

ORDINANCE NO. 96-20

AN ORDINANCE OF ST. JOHNS COUNTY, FLORIDA, ESTABLISHING A SLOW SPEED/MINIMUM WAKE ZONE TO REGULATE THE WAKE CREATED BY BOATS, VESSELS, AND WATERCRAFT PROPELLED OR POWERED BY MACHINERY WITHIN A PORTION OF THE WATERWAY KNOWN AS SALT RUN; PROVIDING AN OPERATION STANDARD FOR BOATS, VESSELS, AND WATERCRAFT IN THE SLOW SPEED/MINIMUM WAKE ZONE; PROVIDING DEFINITIONS; PROVIDING FINDINGS; PROVIDING FOR THE POSTING OF SIGNS; PROVIDING EXEMPTIONS; PROVIDING FOR ENFORCEMENT AND PENALTIES; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED by the Board of County Commissioners of St. Johns County, Florida, as follows:

Section 1. Findings. The Board of County Commissioners of St. Johns County makes the following findings:

(1) Boats, vessels, and watercraft used as a means of transportation on water have been declared to be dangerous instrumentalities in the State of Florida;

(2) The prudent and safe operation of vessels, boats, and watercraft is essential to the public health, safety, and welfare of the citizens of St. Johns County;

(3) The Board of County Commissioners is empowered to regulate the speed and wake of vessels under Chapter 67-1986 of the Laws of Florida, and Sections 327.60 and 327.73(1)(i)2. of the Florida Statutes (1995).

(4) A slow speed/minimum wake zone is necessary for a portion of the waterway known as "Salt Run" in order to avoid safety hazards to persons and damage to property resulting from vessels traveling at excessive speed.

Section 2. Definitions. For purposes of this Ordinance, the following definitions shall apply:

"Person" means an individual, partnership, firm, corporation,

association, or other entity.

"Slow Speed/Minimum Wake Zone" means an area of a waterway in which a vessel cannot proceed at a speed greater than that specified by the Slow Speed/Minimum Wake Operation Standard.

"Slow Speed/Minimum Wake Operation Standard" means a vessel must operate at a speed that is no greater than the speed which allows a vessel to be fully off-plane and completely settled into the water. A vessel shall not proceed at a speed greater than that speed which is reasonable and prudent to avoid the creation of an excessive wake or other hazardous condition under the existing circumstances. By way of example and not limitation, a vessel that is:

- (a) Operating on a plane is not proceeding in accordance with the Slow Speed/Minimum Wake Operation Standard;
- (b) In the process of coming off a plane and settling into the water or coming up onto plane is not proceeding in accordance with the Slow Speed/Minimum Wake Operation Standard;
- (c) Operating at a speed that creates a wake which unreasonably or unnecessarily endangers other vessels is not proceeding in accordance with the Slow Speed/Minimum Wake Operation Standard;
- (d) Completely off-plane and which has fully settled into the water and is proceeding without wake or with minimum wake is proceeding in accordance with the Slow Speed/Minimum Wake Operation Standard.

"Vessel" means any boat, vessel, or watercraft being propelled or

powered by machinery, including but not limited to personal watercraft.

"Wake" means all changes in the vertical height of the water surface caused by the passage of a vessel, including but not limited to, a vessel's bow wave, stern wake, and propeller wash.

Section 3. Salt Run Slow Speed/Minimum Wake Zone. The portion of the waterway known as "Salt Run" as shown on the map and description attached hereto is hereby made a Slow Speed/Minimum Wake Zone.

Section 4. Prohibition. It shall be unlawful for any Person in physical control of a Vessel in the Slow Speed/Minimum Wake Zone to operate the Vessel in violation of the Slow Speed/Minimum Wake Operation Standard.

Section 5. Exemptions. The restrictions created by this Ordinance 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 municipal or governmental activity.

Section 6. Signs. Signs shall be installed and maintained to alert boaters to the existence and boundaries of the Slow Speed/Minimum Wake Zone. All signs shall comply with the standards and regulations provided by state law. No Person shall be charged with a violation of this Ordinance prior to the posting of signs as required by this Section.

