



# City of Anna Maria Agenda

**Presenter/Department:** Mayor Short

**Title:** Beach Equipment Rental Registration Ordinance

**Background:** This memorandum provides a summary and analysis of Ordinance 26-958 Beach Equipment Rental Registration Ordinance, establishing a registration system for the commercial rental of beach equipment and the operation of organized passive recreation activities within the City of Anna Maria.

The proposed ordinance is intended to:

Protect the public health, safety, and welfare on City beaches

Preserve the accessibility and enjoyment of public beach areas

Ensure accountability and regulatory compliance among commercial operators

Provide a structured framework for enforcement and oversight

The ordinance recognizes that while limited commercial activity may be appropriate, it must be carefully managed to align with the City's responsibility as a steward of public coastal resources.

This ordinance introduces a balanced regulatory approach by:

Allowing continued commercial activity while strengthening oversight

Providing clear enforcement mechanisms with escalating penalties

Enhancing environmental protections in the Coastal Conservation Zone

Increasing transparency through ownership disclosure requirements

The inclusion of advance notice requirements and documentation standards is particularly important for maintaining compliance and protecting sensitive coastal areas.

**Conclusion:** The proposed ordinance serves a legitimate public purpose by safeguarding the City's beaches while allowing controlled commercial use. It provides the necessary tools for enforcement, accountability, and environmental protection.

Staff recommends consideration and adoption of the ordinance as presented, with any additional direction from the Commission regarding implementation details to be addressed by resolution.

**Staff Contact:**

Mayor Short

**ORDINANCE NO. 26-958**

**AN ORDINANCE OF THE CITY OF ANNA MARIA, FLORIDA, ESTABLISHING A REGISTRATION SYSTEM FOR COMMERCIAL RENTAL OF BEACH EQUIPMENT OR THE CARRYING ON OF ORGANIZED PASSIVE RECREATION ON THE BEACHES OF THE CITY OF ANNA MARIA; PROVIDING FOR DEFINITIONS; REQUIRING REGISTRATION AS A CONDITION OF OPERATING ON CITY BEACHES; PROVIDING FOR REGISTRATION FEES TO BE SET BY RESOLUTION; REQUIRING DISCLOSURE OF CERTAIN OWNERSHIP INTERESTS; REQUIRING INSURANCE WITH THE CITY NAMED AS AN ADDITIONAL INSURED; PROVIDING FOR LIMITATIONS ON THE NUMBER OF OPERATORS OR NUMBER OF COMMERCIAL RENTALS TO BE SET BY RESOLUTION; PROVIDING THAT RENTALS IN COASTAL CONSERVATION ZONE REQUIRE ADVANCE NOTICE TO CITY; PROVIDING FOR ENFORCEMENT; PROVIDING FOR SUSPENSION OF REGISTRATION UPON VIOLATIONS; PROVIDING FOR ATTRIBUTION OF VIOLATIONS AND RESTRICTIONS ON RELATED ENTITIES AND PERSONS; PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.**

**WHEREAS**, the City of Anna Maria is a coastal barrier island community whose public beaches are held in trust for the use and enjoyment of the public; and

**WHEREAS**, the City Commission has a duty to protect the public health, safety, and welfare by ensuring that the City's beaches remain safe, accessible, and enjoyable for residents and visitors; and

**WHEREAS**, the City Commission has adopted regulations governing parks and beaches, including provisions addressing the placement and use of commercially rented beach equipment; and

**WHEREAS**, the City Commission finds that a registration system for commercial rental of beach items and the carrying on of organized passive recreation will promote compliance, accountability, and effective enforcement while allowing limited commercial activity in a manner consistent with the public interest; and

**WHEREAS**, the City Commission finds that the number of operators conducting commercial activities and/or number of commercial rentals on beaches may need to be limited to ensure the beaches are available for the enjoyment of all; and

**WHEREAS**, the City Commission finds that requiring disclosure of significant ownership interests and appropriate insurance coverage is necessary to protect the City and the public; and

**WHEREAS**, the City Commission further finds that graduated suspension periods for repeated violations are reasonable and necessary to deter noncompliance and protect the integrity of the City's beaches; and

**WHEREAS**, the City Commission finds that temporary shade structures with or without other beach equipment are sometimes rented for use within the Coastal Conservation Zone by persons occupying or controlling adjacent upland property, and that requiring advance written notice to the City of such rentals will assist the City in monitoring compliance with applicable regulations, protecting environmentally sensitive coastal resources, and ensuring that such equipment is not rented by persons not in control of such beach property; and

**WHEREAS**, the City Commission determines that this ordinance serves a legitimate public purpose and is in the best interests of the City of Anna Maria, its residents and its visitors.

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

**SECTION 1. LEGISLATIVE FINDINGS.** The foregoing Whereas clauses are hereby adopted as legislative findings and intent.

