



Lakes & Waterways Board Regular Meeting

Agenda

May 13, 2025 @ 12:00 PM

City Hall Commission Chambers
401 S. Park Avenue

welcome

Agendas and all backup material supporting each agenda item are accessible via the city's website at cityofwinterpark.org/meetings/ and include virtual meeting instructions.

assistance & appeals

Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's Office ([407-599-3277](tel:407-599-3277)) at least 48 hours in advance of the meeting.

"If a person decides to appeal any decision made by the Board with respect to any matter considered at this hearing, a record of the proceedings is needed to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based." (F.S. 286.0105).

please note

Times are projected and subject to change.

- 1. Call to Order**
- 2. Consent Agenda**
 - a. Approve the minutes of March 11, 2025 1 Minute
 - b. Approve the minutes of April 8, 2025 1 Minute
- 3. Public Comments (for items not on the agenda): Three minutes allowed for each speaker**
- 4. Public Hearings (Public participation and comment on these matters must be in person.)**
 - a. Seawall Application (SAP-2024-0022) 721 Virginia Dr. 10 Minutes
- 5. Action Items**
 - a. Ordinance Amending Boating Regulations 20 Minutes
- 6. Non-Action Items**
- 7. Staff Updates**
 - a. Winter Park Police Department 10 Minutes
 - b. Lakes Management 10 Minutes
 - c. Past & Upcoming Events 5 Minutes
 - Shoreline Restoration - 5/3 9am @ Lakes Temple & Tuscany
 - Gardening Day - 5/3 9am @ The Winter Park Meadows
 - Fix It! Don't Pitch It - 5/17 9am @ Winter Park Events Center
 - Ballroom Dance Lessons - Monday Nights @ Community Center (See Attached Flyer)
 - d. Stormwater Management 10 Minutes
- 8. Board Comments**
 - a. Discussion of Public Comments Received 5 Minutes
- 9. Upcoming Agenda Items**
 - a. Discussion of Upcoming Agenda Items 5 Minutes
- 10. Adjournment**



item type

Consent Agenda

meeting date

May 13, 2025

prepared by

approved by

subject

Approve the minutes of March 11, 2025

motion | recommendation

background

alternatives | other considerations

fiscal impact

attachments

1. LWB-mins-2025-03-11 DRAFT GE edited



Lakes & Waterways Board Regular Meeting Minutes

March 11, 2025 at 12:00 PM

City Hall Commission Chambers
401 S. Park Avenue

Present

David F. March, Ed Webman, George T. Vietor, Justin J. Vermuth, William H. Swartz Sr., Clark Sprinkel

Absent

Matthew Johnson

Staff Present

Director of Natural Resources and Sustainability Gloria Eby, Assistant Director of Public Works Don Marcotte; Public Works Engineer Shannon Monahan, Lakes Specialist Daniel Barber, Administrative Assistant Victoria Tabor, GIS Manager Mark Medley, GIS Analyst Daniel Ball

1. Call to Order

The meeting was called to order at 12:03 am.

2. Consent Agenda

- a. Approve the minutes of February 11, 2025

Motion made by Mr. Swartz to approve the minutes, seconded by Mr. Vietor.

Motion carried unanimously with a 4-0 vote.

3. Public Comments (for items not on the agenda)

4. Public Hearings (Public participation and comment on these matters must be in person.)

5. Action Items

6. Non-Action Items

- a. Lakes Webpage Development

Ms. Eby announced the GIS team is working on developing the Lakes webpage, where staff is planning to publicly display real-time data related to the lakes. GIS Manager Mark Medley introduced himself along with GIS Analyst Daniel Ball. Mr. Medley explained that a significant amount of data is collected by the city on various topics. Much of the data capture is being automated, such as lake elevation levels. Awareness of these levels has improved, especially before and after storms. Additionally, there has been an effort in refining the processes for water quality samples from all the lakes and

how the data is integrated into the systems. The final step is to display it so people can see it or, if they're curious, explore the city's information.

He presented a draft webpage that will initially feature a map of the city of Winter Park. By clicking on any of the waterbodies, users will see a popup displaying the latest elevation level. It can also include text to seamlessly integrate the most recent data on water quality sampling.

The webpage will feature dynamic color coding: if phosphorus levels are unhealthy, the indicator will turn red; if the levels are good, it will turn green. This color change will occur automatically as soon as new data is updated by staff collecting quality information at the lakes.

In addition to the map interface, we have specific data that indicates where you can access information about a lake or other water bodies. You can view elevation changes over time and set your own custom date ranges. This allows you to analyze seasonal changes and observe the full range of data within those dates. Additionally, we have a similar interface for monitoring water quality levels. You can select different waterbodies, and the interface will show whether the quality is within acceptable limits for each specific body of water. It also provides graphs that display the data over time.

Mr. Medley explained that the elevation level is updated as frequently as needed. There is a slight manual process involved in retrieving data from the sensors. Once the data is collected and placed in the appropriate location, there are several backend scripts that process the data and bring it into the database, where it is displayed. Whenever information from Compass is gathered from the sensors located on the waterbodies, the data is updated in the system immediately.

Mr. Webman inquired whether the nutrient data comes from the County. Ms. Eby responded that the laboratory is the Orange County laboratory, but staff handles the sampling. The lab provides the report which staff uploads, so the data will always be reported in arrears.

It was explained that, in addition to the data section of the new webpage, the landing page is also under development. This process requires significant time to review the period of record data and format it for automation. The automation proved to be the most challenging aspect. The next step involves creating the splash page, where each lake will have a tile featuring drone imagery. Users will be able to click on the lake directly or access it through a web-based map. The splash page, along with the images, will include a narrative detailing the history of each lake.

Mr. Webman expressed gratitude to the staff for their efforts on the webpage. Ms. Eby mentioned that the webpage will resemble the public art collection page; however, instead of showcasing various art pieces around the city, it will feature the different lakes.

Mr. Sprinkel suggested that the charts should indicate when there are spikes caused by hurricanes and include information about how water quality was impacted during capital projects.

Mr. Medley offered to compile a list of important dates along with the events associated with them, such as policy changes and hurricanes, that could influence future developments.

Mr. Vietor inquired about the difficulty and time required for inputting the incoming data. Mr. Medley responded that setting up the system was more challenging than maintaining it. Although manually entering data can be somewhat tedious at times, he noted that most of the tedious work had already been completed.

7. Staff Updates

a. Winter Park Police Department

Sergeant Hofer was absent

b. Lakes Management

Mr. Barber provided updates on the lakes treatments. Phase one of the hydrilla treatment for Baldwin has been completed, with phase two possibly scheduled for April. Lakes team is also addressing hydrilla in Minnehaha and Nina, treating Temple for salvinia, and Tuscany for burhead sedge. Additionally, Lakes continues to treat Howell Creek.

Mr. Vietor inquired about the yellow debris barriers located under the Sterling Bridge, mentioning that they were full of leaves, making it impossible to see the water. As of yesterday, the barriers were about 90% cleared out. He wanted to know if this was something the city managed. Ms. Eby explained that the debris barriers are part of the NRCS Howell Creek construction work. Both Lakes team and the contracting team are responsible for clearing them out. Although the recent storm event may have helped flush some debris away, the barriers are generally cleared every three days or so.

Ms. Eby informed that a message was sent to the Lake communities stating that the results for hazardous algae blooms came back negative.

Mr. Barber informed that the Plant of the Month is the Arrowhead Vine. This plant is considered invasive in the U.S., where it ranges from Mexico to Ecuador. It can cover the ground completely, which can kill any other plants that need sunlight underneath it. One leaf, as it matures, can grow into 7 leaves. If you cut the vine, it can propagate from cuttings, so it's important to bag them and dry them out.

The nutrient levels in all the lakes were displayed and it was advised to omit the TSI because the chlorophyll data has not been received yet. A brief discussion was held on the implications of impairment shown on the charts.

Staff updated that it is conducting a joint inspection with the city of Maitland.

c. Upcoming Events

- Orange County Lake Killarney Advisory Board Meeting - 3/13 5pm @ Public Safety Building (500 N Virginia Ave.)
- Weed Wrangle - 3/15 9a @ Mead Gardens
- Shoreline Restoration - 3/22 9am @ Lake Berry
- Candlelight Yoga - 3/22 7pm @ Mead Garden
- The Great Duck Derby - 3/29 10am @ Mead Gardens

Ms. Tabor stated that the Household Hazardous Waste event had a total of 475 cars. The Candlelight Yoga event is sold out.

d. Stormwater Management

Ms. Monahan provided updates on CIP projects. Permit applications were submitted for the new Old England and the Killarney Drive outfall replacements and drainage improvements. Ms. Eby reported that \$700K was awarded in grant funding to restore the Interlachen canal system in response to the Mayflower flooding caused by Hurricane Milton. Construction is expected to begin in about three months. Ms. Monahan will provide an aerial map for reference of this project and mentioned that the CDS unit on Lakeview Drive treats a significant amount of runoff from many residential areas and effectively captures debris.

8. Board Comments

Mr. Sprinkel observed a private buoy on Lake Osceola. Ms. Eby stated that they will investigate the matter further. Additionally, Mr. Sprinkel shared that he and his daughter successfully caught several fish and conveyed their enjoyment of fishing in the lakes.

- a. Discussion of Public Comments Received

9. Upcoming Agenda Items

- a. Discussion of Upcoming Agenda Items

10. Adjournment

The meeting adjourned at 12:36 p.m.

Approved by the board on _____
/s/ Bahiyyah Layton, Board Coordinator



item type

Consent Agenda

meeting date

May 13, 2025

prepared by

approved by

subject

Approve the minutes of April 8, 2025

motion | recommendation

background

alternatives | other considerations

fiscal impact

attachments

1. LWB-mins-2025-04-08 DRAFT GE



Lakes & Waterways Board Regular Meeting Minutes

April 8, 2025 at 12:00 PM

City Hall Commission Chambers
401 S. Park Avenue

Present

Ed Webman, Justin J. Vermuth, William H. Swartz Sr.

Absent

David F. March, George T. Vietor, Matthew Johnson, Clark Sprinkel

Staff Present

Director of Natural Resources and Sustainability Gloria Eby, Assistant Director of Public Works Don Marcotte; Public Works Engineer Shannon Monahan, Lakes Manager Joseph Cordell, Lakes Specialist Daniel Barber, Administrative Assistant Victoria Tabor

1. Call to Order

The meeting was called to order at 12:06

2. Consent Agenda

Quorum not met.

- a. Approve the minutes of March 11, 2025

Quorum not met.

3. Public Comments (for items not on the agenda)

4. Public Hearings (Public participation and comment on these matters must be in person).

Quorum not met.

- a. Seawall Application (SAP-2024-0022) 721 Virginia Dr.
- b. Boathouse/Dock Application (BLDR-2024-0723) 2150 Fawsett Rd.

5. Action Items

6. Non-Action Items

7. Staff Updates

- a. Winter Park Police Department
- b. Lakes Management

Mr. Barber and Mr. Cordell reviewed lake updates.

Water Quality - The charts of monthly samples for each lake were presented. TSI is

rising in the data set of lakes. Lake Berry experienced a spike in phosphorus in November 2024, but staff believes this is inaccurate and will be removed.

Treatments - Spot treatments for hydrilla were conducted two months ago in Lake Baldwin. Staff will reassess. Phase one of the Lake Baldwin treatment for hydrilla has been executed, focusing on a knockdown in the center of the lake to reduce the biomass. A collaboration was created with UF to monitor the effectiveness of a systemic, long-term, low-dose treatment for hydrilla.

February 2025 Biobase – Sonar is recorded using equipment on the boat, and its GPS is coordinated to process it through a program that provides a visual representation of the plants and the lake bottom. This information will also appear on the dashboard of Lakes new webpage.

The state has just awarded our department an innovative technologies grant of \$2.1M for a nano-bubbles project on Lake Virginia. This grant will fund a one-year initiative to remediate the soils by extracting water and infusing oxygen into the bottom layers. It will involve a floating container. A detailed discussion about this project will take place soon.

Plant of the month - A very small plant, *Salvinia minima*, is a floating, rootless aquatic fern. The structures that resemble roots are actually leaves. It is an invasive species from Central and South America. It does not reproduce through seeds and grows by fragmentation. Mr. Cordell noted that a related species is highly invasive. The few introductions in Florida have been eradicated. If the much larger version is spotted, please report it to the staff.

Upcoming events were announced, noting that 330 pounds of trash were picked up during the Great American Cleanup.

Mr. Cordell acknowledged that certain docks do not comply with code and must be condemned. The staff will follow up on these matters. Given that the structures are situated on a waterbody, building and code enforcement are incorporated into the process.

c. Past & Upcoming Events

Great American Cleanup - 4/5 9am @ Lake Baldwin Park, MLK Jr. Park, Ward Park, Downtown Winter Park, & Howell Branch Preserve

Gardening Day - 4/12 9am @ The Meadows

Run for the Trees/Earth Day Block Party - 4/26 8am @ Ward Park

Shoreline Restoration - 5/3 9am @ Lakes Temple & Tuscany

Gardening Day - 5/3 9am @ The Meadows

Ballroom Dance Lessons - Monday Nights 7pm & 8:15pm @ Winter Park Community Center

d. Stormwater Management

The CIP update was displayed. The significant update is that the Palmer Avenue/Old England permit application has been submitted, and a request for additional information has been received from the permit agency.

