

ORDINANCE NO. 2023-008

AN ORDINANCE RELATING TO ST. LUCIE COUNTY CODE AREA OF ENFORCEMENT CHAPTER 50 WATER SERVICES ARTILE II – VESSEL RENTAL AND WATER SAFETY; AMENDING DEFINITON OF IDLE SPEED, AREA OF ENFORCEMENT PROVIDING FOR PENALTIES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, boating safety concerns were brought to the attention of St. Lucie County officials around the River Park Marina; and

WHEREAS, Florida Statutes §327.46(1)(b) authorizes St. Lucie County to establish Idle Speed No Wake boating safety zones by ordinance without additional agency approval within 500 feet of public boat ramps and

WHEREAS, St. Lucie County has elected to establish Idle Speed No Wake boating safety zones around the River Park Marina.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. LUCIE COUNTY FLORIDA:

ARTICLE II – St. Lucie County Ordinance No. 98-006 and Chapter 23, Waterways, of the St. Lucie County Florida Section 50-23 Definitions, Section 50-24 Area of Enforcement, and Section 50-30 Penalty are hereby amended by establishing the following boating restrictions.

Sec. 50-23. - Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Bather through Floating Vendor – Remain the Same.

Idle speed- Pursuant to Florida Administrative Code Chapter 68D-23.103, "Idle Speed No Wake" and "Idle Speed" may be used interchangeably and mean that a vessel must proceed at a speed no greater that which will maintain steerageway and headway. At no time is any vessel required to proceed so slowly that the operator is unable to maintain control north of North Causeway Island Banty Saunders Waterway and east of River Park Marina.

Littoral Waters through Water Skier – Remain the Same

Sec. 50-24 – Area of enforcement.

The area of enforcement of the provisions of this article shall be all public navigable waters, creeks, bayous, canals, and channels, whether natural or manmade, located within the unincorporated areas of the county, including all public waters within the jurisdiction of the county in which the tide ebbs and flows. This article shall also apply to all public navigable waters, creeks, bayous, canals and channels which are contiguous to county owned beaches, parks and recreational areas located within the incorporated areas. This article does not apply to the Florida Intracoastal Waterway.

This subsection shall create an Idle Speed No Wake boating safety zone for Banty Saunders Waterway No Wake Zone approximately 500 feet north, as depicted in the attached Exhibit "A" and River Park Marina No Wake Zone approximately 500 feet east, as depicted in the attached Exhibit "B".

Sec. 50-30. - Penalty.

The provisions of this section may be enforced by any law enforcement officer as defined in Section 943.10, Florida Statutes. Pursuant to Section 327.73, Florida Statutes, any person cited for a violation of any such provision shall be deemed to be charged with a noncriminal infraction, shall be cited for such an infraction, and shall be cited to appear before the county court. The civil penalty for any such infraction is \$50, except as otherwise provided for allowable county court costs for boating infractions. Where a statute or administrative rules are referenced herein, this shall mean the most recently adopted version of said statute and administrative rules. For violations of section 50-27, the county may initiate enforcement procedures pursuant to F.S. ch. 162.

PART B. SEVERABILITY AND APPLICABILITY.

It is declared to be the intent of the Board of County Commissioners of St. Lucie County, that if any section, subsection, sentence, clause, or provision of this ordinance be held invalid, the remainder of the ordinance shall not be affected.

PART C. FILING WITH THE DEPARTMENT OF STATE AND EFFECTIVE DATE.

This ordinance shall take effect upon filing with the Department of State.

PART D. ADOPTION.

After motion and second, the vote on this ordinance was as follows:

Commissioner Cathy Townsend, Chair	AYE
Commissioner Linda Bartz, Vice Chair	AYE
Commissioner Chris Dzadovsky	AYE
Commissioner Larry Leet	AYE
Commissioner Jamie Fowler	AYE

PART E. CODIFICATION.

Provisions of this ordinance shall be incorporated in the Code of Ordinances of St. Lucie County, Florida, and the word "ordinance" may be changed to "section," "article," or other appropriate word, and the sections of this ordinance may be renumbered or relettered to accomplish such intention; provided, however, that Parts B through E shall not be codified.

PASSED AND DULY ADOPTED this 1st day August, 2023.

