapter 26 of this Code. Regulations pertaining to consumption of alcohol on beach lands are as provided in Chapter 95 of this Code.

~~(2) *Special event permit on private lands.* Owners of private sand beach areas may obtain a special event permits for the consumption of alcoholic beverages for special occasions. The permits shall be issued by the city manager or designee and shall include conditions necessary to protect the safety, health and welfare of the public.~~

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~~The upland owner shall be entitled to no more than three permits per month. The area of the beach subject to the permit shall be marked with approved temporary markers, and the consumption of alcohol shall be confined to the marked area. Permits shall not authorize consumption before 8:00 a.m. and shall terminate no later than 10:00 p.m.~~

(32) *Conditional use permit on public land.* The city commission may authorize the sale and consumption of alcoholic beverages in connection with the approval of a conditional use permit for an outdoor dining area or outdoor drinking area in the area described in subsection (a)(1) and (a)(32) as provided by the City of St. Pete Beach Land Development Code.

Code of Ordinances Section 95-10 is created as follows:

Sec. 95-10. – Smoking, starting of fires, and use of alcohol on the beach.

- (a) Consumption or possession of alcoholic beverages. It shall be unlawful for any person to drink or consume any alcoholic beverage on or upon:
- (1) All public beach lands, except as may be approved through Section 95-10.(g)(1).
 - (2) All private beach lands, except as may be approved through Section 95-10.(f) or (g)(2).
- (b) It shall be unlawful for any person to carry on or about their person any open container of alcoholic beverages, whether the container is a bottle, can, carton or other form of container, on any beach or sovereignty submerged land adjacent to the beach except in those areas as permitted in subsection (a) preceding.
- (c) Notices. For public beach lands, notice of this section shall be posted in prominent beach access locations by the city with appropriate locations determined by the city manager or designee. When upland property is used for some commercial use, including but not limited to hotels and resorts on the beach, and the beach is public or the commercial use lacks authorization for alcohol on the private beach, notice shall be posted by the owner facing landward of the dune line or Coastal Construction Control Line where no dune exists at an appropriate beach access location and shall contain language determined to be acceptable by the city attorney. For upland property used as multifamily residential use, the owner or condominium association shall be responsible for posting the notice. When upland property contains fewer than three residential living units, the city's posting at the nearest beach access shall suffice to provide notice as required for this item.
- (d) Pursuant to Florida Statutes, Sec. 386.209, smoking (except for unfiltered cigars) is prohibited and unlawful within the boundaries of any public park or public beach within the city and further restrict smoking within the boundaries of public beaches and

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public parks that are within its jurisdiction but are owned by the county, unless such restriction conflicts with a county ordinance. A violation of this provision may be enforced by citation by any law enforcement officer or by any code enforcement officer.)

- (e) The starting or maintaining of fires and open flames on the public beach is prohibited except where specifically allowed in this Chapter or in conjunction with an annual special event as approved by the fire marshal.

Existing Code of Ordinances Section 6-5.(d)(4) is amended and transferred into newly-created Section 95-10. as follows:

(f4) *Administrative approval for alcoholic beverages on private beach lands.* Upon receipt of an accepted site plan application, the technical review committee may approve the sale of alcoholic beverages in conjunction with the rental of beach cabanas on private transient lodging property if all of the following requirements are met through the site plan review and approval process, as outlined in division five of the land development code.

(1)a. Each transient lodging facility that desires an alcohol cabana service area permit must complete the permitting process and have an active BTR (business tax receipt) for cabana rental associated with the lodging facility.

(2)b. The cabana service area must be delineated by sketch on COP liquor license, as well as a component of the site plan review. The sketch shall be available for viewing at the transient lodging facility at all times.

(3)e. The cabana service area can be no closer than 75 feet to a property line abutting an existing residential use located outside of the CRD (community redevelopment district).

~~d. All occupants of the cabana service area must wear an identifiable and unique wrist band that is exclusive to the upland transient lodging facility. The wrist band shall indicate that alcohol must remain in the cabana service area at all times.~~

(4)e. The cabana service area shall be no closer than 50 feet to the wet sand.

(5)f. The cabana service area's hours of operation shall be 10:00 am to 10:00 pm.

