Dock Permitting Regulations

The City of North Port
4970 City Hall Blvd.,
North Port, FL 34286
General Tips to Avoid Permitting Delays

Here are some tips on how to avoid delays and rejections of your dock permit submittal. ANY submittal which fails to meet these requirements will result in the materials being returned to the applicant for completion of these items.

Please read through the attached City code on Dock Permitting and Processes (Dredge & Fill Regulations) to understand EXACTLY what the City of North Port expects in regards to Dock construction.

- **Required Paperwork** [Refer to Section 13-7.A.(2).a Permits of the Unified Land Development Code (ULDC)]
  a. 3 copies of all paperwork is required
  b. All information must be copied and assembled into 3 complete and separate packets.
  c. An explanation of the need and intent of the project.
  d. A description of construction methodology.
  e. A completed application form.
  f. Line sketches.
  g. Methods of water quality control (i.e. silt fences/barriers etc).
  h. Copies of all state and/or federal agency permits and/or notices of exemption.
  i. Water depths referenced to MLW, as appropriate.

- **Sketches showing how the dock will be constructed and anchored**

- **Site Plans/Plat Map Pages**
  a. As required paperwork you must provide either a Site Plan of your property OR a copy of a Plat Map with your property on it.
    i. If a Plat Map is included instead of a Site Plan, please enlarge the copy focusing on your property so that ALL dimensions and information is legible
  b. Site Plan/Plat Map must clearly identify originally platted side and rear property lines.
  c. Site Plan/Plat Map must clearly identify the dimension of the originally platted waterway width
  d. Site Plan/Plat Map must contain a sketch of EXACTLY where the dock will be placed in terms of the side and rear property lines.
    i. Applicant must identify the dimensions of the dock from each side of dock to each side property line
    ii. Applicant must identify the dimensions of the dock from the rear property line

- **Profile sketch showing the mean water low level as it relates to the channel depth at the edge of dock.**

Attached are two drawings/samples to show what is required for a permit. **All** information included on these drawings/samples **must** be included on the drawing(s) submitted by the customer(s) for the specific installation being permitted. **Actual dimensions must** be shown, including **mean-low-water level and channel depth** at dock’s edge, so that the draft height can be determined. All requirements mentioned above will also apply to avoid submittal rejectio...
BOUNDARY SURVEY OF LAND

CERTIFIED TO:

LEGAL DESCRIPTION: (AS FURNISHED BY CLIENT)
LOT 39, BLOCK 2J, THIRTEENTH ADDITION TO PORT CHARLOTTE SUBDIVISION ACCORDING TO THE PLAT HEREOF AS RECORDED IN PLAT BOOK 1J, PAGES 12, 12A-12F OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA
Chapter 13

DOCKS, SEAWALLS, OTHER STRUCTURES AND MARINE VESSELS REGULATIONS

[HISTORY: Adopted by the City Commission of the City of North Port 9-17-1990 by Ord. No. 90-28 (Section 10). Amendments noted where applicable.]

GENERAL REFERENCES
Water pollution control — See Ch. 180, Art. II.
Watercraft — See Ch. 225, Art. I.

Sec. 13-1. Title.
Sec. 13-2. Intent.
Sec. 13-3. Relationship to Comprehensive Plan.
Sec. 13-4. Findings.
Sec. 13-5. Applicability.
Sec. 13-6. Local, State and Federal permits required.
Sec. 13-7. Permits.
Sec. 13-8. Fees.
Sec. 13-10. Prohibition of non-water-dependent fixed structures.
Sec. 13-12. Water quality standards.
Sec. 13-13. Mooring of vessels on or adjacent to private property.
Sec. 13-14. Abandoned vessels.
Sec. 13-16. Removal and impoundment of dangerous hazardous vessels.
Sec. 13-17. Exceptions.
Sec. 13-18. Miscellaneous.
Sec. 13-20. Enforcement.
Sec. 13-22. Conflicts.
Sec. 13-23. Appeals.
Sec. 13-1. Title.

This chapter shall be known and may be cited as the "Docks, Seawalls, Other Structures and Marine Vessels Regulations" of the City of North Port, Florida.

Sec. 13-2. Intent.

