

By Senator Dockery

15-643-05

See HB

1 A bill to be entitled
2 An act relating to inland lakes and canals;
3 amending s. 327.40, F.S.; exempting from
4 permitting requirements the placement of
5 informational markers on inland lakes and
6 associated canals by counties, municipalities,
7 or other governmental entities; providing
8 requirements for placement of such markers;
9 specifying that placement of informational
10 markers on state submerged lands does not
11 subject such lands to specified lease
12 requirements; providing an effective date.

14 Be It Enacted by the Legislature of the State of Florida:

16 Section 1. Section 327.40, Florida Statutes, is
17 amended to read:

18 327.40 Uniform waterway markers for safety and
19 navigation; informational markers.--

20 (1) Waterways in Florida which need marking for safety
21 or navigation purposes shall be marked under the United States
22 Aids to Navigation System, 33 C.F.R. part 62. Until December
23 31, 2003, channel markers and obstruction markers conforming
24 to the Uniform State Waterway Marking System, 33 C.F.R.
25 subpart 66.10, may continue to be used on waters of this state
26 that are not navigable waters of the United States.

27 (2)(a) Application for marking inland lakes and state
28 waters and any navigable waters under concurrent jurisdiction
29 of the Coast Guard and the division shall be made to the
30 division, accompanied by a map locating the approximate
31 placement of markers, a list of the markers to be placed, a

1 statement of the specification of the markers, a statement of
2 the purpose of marking, and the names of persons responsible
3 for the placement and upkeep of such markers. The division
4 will assist the applicant to secure the proper permission from
5 the Coast Guard where required, make such investigations as
6 needed, and issue a permit. The division shall furnish the
7 applicant with the information concerning the system adopted
8 and the rules existing for placing and maintaining the
9 markers. The division shall keep records of all approvals
10 given and counsel with individuals, counties, municipalities,
11 motorboat clubs, or other groups desiring to mark waterways
12 for safety and navigation purposes in Florida.

13 (b)1. No person or municipality, county, or other
14 governmental entity shall place any safety or navigation
15 markers in, on, or over the waters or shores of the state
16 without a permit from the division.

17 2. The placement of informational markers, including,
18 but not limited to, markers indicating end of boat ramp, no
19 swimming, swimming area, lake name, trash receptacle, public
20 health notice, or underwater hazard and canal, regulatory,
21 emergency, and special event markers, by counties,
22 municipalities, or other governmental entities on inland lakes
23 and their associated canals is exempt from permitting under
24 this section. Such markers, excluding swimming area and
25 special event markers, may be no more than 50 feet from the
26 normal shoreline.

27 (c) The commission is authorized to adopt rules
28 pursuant to chapter 120 to implement this section.

29 (3) The placement of any safety or navigation marker
30 or any informational marker under subparagraph (2)(b)2. on
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1 state submerged lands under this section does not subject such
2 lands to the lease requirements of chapter 253.

3 Section 2. This act shall take effect upon becoming a
4 law.

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