

## ORDINANCE NO. 26-954

**AN ORDINANCE OF THE CITY OF ANNA MARIA, FLORIDA, AMENDING SEC. 110-73 “BULKHEADS AND SEAWALLS” AND SEC. 110-74, AND “REPAIR AND REPLACEMENT OF BULKHEADS AND SEAWALLS”; PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.**

**WHEREAS**, the current iteration of Sec. 110-74 relating to the repair and replacement of bulkheads and seawalls is overly restrictive, making the repair and replacement of seawalls difficult, if not impossible in some instances; and

**WHEREAS**, the City of Holmes Beach, immediately to the South of the City of Anna Maria, has a less restrictive provision relating to the repair and replacement of seawalls and that provision works well in circumstances comparable to those in the City of Anna Maria; and

**WHEREAS**, it is determined that it is in the best interest of the City of Anna Maria and its residents and property owners to amend Secs. 110-73 and 110-74.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF ANNA MARIA, FLORIDA:**

**SECTION 1:** The above Whereas clauses are deemed accurate and constitute the legislative intent of this ordinance.

**SECTION 2:** The Code of the City of Anna Maria is amended by revising Sec. 110-73, “Bulkheads and seawalls” and Sec. 110-74, “Repair and replacement of bulkheads and seawalls”, to read as follows, (deletions are ~~stricken through~~; additions are underlined):

Sec. 10-73. - Bulkheads and seawalls.

For purposes of this chapter, the following definition applies:

*Bulkhead* means a shoreline stabilization structure separating land and water areas and retaining soil.

*Seawall* means a shoreline stabilization structure separating land and water areas, retaining soil, and intercepting wave action.

If the construction or erection of a new seawall or bulkhead is permitted by section 110-64, said bulkhead or seawall shall not be constructed beyond along the rear property line wherein the property borders the waterway shown on the plat of the subdivision within which the property is located or, the seawall or bulkhead shall conform to the projection of abutting existing seawalls or bulkheads in the area, whichever is less more restrictive; provided, however in no case shall the construction, repair or replacement of a seawall and bulkhead protrude more than 12 inches seaward of the existing seawall or bulkhead or the rear property line.

Prior to constructing or erecting seawalls or bulkheads, the owner of the lot shall have the property surveyed by a registered engineer, which survey shall be made within six months of the

~~date of the owner's application to construct the seawall or bulkhead.~~ The placement of bulkhead and seawalls shall be constructed landward of existing mangroves and riprap. When the bulkhead or seawall is constructed landward of the existing mangroves, the property owner shall have the ability to utilize the mean high-water line for purposes of measuring waterfront setbacks and bulk standards described in chapter 114 Zoning.

~~Sec. 110-74. Repair and replacement of bulkheads and seawalls.~~

~~The repair or replacement of existing seawalls and bulkheads area shall be permitted as follows:~~

~~Construction, inclusive of a buttress and seawall cap, shall not protrude more than 12 inches seaward of the existing seawall or seawall cap. Notwithstanding the foregoing, if there are two existing seawalls abutting the subject replacement seawall of differing seaward projections, then the subject replacement seawall shall be further limited to a seaward projection distance of no more than either equal to the immediately abutting seawall with the least projection or a total seaward projection of 12 inches, whichever is more restrictive.~~

**SECTION 3. CONFLICTS.** All Ordinances or parts of Ordinances, insofar as they are inconsistent or in conflict with the provisions of this Ordinance, are hereby repealed to the extent of any conflict.

**SECTION 4. CODIFICATION.** The provisions of this Ordinance shall be codified as and become and be made a part of the Code of Ordinances of the City of Anna Maria.

**SECTION 5. SEVERABILITY.** In the event that any portion or section of this Ordinance is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this Ordinance on which shall remain in full force and effect.

**SECTION 6. EFFECTIVE DATE.** This Ordinance shall take effect immediately upon its final passage and adoption.

**PASSED AND ADOPTED,** by the City Commission of the City of Anna Maria, Florida, in regular session assembled, this \_\_\_\_ day of \_\_\_\_\_, 2026.

Charles Salem, Commissioner  
Kathleen Morgan-Johnson, Commissioner  
Christopher Arendt, Commissioner  
Gary McMullen, Commissioner  
John Lynch, Commissioner

\_\_\_\_\_  
Charles Salem, Chairperson

I hereby approve this Ordinance:

\_\_\_\_\_  
Mark Short, Mayor

\_\_\_\_\_, 2026

ATTEST:

Approved as to form and legality for  
the use and reliance of the City of  
Anna Maria only

\_\_\_\_\_  
Amber LaRowe, City Clerk

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Gretchen R. H. "Becky" Vose, Esq.  
City Attorney