(6)g. The cabana service area's patron(s) shall only be served by identifiable transient lodging facility employees, in person and all service-ware shall have clearly identifiable transient lodging facility markings.

(7)h. Glass and plastic straws are prohibited at all times on the sand beach.

~~(8)i. Only patrons or registered members of the transient lodging facility that have current room rental as well as a cabana rental in the cabana service area may be served alcohol. Invited guests of the facility patron that desire to be served alcohol~~

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~~shall register with the hotel to secure a wrist band.~~ Patrons and/or guests are prohibited from bringing alcohol into the cabana service area.

(9)j. Service of alcohol shall only be provided within a beach cabana service area, as delineated by boundary markers consistent with the on-site COP map. Boundary markers shall be four-by-four wooden posts extending four to six feet above the sand and painted a single contrasting color to the sand. The top of the markers shall be installed with signage of two to four square feet facing inward to the cabana service area informing guests that alcohol shall not removed from the area.

(10) Initial applications for a new cabana service area shall demonstrate an adequate number of water closets to service guests of the area will be in place at time of its operation. When an existing cabana service area was established prior to this requirement, the demonstration shall be made at time of request for renewal. No cabana service area shall start or continue to operate without an adequate number of operational permanent or temporary water closets necessary to meet Florida Building Code requirements. Any portable toilet placed to support this area shall meet requirements of this Code and the Land Development Code.

(11)k. Penalty. Violation of the above criteria will result in:

a1. First violation - written warning to the transient lodging facility.

b2. Second violation - written warning to the transient lodging with the stipulation that the permit will be revoked if additional violation occurs within six months.

c3. Third violation - revocation of the cabana service area permit. The transient lodging facility will not be able to re-apply for a cabana service area permit for one year. For every continual violation an additional six months will be added to this requirement.

(12)l. Cabana service area permits shall be issued on an annual basis, and subject to all ordinance amendments at the time of renewal.

Code of Ordinances Section 95-10.(g) is created as follows:

(g) *Special event approval for alcohol consumption on public and private beach lands.* Alcohol consumption on public and private beach lands not otherwise authorized through (f) preceding may be approved through a special event permit, as follows:

(1) *Public beach land.* The city commission may authorize the consumption of alcoholic beverages on public beach lands in connection with the approval of a special event permit issued pursuant to Article II of Chapter 26 of this Code.

(2) *Private beach land.* Owners of private sand beach areas may obtain a special event permit for the consumption of alcoholic beverages for special occasions. The permits shall be issued by the city manager or designee and shall include conditions necessary

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to protect the safety, health and welfare of the public. The upland owner shall be entitled to no more than three permits per month. The area of the beach subject to the permit shall be marked with approved temporary markers, and the consumption of alcohol shall be confined to the marked area. Permits shall not authorize consumption before 8:00 a.m. and shall terminate no later than 10:00 p.m.

Existing Code of Ordinances Section 14-35 is relocated to create Section 95-11, renamed, and amended as follows, with subsequent remaining section renumbered:

Sec. 14-3595-11. Dogs Prohibited on sand beaches.

- (a) It shall be unlawful for any owner or other person keeping a dog to take such dog upon any sand beach or beach access or to knowingly allow any such dog to be upon any sand beach or beach access except as prescribed below.
- (b) Designated dog beach area shall be those sand beach lands that lie from the easterly extension of the southernmost ROW line of 1st Avenue north to the easterly extension of the southernmost ROW line of 3rd Avenue and eastward of the Pass-a-Grille Way ROW line. Any dog accessing this designated dog beach area shall be kept and held on a leash of any substantial material and of a maximum length of eight feet at all times, regardless of location.
 - (1) For designated dog beach areas, the following rules and regulations apply:
 - a. Owners are legally responsible for their dogs and injuries caused by them.
 - b. Dogs must be properly licensed, have required immunizations and ~~always~~ wear appropriate ID tags at all times.
 - c. Dogs must remain out of any dune vegetation or other protected areas.
 - d. Owners must clean up after their dogs.
 - e. Owners shall maintain clear sidewalks at all times by ensuring that their dogs do not impede the use of such sidewalks by persons or other dogs.
 - f. Dogs showing aggression towards people or other dogs shall be immediately removed from the premises.
 - g. Dogs that bark persistently or are otherwise a nuisance shall be removed from the premises.
 - ~~h. Dogs using the dog beach area must be at least four months old.~~
 - hi. Dogs must never be left unattended.
 - ij. Dogs "in heat" will not be allowed inside the dog beach area.
 - jk. Rawhide, food or any other consumable is not allowed inside the dog beach area.
 - kl. Dogs are the only type of animal permitted inside the dog beach area.
 - lm. Violators will be subject to removal from the area and suspension of area privileges.
 - (2) Hours of operation shall be determined by the city manager or his/her designee and posted on-site. Hours may be adjusted without notice.
 - (3) The city shall have no obligation or responsibility to replace any existing sand on a dog beach that is removed as a result of alluvial shift, tides, currents, storms or other natural occurrences.

