

EMERGENCY EXECUTIVE ORDER ESTABLISHING A TEMPORARY NO WAKE ZONE WITHIN THE ST. JOHNS RIVER WATERWAY

WHEREAS, the Governor of the State of Florida has issued Executive Order No. 2017-235 declaring a State of Emergency in all Florida Counties pertaining to Hurricane Irma; and

WHEREAS, Executive Order No. 2017-10 declared a Local State of Emergency under the provisions of Chapter 72, Seminole County Code, due to the serious threat to life and property within Seminole County arising from and related to Hurricane Irma; and

WHEREAS, Executive Order No. 2017-19 extended the Local State of Emergency under the provisions of Chapter 72, Seminole County Code; and

WHEREAS, Hurricane Irma has caused increased erosion, extensive debris, damage to docks and other structures along, and severe flooding along the St. Johns River; and

WHEREAS, Section 252.38(3)(a)(5), Florida Statutes, grants political subdivisions the authority to take whatever prudent action is necessary to ensure the health, safety and welfare of the community during a state of local emergency; and

WHEREAS, Section 190.117 of the Seminole County Code authorizes the Board of County Commissioners to prescribe speed limits of boats anywhere within the County; and

WHEREAS, Section 72.6(b)(1)(E), Seminole County Code, grants the Director of Emergency Management the authority to impose an Executive Order during a declared Local State of Emergency that regulates travel upon any public street, highway or upon any other public property.

NOW, THEREFORE, BY THE AUTHORITY VESTED IN ME AS DIRECTOR OF EMERGENCY MANAGEMENT, IT IS HEREBY ORDERED THAT, IN ORDER TO PROTECT THE HEALTH, SAFETY AND WELFARE OF THE CITIZENS OF SEMINOLE COUNTY, THE FOLLOWING EMERGENCY REGULATIONS ARE NECESSARY:

Section 1. No Wake Zone. An idle speed/no wake boating restricted area shall be established for all portions of the St. Johns River within Seminole County. It shall be unlawful for the operator of a vessel in the idle speed/no wake zone to operate the vessel in violation of the definition set forth in Florida Administrative Code 68D-24.002(2). The violation of the idle speed/no wake zone restriction may be enforced by issuance of a uniform boating citation by a duly authorized law enforcement officer pursuant to Section 327.73, Florida Statutes, and punishable by the maximum fines and penalties authorized by State law for the violation of a County Ordinance.

Section 2. Exemptions. 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.

Section 3. Duration of Restrictions. This Emergency Order shall be effective for the duration of the Local State of Emergency declared pursuant to Executive Order No. 2017-10, including any extension thereof, or until January 1, 2018, whichever is later, unless expressly rescinded by subsequent Executive Order.

ORDERED this 12th day of September, 2017 at 5 PM.

Alan S. Harris
DIRECTOR OF EMERGENCY MANAGEMENT