

Environmental Protection Commission

**Proposed Amendments to Chapter 8
Boats and Water Safety Ordinance**

Public Hearing

March 29, 2023

Presentation Outline

- Background
- Ordinance Amendment Goals
- Uniform Waterway Marker Permit
- Existing and Proposed Boating Restricted Areas
- Stakeholders
- Timeline
- Summary
- Action Requested



Presentation Outline

- Background
- Ordinance Amendment Goals
- Uniform Waterway Marker Permit
- Existing and Proposed Boating Restricted Areas
- Stakeholders
- Timeline
- Summary
- Action Requested





Background

- **1983 - Board of County Commissioners (BCC) adopted Chapter 8 Boats and Water Safety Ordinance**
 - **1985 - Amended to require children under 6 wear a personal flotation device**
 - **1987 - Amended to allow barefoot skiers to wear specially designed flotation wetsuits**
 - **1995 - Amended to add additional requirements**
 - **2022 - Amended to add the Egret Island swim area/vessel exclusion zone**

Background

- **2009 - Florida Statute Section 327.46 (Boating-Restricted Areas)**
 - Pre-empts local regulations regarding boating safety
 - Requires the adoption of local ordinances for establishing boating restricted areas on Orange County lakes





Background

▪ Phased Approach

- Phase 1 – Designate swim area/vessel exclusion zone for Egret Island
- Phase 2 – Implement additional waterway markers as recommended by OCSO to enhance boating safety
- Phase 3 – Consider additional waterway markers based on input from stakeholders

▪ Criteria for Establishing Boating-Restricted Areas

- 327.46, F.S. allows municipalities and counties to establish boating-restricted areas via ordinance and provides criteria for consideration

Presentation Outline

- Background
- Ordinance Amendment Goals
- Uniform Waterway Marker Permit
- Existing and Proposed Boating Restricted Areas
- Stakeholders
- Timeline
- Summary
- Action Requested





Ordinance Amendment Goals

- Remove language not consistent with Chapter 327, Florida Statutes
- Reflect current Florida Fish and Wildlife Conservation Commission (FWC) waterway markers and permit requirements
- Implement additional waterway markers on Big Sand Lake, Butler Chain of Lakes, Conway Chain of Lakes, Lake Jessamine, Johns Lake, and Lake Pickett as recommended by the Orange County Sheriff's Office (OCSO) to enhance boating safety



Presentation Outline

- Background
- Ordinance Amendment Goals
- **Uniform Waterway Marker Permit**
- Existing and Proposed Boating Restricted Areas
- Stakeholders
- Timeline
- Summary
- Action Requested





Uniform Waterway Marker Permit

- Environmental Protection Division (EPD) operates the Uniform Waterway Marker Permit program under existing FWC permits
 - Big Sand Lake, Butler Chain of Lakes, Conway Chain of Lakes, and Lake Jessamine
 - 90 markers
 - Funded by respective lake taxing districts
 - Resolution establishing lake taxing district must specify that funds can be used for navigational purposes



Presentation Outline

- Background
- Ordinance Amendment Goals
- Uniform Waterway Marker Permit
- Existing and Proposed Boating Restricted Areas
- Stakeholders
- Timeline
- Summary
- Action Requested





