

Beach Vendors,

Please make sure that all of your set-ups are within the 20' at all times. Also, please be sure that you always maintain compliance of all Beach Management and Beach Vendor Rules and Regulations . Officers will be out educating the public of the Beach Management Ordinance and will be maintaining Compliance of Vendors who are found to be in violation of the Beach Management and Beach Vendor Rules and Regulations. So far you guys have been doing pretty good with minimal complaints, but in the past couple of days we have been receiving more complaints of violation of the 20'. Please be advised if your set-ups are clearly in violation ie... water touching chairs or the public is clearly forced in the water due to set-ups in the water, officers are authorized to and may issue Citations to gain compliance.

11.08.03. *Regulation of vendors on the beach.* The safety and welfare of the persons that reside near the beaches of the City of Destin and of the public that recreate on the beach make necessary and appropriate the following regulations:

2. The applicant must have a written agreement with the affected beachfront property owner at the time application is made for a beach vendor permit, and such agreement shall remain in full force and effect as a condition of the beach vendor permit.
3. The written agreement must specify the location of the goods and services for which a beach vendor permit is required. The location of the goods and services shall be no closer than a line 20 feet above the mean high water line.
5. Beach vendors shall not block or impede in any manner the right of pedestrian access seaward of a line 20 feet above the mean high water line.

11.08.04. *Penalty provisions* .

- A. Violations of this ordinance shall be punished pursuant to Section 1-9 of the Code of Ordinances, City of Destin, Florida.
- B. Violations of this ordinance may also be prosecuted before the City of Destin Code Enforcement Board.
- C. The Destin City Council may suspend or revoke a beach vendor permit for violations of this ordinance after written notice of the violation is provided to the beach vendor and the beach vendor fails to timely cure the violation. The notice to the beach vendor shall set forth the provisions of this ordinance which is/are being violated. A quasi-judicial hearing to consider suspension or revocation of a beach vendor permit shall occur before the City Council upon 14 days written notice to the beach vendor. If the City Council finds, by a preponderance of the evidence, that this ordinance has been violated, the City Council may suspend or revoke a beach vendor permit.
- D. If a beach vendor has had a beach vendor permit revoked, that vendor shall not be eligible to obtain another beach vendor permit for a period of 12 months. For the purposes of this section, the term "beach vendor" includes the entity, who obtained the beach vendor permit, as well as the officers and principals of the entity. Accordingly, if an entity has its beach vendor permit revoked, an officer or principal of the entity shall not be permitted to be an officer or principal in an entity which obtains a beach vendor permit for a period of 12 months.

Sec. 1-9. - General penalty; continuing violations; adjudging fines and imprisonments.

(a) It shall be unlawful for any person to violate or fail to comply with any provision of this Code; and where no specific penalty is provided therefor, the violation of any provision of this Code shall be

punishable by a fine not exceeding five hundred dollars (\$500.00) or imprisonment for a term not exceeding sixty (60) days or by both such fine and imprisonment. Each day any violation of any provision of this Code continues shall constitute a separate offense.

We all have been doing well this season, so let's keep up the good work.

Thank you in advance,

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