



Anchoring Information for Florida Cruisers

Courtesy of Boat Owners Association of The United States

For several years, certain local cities and counties in Florida have been restricting the length of time that boats are allowed to anchor. Legislative changes were made recently to Florida statute Chapter 327 which should increase the boater's ability to anchor within Florida. Some changes take effect July 1, 2009, and others on October 1, 2009.

Unfortunately, many local law enforcement personnel appear to be unaware of the changes. Boaters continue to be told by some officials that they are subject to anchoring limits.

Below is a summary of the anchoring portions of the law with citations.

We recommend that boaters carry this sheet with them when cruising in Florida.



What is a live-aboard vessel?

The definition of "live-aboard vessel" has been changed, effective 7/1/09. Active cruisers who live on their boats with no permanent residence on land are no longer considered live-aboards and, therefore, their anchoring cannot be regulated by local governments. It is no longer relevant that the vessel is a boater's "legal residence"; that term has been removed from the statute.

(from Chapter 2009-86, section 6)

327.02 Definitions of terms used in this chapter and in chapter 328.—As used in this chapter and in chapter 328, unless the context clearly requires a different meaning, the term:

(17) "Live-aboard vessel" means:

- a) Any vessel used solely as a residence and not for navigation;
- b) Any vessel represented as a place of business, or a professional or other commercial enterprise; or
- c) Any vessel for which a declaration of domicile has been filed pursuant to s. 222.17.

Can my anchoring be restricted by local governments?

Under state law, boaters who use their boats for navigation (even if only occasionally) will not have their anchoring restricted by a local city or county outside of permitted mooring fields. Cities and counties will be expressly forbidden to "enact, continue in effect, or enforce any ordinance or local regulation ... regulating the anchoring of vessels other than live-aboard vessels outside the marked boundaries of mooring fields."

Although local governments are allowed to regulate anchoring within the marked boundaries of properly permitted mooring fields, there are currently a few such locations. These are Key West Mooring Field (149 moorings); Ft. Myers Beach Mooring Field (70 moorings); Fernandina Beach Municipal Mooring Field (20 moorings); Miami — Dinner Key Mooring Field (still under construction).

(Existing FL law) 327.60 Local regulations; limitations —

(2) Nothing contained in the provisions of this section shall be construed to prohibit local governmental authorities from the enactment or enforcement of regulations which prohibit or restrict the mooring or anchoring of floating structures or live-aboard vessels within their jurisdictions or of any vessels within the marked boundaries of mooring fields permitted as provided in s. 327.40. However, local governmental authorities are prohibited from regulating the anchoring outside of such mooring fields of non-live-aboard vessels in navigation.

(Effective 10/1/09) (from Chapter 2009-86, section 14)

(3) However, local governmental authorities are prohibited from regulating the anchoring outside of such mooring fields of vessels other than live-aboard vessels as defined in s. 327.02.