



Longboat Key News

September 29, 2023

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InsideLook



Lido home sale tops \$6 million ...page 8



Booze and the real limits ...page 12



What to look for in a varietal ...page 13



Bones are not human says ME ...page 10

Lido Vacation rental owners say City has ‘taken’ millions in value through occupancy cap

The challenge cites Florida’s “Bert Harris Act” which restricts a local municipality from passing any ordinance, which takes away a currently allowed use of a property.

STEVE REID
Editor & Publisher
sreid@lbknews.com

The Sarasota City Commission will discuss a legal challenge to its vacation rental rules — specifically the occupancy limitation — at its Monday Commission meeting.

Sarasota law firm Blalock Walters filed the challenge representing several Lido Key properties including 234 Grant Drive, 209 Garfield Drive, 24 N Polk Drive.

The basis of the challenge is the assertion that the City in adopt-

ing the occupancy limit rules in November 2021 created a legal “taking” under the Bert Harris Act.

The challenge states that the properties were all bought and designed to have more occupants than the adopted code allows.

The challenge cites Florida’s “Bert Harris Act” which restricts a local municipality from passing any ordinance, which takes away a currently allowed use of a property.

The exact amount of the taking has been quantified according to Blalock Walters through submitted

appraisals that state that more than a million dollars in appraised market value have been “taken” through the calculated loss of revenue for each property. That amount is derived from the assertion that the homes were designed for up to 16 occupants and City code now only allows 12.

Opponents to the challenge maintain that a Florida Court of Appeals has ruled that “the frequency and intensity of large groups at a rental property is not typical resi-

See Homes, page 2

Mote fights to save reefs on several fronts

Florida’s Coral Reef experienced record-breaking heat waves during the summer of 2023 caused by unusually high seawater temperatures that started early in the season, resulting in mass coral bleaching in certain areas.

Florida’s reef managers, scientists, conservation organizations and reef users, sounded the alarm and worked collectively to protect restoration investments, to preserve genetic diversity, and to enact monitoring to better understand the extent and potential impacts of the bleaching.

The Florida Reef Resilience Program (FRRP), a consortium of stakeholders managed by The Nature Conservancy (TNC) on behalf of the reef management agencies, focuses on developing strategies for mitigating climate change and other stressors that decrease the Reef’s resilience.

The FRRP focused on implementing Florida’s Bleaching Response Plan by communicating about the risk of bleaching and making decisions about how best to track changes on the Reef through the Disturbance Response Monitoring (DRM) program.

The DRM program, led by Florida Fish and Wildlife Conservation Commission and contributed to by agency and academic partners, was created in 2005 to check the condition of shallow water reefs from Dry Tortugas National Park to Martin County during the annual period of peak heat stress. If warranted,

See Reefs, page 2

Sip in Spain



The world of Spanish wine. Page 13.

Manatee rejects Sarasota Bay development plan

The Manatee County Commission voted to deny the Bradenton Tennis Center’s second effort to prepare the property for a multifamily development. In June, the Bradenton Tennis Center sought to rezone its 6.7-acre property along Sarasota Bay so that it could sell the land to a developer, but nearby residents strongly opposed the idea of a seven-story building where the tallest condos are four stories high. During a public Land Use Meeting Thursday morning, county commissioners rejected a modified proposal that slightly reduced the height of a building that could be built on the property at the southeast corner of Bay Club Drive and El Conquistador Parkway.

The proposed rezone would have allowed for up to 107 multi-family units on the property. As a result of the previous hearing, the Bradenton Tennis Center’s owners updated their proposal to limit the height of any future development to five stories.

Smoking ban goes into effect at Sarasota County beaches Oct. 1

Sarasota County Commissioners voted 4 -1 to ban smoking at all county-owned beaches. The ban will also prohibit smoking at beach access points, parks, natural areas and youth athletic and play areas.

Currently staff is working to update all park signage and are launching a public outreach campaign to educate citizens and visitors on the change.

Since 2007, the board has supported the regulation of outdoor smoking and the board’s action on Tuesday follows the state legislation that was enacted in 2022 allowing local counties and municipalities to further regulate smoking within public beaches and parks, excluding unfiltered cigars.

“Sarasota County remains committed to providing safe, world-class beaches and park amenities, and improving water quality,” said Parks, Recreation and Natural Resources Director Nicole Rissler. “This ordinance promotes healthy recreation while reducing second-hand smoke and cigarette-litter that could harm people and wildlife or end up in our waterways.”

The ban goes into effect on Oct. 1.

Fruitville Road Improvements: RR Crossing Removal

Heads up for those who travel Fruitville Road between Lime and School avenues. Sarasota County plans to remove the existing railroad tracks on Fruitville Road adjacent to The Legacy Trail --- and that will temporarily impact vehicular traffic during the next two weekends.

The deconstruction will be done in phases. First, westbound traffic will be temporarily closed, then eastbound traffic:

Oct. 6/7: Starting at midnight, all eastbound lanes will be closed between Lime Avenue and School Avenue. Crews will remove the rails, improve the road and reopen the area prior to the Monday morning commute.

Electronic message boards will be placed on site to let travelers know about the temporary closure and detours.

Purple Ribbon Committee: Van Wezel Tour

The Ad Hoc Van Wezel Purple Ribbon Committee (PRC) met for a walk-through of the Van Wezel Performing Arts Hall earlier this week, after the tour was postponed due to Hurricane Idalia.

Guided by Van Wezel staff, the tour included a thorough look at the building, focusing on areas that present challenges. Committee members took notes and asked questions throughout the tour.

The PRC's next step is to review and discuss an engineering scope of services for the building. That discussion is expected to occur during the Committee's next meeting at 5:30 p.m. on Nov. 8 in the City Hall Annex. The meeting will be open to the public (as was the building tour).

The Committee ultimately will provide recommendations to the City Commission on options to repurpose the building.

Manatee rejects Sarasota Bay development plan

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Homes, from page 1

dential usage as measured by common practice" (Bennett v. Walton Cnty., 2015 Fla.

The challenge could have far-reaching effects as the City struggles to address the impact of vacation rental operations in historically residential neighborhoods.

The occupancy limit is not arbitrary: it is based on the number of bedrooms at a property, and it reinforces that existing zoning code requires "family occupancy" or "no more than four unrelated persons."

Reefs, from page 1

follow-up surveys conducted three to four months after a bleaching event help reef managers understand the impacts of severe bleaching by providing data on whether corals recovered or perished as a result of the event.

Mote Marine Laboratory, an FRRP partner with significant investments in coral reef restoration, immediately began an unprecedented evacuation of thousands of stressed and dying coral from its four offshore coral nurseries in July.

With the help of over 70 staff members, six Mote research vessels, and immense support from the community and other partners, Mote carefully transported thousands of stressed and dying corals from its offshore nurseries to its three land-based coral nurseries in the Keys, as well as to its Sarasota-based Mote Aquaculture Research Park

Expert staff continue to work diligently to aid in the recovery of these stressed and dying corals with a goal of saving as many of them as possible despite exposure to the extreme water temperatures of over 90°F.

"Mote has invested in science-based coral reef restoration and research for nearly 30 years and, as such, we were equipped with the land-based infrastructure to provide tens of thousands of corals a safe place to grow until conditions improve on the reef," said Dr. Michael Crosby, Mote President and CEO. "The goal is to place all remaining, healthy coral back into our offshore nurseries and resume our regular science-based restoration efforts as soon as the conditions allow."

Mote has been studying coral ecosystems for decades, and employs a holistic approach to science-based restoration efforts including sexual reproduction, asexual reproduction, coral gene banking, and utilizing both onshore and offshore coral nurseries.