Existing and Proposed Boating Restricted Areas

Update to Phase 1

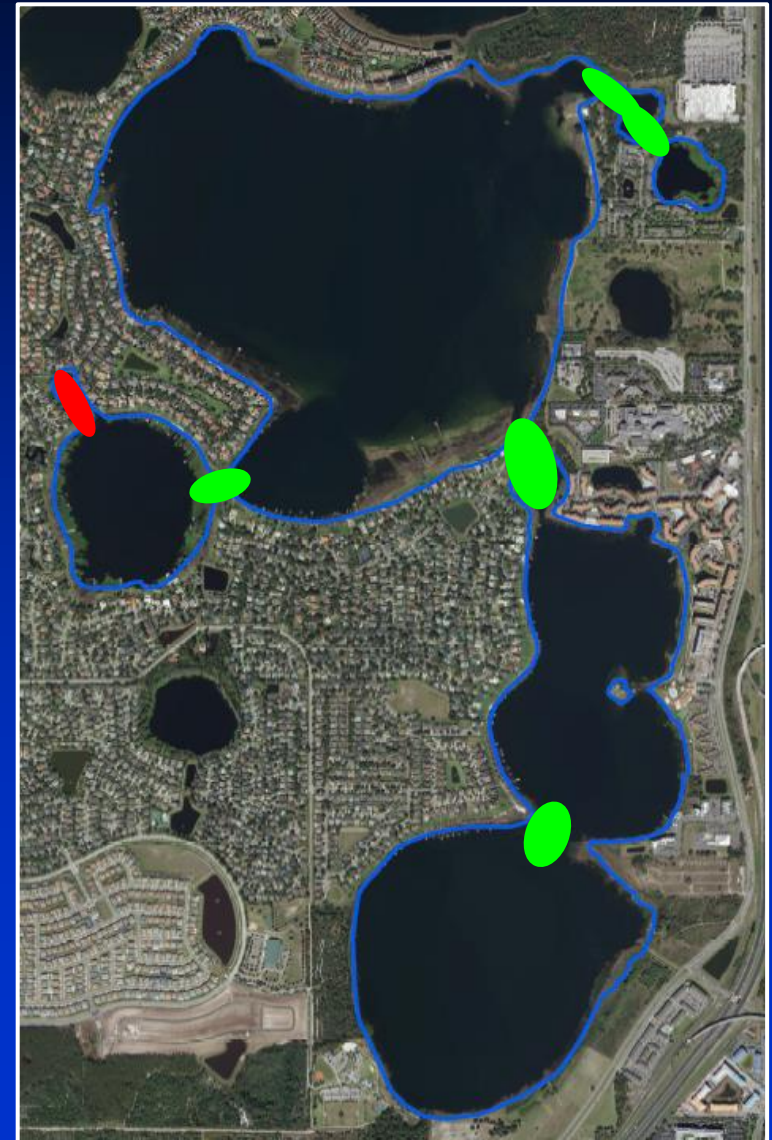
- BCC approved designation of a swim area/vessel exclusion zone at Egret Island on May 24, 2022
- Continued discussions with permitting agencies
- Anticipated buoy installation will occur within 6 months to 1 year
- Provisions currently found in Sec. 8-38 are proposed to be reorganized into multiple sections