The drainage ditches dredging and the Lake Spier projects are progressing. Six trees within the access area are being removed for the Lake Spier drainwall project.

Weather stations are being installed in all major drainage basins. They measure the amount of rainfall and compare how all the systems react to certain rainfalls. The locations of the weather stations were displayed. Ms. Monahan noted that the data is continuously measured and reported. The weather station data will also be a feature on the new Lakes webpage dashboard.

Arbor Park Drive drainage improvement is complete.

8. Board Comments

Mr. Swartz notified the board that he was an original founder of the annual tree run scheduled for April 26, 2025. He encouraged the board to participate and support the event, which has distributed 40,000 trees since it began.

- a. Discussion of Public Comments Received

9. Upcoming Agenda Items

- a. Discussion of Upcoming Agenda Items

10. Adjournment

The meeting adjourned at 12:33 p.m.

Approved by the board on _____
/s/ Bahiyyah Layton, Board Coordinator



item type

Public Hearings (Public participation and comment on these matters must be in person.)

meeting date

May 13, 2025

prepared by

Victoria Tabor, Administrative Coordinator II

approved by

Victoria Tabor, Administrative Coordinator II

subject

Seawall Application (SAP-2024-0022) 721 Virginia Dr.

motion | recommendation

background

alternatives | other considerations

fiscal impact

attachments

1. Revetment Application for 721 Virginia Dr.



REVETMENT APPLICATION

SAP-2024-0022

721 Virginia Dr

- Applicant: Jonathan Cole
- Contractor: Page's Landscaping
- Permitting Agent: Diane Arnn
- Structure: Riprap Revetment
- New/Existing: New
- Waterbody: Lake Virginia

Parameters

Parameter	Proposed	Allowed	Variance Req.?
Length (ft)	108'	N/A	No
Slope (Horizontal:Vertical)	3:1	2:1 max	No
Material	6-18" River Rock Stone	N/A	N/A
Existing Erosion Problem (Yes/No)	Yes	Must have existing erosion problem	N/A
Meet Vegetation Criteria?	No	50% may be cleared	N/A

Staff Recommendation: **Approval**
Reviewed by: **Joey Cordell**

Map View

Basemap



Aerial View



Photos

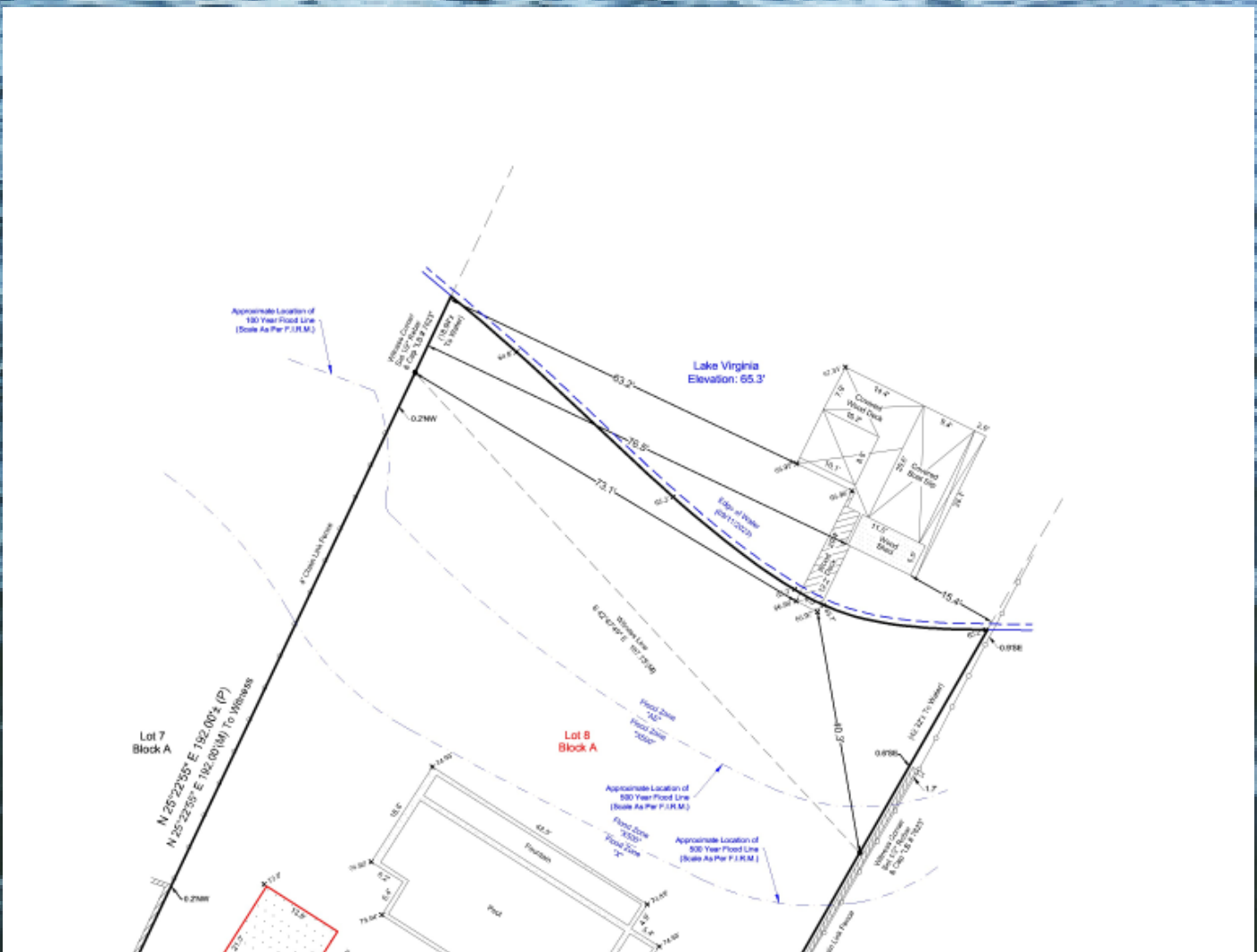


Survey

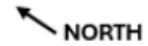
As-Built Survey
Legal Description:
 LOT 8, BLOCK A, TRIMBLE LANE SHORES, ACCORDING TO THE
 PLAT THEREOF, AS RECORDED IN PLAT BOOK 11, PAGE 45,
 OF THE PUBLIC RECORDS OF DRACKE COUNTY, FLORIDA.



NO.	DESCRIPTION	REMARKS
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Site Plan

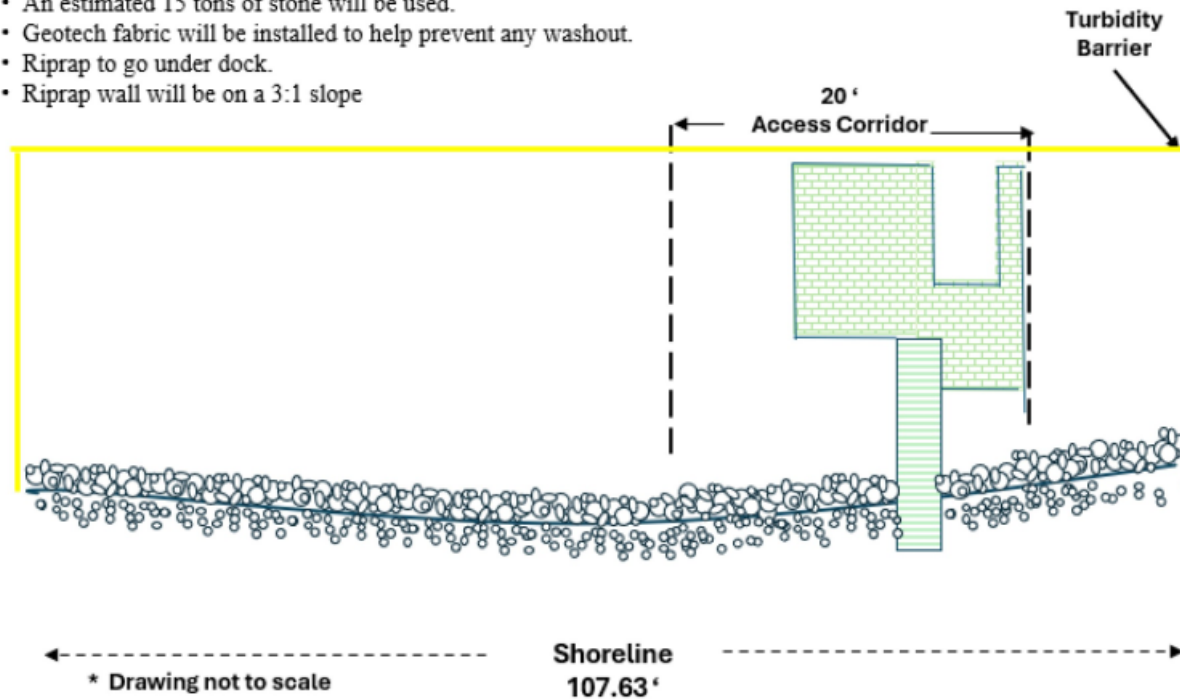


Riprap Repair Plan

Lake Virginia
OHW(88) 65.7

Jonathan Cole
721 Virginia Drive
Winter Park, FL. 32789
cole.jonathan@gmail.com

- Repair of City of Winter Park SAP 2020-0017 issued 4-14-21 exp 12-29-23
- New application w/ WP SAP-2024-0022
- 12"-18" smooth river rock stone will be used in water at base for support.
- 6"-12" smooth river rock stone will be use on top and run up onto shore.
- Turbidity barriers will be used throughout the project.
- An estimated 15 tons of stone will be used.
- Geotech fabric will be installed to help prevent any washout.
- Riprap to go under dock.
- Riprap wall will be on a 3:1 slope



Cross section

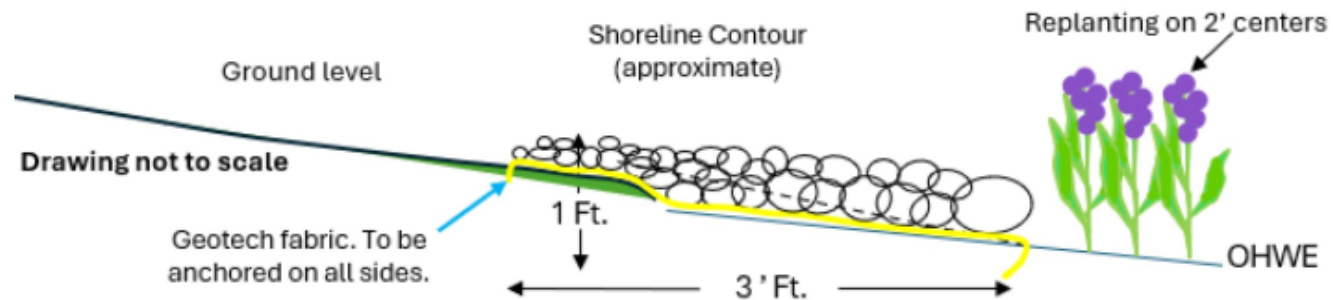
Rip Rap Seawall Cross Section

Lake Virginia
OHW(88) 65.7

Jonathan Cole
721 Virginia Drive
Winter Park, FL. 32789
cole.jonathan@gmail.com



- 12"-18" smooth river rock stone will be used in water at base for support.
- 6"-12" smooth river rock stone will be use on top and run up onto shore with smaller sizes running landward of the waterline..
- Geotech fabric will be installed to help prevent any washout.
- Riprap to go under dock.
- Riprap wall will be on a 3:1 slope
- Replanting of native aquatic vegetation of 70% of Shoreline to meet code.
- Total Sqftage is 535 sqft ◊.