It is the intent of the City Commission of the City of North Port to protect the water quality and integrity of its waterways and their appurtenant natural systems, and to safeguard the health, safety and public welfare of property as it relates to the quality, design, fabrication and erection of structures for recreational boats, such as piers, boat docks, moorings, platforms or other similar-type structures designed primarily for use of recreational boats.

The purpose of this chapter is to ensure that the mooring of vessels and erection of water dependent structures do not adversely affect navigation, natural resources, or the public's health, safety, and welfare by establishing regulations while allowing the local area waterways to be utilized recreationally for this purpose.

Sec. 13-3. Relationship to Comprehensive Plan.

The regulations in this chapter implement Surface Waters, Objective 7, of the Conservation and Coastal Zone Management Element of the Comprehensive Plan, which states that "Prior to 2000, the City will implement programs and procedures for the protection, preservation and conservation of coastal water resources and fresh water resources, including, but not limited to waterways and canals."

Sec. 13-4. Findings.

The City Commission of the City of North Port hereby finds that:

A. The waterways, wetlands and related hydrological and drainage systems function as a vital part of the waters of the City of North Port and constitute a productive and valuable public resource. Chapter 49 of this Unified Land Development Code regulates wetlands.

B. It has been determined that preservation and proper management of emergent and submergent aquatic vegetation is beneficial to the conservation of fish and wildlife.

C. It is in the best interest of public health, safety and welfare to pay particular attention to the location and general design of structures for recreational boats in order to preserve the navigability of the waterways.

D. The mooring of vessels not associated with a City approved or grandfathered dockage facility, marina, or other water dependent facility may adversely affect navigation or the public's health, safety, and welfare, if it is not conducted in an appropriate manner consistent with the regulations contained herein.
Sec. 13-5. Applicability.

A. The provisions of this Chapter shall be applicable and enforceable throughout the City of North Port.

B. The provisions of this Chapter shall not be applicable to the vessels of any Federal, State, or local government while operated by an officer, employee, or agent thereof, who is engaged in law enforcement or other necessary governmental agency activities.

C. The provisions of this chapter shall not be applicable to existing water dependent facilities authorized or prior to the approval of this Unified Land Development Code, including single-family or multi-family dockage facilities, including marinas and waterfront restaurants.

D. The provisions of this chapter shall include the construction/or maintenance of water dependent structures.

E. Myakka River Protection Zone. All proposed activities within the Wild and Scenic section of the Myakka River shall conform to the Myakka River Protection Zone, Chapter 57.

Sec. 13-6. Local, State and Federal permits required.

Unless specifically exempted by these regulations, all work in connection with any structure located in, on, over or adjacent to any jurisdictional waterways shall be prohibited without obtaining permits in accordance with applicable local rules, regulations, ordinances or codes. Local City approval shall not eliminate the need for obtaining associated State and Federal agency permits where applicable.

Sec. 13-7. Permits.

A. General.

(1) All requests for docks, pools, and seawalls shall secure a right-of-way permit. Such permit application shall include a drawing indicating the access to the work site.

(2) All requests for a permit relative to proposed activities in accordance with the provisions of this Unified Land Development Code shall be submitted in writing to the City of North Port, and shall include an overall site plan of the area, including dimensions. An application shall not be deemed complete until the application fee and all information reasonably necessary to fully understand the extent, nature and potential impacts of a proposed project are received. The written application shall include but not be limited to the following information:

(a) An explanation of the need and intent of the project.
(b) A description of construction methodology.
(c) A completed application form.
(d) Line sketches.
(e) Methods of water quality control.
(f) Copies of all State and/or Federal agency permits and/or notices of exemption.

(g) Water depths referenced to mean low water (MLW) or mean high water (MHW), as appropriate.

(h) A land survey performed within the past twenty-four (24) months, signed and sealed by a Florida Licensed Land Surveyor. A more recent survey will be required if topographic changes are made within this twenty-four (24) month time period.

(3) Following completion of all authorized work, the permittee or contractor shall provide written certification and as-built plans to the City ensuring that the structure or other alterations have been completed in accordance with authorized plans.

