



SANTA ROSA COUNTY BOARD OF COMMISSIONERS



JAYER WILLIAMSON, District 1
ROBERT A. "BOB" COLE, District 2
W. D. "DON" SALTER, District 3
ROB WILLIAMSON, District 4
R. LANE LYNCHARD, District 5

6495 Caroline Street, Suite C
Milton, Florida 32570-4592

Hunter Walker, County Administrator
Roy V. Andrews, County Attorney
Jayne Bell, OMB Director

MEMORANDUM

TO: EMILY SPENCER

FROM: ROY V. ANDREWS

A handwritten signature in blue ink, appearing to read "RVA".

DATE: DECEMBER 16, 2015

SUBJECT: ADVERTISING ORDINANCE FOR PUBLIC HEARING

The following is the heading for the advertisement of the ordinance establishing boating restrictions in the canals within Polynesian Isles, which is to be heard at the public hearing beginning at 9:30 a.m., January 14, 2015 at the Regular Meeting of the Board of County Commissioners.

AN ORDINANCE RELATING TO SANTA ROSA COUNTY; AMENDING CHAPTER 23 OF THE SANTA ROSA COUNTY FLORIDA CODE BY ADDING SECTION 23-76 BOATING REGULATIONS FOR POLYNESIAN ISLES CANALS; ESTABLISHING BOATING RESTRICTIONS/ REGULATIONS; PROVIDING FOR PENALTIES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE NO. 2016 - ____

AN ORDINANCE RELATING TO SANTA ROSA COUNTY;
AMENDING CHAPTER 23 OF THE SANTA ROSA COUNTY
FLORIDA CODE BY ADDING SECTION 23-76 BOATING
REGULATIONS FOR POLYNESIAN ISLES CANALS;
ESTABLISHING BOATING RESTRICTIONS/ REGULATIONS;
PROVIDING FOR PENALTIES; PROVIDING FOR
CODIFICATION; PROVIDING FOR SEVERABILITY; AND,
PROVIDING FOR AN EFFECTIVE DATE.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
COMMISSIONERS OF SANTA ROSA COUNTY, FLORIDA:

WHEREAS, the Santa Rosa County Board of County Commissioners finds that it is necessary to establish boating restrictions/regulations in designated waterways located in Santa Rosa County, and

WHEREAS, said boating regulations are required to protect the health, welfare and safety of the public due to hazards presented by visibility restrictions, boating and skiing congestion, and risk of boating collision,

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
COMMISSIONERS OF SANTA ROSA COUNTY, FLORIDA:

SECTION I. Chapter 23, Waterways, of the Santa Rosa County Florida Code is amended to create Section 23-76 Boating Regulations for Polynesian Isles Canals by establishing the following boating restrictions.

1. Boating Restrictions are hereby adopted for the area known as Polynesian Isles Canals as depicted in the attached Exhibit A.
2. The appropriate signage shall be posted upon authorization from the Florida Fish and Wildlife Conservation Commission.
3. The following boating restrictions are defined as set forth in 68D-23.103 Florida Administrative Code (FAC):

(A) "Slow Speed" and "Slow Speed Minimum Wake" may be used interchangeably and mean that a vessel must be fully off plane and completely settled into the water. The vessel must then proceed at a speed which is reasonable and prudent under the prevailing circumstances so as to avoid the creation of an excessive wake or other hazardous condition which endangers or is likely to endanger other vessels or other persons using the waterway. 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. A vessel that is:

1. Operating on plane is not proceeding at this speed;
2. In the process of coming off plane and settling into the water or coming up onto plane is not proceeding at this speed;
3. Operating at a speed that creates a wake which unreasonably or unnecessarily endangers other vessels or other persons using the waterway, or is likely to do so, is not proceeding at this speed;
4. Completely off plane and which has fully settled into the water and is proceeding at a reasonable and prudent speed with little or no wake is proceeding at this speed.

SECTION 2. 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.

SECTION 3. REFERENCE TO OTHER AUTHORITY. Where a statute or administrative rules are referenced herein, this shall mean the most recently adopted version of said statute and administrative rules.

SECTION 4. CODIFICATION. The provisions of this ordinance shall become and be made a part of the code of laws and ordinances of the County of Santa Rosa. The sections of this ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section", "article", or any other appropriate word.

SECTION 5. EFFECTIVE DATE. This Ordinance shall be effective upon completion of the following: approved and adopted pursuant to Santa Rosa County's procedure, approval by the Florida Fish and Wildlife Conservation Commission pursuant to Section 327.46, Florida Statutes and upon posting of the regulatory markers.