Revegetation Plan

-  Duck Potato
-  Pickerel
-  Existing Eelgrass

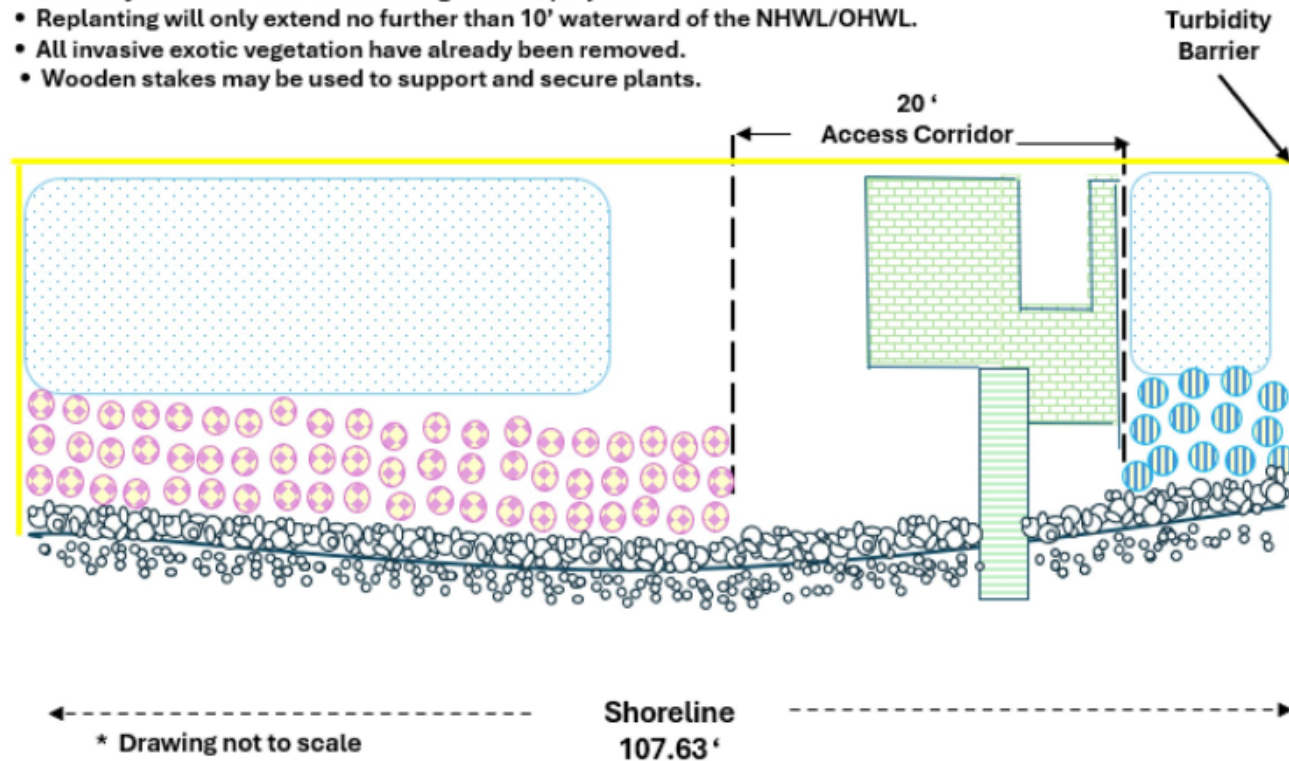
Replanting Plan

Lake Virginia
OHW(88) 65.7

Jonathan Cole
721 Virginia Drive
Winter Park, FL. 32789
cole.jonathan@gmail.com



- All vegetation will be 10" – 16" bare root and purchased from 'The Pond Guys of Central Florida'
- Re-Planted on 2' centers.
- Turbidity barriers will be used throughout the project.
- Replanting will only extend no further than 10' waterward of the NHWL/OHWL.
- All invasive exotic vegetation have already been removed.
- Wooden stakes may be used to support and secure plants.





item type

Action Items

meeting date

May 13, 2025

prepared by

Victoria Tabor, Administrative Coordinator II

approved by

Victoria Tabor, Administrative Coordinator II

subject

Ordinance Amending Boating Regulations

motion | recommendation

Staff recommendation is for approval.

background

This ordinance amends regulations on boating and water safety. It introduces definitions, penalties, and boating-restricted areas to enhance safety and environmental protection. Key points include:

- Boating-Restricted Areas: Designated zones like idle speed, no wake zones, and vessel-exclusion zones to reduce congestion and promote safety.
- Operational Restrictions: Speed limits and equipment requirements in designated zones.
- Emergency Management: Establishing no wake zones following a major storm or flooding event.

The ordinance aims to ensure safety, protect the environment, and promote responsible use of public waterways.

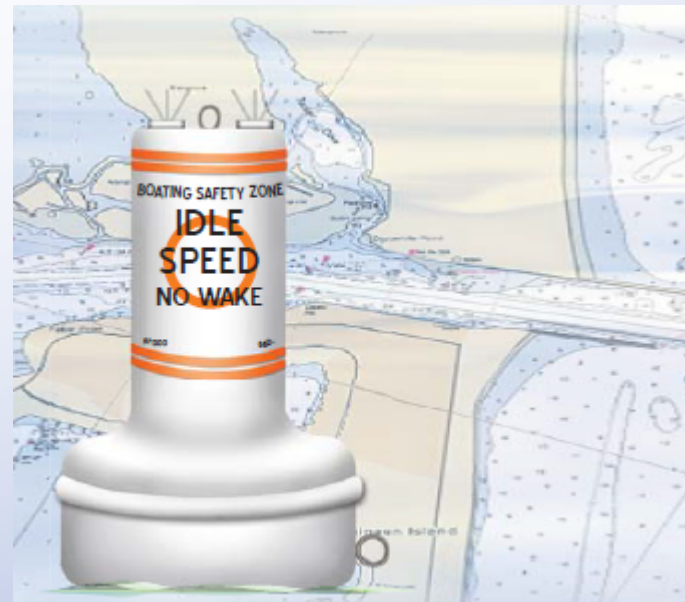
alternatives | other considerations

fiscal impact

attachments

1. Establishing Boating Restrictions
2. Winter Park Chain Regulatory Zones (figure1)
3. Boating Ordinance - Winter Park May 2025
4. Winter Park Killarney No Wake Zones (figure2)

Establishing Boating Restriction Zones

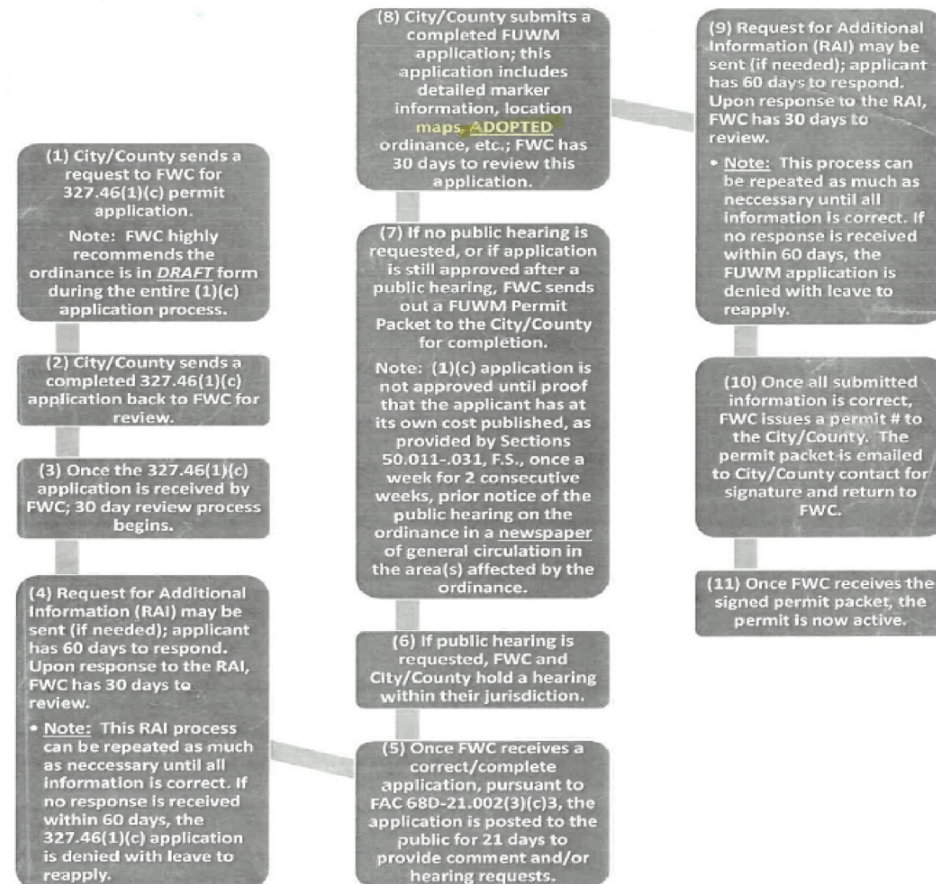


Florida Uniform Waterway Marker (FUWM) Process



- Florida Uniform Waterway Marker (FUWM) Permit
- Florida Fish and Wildlife Conservation Commission (FWC) Coordination
- Adopted City Ordinance
- Public Hearings

F.A.C. 327.46(1)(c) Application Process:

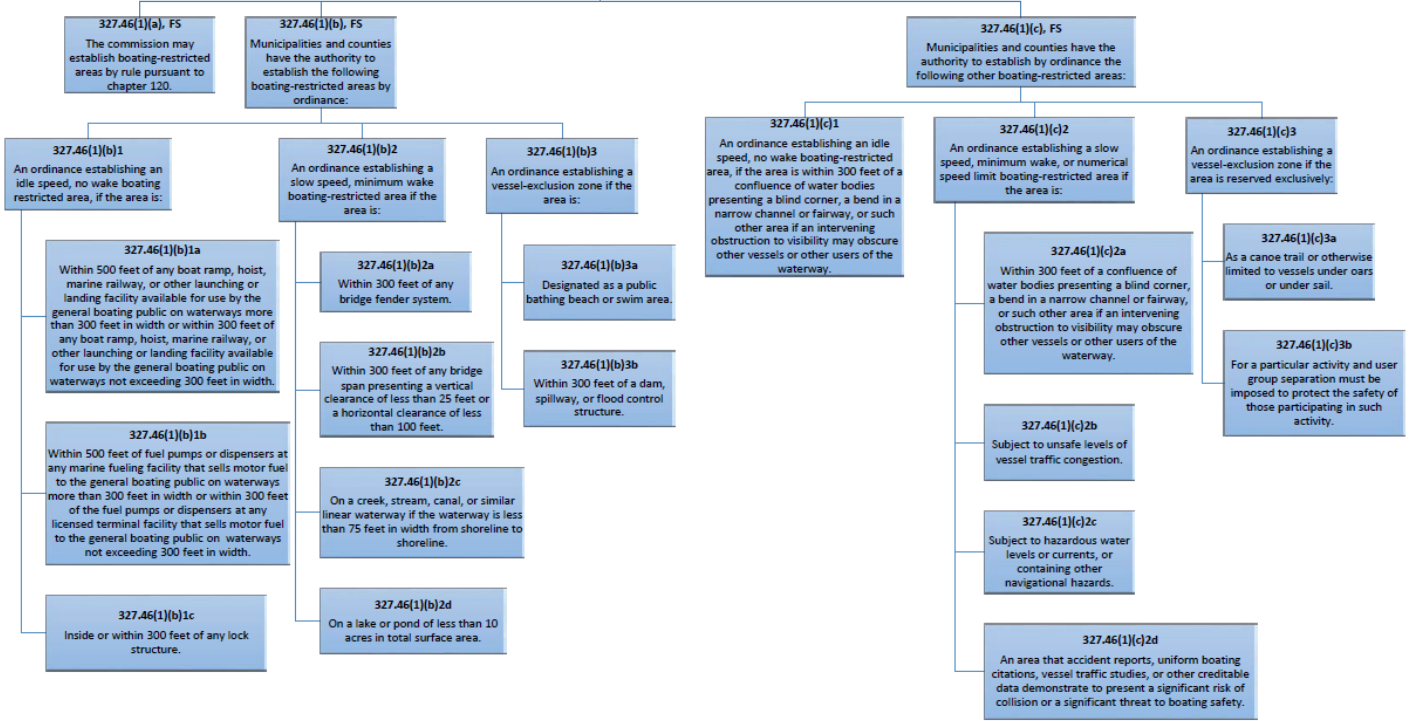


FWC Process



Section 327.46, Florida Statutes
BOATING RESTRICTED AREAS

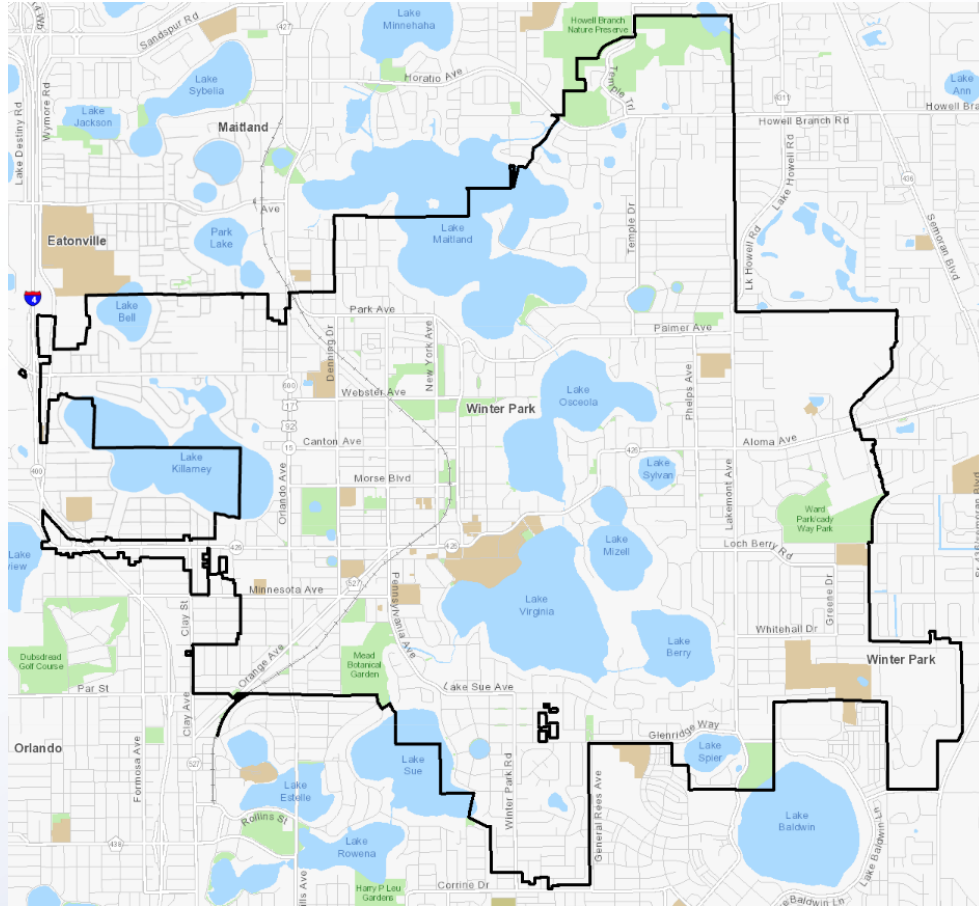
327.46(1)
 Boating-restricted areas, including, but not limited to, restrictions of vessel speeds and vessel traffic, may be established on the waters of this state for any purpose necessary to protect the safety of the public if such restrictions are necessary based on boating accidents, visibility, hazardous currents or water levels, vessel traffic congestion, or other navigational hazards or to protect seagrasses on privately owned submerged lands.



