



Walton County Tourist Development Council

Recommendations

For

Beach Vendor Management

Revisions - Ord. 2013-04 - Waterways and Beach Activities

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Introduction

The summer season of 2014 and its record setting number of visitors to South Walton Beaches was great for Walton County, local businesses, and the residents of Walton County who make their income from the tourism industry. The increase in visitors equated to an increase in economic activity and prosperity for all. The increase in visitors also gave us great insight and measure of how we manage the limited public resources and how we regulate the provision of goods and services by private vendors using these limited public resources. The existing ordinance, Chapter 22 – Waterways and Beach Activities (including subsequent revisions and amendments), was written with the intent to fairly regulate activities on the waterways and beaches of Walton Co., but unfortunately contains a few ambiguities and lacks complete definition or clarity on some issues. Additionally, the increase in number of beach vendors has created some problems that were not anticipated and therefore not addressed in the current ordinance. The combination of the two factors resulted in a fundamental change of how locals and visitors enjoy and use the limited public resources.

Background

The Walton County Municipal Code Chapter 22 - Waterways and Beaches Activities (aka Ordinance 2013-04) in its current form is a compilation of former ordinances, various revisions, and amendments to the original Municipal Code Chapter 22 - Waterways of Walton County. The ordinance 2013-04 was adopted Jan. 22, 2013 and its intent was to correct any internal inconsistencies and offer clarifications to indefinite or ambiguous terms. However, as conditions change, demand for use increases, and resources become limited, then the rules and regulations that govern the use and enjoyment of public resources must also change to accommodate all concerned.

Purpose

The TDC recommends changing the management practice of beach vendors on public property and making minor revisions and clarifications to the existing ordinance in order to effectively manage the use and enjoyment of the South Walton Beaches by all.



Beach Vendor Management

1. Beach Vending Operations
 - a. Public Beach Vendor Management (Options)
 - i. Status Quo – Vending on all public property beaches allowed
 - ii. Prohibit vending on all public property beaches
 - iii. Request for proposal for services for vending on Walton Co beaches.
 1. 1 Beach Vendor for the Regional Beach Accesses (8 each). No beach vending allowed on Neighborhood Beach Access
 2. 1 - 5 Beach vendor(s) for all Walton Co. Public Beaches. Public beaches assigned to particular vendor(s)
 3. 5 - 10 Beach vendors for all Walton County Public Beaches. Public beaches assigned to particular vendors
 - b. Public Beach Vendor operation standards
 - i. Business entity per Local & State ordinance verification
 1. Corporation
 2. LLC
 3. Sole proprietorship DBA
 - ii. Permits
 1. Permits, Insurance, Upland land owner authorization, and Employee roster to be on file at permitting authority, vendor's operations base, and on vending site
 - iii. Employees
 1. All persons working for beach vending company to be employed by company
 2. Certified payroll
 - iv. Insurance
 1. Coverage amount per existing sec. 22-60 (h)
 2. G/L insurance to cover all employees
 3. Workmen's Comp for all employees
 - a. Exemptions allowed per State statute
 - v. Equipment
 1. All equipment identified with company name, address, & contact information
 2. Storage of equipment not allowed at public beach access. Must be removed daily
 3. Equipment set-up protocol and set up restrictions



- a. Vendor employee on site.
 - b. No early set ups
 - c. No speculative set ups
 - d. Set up when vendee arrives, remove after vendee departs.
 - e. 2 chairs and 1 umbrella = 1 set up. Maximum of 4 set ups allowed placed together. 6' aisle between group of set ups
 - f. 50 % of beach front using tiered/staggered arrangement
 - g. 6' aisle at each East and West boundary lines, midpoint between boundary lines, and 48' intervals between boundary lines.
 - h. No set ups in front of Lifeguard towers if present
 - i. Set ups must be 20' north of wet sand/ rack line
 - j. Set up / take down time
 - i. Turtle Season – SWTW text program or 7:30am
 - ii. Non – Turtle Season – 7am
 - iii. Vendor equipment to be removed from beach by sunset
- vi. Driving on the beach
- a. No driving allowed on public beaches for vending purposes
 - b. All vending equipment to be delivered, retrieved, unloaded, and transported to sandy portion of the beach from designated parking area(s). No blocking of common areas or EMS parking area
- c. Private Beach Vendor Management
- i. Private Beach Vendor Management
 - 1. Contract Agreement between private property owner and vendor on file w/ permitting authority
 - 2. Set-up plan (quantity & arrangement), rules, and regulations agreed to by private property owner and vendor
- d. Private Beach Vendor operation standards
- i. Business entity per Local & State ordinance verification
 - 1. Corporation
 - 2. LLC
 - 3. Sole proprietorship DBA
 - ii. Permits