Existing and Proposed Boating Restricted Areas

- **Big Sand Lake**
 - 8 waterway markers currently
 - 1 additional proposed

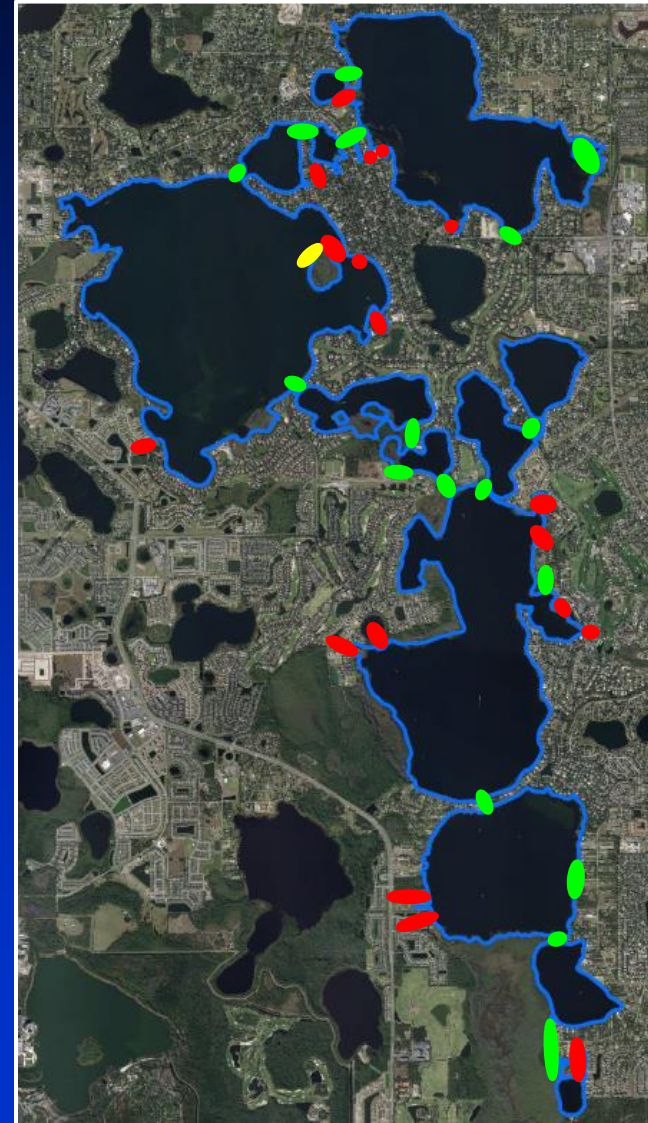




Existing and Proposed Boating Restricted Areas

▪ Butler Chain of Lakes

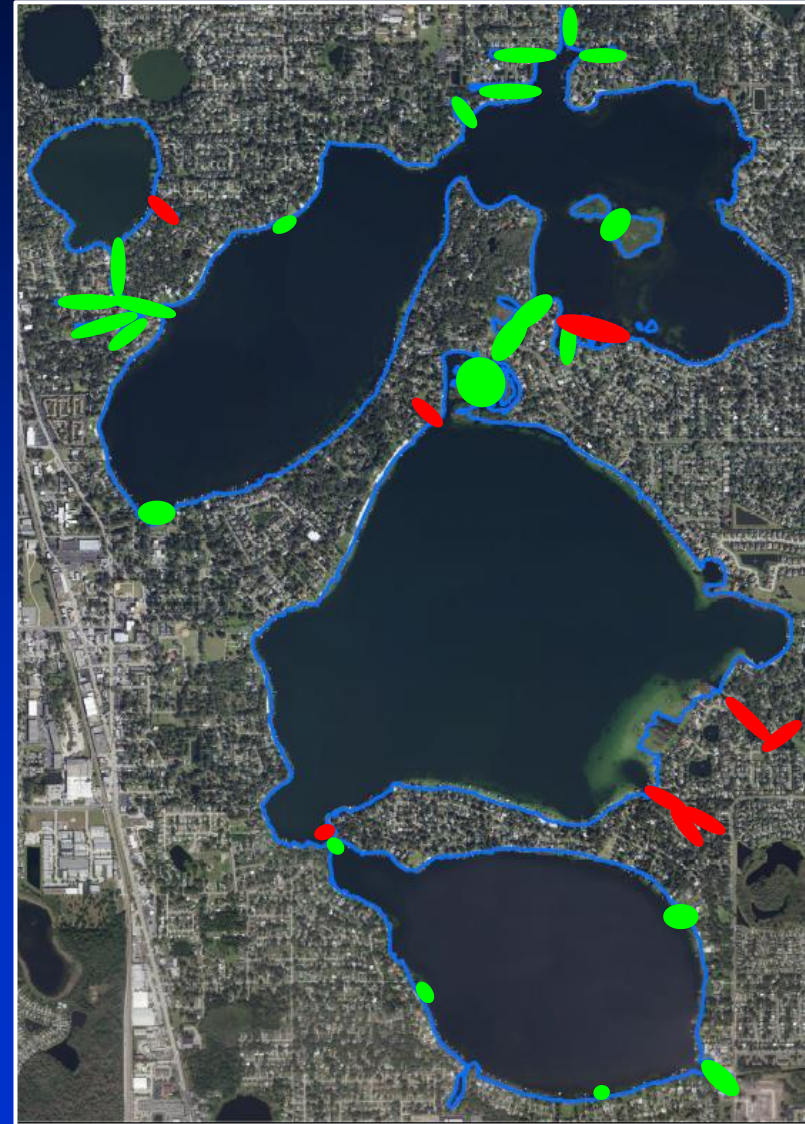
- 43 waterway markers currently
- 24 additional proposed





Existing and Proposed Boating Restricted Areas

- **Conway Chain of Lakes**
 - 30 waterway markers currently
 - 14 additional proposed

