



COUNCIL AGENDA STATEMENT

Meeting Date: March 14, 2023  
To: Honorable Mayor and City Councilmembers  
From: Carlos Solis, Director of Public Works and Engineering  
Through: George Garrett, City Manager

Agenda Item: **Resolution 2023-33**, Rescinding Resolution 2022-104, Establishing Usage And Parking Fees At The City’s Boat Ramps And Parking Fees For Sombrero Beach Additionally Qualifying Owners Of Second Homes Used Solely For Residential Purposes ; To Expend Funds As Needed; And Providing For An Effective Date:

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BACKGROUND & JUSTIFICATION:

On September 13, 2022, the city passed Resolution 2022-104, which established fees for the usage of the boat ramps, parking at the boat ramps, and parking at Sombrero Beach. The Resolution exempted all permanent residents of the City from these fees. The initial Resolution is recommended to be modified to exempt owners of second homes in the City from these fees if the properties are used exclusively for residential purposes. This additional exemption only applies to owners of non-homesteaded properties that are not used as vacation rentals. The attached Resolution rescinds Resolution 2022-105, and replaces it with Resolution 2023-34

CONSISTENCY CHECKLIST:

	Yes	No
1. Comprehensive Plan	XXX	___
2. Other _____	___	___

FISCAL NOTE:

Approved by Finance Director: \_\_\_\_\_

RECOMMENDATION: **Council Approve Resolution**

Sponsored by: Council

**CITY OF MARATHON, FLORIDA  
RESOLUTION 2023-33**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, RESCINDING RESOLUTION 2022-104 ESTABLISHING CITY BOAT RAMP USAGE FEES, TRAILER PARKING FEES AND PARKING FEES AT SOMBRERO BEACH, ESTABLISHING AN ANNUAL CITY RESIDENT AND QUALIFYING OWNER'S REGISTRATION AND ESTABLISHING THE PROCESS AND FINES FOR VIOLATIONS AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, on September 13, 2022 the City passed a resolution establishing fees for boat ramp usage and beach parking; and

**WHEREAS**, the City wishes to modify the exemption to the parking fees for City residents; and

**WHEREAS**, the public boat ramps owned by the City of Marathon are currently providing boat launch services and parking at the boat ramps and Sombrero Beach free of charge; and

**WHEREAS**, the costs of operating and maintaining the ramps and Sombrero Beach are currently supported by the City's general revenue fund; and

**WHEREAS**, a fee of \$25.00 to launch in and retrieve, as well as a \$20 per day trailer parking would help defray the costs incurred by the City; and

**WHEREAS**, a fee of \$5 for each of the first two hours and \$2 per hour thereafter for parking at Sombrero Beach would help defray the costs incurred by the City for cleaning and maintenance; and

**WHEREAS**, a permanent resident of the City of Marathon and Key Colony Beach would be permitted to utilize the existing ramps and parking with a vehicle registered in Marathon or Key Colony at no cost; and

**WHEREAS**, property owners of residential homes who are not permanent **residents** and utilize the home solely for personal residential use also qualify for the free use of these facilities; and

**WHEREAS**, golf carts shall be deemed to be the same as a motor vehicle and are subject to the same fees; and

**WHEREAS**, the City, or it's agent of the parking management service contracted by the City, shall find that an owner or operator of a vehicle or trailer that has not paid the required fee or violates any other provision of a City Ordinance with regards to use of the facility shall be subject to

a fine to be issued by the City or its parking management service provider; and

**WHEREAS**, the fines for such violations shall be \$90.00 per violation at Sombrero Beach, and \$200.00 at all boat ramp facilities, with said fines reduced by 50% if paid within 15 days from the notice of violation; and

**WHEREAS**, if any fines are unpaid and are referred to a third party for collections, the City or its parking management service provider shall be entitled to recover any and all reasonable collection, administration fees, and attorney fees in addition to the unpaid fines; and

**WHEREAS**, if an owner or operator of a vehicle or trailer has been assessed four (4) or more violations that remain unpaid, and after notification of the fines to the registered owners of the vehicles, in addition to any other penalties or fines permitted, the vehicle and or trailers may be towed each time thereafter that it is in a metered lot, at the sole expense of the vehicle owner.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THAT:**

**Section 1.** The Council hereby establishes a user fee for all City boat ramps of \$25 per launch and retrieval; (\$25 per one way launch and \$25 per retrieval) and a trailer parking fee of \$20 per day (no overnight parking). Residents of Marathon and Key Colony Beach and Marathon Property owners who use their home solely for personal use are exempted.

**Section 2.** The Council hereby establishes a parking fee at Sombrero Beach of \$5 for each of the first two hours and \$2 per hour thereafter. Residents of Marathon and Key Colony Beach and Marathon Property owners who use their home solely for personal use are exempted.

**Section 3.** The Council hereby establishes fines for parking and use violations of \$90.00 at Sombrero Beach and \$200.00 at all boat ramp facilities, with a 50% reduction if paid within 15 days of the notice of violation.

**Section 4.** This resolution shall take effect immediately upon its adoption.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THIS 14TH DAY OF MARCH, 2023.**

**THE CITY OF MARATHON, FLORIDA**

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**Luis Gonzalez, Mayor**

AYES:

NOES:

ABSENT:

ABSTAIN:

**ATTEST:**

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Diane Clavier, City Clerk

(City Seal)

APPROVED AS TO FORM AND LEGALITY FOR THE USE  
AND RELIANCE OF THE CITY OF MARATHON, FLORIDA ONLY:

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Steve Williams, City Attorney