PASSED AND ADOPTED by a vote of __ yeas and __ nays and __ absent of the Board of County Commissioners of Santa Rosa County, Florida, on the __ day of January, 2016.

**BOARD OF COUNTY COMMISSIONERS
SANTA ROSA COUNTY, FLORIDA**

By: _____
Chairman

ATTEST:

Clerk of Court

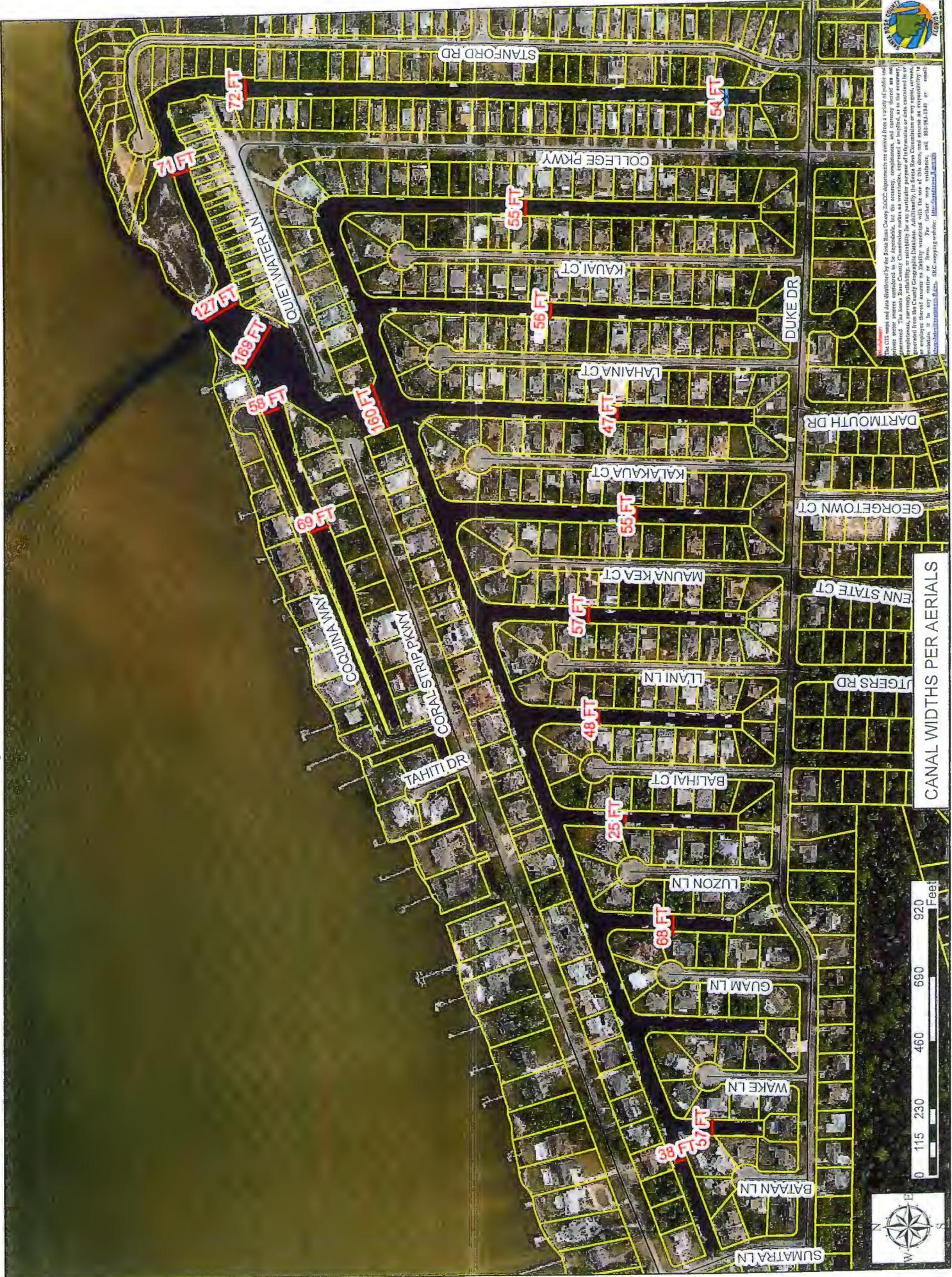
I, Donald C. Spencer, Clerk of Court of Santa Rosa County, Florida, do hereby certify that the same was adopted and filed of record and sent electronically to the Secretary of the State of Florida, on this _____ day of _____, 2016.

Donald C. Spencer, Clerk of Court



Polynesian Isles Canals

Polynesian Canals Aerials



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