

ST JOHNS COUNTY EMERGENCY ORDER NO. 2016-4

**AN EMERGENCY ORDER ESTABLISHING A TEMPORARY NO WAKE ZONE WITHIN THE INTRACOASTAL WATERWAY BETWEEN GREEN CHANNEL MARKERS 83A AND 85.**

**WHEREAS**, the Governor of the State of Florida has issued Executive Order No. 16-230 declaring a State of Emergency in all Florida Counties pertaining to Hurricane Matthew; and

**WHEREAS**, St. Johns County Emergency Proclamation 2016-2 declared a state of local emergency within St. Johns County pursuant to Chapter 252, Florida Statutes and St. Johns County Ordinance No. 94-25, *as amended*, because of the severe threat posed by Hurricane Matthew to St. Johns County, Florida; and

**WHEREAS**, St. Johns County Emergency Proclamations 2016-3 and 2016-4 extended the state of local emergency in order for the County to effectively respond to emergency conditions and mitigate disaster effects within St. Johns County; and

**WHEREAS**, Hurricane Matthew has caused increased erosion along the Intracoastal Waterway in the vicinity of the Summer Haven River and Barrataria Island; and

**WHEREAS**, Hurricane Matthew has caused damage to docks and other structures along the Intracoastal Waterway, leading to the presence of floating storm debris in the water; and

**WHEREAS**, the increased erosion and floating storm debris creates a safety hazard for boats operating within the Intracoastal Waterway between Green Channel Markers 83A and 85; and

**WHEREAS**, the St. Johns County Board of Commissioners, through its authorized County designee, recommends an idle speed, no wake boating restricted area, as defined in Florida Administrative Code Rule 68D-24.002(2), be established within this portion of the Intracoastal Waterway.

**NOW THEREFORE**, in accordance with the emergency power vested in the St. Johns County Board of Commissioners pursuant to Chapter 252, Florida Statutes, and St. Johns County Ordinance No. 94-25, *as amended*, it is hereby ordered that:

1. An idle speed, no wake boating restricted area shall be established within the Intracoastal Waterway between Green Channel Markers 83A and 85.
2. It shall be unlawful for any person in physical control of a vessel in the idle speed, no wake boating restricted area to operate the vessel in violation of the definition set forth in Florida Administrative Code 68D-24.002(2).
3. Signs shall be installed and maintained to alert boaters to the existence and boundaries of the idle speed, no wake boating restricted area. All signs shall comply with the standards and regulations provided by state law.
4. This Emergency Order shall not apply to vessels of any federal, state, county, or municipal agency while operated by an officer, employee, or agent thereof who is engaged in law enforcement or other necessary governmental activity.

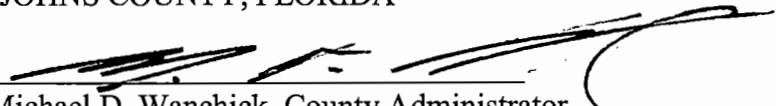
5. A violation of Section 2 of this Emergency Order may be enforced by issuance of a boating citation by a duly authorized law enforcement officer pursuant to the procedures set forth in Section 327.73, Florida Statutes. The civil penalty for a violation Section 2 of this Emergency Order shall be \$50.00 per occurrence.

6. Nothing contained herein shall prohibit enforcement of this Emergency Order by any other lawful means.

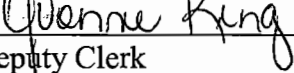
7. This Emergency Order shall be effective for the duration of the state of emergency for the state of Florida declared pursuant to Executive Order No. 16-230, including any extension thereof.

**DONE and ORDERED** this 24 day of October, 2016.

COUNTY ADMINISTRATOR OF  
ST. JOHNS COUNTY, FLORIDA

By:   
Michael D. Wanchick, County Administrator  
of St. Johns County, Florida

ATTEST: Hunter S. Conrad, Clerk

By:   
Deputy Clerk

