

BEACH STEWARDSHIP COMMITTEE SPECIAL MEETING MINUTES

September 16, 2025 - 9:00 A.M.

PRESENT: Jon Stevens, Chair
Dan Rothenberger, Member
Bill Thompson, Member
Natalie Looney, Member

ABSENT: John Kurzman, Vice Chair

STAFF PRESENT: Camden Mills, Public Services Director
Ralf Brookes, City Attorney
Renee Rose, City Clerk
Brandon Berry, Senior Planner

Chair Stevens called the meeting to order at 9:00 AM.

1. Audience Comments -

No members of the public came forward.

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.

Senior Planner Brandon Berry summarized how the discussion will be handled. They will review each section, one by one. He started at the top of the ordinance. Section 58-1 includes definitions of sunrise and sunset.

The committee reviewed Section 58-26 on prohibited activities in city parks and beaches. The section carries forward existing prohibitions and adds clarifying language, including new rules on the use of city-provided showers and an additional item in subsection seven. There was discussion regarding the distinction between public and private beaches, noting that some prohibitions, such as the discharge of human waste, should apply to the entire beach regardless of ownership. Other activities, like sleeping in Section 58-32, may warrant different treatment on private property, such as a homeowner using a hammock. The discussion noted enforcement challenges, particularly with trespassing on private beachfront property. Trespass enforcement typically falls to the Sheriff's Office, while the City's code enforcement handles civil offenses. There are difficulties when property owners are absent or when deputies classify incidents as civil matters. City Attorney Brookes acknowledged the need to balance new regulations with Senate Bill 180 restrictions on private property and he will evaluate each prohibition individually. The committee discussed provisions relating to huts, shanties, and other shelters. Even on private property, a permit is required for constructing such structures. It was asked whether portable sunshade tents should fall under this prohibition. Mr. Berry clarified that on the public beach, a size limitation for tents had already been carried forward from earlier discussions, and the City Commission had directed the committee to also examine large or obtrusive structures. The committee agreed that an exemption should be added for small sunshades that meet established size requirements, with a cross-reference to the appropriate section. This would prevent them from being classified as huts or shanties.

The discussion noted that while some prohibitions in this section currently apply only to public parks or beaches, many items should be placed in a section that makes them applicable more broadly.

Discussion continued with Section 58-32, which is being relocated from Section 94-70. Mr. Berry explained that although this section appears in the parks division of the Code of Ordinances, it also addresses beach regulations, and a cross-reference in Chapter 95 may be appropriate. The intent is to either reference this section within the beach ordinance or mirror it with a separate regulation to ensure consistency. The discussion turned to the references of Blocks M and N, which had been struck from the draft. These references were originally included for a reason, but past explanations were conflicting. There was consensus to unstrike and reinstate the language referencing Blocks M and N. It was noted that the sleeping prohibition had been modified from the hours of 9:00 p.m. to 6:00 a.m. to instead apply from sunset to sunrise as defined in the code. The penalty language provides for a fine of up to \$500 or imprisonment not exceeding 60 days. Mr. Brookes confirmed this aligns with the standard for a misdemeanor of the second degree and recommended revising the language to state it explicitly. The discussion also clarified that violations could be enforced either through the City's civil code enforcement process or, if pursued criminally, through the Sheriff's Office and State Attorney's Office.

The committee began review of Chapter 95, the newly created beach chapter of the code. The intent and purpose statement was carried forward from an earlier draft, and members had no objections. The discussion turned to the definitions section. Several terms were consolidated from other areas of the code, while terms such as "cabanas" were removed because their definitions contained regulatory language that is more appropriate for later sections. It was clarified that references to "city beaches" mean both public and private beaches unless otherwise specified. The committee compared the definitions of sunrise and sunset in Chapter 95 with those in Section 58, noting a slight difference. Mr. Berry will bring forward the more expansive version from Section 58 for consistency. A significant discussion focused on the definition of micromobility. The committee agreed that the City should maintain a definition broader than the state statute, which only addresses rental devices, so that both privately owned and rental e-bikes, scooters, hoverboards, and similar devices are included. Committee members shared personal experiences with safety hazards, collisions, and impacts to wildlife as reasons to prohibit motorized micromobility devices on the beach. There was discussion about responsible use allowances or a permit system, but there was consensus that enforcement would be difficult and that a prohibition would be clearer and more effective. Mr. Brookes reviewed the statutory definitions for self-balancing devices to ensure one-wheels, hoverboards, and other technologies are included. They agreed that enforcement would be easier if the ordinance includes this language, rather than referencing statute. There was further distinction between temporary and permanent structures. Under the Florida Building Code, structures intended to remain more than 180 days are considered permanent, while temporary structures such as stages or event setups are not. The ordinance carries forward penalties from prior drafts, maintaining consistency with existing provisions.