Section 7. Enforcement. This Ordinance shall be enforced by the Sheriff of St. Johns County and his deputies, the Division of Law

Enforcement of the Florida Department of Environmental Protection and its officers, and any other authorized law enforcement officer as provided by Section 327.70 of the Florida Statutes.

Section 8. Penalties. Any Person violating any provision of this Ordinance shall be charged with a noncriminal infraction by a boating citation, and shall be subject to the procedures and penalties set forth in Section 327.73 and other applicable provisions of Chapter 327 of the Florida Statutes, as it may be amended from time to time.

Section 9. Effective Date. This Ordinance shall take effect immediately upon the filing of this Ordinance with the office of the Department of State of Florida.

PASSED by the Board of County Commissioners of St. Johns County, Florida, this 19th day of April, 1996.

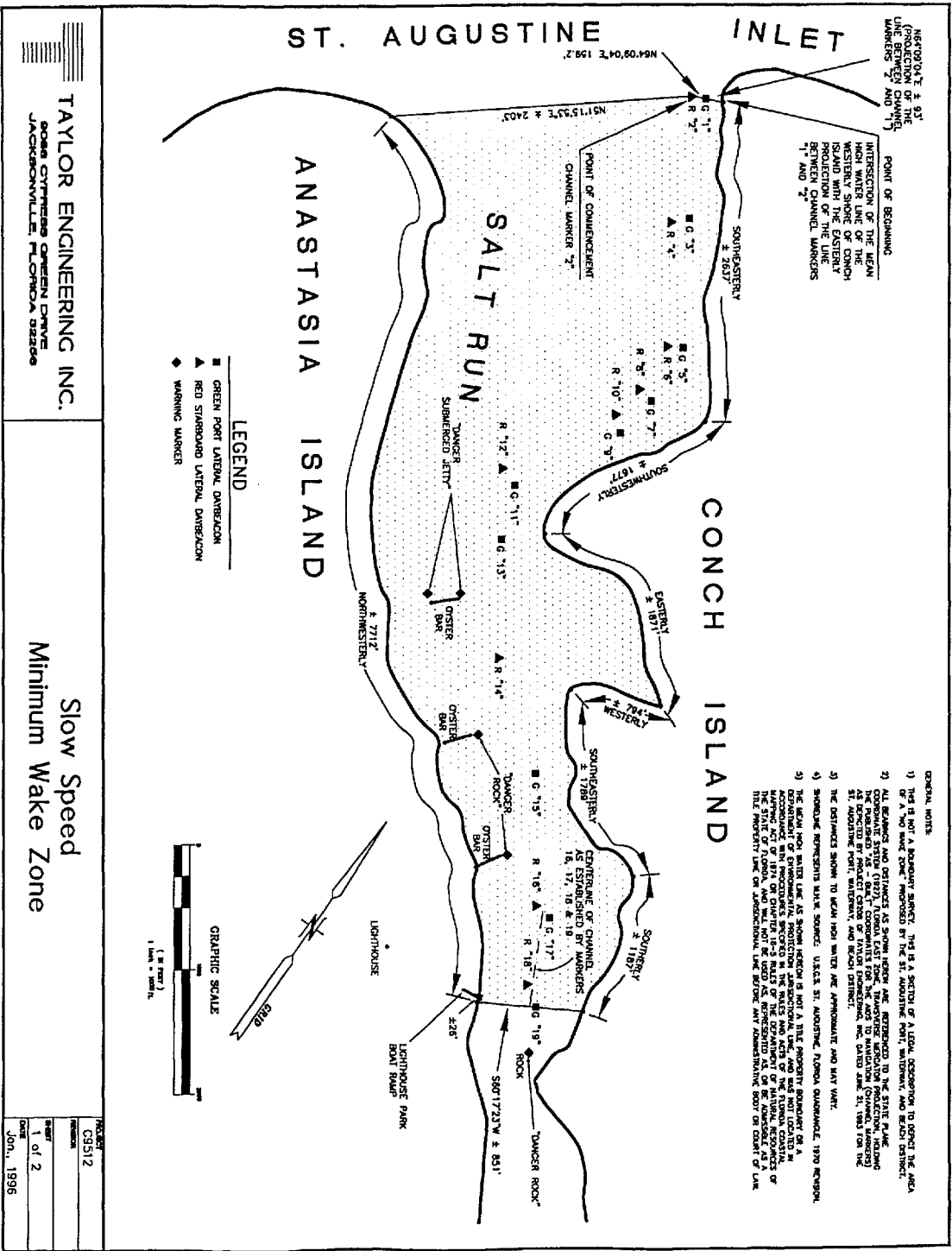
BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By: Donald Jordan  
Its Chair - Donald Jordan