"Coral reefs are experiencing unprecedented die-offs worldwide, and it's critical to restore them with resilient and genetically diverse corals that have the best chances to survive and reproduce," said Dr. Jason Spadaro, Mote's Coral Reef Restoration Research Program Manager. "Now is not the time to give up, now is the time to ramp up resilience-based restoration efforts and embrace the challenge."



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NEW CONSTRUCTION TO BE BUILT



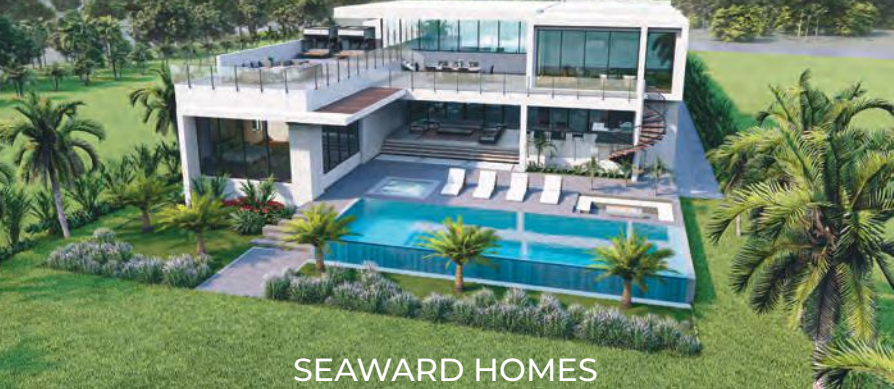
WEST OF TRAIL - HIGHLY DESIRABLE LOCATION **\$8,995,000**
Waterfront location, this custom home is situated on a quiet cul-de-sac steps to Siesta Key. Offering nearly 5,350 AC/SF, with an open concept floor plan, highly desirable finishes and touches, and 4-car garage, you will be impressed. Work with builder direct to create your dream home.

GULF FRONT NEW CONSTRUCTION



LONGBOAT KEY • 6489 GULFSIDE DRIVE **\$16,900,000**
Fabulous Gulf front lot offering nearly 100 ft. of sandy beach, this gorgeous DSDG Architect designed home is a rare find. Boasting almost 6,000 AC/SF, this spectacular home is custom built with the finest details throughout. Architect designed landscaped exterior and 4-car garage.

NOW PENDING SALE



SIESTA KEY • HIGEL AVE. **\$16,995,000**
Currently under construction and scheduled to be ready Fall 2023, this breathtaking 8,964 AC/SF residence is one of a kind, designed by DSDG. Gulf front property on one acre and offers a 2,000 SF roof terrace. Separate guest house and 8-car garage. No expense spared on this remarkable home.

LONGBOAT KEY AUGUST 2023 MARKET UPDATE

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	AUG 2023	Y/Y %
Closed Sales	13	85.7%
Cash Sales	10	42.9%
New Pending Sales	11	22.2%
New Listings	9	28.6%
Active Inventory	34	3.0%
Months Supply of Inventory	4.3	43.3%
Median Sale Price	\$2,875,000	3.6%
Average Sale Price	\$3,398,462	27%
Dollar Volume	\$44.2 Million	135.9%
Median % of Original List Price	87.2%	-5.5%
Median Time to Contract	81 Days	131.4%

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EditorLetters



Longboat Key News and Sarasota City News encourages Letters to the Editor on timely issues. Please email to: letters@lbknews.com or mail to PO Box 8001, Longboat Key, FL 34228. We also print letters sent to Town Hall that address Longboat Key issues. We reserve the right to edit.

Pool Drainage

To: Longboat Key Public Works Director Isaac Brownman
We have had similar cases for the last few weeks. There are two ways to correctly drain a pool. First pump to a truck and dispose off site. 2nd way pump out using your yard as a drainage field. As long as it doesn't drain to your neighbors or drain into several bales hay/ straw then going to the street. Absolutely no direct dumping into canal.
Bryan Wisnom
Code Enforcement Officer
Town of Longboat Key

Bridge Street resort enters planning stage

To: Longboat Key Commissioner Debbie Murphy
Greetings I saw a post that stated on Nov. 1 at 1 p.m. at Bradenton City Hall there will be a public hearing on the proposed Bridge St Hotel project. I plan to attend and think others should too as our interests differ a bit from Bradenton residents.
Laurel Gilbert Phillips
Longboat Key

Bridge Street resort enters planning stage

To: Laurel Phillips
Laurel - Good evening. Thanks for sharing the article and for bringing this project status to my attention. I am surprised it has gained this much traction. The last time I checked, I had believed that the project had been put on hold due to community opposition regarding concerns over traffic congestion.
I am forwarding your email with my reply to our Town Manager for further comment regarding potential negative impacts to evacuation route accessibility. I am also copying our Town Attorney. I agree that we need to remain vigilant on how the feasibility for this project progresses.
Debbie Murphy
Commissioner
Town of Longboat Key

Bridge Street resort enters planning stage

To: Laurel Phillips
As I mentioned at Tuesday's Commission meeting, I spoke with Bradenton Beach Mayor John Chappie last week about the Bridge Street project. He confirmed that the Planning Board will hear the proposal on November 1 and that he expects it will come before his Commission in December. As with matters on St. Armand's, I agree it is wise for us to keep an eye on this development and would welcome any insight into the Anna Maria community's views on it.
Ken Schneider
Mayor
Town of Longboat Key

Bridge Street resort enters planning stage

To: Longboat Key Mayor Ken Schneider

Well my take is it will go through despite local protests regarding changing the character of the island. Our concern on Longboat Key should be the traffic impact on our evacuation route and what steps Bradenton can take to manage a pileup of cars getting through to bridges. I just want to see professional eyes on traffic control and think a letter from Longboat Key mentioning this concern would be important.
Laurel Gilbert Phillips
Longboat Key

Bridge Street resort enters planning stage

To: Laurel Phillips
If you have specific information about local protests or why the Bridge Street proposal would be approved despite those protests, it would be useful to have that data. We have worked very closely with residents' groups on St. Armand's and Lido to preserve the character of those areas. Thanks.
Ken Schneier
Mayor
Town of Longboat Key

Whitney Plaza Update

To: Longboat Key Commission
Update on Whitney Plaza community center progress:
There was a call this afternoon with Manatee Co. staff and our staff (Building and Fire Marshall) on their preliminary intentions for using the space in Whitney Plaza for a joint venture with the School Board, below are some bullet point notes. Attached, are their preliminary plans for using a portion of the space (6,140 sf out of 10,000+ sf space).
Staff bullet point notes:
County staff will be coordinating a walk-through with their design staff & meeting with Jane & Patti for possibly sometime next week.
County staff will also be working on coordinating another call to involve relevant members of the School Board staff. The County is currently working on developing a lease agreement with the School Board.
The School Board will be paying the lease and will be running adult enrichment type classes. Town doesn't care how it gets paid for as long as the County and the School Board are in agreement.
Not unexpected, but confirmed that changes will be to the interior only.
Some form of signage will be needed to ID the space and that's TBD.
County has configured other public spaces to allow for after-hours or non-staff-attended use of a portion of the space which will fit in well with the desires of the community to not see this space programmed all the time.
Whitney Plaza will also be a subject of discussion when the Mayor and I have our meeting next week with the Manatee Commission Chair and County Administrator and will also be on the agenda for the joint meeting on October 31st. Appreciate Manatee's leadership on this and our amazing Town staff will fast track everything on our side of the fence to help get this done. Great to actually see progress in a progress update.
Howard N. Tipton
Town Manager
Town of Longboat Key

Whitney Plaza Update

To: Longboat Key Town Manager Howard Tipton
I may have missed this while I was out, but is the contract signed?
Gary Coffin
Commissioner
Town of Longboat Key


Canal Navigability Ordinance Delay

To: Longboat Key Commission
Our Town Attorney has been reviewing the canal navigability ordinance in light of the
See Letters, page 6

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Stunning views of the Gulf of Mexico and Sarasota Bay in this 6th-floor condominium in Promenade. The desirable end unit features 2 bedrooms plus a den, all with full baths, abundant floor-to-ceiling windows and glass sliders to 2 balconies.