Discussion turned to Section 95-4, which relocates and expands upon earlier provisions regarding chairs, tables, benches, and umbrellas. It was noted that the section prohibits temporary beach furniture from being placed in a way that would significantly obstruct public use of the beach. The regulation applies only to the public beach and not to private property. Leaving furniture overnight is prohibited, and each individual item constitutes a separate violation. The section also authorizes the City to remove furniture left overnight on the public

beach. Mr. Berry explained that businesses are already required to obtain a business tax receipt to set up furniture on the public beach, and this requirement remains in place. Any commercial setup, whether through a business tax receipt or a special event permit, must be approved by the City. A new regulation establishes a maximum tent size of 10 by 10 feet for public beach use, reflecting the size commonly approved for temporary commercial setups. There were questions about private proposals or small gatherings. Mr. Berry clarified that small, non-commercial activities such as a marriage proposal would not require a permit, but larger assemblies or temporary structures would. Discussion also addressed third-party vendors who sometimes set up furniture or picnics on private property without the owner's permission. There is a need for consistency in regulation, noting that both hotels and independent vendors should be required to hold a permit and secure permission from the property owner. There was consensus that the ordinance should make it a violation to operate such services on private land without the owner's consent, both to ensure fairness and to limit liability risks for property owners.

The committee reviewed what will become Section 95-5 on picnics, food consumption, and fire pits. Mr. Berry said this section carries forward existing provisions while retaining authority for the City Manager or designee to authorize temporary beach fire pits under specified conditions. The section also modifies violation language to align with the new chapter. There were concerns about safety hazards, recalling past incidents where large sand holes caused injuries or fatalities, and highlighted the importance of addressing excavation hazards elsewhere in the ordinance. Discussion turned to the regulation of picnics. The committee agreed that language should be clarified so that picnics are expressly permitted on both public and private beaches, provided all trash is removed. A reference to Florida's litter law should be added to reinforce the requirement, ensuring a "leave no trace" approach. There was discussion about glass containers, fire pits, and open flames. There was consensus that bans on glass and unapproved fires should apply the same way on both public and private beaches. Fire pits or open flames would only be permitted through City authorization, with consideration for dune and vegetation protection. The committee recommended that open-flame activities be addressed broadly, with exceptions only through the special event permitting process. Questions were raised about possible restrictions on styrofoam, plastic straws, and smoking on beaches. Mr. Berry will review current state preemption laws to determine whether such restrictions could be included.

Discussion continued with 95-6, Tiki (or Chickee) huts. This section consolidates two existing sets of regulations, one from the Code of Ordinances and one from the Land Development Code, into a single section for clarity. Mr. Berry explained that the intent is not to add new restrictions or create new allowances, but to merge the rules so they are easier to understand and enforce. Chickee huts, built by the Miccosukee Tribe and exempt from the Florida Building Code, would still be subject to the City's zoning rules and regulated in the same way as tiki huts. It was clarified that huts are only allowed on the beach in connection with licensed commercial water sports businesses and must comply with existing standards. One part of the draft struck out language prohibiting utility hookups, food or drink service, and other uses beyond water sports. It was suggested to keep that language in place for consistency since the Land Development Code section will be eliminated. It's important to retain the requirement for written approval from the upland property owner, which is already part of the existing code.

Mr. Berry said no substantive changes are being made to the coastal conservation requirements, noting that these sections were renumbered but not altered. There was a concern

about dune preservation and permitting. Specifically, the City requires a permit for maintenance activities such as trimming or removing invasive species, even though the Florida Department of Environmental Protection does not require a permit for maintenance west of the Coastal Construction Control Line. This difference in requirements can cause confusion for property owners, as the current ordinance language refers to “improvements” rather than explicitly mentioning “maintenance.” Clarifying this language would help avoid misunderstandings and ensure compliance. The committee recommended that the actual text of these provisions be included in the ordinance draft, even without strikeouts or edits, so the Commission clearly understands what the requirements are. It was noted that the updated definition of “dune” is helpful; it makes clear that the term covers the whole natural area between the ocean and built features like seawalls, which helps avoid past confusion about how it should be interpreted.

The discussion continued with 95-7, Temporary structures, adding language to acknowledge that there may be circumstances where the City could authorize a temporary structure on the beach outside of what is specifically covered in the ordinance. This is intended to recognize the City’s emergency powers, which could allow temporary structures in unforeseen situations.