ATTEST: Carl "Bud" Markel

Carl "Bud" Markel  
Clerk

Effective Date: April 17, 1996



POINT OF BEGINNING  
 INTERSECTION OF THE MEAN HIGH WATER LINE OF THE WESTERN SHORE OF CONCH ISLAND WITH THE EASTERN SHORE OF THE ISLAND BETWEEN CHANNEL MARKERS 71 AND 72

- GENERAL NOTES
- 1) THIS IS NOT A BOUNDARY SURVEY. THIS IS A SECTION OF A LOCAL DESCRIPTION TO IDENTIFY THE AREA OF A "NO WAKE ZONE" APPROVED BY THE ST. AUGUSTINE PORT, WATERSIDE, AND BOAT DISTRICT.
  - 2) ALL BOUNDARIES AND DISTANCES AS SHOWN HEREIN ARE REFERENCED TO THE STATE PLANE COORDINATE SYSTEM (1983), FLORIDA EAST ZONE, TRANSVERSE MERCATOR PROJECTION, HULLING SYSTEM, DATUM OF CONCH ISLAND, CONCH ISLAND, FLORIDA, DATED JAN. 31, 1983 FOR THE ST. AUGUSTINE PORT, WATERSIDE, AND BOAT DISTRICT.
  - 3) THE DISTANCES SHOWN TO MEAN HIGH WATER ARE APPROXIMATE AND MAY VARY.
  - 4) SOUNDING INDICATES SLUG SOURCE. USES ST. AUGUSTINE, FLORIDA QUADANGLE, 1970 REVISION.
  - 5) THE MEAN HIGH WATER LINE AS SHOWN HEREON IS NOT A TITLE PROPERTY BOUNDARY OR A SEPARATION OF ENVIRONMENTAL PROTECTION JURISDICTIONAL LINE, AND WAS NOT LOCATED BY SURVEY. THE MEAN HIGH WATER LINE IS THE MEAN HIGH WATER OF THE MEAN TIDES OF THE STATE OF FLORIDA, AND WILL NOT BE USED AS REPRESENTED AS OR BE INTERPRETED AS A TITLE PROPERTY LINE OR JURISDICTIONAL LINE BEYOND ANY ADMINISTRATIVE BOAT OR COURT OF LAW.