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(c) Service animals as defined in this chapter are exempt from the prohibition of animals on the beach.

Sec. 14-36. 35. – Regulations for dogs in approved outdoor seating areas.

Section 95-12 is created as follows:

Sec. 95-12. – Distribution of handbills and other advertising.

It shall be unlawful for any person to throw, cast, affix, or discard any handbill, circular, card, booklet, placard or other paper or plastic or other material whatsoever in or upon any public access beach.

Section 95-13 is created as follows:

Sec. 95-13. – Fishing on the beach.

It shall be unlawful for any person to fish on the public access beach after having been warned by any law enforcement officer that the health and safety of bathers is being endangered by fishing in that location, in that manner and at that time.

Nothing in this section shall be construed to create a duty on the part of any City employee or representative to prevent fishing or to warn of the presence of sharks in the waters of the Gulf.

Section 95-14 is created as follows:

Sec. 95-14. – Feeding or Harassing Wild Birds, Sea Turtles and Manatees is Prohibited.

(a) The feeding of birds on the beach is prohibited.

(b) No person shall take, harass, harm, pursue, hunt, shoot, kill, trap, capture, or collect, possess, or sell any of the endangered or threatened shorebird and seabird species (American Oystercatcher, Snowy Plover, Black Skimmer, Least Tern), Sea Turtles or Manatees.

Section 95-15 is created as follows:

Sec. 95-15. – Fireworks on the beach.

It shall be unlawful for any person to offer for sale, expose for sale, sell at retail or use or explode any fireworks on the beach. The city commission shall have power to adopt reasonable rules and regulations for the granting of permits for supervised public display of fireworks within the boundaries of the city, pursuant to Section 791.02, Florida Statutes, as amended.

Section 95-16 is created as follows:

Sec. 95-16. – Micro-mobility.

The riding of any micromobility device as defined in this Chapter shall be prohibited upon any beach within the City or any area as designated by the City where notice is posted. Operation of such devices, whether privately owned or not, is prohibited on sidewalks except for the purposes of parking the device in an acceptable location as referenced in Section 74-91 through 74-95.

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Section 95-17 is created as follows:

Sec. 95-17. – Vending on public beaches.

- (a) No person, persons, organization or firm, other than the department or concessionaires acting, by and under the authority of the city manager or designee, shall expose or offer for sale, rent or trade any article or thing, or station or place any stand, cart or vehicle for the transportation, sale or display of any article or merchandise upon any public sand beach. Nothing contained herein shall restrict freedom of speech exercised by any person without the use of tables, chairs, or signs erected or placed upon the ground, or other objects, stands, carts, vehicles or similar items.
- (b) No person shall solicit, canvass, or otherwise take orders for the sale of merchandise, goods, or property of any kind or character upon any public beach.
- (c) Regulations particular to solicitation on private beaches may be found in Section 95-18 of this Code.

Section 62-59 is amended as follows:

Sec. 62-59.– Application; qualifications; contents

- (a) A solicitation permit may be obtained by written application of the person desiring to solicit. Such applicant shall be a legal adult or shall have obtained a work permit from a school. The solicitation permit shall contain the following information and shall be signed and sworn to by the applicant:
 - (1) Full name of applicant.
 - (2) The name of the business or property which the applicant is representing.
 - (3) Expiration date of the permit.
 - (4) A recent photograph of the applicant.
- (b) ~~For solicitation along the sand beach areas of the Gulf of Mexico, the permit shall be issued only after the property owner represented has demonstrated to the satisfaction of the director of planning and development that the sandy beach portion of the property is owned by the upland property owner.~~ Regulations specific to commercial solicitation in sand beach areas can be found in Section 95-18 of this Code.

