

ORDINANCE NO. 2022 \_\_\_\_

**AN ORDINANCE OF CITRUS COUNTY, FLORIDA, RELATING TO BOATING REGULATORY ZONES FOR THE PROTECTION OF MANATEES; AMENDING CHAPTER 64, ARTICLE I, SECTION 64-1 ENTITLED "DEFINITIONS"; AMENDING CHAPTER 64, ARTICLE I, SECTION 64-7 ENTITLED "MANATEE PROTECTION ZONES"; PROVIDING FOR SEVERABILITY; PROVIDING FOR MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Citrus County Board of County Commissioners ("Board") is the legislative and governing body of Citrus County, Florida, a political subdivision of the State of Florida, authorized to exercise governmental powers pursuant to Article VIII of the Constitution of the State of Florida and Section 125.01, Florida Statutes;

**WHEREAS**, the Board adopted Ordinance 2022-01 on January 18, 2022 adopting a new Chapter 64, Article I, entitled "Manatee Protection Zones";

**WHEREAS**, the Board adopted Ordinance 2022-A16 on March 8, 2022 amending Chapter 64, Article I;

**WHEREAS**, the Board wishes to amend Chapter 64, Article I to add an additional idle speed zone for the protection of Manatees;

**NOW THEREFORE, BE IT ORDAINED** by the Citrus County Board of County Commissioners:

**Section I. Incorporation of Recitals.** The above recitals are true and correct and are hereby incorporated by reference.

**Section 2. Amending of Chapter 64, Article I, Section 64-1 Entitled "Definitions".** Chapter 64, Article I, Section 64-1, Citrus County Code of Ordinances, entitled "Definitions" is hereby amended to add the following:

*Idle speed or idle speed no wake zone* may be used interchangeably and mean that a vessel must proceed at a speed no greater than that which will maintain steerageway and headway as set forth in §68C-22.002(1), Florida Administrative Code (F.A.C.), as amended, or its successor provision. At no time is any vessel required to proceed so slowly that the operator is unable to maintain control over the vessel or any other vessel or object that it has under tow.

**Section 3. Amending of Chapter 64, Article I, Section 64-7 Entitled "Manatee Protection Zones".** Chapter 64, Article I, Section 64-7, Citrus County Code of Ordinances, entitled "Manatee Protection Zones" is hereby amended as follows:

**Sec. 64-7. Manatee Protection Zones**

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

- (1) Slow speed zones for manatee protection purposes. Within that area described as that part of the Homosassa River easterly of a line that bears 142 degrees from a point (approximate latitude 28 47' 16.39571" North, approximate longitude 82 36' 58.33650" West) on the northern shoreline to a point (approximate latitude 28 47' 10.94648" North, approximate longitude 82 36' 53.60335" West) on the southern shoreline and westerly of a line that bears North 360 degrees running through the northernmost tip of the western shoreline of a canal serving South Amstel Drive (approximate latitude 28 47' 38.05895" North, approximate longitude 82 36' 21.05912" West) to the northern shoreline (latitude 28 47' 47.92012" North, longitude 82 36' 20.93188" West), all vessels shall be operated at or below slow speed minimum wake at all times.
- (2) Idle speed zones for manatee protection purposes. Within the area described as that part of the Homosassa River easterly of a line which bears 180 degrees from a point (approximate latitude 28 47' 3.50955" North, approximate longitude 82 37' 40.57912" West) on the northern shoreline to the northernmost point (approximate latitude 28 46' 57.81404" North, approximate longitude 82 37' 40.57912" West) of the peninsula where West Gingerly Path terminates, following the general contour of the northern shoreline, and westerly of a line which bears 0 degrees through a point 100 feet westerly of the northernmost tip of the western shoreline of Otter Creek (approximate latitude 28 46' 54.91209" North, approximate longitude 82 37' 20.20171" West) including the canals and associated waters of the residential development on the south side of the Homosassa River in Section 31, Township 19 South, Range 17 East, all vessels shall be operated at or below idle speed no wake at all times.
- (3) Any owner, operator, or person in command of a vessel found to have violated any provision of this ordinance, shall be in violation of §379.2431(2)(r), F.S., except for law enforcement vessels deviating from the navigational rules and posted speeds when such deviation is necessary to perform law enforcement duties.
- (4) The County Administrator, or the County Administrator's designee, shall coordinate application for permits and purchase of uniform waterway markers for marking of manatee protection zones. Implementation and marking of the manatee protection zones described in this section is contingent upon the county's receipt of all applicable state and federal authorizations required to ensure compliance with Chapter 68D-23, F.A.C., and the United States Aids to Navigation System; and the posting of regulatory markers.

**Section 4. Severability.** If any section, subsection, sentence, clause, or provision of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed so as to render invalid or unconstitutional the remaining provisions of this Ordinance.

**Section 5. Modification.** The provisions of this Ordinance may be modified as a result of considerations that may arise during public hearings. Such modifications shall be incorporated into the final version of the ordinance adopted by the Board and filed with the Clerk.

**Section 6. Scrivener's Errors.** Typographical errors which do not affect the intent of this Ordinance may be authorized by the County without need of a public hearing by its filing a corrected or re-codified copy of the same with the Clerk.

**Section 7. Codification.** The publisher of the County's Code of Ordinances, the Municipal Code Corporation, is directed to incorporate this article into the Code of Ordinances where indicated.

**Section 8. Effective Date.** This Ordinance shall take effect as provided by law.

87 **PASSED AND DULY ADOPTED**, in open session, with a quorum present and voting, this  
88 \_\_\_\_\_ day of \_\_\_\_\_, 2022.

89  
90 BOARD OF COUNTY COMMISSIONERS  
OF CITRUS COUNTY, FLORIDA

91 ATTEST:

92 \_\_\_\_\_  
93 ANGELA VICK, Clerk

\_\_\_\_\_  
RONALD E. KITCHEN, JR., Chairman

94 APPROVED AS TO FORM FOR THE  
95 RELIANCE OF CITRUS COUNTY ONLY:

96 \_\_\_\_\_  
97 DENISE A. DYMOND LYN  
98 County Attorney