



2011 Florida Anchoring Information

Courtesy of Boat Owners Association of The United States

In 2009, several changes were made to Florida law (Chapter 327) that increased recreational boaters' ability to anchor within Florida. This law also outlined a pilot mooring field program scheduled to begin in 2011.

This bulletin is intended to help boaters and local law enforcement understand the changes in law, and the status of the mooring pilot project going forward.

We encourage boaters to carry this sheet with them while cruising in Florida and share copies with others.

Can local governments restrict me from anchoring?

Under Florida law, boaters who use their boats for navigation (even if only occasionally) cannot be restricted from anchoring by a local jurisdiction (city or county) *outside of permitted mooring fields*. Cities and counties are 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.”

(Note definition of live-aboard below.)

Local governments may regulate anchoring within the marked boundaries of properly permitted mooring fields. As of March 2011 these are Key West Mooring Field; Ft. Myers Beach Mooring Field; Fernandina Beach Municipal Mooring Field; Miami Dinner Key Mooring Field. The following areas have applied for and are receiving permits to create mooring fields: St. Augustine; Titusville; Naples; Sarasota; St. Petersburg; Punta Gorda; and Ft. Myers. We anticipate other communities will come online during the remainder of 2011.



(Existing FL law) 327.60 Local regulations; limitations —

Nothing in 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 vessels other than live-aboard vessels as defined in s. 327.02.

Does it matter if I “live-aboard” my vessel?

Full time, active cruisers who live on their boats with no permanent residence on land are no longer considered live-aboards under this law. As a result, 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.