(4) Upon making any application to the City for any reason, the applicant agrees to comply with all the requirements of this code and further agrees to allow authorized City staff and personnel to enter and inspect the property during normal business hours. The City of North Port may, in its own capacity, through its authorized officer, employees, and agents, enter upon land and make examinations and surveys as deemed necessary for the inspection of all water dependent structures or appurtenances within the City.

(5) Impacts to listed species are not authorized by this permit. Protection of listed species extends to the nests and burrows utilized by these species. If evidence of a listed species is discovered or observed prior to, or after commencement of the clearing of vegetation, all clearing and earthmoving shall cease. The permittee shall consult with the Florida Fish and Wildlife Conservation Commission and/or U.S. Fish and Wildlife Service regarding necessary protection measures and provide written evidence of such consultation to the City prior to resuming work.

(6) All docks, piers, and similar structures shall, to the maximum extent possible, avoid impacts to native habitats.

(7) No more than one (1) dock shall be located at a single family residence and shall not be used for the mooring of more than two (2) vessels.

(8) Any construction, or alteration within jurisdictional waters shall require a permit by the City of North Port, unless specifically exempted by these regulations. Before obtaining a City permit, the applicant shall have obtained all applicable State and Federal permits. All proposed activities shall be evaluated and approved by the City of North Port and other appropriate agencies, prior to the issuance of a permit, to ensure that such activities are compatible with the intent of these regulations.

(9) The following maintenance activities shall require a permit:

(a) Repairs to bridges, walkways, and utility crossings where the structure spans the waterway.

(b) Repair and/or replacement of the tieback systems on an existing seawall or bulkhead, provided that the contractor submits an engineering plan which the City determines meets acceptable standards for professional engineering design.
§ 13-7  NORTH PORT UNIFIED LAND DEVELOPMENT CODE

(c) Repairs and/or replacement of the cap of an existing seawall or bulkhead, provided that the contractor submits an engineering plan which the City determines meets the accepted standards of engineering design.

(d) Roadway, stormwater management, and bridge maintenance activities which are performed or authorized by the City to correct safety deficiencies or are undertaken to maintain continuity of existing use for an established road, road right-of-way, or stormwater management structure to bridge.

B. Multifamily residential. When an application is made for work in common areas of a multifamily residential site (i.e., condominiums, apartments, townhouses, villas and similar structures), the representative association, or all of the homeowners as a group, shall be the applicant. The City shall not process an application made by one (1) unit owner in a multifamily setting where the work is proposed on lands designated as common areas.

C. Drawing requirements. All drawings for applications shall be signed and sealed by a Florida licensed professional engineer.

D. Inspections. The City may perform on-site inspections at any time of all seawalls, retaining walls, bulkheads, groins, docks, piles, piling, tie poles, or other structures above or in jurisdictional waters within the City. Should the City of North Port find any of the same and/or a portion thereof, to be hazardous to the public for, but not limited to, safe pedestrian, boating, or swimming purposes, the City of North Port shall order the removal or repair by the owner of such structure within thirty (30) calendar days.

Sec. 13-8. Fees.

A. Each permit application shall be accompanied by a nonrefundable fee pursuant to the City Commission adopted fee schedule as may be amended from time to time.

B. When an application is made for work in conjunction with an application for new residential construction on the same property, applications shall be processed jointly. However, this subsection does not exempt the applicant from having to pay any State and Federal permit fees which may apply to the work or construction.


A. The following maintenance work is exempted from permitting requirements of this chapter, provided that the structures to be maintained were constructed in accordance with a permit issued by the City. Any design change or alternate use of construction material on the structures to be maintained may cause the project to be non-exempt.

(1) Redecking or resurfacing of docks, piers, and other similar structures within the limits and dimensions of the existing structure using materials that are not impregnated with arsenic.

(2) Replacing or repairing handrails, guardrails, and benches.

(3) Replacing existing hardware and fasteners on dock decking, framing, and boat lifts.

ULDC13:6
(4) The replacement of riprap at the toe of an existing seawall, provided that no native aquatic vegetation is removed or impacted.

(5) Maintenance of navigation signage.

(6) Projects by the City, State, or Federal governmental agencies performed as part of their normal official duties for the general public.

(7) Sealing of cracks in a seawall or bulkhead cap or face.

