

ORDINANCE NO. 92-35

AN ORDINANCE TO BE ENTITLED THE HERNANDO COUNTY MARINE CONSTRUCTION CODE: PROVIDING FOR A SHORT TITLE; PROVIDING FOR ADMINISTRATION; PROVIDING FOR DESCRIPTIONS; PROVIDING FOR DOCKS; PROVIDING FOR COMMERCIAL STRUCTURES; PROVIDING FOR SEAWALLS; PROVIDING FOR DEADMAN; PROVIDING FOR THE SEVERANCE OF PARTS; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR VIOLATIONS, REMEDIES, AND PENALTIES; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA.

SECTION 1. SHORT TITLE

The provisions contained herein shall constitute the Marine Construction Code for marine construction within Hernando County, and shall be referred to as the "Marine Construction Code".

SECTION 2. ADMINISTRATION

Refer to the Standard Building Code, 1991 Edition, Chapter 1 - Administration, as modified by County Ordinance No. 92-25, in addition to the following:

- A. Every application for a permit in and upon Hernando County waterways must be submitted to the County Building Division, and to the Hernando County Port Authority via the Building Division, with plans and specifications thereof, together with a sketch of the property and the adjoining waterbody, which sketch must show the width of the existing waterbody at the point of the property from which the dock, pier, or seawall is to be built; the proposed length of the dock or pier into the waterbody; and such other items as may, from time to time, be required by the Building Division, Port Authority, or

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HERNANDO COUNTY, FLORIDA

other appropriate agency.

- B. The intent of these specifications is to set minimum standards for typical marine construction and any deviation must be approved by the Hernando County Port Authority.
- C. Good engineering practice shall be used at all times.
- D. Any person, firm, or corporation who violates any of the provisions set forth in this code shall be deemed guilty of a misdemeanor which shall be punishable within the limits and as provided by state laws.
- E. Any marine construction along the County's rivers requires Port Authority involvement prior to permitting to evaluate the river's current depth and contour of the bottom on a case-by-case basis. Construction standards shall be consistent with the Riverine Protection Ordinance. Should the Port Authority determine that the length of a dock presents a navigational hazard, Marine Construction standards shall apply.

SECTION 3. DESCRIPTIONS

- A. Waterbody measurements shall be made from mean low water line.
- B. For a waterbody 150 ft. or over, with seawalls at low mean water line, docks shall not exceed 22 ft. into waterbody.
- C. For a waterbody 120 ft. to 149 ft., with seawalls at mean low water line, docks shall not exceed 20 ft. into waterbody.
- D. For a waterbody 100 ft. to 119 ft., with seawalls at mean low water line, docks shall not exceed 18 ft. into waterbody.
- E. For a waterbody 75 ft. to 99 ft., with seawalls at mean low water line, docks shall not exceed 12 ft. into waterbody.
- F. For a waterbody 50 ft. to 74 ft., with seawalls at mean

low water line, docks shall not exceed 6 ft. into the waterbody.

- G. For a waterbody 49 ft. or less, with seawall at low mean water line, docks shall not exceed 4 ft. into waterbody and docks shall be alternated from one side of waterbody to the dock on opposite side.
- H. Side yard setbacks on a man-made waterbody are not required unless this construction encroaches on the riparian rights of other property owners. In this case, side yard setbacks shall be no less than 10 per cent of the lot width when measured at the waterfront lot line with the setback not to exceed 10 ft.
- I. Side yard setbacks on natural waterbodies for structures and activities shall be a minimum of 25 feet from the applicant's riparian rights line. Marginal docks may be set back 10 feet. There shall be no exceptions to the setbacks unless the applicant's shoreline frontage is less than 65 feet, or a sworn affidavit of no objection is obtained from the affected adjacent upland riparian owner, or the proposed structure is a subaqueous utility line.
- J. In waterbodies where property lines exceed mean low water line, mean low water line will govern seawalls and docks. Where mean low water lines exceed property lines, the property lines shall govern seawalls and docks.
- K. No docks shall significantly hinder navigation upon the waterways.
- L. Single pilings (mooring) shall not extend beyond the side property line or beyond the maximum distance into a waterbody allowed for a dock.
- M. Conditions for special exceptions may occur from time to time including, but not limited to, navigational hazards. In the event this happens, the Port Authority will have final determination on man-made waterbodies and the Board of County Commissioners on natural waterbodies subject to

the Riverine Protection Ordinance.

- N. Stakes at mean low water line shall be installed to assist the zoning division and the Port Authority in verifying setbacks.
- O. A marginal dock is a dock without an accessway, a terminal platform, with the longest side parallel to the shoreline that does not exceed 130 square feet.