Proposed Zones

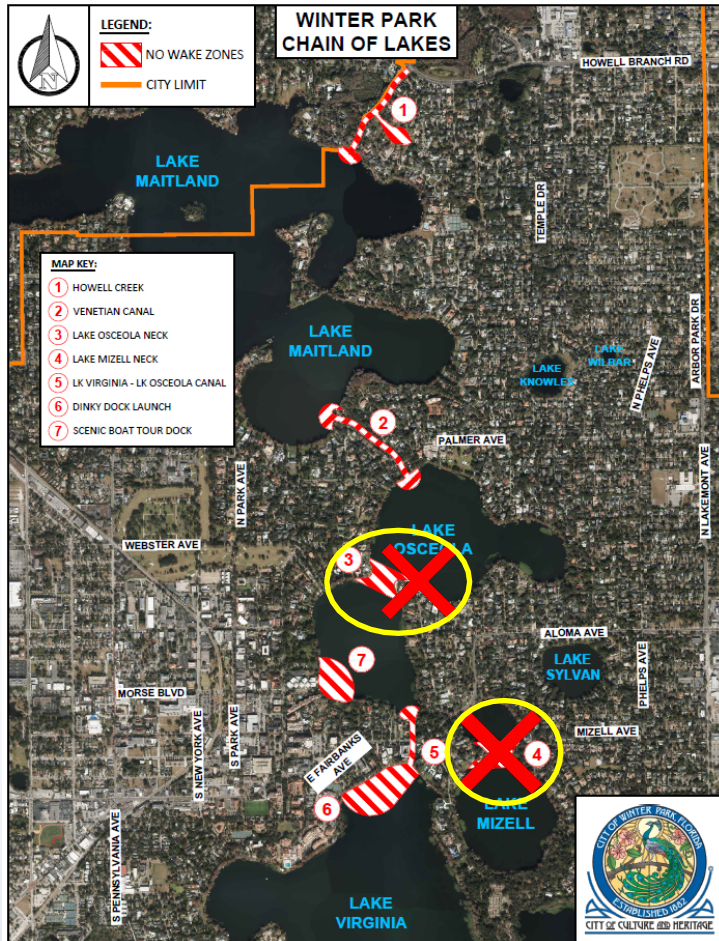


327.46(1)(b)2d
On a lake or pond of less than 10
acres in total surface area.



- **10 acres or less:** ~~Clifton, Compton, Forest Grace, Knowels, Mendsen, Midlet, Rose, Temple, Tuscany, Winbar~~
- **Chain of Lakes:** Maitland, Osceola, Mizell, Virginia
- **Informational buoys- 150 ft from shoreline:** Baldwin, Bell, Berry, Killarney, Sylvan, Spier, Sue, Sylvan
- **Howell Creek**

Proposed Zones



- **Chain of Lakes:** Maitland, Osceola, Mizell, Virginia
- Lakes & Waterway Board Previously Approved Zones

Zones: 6, 7

327.46(1)(b)1a
 Within 500 feet of any boat ramp, hoist, marine railway, or other launching or landing facility available for use by the general boating public on waterways more than 300 feet in width or within 300 feet of any boat ramp, hoist, marine railway, or other launching or landing facility available for use by the general boating public on waterways not exceeding 300 feet in width.

327.46(1)(b)1b
 Within 500 feet of fuel pumps or dispensers at any marine fueling facility that sells motor fuel to the general boating public on waterways more than 300 feet in width or within 300 feet of the fuel pumps or dispensers at any licensed terminal facility that sells motor fuel to the general boating public on waterways not exceeding 300 feet in width.

Zones: 1, 2, 5

327.46(1)(b)2c
 On a creek, stream, canal, or similar linear waterway if the waterway is less than 75 feet in width from shoreline to shoreline.

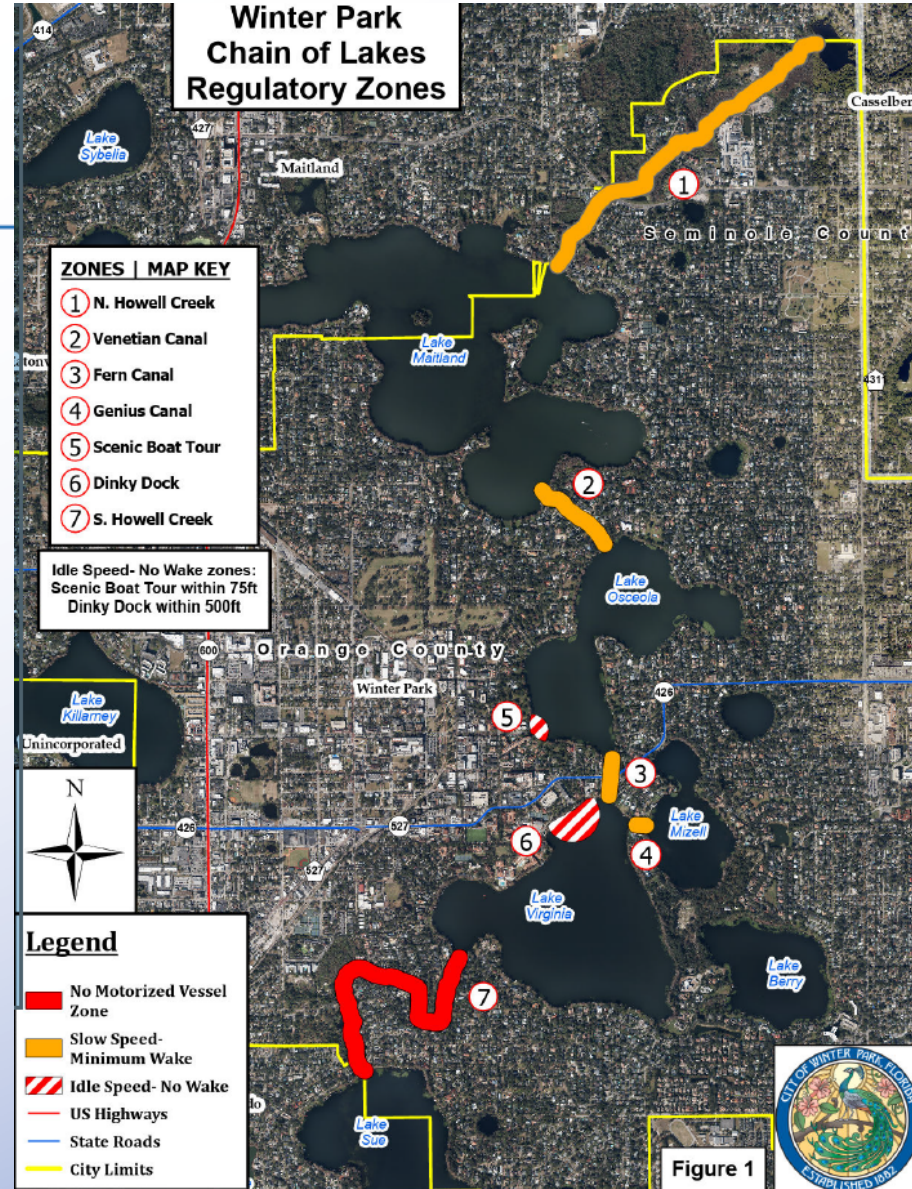
Zones: 1

327.46(1)(b)2d
 On a lake or pond of less than 10 acres in total surface area.

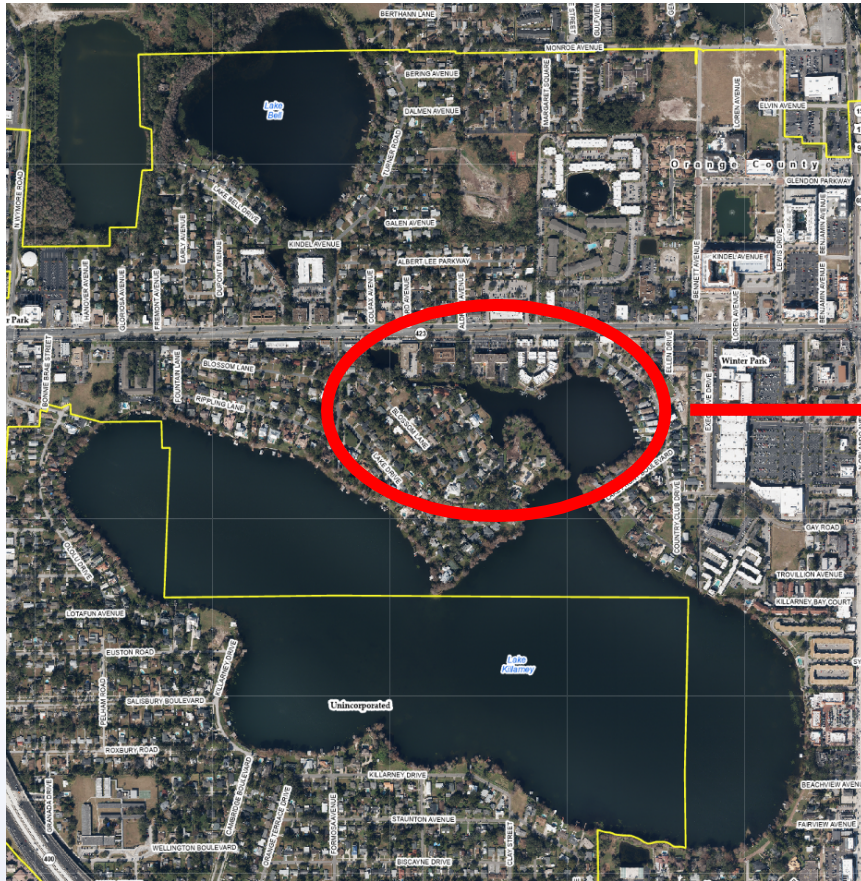
Zones: 3, 4

327.46(1)(b)2b
 Subject to the levels of vessel traffic congestion.

Proposed Zones



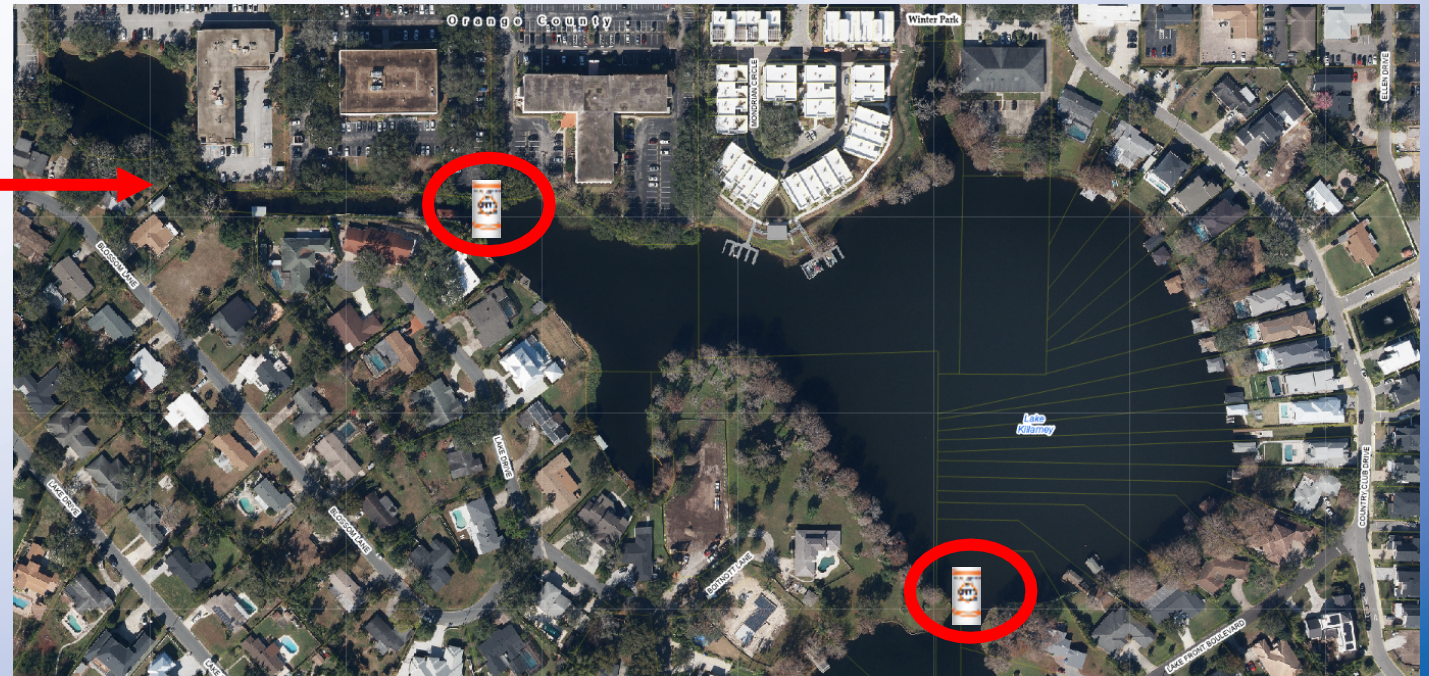
Proposed Zones



- **Lake Killarney**

327.46(1)(b)2c

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



Proposed Zones



- 150 ft from Shoreline- Idle Speed/No Wake

327.46(1)(c)2b
Subject to unsafe levels of
vessel traffic congestion.