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5910 GULF OF MEXICO DRIVE | LONGBOAT KEY

Under Construction. This spectacular, 4,210 sq. ft., newly built 4BR/4.5BA, coastal contemporary waterfront home provides easy access to the Intracoastal Waterway, Sarasota Bay and Gulf of Mexico. Located on a three-quarter acre lot with 133 feet of frontage on a 125-foot-wide canal.



NOW SOLD!

\$2,724,900

830 TARAWITT DRIVE | LONGBOAT KEY

Just three lots to the ICW from this over 2,500 sf, coastal 2015 built home. Living area and kitchen open to the patio and contemporary pool. The privacy of the second level offers two guest bedrooms with full bath, plus an extra lounge.

EditorLetters

Letters, from page 4

legislature passing SB 250 in the last session that went into effect July 1, 2023. One of the provisions of this law is that municipalities within 100 miles of Hurricane Ian’s landfall (of which we are one) may not adopt any more burdensome or restrictive amendments to their comprehensive plan or land development regulations.

Attached is her summary of the legislative impacts and a recommendation that the Town not move forward with canal navigation changes to the Town’s land development code until this law sunsets or is otherwise modified. PZB staff had been preparing to bring the proposed ordinance to Planning & Zoning in October and to the full Commission in December for consideration. Based on the legal analysis provided, it appears that this schedule is no longer practical.

Maggie is available to answer any questions on this and can also speak to this, if desired, under her reports at the next regular Commission meeting on October 2, 2023.

Howard N. Tipton
Town Manager
Town of Longboat Key

Help during Idalia

To: Longboat Key Mayor Ken Schneier
Thank you for your kind words to our amazing staff. I am grateful our resources were helpful to the Town of Longboat Key. It was a very short time ago, North Port desperately needed resources to help us recover from a hurricane, I’m glad we could ‘pay it forward’. Let’s hope neither of us never need to request or provide mutual aid ever again – but it’s great to know we’re there for each other, if the need arises! Until our paths cross again – I wish you the best.
Debbie McDowell
Commissioner
City of North Port

Canal Navigability Ordinance Delay

To: Longboat Key Commission
Our Town Attorney has been reviewing the canal navigability ordinance in light of the legislature passing SB 250 in the last session that went into effect July 1, 2023. One of the provisions of this law is that municipalities within 100 miles of Hurricane Ian’s landfall (of which we are one) may not adopt any more burdensome or restrictive amendments to their comprehensive plan or land development regulations.
Attached is her summary of the legislative impacts and a recommendation that the Town not move forward with canal navigation changes to the Town’s land development code until this law sunsets or is otherwise modified. PZB staff had been preparing to bring the proposed ordinance to Planning & Zoning in October and to the full Commission in December for consideration. Based on the legal analysis provided, it appears that this schedule is no longer practical.
Maggie is available to answer any questions on this and can also speak to this, if desired, under her reports at the next regular Commission meeting on October 2, 2023.

Howard N. Tipton
Town Manager
Town of Longboat Key

Canal Navigability Ordinance Delay

To: Longboat Key Town Attorney Maggie Mooney
Would it make any sense for the town to go ahead and consider the canal navigability ordinance, making it effective October 1, 2024, the date that SB250 expires?
Debra Williams
Commissioner
Town of Longboat Key

August tourism numbers

To: Longboat Key Commission, Sarasota City Commission
This is my last monthly report to you with tomorrow being my last day before retirement. Thanks you all for your support for Visit Sarasota County over the years and our amazing tourism businesses. It is great to retire on a positive note with

the August numbers. Sarasota County is bucking the trend we are seeing across Florida because our visitor numbers for the year are up against the record-breaking 2022 by 1.6%! As I have mentioned in past months, international visitation is still coming back, particularly from Central Europe. Here are the August stats:
August 2023 compared to August 2022:
Visitors were 127,610 an increase of 7.6%
Visitor direct expenditures were \$88,487,300 an increase of 8.5%
Lodging occupancy was 58.8% a decrease of 3%
Lodging average room rate was \$220.43 an increase of 14.8%
There were 246,800 room nights sold an increase of 5.1%
Virginia J. Haley
President
Visit Sarasota County

Planning for Veterans’ Day & Ribbon Cutting for Karon Family Pavilion

To: Longboat Key Commission
Was going to share an update on our Town Center ribbon cutting plans at the end of the workshop yesterday but since it ran long I asked Susan (who is running point for the ceremony) to pull together a summary of what we’ve been doing behind the scenes as well as a draft of the program for both the ribbon cutting and musical entertainment. We will have covered seating for 200 and then 200 additional uncovered. Susan has lined up our sponsors and partners and we are planning for a good turnout.
Staff did a walk through of the site last week (thank you Isaac) and will be working to beautify the rough spots in the coming weeks to make the best first impression possible. The construction manager has some punch list items to complete as well. Carolyn is working on the programming for the season with both Town sponsored events as well as Chamber events. This first year should be a good test of the facility.
If the weather is with us on that day, and even if it is not, it should be wonderful afternoon recognizing our Veterans and those who had the vision and fortitude to make the Town Center Phase 2 a reality.
Howard N. Tipton
Town Manager
Town of Longboat Key

Planning for Veterans’ Day & Ribbon Cutting for Karon Family Pavilion

To: Longboat Key Residents
Earlier today I published the attached invitation and sent to all local media, dignitaries, Sarasota and Manatee County Commissioners, e-mail blast to all local, organizations, homeowner associations etc., our Longboat Key Veterans’ group, published to our Town website, social media platforms, the lobby video monitor and have printed copies in the Commission Chamber, utility billing desk, and other Town facilities.
The same distribution was also done in mid-June with a “Save the Date” using artwork which was created specifically for this event by a local artist.
Planning for this event began in early April 2023 and has consisted of much work and collaboration.
We’ve held planning meeting and communications with our local Rotary Club to engage the Longboat Key Veterans’ group.
Rental of a tent, 400 chairs, and tables for the event and site visit with vendor
Obtaining required permits associated with event
Creating required event parking plan
A local artist was engaged to create original painting for our use “branding” the event.
Sponsors were engaged to pay for a gift item for attendees designed specifically for this event and is currently being manufactured.
A Color Guard has been engaged to post colors prior to the Pledge of Allegiance and singing of the National Anthem.
The Sarasota Orchestra, celebrating their 75th Anniversary this year, was engaged to perform in the newly dedicated pavilion.
The Longboat Key Foundation is also a part of our planning process to ensure the donors for the Pavilion/Stage are included, as well as the future donors for Phase 3.
Staff has held meetings, and walked through the site to create a punch list of items to be completed prior to the event.
This list is not all inclusive of planning but primarily to give you an idea of the work that’s gone into this event.
We still have a few surprises in store for our guests – we promise a first class event, to mark a very special day, and
See Letters, page 7

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EditorLetters



Letters, from page 6

milestone for our Town!

Below is a timeline and description of the program as currently planned (some adaption may occur prior to the event as planning continues).