(8) Repair or sealing of the pilasters of an existing seawall or bulkhead.

Sec. 13-10. Prohibition of non-water-dependent fixed structures.

A. It shall be unlawful for any person to construct, place, install, maintain, permit, allow, suffer or cause the construction, placement, installation, maintenance or existence of any fixed structure in, on, over or upon any of the jurisdictional waters which does not have a water-dependent use.

(1) Fixed structures which do not have a water-dependent use include, but are not limited to:

(a) Residences,
(b) Offices,
(c) Hotels,
(d) Motels,
(e) Restaurants,
(f) Lounges,
(g) Retail or wholesale stores,
(h) Clubhouses,
(i) Helicopter pads,
(j) Meeting facilities,
(k) Commercial signs,
(l) Transmitting or receiving antennas, and
(m) Towers or storage or parking facilities.

(2) This prohibition shall not apply to fixed structures that were fully permitted on the effective date of this chapter or to their repair, provided that permits are obtained and are verifiable, and does not apply to structures over stormwater management ponds constructed for a specific site that is not maintained by the City of North Port.

A. Single-family docks. Permits shall not be issued for private, single-family residential docks, including piers, access ramps, terminal platforms, boat hoists, stairways, walkways and mooring pilings, unless and until the following additional specific criteria have been met:

Figures below are based on a one hundred (100) foot platted right-of-way (typical canal width).

1. Water depths adjacent to and within the facility shall ensure that a minimum of one (1) foot of clearance is provided between the deepest draft of a vessel and the bottom of mean low water.

2. No more than one (1) dock may be permitted per single-family property.

3. At maximum, the dock and all mooring structures may extend ten percent (10%) of the width of the platted right-of-way (see Fig. 13-1 & 13-2).

ULDC13:8
(4) The dock shall not extend closer than twenty-five (25) feet to the center of any waterway.

(5) All dock or pier structures must be set back a minimum of fifteen (15) feet from the side lot lines.

(6) The dock must have a narrow access ramp no more than six (6) feet wide which leads to a wider main or terminal platform.

(7) The terminal platform must not exceed two hundred fifty (250) square feet in area.

(8) The appropriate erosions and silt control must be used during installation.

(9) Mooring piling shall project above the surface of the water or land four (4) feet or higher as may be necessary for use and application.

(10) Docks along seawalls in canals, called marginal docks, shall be of minimal size not to exceed a total of two hundred fifty (250) square feet and shall be built directly against the seawall, as long as the littoral zone is not preempted.

(11) All structures shall be constructed on, the property for which the permit is being sought.

(12) Boardwalk planks and support beams must not be impregnated with arsenic. Use of plastic composite or fiberglass materials are encouraged.

(13) All docks, seawalls and other water structures shall be built to acceptable engineering standards.

B. Multifamily docks. Permits shall not be issued for private, multifamily residential docks, including piers, access ramps, terminal platforms, boat hoists, stairways, walkways and mooring pilings, unless and until the following additional specific criteria have been met:

(1) The main access ramp shall be no more than six (6) feet wide.

(2) Crosswalks shall be no more than six (6) feet wide.

(3) The terminal platform shall be no more than eight (8) feet wide.

(4) Finger piers may be no more than five (5) feet wide and twenty-five (25) feet long.

(5) Water depths adjacent to and within the facility shall ensure that a minimum of one (1) foot of clearance is provided between the deepest draft of a vessel and the bottom at mean low water (MLW).

(6) Mooring pilings will be required when they can be used in lieu of additional structure size.

(7) All dock or pier structures must be set back a minimum of twenty-five (25) feet from the nearest property line.
C. Commercial docks and piers. Permits shall not be issued for commercial docks, including piers, access ramps, terminal platforms, boat hoists, stairways, walkways and mooring pilings, unless and until the following additional specific criteria have been met:

1. The terminal platform, together with any catwalks or finger extensions, shall not exceed two hundred fifty (250) square feet, nor eight (8) feet in width. In areas of an aquatic preserve, the size of the terminal platform shall not exceed one hundred sixty (160) square feet.

