

39 The following words and phrases, when used in this article, shall have the
40 meanings ascribed to them in this section, except where the context otherwise
41 requires:

42 *Enforcement officer* means all duly authorized law enforcement officers
43 trained in water and maritime law enforcement, to include, but not be limited to:
44 the county sheriff and his duly appointed representatives, the U.S. Coast Guard,
45 FWC, and the U.S. Fish and Wildlife Service.

46 *Manatee protection zone* means any area which has been posted with
47 cautionary and regulatory speed zone markers pursuant to the Florida Manatee
48 Sanctuary Act, §379.2431(2), F.S..

49 *Operate* means to be in charge of, in command of, or in actual physical
50 control of a vessel upon the waters of this state, to exercise control over or to have
51 responsibility for a vessel's navigation or safety while the vessel is underway upon
52 the waters of this state, or to control or steer a vessel being towed by another
53 vessel upon the waters of the state.

54 *Regulatory marker* means a device used to alert the mariner to various
55 regulatory matters such as horsepower, speed, wake, or entry restrictions in
56 conformity with the Florida Uniform Waterway Marking System and the United
57 States Aids to Navigation System, Part 62 of Title 33 of the Code of Federal
58 Regulations.

59 *Slow speed or slow speed minimum wake zone* may be used
60 interchangeably and mean that a vessel must be fully off plane and completed
61 settled into the water as set forth in §68C-22.002(4), Florida Administrative Code
62 (F.A.C.), as amended, or its successor provision. The vessel must then proceed at
63 a speed which is reasonable and prudent under the prevailing circumstances so
64 as to avoid the creation of an excessive wake or other hazardous condition which
65 endangers or is likely to endanger other vessels or other persons using the
66 waterway.

67 *Vessel* is synonymous with boat as referenced in s. 1(b), Art. VII of the State
68 Constitution and includes every description of watercraft, barge, and airboat, other
69 than a seaplane on the water, used or capable of being used as a means of
70 transportation on water.

71 Sec. 64-2. Purpose and authority of article

72 The County finds that the primary purpose of vessel speed regulations established
73 in this Chapter is manatee protection and that manatees are frequently sighted in
74 and inhabit the manatee protection zones defined herein on a periodic or
75 continuous basis, and establishing manatee protection zones by regulating vessel
76 speed and operation will increase the protection of manatees from harmful
77 collisions with vessels, as hereinafter defined, within the described protection
78 zones.

79 Sec. 64-3. Exemptions.

80 Pursuant to 68C-22.003(3), F.A.C., any person may engage in water-borne activity
81 otherwise prohibited by 68C-22, F.A.C., if such activity is reasonably necessary to
82 prevent the loss of life or property due to emergency circumstances, or to render
83 emergency assistance.

84 Sec. 64-4. Forms for administration of article.

85 The board of county commissioners shall adopt, by resolution, such forms as may
86 be necessary for administration of this article.

87 Sec. 64-5. Area of enforcement.

88 Enforcement of the provisions of this article shall be the zones identified in Section
89 64-7.

90 Sec. 64-6. Means of enforcement.

91 The provisions of this article shall be enforced by duly authorized law enforcement
92 officers within the zones identified in Section 64-7.

93 Sec. 64-7. Manatee Protection Zones

94 The county hereby establishes the manatee protection zones identified below for
95 the purpose of protecting manatees located therein. To accomplish this purpose,
96 this section establishes manatee protection zones and authorizes all subsequently
97 permitted markers, as hereinafter defined, delineating the zones. A map of the
98 Manatee Protection Zone is set forth in Exhibit A, attached hereto and incorporated
99 herein by reference.

100 (1) Slow speed zones for manatee protection purposes. Within that area described
101 as that part of the Homosassa River easterly of a line that bears 142 degrees
102 from a point (approximate latitude 28 47' 16" North, approximate longitude 82
103 36' 58" West) on the northern shoreline of the Homosassa River and westerly
104 of a line that bears 360 degrees running through the northernmost tip of the
105 western shoreline of a canal serving West Canal Drive, approximate latitude
106 28 47' 38" North, approximate longitude 82 36' 21" West), including those
107 waterways south of the river easterly of a line that bears 180 degrees from a
108 point (approximate latitude 28 47' 8" North, approximate longitude 82 36' 59"
109 West) on the northern shoreline of the waterway that intersects the river
110 southeast of "Monkey Island" (near the western terminus of West Xanadu Path)
111 all vessels shall be operated at or below slow speed at all times.

112 (2) Any owner, operator, or person in command of a vessel who permits operation
113 of such vessel in excess of slow speed in the above-designated slow speed
114 zones, shall be in violation of navigation rule 6, as adopted pursuant to §327.33,
115 F.S., except for law enforcement vessels deviating from the navigational rules
116 and posted speeds when such deviation is necessary to perform law
117 enforcement duties.

118 (3) The County Administrator, or the County Administrator's designee, shall
119 coordinate application for permits and purchase of uniform waterway markers
120 for marking of slow speed zones for manatee protection purposes.
121 Implementation and marking of the manatee protection zones described in this

122 section is contingent upon the county's receipt of all applicable state and
123 federal authorizations required to ensure compliance with Chapter 68D-23,
124 F.A.C., and the United States Aids to Navigation System; and the posting of
125 regulatory markers.

126 **Section 3. Severability.** If any section, subsection, sentence, clause, or provision of
127 this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction,
128 such invalidity or unconstitutionality shall not be construed so as to render invalid or
129 unconstitutional the remaining provisions of this Ordinance.

130 **Section 4. Modification.** The provisions of this Ordinance may be modified as a result
131 of considerations that may arise during public hearings. Such modifications shall be
132 incorporated into the final version of the ordinance adopted by the Board and filed with
133 the Clerk.

134 **Section 5. Scrivener's Errors.** Typographical errors which do not affect the intent of
135 this Ordinance may be authorized by the County without need of a public hearing by its
136 filing a corrected or re-codified copy of the same with the Clerk.

137 **Section 6. Codification.** The publisher of the County's Code of Ordinances, the
138 Municipal Code Corporation, is directed to incorporate this article into the Code of
139 Ordinances where indicated.

140 **Section 7. Effective Date.** This Ordinance shall take effect as provided by law.

141 **PASSED AND DULY ADOPTED**, in open session, with a quorum present and voting,
142 this ____ day of _____, 2022.

143 BOARD OF COUNTY COMMISSIONERS
144 OF CITRUS COUNTY, FLORIDA

145 ATTEST:

146 _____
147 ANGELA VICK, Clerk

Ronald E. Kitchen, Jr., Chairman

148 APPROVED AS TO FORM FOR THE
149 RELIANCE OF CITRUS COUNTY ONLY:

150 _____
151 DENISE A. DYMOND LYN
152 County Attorney