3 p.m.
Kick-off of Event by Mayor Ken Schneier, introduction of Color Guard from Manatee High School ROTC followed by the Pledge of Allegiance and National Anthem
Recognition of Veterans and Veterans’ Day as well as honored Dignitaries
Introduction and Remarks by Longboat Key Foundation President/Founder Jim Brown
Introduction and Remarks by Sarah & Paul Karon
Acknowledgement of Project Team Members: Jon Swift Construction, Hoyt Architects, DMK Associates, David Johnston, Public Works Director Isaac Brownman, Project Manager Charlie Mopps, Sarasota County, Tom Harmer
Ribbon Cutting / Removal of draping over Karon Family Pavilion
3:40 Intermission for set-up of Sarasota Orchestra (30 minutes required for set-up)
Refreshments served

4 p.m.
Introduction and Remarks by Sarasota Orchestra – 75th Anniversary Concert performance at the Town Center Green in our newly dedicated Pavilion/Stage
Orchestra begins their performance with a medley of Military Service Branches Songs – Veterans invited to stand when their song plays.
Orchestra performance continues for 45 minutes
Conclusion - 4:45 p.m.
If you have any questions, please don’t hesitate to contact me.
Susan Phillips
Assistant to Town Manager
Town of Longboat Key

Veterans’ Day & Ribbon Cutting for Karon Family Pavilion

To: Longboat Key Residents

The Town is very pleased to invite you to our Veterans’ Day Event combined with the dedication of the Karon Family Pavilion at the Longboat Key Town Center located at 600 Bay Isles Road.

Mark your calendar for Nov. 11, 2023 at 3 p.m. to celebrate this milestone in development of Longboat Key’s newest park – the completion of Phase 2 with a beautiful pavilion/ stage, restrooms, and walking paths.

We would appreciate you sharing this e-mail and invitation with your readers, association members, and neighbors. This will be published on all our social media platforms, the Town’s website, and of course shared by our local media.

Susan Phillips
Assistant to Town Manager
Town of Longboat Key

SUN Trail “Request for Funding”

To: Chair Commissioner Cutsinger and Board Members

The email below regarding the SUN Trail Application Cycle that will be opening tomorrow (September 27, 2023) has been sent to your respective Technical Advisory Committee (TAC) Members. Please let me know should you have any questions.

Nanette Eubanks
Clerk to the Board
Sarasota/Manatee MPO

SUN Trail “Request for Funding”

To: MPO Board Members Dave Hutchinson and Ryan Brown

The SUN Trail application cycle will be open September 27, 2023 through December 20, 2023, 2 pm. The announcement can be viewed on page 9 of Volume 49, Number 185, September 22, 2023, of the Florida Administrative Register (FAR). The publication is here: <https://www.flrules.org/Faw/FAWDocuments/FAWVOLUMEFOLDERS2023/49185/49185doc.pdf>. You may view the Notice (27582258) by clicking the following link: https://www.flrules.org/gateway/View_Notice.asp?id=27582258.

The SUN Trail Opportunity Profile is published in GAP. There is a brief announcement about the cycle on the GAP dashboard, interested parties will be able to see the Opportunity when it opens on Sept 27. Log on to GAP for information about FDOT funding opportunities, including SUN Trail by clicking here: <https://www.flgap.com/>. Attached is a How to guide to aid in the application submittal and answer questions.

The SUN Trail materials are posted to the SUN Trail website, <https://www.fdot.gov/planning/systems/systems-management/SUNTrail>; select the “Guidance” tab.

Please feel free to share this information. If you need anything further, please reach out to me. Looking forward to seeing the SUN Trail applications for this cycle.

Tanya Merkle
Community Planner
D1 Bicycle/Pedestrian & SUN Trail Coordinator

Pool Drainage

To: Laurel Phillips

I responded to email question to the Town officials, however, you mistakenly were not copied. There are only two ways to properly drain a pool. First, have a truck pump it out and haul off site and dispose. Second, drain pool water in your yard as a drainage field but not to flood any neighboring yards. Or drain through a few hay/straw bales on edge of your lot then into street.

Water must go through some type of filtering before going into street and ultimately into the storm water system. Absolutely no direct dumping of anything directly into canals.

I hope this clears up the question and any further questions feel free to reach out.

Bryan Wisnom
Code Enforcement Officer
Town of Longboat Key

Suncoast Waterkeeper Results

To: Suncoast Water Keeper Executive Director Abby Tyrna

Nice graphics – I like it! A suggestion, however. These values are based on “bathing beach” standards, not Class III Marine waters, which are often referred to as “swimmable/fishable”. Bacteria standards are based on a couple of criteria, including the levels itself and the expected exposure, and – frankly – the source (why the state switched away from “total” coliform bacteria).

That said, if you have a location that people wade fish, rather than swim, where the latest

See Letters, page 11



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525 CHANNEL LN	988	\$750,000	2 2 0	34	\$735,000
4960 GULF OF MEXICO DR Unit#206	1,523	\$837,500	2 2 0	0	\$827,000
615 DREAM ISLAND RD Unit#105	1,293	\$945,000	2 2 0	46	\$912,500
2109 GULF OF MEXICO DR Unit#1203	1,463	\$1,200,000	2 2 0	142	\$1,100,000
549 YAWL LN	1,702	\$1,990,000	3 2 0	44	\$2,000,000
6021 EMERALD HARBOR DR	2,002	\$2,195,000	3 2 0	43	\$2,000,000
581 DE NARVAEZ DR	2,134	\$2,875,000	3 3 1	185	\$2,800,000
545 SANCTUARY DR Unit#A801	3,115	\$3,197,770	4 3 1	80	\$3,087,000
1300 BENJAMIN FRANKLIN DR Unit#907	3,057	\$3,800,000	3 2 1	95	\$3,525,000
442 CLEVELAND DR	4,200	\$5,300,000	4 4 1	26	\$5,300,000
1300 BENJAMIN FRANKLIN DR Unit#1102	3,964	\$5,695,000	3 3 1	1	\$6,025,000



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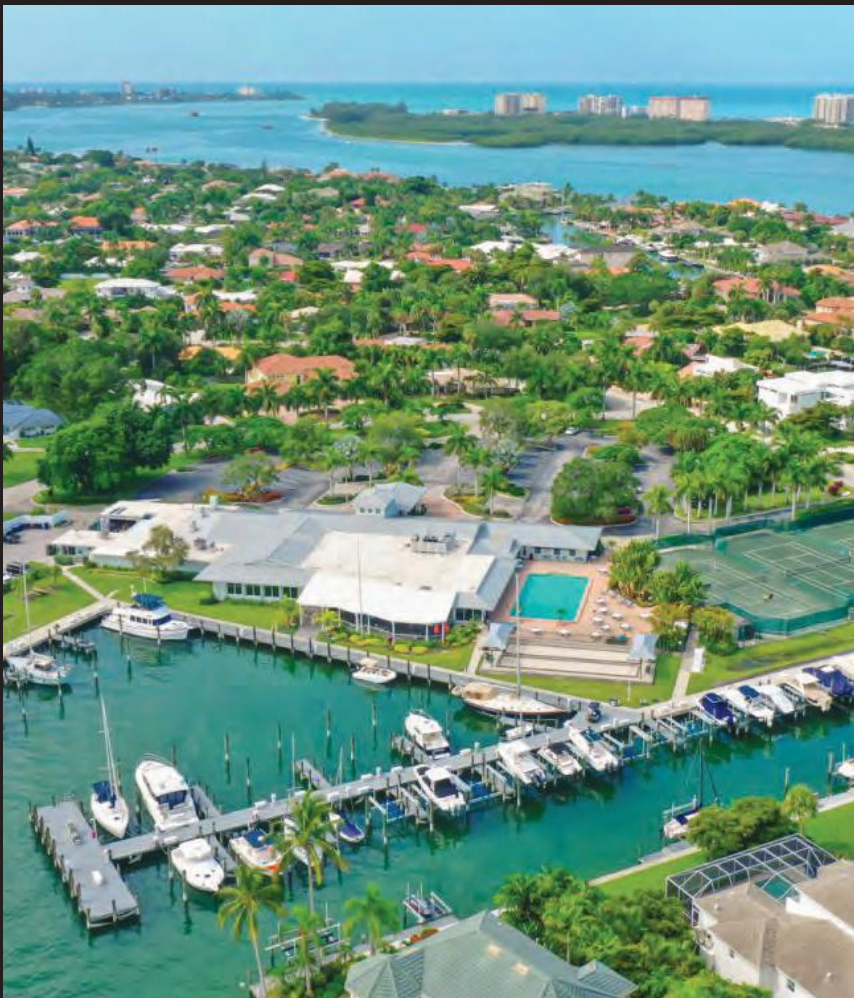
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OnPatrol

The following are actual police reports as written by Longboat Key Police Officers. They are edited for length, punctuation and to protect privacy.

