

ORDINANCE NO. 2018- 37

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF WAKULLA COUNTY, FLORIDA, PERTAINING TO THE REGULATION OF SWIMMING AND BOATING NEAR PUBLIC BOAT RAMPS; AMENDING SECTION 23.003 OF THE WAKULLA COUNTY CODE OF ORDINANCES PERTAINING TO DEFINITIONS; AMENDING SECTION 23.010 OF THE CODE PERTAINING TO SWIMMING AT COUNTY PARKS AND COUNTY FACILITIES; AMENDING SECTION 7.060 OF THE CODE PERTAINING TO AREAS OF ENFORCEMENT; PROVIDING FOR SEVERABILITY, FOR CODIFICATION, AND FOR AN EFFECTIVE DATE.**

**WHEREAS**, some Public Boat Ramps within the County are situated such that swimming near such boat ramps is inherently dangerous, and to protect the health, safety, and welfare of the citizens of Wakulla County ("County"), the County wishes to prohibit swimming in these areas; and

**WHEREAS**, there are some Public Boat Ramps within the County at which the County wishes to allow swimming, subject to certain regulations on both boating and swimming; and

**WHEREAS**, to protect the health, safety, and welfare of both boaters and swimmers, the County wishes to require persons swimming, wading, or otherwise occupying the water within 300 feet of a public boat ramp where swimming is permitted to exit the water upon the launch or return of a vessel.

**WHEREAS**, section 327.46, Florida Statutes, permits counties to establish idle speed, no wake boating-restricted areas within 500 feet of any boat ramp available for use by the general boating public on waterways more than 300 feet in width or within 300 feet of any boat ramp, hoist, marine railway, or other launching or landing facility available for use by the general boating public on waterways not exceeding 300 feet in width; and

**WHEREAS**, in furtherance of the health, safety, and welfare of the citizens of the County and to protect persons who may be in the water nearby Public Boat Ramps, the

County wishes to establish idle speed, no wake boating restricted areas within 300 feet of any public boat ramp where swimming is permitted.

**NOW THEREFORE**, be it ordained by the Board of County Commissioners of Wakulla County, Florida, as follows:

**SECTION 1. INCORPORATION OF RECITALS.** The above recitals are true and correct and are hereby incorporated by reference.

**SECTION 2. AMENDMENT OF SECTION 23.003 OF THE WAKULLA COUNTY CODE OF ORDINANCES.** Section 23.003 of the Wakulla County Code of Ordinances, entitled "Definitions," is hereby amended as follows:

**Sec. 23.003. - Definitions.**

For the purposes of this chapter, the following words have the meaning indicated below:

\* \* \*

"Public Boat Ramp" shall mean any structure or clearing that extends to or waterward of the normal high water elevation or any structure or clearing upon which a Vessel can be launched or retrieved, which is open to use by the public.

\* \* \*

"Vessel" shall be synonymous with "boat" as referenced in Article VII, Section 1(b), Florida Constitution, and includes every description of watercraft, barge, and airboat, other than a seaplane on the water, used or capable of being used as a means of transportation on water.

\* \* \*

[Underline indicated additions; ~~striketrough~~ indicates deletions]

**SECTION 3. AMENDMENT OF SECTION 23.010 OF THE WAKULLA COUNTY CODE OF ORDINANCES.** Section 23.010 of the Wakulla County Code of Ordinances, entitled "Swimming at County Parks and County Facilities," is hereby amended to add a new subsection (e) to read as follows:

**Sec. 23.010. – Swimming at County Parks and County Facilities.**

\* \* \*

(e) Swimming is prohibited within 300 feet of all Public Boat Ramps except for the following:

1. Lake Ellen Boat Ramp.
2. Wakulla River Upper Bridge Boat Ramp.
3. Highway 98 Bridge & Boat Ramp (Wakulla River Lower Bridge).
4. Newport Park Boat Ramp.
5. Shell Point Non-Motorized Hand Launch Boat Ramp.