TAYLOR ENGINEERING INC.  
 9086 CYPRESS GREENE DRIVE  
 JACKSONVILLE, FLORIDA 32256

Slow Speed  
 Minimum Wake Zone

PROJECT	C3512
DATE	Jan., 1996
SHEET	1 of 2

LEGAL DESCRIPTION:  
 A PORTION OF A BODY OF WATER KNOWN AS "SALT RUN" LYING IN SECTIONS 8, 9, 16, 17, 21, 22 AND 58, TOWNSHIP 7 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE COMMENCE AT CHANNEL MARKER "2", AS PRESENTLY ESTABLISHED; THENCE NORTH 64 DEGREES 09 MINUTES 04 SECONDS EAST A DISTANCE OF 159.2 FEET TO CHANNEL MARKER "1", AS PRESENTLY ESTABLISHED; THENCE CONTINUE ON THE EASTERLY PROJECTION OF THE LINE BETWEEN CHANNEL MARKERS "2" AND "1" A BEARING OF NORTH 64 DEGREES 09 MINUTES 04 SECONDS EAST A DISTANCE OF 93 FEET, MORE OR LESS TO THE INTERSECTION OF THE MEAN HIGH WATER LINE OF THE WESTERLY SHORE OF CONCH ISLAND AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED BODY OF WATER; THENCE SOUTHEASTERLY ALONG THE SAID MEAN HIGH WATER LINE OF THE WESTERLY SHORE OF CONCH ISLAND A DISTANCE OF 2637 FEET, MORE OR LESS; THENCE CONTINUE SOUTHWESTERLY ALONG SAID HIGH WATER LINE A DISTANCE OF 1677 FEET, MORE OR LESS; THENCE CONTINUE WESTERLY ALONG SAID HIGH WATER LINE A DISTANCE OF 794 FEET, MORE OR LESS; THENCE CONTINUE SOUTHEASTERLY ALONG SAID HIGH WATER LINE A DISTANCE OF 1789 FEET, MORE OR LESS; THENCE CONTINUE SOUTHERLY ALONG SAID HIGH WATER LINE A DISTANCE OF 1187 FEET, MORE OR LESS; THENCE DEPARTING THE MEAN HIGH WATER LINE OF THE WESTERLY SHORE OF CONCH ISLAND, RUN SOUTH 60 DEGREES 17 MINUTES 23 SECONDS WEST ON A LINE PERPENDICULAR TO THE CENTERLINE OF THE CHANNEL, AS PRESENTLY ESTABLISHED BY CHANNEL MARKERS "16", "17", "18" AND "19" THROUGH CHANNEL MARKER "19" A DISTANCE OF 851 FEET, MORE OR LESS TO A POINT ON THE HIGH WATER LINE OF THE EASTERLY SHORE OF ANASTASIA ISLAND APPROXIMATELY 26 FEET SOUTH OF THE LIGHTHOUSE PARK BOAT RAMP AS PRESENTLY ESTABLISHED; THENCE NORTHWESTERLY ALONG THE SAID HIGH WATER LINE OF THE EASTERLY SHORE OF ANASTASIA ISLAND A DISTANCE OF 7,712 FEET TO THE MOST NORTHERLY POINT OF THE HIGH WATER LINE OF ANASTASIA ISLAND; THENCE DEPARTING THE MOST NORTHERLY POINT OF THE HIGH WATER LINE OF ANASTASIA ISLAND, RUN NORTH 51 DEGREES 15 MINUTES 53 SECONDS EAST A DISTANCE OF 2403 FEET, MORE OR LESS TO CHANNEL MARKER "2"; THENCE NORTH 64 DEGREES 09 MINUTES 04 SECONDS EAST A DISTANCE OF 159.2 FEET TO CHANNEL MARKER "1"; THENCE NORTH 64 DEGREES 09 MINUTES 04 SECONDS EAST A DISTANCE OF 93 FEET, MORE OR LESS TO THE INTERSECTION OF THE MEAN HIGH WATER LINE OF THE WESTERLY SHORE OF CONCH ISLAND AND THE POINT OF BEGINNING OF THIS DESCRIPTION.



TAYLOR ENGINEERING INC.  
 3006 CHIMNEY CREEK DRIVE  
 JACKSONVILLE, FLORIDA 32216

Slow Speed  
 Minimum Wake Zone

NO. 17  
 CS312  
 2 of 2  
 Date: Jan., 1996

# The St. Augustine Record

PUBLISHED EVERY AFTERNOON MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING  
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

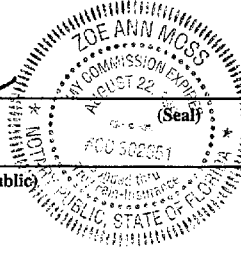
## STATE OF FLORIDA, COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared \_\_\_\_\_  
Julia Meeks \_\_\_\_\_ who on oath says that she is  
Accounting Clerk \_\_\_\_\_ of the St. Augustine Record, a  
daily newspaper published at St. Augustine in St. Johns County, Florida;  
that the attached copy of advertisement, being a \_\_\_\_\_  
Notice of Public Hearing \_\_\_\_\_  
in the matter of April 9, 1996 @1:30 \_\_\_\_\_  
\_\_\_\_\_ in the \_\_\_\_\_ Court, was published in said newspaper in the  
issues of March 20, 1996 \_\_\_\_\_

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper heretofore been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, Florida, for a period of one year next preceding the first publication of the copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing the advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 20th day of March, 1996,  
by Julia Meeks \_\_\_\_\_ who is personally  
known to me or who has produced \_\_\_\_\_ personally known \_\_\_\_\_ as  
identification. (Type of Identification)