Sept. 15

Abandoned 911

9:45 a.m.
Officer Ramsaier was dispatched to the 5500 block of Gulf of Mexico Drive for an abandoned 911 call. Upon arrival, the officer was met by the caller who stated he was doing work for the inn and relocating the phone lines from one office to another. In doing so, he accidentally knocked the phone off the line which caused the line to go dead. Case clear.

Sept. 16

Suspicious vehicle

3:39 a.m.
Sgt. Montfort while on patrol in the 100 block of Gulf of Mexico Drive saw a parked and occupied vehicle at Overlook Park. Sgt. Montfort made contact with the occupant who said he was waiting for park opening to fish. The driver said he was attempting to catch lady fish. The driver was told to relocate until the park’s opening at 5 a.m. The man complied and was sent on his way. Case clear.

Dog on the beach

3:45 p.m.
Officer Connors while on marine patrol in the area of Greer Island, observed a small dog on the beach which had swam from a nearby boat. Officer Connors advised the owner via the PA system, that dogs were not allowed on the beach per Longboat Key Town Ordinance. The owner acknowledged, waved, and returned the dog back to the boat. Case clear.

Boating citation

4:45 p.m.
While on marine patrol at South Lido and Big Sarasota Pass, Officer Connors observed a personal watercraft operating with two passengers with the rear passenger not wearing the required personal floatation device. Officer Connors observed the operator to be operating at a fast speed, conducting “J” type turns and “donuts” and from a short distance away, he observed the rear passenger get thrown off the personal watercraft the operator was conducting these types of maneuvers. Officer Connors approached the personal watercraft and advised the operator the reason for the stop. The operator stated that he was just picking up his friend who was swimming in the water. The operator was unaware that he had been watching him. Officer Connors issued the operator a citation and educated him on the violation. Case clear.

Sept. 17

Suspicious vehicle

12:03 a.m.
Sgt. Montfort while on patrol, observed a vehicle at Bayfront Park after closing. Sgt. Montfort made contact with the operator and registered owner of the vehicle. The owner stated that he was on his way home and stopped to use the restroom. The owner was advised of the park’s hours and sent on his way. Case clear.

Welfare check

5:57 p.m.
Officer Ferrigine responded to Spanish Drive South for a welfare check. The caller advised she has not hear from her friend in a while. The complainant advised she has not heard from her friend. Officer Ferrigine made contact with the complainant and she said her friendship with the woman was over and wishes to never speak to her again. Officer Ferrigine advised her not to contact the neighbor again. Case clear.



Sept. 18

Citizen assist

7:57 a.m.
Officer Miklos responded to the 3800 block of Gulf of Mexico Drive in reference to a citizens’ dispute between a property manager and construction crew. Upon arrival, Officer Miklos came into contact with the complainant who advised that the construction crew installing the fiber cables for internet struck a water line to the complex. The complainant advised she had to turn the water off to the whole complex to stop the leaking water. The complainant stated she was unaware of any digging occurring near the 3800 block of Gulf of Mexico Drive. Officer Miklos spoke to the construction crew supervisor who advised he had taken the steps of calling 811 and having them mark any buried cables prior to his work. The construction crew supervisor said that he believed the leak was near the sidewalk next to a filled in hole. At approximately 2:42 p.m., a public works employee arrived on scene. The public works employee requested the construction crew supervisor attempt to locate the leak. At this time, the public works employee advised Sgt. Puccio and Officer Miklos that they did not need to stay at the location. Case clear.

Sept. 19

Found property

9:29 a.m.
A citizen arrived at the lobby of the Longboat Key Police Department to turn in found property. She handed over what appears to be an upper set of dentures. They were turned in cleaned by the finder and will be held for 90 days in hopes of finding the owner. Case clear.

Ladder in roadway

6:13 p.m.
Officer Martinson was dispatched to the 1600 block of Gulf of Mexico Drive on a call of a traffic hazard in the road. Upon arrival, Officer Martinson noticed a ladder near the roadway in front of the St. Regis on the grass. The ladder was not a hazard to traffic. Public Works was notified to pick up the ladder. Case clear.

Sept. 21

Noise

7:34 a.m.
Officer Ramsaier responded to Kingfisher Lane to meet with the complainant regarding noise stemming from a construction site at Kingfisher Lane. The complainant stated they started work prior to 8 a.m. Officer Ramsaier made contact with the construction site supervisor who stated he was prepping the construction site for a pool. He said he was unaware of the noise ordinance. Officer Ramsaier instructed the supervisor on the noise ordinance that hours of construction were allowed only between 8 a.m. and 5 p.m. Case clear.

Citizen assist

11:42 a.m.
Officer Ramsaier was dispatched to the 200 block of Gulf of Mexico Drive for a citizen’s assist call. Upon arrival, Officer Ramsaier met with two individuals who came across a set of bones which looked like a spine and called police. The officer was escorted by the individuals to the location where they found the set of bones, at Quickpoint Park. Officer Ramsaier called the Medical Examiner’s officer who directed the officer to take a photo and send it via text message so they could determine if the remains were human. The officer sent the photos and the Medical Examiner replied the bones were not human. Case clear.

Suspicious incident

7:51 p.m.
Officer Ferrigine responded to Russell Street for a civil disturbance. Upon arrival, Officer Ferrigine met with the complainant who stated there were two men at her door. She said the men were trying to sell her internet services and would not leave her property for 20 minutes. Officer Ferrigine conducted an area canvass for the men with negative results. Case clear.

Citizen assist

11:28 p.m.
Officer Ferrigine responded to the 3600 block of Gulf of Mexico Drive for a water line that broke in an apartment unit. The text of the call stated the caller was elderly and was too weak to turn the valve off. Upon arrival, Officer Ferrigine noticed a heavy amount of water coming down from the ceiling into the garbage area from under the unit. Officer Ferrigine met with the caller who appeared to be confused about the issue. Longboat Key Fire Department responded and was able to turn the water off. The caller had over an inch of standing water in his unit. The Fire Department was able to get some of the water out of the unit for the night while a clean up crew can respond in the morning. Case clear.

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Editor Letters



Letters, from page 7

enterococci value is 80, that is well below the Class III marine threshold, but above the bathing beach criteria. Perhaps rather than “Stay out” you could have that label for values that exceed Class III marine (130) and have another label for values between 71 and 130?

This has always been the dynamic tension for enterococci values – should bathing beach criteria be used to keep people out of the water when most people are not using those areas as bathing beaches? For the Palma Sola Causeway, I think that 71 makes sense. But for Bayfront Park and the Bridge Street Pier, I’ve never seen anyone swimming in those waters (although they might). Just a thought – it’s your data, and you folks do a great service for us!