1. Permits, Insurance, Private property owner authorization and agreement, and Employee roster to be on file at permitting authority, vendors operations base, and on vending site
- iii. Employees
 1. All persons working for beach vending company to be employed by company
 2. Certified payroll
- iv. Insurance
 1. Coverage amount per existing sec. 22-60 (h)
 2. G/L insurance to cover all employees
 3. Workmen's Comp for all employees
 - a. Exemptions allowed per State statute
- v. Equipment
 1. All equipment identified with company name, address, & contact information
 2. Storage of equipment allowed in boxes per existing code
 3. Equipment set-up protocol and set up restrictions
 - a. Vendor employee on site.
 - b. No early set ups
 - c. 6' aisle at each East and West boundary lines, midpoint between boundary lines, and 48' intervals between boundary lines.
 - d. No set ups in front of Lifeguard towers if present
 - e. Set ups must be 20' north of wet sand/ rack line or confined to actual property boundaries
 - f. Set up time
 - i. Turtle Season - SWTW text program or 7:30am
 - ii. Non - Turtle Season - 7am
 - iii. Vendor equipment to be removed from beach by sunset
- vi. Driving on the beach
 - a. No driving allowed on private beaches for vending purposes except as provided in Sec. 22-57, para (q)
 - b. All vending equipment to be delivered, retrieved, unloaded, and transported to sandy portion of the beach from designated parking area(s), unless driving on beach is permitted as provided in Sec. 22-57, para (q).



Ordinance Revisions

1. Leave No Trace (Sec 22-54 – Regulation of use and conduct on the beach and water bodies, para (g)- Obstructions)
 - a. Revisions per Walton Co. Legal dept. (see exhibit)
 - b. Omit the tagging process and re-assign the removal of non-compliant items to beach maintenance crews.
 - c. All items left on the beach between 1 hr after sunset and sunrise the following day, unless actively occupied, will be considered abandoned and removed from beach for proper disposal.
 - d. Permitted items per existing code
2. Noise (Sec 22-54, para. (i))
 - a. No generators for auxiliary power allowed on the beach.
3. Specialty event permits
 - a. Special event permit applications for events on public beaches to be submitted to and approved by the BCC prior to event.
 - b. Special event permit applications for events on private property to be submitted to the permitting authority 14 days prior to event
 - c. Prepared or packaged food allowed. No preparation or cooking of food allowed at special events on the beach
4. Fines and Permit revocation
 - a. Progressive fines – violations start at \$100 per violation and increase in \$100 increments up to \$500
 - b. 5 strike rule – receive 5 citations in per company in permit year and permit is automatically revoked for remainder of permit year. Re-instatement for successive year through administrative hearing.

Implementation

1. Beach Vendor Management
 - a. Present recommendations to BCC on 12/12/14. Schedule work shop for public input for 1/6/15
 - b. Receive approval for beach vendor management recommendations on 1/13/15 from BCC
 - c. Issue RFP for Beach Vending services for 2015 season on 1/19/15.
 - d. Receive bids for Beach Vending services on 2/2/15
 - e. Receive approval for bid award and contract for Beach Vending services on 2/10/15 from BCC
2. Ordinance Revisions



- a. Present recommendations to BCC on 12/12/14. Schedule work shop for public input for 1/13/15
- b. Request approval for ordinance revision recommendations on 1/27/15 from BCC