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MEMORANDUM

TO: Mayor Teresa Jacobs
and
County Commissioners

FROM: Jeffrey J. Newton, County Attorney *JJN*
Anthony J. Cotter, Assistant County Attorney *AJCotter*
Contact: (407) 836-7320

DATE: September 14, 2018

RE: Agenda Item for Board Meeting on September 18, 2018
Approval and Execution of Resolution of the Orange County Board of
County Commissioners regarding Vessel Operation During High Water
Conditions

ACTION REQUESTED

Approval and execution of Resolution of the Orange County Board of County Commissioners regarding Vessel Operation During High Water Conditions; Marking of Potential Navigational Hazards; and Temporary Informational Signage at County-Operated Boat Ramps.

DISCUSSION

At the September 12, 2018, meeting of the Orange County Commissioners, Commissioner Vanderley raised the issue of the potential danger related to high water levels in lakes in western Orange County and other areas of the County. The perceived danger is due in part to above-average rainfall this year and in part to the wakes thrown by boats designed to produce large wakes for wakeboarding and surfing and related activities. Commissioner Vanderley suggested that the County encourage owners of submerged docks to install flags on the docks to warn boaters of the potential hazard that may not be clearly visible. At the conclusion of the Board discussion, County staff were directed to advise the Board at the September 18, 2018, meeting of the Orange County Board of County Commissioners as to what measures the Board could take to address the high water conditions and the level of danger or threat posed by the current conditions.

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and
County Commissioners
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County staff have determined that various water bodies in Orange County are at high levels due to the above-average rainfall this year. On some lakes, the docks are submerged or nearly submerged and may present hazards to boaters. Additionally, rough and turbulent high water may increase erosion of shorelines and cause damage to the structures on or adjacent to the water. Boat wakes may exacerbate flooding of the riparian property and the erosion of the shoreline.

The resolution attached hereto directs County staff to install temporary signage at County-owned or operated boat ramps on lakes experiencing high water conditions advising boaters of the possibility of navigational hazards due to the high water conditions. Moreover, the resolution encourages riparian property owners to install flags marking submerged docks or docks that may become submerged so that boaters can avoid the potential hazard. The resolution also encourages boaters to responsibly operate their vessels to maintain slow speeds so as not to generate a wake within 300 feet of a dock or shoreline and to operate responsibly and cautiously outside of the 300-foot zone. These are voluntary measures, if adopted, which will reduce the possibility of increased erosion and property damage. These voluntary measures may be implemented without the enactment of an ordinance.

If you have any questions or concerns regarding this matter, please feel free to contact the County Attorney's Office.

Attachment

C: Ajit Lalchandani, County Administrator
Joel Prinsell, Deputy County Attorney