SECTION 4. WOOD DOCKS FOR RESIDENTIAL STRUCTURES

- A. Steel bolts, fittings, nuts, washers, and hardware shall be no lower quality than hot dip galvanized.
- B. All bolt heads and nuts shall have a flat washer. Use of lag or anchor bolts must comply with the manufacturers' specifications. Carriage bolts are permitted for minor additions (such as ladders).
- C. All wooden members and pilings shall be pressure treated with a minimum treatment of 2.5.
- D. Wood piling shall be smooth surfaced, straight and free of splits. Minimum average diameter of the butt of each pile shall be not less than 6 inches or 4 x 4 posts.
- E. Ramp to dock hinges shall be no less than quarter inch steel.
- F. All floating docks must have a minimum of 20 pounds per square foot flotation.
- G. All ramps must be connected to the seawall with no less than 3/8" x 3" lag bolts with lead shields per hinge.
- H. All floating docks with single ramps must be safely secured to the seawall from each inside corner of dock with no less than 1/4" steel cable.
- I. All ramps will be a minimum width of 36".

SECTION 5. COMMERCIAL STRUCTURES

- A. Boat docks, piers, or other similar structures built on property zoned commercial must exceed the above guidelines must receive approval of the Hernando County

Port Authority.

- B. All wooden members and pilings shall be pressure treated with a minimum treatment of 2.5.
- C. Wood pilings shall be smooth-surfaced, straight and free of splits. The minimum average diameter of each pile shall be not less than 8".
- D. All floating docks must have a minimum of 25 pounds per square foot flotation.
- E. All styrofoam billets must be coated with environmentally safe coating.
- F. All floating docks with single ramps must be safely secured to the seawall on each inside corner of the dock with no less than 2" galvanized pipe.
- G. All ramps shall be a minimum width of 48" with minimum 42" handrails attached.

SECTION 6. MASONRY SEAWALLS - CONCRETE BLOCK

- A. Masonry seawalls shall be poured solid with 3000 PSI concrete with an approved return 8 ft. on center. The minimum length of the return shall be 4 ft. Masonry units shall be 8" x 8" x 16" - 2 cell blocks.
- B. Footer:
 - (1) Footer must be supported by stabilized material.
 - (2) Minimum size of footer shall be 12" x 18" with continuous footer under seawall and return.
 - (3) Two (2), #5 rebars shall be installed horizontally in footer with minimum coverage of 3".
 - (4) One (1), #5 rebar shall be installed 16" on center in order to provide one (1) vertical bar in each masonry unit to provide a vertical tie.
- C. Reinforcing Steel:
 - (1) All steel shall be #5 rebar or greater.
 - (2) One (1), #5 rebar or greater shall be installed in every other course of blocks horizontally. †
 - (3) One (1), #5 rebar or greater shall be installed

vertically every 16" on center.

- (4) Top course of masonry units shall have one (1), #5 rebar.
 - (5) Horizontal bars shall be installed into returns at all locations to provide a continuous tie between all walls.
 - (6) All steel shall lap no less than 24".
 - (7) All steel shall be tied with approved tie wires.
- D. Concrete cap shall be a minimum of 4" thick and 8" wide.
- E. Back fill shall be of a stable material compacted to ensure a sound compaction.

SECTION 7. REINFORCED CONCRETE - SEAWALLS

A. General Requirements:

- (1) Shall be poured with 3000 PSI concrete.
- (2) Seawall height is measured from bottom of footing to top of seawall for design requirements.
- (3) Returns shall be placed 20' on center for walls not to exceed 4' in height. For walls exceeding 4' in height, the return placement shall be closed for a minimum of 2' for each additional foot in wall height.
- (4) Return length shall be double the height of the wall, not to exceed 8 ft.
- (5) Backfill shall be a mixture of stable material consisting of no more than 50% sand, compacted to ensure a sound compaction.

B. Footer:

- (1) Footers shall be supported by stabilized material.
- (2) Minimum size of footers shall be 12" x 16" with continuous footer under seawall and returns.
- (3) Two (2), #5 rebars shall be installed horizontally in footer.
- (4) One (1), #5 rebar shall be installed no more than 48" on center in order to provide a vertical tie in

walls 3' and less; and walls greater than 3', vertical tie shall be placed 36" on center. The vertical tie shall have a minimum of 6", 90 degree angle bend as installed into the footer.