2. Boathouses and vessel lifting devices shall be considered a part of a Dock structure for the purposes of calculating maximum square footage. Boathouses shall not exceed a maximum size of two hundred fifty (250) square feet, including the terminal platform area. Maximum roof overhang shall be three (3) feet from the support pilings. Boathouses and vessel lifting devices must have open sides, and shall not exceed fifteen (15) feet in height as measured from mean high water.

   a. Boathouses must have a pitched roof of not less than four (4) feet horizontal to one (1) foot vertical slope. All such roofs shall comply with the minimum design and construction standards contained within the current edition of the Florida Southern Building Code, and shall not contain cementitious tile shingles.

3. The decking and walking surfaces shall be designed and constructed to ensure a maximum of light penetration through the dock. Maximum plank width shall be eight (8) inches with a minimum of one-half (1/2) inch spacing required between decking planks.

4. Pier shall have non-detachable handrails affixed to the perimeter of the terminal platform. A permanent sign shall be posted on the pier which reads "Fishing Pier-Motorized Vessel Access Prohibited."

D. Boat ramps. Bulkheads shall in no case exceed five (5) feet waterward of the MHW. Tie-up piers shall not exceed the length of the boat ramp and a width of six (6) feet and may have a single catwalk or "L" not to exceed twenty (20) feet in length and four (4) feet in width.

E. Seawalls, bulkheads and retaining walls. A permit shall not be issued for a seawall, bulkhead or placement of riprap unless and until the following additional specific criteria have been met:

1. Any bulkhead permitted by the Building Department shall be faced with:

   a. Riprap stacked at a minimum of two horizontal: one vertical (2H:1V) slope, at least to the height of mean high water (MHW), or four (4) feet above bottom, whichever is less; or

   b. A minimum three (3) feet wide littoral zone planted and maintained with native non-invasive aquatic vegetation at the appropriate elevations.

2. On artificial canals occupied wholly or in part by seawalls, repair, replacement or new construction of seawalls is permissible.

ULDC13:10
(3) No new seawalls or replacement of existing seawalls are permissible along the designated Class I portion of the Myakkahatchee Creek, including the Myakkahatchee Bypass Canal.

(4) A Florida licensed professional engineer must be employed in designing a seawall. The engineer's signature and seal must be embossed on the permit drawing.

(5) The height of a seawall measured from the top of the cap shall be a minimum of four (4) feet above mean low water (MLW).

(6) All seawalls, retaining walls and bulkheads shall be in accordance with approved engineering standards of construction and be consistent in design with adjoining structures.

(7) No rubbish, old chunks of concrete or anything but sand and shell shall be dumped along the seawall or in the channel.

F. Duty to remove debris, tools and equipment.

(1) It shall be unlawful to permit debris, residue, tools and equipment resulting from or used during the progress of the work done under this chapter to remain on any lots, alleys, streets or thoroughfares for more than fifteen (15) days after completion of said work, and the responsibility for removal thereof is hereby fixed upon the person in whose name the permit required by this chapter is issued.

(2) If the debris, residue, tools or equipment heretofore mentioned is not removed within the aforesaid fifteen (15) day period, enforcement of the violation will be processed by Property Standards in accordance with the Code of the City of North Port, Chapter 2, Article IX.

Sec. 13-12. Water quality standards.

The water quality rules and standards as set forth in Chapter 18 shall be observed.

Sec. 13-13. Mooring of vessels on or adjacent to private property.

A. It shall be unlawful for any person to moor any vessel to real or personal property except if the vessel is moored with the permission of the owner or operator of the property, or at a commercial marina, yacht basin or yacht club which lawfully operates pursuant to an approval issued by the City and is a lawfully permitted use pursuant to the Unified Land Development Code.

B. It shall be unlawful for any person to moor a vessel in such a manner as to cause it to become an unreasonable hazard to navigation or a threat to the environment.

C. It shall be unlawful for any person to moor a vessel that blocks any navigation channel.

D. It shall be ensured that water depths adjacent to and within the facility have a minimum of one (1) foot of clearance between the deepest draft of a vessel and the bottom at mean low water (MLW).
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Sec. 13-14. Abandoned vessels.
It shall be unlawful for any person to abandon a vessel in public waterways within the City.

