

(C) (1) IT HAS BEEN AND SHALL CONTINUE TO BE THE POLICY OF THIS STATE TO AUTHORIZE EACH CODE COUNTY TO SUPPLANT ~~DISPLACE~~ OR LIMIT COMPETITION IN THE AREA OF PORT REGULATION TO PROVIDE FOR SAFE HARBORS, FREE OF CONGESTION AND NAVIGATIONAL HAZARDS, TO PROVIDE BENEFITS TO COUNTY CITIZENS BY PROTECTING MARINE LIFE AND WILDLIFE AND TO AVOID WATER POLLUTION AND EROSION.

(2) EACH CODE COUNTY HAS THE AUTHORITY TO GRANT ONE OR MORE FRANCHISES OR ENTER INTO CONTRACTS FOR THE PLACEMENT, ERECTION OR CONSTRUCTION OF STRUCTURES WITHIN OR ON THE WATERS OF THE COUNTY, INCLUDING BUT NOT LIMITED TO THE ISSUING OF LICENSES FOR WHARVES OR PIERS-~~OR~~, OR THE ISSUING OF PERMITS FOR MOORING PILES, FLOATING WHARVES, BUOYS OR ANCHORS, NOTWITHSTANDING ANY ANTICOMPETITIVE EFFECT.

(D) (1) IT HAS BEEN AND SHALL CONTINUE TO BE THE POLICY OF THE STATE TO AUTHORIZE EACH CODE COUNTY TO SUPPLANT ~~DISPLACE~~ OR LIMIT COMPETITION IN THE AWARD OF CONCESSIONS ON, OVER OR UNDER PROPERTY OWNED OR LEASED BY THE COUNTY AND IN THE LEASING OR SUBLEASING OF PROPERTY OWNED OR LEASED BY THE COUNTY IN ORDER TO UTILIZE PROPERLY THE ASSETS OF THE COUNTY FOR THE BEST PUBLIC PURPOSE; TO PROVIDE NECESSARY OR DESIRABLE GOVERNMENTAL SERVICES AT THE LOWEST POSSIBLE COST; TO PROTECT THE PUBLIC FROM UNSCRUPULOUS BUSINESS PRACTICES AND EXCESSIVE PRICES; TO PROVIDE FOR THE ACCESSIBILITY TO PUBLIC PROPERTY BY AS MANY CITIZENS AS POSSIBLE; AND TO PROMOTE THE GENERAL WELFARE BY UTILIZING PUBLIC PROPERTY FOR THE BENEFIT OF THE CITIZENS OF THE COMMUNITY.

(2) EACH CODE COUNTY HAS THE AUTHORITY TO SUPPLANT ~~DISPLACE~~ OR LIMIT COMPETITION BY GRANTING ONE OR MORE FRANCHISES FOR ANY CONCESSION ON, OVER OR UNDER PROPERTY OWNED OR LEASED BY THE COUNTY ON AN EXCLUSIVE OR NONEXCLUSIVE BASIS, TO CONTROL PRICES AND RATES FOR SUCH FRANCHISES; AND TO ESTABLISH RULES AND REGULATIONS TO GOVERN THE OPERATION OF THE FRANCHISES AND FOR THE ENFORCEMENT THEREOF; AND TO LEASE OR SUBLEASE PUBLICLY OWNED OR LEASED LAND IMPROVEMENTS TO LAND OR BOTH ON TERMS TO BE DETERMINED BY THE COUNTY OR COUNTIES WITHOUT REGARD TO ANY ANTICOMPETITIVE EFFECT.

(E) THE POWERS GRANTED BY TO ANY COUNTY PURSUANT TO THIS SECTION SHALL NOT BE CONSTRUED:

(1) TO GRANT TO SUCH COUNTY POWERS IN ANY SUBSTANTIVE AREA NOT OTHERWISE GRANTED TO SUCH COUNTY BY OTHER PUBLIC GENERAL OR PUBLIC LOCAL LAW;

(2) TO RESTRICT SUCH COUNTY FROM EXERCISING ANY POWER GRANTED TO SUCH COUNTY BY OTHER PUBLIC GENERAL OR PUBLIC LOCAL LAW OR OTHERWISE; ~~AND~~

(3) TO AUTHORIZE SUCH COUNTY OR ITS OFFICERS TO ENGAGE IN ANY ACTIVITY WHICH IS BEYOND THEIR POWER UNDER OTHER PUBLIC GENERAL LAW, PUBLIC LOCAL LAW, OR OTHERWISE-- - ; OR