Dave Tomasko
Executive Director
Sarasota Bay Estuary Program

Suncoast Waterkeeper Results

To: Sarasota Bay Estuary Program Dave Tomasko
Thank you, Dave, for your compliment and feedback. We understand the difference between the standards set for swimmable, bathing beaches and Florida water quality standards for Class III waters. Waterkeepers’ goals align with the goals of the Clean Water Act, which are fishable, swimmable, and drinkable waters. Therefore, we have conscientiously chosen to use the swimmable criteria for data interpretation. We post our results to the Swim Guide, our website, and social media, and we send them out via this email thread. Our goal is to inform the public of the potential risks of swimming in local waters. Just because an area is not deemed a bathing beach, doesn’t mean that people aren’t swimming in the water. Our site selection criteria dictate that surveyed waters must have high recreational use and are not already impaired for bacteria.

Finally, our monitoring results were recently approved to be added to the WIN database. Therefore, the results will be helpful with the Class III waters interpretation that the state uses. That said, I will re-examine the language used in our new graphic to see how we can better communicate our swimmable interpretation.

Abby Tyrna
Executive Director
Suncoast Waterkeeper

Background Materials on Vacation Rental Ordinance

To: Maxwell Brandow
Good morning and thanks for sharing. We cannot include the attached info as back up since the item is already completed and posted, however, I have copied the City Commissioners so they too have the information. Just so you know, we do understand the economic impact of vacation rentals just as we know problems can/do occur, however, the agenda item as put for-

ward by Commissioner Ahearn-Koch is not a prohibition of vacation rentals on the mainland but to register and ensure compliance as is done on the keys. Thanks sharing and all the best.
Marlon Brown
City Manager
City of Sarasota

Background Materials on Vacation Rental Ordinance

To: Sarasota City Manager Marlon Brown
Hope all is well. I was looking over the background materials for the vacation rental ordinance for next week’s meeting and I wanted to send along an actual study on the benefits vacation rentals have on the local economy, just to balance out the conversation. I’m hoping this study from the University of Central Florida Rosen School of Hospitality can be included in background materials as well. While we plan on submitting official comment on the ordinance later this week, I think it’s important the Commission has information provided to them consisting of more than just background materials that paint vacation rentals in a negative light.

The attached study, on page 31, gives a brief overview of the positive economic impact vacation rentals have on our region. If staff and the commission are interested, the study goes into further detail on the direct dollar benefits vacation rentals provide to individual industries in the local economy.

Max Brandow
Vice-President of Advocacy and Member Programs
REALTOR® Association of Sarasota and Manatee, Inc.

Styrofoam litter especially styrofoam packing peanuts

To: Sarasota City Commission
My husband and I live in the One Watergate building and walk the Ringling Bridge most days. We are always alarmed at the quantity of styrofoam that we pick up on our walks, be it on the grass verges at either end or on the bridge itself. We always pick it up because we know that the next gust of wind is likely to blow it into our beautiful Bay where it will forever float. Estimates for the breakdown of styrofoam range from 500 to one million years.

I am asking the Sarasota City Commission to please take this toxic litter seriously and help to implement and enforce a policy that requires all trailers and trucks to have a covered load. These light styrofoam items are blowing up and out of trailers hauling rubbish.

Please would you acknowledge my email and confirm that you will give this matter consideration. This toxic litter is both environmentally damaging, but also damaging to the appearance of our beautiful city. With thanks and kind regards

Susan Nacev
Sarasota

See Letters, page 14

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SARASOTA, FLORIDA

StayingAlive

How much booze is best?

Is moderate drinking good for you? Does consistent imbibing of a glass a day prevent Alzheimer’s? Heart disease and stroke? Or is drinking booze more akin to radiation, where there is not yet a clear “safe” dose?

MATTHEW EDLUND
Guest Columnist
Edlundr@lbknews.com

Take a recent study in the British Medical Journal following British civil servants over thirty years. As a group they may have a more consistent lifestyle than most. Coming out at an average age of 43, those who claimed to drink 5-8 drinks a week were three times as likely to show a shrunken hippocampus on MRI than those who didn’t. The more they drank, the smaller their hippocampi.

The hippocampus is critical to memory function. Not just anatomy was changed, however. The measure “lexical fluency,” how many words you can come up with from a single letter, got worse the more people drank to drink, in a fine dose response fashion. The study has been criticized for involving mainly males (women metabolize alcohol quite differently) and for not showing a direct link to Alzheimer’s. What it and other studies have shown is that cognition takes a hit with even very low dose alcohol.



MATTHEW EDLUND



Booze in the Body

Alcohol has long been recognized as increasing the risk of many cancers. The British (they are indeed interested in drink) Million Women Study tried to look at just how alcohol affected a very large cohort. In that group, average consumption was about 8 grams of alcohol a day, what you might get in a small glass of wine.

Alcohol appeared to decrease the risk of kidney and thyroid tumors. However, the increase in breast cancer, oral cancer and rectal cancer completely overwhelmed the small decreases seen in the less common tumors. One drink a day increased the risk of combined breast, rectal, and oral about 13%, while drinking two drinks doubled the risk.

Alcohol’s effect was far less than what would be expected from tobacco. Yet people in general know tobacco causes tumors. They are far less aware of alcohol’s effect on cancer.

Booze for the Heart

For many years, physicians were taught that alcohol was a pan toxin. It killed muscle cells, heart cells, liver cells, brain cells. Drinking might be fun, but if alcohol appeared as a new drug, the FDA would ban it quickly.

And then in the mid-nineties Richard Peto’s and Richard Doll’s study of British doctors born early in the twentieth century appeared. It argued that ischemic heart disease, the sort that causes angina and heart attacks, might decline as much as a third when people drank “moderately.” Sir Richard Doll was then one of the most famous epidemiologists in the world. He had shown how tobacco caused lung cancer in the 1950s, and Richard Peto is now equally well known. Many other studies began coming out purporting to show low dose alcohol decreased ischemic heart disease, though not overall mortality. Longer term studies proved more equivocal.

So it was not a surprise when the NIH declared it would spend 100 million dollars to fund a study asking whether alcohol prevented heart disease.

The surprise came when it was recognized who was paying for it. Most of the money comes from distillers and drinks makers. The New York Times noted many of the people doing the study were formerly supported by the drinks industry. Further, the subjects to be looked at, folks of 50 and older who were or are at are high risk for heart disease, would set a rather low bar for determining whether alcohol “prevented” heart disease.

So we have to look at how this kind of research is funded. Would the NIH get \$100 million directly from Congress for such a study? Don’t bet on it. Is it probable alcohol researchers are sometimes supported by industry? Given lack of political support for epidemiologic research, it’s likely.

So this is an expected development, but not a welcome one. This kind of monetary support traditionally biases research, often in ways that the people doing the work at not conscious of.

Plus it gets the imprimatur of the NIH. That industry wants to do this work makes sense – they have hundreds of billions at stake.

Alcohol and Health

Most people picking up a drink are not contemplating how it might decrease their risk of ischemic heart disease. People drink for myriad reasons; because they are depressed and anxious; to forget sorrows; to celebrate; to enjoy conversations with friends; to relax; to sexually uninhibit; to enjoy the infinite tastes of fine wine; to get plastered.

Yet recently alcohol has received a relatively good health related press. That it might cut back on heart disease, presently America’s number one killer, has been a great boon to industry. That it increases the risk of what may soon be the number one killer, cancer, particularly common cancers like colon and breast, is not something people want to hear. Nor do they like to know that alcohol may increase their risk of dementia, though it has been acknowledged for centuries that heavy drinking leads to a very specific form of alcoholic dementia. For Alzheimer’s scares people. A lot.

In the U.S., the average adult imbibes 1.6 drinks a day. In Europe, it’s more like 2 drinks a day. While moderate drinkers at risk of heart disease may benefit with less heart attacks and angina, there is little to suggest their overall mortality declines. If public health is the consideration, evidence is growing that alcohol, like radiation, may ultimately not have a “safe” dose. If the results of alcohol provoking dementia strengthen, the present public sense of safety may take another hit.

