

1 WHEREAS, given the uniquely hazardous present conditions, the Belle Isle City Council finds and
2 determines that, subject to limited exceptions, an idle speed, no wake zone, is created on the Conway Chain of
3 Lakes as set forth herein by emergency ordinance is necessary to protect the public health, safety, and welfare
4 of the citizens of Belle Isle.

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6 NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF BELLE ISLE, FLORIDA:

7 Section 1. Findings. The City Council of the City of Belle Isle, Florida makes the following findings:

- 8 a. The prudent and safe operation of boats, vessels, and watercraft is essential to protect the public
9 health, safety, and welfare of the citizens of Belle Isle.
- 10 b. An Idle Speed, No Wake Zone in the Conway Chain of Lakes is necessary to avoid hazards to persons and
11 damage to property resulting from boats, vessels, and watercraft traveling at excessive speeds.
- 12 c. The City Council is empowered to perform public work and take whatever prudent action is necessary to
13 ensure the health, safety, and welfare of the community under Section 252.38(5)(a) of the Florida
14 Statutes.
- 15 d. The City Council is empowered to regulate the speed and wake of boats, vessels, and watercraft under
16 252.38(5)(a) of the Florida Statutes.
- 17 e. The Belle Isle Police Department is empowered to impose penalties under 252.50 for violations of the
18 regulated the speed and wake of boats, vessels, and watercraft under 252.38(5)(a) of the Florida
19 Statutes.

20 Section 2. Definitions

- 21 a. "Person" means an individual, partnership, firm, corporation, or other entity.
- 22 b. "Idle Speed, No Wake Zone" means an area of a waterway, in this instance the Conway Chain of Lakes,
23 in which a boat, vessel, or watercraft cannot proceed at a speed greater than that specified by the Idle
24 Speed, No Wake Zone definition in State Rule Chapter 68D-24.002
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- 1 c. "Idle Speed, No Wake Zone" indicates a boating restricted area, in this instance the Conway Chain of
2 Lakes that has been established to protect the safety of the public. "Idle Speed, No Wake Zone" means
3 that a boat, vessel, or watercraft cannot proceed at a speed greater than that speed which is necessary
4 to maintain Steerageway (Florida Administrative Code, Chapter 68D-24.002)
- 5 d. "Boat, Vessel, or Watercraft" means any vessel being propelled or powered by machinery, including but
6 not limited to personal watercraft
- 7 e. "Wake" means all changes in the vertical height of the water surface caused by the passage of a boat,
8 vessel, or watercraft, including but not limited to a vessel's bow wake, stern wake, and propeller wash.
- 9 f. "Steerageway" means the minimum rate of motion required for the helm of the vessel to have effect.

10 Section 3. Prohibition. It shall be unlawful for any Person in physical control of a boat, vessel, or watercraft in
11 the Idle Speed, No Wake Zone to operate the vessel in violation of the Idle Speed, No wake Zone within 500 feet
12 of any boat ramp, hoist, marine railway, shoreline, or other launching or landing facility available for use by the
13 general boating public; within 300 feet of a confluence of water bodies presenting a blind corner, a bend in a
14 narrow channel or fairway, or such other area if an intervening obstruction to visibility may obscure other
15 vessels or other users of the waterway, and hazardous water levels or currents, or containing other navigational
16 hazards.

17 Section 4. Exemptions. The restrictions created by this Ordinance shall not apply to a vessel of a federal, state,
18 county, or City of Belle isle agency while operated by an officer, employee, or agent thereof who is engaged in
19 law enforcement or other necessary city or governmental activity. Further, the restrictions created by this
20 Ordinance, shall not apply to vessels operated under emergency conditions during a legitimate emergency.

21 Section 5. Enforcement. This ordinance shall be enforced by the City of Belle Isle Police Department officers
22 and any other authorized law enforcement officer as provided by Section 252.50 of the Florida Statutes.

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1 Section 6. Penalties. Any person violating any provision of this Ordinance shall be fined not more such amounts
2 that may be authorized by Section 252.50 of the Florida Statutes, as amended. Further nothing herein contained,
3 shall prohibit the Belle Isle Police Department from enforcing this ordinance by any other lawful means.

4 Section 7. Severability. The provisions of this Ordinance are declared to be severable and if any section,
5 sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional, such decisions shall not
6 affect the validity of the remaining sections, sentences, clauses, or phrases of this Ordinance but they shall
7 remain in effect, it being the legislative intent that this ordinance shall stand notwithstanding the invalidity of
8 any part.

9 Section 8. Effective Date. This Ordinance shall be in effect immediately on passage by the City Council by at least
10 by a two-thirds vote of the governing body. Further, this Ordinance will be filed with the Florida Fish and
11 Wildlife Commission upon passage.

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13 INTRODUCED AS AN EMERGENCY ORDINANCE, ADOPTED by at least by a two-thirds vote of the governing body,
14 and ORDERED PUBLISHED IN FULL in a newspaper of general circulation in the City of Belle Isle by the City
15 Council at a special meeting held on the 28th day of September, 2022.

	YES	NO	ABSENT
17 Ed Gold	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18 Anthony Carugno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19 Karl Shuck	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20 Randy Holihan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21 Beth Lowell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
22 Stanley Smith	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
23 Jim Partin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

1 ATTEST:

Yolanda Quiceno

2 Yolanda Quiceno, CMC-City Clerk

Nicholas Fouraker

Nicholas Fouraker, Mayor

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4 STATE OF FLORIDA

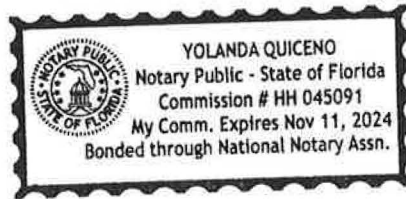
5 COUNTY OF ORANGE

6 I, Yolanda Quiceno, City Clerk of the City of Belle Isle do hereby certify that the above and foregoing document

7 ORDINANCE 22-08 was duly and legally passed by the Belle Isle City Council, in session assembled on the 28th

8 day of SEPTEMBER, 2022, at which session a quorum of its members were present.

9 *Yolanda Quiceno*
10 Yolanda Quiceno, CMC-City Clerk



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