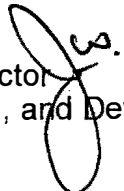





Interoffice Memorandum

April 27, 2022

TO: Mayor Jerry L. Demings
–AND–
County Commissioners

FROM: Jon V. Weiss, P.E., Director
Planning, Environmental, and Development
Services Department 

CONTACT PERSON: **David D. Jones, P.E., CEP, Manager** 
Environmental Protection Division
407-836-1406

SUBJECT: May 24, 2022 – Public Hearing
Adoption of Revisions to Orange County Code, Chapter 8
("Boats and Water Safety")

The Environmental Protection Division (EPD) is presenting proposed revisions to Orange County Code, Chapter 8 ("Boats and Water Safety"). Chapter 8 outlines enforceable boating rules and regulations to protect the health, safety and general welfare of users of waterways of the County including minimum boating safety equipment and general vessel operation restrictions. Chapter 8 was last updated in 1995.

On September 1, 2020, a Commissioner's Report concerning Egret Island (aka Bird Island) was presented to the Board. Based on safety concerns associated with certain activities near the island, EPD was directed to do the necessary research and coordination to bring back proposed changes to the ordinance. EPD has coordinated with the Florida Fish and Wildlife Conservation Commission (FWC), the Orange County Sheriff's Office (OCSO), and other stakeholders to discuss proposed changes to the code. The proposed changes include updated language based on comments received from FWC, OCSO and further input from stakeholders.

During a work session on March 22, 2022, EPD staff presented background and status of a two-phase effort to update the ordinance. In Phase 1, EPD is proposing a new Section 8-38 designating a swim area and vessel-exclusion zone in a portion of Lake Butler adjacent to Egret Island in order to address safety, natural resources and wildlife issues that were identified as concerns by residents and the Board.

Later this year, EPD anticipates that more extensive updates to Chapter 8 will be brought to the Board for consideration as Phase 2 of the code update. These changes are needed in order to bring the code up-to-date with current FWC requirements, which is required in order to make changes to existing boating safety zones throughout the county moving forward. EPD and OCSO have identified the need for modifications to some existing boating safety zones and to establish additional boating safety zones. Additionally, the majority of the existing language in the code has been superseded by state statute and is no longer enforceable by law enforcement, which occasionally leads to confusion for the boating public.

Two stakeholder public meetings were held on October 19, 2021. In addition, staff has made presentations on the proposed ordinance revisions to the Butler Chain of Lakes Advisory Board, the Environmental Protection Commission (EPC), and various other groups. Following a hearing held on February 23, 2022, the EPC recommended that the Board approve the proposed ordinance revisions.

The County Attorney’s Office has reviewed the revised ordinance as to form.

ACTION REQUESTED: **Adopt an ordinance amending the Orange County Code, Chapter 8 (“Boats and Water Safety”) by creating Section 8-38; designating a swim area and vessel-exclusion zone in a portion of Lake Butler, as further described on Appendix “A”; and providing an effective date. All Districts**

DDJ/JVW: jk

Attachment