

ORDINANCE 24-83

AN ORDINANCE OF THE CITY OF PORT ST. LUCIE, FLORIDA, CREATING CHAPTER 101, WATERWAYS, ARTICLE I, BOATING SAFETY; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Port St. Lucie, Florida (“City”) has identified five (5) areas, to include the canoe/kayak launch at The Port District, C-24 Canal Park Boat Ramp, the Port St. Lucie Blvd Bridge (SR-716), Veterans Park at Rivergate Boat Ramp, and the SE Southbend Blvd. Bridge, as locations that meet State of Florida statutory requirements to adopt an ordinance, which establishes either an idle speed, no wake or slow speed, minimum wake boating-restricted area in these locations. The below sections will further identify these areas and provide justification on how they meet specific statutory requirements, as outlined in Section 327.46, Florida Statutes.

WHEREAS, the City constructed a Boardwalk along the east side of the North Fork of the St. Lucie River which is also adjacent to a newly constructed park next to the Port St. Lucie Botanical Gardens. The site, identified as The Port District, includes short-term dockage, a canoe/kayak launch, and will later include a restaurant.

WHEREAS, the City desires to restrict the speed of boating traffic to “Idle Speed, No Wake” in this immediate area. The canoe/kayak launching and landing area is designed for public use, including a landing area for vessels. Without the restriction, this can create safety hazards for citizens wanting to use the canoe/kayak launch because of the low draft and already narrow hull found on canoes or kayaks. A small wake can easily overturn a canoe or kayak, placing the operator in the water with substantial risk of injury. In addition, the increased vessel traffic wake from boats traveling above idle speed can cause instability on the floating docks in the area creating a greater likelihood of a person falling and receiving potentially serious injuries.

WHEREAS, the Port St. Lucie Blvd Bridge (SR-716) over the North Fork of the St. Lucie River has a vertical clearance of less than twenty-five (25) feet and the City desires to restrict the speed of boating traffic to “Slow Speed, Minimum Wake” in the area adjacent to the bridge. Sightlines are also limited in this area due to the bend in the river at this location. This poses a safety hazard to vessel traffic in this area. As identified in F.S.S. 327.46(1)(b)(2b), this area is within three hundred (300) feet of any bridge span presenting a vertical clearance of less than twenty-five (25) feet.

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WHEREAS, in the interest of boating safety, the City desires to restrict the speed of boating traffic to “Idle Speed, No Wake” in the area of the Veterans Park at Rivergate Boat Ramp. This location does have consistent vessel traffic and is one of the main boat ramps located within the City of Port St. Lucie. This requirement would provide enhanced safety to protect citizens in the immediate area from rapid acceleration and deceleration and the increased wake this causes. This location is also located within three hundred (300) feet of a publicly accessible boat ramp.

WHEREAS, in the interest of boating safety, the City desires to restrict the speed of boating traffic to “Idle Speed, No Wake” in the area of the C-24 Canal Park Boat Ramp. This location does have consistent vessel traffic and is one of the main boat ramps located within the City of Port St. Lucie. This requirement would provide enhanced safety to protect citizens in the immediate area from rapid acceleration and deceleration and the increased wake this causes. This location is also located within three hundred (300) feet of a publicly accessible boat ramp.

WHEREAS, in the interest of boating safety, the City desires to restrict the speed of boating traffic to “Slow Speed, Minimum Wake” in the area of the SE Southbend Blvd. Bridge over the C-24 Canal, that has a vertical clearance of less than twenty-five (25) feet, in the area adjacent to the bridge. This poses a safety hazard to vessel traffic in this area and is within three-hundred (300) feet of any bridge span presenting a vertical clearance of less than twenty-five (25) feet.

NOW, THEREFORE, THE CITY OF PORT ST. LUCIE HEREBY ORDAINS:

Section 1. Ratification of Recitals. The foregoing recitals are hereby ratified and confirmed as true and correct and are hereby made a part of this Ordinance.

Section 2. Title IX, Chapter 101, Waterways, Article I, Boating Safety, is created as follows (~~strike through text~~ indicates deletions while underlined text indicates additions):

TITLE IX – GENERAL REGULATIONS

CHAPTER 101. – WATERWAYS

ARTICLE I. – BOATING SAFETY

Sec. 101.00 – Applicability.

The provisions of this article shall be operative only when not in conflict with F.S. § 327, or regulations thereunder, and shall not apply in emergency situations.

Sec. 101.01 – Definitions.

The following words, terms, and phrases, when used in this division, shall have the meanings ascribed to them in this section:

Idle speed means the lowest speed at which a boat or watercraft can operate and maintain steering control.

Minimum wake means that a vessel or watercraft shall not proceed at a speed greater than the minimum speed which is reasonable and prudent to avoid creating an excessive wake. A vessel or watercraft that is operating on a plane is not proceeding at minimum wake speed. A vessel or watercraft that is in the process of coming off plane and settling into water, which action creates a wake greater than a minimum wake, is not proceeding at minimum wake speed. A vessel or watercraft that either produces a minimum wake, or is completely off plane, has settled into water and is proceeding without any wake or a minimum wake is proceeding at minimum wake speed. The term “slow speed” shall be synonymous with the term “minimum wake.”