The committee discussed 95-8 relating to vehicles and micromobility devices on the beach. The draft currently prohibits bicycles, both electric and non-electric, unless a vehicle-on-the-beach permit is issued. The intent was not to allow bicycles on the beach at all, and the language should be revised so that vehicle permits apply only to motor vehicles, while bicycles and micromobility devices remain prohibited outright. It was suggested that bicycles be addressed in a separate sentence to avoid confusion. It was also recommended to cross-reference the micromobility section so that enforcement officers have one clear provision to cite. Mobility aids such as electric wheelchairs are exempt from the prohibition and should remain allowed under the ordinance. Discussion followed about how other beach communities regulate bicycles and vehicles. Some remote beaches on the east coast and in other states allow vehicles or bikes due to low population density, most urban beaches, including St. Pete Beach, prohibit them because of safety hazards, congestion, and turtle nesting concerns. The section also carries forward requirements for insurance rather than bonds for vehicle permits and restates the 10 mile-per-hour maximum speed limit for vehicles on the beach. Members acknowledged that vehicle permits are typically issued to essential users such as turtle monitoring groups, city departments, emergency services, hotels, and licensed beach vendors.

Mr. Berry continued with 95-9 regarding beach maintenance regulations, which carries forward existing rules on mechanical beach cleaning and related activities. It was suggested to add a cross-reference to dune maintenance requirements, so anyone reviewing beach cleaning rules would also see the link to trimming and vegetation management regulations. The section also reiterates current rules about required distances from the dune line and other maintenance standards. During discussion, a question was raised about raking practices during turtle nesting season. There are restrictions on raking until after turtle monitors have inspected and are addressed elsewhere in the ordinance. It’s important to make sure those protections are clear and suggested also recognizing bird nesting season alongside turtle nesting.

The discussion moved to Section 6-5 alcohol regulations. The intent remains the same: alcohol is prohibited on both public and private beaches unless specifically authorized through a permit. On the public beach, alcohol may only be allowed under a special event permit. On private beaches, it may be allowed through either a cabana alcohol service area permit, tied to

a licensed establishment, or a special event permit. Resorts are not included in the special event provision. The draft changes were described as primarily organizational, intended to clearly separate the different references and direct readers to the proper code sections. General alcohol regulations remain in Chapter 6 of the Code, but Chapter 95 will now contain all beach-related provisions. The draft also continues to prohibit consumption of alcohol on submerged land, which was carried forward without change. Clarification was needed on B-2., which refers to “private sand beach areas upland of the Gulf and adjacent to private property.” This was carried over from earlier language and likely accounts for rare situations where public uplands may abut private beach ownership. The committee agreed it was best to leave the reference in place as written. The rules continue to define an open container violation as one where a seal has been broken or a pop top has been opened, with no substantive changes apart from updated cross-references to the new beach chapter. Alcohol service at non-beach public lands, such as block parties, would continue to be regulated through the special event permitting process, while sidewalk dining and similar uses would still require conditional use permit approval by the City Commission under the Land Development Code. These provisions were carried forward to keep consistency while shifting all beach-specific alcohol language into Chapter 95.

The committee reviewed Section 95-10, which consolidates rules on alcohol, smoking, and fires on the beach. Alcohol remains prohibited on all public beach areas except when authorized through a special event permit, and on private beach areas except through a cabana alcohol service permit or a special event permit. Open containers are also prohibited unless covered by those exceptions. The draft adds a requirement that signage be placed at beach access points, such as walkovers and parking lots, to clearly notify the public of these regulations. The section includes updated smoking provisions, reflecting state law that allows cities to prohibit smoking in public parks and on public beaches, but exempts unfiltered cigars. There was frustration with this exemption, noting that cigars can also create litter and fire hazards, but it is a limitation imposed by state law. There was a discussion about vaping and confirmed that it is included in the ordinance’s definition of smoking, allowing it to be prohibited alongside cigarettes. This also carries forward restrictions on open flames, clarifying that starting or maintaining fires is prohibited not only on public beaches but also on private beaches unless specifically authorized. There was consensus to remove the distinction between public and private beaches for these rules to ensure consistent enforcement. Discussion continued with cabana service area regulations, noting that they had been discussed at previous City Commission meetings. This draft doesn’t add any new restrictions; it cleans up and reorganizes the section. Two rules were proposed to be dropped based on earlier Commission direction: the wristband requirement, which was seen as too restrictive and a source of trash, and the rule that limited access only to registered hotel guests. Taking those out would let cabana operators handle access on their own and allow residents or other visitors to use the service areas. The section also clarifies requirements for alcohol service boundaries. Current rules require cabana service areas to mark their corners to show they meet setback rules. Discussion determined that posts with signs are enough and that ropes shouldn’t be required since those would need extra permits from the Florida Department of Environmental Protection. The ordinance will also swap out the term “water closets” for “restrooms,” with staff double-checking that the wording still matches Florida Building Code. Penalties remain unchanged, and staff noted that while more substantive changes have been proposed in the past, this draft only carries forward the agreed-upon updates. The discussion then moved to special event approvals, which have been consolidated from Chapter 8 into Chapter 95. Private beach owners can get special event permits that allow alcohol up to three