Existing Code of Ordinances Section 62-93 is relocated to create Section 95-18, renamed, and amended as follows:

Sec. 62-93.95-18 – Specific restrictions on solicitation on sand beach areas. Restrictions specific to commercial solicitation on sand beach areas.

- (a) ~~There may be no more than two permitted solicitors on a single parcels of sand beach property at any one time.~~ Commercial solicitation on sand beach areas shall comply with the requirements of this section in addition to Chapter 62 of this Code.

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- (b) For solicitation along the sand beach areas of the Gulf of Mexico, the permit shall be issued only after the property owner represented has demonstrated to the satisfaction of the city manager or designee that the sandy beach portion of the property is owned by the upland property owner.
- ~~(bc)~~ Except for boat and beach rentals, or as approved through a special event permit, solicitation shall be oral, with no display of wares.
- ~~(ed)~~ Signs shall be regulated as provided in chapter 122 pursuant to the City's Land Development Code.
- ~~(de)~~ Solicitation shall be confined to privately owned property, and solicitation shall not occur upon the public access beaches. At all times a solicitor shall be required to wear ~~his~~their city-issued solicitor's card on the outside of ~~his~~their clothing.
- ~~(e)~~ The establishment of a solicitation line on individual properties shall be through a survey by a licensed surveyor. The solicitation line shall be marked at each boundary line of the property, and at intermediate points if required by the director of planning and development, by means of a device as approved by the city manager or his authorized designee. The property owner shall bear the expense for establishment of the location of the solicitation line and the maintenance of the marking devices. If the property owner fails or refuses to provide a survey establishing the location of the solicitation line after written request by the city, further solicitation on the property shall be prohibited until the survey is provided to the city.
- ~~(f)~~ The appropriate board of authority shall be empowered to grant variances to the city solicitation setback line where an upland owner feels that such line as established is unduly restrictive or prevents legitimate use of his property. However, the appropriate board of authority shall grant no variances to this section which would allow the solicitor to locate on public beach land.
- ~~(gf)~~ The business or property owner shall be responsible for the actions of solicitors employed by or representing ~~him~~them. The business or property owner shall be responsible for compliance with this Chapter by solicitors employed by or representing ~~him~~them, in addition to the citation to be issued to the solicitor.

Sec. 62-9493. - Permitted hours for solicitation.

Secs. 62-9594—62-120. - Reserved.

Existing Land Development Code Section 44.3. is transferred to create Section 95-19 and amended as follows, with remaining subsequent sections renumbered:

Sec. 44.3.95-19. - Prohibition of activities disruptive to marine turtles.

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Marine turtles nesting season is from May 1 – October 31 (“nesting season”). The following activities are prohibited on the beach at nighttime during the nesting season for the protection of nesting females, nests, and hatchling marine turtles:

- (a) The operation of all motorized vehicles, except emergency and law enforcement vehicles or operated by those persons who have authorization or a permit to engage in marine turtle conservation or research issued by the United States Fish and Wildlife Service, or the Florida Fish and Wildlife Conservation Commission, and Florida Department of Environmental Protection approved for mechanical beach cleaning or beach renourishment activities.
- (b) The building of campfires or bonfires.
- (c) ~~Any flashlights, cellphone flash or light, or other transient lighting which purposely and flagrantly illuminates nesting sea turtles or hatchlings.~~ This prohibition does not apply to those persons who have authorization or a permit to engage in marine turtle conservation or research.
- (d) If any turtle nests or nesting activities have been reported within a portion of a beach, any temporary structures, including but not limited to beach chairs, umbrellas and cabanas which have the potential for entrapment of marine turtles and which may interfere with the use of the natural beach environment for nesting habitat shall be:
 - (1) Removed from the beach nightly; or
 - (2) Stored in areas designated by the City of St. Pete Beach staff which are situated to avoid interference with marine turtles; or
 - (3) Placed in a manner so as to not obstruct the transit of turtle hatchlings to the water.
- (e) When preparing to leave the beach, beachgoers shall fill in any holes, remove beach chairs, umbrellas, towels, beach toys, and any other objects created or placed by the beachgoer that could interfere with transit of nesting turtles or turtle hatchlings.
- (f) When windows of a beach-facing structure lacks treatment or other permanent occlusion to limit inside to outside visible light transmittal to less than 45%, blinds shall be closed each night.
- (g) No person shall disturb a sea turtle or sea turtle nest.
- (h) All persons and property shall comply with any applicable sea turtle lighting provisions contained in the City’s Land Development Code.