Establishing Lake Closures

Emergency Management Ordinance

City to issue and enforce emergency ordinances, declarations, and orders pertaining to emergency management establishment and enforcement of "No Wake" Zones in public access lakes is necessary to protect adjacent persons and property following a major storm or flooding event.

Winter Park Chain of Lakes Regulatory Zones

ZONES | MAP KEY

- ① N. Howell Creek
- ② Venetian Canal
- ③ Fern Canal
- ④ Genius Canal
- ⑤ Scenic Boat Tour
- ⑥ Dinky Dock
- ⑦ S. Howell Creek

Idle Speed- No Wake zones:
 Scenic Boat Tour within 75ft
 Dinky Dock within 500ft

Unincorporated



Legend

- █ No Motorized Vessel Zone
- █ Slow Speed- Minimum Wake
- █ Idle Speed- No Wake
- US Highways
- State Roads
- City Limits

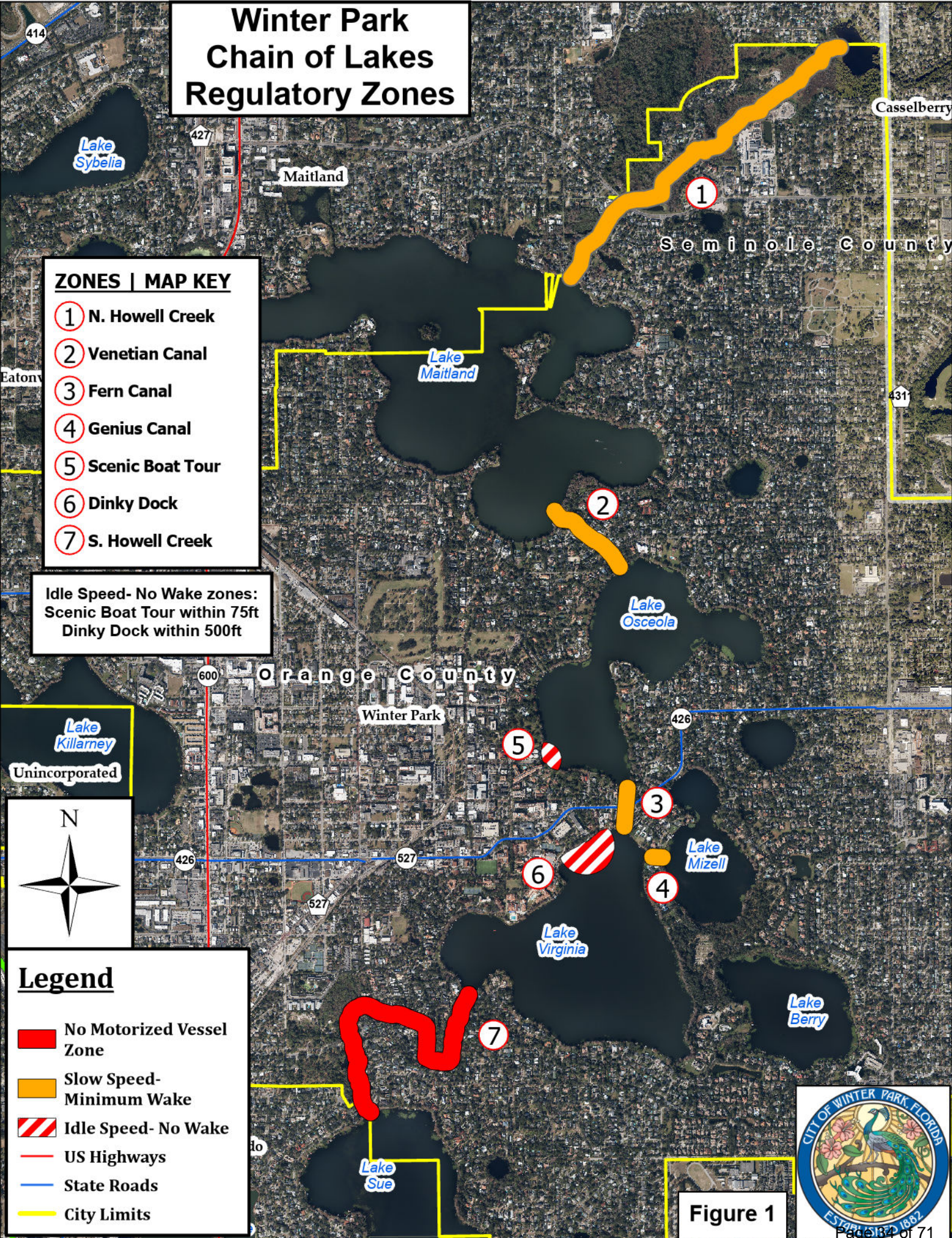


Figure 1



ORDINANCE NO. [REDACTED]-25

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING SECTION 114-1 DEFINING TERMS RELATED TO THE REGULATION OF CITY WATERWAYS; AMENDING SECTION 114-2 ESTABLISHING PENALTIES FOR NONCRIMINAL BOATING INFRACTIONS; AMENDING CHAPTER 114, ARTICLE IV GOVERNING BOATING AND WATER SAFETY; PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City has the authority under the City Charter, Section 2(b), Article VIII of the State Constitution, and Section 166.021(1), Florida Statutes, to exercise any power for municipal purposes except where expressly prohibited by law; and

WHEREAS, certain provisions of the City Code relating to boating and water safety require revision to better align with current Florida Statutes; and

WHEREAS, Section 327.46, Florida Statutes, authorizes the City to establish by ordinance certain boating-restricted areas for certain designated purposes; and

WHEREAS, the City finds that it is necessary to establish boating-restricted areas in waterways within the jurisdictional limits of the City of Winter Park; and

WHEREAS, the City finds that the establishment and enforcement of “No Wake” Zones in public access lakes is necessary to protect adjacent persons and property following a major storm or flooding event; and

WHEREAS, the City of Winter Park is responsible for managing and protecting public resources, including public boat ramps, for the benefit of its residents and visitors; and

WHEREAS, the City has determined that allowing commercial rental operations of motorized boats and personal watercraft at public boat ramps can cause safety issues, environmental harm, and congestion in public areas and that regulations to preserve public boat ramps for local use is in the public interest; and

WHEREAS, the City Commission of the City of Winter Park finds that this Ordinance is in the interests of the public health, safety, and welfare.

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Winter Park, Florida, that:

SECTION 1. Recitals. The foregoing recitals are hereby ratified and confirmed as being true and correct and are hereby made a part of this Ordinance.

SECTION 2. City Code Amendment. Section 114-1 of the City Code is hereby amended as follows (words that are ~~stricken out~~ are deletions; words that are underlined are additions):

Sec. 114-1. 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:

Boat means all rafts, skiffs, dredges, canoes, dinghies, dugouts, rowboats, sailboats, motorboats, personal watercraft and every other device used or capable of being used as a means of transportation on water. This term is synonymous with vessel as used in this chapter.

Boating-restricted area means an area of the waters of the state within which the operation of vessels is subject to specified restrictions or from which vessels are excluded. Such areas may consist of idle speed, no wake areas; slow speed, minimum wake areas; or vessel-exclusion zones, as appropriate, as authorized by F.S. § 327.46.

City boats means boats owned by residents of the city.

Clearance means the alteration of or removal of vegetation by the deposit of sand, dirt or other material or by uprooting and removal by mechanical or nonmechanical means or by chemical treatment.

Fill means the addition of materials, including but not limited to dirt, sand, gravel, stone, crushed stone, cement, cement rubble, mulch, wood or railroad ties, which results in changes to the topography or vegetation that exists on the shoreline and waterfront areas of waterfront properties.

Idle Speed, No Wake Zone means a boating-restricted area within which a vessel must proceed at a speed no greater than that necessary to maintain steerageway and headway. At no time is any vessel required to proceed so slowly that the operator is unable to maintain control over the vessel or any other vessel or object that it has under tow.

Motorboat means any boat, including personal watercraft, powered by an internal combustion engine, whether inboard, outboard, or otherwise.

No city boats means boats owned by nonresidents of the city.

No Wake Zone is synonymous with an Idle Speed, No Wake Zone as defined in this section.

Operate means to be in charge of, in command of, or in actual physical control of a vessel upon the waters of the state.

Operator means any person in charge of or having immediate control over a boat, whether such person is the owner, a permittee or an unauthorized user.

Ordinary High Water Mark means the highest reach of a navigable, nontidal water body as it usually exists when in its ordinary condition and is not the highest reach of such water body during the high water season or in times of freshets.

Owner means a person, other than a lienholder, having the property in or title to a vessel. The term includes a person entitled to the use or possession of a vessel subject to an interest in another person which is reserved or created by agreement and securing payment of performance of an obligation. The term does not include a lessee under a lease not intended as security.

Personal watercraft means a class A inboard vessel, as defined by the United States Coast Guard, which uses an internal combustion engine powering a water jet pump as its primary source of motive propulsion and which is designed to be operated by a person sitting, standing or kneeling on the product, rather than in the conventional manner of boat operation.

Retaining wall means the same as seawall.

Revegetation means the planting and establishment of terrestrial and aquatic grasses and plants, both emergent and nonemergent, associated with waterfront and shoreline environments.

Revetment means any sloped structure with a horizontal to vertical slope of 2:1 or greater that is constructed of rock, other aggregate material or geotextile fabric that is intended to protect the shoreline against erosion or water action.

Seawall means any structure involving stone, brick, concrete, metal or wood intended to stabilize the shoreline as protection against erosion or water action.

Slow Speed, Minimum Wake Zone means a boating-restricted area within which a vessel must be fully off-plane and completely settled into the water. Vessels within such areas must proceed at a speed which is reasonable and prudent under the prevailing circumstances to avoid the creation of an excessive wake or other hazardous condition which endangers or is likely to endanger other vessels or persons using the waterway.

Shoreline means the land area which exists between the normal high-water elevation during typical hydrological conditions and the point measured ten feet landward of such normal high-water elevation. (Reference normal high-water elevations for the major lakes in the zoning ordinance.)

Vessel is synonymous with boat as used in this chapter and as referenced in section 1(b), Article VII of the Florida Constitution and includes every description of watercraft, barge, and airboat, other than a seaplane on the water, used or capable of being used as a means of transportation on the water.

Vessel-Exclusion Zone means an area from which all vessels or certain classes of vessels are excluded.

Wake means any waves created by a vessel's movement through the water.

Waterfront means the water area or occasional land area which exists between the normal high-water elevation during typical hydrological conditions and the point measured 30 feet out seaward of the normal high-water elevation.

Waters of the state means any navigable waters of the United States within the territorial limits of the State of Florida, including all inland lakes, rivers, and canals under the jurisdiction of the State of Florida.

Waterway means any waters, lakes, canals, streams, lagoons, or connecting waters, whether natural or manmade, partially or wholly within the boundaries of the City of Winter Park.

Winter Park Chain of Lakes means Lake Maitland, Lake Mizell, Lake Osceola, and Lake Virginia.

SECTION 3. City Code Amendment. Section 114-1 of the City Code is hereby amended as follows (words that are ~~stricken out~~ are deletions; words that are underlined are additions):

Sec. 114-2. Penalty.

- (a) Violations of the following provisions of this chapter are noncriminal infractions:
- (1) Section 114-58(e), relating to display of an appropriate valid user fee receipt;
 - (2) Section 114-60, relating to protective guards;
 - (3) Section 114-61, relating to audible warning devices;
 - ~~(4) Section 114-62, relating to age of operator of motorboat or personal watercraft;~~
 - ~~(5) Section 114-65, relating to prohibition of motor boats on certain lakes;~~
 - ~~(4)(6)~~ Section 114-69, relating to navigation hazards;
 - ~~(5)(7)~~ Section 114-70, relating to lighting of temporary obstructions;
 - ~~(6)(8)~~ Section 114-72, relating to boats adrift;
 - ~~(7)(9)~~ Section 114-74(a)(1), (2), (3), (4), (5), (6), and (7) and (9), section 114-74(b), section 114-74(c), and section 114-74(d), relating to water sports;
 - ~~(8)(10)~~ Section 114-77, relating to display of house numbers.

Any person cited for a violation of any such provision shall be deemed to be charged with a noncriminal infraction, shall be cited for such an infraction, and shall be cited to appear before the county court. The civil penalty for any such infraction is \$50.00, plus applicable administrative fees and applicable court costs.