times a month, but only in the approved area shown on a site map. Events can't start before 8 a.m. and have to end by 10 p.m., which is the same as the current rules. Questions were raised if the term "upland owner" should be clarified as "private property owner" for consistency. They also discussed the 10 p.m. cutoff, noting that most hotels already end beach service around sunset due to turtle nesting regulations. It was suggested aligning the end time with sunset may be appropriate. Mr. Berry noted that permitting conditions could address things like lighting and seasonal factors.

Discussion continued with 95-11, dogs prohibited on beach. No major changes are being introduced. The section carries forward existing rules that were already part of earlier drafts, though the strike-through and underline edits may have made it look like new restrictions. The only clarification is the continued exemption for service animals. The section still exempts service animals. Mr. Brookes suggested adding a reference to the state statute on service animals to keep things clear and consistent.

The committee moved on to Section 95-12, covering distribution of handbills or other advertising. This section is carried forward from the existing commercial solicitation rules and continues to prohibit leaving or dumping advertising materials on the beach.

Discussion continued with Section 95-13 on fishing from the beach. Fishing is generally regulated by the Florida Fish and Wildlife Conservation Commission (FWC), and the City may only prohibit it in limited cases, such as from certain bridges when posted or when fishing activities pose a danger to the public. The section is carried forward from earlier drafts. There were concerns about shark fishing, chumming, and disposing fish carcasses on the beach. While most of that is under FWC jurisdiction, it was discussed whether language could be added to address problems like discarded carcasses and charter-style shark fishing operations occurring from the beach. Mr. Brookes will research FWC rules further and look into how other cities have handled similar issues.

The committee reviewed Section 95-14, which prohibits feeding or harassing wild birds, sea turtles, and manatees. The section gives City code enforcement staff clear authority to address harassment, capture, or harm of these protected species.

The committee discussed Section 95-15 on fireworks. Current rules prohibit fireworks on the beach unless authorized by a special event permit approved by the Commission. It was questioned whether fireworks should ever be allowed on the beach because of fire hazards to dunes, pollution, and past incidents. Several members strongly supported an outright ban, saying that fireworks are not compatible with beach stewardship and that the City has already moved its displays to Horan Park to avoid impacts on wildlife and dunes. Hotels receive permits for fireworks displays, but there was consensus to recommend a complete prohibition on fireworks on the beach, knowing the Commission can change it.

Discussion moved to Section 95-16 on micromobility devices and clarified that the language should match earlier consensus. The intent is to prohibit micromobility devices, such as e-bikes, scooters, and hoverboards, on all beaches within the city, not just public beaches. The vice chair has previously expressed dissent, there was majority consensus for a full prohibition.

The committee reviewed Section 95-17 on vending at the beach. This section is carried forward from the existing commercial solicitation ordinance with no substantive changes. Commercial solicitation remains prohibited on the public beach except when allowed under a

special event permit. The only adjustment is in subsection C, which adds a cross-reference to regulations governing solicitation on private beaches. Discussion continued with amendments to Section 62-59, which are intended to align with Section 95-18 and provide a cross-reference. It's important to require explicit permission from the property owner when third-party vendors operate on private property. Concern was raised that holding the property owner responsible would be unfair if activities occurred without their knowledge or consent. There was consensus that the ordinance should be worded so that property owners are not liable unless they have granted permission.