Sec. 44.4.3. – Standards for new beachfront lighting.

Sec. 44.5. 4. – Standards for existing beachfront lighting.

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Sec. 44.6. 5. – Standards for publicly owned lighting.

Sec. 44.7. 6. – Construction during nesting season.

Sec. 44.8. 7. – Enforcement.

Sec. 44.9. 8. – Monitoring and reporting guidance.

Existing Land Development Code Section 25.9. is transferred to create Section 95-20 and amended as follows, with remaining subsequent sections renumbered:

Sec. ~~25.9.~~95-20. – Permit or registration required.

- (a) Dunes. In no instance shall any person, municipality, county or other public or private agency excavate or otherwise cause damage to a dune or conduct or cause to be conducted any activity to improve or enhance a dune without obtaining the necessary permits from the Florida Department of Environmental Protection and the city.
- (b) Other non-exempt activities. All other non-exempt activities, including construction, excavation, fill placement, repair of shore protection structures, and other activities seaward of the coastal construction setback line and activities that would alter the topography or disturb the vegetation of the beach/dune system, including vehicular traffic relating thereto, are required to obtain a permit from both the Florida Department of Environmental Protection and the city
- (c) Recreational Activities. Any organized recreational activity, including but not limited to beach volleyball tournaments, skimboarding or surfing contests, conducted on the beach shall be required to obtain the necessary permits through the city manager.
- (d) Commercial operations not occurring under a Business Tax Receipt or Special Event Permit. When a business temporarily operates from or offers a service that involves use of the public beach, and such operation involves the placement of any temporary structure other than cabanas, chairs, tables, or a tent of 10x10' or less, and/or places any barrier or barricade that is determined by the city manager or designee could inhibit the use of the public beach by the public, and/or involves a gathering of more than 50 people, such commercial operation shall register with the city prior to such event. This requirement shall apply to beach exercise excursions, photography sessions containing changing tents or large lighting setups, and similar business operations, when such operations meet one of the three preceding standards. This requirement shall not apply to any commercial operation occurring under an authorized

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special event permit, or any business for which a St. Pete Beach Business Tax Receipt has been obtained and such use has been authorized by the city manager or designee.

Sec. 25.409. – Permitting procedures.

Sec. 25.410. – Variances

Section 95-21. is created as follows:

Sec. 95-21. –Special events on the beach.

- (a) No special event on a public or private beach shall be permitted within the city limits of St. Pete Beach unless and until a special event permit has been issued in accordance with the requirements of this Chapter and Chapter 26 of this Code. Special Event shall be as defined in Sec. 26-31 of this code of ordinances.
- (b) This requirement shall not apply to events which are sponsored or co-sponsored by the city. Approval of such sponsorship shall be at the discretion of either the city manager or city commission, provided, however, that if an event is open to the entire community, the city commission shall be responsible to either grant or deny such approval. City sponsored or co-sponsored events may take place on public property or private property with the consent of the property owner.
- (c) Alcohol may be permitted on the beach in conjunction with a special event as regulated in Section 95-10.(f) of this Chapter.

Section 95-22 is created as follows:

Section 95-22.: Reserved

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Public and Private Beach Regulation Comparison: Ordinance 2025-02

The following provides a comparison between amendments contained in Ordinance 2025-02 that pertain to the public beach, and the equivalent standard that affects private beach land, where one exists. This comparison is not intended to recognize any particular area of land as private beach or supersede customary use where it may be demonstrated, but to simply summarize the content of the ordinance as was requested by the Beach Stewardship Committee.