- (b) Nonreckless violations of the following provisions of Chapter 114 of this Code are noncriminal infractions, provided they do not cause a boating accident:
- (1) Section 114-66, relating to passing of boats;
 - (2) Section 114-67, relating to speed of boats;
 - (3) Section 114-68, relating to operation of boats.

Any person cited for a violation of any such provision shall be deemed to be charged with a noncriminal infraction, shall be cited for such an infraction, and shall be cited to appear before

the county court. The civil penalty for any such infraction is \$50.00, plus applicable administrative fees and applicable court costs.

- (c) Any person violating any provision of this chapter not listed in section 114-2(a) or (b) above shall be punished as provided in section 1-7 and may have his boat user fee receipt revoked for a period not exceeding one year, either or both.

SECTION 4. City Code Amendment. Chapter 114, Article IV of the City Code of Ordinances is hereby amended as follows (words that are ~~stricken out~~ are deletions; words that are underlined are additions):

Sec. 114-56. Reciprocity with City of Maitland.

At such time as the City of Maitland shall adopt and have in effect an ordinance with sufficient similarity to this chapter relating to boats and containing a like reciprocity section, all motorboats and personal watercraft for which the user fee has been duly and properly paid to the City of Maitland for the use of the chain of lakes (including Lake Nina, Lake Minnehaha, Lake Maitland, Lake Mizell, Lake Osceola, and Lake Virginia) shall be permitted to be operated upon any waterway within the corporate limits of the City of Winter Park without the payment of any further user fee to the City of Winter Park or requirement for securing any user fee from the City of Winter Park.

Sec. 114-57. Applicability of federal and state laws.

All ~~vessels~~boats operating on or about the waterways of the city shall be subject to federal and state laws and regulations relating thereto, the provisions of this chapter being supplementary to such laws and regulations.

Sec. 114-58. User fees.

- (a) *Required.* Every owner of a motorboat having an inboard or outboard motor, including personal watercraft, operating upon the Winter Park Chain of Lakes~~any waterway~~, either partially or wholly within the corporate limits of the city, shall be required to pay the city a user fee to offset the cost of patrolling and maintaining such waterways. ~~However, owners of boats on Lake Killarney shall not be required to pay such fee for use of their boat on Lake Killarney.~~
- (b) *Prerequisites.* In order to use a ~~motorboat~~boat, including personal watercraft, on the Winter Park Chain of Lakes~~city waterways~~, the owner shall give the make, model, horsepower, length of ~~vessel~~boat and state registration number and certify that such boat has all equipment required by the state and the city by obtaining a boat permit from the city. ~~Owners of boats carrying more than four persons for hire shall also present satisfactory evidence that the boat has been safety inspected and found to be safe either by the Coast Guard or the police department.~~
- (c) *Collection agents.* The city commission may, from time to time, designate an agent to collect user fees and dispense receipts and may provide for a service fee to be paid by the city to the collection agent for user fees collected.

- (d) *Transfer of receipt.* Sale or transfer of ownership of a motorboat to which is attached a receipt showing payment of the user fee shall not invalidate the receipt, provided the police department or ~~lakes division~~~~finance department~~ is notified within ten days of such change in ownership. The intent of the city commission is that a user fee be paid and receipts issued for each motorboat utilizing the Winter Park Chain of Lakes~~city waterways~~, regardless of ownership or transfer of ownership. Receipts, however, are not transferable from one ~~vessel~~~~boat~~ to another.
- (e) *Display of receipt.* The owner shall at all times display an appropriate valid user fee receipt in the form of the city-issued motorboat registration decals, or the operator shall have in his or her possession a valid electronic daily user fee receipt. Motorboat decals must be affixed on both sides of the bow (front) of the vessel, above the waterline, and within six inches of the state registration number on the boat, or the operator shall have in his possession a valid daily user fee receipt.

Sec. 114-59. User fee schedule; receipts; application of revenues.

- (a) *Receipts.* Upon payment of the annual user fee required by this article, two motorboat decal receipts shall be issued to the payer of the user fee. Those decal receipts shall be affixed, one on each side of the bow, within six inches fore or aft of the state registration numbers. User fee decals issued shall be triangular in shape, with a square used for the following year and a circle for the next following year. These shapes shall be repeated in the same sequence during each succeeding three-year period. Upon payment of the daily user fee required by this article, a receipt in the form established by the city manager or his designee shall be issued to the payer of the user fee.
- (b) *User fee schedule.* A daily user fee of \$6.00 shall be paid prior to the operation of any motorboat, including personal watercraft. In lieu of the daily user fee, an annual user fee may be paid based upon the dollar amount and unit as set forth in this subsection. The unit shall be calculated by adding the length of the ~~vessel~~~~boat~~ in feet, rounded to the next higher whole foot, together with the manufacturer's advertised maximum horsepower of the engine, at maximum RPM, rounded to the next higher whole horsepower. The total of these two numbers is the number of units assigned to each motorboat and will be the basis for calculating ~~vessel~~~~boat~~ user fees. Length shall mean the measurement from end to end over the deck parallel to the centerline, excluding sheer. The user fee shall be imposed by applying the unit for each ~~vessel~~~~boat~~ times the user's fee factor set forth as follows:

	Noncommercial Annual	Commercial Annual
Motorboat owned by city resident	\$0.50	\$1.00
Motorboat owned by non-city resident	0.75	1.50

Annual user fees paid between January 1 and June 30 shall be one-half of this amount.

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- (c) *Dealers.* Recognized watercraft dealers ~~in boats~~ may obtain annual user fees receipts decals to be attached to vessels~~boats~~ for the sole purpose of boat demonstrations without supplying identification data for individual vessels~~boats~~ as required by section 114-58.
- (d) *Application of revenues.* All revenues received by the city from payments of daily and annual user fees shall be expended for the patrol, maintenance and improvement of lakes, rivers or waters and for other boating-related activities in the city.

Sec. 114-60. Protective guards.

Where conditions or the size of any vessel~~boat~~ is such that undue contact may be made with the canal retaining walls, such vessel~~boat~~ shall not enter the canals unless it is equipped with adequate protective guards or bumpers to prevent damage to the walls.

Sec. 114-61. Audible warning devices.

All motorboats~~power boats~~ operating on the city chain of lakes shall carry a whistle or horn audible up to 300 feet.

Sec. 114-62. Reserved. Licensing of certain minors.

- ~~(a) No person under 18 years of age shall operate a motorboat without first obtaining an operator's license. In order to obtain such a license, a person under 18 years of age shall submit to the police department a license application joined in by a parent or guardian of the minor wherein the parent or guardian accepts all responsibility for any damage or injury to persons or property caused by the minor while operating a motorboat and certifies that the minor can swim at least 100 feet. A motorboat operator's license shall be issued only after the applicant has:~~
- ~~(1) Successfully completed the auxiliary power squadron instruction course or the police department administered junior boatman's safety course;~~
 - ~~(2) Passed an examination on the provisions of this chapter and the contents of the city-prepared manual on the operation of boats; and~~
 - ~~(3) Passed a practical test in the operation of a motorboat.~~
- ~~(b) No person under 14 years of age shall operate a motorboat powered by over ten horsepower unless licensed as provided in subsection (a) of this section and accompanied when operating such boat by an adult fully qualified to operate such boat.~~
- ~~(c) No person under 14 years of age shall operate a personal watercraft. A person between 14 and 18 years of age may operate a personal watercraft only after obtaining the motorboat operator's license and successfully completing and passing a further test demonstrating proficiency in the operation and use of a personal watercraft. Upon successful completion of this test, the motorboat operator's license shall be amended to authorize the operation of a personal watercraft.~~

Sec. 114-63. Reserved. Permitting unauthorized minor to operate motorboat.

No person shall cause or knowingly permit a child or ward under the age of 18 years to operate a motorboat when such minor is not authorized by the provisions of this chapter.

Sec. 114-64. Reserved. Suspension or revocation of license.

- ~~(a) If any person is found to have committed four or more violations of this chapter, or the rules and regulations promulgated thereunder, the police department may suspend such person's motorboat operator's license for a period of not more than one year. Upon such suspension the licensee must surrender to the police department the license so suspended.~~
- ~~(b) The police department shall revoke the motorboat operator's license of any person who:~~
- ~~(1) Operates any motorboat when such license or privilege is cancelled or suspended; or~~
 - ~~(2) Is found to have violated the provisions of F.S. § 327.351;~~
- ~~and such person shall not be eligible to be relicensed for a period of three years from the date of revocation. Upon such revocation the licensee must surrender to the police department the license so revoked.~~
- ~~(c) When any person's license has been suspended or revoked pursuant to the provisions of this section, the police department shall not grant a new license nor shall the person's motor boating privileges be restored, except upon the reexamination of the licensee after the expiration of the period of suspension or revocation so prescribed.~~

Sec. 114-65. Boating-Restricted Areas Established. Motorboats prohibited on certain lakes.

- (a) Idle Speed, No Wake Zones. It shall be unlawful to operate any vessel at a speed that creates a wake within the zones referenced below which are under the jurisdiction of the City of Winter Park. The following describe locations of designated Idle Speed, No Wake Zones as depicted within Figure 1:
- (1) Scenic Boat Tour Dock (Zone 5) shall establish an Idle Speed, No Wake Zone in accordance with F.S. § 327.46(1)(b)1.b., extending between points: (-081° 20' 47.43814797", +28° 35' 55.40448182"), (-081° 20' 45.37020814", +28° 35' 53.98863739"), and (-081° 20' 45.13312369", +28° 35' 51.54068808").
 - (2) An area of the Dinky Dock Launch (Zone 6) shall establish an Idle Speed, No Wake Zone in accordance with F.S. § 327.46(1)(b)1.a., extending between points: (-081° 20' 48.30477240", +28° 35' 52.53431209") [Center- this is the same], (-081° 20' 47.72370565", +28° 35' 51.99728387"), (-081° 20' 47.56500330", +28° 35' 52.88807294"), and (-081° 20' 48.48526741", +28° 35' 53.25960189")
- (b) Slow Speed, Minimum Wake Zones. It shall be unlawful to operate a vessel at a speed that creates more than minimum wake within the zones referenced below which are under the jurisdiction of the City of Winter Park. The following describe locations of designated Slow Speed, Minimum Wake Zones as depicted within Figures 1 and 2.

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- (1) An area of Howell Creek (Zone 1) shall establish a Slow Speed, Minimum Wake Zone in accordance with F.S. § 327.46(1)(b)2.c., extending between points: (-081° 20' 43.37371271", +28° 37' 15.92694540") and (-081° 19' 50.77642212", +28° 37' 55.84371001")
- (2) An area of Venetian Canal (Zone 2) shall establish a Slow Speed, Minimum Wake Zone in accordance with F.S. § 327.46(1)(b)2.c., extending between points: (-081° 20' 33.09259038", +28° 36' 25.41282467"), and (-081° 20' 46.77247495", +28° 36' 35.54831552").
- (3) An area of Fern Canal (Zone 3) shall establish a Slow Speed, Minimum Wake Zone in accordance with F.S. § 327.46(1)(b)2.c., extending between points: (-081° 20' 32.55902308", +28° 35' 40.70096068"), (-081° 20' 32.18567183", +28° 35' 48.26813223").
- (4) An area of Genius Canal (Zone 4) shall establish a Slow Speed, Minimum Wake Zone in accordance with F.S. § 327.46(1)(b)2.c., extending between points: (-081° 20' 27.39129855", +28° 35' 35.68314178"), (-081° 20' 24.84072506", +28° 35' 35.83437626").
- (5) Lake Killarney (Zone 8) shall establish two Slow Speed, Minimum Wake Zones in accordance with F.S. § 327.46(1)(b)2.c., as follows:
- a. Killarney Canal – extending between points: (-081° 22' 27.55144171", +28° 36' 16.98306661") and (-081° 22' 35.63793972", +28° 36' 19.40739612"); and
- b. North Lobe Entrance – extending between points: (-081° 22' 27.55144171", +28° 36' 16.98306661"), (-081° 22' 34.25256464", +28° 36' 18.63421618").
- (c) Vessel-Exclusion Zones. It shall be unlawful to operate any motorboat within areas designated as Vessel-Exclusion Zones referenced below which are under the jurisdiction of the City of Winter Park. The following describe locations of designated Vessel-Exclusion Zones as depicted within Figure 1:
- (1) An area of Howell Creek connected to Lake Sue (Zone 7) shall establish a Vessel-Exclusion Zone in accordance with F.S. § 327.46(1)(c)3., extending between points: (-081° 21' 22.14416977", +28° 34' 51.46684615") and (-081° 21' 02.98130440", +28° 35' 11.78420842").
- (d) Temporary Emergency No Wake Zone. The City Manager shall have the authority to issue a temporary, emergency no wake order to any lake within the jurisdiction of the City of Winter Park during any declared state of emergency issued by the Governor or any declared state of local emergency issued by the Mayor under Chapter 38 of the City Code.
- (e) Information signs. Informational signs or buoys may be implemented 150 feet from the Ordinary High Water Mark to reduce the potential for vessel operation that poses a risk to the public in the following lakes: Baldwin, Bell, Berry, Killarney, Maitland, Mizell, Osceola, Spier, Sue, Sylvan, Virginia.
- (f) Operational restrictions.
- (1) Vessels within a designated No Wake Zone must operate at idle speed, defined as the minimum speed necessary to maintain steerage.
- (2) Motorboats in canals shall be operated at idle speed so as not to create a wash or wave.