C. Reinforcing Steel:

- (1) All steel shall be #5 rebar or greater.
- (2) One (1), #5 rebar or greater shall be installed horizontally within the wall 6" above top of footer. One (1), #5 rebar or greater shall be installed horizontally within the wall 4" below top of seawall. The vertical distance between rebar shall be no greater than 16" on center.
- (3) Horizontal bars shall be installed into return walls at all locations.
- (4) All steel shall lap a minimum 18".
- (5) All steel shall be tied with approved tie wires.
- (6) One (1), #5 rebar or greater shall be installed vertically 48" on center in walls 3' and less; and walls greater than 3', vertical tie shall be placed 36" on center.
- (7) Concrete cover over steel reinforcement shall be in accordance with Standard Building Code 1607.6.

SECTION 8. DEADMAN

A deadman is not encouraged, but may be used in some instances. When used, the following shall be required:

- A. One (1), #7 rebar to be used in each deadman;
- B. Rebar shall turn a minimum of 12" into wall, extend 8' inland with a 36" return at 30 degree angle;
- C. Rebar shall be coated with an approved asphalt coating or equivalent;
- D. When forms are stripped and fill has been completed, the rebar shall be poured with 3000 PSI concrete with 3 cubic feet covering 36" return;
- E. No cold joints shall be allowed;

- F. Minimum of 6" cover will be required on all sides of bar;
- G. Deadman shall be installed six feet on center.

SECTION 9. DOCKS

Pursuant to this section of the Marine Construction Code, all docks built in Hernando County shall be maintained in a good and safe condition by the owners of these docks. Pursuant to notification by certified mail from the Port Authority that a dock is unsafe, an owner will be given thirty (30) days to return the dock to good and safe condition. At the expiration of 30 days, the County will take proper action against the property owner.

SECTION 10. HAZARDOUS AND ABANDONED VESSELS OR WATERCRAFT

- A. It shall be unlawful to own, operate, berth, moor, lease, control or abandon any vessel or watercraft which in such a manner, place or condition as to menace or interfere with navigation or to threaten docks or other property or persons.
- B. In any case where the condition or operation or location of a vessel or watercraft as stated above creates an emergency situation menacing or interfering with navigation or threatening docks or other vessels or watercraft, property or persons, the Hernando County Port Authority shall order the owner, operator, or person in custody or control of such vessel or watercraft to take whatever actions are appropriate to eliminate the hazard, threat, interference or menace. The Hernando County Port Authority shall give written notice to the owner, operator, or custodian to remove it within 30 days of receipt of notice. If the owner, operator, or person in custody or control of the vessel or watercraft is unable to comply with the order, the Hernando County Port authority shall have the right to enter upon the vessel or watercraft and take whatever steps or actions are

necessary to eliminate or minimize the hazard, threat, interference, or menace. All costs incurred by the Hernando County Port Authority, including towing, storage or repair of the vessel or watercraft, shall be charged against the owner, operator or custodian of the vessel or watercraft.

SECTION 10. SEVERANCE OF PARTS

Should any section, paragraph, sentence, phrase, clause or other part or provision of this ordinance be declared by any court to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part declared to be invalid.

SECTION 11. REPEALER CLAUSE

Upon the effective date of this ordinance, those previously enacted ordinances and amendments thereto which regulate the construction activities addressed by this ordinance, namely Hernando County Ordinance No. 91-14 and subsequent amendments thereto, are hereby repealed.

SECTION 12. VIOLATIONS, REMEDIES, AND PENALTIES

Any entity violating any provision of this ordinance shall be subject to the penalties provided for herein. The Director or his authorized representative shall issue notice to all entities violating any provision of this ordinance and shall order that such violations cease. Should any entity fail to comply with such notice, or order, the Governing Body or its authorized official may institute appropriate action to bring such entity before a court of law for adjudication. Any entity violating any provision of this ordinance shall, upon conviction, be guilty of a misdemeanor and shall be fined or imprisoned or both fined and imprisoned, in accordance with the provisions of Chapter 125.69 of the Florida Statutes.

SECTION 13. INCLUSION IN THE CODE

It is the intention of the Board of County Commissioners of Hernando County, Florida, and it is hereby provided that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of Hernando County, Florida. To this end, the sections of this Ordinance may be renumbered or relettered to accomplish such intention, and that the word "ordinance" may be changed to "section", "article", or other appropriate designation.

SECTION 14. EFFECTIVE DATE

This ordinance shall become effective as provided by law.

ADOPTED in Regular Session this 22nd day of December,
1992, A.D.

BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA

By *John Richardson*
JOHN RICHARDSON, CHAIRMAN

Attest *Karen Nicolai*
KAREN NICOLAI, CLERK

