

ORDINANCE 67

AN EMERGENCY ORDINANCE ESTABLISHING AND PROVIDING FOR THE ADMINISTRATION OF MEXICO BEACH CANAL MAINTENANCE AND IMPROVEMENT FUND; PROVIDING FOR THE ISSUANCE OF PERMITS AND FEES; PROVIDING FOR EXCEPTIONS DURING BONA FIDE EMERGENCIES; ESTABLISHING A SPEED LIMIT AND WAKE CONTROL FOR VESSELS ON THE MEXICO BEACH CANAL; PROVIDING PENALTIES FOR VIOLATION THEREOF; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, some of the major attractions of the Town of Mexico Beach are its beautiful beaches, the excellent fishing, and the ability of its citizens to gain access to the warm blue waters of the Gulf of Mexico, and

WHEREAS, the major point of ingress and egress to the Gulf of Mexico available to the citizens of the Town of Mexico Beach is the Mexico Beach Canal, and

WHEREAS, the people of the Town of Mexico Beach have expended sums of money in a sand transfer system to insure that the Mexico Beach Canal remain open to allow commercial and pleasure craft to navigate between the Gulf of Mexico and the Town of Mexico Beach, and

WHEREAS, it is necessary to maintain the function of the sand transfer system, and

WHEREAS, the Town Council has deemed it necessary that this Ordinance be found as an emergency ordinance and has determined that it is necessary for the immediate protection and preservation of the peace, safety, health and property of the Town and its inhabitants, and that this ordinance be enacted and take effect immediately as an emergency ordinance, therefore

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

Section 1. There is hereby established a Mexico Beach Maintenance and Improvement Fund (hereafter referred to as the Fund). The Town Council of Mexico Beach shall have sole responsibility for the administration of the Fund, and no disbursement or any other type withdrawal shall be made from said Fund without the consent of the Town Council. The Fund shall be maintained in a separate account in a bank or savings institution to be named at the discretion of the Council, and records of said account will be maintained by the Town Clerk and available for inspection by any person during normal business hours of the Town Hall.

Section 2. All ships, boats, or any other motor or wind powered craft shall purchase a permit prior to exiting from the mouth of the Mexico Beach Canal at its juncture with the Gulf of Mexico. Permits shall be issued upon payment of the following fees:

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| 1. Four day permit | \$ 5.00 |
| 2. Fifteen day permit | \$15.00 |
| 3. Annual permit | \$50.00 |

Section 3. Permits may be obtained from the Town Clerk during normal business hours of the Town Hall. The Town Council may authorize commercial establishments to dispense the permits in its discretion, provided said commercial establishments account for all permits issued and pay the proceeds of the sale of said permits to the Town Clerk within ten days of receipt thereof. All permits shall be numbered consecutively, with the expiration date clearly visible and displayed on the port side of the wind shield.

Section 4. The Town Council may, in its discretion, amend the fee provision of Section 2 by resolution passed after notice of said resolution has been posted in three conspicuous places in the Town, including the Town Hall and U.S. Post Office.

Section 5. All proceeds received from the sale of permits shall be deposited in the Fund within ten days of receipt thereof by the Town Clerk.

Section 6. No vessel shall exceed the speed of 5 knots on the Mexico Beach Canal or create a wake.

Section 7. None of the provisions of this ordinance shall apply to any vessel entering or exiting the Mexico Beach Canal during a bona fide emergency.

Section 8. Any person who fails to comply with the provisions of this ordinance shall be fined no more than \$300.00 or confined in the Bay County Jail no longer than 15 days, or both such fine and imprisonment.

Section 9. This ordinance shall take effect immediately upon adoption.

INTRODUCED at a Special Meeting of the Town Council on the 21st day of June, A.D. 1976, and ADOPTED by the Town Council on the 21st day of June, A.D. 1976, as an emergency ordinance.

TOWN OF MEXICO BEACH, FLORIDA

BY:


Mayor-Councilman

ATTEST:


Town Clerk