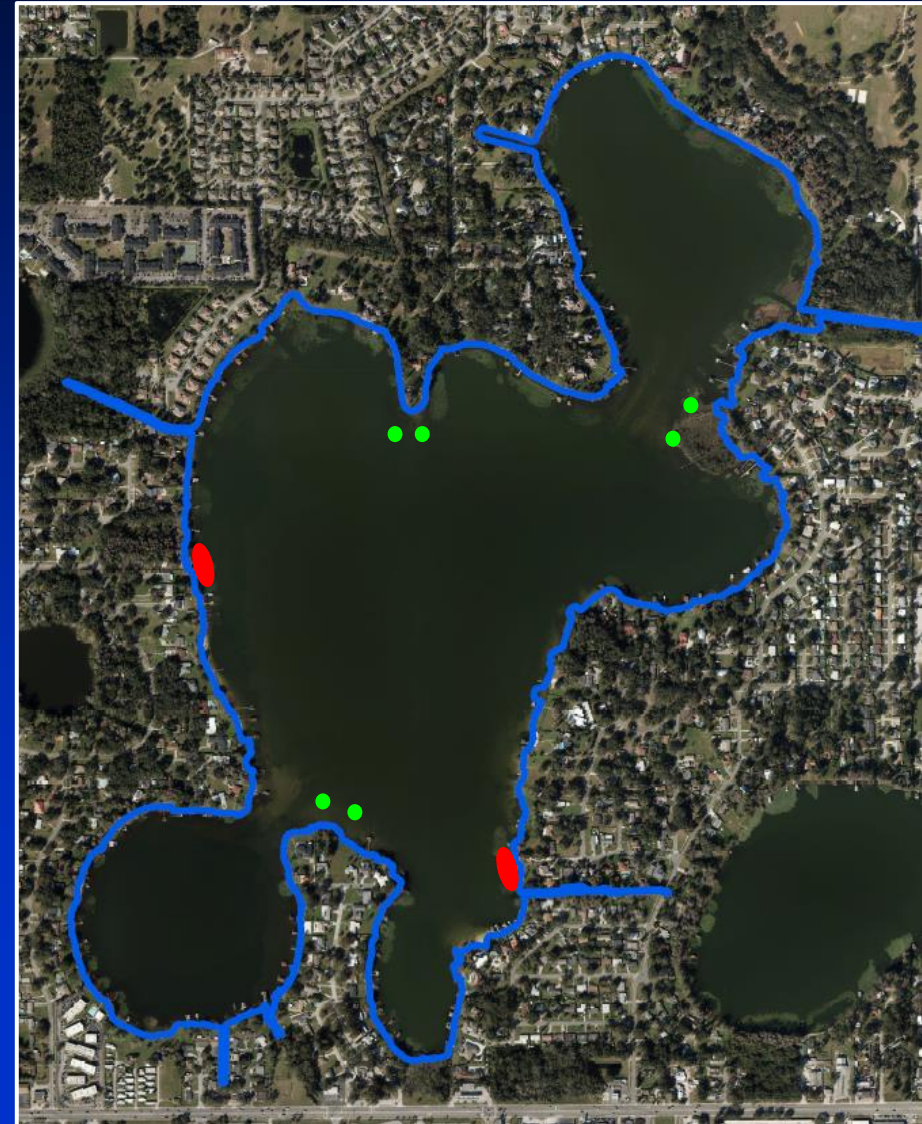




Existing and Proposed Boating Restricted Areas

▪ Lake Jessamine

- 6 waterway markers currently
- 4 additional proposed





Existing and Proposed Boating Restricted Areas

- Johns Lake
 - No existing markers
 - 1 proposed

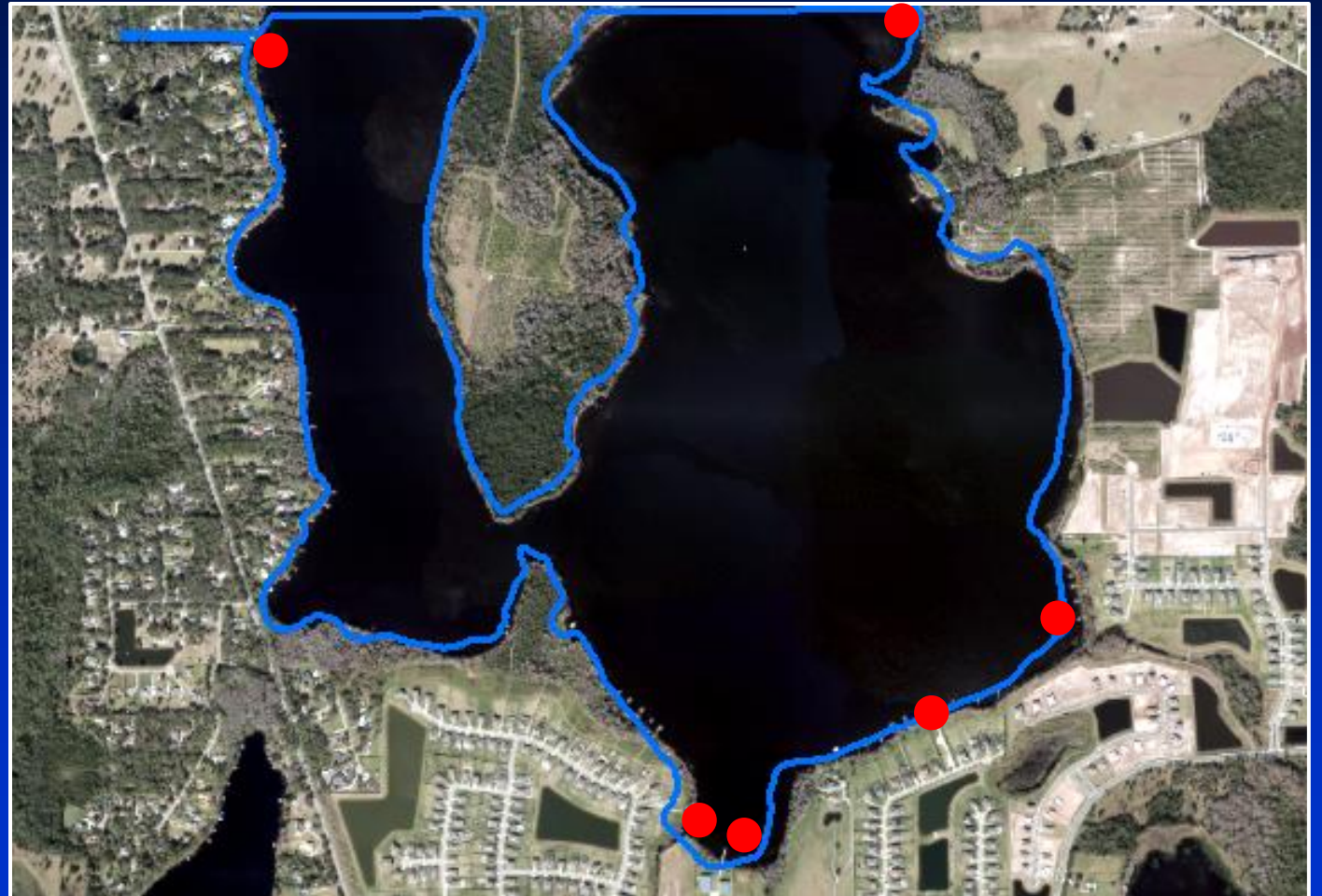




Existing and Proposed Boating Restricted Areas

▪ Lake Pickett

- No existing markers
- 6 proposed



Presentation Outline

- Background
- Ordinance Amendment Goals
- Uniform Waterway Marker Permit
- Existing and Proposed Boating Restricted Areas
- Stakeholders
- Timeline
- Summary
- Action Requested



Stakeholders

State and Local Agency Collaboration

- Orange County Attorney's Office
- Orange County Risk Management Division
- Orange County Sheriff's Office
- Orange County Sheriff Attorney's Office
- Florida Fish and Wildlife Conservation Commission
Division of Law Enforcement
- Florida Fish and Wildlife Conservation Commission
Boating and Waterways Section



External Collaboration

- Environmental Protection Commission
- Local governmental municipalities
- Lake Advisory Boards
- Interested citizens/groups
- Residents within respective lake taxing districts