(3) No owner, operator, or person in command of any vessel shall operate or permit the operation of a vessel at a speed that causes a wake within a No Wake Zone.

(4) Vessels operating in a zone posted as Slow Speed, Minimum Wake must operate fully off-plane and completely settled in the water.

(5) Additional boating-restricted zones including, but not limited to, restrictions of vessel speeds and vessel traffic, may be established on the waters of the state within the jurisdictional limits of the City of Winter Park if such restrictions are necessary to protect the safety of the public due to boating accidents, visibility, hazardous currents or water levels, vessel traffic congestion, or other navigational hazards or to protect seagrasses on privately owned submerged lands.

(g) Exemptions. The following vessels are exempt from the prohibitions contained in this section:

(1) Vessels used solely for law enforcement, firefighting, or rescue.

(2) Vessels used by any employee, officer, or authorized agent of local, state, or federal government for ensuring compliance with local, state, or federal law or for performing other official duties.

(3) Vessels operating under emergency conditions during an emergency.

(h) Penalties. The provisions of this ordinance shall be enforced by the issuance of a uniform boating citation by any law enforcement officer as defined in F.S. § 943.10, in accordance with the procedures set forth in F.S. §§ 327.73 and 327.74.

~~(a) No motorboats, other than those authorized by the city, shall be allowed in Lakes Baldwin, Chelton, Compton, Forest, Grace, Knowles, Mendsen, Midget, RoseMendsen, Temple, Tuscany, and Grace, Francis, Sylvan, Knowles, Wilbar and Baldwin except that fishing boats or sailboats with internal combustion engines may be launched at the Fleet Peoples Park boat ramp on Lake Baldwin, as long as the internal combustion engines are not used.~~

Sec. 114-66. Passing of boats.

(a) *Boats under power.* For boats under power, an overtaking boat shall pass leaving the privileged boat on the starboard hand. Boats approaching each other from opposite directions on parallel or nearly parallel courses shall pass port to port. When boats are approaching on a collision course, the one which has the other on port hand shall maintain course at a safe speed. Boats proceeding in the same direction shall not pass in the canals.

(b) *Nonpowered boats and motorboats.* Canoes, rowboats, kayaks, paddle boards, and sailboats shall have the right-of-way when approached, passed or overtaken by motorboats or boats under power.

(c) *Boats in or entering canals.* Whenever boats must pass within a canal in a constricted area, the boat nearest a passing area shall return to that area to effect the passing. All boats intending entrance to a canal shall yield the right-of-way to boats making an exit. If there is a passing area closer than the exit, the boat in the canal shall return or remain in that area to effect the passing.

Sec. 114-67. Speed of boats.

It shall be unlawful to operate any boat within the area between the shoreline and the safety zone buoys, except in an emergency or for docking and departure, except at idle speed. It shall be unlawful to operate any boat between the shoreline and the safety zone buoys at such speed as will cause a wake. In the canals, motorboats shall be operated at idle speed which will not create a wash or wave. Motorboats in the near proximity of boats not under power shall operate at a safe reduced speed which will not create a wash or wave which would endanger the occupants of boats not under power. Boats not under power shall include both nonpowered boats and motorboats not under power, including those which are anchored or being used for fishing. ~~The speed of boats shall not exceed 40 miles per hour during daylight hours, and 20 miles per hour between sunset and sunrise.~~

During any declared state of emergency issued by the Governor or any declared state of local emergency issued by the Mayor under Chapter 38 of the City Code, the City Manager shall have the authority to issue a temporary, emergency no wake order shall be in effect without further action by the city on any lake in which the water level is 1.1 feet or more above the ordinary high water elevation (OHW) as defined in the Winter Park Land Development Code. City law enforcement officers are authorized to enforce such emergency no wake orders pursuant to F.S. § 254.47. Such emergency no wake order must describe each lake to which it applies and may not extend in duration beyond the termination of the declared state of emergency or state of local emergency.

Sec. 114-68. Operation of boats generally.

- (a) Motorboats or boats under power shall keep at least 300 feet behind any boat towing a skier and shall stay clear of, by at least 100 feet, any boat moored, not under power, anchored or used for fishing.
- (b) When a ski jump is in use, all other boats shall stay clear of the area 100 feet on either side and 500 feet ahead of and 500 feet behind the ski jump.
- (c) No person shall operate any boat recklessly or overload any boat, indulge in any motorboat race or make sudden turns at excessive speed, follow too closely to other boats or operate any boat in any way so that it may endanger other boats, life or property.
- (d) All boat operators shall sit within the confines of the boat and shall ~~ensure~~insure that their passengers do likewise. Bow riding and gunwale riding are prohibited.
- ~~(e) Care shall be taken by the operators of all motorboats to prevent damage from their wash or bow wave or from objects towed by such boats to beached or moored boats, docks, piers, shorelines and boathouses.~~

Sec. 114-69. Hazards to navigation.

Any person having knowledge of any hazardous object adrift or any underwater obstruction which would endanger the safe navigation of any ~~vessel~~boat shall report the location and nature of such hazard or obstruction to the police department as soon as possible.

Sec. 114-70. Temporary obstructions; time restrictions; emergency markers; authorization of "no wake zone" buoys.

- (a) *Temporary obstructions.* It shall be unlawful for any person to leave or permit any ~~vessel~~boat, barge, dredge, temporary dock or pier or any other temporary obstruction to be left extending further than 20 feet from the shoreline or to anchor any float, buoy or other hazard more than 40 feet from the shoreline between the hours of sunset and sunrise, unless such boat, barge, dredge, buoy or other temporary obstruction is properly lighted to show its overall length, or prior approval is given by the city commission after a public hearing.
- (b) *Time restrictions.* It shall be unlawful for any person to leave or permit any lighted or approved temporary obstruction to be left in any city lake for more than 48 hours during any 30 day period unless prior approval is given by the city commission after a public hearing.
- (c) *Emergency markers.* Temporary floats or buoys denoting the location of potential hazards to navigation or lost valuables may be placed in a lake provided that the following conditions are met:
- (1) The marker must be clearly visible to boaters;
 - (2) The city police department or the lakes division must be notified immediately as to the location and purpose of the emergency marker and the length of time it will be in the water;
 - (3) The marker must be removed immediately upon retrieval of the hazard or lost object or upon notification by the city.
- (d) *Authorization of "no wake zone" buoys.* Buoys maintained by the city for the purpose of denoting state approved no wake zones or other boating-restricted areas, including canals, publicly accessible fueling stations, public boat ramps, and designated swimming areas~~the 100-foot no wake zone around shorelines or other navigational features~~ are authorized by this section. The sizes and measurements of such buoys shall meet state approved standards.

Sec. 114-71. Disturbing boat or contents.

It shall be unlawful for any person to molest, tamper with or cast loose or set adrift any boat belonging to another or to disturb, destroy, steal, take or carry away any of the contents, fixtures or appurtenances of any boat belonging to another.

Sec. 114-72. Boats adrift.

Any person finding a boat adrift shall secure it at a safe moorage and report such finding to the police department or lakes division as soon as possible. Any recovered boat will be retained in storage for 30 days, after which time it becomes the property of the city if unclaimed.

Sec. 114-73. Damage to ~~channel markers~~, buoys, signs or signals.

It shall be unlawful for any person to remove, damage or destroy any ~~channel markers~~, buoys or, ~~speed limit signs or directional signals~~ maintained by the city in or about any of the

waterways within the corporate city limits. Any person injuring or damaging any ~~channel markers~~, buoys, signs, bulkheads, docks or boathouses or involved in any collision or upset with any other craft shall report such incident to city police department as soon as possible.

Sec. 114-74. Water sports.

- (a) *Water skiing, aquaplaning, etc.* All water sports such as water skiing, surfboarding, aquaplaning, sledding, tubing and operation of a personal watercraft shall be subject to the following:
- (1) The sports are expressly prohibited from one-half hour after sunset to one-half hour before sunrise. However, an agent or employee of a fire or emergency rescue service may operate a personal watercraft at any hour during the performance of his or her official duties.
 - (2) No person shall ski, surfboard, aquaplane, sled, or tube ~~or operate a personal watercraft~~ in the canals or under the bridges.
 - ~~(3) Skiers, personal watercraft, surfboarders, aquaplaners, sledders or tubers, where practicable, shall take turns in a counterclockwise direction.~~
 - ~~(4) No person shall ski, surfboard, aquaplane, sled, tube or operate a personal watercraft nor shall any boat towing such skier, surfboarder, aquaplaner, sledder or tuber come between safety buoys and the shoreline except when making a direct taking off or landing.~~
 - ~~(3)(5)~~ Water skiers, surfboarders, aquaplaners, sledders, tubers or operators of personal watercraft are prohibited from using buoys as slalom markers.
 - ~~(4)(6)~~ All water skiers, surfboarders, aquaplaners, sledders, tubers and operators and riders of personal watercraft must be equipped with and wear a United States Coast Guard approved personal flotation device in conformance with current United States Coast Guard safety requirements, except when engaged in police-sanctioned races, contests or regattas. A special permit may be issued by the police department allowing persons preparing to participate in an official regatta, race, tournament or exhibition to practice trick water skiing without personal flotation devices. Any such person desiring to practice trick water skiing without a personal flotation device shall submit a letter of application to the police department, detailing the particular type of trick water skiing, the official event for which practice is intended and approved by the coach or trainer of the applicant. Every skier shall have his special permit in his immediate possession or in the towing boat at all times when skiing without a personal flotation device and shall display the permit upon demand. The special permit shall be valid only for trick water skiing in Lake Virginia and Lake Mizell.
 - ~~(7) All boats and personal watercraft towing water skiers, surfboarders, aquaplaners, sledders or tubers shall have two persons in the boat or personal watercraft, one facing aft and the other facing forward.~~

-
- (5)(8) No person shall manipulate any water ski, surfboard, aquaplane, sled, tube or similar device from a boat while under the influence of alcohol or any controlled or chemical substance to the extent that his normal faculties are impaired.
- (6)(9) No personal watercraft shall be utilized to tow any person on water skis, an aquaplane, innertube, a sled or similar device unless the personal watercraft is designed by the manufacturer to carry three or more persons.
- (7)(10) No person may place permanent slalom course buoys or other similar markers in any lake or waterway within the corporate city limits unless authorization is granted by the City Commission and is permitted by the respective regulatory agency. Temporary placement of buoys is regulated under section 114-70 of the Code of Ordinances.
- (b) *Swimming and diving*. It shall be unlawful for any person to swim further from the shore than 100 feet unless accompanied by a boat. No person shall scuba dive or skin dive unless accompanied by a boat identified by a scuba diving or skin-diving flag. Scuba diving or skin diving shall not be permitted in any of the canals.
- (c) *Regattas, crew races, swimming meets*. Authority is given to the police department to regulate and direct the conduct and operation of any regatta, swimming meet, crew race or other aquatic activity. Persons sponsoring regattas, races or other contests shall provide adequate traffic control at their expense as may be required by the police department and shall notify the police department and lakes division at least seven days prior to any event in order that appropriate arrangements for safety and navigation may be assured.
- (d) *Personal watercraft*. In addition to the regulations set forth in subsection (a) of this section, the following regulations shall apply to the operation and use of personal watercraft:
- (1) No person shall operate a personal watercraft without the state registration number and decal being affixed and the applicable city toll having been paid.
 - (2) Personal watercraft under power shall keep at least 300 feet behind any boat towing a skier and shall stay clear of, by at least 100 feet, any boat anchored or used for fishing. When a ski jump is in use, all personal watercraft shall stay clear of the area 300 feet on either side and 500 feet ahead of and 500 feet behind the ski jump.
 - (3) No person shall operate a personal watercraft within 300 feet of any persons in the water, with the exception of entering and exiting the shoreline adjacent to the designated swimming area at Dinky Dock.
 - (4) No person shall operate a personal watercraft while exceeding the manufacturer's recommended maximum weight or number of occupants.
 - (5) Personal watercraft shall not be operated in a manner or at a speed that causes the exhaust jet to come out of the water in order to avoid an increase in the noise level or pitch above that experienced in normal operation on smooth water.
 - (6) As with all other vessels, vessel registration is required at all times during use.

Sec. 114-75. Use of lakes as landing places for seaplanes.

It shall be unlawful for any person to use any lake within the City of Winter Park excluding Lake Killarney covered by this chapter as a regular landing place or base of operation for float planes or seaplanes, but nothing in this section shall be construed to prohibit the use of the lakes by such planes in case of emergency.

Sec. 114-76. Hang gliding, parachuting, parasailing, airboating.

Hang gliding, parachuting, parasailing and airboating are prohibited on the lakes, except ~~for that~~ airboats may be used in the city's official aquatic plant management~~weed control~~ program. A special permit may be issued by the city manager for such activities in conjunction with special events. Persons desiring to sponsor such activities shall submit a letter of application to the police department.

Sec. 114-77. Display of house numbers.

House numbers shall be prominently displayed on all boathouses and docks.

Sec. 114-78. Size of boats.