Is America ready for mass, voluntary teetotaling?

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WineTimes

Less Well-Known Wine Varietals

Wines made from the red grape Cabernet Sauvignon have the greatest sales volume overall in California and in the USA. Sales of the varietal Chardonnay exceed those of any other white wine. These frontrunners have maintained their rankings in California sales volume for decades.

S.W. and Rich Hermansen
Guest Writers
wine@lbknews.com

Two varietals dominate sales of California wines. Wines made from the red grape Cabernet Sauvignon have the greatest sales volume overall in California and in the USA. Sales of the varietal Chardonnay exceed those of any other white wine. These frontrunners have maintained their rankings in California sales volume for decades.

A varietal in the USA must contain at least 75% of the grape variety that gives it its name. Buyers of California wine prefer varietals to blended wines (cuvée). Varietals made from the red grape Pinot Noir and from the white grape Sauvignon Blanc follow Cabs and Chards in rankings of wine sales.

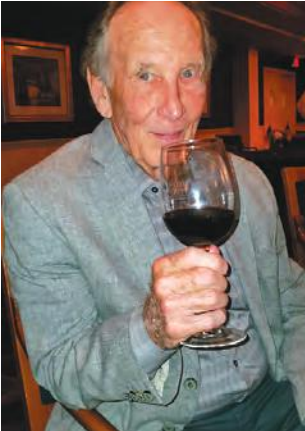
Grapes in the best-selling California varietals have descended from French grape varieties. These grape varieties continue to account for a lion's share of sales of French wines, although often after blending with other varieties of wines. French winemakers excel at the art of blending small proportions of minor blending wines, such as Petit Verdot in red Bordeaux or Semillon in white Bordeaux, with large proportions of one of more wine varieties, such as Cabernet Sauvignon, Merlot, and Cabernet Franc in red Bordeaux or Sauvignon Blanc in white Bordeaux. The purpose of blending is to balance the color, aroma, or taste of wines. For instance, Petit Verdot adds color and intensity to red Bordeaux and Semillon softens the edges of white Bordeaux.

In contrast to the tradition of blending wine varieties in Bordeaux, winemakers in the Burgundy region would be no more likely to blend another variety with Pinot Noir or Chardonnay than a French Chef would choose to serve ketchup with Sole Meunière. These traditions continue in French (and California) winemaking but not as consistently elsewhere.

Outside France and California, winemakers produce varietals that repurpose French minor blending grapes as a single grape varietal, or indigenous grapes, or transplanted grapes that had gained a local identity after a century or more. Some of the less well-known varietals have become more widely available in wine shops and familiar to many wine buyers. Other varietals have less visibility. Knowing more about these varietals may help expand the horizons of less widely exposed or more tentative wine drinkers.

Varietal Malbec has such general name recognition as an Argentine or Chilean red wine that many devoted Malbec drinkers don't realize that the grape originated in France. Winemakers in the Cahors region produce Malbec as a varietal. Growers in regions such as Mendoza follow the lead of Cahors and produce huge quantities of varietal Malbec. In the blazing afternoon sun and arid altitudes of the Andes, Malbec develops black stone fruit aromas and tastes. Similarly, Shiraz (Syrah) and Grenache, originally from the Rhône Valley of France, have succeeded in Australia as varietals as well as blends. The dry and hot vineyards of Southeastern Australia concentrate the flavors of these red grapes and make ripe and robust red wines.

Classic Italian varietals have popular names quite different from the names of the grapes they contain. Many wine buyers recognize the label "Chianti", but few connect it to the Sangiovese grape, a variety that appears to date back to the Etruscans in Tuscany prior to the Romans. Among the many varietal wines other than Tuscan Chianti Classico that contain Sangiovese grapes, Rosso di Montalcino, Brunello di Montalcino, and Vino Nobile di Montepulciano stand out. The thin-skinned Sangiovese grape produces wines with lighter red colors than Cabernet Sauvignon, Syrah, and Malbec, yet with intense red fruit tastes and a savory finish. It drinks early, and the premier Sangiovese wines age well up to a decade in the barrel and bottle. North and west of Tuscany, the Barolo, Barbaresco, and Langhe regions of the Piedmont have better name recognition than the Nebbiolo grape that winemakers in those regions use to make wines that rival Burgundy and Bordeaux classics. Nebbiolo produces wines of lighter color than Bordeaux or Syrah/Shiraz, with floral and fruit aromas and tastes, but with dry acidity, tannic structure, and a light, tart aftertaste that lingers in the mouth. In contrast to the predominance of red wine in Tuscany and the Piedmont, an Italian white varietal of



the Vermentino grape in Sardinia stands up well to French white Burgundies (Chardonnay) such as Chablis and Pouilly-Fuissé and white wine blends from the Rhone Valley. Bordering mountains in southern France, French Pinot Gris and northeastern Italian Pinot Grigio share a common heritage. Pinot Grigio in the USA has greater name recognition than Pinot Gris or Pinot Blanc from the Alsace and neighboring Germany. Pinot G, as some call it, has the clean first taste and high acidity of an aperitif.

On the Iberian Peninsula, Spain and Portugal also border France but have their own unique varietals. The Tempranillo grape grown in the Rioja and the Ribera del Duero regions in northcentral Spain has a lead role in the cast of Spanish premier wines. The grape survives in hot and arid summers and resists diseases that decimated vines transplanted from France during the 18th century. The deep red Tempranillo produces intense wine with a strong structure of tannins. The varietal ages well and has dark fruit aromas and savory tastes reminiscent of red Bordeaux and Merlot, but without grassy or bland overtones. An aged Tempranillo pairs beautifully with the lamb, pork, and beef dishes of Northern Spain.

Just southwest of the Ribera del Duero region, vineyards in Rueda (pronounced Rude ah) grow the Verdejo grape, and winemakers use it to make the Verdejo varietal. This floral and delicate white wine has an avid and growing following. It pairs nicely with shell and fin fish from the Atlantic.

Many of the better Portuguese red wines blend local grapes. The white varietal Albarinho (Albariño in Spain) comes from the Vinho Verde region in Portugal and the Rias Baixas region in Spain, both within the historic Galicia area. Once thought to be descended from the variety Riesling as suggested by similar aromas, recent genetic testing shows the grape variety originated in Galicia. Like Riesling, Albarinho/ Albariño has more body than lighter white wines and some aging potential. The wines complement seafood, especially mussels, oysters, and squid, and Burrata, Feta, Manchego, and Gouda cheeses.

We hope that you will have a chance to enjoy less well-known varietals at wine tastings, restaurants, and social events. Argentine Malbec, Chianti with a black rooster on the foil, Barolo, Vermentino, Tempranillo, Verdejo, and Albarinho/Albariño often have lower prices than other comparable wines. All the more reason to buy them.

S. W. Hermansen has used his expertise in econometrics, data science and epidemiology to help develop research databases for the Pentagon, the National Institutes of Health, the Department of Agriculture, and Health Resources and Services. He has visited premier vineyards and taste wines from major appellations in California, Oregon, New York State, and internationally from Tuscany and the Piedmont in Italy, the Ribera del Duero in Spain, the Barossa Valley and McLaren Vale in Australia, and the Otago Valley in New Zealand. Currently he splits time between residences in Chevy Chase, Maryland and St. Armand's Circle in Florida.

Rich Hermansen selected his first wine list for a restaurant shortly after graduating from college with a degree in Mathematics. He has extensive service and management experience in the food and wine industry. Family and friends rate him as their favorite chef, bartender, and wine steward. He lives in Severna Park, Maryland.

