

ORDINANCE 2024- 20

AN ORDINANCE OF WALTON COUNTY, FLORIDA AMENDING CHAPTER 24 OF THE WALTON COUNTY CODE OF ORDINANCES TO PROVIDE FOR REGULATION OF THE USE OF PUBLIC BOAT RAMPS AND PERMITTING ASSOCIATED THEREWITH, PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the Walton County Board of County Commissioners has determined that the regulation of the of public boat ramps is necessary for the protection of the health, safety, and welfare of the public, and;

WHEREAS, the Walton County Board of County Commissioners desires to improve the access and use of public boat ramps located in the County, and;

WHEREAS, the reorganization of these provisions and amendments hereto into Chapter 24 is more consistent with the numbering and organization of the current Code of Ordinances.

NOW THEREFORE, be it ordained that Chapter 24 of the Walton County Code of Ordinances shall henceforth read as follows:

[Ed. Note: Chapter 24 pertains to Airboats. As part of this Ordinance, it will be retitled to Boating on Waterways within Walton County]

Chapter 24 – SPECIFIED BOATING ACTIVITIES

- (a) Title. This Section shall be known as the Public Boat Ramp Ordinance of the County.
- (b) Findings. Regulation of the use of public boat ramps is necessary for the protection of the health, safety, and welfare of the public.
- (c) Purpose and intent. The purpose and intent of this Section is to improve the access and use of public boat ramps located in the County.

Sec. 24-1. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (a) “Airboat” means a vessel that is primarily designed for use in shallow waters and powered by an internal combustion engine with an airplane-type propeller mounted above the stern and used to push air across a set of rudders.

(b) Commercial activity. Operating a vessel or watercraft for use by the public at or from a public boat ramp for monetary gain shall be deemed commercial activity.

(c) "Operate" means to be in charge of or in command of or in actual physical control of a vessel upon the waters of this state, or to exercise control over or to have responsibility for a vessel's navigation or safety while the vessel is underway upon waters of the county, or to control or steer a vessel being towed by another vessel upon the waters of the county.

(d) "Person" means an individual, partnership, firm, corporation, association, or other entity.

Sec. 24-2. - Use of public boat ramps.

(a) No person shall conduct any commercial activity or utilize a public boat ramp and associated park in a manner that will result in commercial activity, whether land-based or from the water, without a permit authorizing that activity.

(b) Permits shall be issued annually and shall expire on June 1st of each year. Applications may be filed at any time during the permit year by submission through the means and manner set forth by the County department responsible for issuance and regulation of the permits. The cost of the permit shall be set by Resolution of the Board of County Commissioners.

(c) To be eligible for issuance of a permit, the following are mandatory requirements:

(1) The boat and trailer being permitted shall be owned by and registered to the person who processes a U.S. Coast Guard license as set forth in section (3) below; or is owned by and registered to a Florida Corporation or LLC that the person possessing the U.S. Coast Guard license is a member or principal.

(2) All registrations for the boat and trailer must be current and valid.

(3) The person applying must possess a valid U.S. Coast Guard Captain's license, and must be the same person who owns and holds registration to the vessel and trailer.

(4) Proof of liability insurance of not less than \$100,000.00 for general public liability per occurrence.

In addition to the requirements above, proof of any and all licensures and registrations required by any state or federal agency, including but not limited to Florida charter fishing licenses, shall be required for any activity that requires such licensure and registration.

(d) Permits must be attached to the port side of the vessel, adjacent to the boat registration and to the tongue of the trailer.

(e) The person possessing the valid U.S. Coast Guard Captain's License must be present on and in operational control of the vessel at all times. A valid copy of such license must be in the actual possession of that person at all times.

Sec. 24-3. – Docking at Public Boat Ramps.

The docking of boats at public boat ramps may deny others the use of public boat ramps. The docking may also present a hazard to other boaters and the public wishing to use the public boat ramps. If any person wishing to use a public boat ramp in the County comes upon a boat docked or anchored which is hampering access or causing a hazard, she or he should call Code Enforcement or Sheriff's Office. After a complaint is received, the appropriate agency will be notified.

Sec. 24-4. - Airboat curfew.

(a) Geographical boundaries. The provisions of this chapter shall apply to the operation of airboats on all water bodies located within the unincorporated boundaries of Walton County.

(b) Hours of operation. No person shall operate an airboat on any water body within unincorporated Walton County on Sundays or between the hours of 6:00 p.m. and 8:00 a.m., Monday through Saturday, except as provided in subsection (c) of this section.

(c) Exemptions. Nothing in this section shall prohibit the use of a federal, state, or county airboat properly operated in the line of duty, by duly authorized personnel. Nothing in this section shall prohibit the use of a public or privately owned or operated airboat, in coordination with federal, state, or county emergency services personnel, in the course of rescuing an individual in immediate peril.

Sec. 24-5. - Penalty provision. (ed. Note: This was from the old Airboat ordinance)

A violation of this chapter shall constitute a civil infraction punishable by a fine not to exceed \$500.00. Each occurrence of a violation, or, in the case of continuing violations, each day a violation occurs or continues, constitutes a separate offense.

Conflicts and Severability. Should any provision hereof be found in conflict internally or with other laws, it shall be deemed severed and the remainder hereof shall remain in full force and effect.

Effective Date. This Ordinance shall be effective immediately upon adoption by the Board of County Commissioners.

Passed and duly adopted in regular session by the Board of County Commissioners of Walton County, Florida, this 21st day of June, 2024.

**BOARD OF COUNTY COMMISSIONERS
OF WALTON COUNTY, FLORIDA**

Attest:

for Saretta D. Sand
Alex Alford, Clerk of the Circuit Court
And County Comptroller

for Anthony "Tony" Anderson
Anthony "Tony" Anderson, Chairman