**SECTION 2. NEW PROVISIONS.** The Code of the City of Anna Maria is amended by adding definitions and adding a new Article IV, revising Chapter 38, Parks and Recreation" to read as follows:

Sec. 38-85 Definitions.

For purposes of this ordinance, the following terms shall have the meanings set forth below:

*Operator* means any individual, partnership, corporation, limited liability company, or other legal entity engaged in organized passive recreation or the commercial rental of beach equipment on the beaches of the City as permitted under Ordinance 26-956.

*Organized passive recreation* means the organized or planned gathering of no more than fifteen (15) participants for purposes of engaging in meditation, tai-chi, yoga, or an activity similar in activity as determined by Commission, for a monetary exchange including by donation. Organized passive recreation activities with more than fifteen (15) participants are considered administrative special events which require a special events permit as addressed in Chapter 10 of the City ordinances.

*Registration* means the annual authorization issued by the City allowing an Operator to engage in the commercial rental of beach equipment or the carrying on of organized passive recreation on the beaches of the City, subject to compliance with this ordinance and all other applicable laws.

*Rental of beach equipment* means any rental of beach equipment and/or the sale of beach equipment when such rental or sale involves either the set up or take down of any of the beach equipment. Any subterfuge used, regardless of terms used in any agreement or otherwise, which results in the set up or take down of any beach equipment by any person or operator who is not the actual user of the beach equipment on the beach, shall not be effective to negate the requirements of this ordinance.

Sec. 38-86 Registration Required.

No person or entity shall engage in the commercial rental of beach equipment or the carrying on of organized passive recreation on any beach within the City unless such person or entity has obtained a valid registration from the City.

Sec. 38-87 Registration application and disclosures.

Each registration application shall list every individual or entity owning twenty-five percent (25%) or more of the operating entity and shall be kept current within one week of any change in ownership of the operating entity. Further requirements of registration and operation shall be provided by the City by Resolution.

Sec. 38-88 Registration fee.

The registration fee shall be established by resolution of the City Commission.

Sec 38-89 Duration of registration.

Registration of Organized Passive Recreation and/or commercial rental of beach equipment shall be valid for one year after the date of registration. An operator must renew its registration annually prior to the expiration date of the previous registration.

Sec. 38-89 Insurance requirements.

Operators shall maintain insurance in amounts as required by Resolution. Such insurance, except for workers' compensation, shall name the City as an additional insured.

Sec. 38-91 Registration limitations

City Commission may limit the number of operators engaged in the commercial rental of beach equipment or the number of operators engaged in Organized Passive Recreation activities or the number of commercial rentals allowed on the beaches of the City by resolution.

Sec. 38-92 Advance notice for delivery of equipment within the Coastal Conservation Zone.

- (i) When a temporary shade structure with or without other related beach equipment ("equipment") is rented by an Operator to a person or persons in control of upland property adjacent to the Coastal Conservation Zone for placement within the Coastal Conservation Zone, the Operator shall provide written notice to the City no less than eighteen (18) hours before delivery or placement of the equipment.
- (ii) The written notice required by this section shall include, at a minimum, (a) the date and address of the upland property associated with the rental, and (b) the name of the beach equipment renter, (c) proof of ownership or confirmation of vacation rental booking for the property, and (d) a photo ID of the property owner or property renter
- (iii) No Operator registered under this Article shall deliver, place, or cause to be delivered or placed any equipment within the Coastal Conservation Zone in connection with such a rental unless the written notice required by this section has first been provided to the City.
- (iv) Failure to comply with the requirements of this section shall constitute a violation of this Chapter and shall be enforceable in the same manner as other violations under this Chapter, including application of the suspension provisions set forth in Sec. 38-92.

Sec. 38-92 Violations and suspension.

- (i) If the special magistrate determines that an Operator, or any employee or agent of an Operator acting within the scope of duties relating to activities regulated by this Chapter, has committed a second violation of any provision of this Chapter or any resolution adopted by the City Commission to implement this Chapter within a rolling twelve (12) month period measured from the date of the first violation determination by the special magistrate, the registration of the Operator shall be suspended for three (3) months.
- (ii) If the special magistrate determines that an Operator, or any employee or agent of an Operator acting within the scope of duties relating to activities regulated by this Chapter, has committed a third violation within the same rolling twelve (12) month period measured from the date of the first violation determination by the special magistrate, or that the Operator has engaged in operation during a period of suspension, the registration of the Operator shall be suspended for twenty-four (24) months.
- (iii) Any suspension imposed under this section may be appealed to the City Commission. A written notice of appeal must be filed with the City Clerk within ten (10) days after the written determination of suspension by the special magistrate. The decision of the City Commission shall constitute final agency action.

Sec. 38-93 Related entities.

No individual who owns or owned in the previous 12 months, 25% or more of an Operating entity may participate in another registered entity during a suspension period.

**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