Discussion continued with Section 95-19, which transfers language from Section 44.3 of the Land Development Code to prohibit activities disruptive to marine turtles. There was discussion about whether to keep this language in the Land Development Code, with a cross-reference in Chapter 95, to avoid issues with Senate Bill 180. The consensus was to maintain the current Land Development Code language for now, while still creating Section 95-19 with a reference back to it. Clarifications were made to ensure the section covers filling in holes, removing objects such as sandcastles before leaving the beach, and protecting against hazards to turtles and children. "Sandcastle" should be specifically mentioned as an object that must be taken down. Discussion turned to vegetation treatment limits. Current guidance recommends 30% occlusion, but the ordinance will keep the 45% standard for now to remain consistent with what has already been enforced, until the marine turtle lighting amendments are updated. Language prohibiting dogs from disturbing sea turtles and nesting birds should be placed in Section 95-11 (dogs on the beach) to keep related regulations together. There were concerns about chairs, umbrellas, inflatables, or other structures left on the beach overnight. Mr. Berry noted that current rules allow the City to remove items left overnight on the public beach if they pose a hazard, but that regulations for private beaches and larger structures may need to be addressed in a future ordinance. Senate Bill 180 limits how far the City can regulate these matters, so broader changes may need to wait. This is an issue to revisit later, but turtle protections apply across the entire beach, not just public property.

The committee reviewed Section 95-20, which transfers language from Section 25.9 of the Land Development Code into the beach ordinance. The section requires permits for certain activities, including dune maintenance and organized recreational events. Additional language will be added to clearly state that a City maintenance permit is required for dune work, separate from the Florida Department of Environmental Protection process. There were concerns about signage and enforcement around dune protection. Signs are faded or damaged and people ignore them, with children damaging vegetation. Rope-and-post fencing is more effective than signs in keeping people out of protected dune areas. The City is responsible for providing and maintaining dune protection signage. The section also carries forward requirements for organized recreational activities such as volleyball tournaments, surfing contests, and skimboarding events. These activities require permits from the City, typically through the special event process. It was recommended to add concerts to the list of examples. The committee also suggested clarifying that applicants must obtain a special event permit and any other required permits, such as vehicle-on-the-beach permits, to make the process clear. There was a discussion to address businesses operating on the beach that are not covered under solicitation rules but still engage in commercial activity, such as yoga classes, large photography setups, or catered gatherings. These activities are not currently regulated if there is no active solicitation, and the Commission tasked the committee to work through it. There were questions regarding the usefulness of limiting regulation to large gatherings (50+ people) and agreed that any commercial activity on the beach, whether for payment, donation, or offered as an amenity, should require registration with the City. This would close loopholes

and provide a point of accountability. It's important to require written authorization from property owners if the activity takes place on private beaches, so that third parties cannot operate without permission. Concerns were raised about balancing regulation with staff workload, since a new registration process could increase administrative demands. It was suggested to offer online registration. The committee separated commercial activity and non-commercial gatherings, noting that events like potluck dinners or informal drum circles raise different issues. Large non-commercial gatherings may need to be addressed separately, possibly through a threshold-based special event permit requirement. Staff will research how other cities, such as Treasure Island, have handled similar challenges and First Amendment considerations. There was consensus that commercial uses of the beach, regardless of size, should require registration with the City, and that the process should include property owner authorization for private land use. It was recommended that the City provide registrants with rules of conduct to help prevent littering, dune damage, and other enforcement issues.

Discussion continued with Section 95-21, which carries forward the City's existing special event regulations and now cross-references Section 95-10(F) regarding alcohol on the beach when tied to a special event permit. Section 95-22 was noted as a reserved section intended to reference marine turtle lighting standards, depending on whether those provisions remain in the Land Development Code or are moved into Chapter 95.

There was discussion about clarifying how regulations might apply to areas such as the "Secret Garden", and whether it would fall under dune protections or state park oversight. The secret sidewalk issue at Pass-a-Grille was also mentioned, with agreement to check if any overlap exists with the beach ordinance. Questions about beach access and walkovers were raised, but staff confirmed these are covered by separate state and building code regulations. Concerns were also noted about loud amplified music on the beach, with suggestions to explore whether this should be addressed directly under beach rules or left under the noise ordinance. Other discussion points included ensuring dune vegetation protection is reinforced through signage and barriers, clarifying that nothing in the ordinance prevents future boardwalk projects, and confirming consensus that bicycles should not be permitted on the beach. There is a need to balance regulation of commercial activities with allowing community use, making clear that local families and neighborhood groups should not feel restricted from gathering on the beach.

Mr. Berry will bring a revised ordinance to the November meeting.

6. Adjournment – Next special meeting is scheduled for October 23, 2025.

There being no further business, Member Rothenberger moved, Member Thompson seconded, and the motion carried 4-0 to adjourn the meeting at 11:37am.

These minutes were approved at the November 19, 2025, Beach Stewardship Committee meeting.