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Editor Letters



Letters, from page 11

Styrofoam litter especially styrofoam packing peanuts

To: Susan Nacev
First of all, thank you for picking up styrofoam along our waterfront and parks.
Per your email on "styrofoam regulations for trucks and trailers to have a covered loads." I have copied the City Attorney to respond accordingly as to what entity has the authority to regulate something like this. I suspect it is not the City of Sarasota but could be wrong.
Thanks again for caring about our City and our waterways! I am sure we will get clarity for the City Attorney soon.
Jen Ahearn-Koch
City Commissioner
City of Sarasota

Styrofoam litter especially styrofoam packing peanuts

To: Susan Nacev
I think that the decision of whether or not to adopt and enforce a regulation that requires a truck or trailer to have a covered load is one that has to be made by the State of Florida. The reason I say that is because of the Uniform Traffic Control Law (Chapter 316 Florida Statutes). That law provides that it is the intent of the Florida Legislature to make uniform traffic laws that apply throughout the state in all of its counties and municipalities. This applies to regulations impacting moving motor vehicles. I think that this probably does make sense under the circumstances, so that these regulations will be uniform state wide. There is a list of traffic and parking related rules or regulations in the statute that counties and cities are specifically authorized to adopt, but I do not see that a regulation of this nature is on that list.
I haven't had the opportunity to check to see whether there is already such a law in existence at the state level, but will do that. If there is such a statute, local law enforcement officers would be authorized to enforce it. (in addition to the state Highway Patrol).
Robert M. Fournier
City Attorney
City of Sarasota

Styrofoam litter especially styrofoam packing peanuts

To: Sarasota City Attorney Robert Fournier
Thank you Mr. Fournier for your time looking into this matter. Thank you too, Jen, for facilitating Mr. Fournier's legal expertise. I look forward to learning more and am hopeful that covered loads can be enforceable to help protect

against pollution of our waterways and beautiful city.
Susan Nacev
Sarasota

Styrofoam litter especially styrofoam

To: Susan Nacev
My hunch that there might be a provision in Chapter 316 of the Florida Statutes to address this situation turned out to be correct. Section 316.520(2) provides that "It is the duty of every owner and driver, severally, [Severally here meaning that both are responsible and one can't blame the other] of any vehicle hauling, upon any public road or highway open to the public, dirt, sand, lime rock, gravel, silica, or other similar aggregate or trash, garbage, any inanimate object or objects, or any similar material that could fall or blow from such vehicle, to prevent such materials from falling, blowing, or in any way escaping from such vehicle. Covering and securing the load with a close-fitting tarpaulin or other appropriate cover or a load securing device meeting the requirements of 49 C.F.R. s. 393.100 or a device designed to reasonably ensure that cargo

will not shift or fall from the vehicle is required and shall constitute compliance with this section.
I believe that SPD is authorized to issue citations for violations of the Uniform Traffic Control Law. I can ask the Police Legal Advisor to see if it might be possible to work in a mention of the statute if it isn't being done already in one of the training/review sessions.
Per subsection (3) of the statute a violation is a noncriminal traffic infraction, punishable as a nonmoving violation as provided in Chapter 318 Florida Statutes. However, if a willful violation of the above quoted subsection (2) results in serious bodily injury or death to an individual this is a criminal traffic offense and a second degree misdemeanor.
There is an exception for vehicles carrying agricultural products locally from a harvest site or to or from a farm on roads where the posted speed limit is less than 65 mph.
Robert M. Fournier
City Attorney
City of Sarasota

KeyCrossword



Kirk at the Movies

Edited by Linda and Charles Preston

ACROSS

- 1 _____ donna
- 6 Connelly and Chagall
- 11 Poked fun at
- 17 AA affiliate
- 18 Intrinsically
- 20 Solvent ingredient
- 21 Douglas/Lancaster film
- 24 Russian pianist Gilels
- 25 Thurman, of "Pulp Fiction"
- 26 Country singer Buck
- 27 Mom's bros.
- 28 No, no and no
- 30 Coke and Pepsi, e.g.
- 32 "Olympia" painter
- 34 Licensed bookkeeper, for short
- 35 Ease off
- 36 Family in a Steinbeck novel
- 37 Douglas/Quinn film
- 46 Comics canine
- 47 _____ Domingo, Dominican Republic
- 48 Crack filler
- 49 Not at home
- 51 Tough spots
- 53 Country route abbreviations
- 54 Harbor protector
- 55 Puppeteer Lewis
- 57 Scot. neighbor
- 58 Goose eggs
- 60 Hurok and Linowitz
- 61 Tower of London attendants
- 62 Douglas/Marshall film
- 66 Striped or ringed
- 69 Escape hatch, of a sort
- 70 Tennis' Mandlikova
- 71 _____ Na Na
- 74 Atlanta university
- 75 Cutlass
- 77 Shucks starters
- 78 Like tissue
- 80 Peeples, of "Fame"
- 81 ORD, to airlines
- 82 Secrete
- 84 Bathe
- 85 Douglas/Angell film
- 90 Hemidemisemi-quaver
- 91 Plant anchor
- 92 Rand, of "Atlas Shrugged"
- 93 Ham's device
- 95 Runways
- 98 Italian food
- flavoring herb

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- 102 Sky related
- 103 Indifferent gesture
- 104 Boozehound
- 105 Take _____: accept accolades
- 106 Douglas/Charisse film
- 112 Penurious
- 113 Surface sheen
- 114 "All You _____ Love"
- 115 TV's "_____ at a Time"
- 116 Eisenhower or Johnson
- 117 Literary libertine and sexy singer
- 11 "Arabian Nights" bird
- 12 UN workers agency
- 13 Where Tutsis and Hutus struggle
- 14 City on the Aare
- 15 Legislate
- 16 Monte and Rio lead-ins
- 17 Matured
- 19 Cad
- 20 Hwy. vehicles
- 22 "_____ Pinafore"
- 23 Switch positions
- 29 Likely
- 30 Fulminates
- 31 The scoop
- 32 Monastery member
- 33 Say _____: doctor's order
- 35 Kind of shopping or dressing
- 36 Cancer's time
- 37 Ear part
- 38 Advantage server
- 39 Spill the beans
- 40 Great Brave Hank
- 41 Wildcat
- 42 Quemoy's neighbor
- 43 Beer belly
- 44 Good farm soil
- 45 Tackle box item
- 50 _____ Lizzie
- 52 Black, as a chimney
- 54 Rockefeller, of Standard Oil
- 55 Assail
- 56 Large barge
- 59 See red?
- 60 Typical beginning?
- 61 Yang's partner
- 62 Lobscouser, in Liverpool
- 63 Walrus tusks
- 64 Frustrate
- 65 No longer in
- 66 Buddhist sect
- 67 Leave unmentioned
- 68 Nautical zookeeper
- 71 Eastern European
- 72 Possess
- 73 War god
- 75 Loafer or mule
- 76 All-out battle
- 77 Pal of Porthos
- 79 Lengthened
- 81 "Beetle Bailey" pooch
- 82 Knock it off!
- 83 Encourages
- 86 Talented
- 87 _____-disant: self-styled
- 88 Warship
- 89 Drain cleaner
- 93 Gain anew
- 94 Cropped up
- 95 Librarian's admonitions
- 96 _____ the light fantastic
- 97 Charge
- 98 Admirer's sound
- 99 Dwelling
- 100 "_____ the Hour": Crosby tune
- 101 Possesses
- 102 Sphere starter
- 103 Wild blue yonder
- 104 Getz or Laurel
- 107 Ruth or Lundgren stat
- 108 Tarzan Ron
- 109 Turn thumbs down
- 110 _____ roll
- 111 Irish actor Stephen

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