

By Senator Stewart

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1 A bill to be entitled
2 An act relating to boating-restricted areas; amending
3 s. 327.46, F.S.; authorizing municipalities and
4 counties to establish certain boating-restricted areas
5 by ordinance for areas within a specified distance of
6 any shoreline; reenacting s. 327.41(2), F.S., relating
7 to uniform waterway regulatory markers, to incorporate
8 the amendment made to s. 327.46, F.S., in a reference
9 thereto; providing an effective date.

10
11 Be It Enacted by the Legislature of the State of Florida:

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13 Section 1. Paragraph (b) of subsection (1) of section
14 327.46, Florida Statutes, is amended to read:

15 327.46 Boating-restricted areas.—

16 (1) Boating-restricted areas, including, but not limited
17 to, restrictions of vessel speeds and vessel traffic, may be
18 established on the waters of this state for any purpose
19 necessary to protect the safety of the public if such
20 restrictions are necessary based on boating accidents,
21 visibility, hazardous currents or water levels, vessel traffic
22 congestion, or other navigational hazards or to protect
23 seagrasses on privately owned submerged lands.

24 (b) Municipalities and counties have the authority to
25 establish the following boating-restricted areas by ordinance:

26 1. An ordinance establishing an idle speed, no wake
27 boating-restricted area, if the area is:

28 a. Within 500 feet of any boat ramp, hoist, marine railway,
29 or other launching or landing facility available for use by the

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30 general boating public on waterways more than 300 feet in width
31 or within 300 feet of any boat ramp, hoist, marine railway, or
32 other launching or landing facility available for use by the
33 general boating public on waterways not exceeding 300 feet in
34 width.

35 b. Within 500 feet of fuel pumps or dispensers at any
36 marine fueling facility that sells motor fuel to the general
37 boating public on waterways more than 300 feet in width or
38 within 300 feet of the fuel pumps or dispensers at any licensed
39 terminal facility that sells motor fuel to the general boating
40 public on waterways not exceeding 300 feet in width.

41 c. Inside or within 300 feet of any lock structure.

42 d. Within 200 feet of any shoreline.

43 2. An ordinance establishing a slow speed, minimum wake
44 boating-restricted area if the area is:

45 a. Within 300 feet of any bridge fender system.

46 b. Within 300 feet of any bridge span presenting a vertical
47 clearance of less than 25 feet or a horizontal clearance of less
48 than 100 feet.

49 c. On a creek, stream, canal, or similar linear waterway if
50 the waterway is less than 75 feet in width from shoreline to
51 shoreline.

52 d. On a lake or pond of less than 10 acres in total surface
53 area.

54 3. An ordinance establishing a vessel-exclusion zone if the
55 area is:

56 a. Designated as a public bathing beach or swim area.

57 b. Within 300 feet of a dam, spillway, or flood control
58 structure.

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59 Section 2. For the purpose of incorporating the amendment
60 made by this act to section 327.46, Florida Statutes, in a
61 reference thereto, subsection (2) of section 327.41, Florida
62 Statutes, is reenacted to read:

63 327.41 Uniform waterway regulatory markers.—

64 (2) Any county or municipality which has been granted a
65 boating-restricted area designation, by rule of the commission
66 pursuant to s. 327.46(1)(a), for a portion of the Florida
67 Intracoastal Waterway within its jurisdiction or which has
68 adopted a boating-restricted area by ordinance pursuant to s.
69 327.46(1)(b) or (c) or s. 379.2431(2)(p), or any other
70 governmental entity which has legally established a boating-
71 restricted area, may apply to the commission for permission to
72 place regulatory markers within the boating-restricted area.

73 Section 3. This act shall take effect July 1, 2020.