ATTEST:

Vera Smith
Deputy Clerk

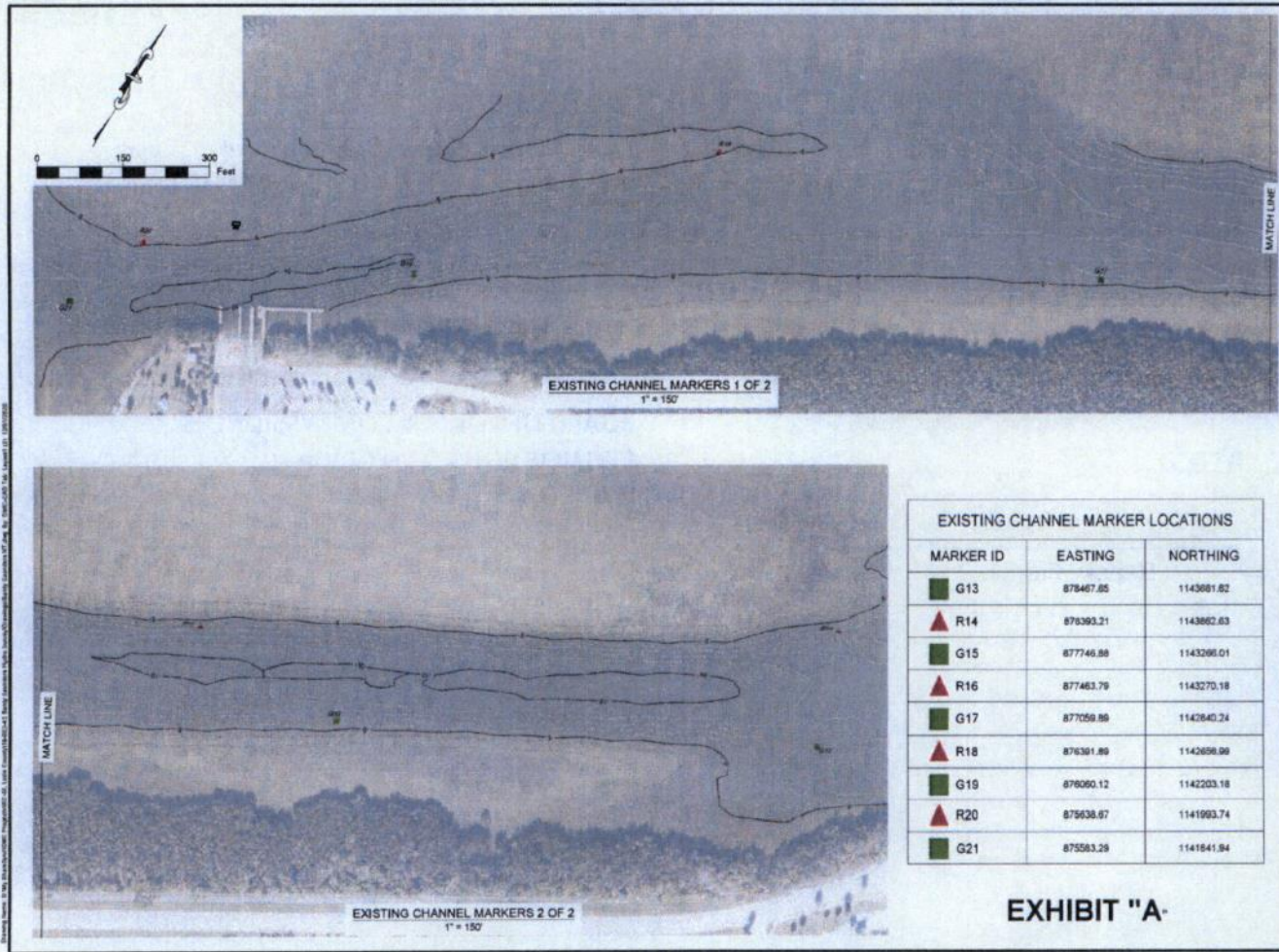


**BOARD OF COUNTY COMMISSIONERS
ST. LUCIE COUNTY, FLORIDA**

BY: Cathy Townsend
Chair

**APPROVED AS TO FORM AND
CORRECTNESS:**

BY: Assy
County Attorney



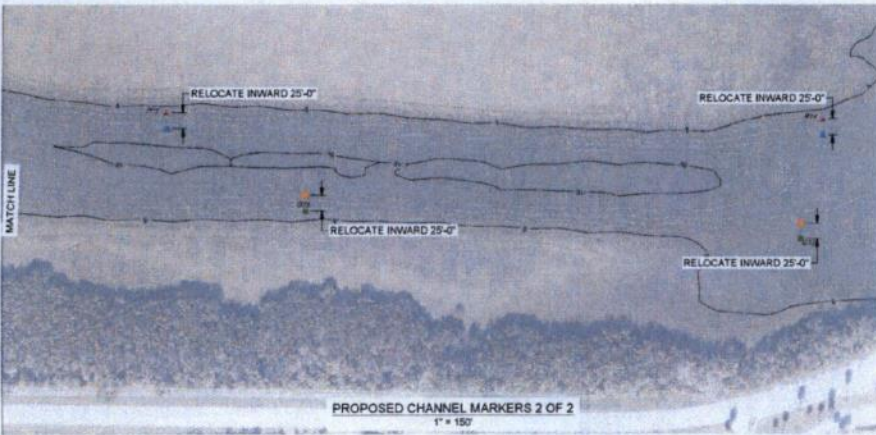
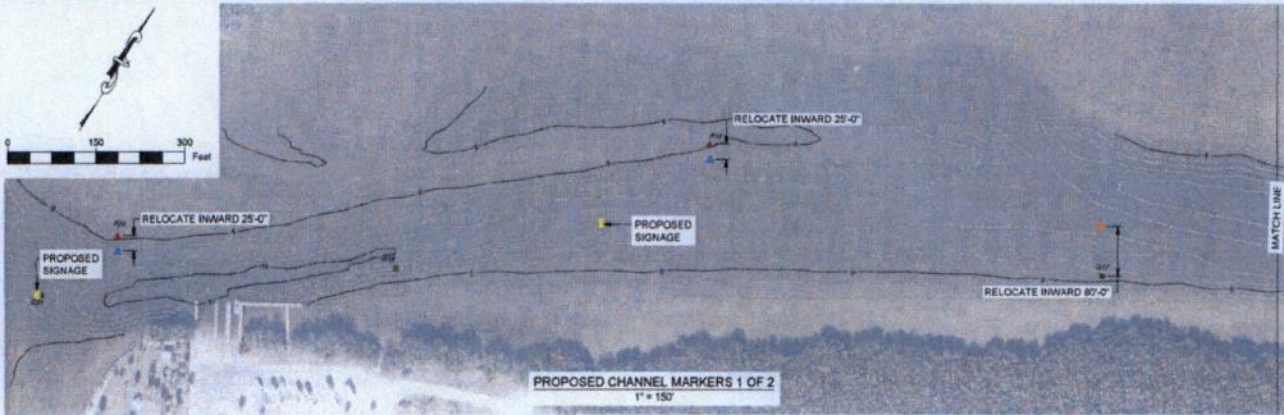
EXISTING CHANNEL MARKER LOCATIONS		
MARKER ID	EASTING	NORTHING
G13	878467.85	1143681.82
R14	878393.21	1143862.63
G15	877746.88	1143286.01
R16	877463.79	1143270.18
G17	877059.88	1142840.24
R18	876301.89	1142699.99
G19	876050.12	1142203.18
R20	875638.67	1141993.74
G21	875583.28	1141841.84

EXHIBIT "A"

PROJECT NAME: EXISTING CHANNELS 1 & 2
 PROJECT NO: 18-00043
 DATE: 12/1/18
 CLIENT: ST. LUCIE COUNTY
 PROJECT LOCATION: BANTY SAUNDERS CHANNEL
 MARKERS RELOCATION
 PROJECTED BY: [Signature]
 CHECKED BY: [Signature]
 DATE: 12/1/18
 PROJECTED BY: [Signature]
 CHECKED BY: [Signature]
 DATE: 12/1/18

DMC
 ENGINEERS & SCIENTISTS
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PROPOSED CHANNEL MARKER LOCATIONS

MARKER ID	EASTING	NORTHING
G13	878453.82	1143702.31
R14	878407.24	1143841.94
G15	877732.85	1143286.70
R16	877477.82	1143249.49
G17	877014.99	1142906.45
R18	876405.92	1142638.30
G19	NO CHANGE	NO CHANGE
R20	875652.70	1141873.05
G21	NO CHANGE	NO CHANGE

PROPOSED SIGNAGE

IDLE SPEED NO WAKE	EASTING	NORTHING
	876310.01	1142452.74
G21	875583.29	1141841.94

PROJECT NAME: BANTY SAUNDERS CHANNEL MARKERS RELOCATION

CLIENT: ST. LUCIE COUNTY

PROPOSED CHANNEL LOCATIONS 1 & 2

DATE: 10-20-23

SCALE: AS SHOWN

PROJECT NO: C-02

DESIGNED BY: DMC

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APPROVED FOR CONSTRUCTION

Exhibit B