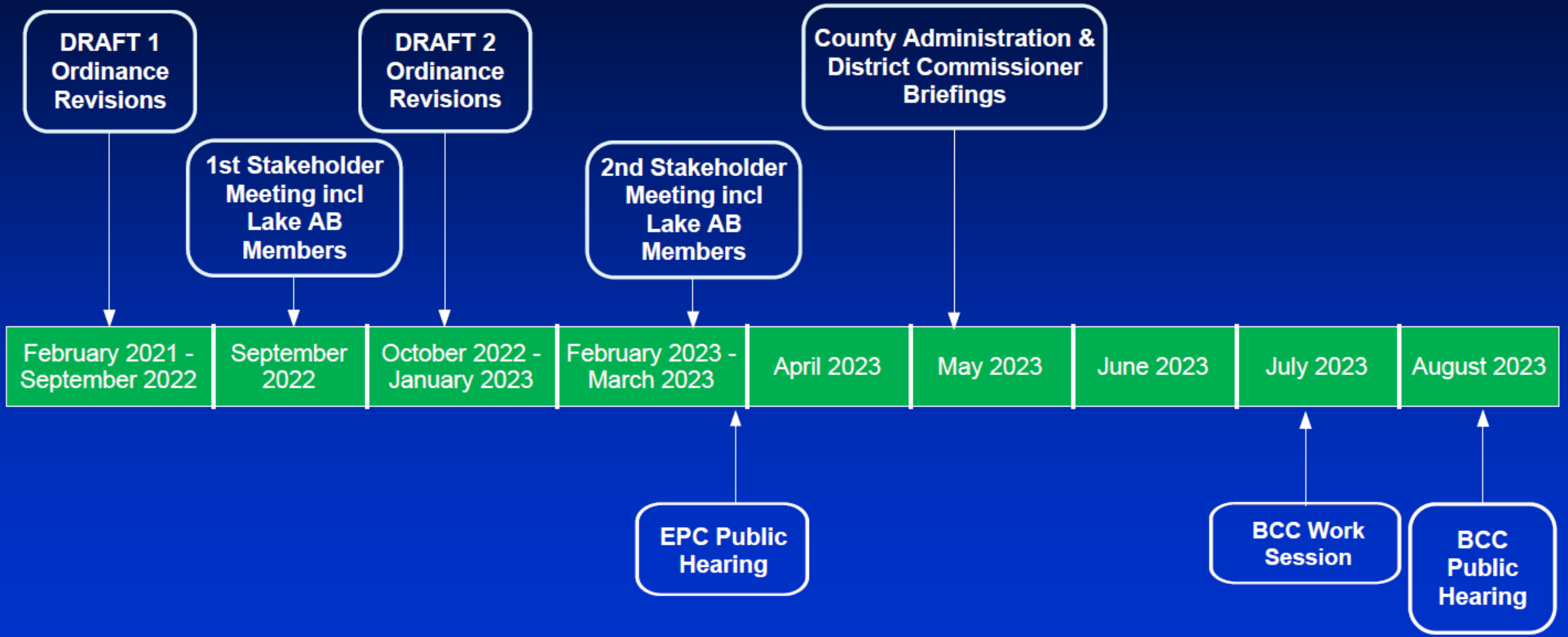
Presentation Outline

- Background
- Ordinance Amendment Goals
- Uniform Waterway Marker Permit
- Existing and Proposed Boating Restricted Areas
- Stakeholders
- Timeline
- Summary
- Action Requested





Timeline



Presentation Outline

- Background
- Ordinance Amendment Goals
- Uniform Waterway Marker Permit
- Existing and Proposed Boating Restricted Areas
- Stakeholders
- Timeline
- Summary
- Action Requested





Summary

- **Chapter 8 needs to be updated to:**
 - **Remove language not consistent with Chapter 327, Florida Statutes**
 - **Reflect current FWC waterway markers and permit requirements**
 - **Implement additional waterway markers recommended by the OCSO to enhance boating safety on several lakes**

Presentation Outline

- Background
- Ordinance Amendment Goals
- Uniform Waterway Marker Permit
- Existing and Proposed Boating Restricted Areas
- Stakeholders
- Timeline
- Summary
- Action Requested





Action Requested

- **RECOMMEND APPROVAL OF THE ORDINANCE OF ORANGE COUNTY, FLORIDA, AMENDING CHAPTER 8 (“BOATS AND WATER SAFETY”) OF THE ORANGE COUNTY CODE PERTAINING TO BOATS AND WATER SAFETY; DESIGNATING IDLE SPEED, NO WAKE BOATING-RESTRICTED AREAS IN CERTAIN PORTIONS OF BIG SAND LAKE, THE BUTLER CHAIN OF LAKES, THE CONWAY CHAIN OF LAKES, LAKE JESSAMINE, JOHNS LAKE, AND LAKE PICKETT; DESIGNATING A SWIM AREA AND VESSEL-EXCLUSION ZONE IN A PORTION OF LAKE BUTLER; AND PROVIDING AN EFFECTIVE DATE. ALL DISTRICTS**