

ORDINANCE NO. C-22-14

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING DIVISION 2, WATER SAFETY RULES, OF ARTICLE V, BOATS AND WATERWAYS, OF CHAPTER 8, BOATS, DOCKS, SLIPS, ETC., SECTION 8-166, SPEED LIMITS IN WATERWAYS, OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, TO REZONE A PORTION OF THE SEMINOLE RIVER CANAL FROM A SLOW SPEED MINIMUM WAKE AREA TO AN IDLE SPEED NO WAKE AREA, AND PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING ORDINANCE PROVISIONS, AND AN EFFECTIVE DATE.

WHEREAS, the Seminole River Canal is presently designated as a "Slow Speed Minimum Wake" zone; and

WHEREAS, based on citizen complaints and the observations of the police department's marine officers, the wakes caused by vessels navigating the Seminole River Canal at "slow speed minimum wake" creates a public safety hazard to persons on vessels, docks, fueling docks, and boat ramps situated along the river; and

WHEREAS, Section 327.46(1)(b)1.a., Florida Statutes authorizes municipalities to establish, by ordinance, "an idle speed, no wake boating-restricted area, if the area is within 500 feet of any boat ramp, hoist, marine railway, or other launching or landing facility 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, Section 327.46(1)(b)1.b., Florida Statutes authorizes municipalities to establish, via ordinance, "an idle speed, no wake boating-restricted area, if the area is within 500 feet of fuel pumps or dispensers at any marine fueling facility that sells motor fuel to the general boating public on waterways more than 300 feet in width or within 300 feet of the fuel pumps or dispensers at any licensed terminal facility that sells motor fuel to the general boating public on waterways not exceeding 300 feet in width"; and

WHEREAS, the Seminole River Canal contains a public marine fueling facility/dispensary that sells motor fuel to the general boating public, and public boat ramps and docks on said waterway, and

WHEREAS, the Seminole River Canal is less than 300 feet in the areas where the public marine fueling facility/dispensary that sells motor fuel to the general boating public, and public boat ramps and docks are located.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That Division 2, WATER SAFETY RULES, of Article V of Chapter 8, BOATS, DOCKS, BEACHES AND WATERWAYS, of the Code of Ordinances of the City of Fort Lauderdale, Florida, is hereby amended to read as follows:

* * *

DIVISION 2. WATER SAFETY RULES

Sec. 8-166. - Speed limits in waterways.

- (a) *Idle Speed No Wake.* Pursuant to Florida Administrative Code Chapter 68D-23.103, "Idle Speed No Wake" and "Idle Speed" may be used interchangeably and mean that a vessel must proceed at a speed no greater than that which will maintain steerage and headway. At no time is any vessel required to proceed so slowly that the operator is unable to maintain control over the vessel or any vessel or object that it has under tow. The following areas are designated boating restricted areas where vessels must proceed no faster than Idle Speed No Wake, unless lawfully engaged in watersports activities in a designated watersports activities area:
 - (1) *Florida Intracoastal Waterway.* The state has designated certain areas of the Florida Intracoastal Waterway within the city limits as restricted areas, set forth below, within which the Idle Speed No Wake limit shall apply:
 - a. The section of the Florida Intracoastal Waterway from a sign posted adjacent to the waterway and lying between Southeast 18th and 19th Streets on the south, and another sign adjacent to the Waterway located east of Southeast 14th Street on the north.
 - b. The section of the Florida Intracoastal Waterway from a point lying fifteen hundred (1,500) feet to the north of the East Las Olas Boulevard Bridge to a point on the south designated by Intracoastal Marker No. 14.

- c. The section of the Florida Intracoastal Waterway seven hundred fifty (750) yards north and five hundred (500) yards south of the East Sunrise Boulevard Bridge.
 - d. The section of the Florida Intracoastal Waterway five hundred (500) yards north and five hundred (500) yards south of the East Oakland Park Boulevard Bridge.
 - e. The section of the Florida Intracoastal Waterway seven hundred (700) feet north and one thousand (1,000) feet south of the East Commercial Boulevard Bridge.
- (2) *New River, Middle River, George English Park Lagoon, ~~and Rio Barcelona Canal, and Seminole River Canal.~~* Certain areas of New River, Middle River, the George English Park Lagoon, ~~and Rio Barcelona Canal, and Seminole River~~ have been designated as restricted marine areas, set forth below, within which the Idle Speed No Wake limit shall apply:
- a. The section of New River from Tarpon Bend to one hundred (100) feet up river of the junction of the north and south forks of New River.
 - b. The section of New River from Crevalle Canal on the south fork of New River westerly to the corporate limits of the city.
 - c. The area of Middle River from Northeast 21st Court (Coral Ridge side) north to the Bridge at U.S. Highway No. 1 (North Federal Highway).
 - d. The area of Middle River lying between the Sunrise Boulevard Bridge on the north and a point opposite the south property line of Lot 21 of Gateway Park on the south.
 - e. The George English Park Lagoon lying north and east of the Sunrise Boulevard Bridge.
 - f. The Rio Barcelona Canal lying between Hendricks Isle Drive (N.E. 18th Avenue) and Middle River.
 - g. The area of Middle River lying between the Sunrise Boulevard Bridge and a point four hundred fifty-four (454) feet north thereof.
 - h. The section of the Seminole River Canal lying between a point 300 feet to the west of the westernmost boat ramp located at Cox Landing 15th Street Boat

CODING: Words, symbols, and letters ~~stricken~~ are deletions; words, symbols, and letters underlined are additions.

Ramp to a point 300 feet to the east of the easternmost point of the public docks located at Cox Landing 15th Street Boat Ramp.

- i. A point 300 feet west from the public marine fueling facility/dispensary located at the mouth of the river.

* * *

SECTION 2. That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

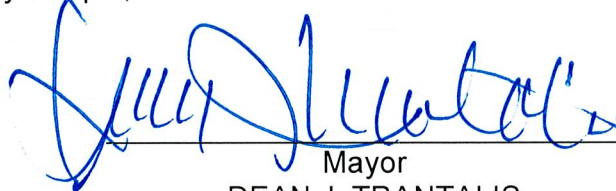
SECTION 3. Where a statute or administrative rules are referenced herein, this shall mean the most recently adopted version of said statute or administrative rules.

SECTION 4. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 5. That this Ordinance shall be in full force and effect upon completion of the following: approved and adopted by the City Commission of the City of Fort Lauderdale upon second reading, approval by the Florida Fish and Wildlife Conservation Commission pursuant to Section 327.46, Florida Statutes, and upon posting the regulatory markers.


PASSED FIRST READING this 5th day of April, 2022.

PASSED SECOND READING this 19th day of April, 2022.



Mayor
DEAN J. TRANTALIS

ATTEST:



City Clerk
DAVID R. SOLOMAN