A. It shall be unlawful for any person to moor any disable vessel which cannot reasonably and effectively move under its own mechanical power or by sail. This section shall not apply to a rowboat, dinghy, canoe, or other similar type of vessel or watercraft, which is propelled by other than mechanical power or by sail.

B. A disabled vessel that is moored in excess of seventy-two (72) hours shall be subject to removal and storage by, or at the discretion of, the City. This shall occur at the expense of the owner or person responsible for the vessel. A disabled vessel that constitutes a hazard to navigation, by virtue of its location or condition, may be summarily removed at the discretion of the City, if the owner or person responsible for the vessel is not able to move such vessel so that the hazard to navigation or danger no longer exists.

Sec. 13-16. Removal and impoundment of dangerous hazardous vessels.
A. Any derelict vessel, as defined in section 823.11, Florida Statutes, shall be subject to removal and impoundment by the City in a manner consistent with the paramount interest of providing for the safety of the public, and costs incident thereto shall be borne by the owner of the vessel or by the person responsible for causing the vessel to become derelict.

B. Any abandoned vessel shall be subject to removal and impoundment by the City in a manner consistent with the paramount interest of providing for the safety of the public, and costs incident thereto shall be borne by the owner.

Sec. 13-17. Exceptions.
A. When an emergency situation or occurrence imposes a reasonable threat to the safety or welfare of the occupants of a vessel, or the vessel itself, a vessel may remain temporarily moored for a period of time not to exceed seventy-two (72) hours after the emergency event (i.e. hurricane), after which the vessel shall conform to all sections of this chapter.

(1) If the vessel is not removed by the owner or operator, or the vessel cannot be repaired within the seventy-two (72) hour period, it shall be towed.

B. Vessels which are temporarily utilized for promotional purposes as part of any event, show, boat show, or similar activity permitted by the City, may temporarily moor in accordance with this provision so long as approval has been obtained from the City and a reasonable timeframe has been specified.

C. Vessels actively engaged in legitimate seasonal commercial fishing or marine construction, have the right to moor their vessel in City waters.

(1) Commercial vessels shall minimize their impact on a neighborhood.
(2) Loading operations from public property shall be allowed so long as permission is received by the owner or operator of the property prior to commencing loading operations.
   (a) The temporary loading or off loading at public property of piling, traps, or related materials shall be allowed.
   (b) The loading operations must be brief, clean, and efficient, and avoid any impact to the public facilities.

(3) There shall be no storage of materials on public property.

Sec. 13-18. Miscellaneous.

The City shall not be held liable for any damages that may occur to vessels or persons within the waterways in the City of North Port due to water level alterations.


A. Violations of any provision of this chapter shall be punishable pursuant to F.S. Ch. 125.689. The provisions of this chapter may also be enforced pursuant to provisions of F.S. Ch. 162, and any ordinances adopted herein. In addition, the provisions of this chapter may be enforced through code enforcement proceedings under the provisions of the Unified Land Development Code. Notwithstanding any other provisions of this chapter for enforcement or penalties, the Commission may also enforce this chapter by actions at law or in equity for damages and injunctive relief, and in the event the Commission prevails in any such action, the Commission shall be entitled to an award of its costs and reasonable attorney fees.

Sec. 13-20. Enforcement.

The provisions of Chapter 2, Code Enforcement, of the Code of the City of North Port and the enforcement procedures and penalties contained therein are hereby adopted and incorporated into and made a part of this chapter by reference.


Interpretations of this section shall be made by the City Manager or designee.

Sec. 13-22. Conflicts.

Whenever the requirements of these regulations differ from those imposed by the City, Federal, or State regulation, law or statute, the most restrictive or imposing the higher standards shall apply.

Sec. 13-23. Appeals.

A. Any person aggrieved by the designated City Manager or designee's interpretation may appeal to the Zoning Board of Appeals. The criteria for granting an appeal shall be based upon substantial competent evidence proving that the interpretation renders the property without
reasonable use. The granting of any appeal shall not be in conflict with State Statutes. The Zoning Board of Appeals' decision, based upon previously submitted evidence, may be appealed to the Circuit Court of Sarasota County within thirty (30) days of such decision.

(1) Applications for an appeal shall be filed pursuant to Sec. 1-10.


If any section, subsection, phrase or portion of this chapter is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.