Zoe Ann Moss \_\_\_\_\_  
(Signature of Notary Public)  
Zoe Ann Moss \_\_\_\_\_  
(Print, Type or Stamp Commissioned Name of Notary Public)



### COPY OF ADVERTISEMENT

#### NOTICE OF PUBLIC HEARING BY THE ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS:

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of St. Johns County, Florida, at its regular meeting on Tuesday, April 9, 1996, at 1:30 p.m., in the County Auditorium of the County Administrative Complex, #4020 Lewis Speedway (County Road 16-A and U.S. 1 North), St. Augustine, Florida, will hold a public hearing to consider passage of the following ordinance:

AN ORDINANCE OF ST. JOHNS COUNTY, FLORIDA, ESTABLISHING A SLOW SPEED/MINIMUM WAKE ZONE TO REGULATE THE WAKE CREATED BY BOATS, VESSELS, AND WATERCRAFT PROPELLED OR POWDERED BY MACHINERY WITHIN A PORTION OF THE WATERWAY KNOWN AS SALT RUN; PROVIDING AN OPERATION STANDARD FOR BOATS, VESSELS, AND WATERCRAFT IN THE SLOW SPEED/MINIMUM WAKE ZONE; PROVIDING DEFINITIONS; PROVIDING FINDINGS; PROVIDING FOR THE POSTING OF SIGNS; PROVIDING EXEMPTIONS; PROVIDING FOR ENFORCEMENT AND PENALTIES; AND PROVIDING AN EFFECTIVE DATE.

The proposed ordinance is on file in the Office of the Clerk of the Board of County Commissioners at the St. Johns County Administrative Complex, #4020 Lewis Speedway (County Road 16-A) and U.S. 1 North), St. Augustine, Florida, and may be examined by interested parties prior to the public hearing.

If a person decides to appeal any decision made with respect to any matter considered at this meeting he/she will need a record of the proceeding, and for such purposes he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this meeting should contact, David Halstead, ADA Coordinator, at (904) 823-2505 or at the County Administrative Complex, #4020 Lewis Speedway, 2nd Floor, St. Augustine, Florida 32095. For hearing impaired individuals: Telecommunication Device for the Deaf (TDD): 823-2501 or Florida Relay Service: 1-800-955-8770, no later than 3 days prior to the date of this hearing.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA  
CARL "BUD" MARKEL  
ITS CLERK  
By Rosemary Lewis  
Deputy Clerk  
L749 March 20, 1996

DIVISIONS OF FLORIDA DEPARTMENT OF STATE

Office of the Secretary  
Division of Administrative Services  
Division of Corporations  
Division of Cultural Affairs  
Division of Elections  
Division of Historical Resources  
Division of Library and Information Services  
Division of Licensing

MEMBER OF THE FLORIDA CABINET



FLORIDA DEPARTMENT OF STATE  
Sandra B. Mortham  
Secretary of State  
DIVISION OF ELECTIONS

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RINGLING MUSEUM OF ART

RECEIVED  
ST. JOHNS COUNTY

'96 APR 22 P1:36

*Carl Bud Markel*  
CLERK, COUNTY COMMISSION

April 18, 1996

Honorable Carl "Bud" Markel  
Clerk  
St. Johns County Board of  
County Commissioners  
Post Office Drawer 300  
St. Augustine, Florida 32085-0300

Attention: Yvonne Carter, Deputy Clerk

Dear Mr. Markel:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge your letter of April 15, 1996 and certified copy of St. Johns County Ordinance Nos. 96-20, 96-21, 96-22, 96-23 and 96-24, which were filed in this office on April 17, 1996.

Sincerely,

*Liz Cloud*  
Liz Cloud, Chief  
Bureau of Administrative Code

LC/vm

Ordinance Book 17 Page 471

BUREAU OF ADMINISTRATIVE CODE

The Elliot Building • 401 South Monroe Street • Tallahassee, Florida 32399-0250 • (904) 488-8427  
FAX: (904) 488-7868 • WWW Address <http://www.dos.state.fl.us> • E-Mail: [election@mail.dos.state.fl.us](mailto:election@mail.dos.state.fl.us)