(f) For those Public Boat Ramps at which swimming is permitted pursuant to subsection (e), swimming shall not be permitted within 300 feet of all such Public Boat Ramps while a Vessel is launching or returning to the Public Boat Ramp. All persons swimming, wading, or otherwise in the water and not upon a Vessel within 300 feet of a Public Boat Ramp at which swimming is permitted shall promptly exit the water when a Vessel is launching or returning to such Public Boat Ramp. All persons may re-enter the water upon the Vessel having established a minimum distance of at least 300 feet from the landward centerline of the Public Boat Ramp. Persons entering or exiting the water shall do so on public property.

[Underline indicated additions; ~~strikethrough~~ indicates deletions]

**SECTION 4. AMENDMENT OF SECTION 7.060 OF THE WAKULLA COUNTY CODE OF ORDINANCES.** Section 7.060 of the Wakulla County Code of Ordinances, entitled “Areas of Enforcement,” is hereby amended as follows:

(a) The areas of enforcement shall be all waters, creeks, and canals located within the boundaries described below for the purpose necessary to protect the safety of the public as such restrictions are necessary based on boating accidents, visibility, hazardous currents or water levels, vessel traffic congestion, or other navigational hazards in compliance with F.S. § 327.46. A composite sketch of the areas herein described is set

forth in Exhibit A, attached to the legislation from which this section is derived, and incorporated herein by reference.

(b) Idle speed no wake areas. It shall be unlawful to operate any vessel in any manner other than at idle speed no wake where the proper idle speed no wake regulatory markers are posted. Designated idle speed no wake areas are as follows:

(1) Shell Island Marina boat ramp and fueling station (Wakulla River) - Shore to shore, beginning at a point 500 feet upstream (approximate latitude 30.158191 North, longitude 84.217565 West) and extending to a point 500 feet downstream (approximate latitude 30.157784 North, longitude 84.215711 West) of the of the boat ramp and fueling station. This restricted area is depicted in Exhibit A.

\* \* \*

(10) Lake Ellen Boat Ramp - Shore to shore, beginning at a point upstream (approximate latitude 30.110012 North, longitude 84.400076 West, extending to a point downstream (approximate latitude 30.110103 North, longitude 84.398991 West.

(11) Wakulla River Upper Bridge Boat Ramp – Shore to shore, beginning at a point upstream (approximate latitude 30.213476 North, longitude 84.261622 West, extending to a point downstream (approximate latitude 30.212935 North, longitude 84.260895 West.

[Underline indicated additions; ~~striketrough~~ indicates deletions]


**SECTION 5. SEVERABILITY.** Should any section or provision of this Ordinance or any portion thereof, or any paragraph, sentence, or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof other than the part declared to be invalid.

**SECTION 6. CODIFICATION IN THE CODE OF ORDINANCES.** It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Wakulla County Code of Ordinances, and that the sections of this Ordinance may be renumbered to accomplish such intent.

**SECTION 7. EFFECTIVE DATE.** A certified copy of this Ordinance shall be filed with the Department of State within ten days of its enactment and shall be effective upon filing with the Department of State.

**PASSED AND ADOPTED** by the Board of County Commissioners of Wakulla County, Florida this 1st day of October, 2018.

**BOARD OF COUNTY COMMISSIONERS  
OF WAKULLA COUNTY, FLORIDA**


  
\_\_\_\_\_  
Ralph Thomas, Chairman

ATTEST:

  
\_\_\_\_\_  
Brent X. Thurmond, Clerk



APPROVED AS TO FORM:

  
\_\_\_\_\_  
Heather Encinosa, Esq.  
County Attorney



## Lake Ellen Idle Speed Zones

Lake Ellen Idle speed markers

Upstream Sign Location  
LAT: N 30.110012  
LONG: W 84.400076

Lake Ellen Idle Speed Markers

Down Stream Location  
LAT: N 30.110103  
LONG: W 84.398991

Lake Ellen  
Boat Ramp

### Legend

- Feature 1
- Lake Ellen Exhibit
- Lake Ellen Idle

Google Earth

100 ft





## Upper Wakulla River Bridge

Write a description for your map.

### Legend

- Feature 1
- Upper Wakulla River Bridge

Upstream sign location:  
LAT: N 30.213476  
LONG: W 84.262622

Wakulla Upper River bridge idle speed

Upper Wakulla  
River Bridge Boat  
Ramp

Downstream sign location  
LAT: N 30.212935  
LONG: W 84.260895

Upper Wakulla River Bridge Idle Speed Markers down stream

Google Earth

100 ft