Standard	Public Standard	Private Standard	Summary
Sleeping on the beach	Code of Ordinances Sec. 58-26.(1) & 58-32	N/A	Sleeping is prohibited on the public beach. There is no equivalent standard for private beaches, although the property owner may enforce their own prohibitions if desired.
Beach solicitation	Code of Ordinances Sec. 58-26.(7) & 95-17	Sec. 95-18.(c)	All solicitation on the public beach is prohibited, except when associated with a special event. Limited solicitation is permitted on private beaches with owner permission. Solicitation may only be verbal except for rental concessions, as approved through a special event, or when associated with an approved resort alcohol service area.
Beach equipment sizes and nightly removal requirements	Code of Ordinances Sec. 95-4.	N/A	Ordinance 2025-02 proposes maximum tent sizes, and prohibitions on leaving equipment and beach furniture on the beach overnight, that apply solely to the public beach. Other than enforcement of existing regulations requiring removal or relocation of furniture from the private beach when it would interfere with marine turtle transit, there is currently no equivalent standard for the private beach. Private beach cabana and other furniture density, location, and nightly storage was addressed through the consolidated beach ordinance in early 2025, but these regulations were ultimately removed to be contemplated under a separate, forthcoming ordinance.

Food consumption on the beach	Code of Ordinances Sec. 95-5.(a)	N/A	Picnics and food consumption are allowed on Upham and Pass-A-Grille beaches provided they are cleaned up, subject to specific regulations. Food consumption is not directly addressed on private beaches, although plastic and glass are prohibited within cabana service areas pursuant to Code of Ordinances Sec. 95-10.
Business registration	Code of Ordinances Sec. 95-20.(d)	Code of Ordinances Sec. 78-96	Staff has proposed amendable language pertaining to required registration of businesses that use the public beach as an occasional extension or setting for their business, such as large exercise classes or photography setups that include use of uncommon temporary structures, when such may interfere with the general public's use of the beach. All private business uses that are site-based are already required to register the use with the city through the business tax receipt process, which includes zoning review.
Fire pits	Code of Ordinances Sec. 95-5.(c)	Code of Ordinances Sec. 95-5.(c)	Fire pits are prohibited on the beach unless authorized by the city commission or city manager.
Semi-permanent beach structures	Code of Ordinances Sec. 58-26.(2) & Land Development Code Division 27	Code of Ordinances Sec. 95-6 & Land Development Code Division 27	Structures intended to be a permanent fixture are prohibited on the public beach, with the exception of dune walkovers. Private beach owners may construct tiki or chickee huts when properly licensed and the use is a permitted watersports use.
Vehicles on the beach	Code of Ordinances Sec. 95-8	Code of Ordinances Sec. 95-8	Except for public safety vehicles, permits are required to operate vehicles on all sand beaches. Ordinance 2025-02 is also proposed to add bicycles to this registration requirement. The requirement applies to all beach areas.
Alcohol on the beach	Code of Ordinances Sec. 95-10.(g)	Code of Ordinances Sec. 95-10.(f)&(g)	Alcohol consumption is prohibited on public beach lands except when approved under a special event permit.

			<p>Alcohol consumption is prohibited on private beach lands except when in the boundaries of an approved resort alcohol service area, or when approved under a special event permit.</p> <p>Special events for alcohol on the public beach require City Commission approval.</p> <p>Administrative staff can approve special events involving alcohol on private beaches.</p>
Dogs on the beach	Code of Ordinances Sec. 95-11	Code of Ordinances Sec. 95-11	Non-service dogs are prohibited on all sand beaches except for dog beach.
Harassment of protected species	Code of Ordinances Sec. 95-14	Code of Ordinances Sec. 95-14	Harassment of threatened and endangered shorebirds and turtles are prohibited on public and private beaches.
Fireworks on the beach	Code of Ordinances Sec. 95-15	Code of Ordinances Sec. 95-15	Fireworks are prohibited on the sand beaches except when authorized under regulations generated by the City Commission.
Micromobility devices on the beach	Code of Ordinances Sec. 95-16	Code of Ordinances Sec. 95-16	Riding of micromobility devices is prohibited on all sand beaches.
Sea turtle disruption	Code of Ordinances Sec. 95-19	Code of Ordinances Sec. 95-19	Prohibitions on disruption to sea turtles apply on all sand beaches and upland development, where relevant.
Organized recreational beach events	Code of Ordinances Sec. 95-20	Code of Ordinances Sec. 95-20	Organized recreation events, like surfing contests or beach volleyball tournaments, require city manager approval on all sand beaches.