

ORDINANCE NO. 425

AN ORDINANCE ESTABLISHING AN IDLE SPEED/NO WAKE ZONE FOR ALL CANAL WATERS WITHIN THE CITY OF MEXICO BEACH; PROVIDING SIGNAGE REQUIREMENTS OF IDLE SPEED/NO WAKE ZONES; PROVIDING PENALTIES FOR VIOLATION; PROVIDING FOR INCORPORATION, CONFLICT, AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Mexico Beach, Florida, has determined that it is necessary for the protection and preservation of peace, safety, health, and property of the city and its inhabitants, that this ordinance be enacted, therefore

BE IT ORDAINED BY THE PEOPLE OF THE CITY OF MEXICO BEACH, FLORIDA:

Section 1: Definitions

- (1) *Idle Speed/No Wake Zone* indicates a boating restricted area which has been established to protect the safety of the public.
- (2) *Idle speed/no wake* means that a vessel cannot proceed at a speed greater than that speed which is necessary to maintain steerage way.
- (3) *Wake* means all changes in the virtual height of the water's surface caused by the passage of a vessel including, but not limited to, a vessel's bow wave, stern wake, and propeller wash.
- (4) *Authorized Personnel* means any sworn officer of the Mexico Beach Department of Public Safety, any Code Enforcement Officer with the City of Mexico Beach, the Harbor Master or his/her designee, and any other law enforcement officer as described in F.S.S. 327.70.

Section 2: Establishing Idle Speed/No Wake Zones

- (1) Idle Speed/No wake zones are established for all navigable canal waters located north of the Gulf of Mexico and extending inland within the corporate limits of the city.
- (2) The city shall erect, or cause to be erected, appropriate signs in designated idle speed/no wake zones within the city subject to state and federal regulations.

Section 3: Citations Authorized; Penalties Provided

- (1) A violation of this section shall be punished as a non-criminal infraction. All authorized personnel may issue a code enforcement citation with a fine of up to \$50.00.
- (2) Law enforcement officers may issue a Uniform boating citation as set forth in F.S. § 327.74. All penalties are set forth by F.S.S. 327.73.

Section 4:

Any person, firm, or corporation violating the provisions of this ordinance shall, upon conviction, be punished as provided by law

Section 5:

All ordinances and parts of ordinances in conflict herewith are repealed.

Section 6: Separability Clause


Should any section or provision of this ordinance be declared by the Courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid.

Section 7:


This ordinance shall take effect as provided by law.

Introduced at a regular meeting of the City Council on the 13th day of August 2002, and adopted by the City Council on the 9th day of September 2002.

City of Mexico Beach, Florida


Kathy Kingsland
Mayor

Attest:


Henry Flack, City Clerk