No wake means that a vessel or watercraft shall not proceed at a speed greater than the minimum speed necessary to maintain steerageway. The term “no wake” shall be synonymous with the term “idle speed.”

Operate means to navigate or otherwise use a vessel.

Slow Speed means that a vessel shall not proceed at a speed greater than a speed that is reasonable and prudent to avoid the creation of an excessive wake or other hazardous conditions under the existing circumstances.

Vessel means watercraft of every description used as a means of transportation on water, in addition to the definitions contained in F.S. § 327.02.

Sec. 101.02. – Posting of areas.

The City Council shall post or cause to be posted in all areas identified hereafter, the speed limit established for each said areas. In addition, the City Council may, herein their judgment determines the unregulated operation of vessels presents specific hazards to person or property in areas not specifically identified herein, establish a controlled speed zone and post or cause to be posted the speed limit established for each such area on an emergency basis.

Sec. 101.03 – Speed of vessels; excessive or damaging wakes.

No person shall operate a vessel or allow a vessel to be operated in the waters of the city in such a manner as to create an excessive or damaging wake in areas designated “no wake zones,” or at a speed greater than the maximum speed designated for the area. For the purposes of this section, the term “excessive or damaging wake” means a wake created by the passage of a vessel through the water which can cause damage to other watercraft, docks, seawalls, or other property. In waterways so designated, all watercraft shall be operated at the slowest speed reasonably necessary to maintain steerageway and to conform to the dictates of safe navigation. In areas designated as “no wake zones,” creation of any wave exceeding a vertical height of 12 inches from trough to crest shall constitute prima facie evidence of an excessive wake, or one having damaging capability.

Sec. 101.04. – Areas defined.

- (a) The following described areas of the city as charted on Exhibit A, are hereby designated a “slow speed, minimum wake zone:”
- i) 300 feet north and south of the Port St. Lucie Boulevard Bridge (SR-716) spanning over the North Fork of the St. Lucie River from coordinates latitude 27°16’15” N and longitude 80°19’17” W to coordinates latitude 27°16’21.97” N and longitude 80°19’19.81” W), respectively;
 - ii) 300 feet in any direction of the SE Southbend Blvd. Bridge at coordinates latitude 27°15’43.03”N and longitude 80°20’5.94”W to latitude 27°15’43.76”N and longitude 80°20’09.52”W.
- b) The following described areas of the City as charted on Exhibit A, are hereby designated a “idle speed, no wake zone:”
- i) 500 feet north and south of the canoe/kayak launch at The Port District at coordinates latitude 27°15’59” N and longitude 80°19’17” W to latitude 27°16’06.59” N and longitude 80°19’18.42”W;
 - ii) 300 feet in any direction of the Veterans Park at Rivergate Boat Ramp at coordinates latitude 27°16’31.02” N and longitude 80°19’11.95” W to latitude 27°16’31” N and longitude 80°19’8.90”W;

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- iii) 300 feet in any direction of the C-24 Canal Park Boat Ramp at coordinates latitude 27°15'43.71" N and longitude 80°20'9.00" W to latitude 27°15'44.99" N and longitude 80°20'15.23"W;
- (b) Exemptions. The United States Coast Guard, Florida Fish and Wildlife Conservation Commission, St. Lucie County Sheriff, Port St. Lucie Police Department, or other official watercraft operating under emergency conditions or while performing official duties shall be exempt from the provisions of this section.
- (c) Enforcement. It shall be unlawful to violate any provisions of section 110.00-110.04. A citation shall be issued pursuant to F.S. §§ 327.72 and 327.73 for any such violation by those agencies authorized to enforce vessel regulations
- (d) Penalties. In accordance with F.S. § 327.73, any violation of the speed restrictions within this section shall be considered a non-criminal infraction punishable by a civil penalty provided in the aforementioned statute. Enforcement of the section shall be specified in F.S. § 327.70, and all infractions of this section shall be issued on a uniform boating citation as provided by F.S. § 327.74, by those agencies authorized to enforce vessel speed regulations. Pursuant to F.S. § 327.72, any person failing to pay the civil penalty as designated in this section or to utilize the remedies provided in F.S. § 327.73 shall be considered guilty of a misdemeanor of the second degree, punishable as provided in F.S. §§ 775.082 or 775.083.

Sec. 101.05-101.10 – Reserved.

Section 3. Conflict. If any ordinances, or parts of ordinances, are in conflict herewith this Ordinance shall control to the extent of the conflicting provisions.

Section 4. Severability. The provisions of this Ordinance are intended to be severable. If any provision of this Ordinance is determined to be void or is declared illegal, invalid, or unconstitutional by a Court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

Section 5. Codification. The provisions of this Ordinance shall be made a part of the Code of Ordinances of the City of Port St. Lucie, Florida. The sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; the word “ordinance” may be changed to “section” or other appropriate word as may be necessary.

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Section 6. Effective Date. This Ordinance shall become effective immediately upon final adoption on second reading.

PASSED AND ADOPTED by the City Council of the City of Port St. Lucie, Florida, this _____ day of _____, 2025.

CITY COUNCIL
CITY OF PORT ST. LUCIE

By: _____
Shannon Martin, Mayor

ATTEST:

Sally Walsh, City Clerk

APPROVED AS TO FORM:

Richard Berrios, City Attorney