The maximum length of any boat to be launched or operated on the Winter Park Chain of Lakes~~city chain of lakes~~ only shall not exceed 24 feet in length as listed on boat registration, ~~with the exception of city vessels that is used for official business.~~ No boat exceeding a width of eight and one-half feet shall enter any canal. All ~~motorboat~~~~power boat~~ operators must comply with the maximum horsepower and maximum occupant capacity as stated on the manufacturer's capacity plate of that boat. City boats that are used for official business are exempt from this section.

Sec. 114-79. Storage and mooring of boats on or adjacent to public lands.

- (a) It shall be unlawful for any person to store any boat in any city park or other public lands owned or maintained by the city. For purposes of this section, a boat will be considered "stored" if it is left unattended on public lands at any time between the hours of 11:00 p.m. and 6:00 a.m. This subsection shall not apply to the temporary storage of a boat on a trailer on a public street.
- (b) It shall be unlawful for any person to moor, anchor, park or otherwise situate a boat unattended on or within the shoreline or waterfront of any city park or public lands owned or maintained by the city between the hours of 11:00 p.m. and 6:00 a.m.
- (c) The owner of a boat is responsible and liable for any violation of this section unless the owner can furnish evidence that the boat was, at the time of the violation, in the care, custody or control of another person. In such instances, the owner of the boat is required, within a reasonable time after notification of the violation, to furnish to the appropriate law enforcement authorities an affidavit setting forth the name and address of the person who leased, rented or otherwise had the care, custody or control of the boat. The affidavit submitted pursuant to this subsection shall be admissible in a proceeding charging a

violation of this section and shall raise the rebuttable presumption that the person identified in the affidavit is responsible for the violation of this section. The owner of a boat is not responsible for a violation of this section if the boat involved was, at the time, stolen or in the care, custody or control of some person who did not have permission of the owner to use the boat.

Sec. 114-80. Reserved. Wakeboarding in Lake Mizell prohibited.

~~Wakeboarding and activities using similar devices shall not be allowed in Lake Mizell. It shall be unlawful for any person to wakeboard or engage in activities using devices similar to wakeboards within Lake Mizell. No person shall operate a motor boat towing a wakeboarder or person using a similar device within Lake Mizell.~~

Sec. 114-81. Boat ramps prohibited.

The City of Winter Park shall be prohibited from permitting the construction or use of any public boat ramp on Lake Killarney. The prohibition on public boat ramps shall also include any commercial boat ramps used for the sale of boats, jet skis, etc. Private boat ramps used exclusively by a private neighborhood association, apartment or condominium complex shall not be construed to be public boat ramps if use of those boat ramps is restricted exclusively to property owners or members of that association.

Sec. 114-82. Prohibited Use of Public Boat Ramps for Commercial Rentals

(a) Prohibition of Commercial Rentals at Public Boat Ramps. It is prohibited for any person to use public boat ramps within the city limits of Winter Park for the purpose of renting out motorboats, including personal watercraft.

(b) Penalties. Violations of this section will result in a fine not to exceed \$50.00 for each violation. Each day of violation shall be considered a separate offense. In addition to issuing fines, the city is authorized to remove any motorboats, including personal watercraft, in violation of this section from public property.

SECTION 5. Adoption of Referenced Figure Maps. The map attached to this Ordinance as Exhibit “A” is hereby adopted as Figure 1 as referenced in Section 114-65, Winter Park Code of Ordinances. The map attached to this Ordinance as Exhibit “B” is hereby adopted as Figure 2 as referenced in Section 114-65, Winter Park Code of Ordinances.

SECTION 6. Severability. If any section, subsection, sentence, clause, phrase, word or provision of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, or any other reason, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 7. Conflicts. In the event of a conflict or conflicts between this Ordinance and any other ordinance or provision of law, this Ordinance controls to the extent of the conflict, as

allowable under the law.

SECTION 8. Codification. Sections 2 through 4 of this Ordinance shall be incorporated into the Winter Park City Code. Any section, paragraph number, subsection number, letter and/or any heading may be changed or modified as necessary to effectuate the foregoing. Grammatical, typographical and similar or like errors may be corrected, and additions, alterations, and omissions not affecting the construction or meaning of this ordinance or City Code may be freely made.

SECTION 9. Effective date. This Ordinance shall become effective immediately upon adoption by the City Commission of the City of Winter Park, Florida.

FIRST READING: _____.

SECOND READING: _____.

ADOPTED this ____ day of _____, _____, by the City Commission of the City of Winter Park, Florida.

**CITY COMMISSION OF THE CITY OF
WINTER PARK, FLORIDA**

Mayor Sheila DeCiccio

ATTEST:

Rene Cranis, City Clerk

Winter Park Chain of Lakes Regulatory Killarney Regulatory Zone



ZONE 8 | MAP KEY

- 1 Killarney Canal
- 2 North Lobe Entrance

Legend


 Slow Speed- Minimum Wake



Figure 2



Lakes & Waterways Board

agenda item 7.a

item type

Staff Updates

meeting date

May 13, 2025

prepared by

Victoria Tabor, Administrative Coordinator II

approved by

Victoria Tabor, Administrative Coordinator II

subject

Winter Park Police Department

motion | recommendation**background**

Sergeant Combas will update us on what has been happening on the waters in the past month.

alternatives | other considerations**fiscal impact****attachments**

None



Lakes & Waterways Board

agenda item 7.b

item type

Staff Updates

meeting date

May 13, 2025

prepared by

Victoria Tabor, Administrative Coordinator II

approved by

Victoria Tabor, Administrative Coordinator II

subject

Lakes Management

motion | recommendation**background**

During this time, the Lakes Division will inform the board about what has happened in the past month and about hurricane preparedness.

alternatives | other considerations**fiscal impact****attachments**

1. Lakes Update 2025.05



Lakes and Waterways Advisory Board

May 2025

Lakes Updates

- Treatments

- Lake Sue – Hydrilla perimeter treatment
- Osceola – E Lobe Cabomba treatment
- Howell Preserve – maintenance
- Howell Creek at weir & downstream
- Algae treatments

- Plant of the Month

- Hurricane Preparedness

- Past & Upcoming Events:

- Shoreline Restoration – May 3rd, 9am @ Lakes Temple & Tuscany
- Gardening Day – May 3rd, 9am @ The Winter Park Meadows
- Fix it! Don't Pitch it! – May 17th, 9am - 12pm @ Events Center
- Ballroom Dance Lessons – Monday Nights @ Community Center

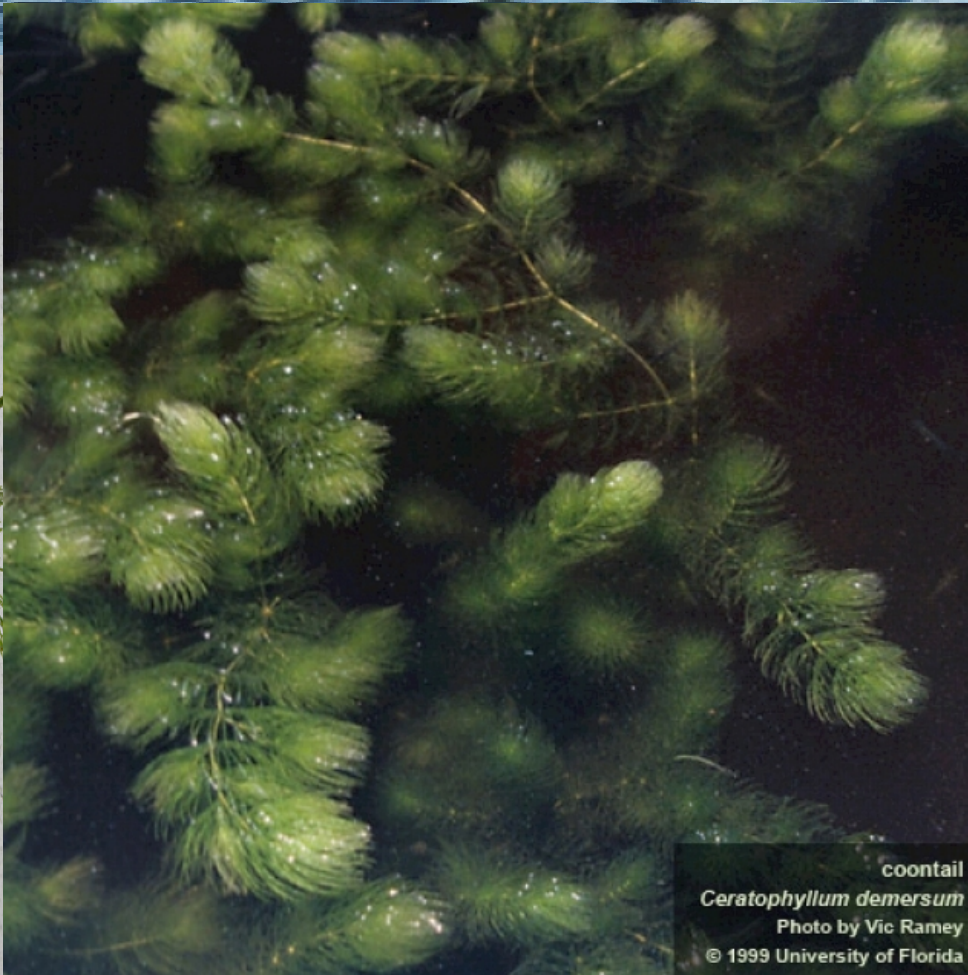
Plant of the Month

Coontail (*Ceratophyllum demersum*)

<https://plant-directory.ifas.ufl.edu/plant-directory/> Photos: v v



Coontail
Ceratophyllum demersum
Photo by Candia Clark
© 2014 University of Florida

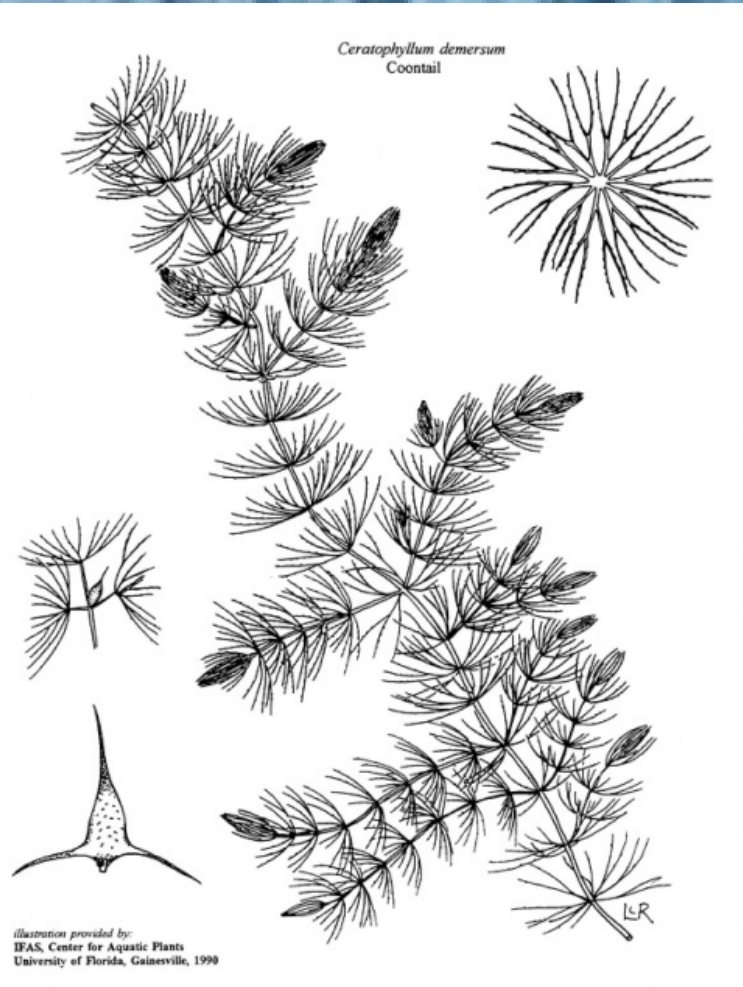


coontail
Ceratophyllum demersum
Photo by Vic Ramey
© 1999 University of Florida



Plant of the Month

Coontail (*Ceratophyllum demersum*)



Native to all continents except Antarctica

Characteristics: Also called 'common hornwort'. A submerged, rootless, free-floating aquatic plant with numerous lateral shoots from the stem, resembling a bushy tail. 'Teeth' along its leaves give coontail a rough feel. The Coontail flower grows at the base of the flower and the stem and is rarely seen. Prefers lakes and slow-moving waters.

Intriguing Facts:

- Invasive in parts of Australia and New Zealand
- Considered to release substances (allelochemicals) that inhibit the growth of phytoplankton and cyanobacteria
- Can grow in dense mats that can displace other natives

^ Photo: <https://plant-directory.ifas.ufl.edu/plant-directory/>

^ Photo: <https://www.conwaylake.org/post/coontail-aka-hornwort>



item type

Staff Updates

meeting date

May 13, 2025

prepared by

Victoria Tabor, Administrative Coordinator II

approved by

Victoria Tabor, Administrative Coordinator II

subject

Past & Upcoming Events

- Shoreline Restoration - 5/3 9am @ Lakes Temple & Tuscany
- Gardening Day - 5/3 9am @ The Winter Park Meadows
- Fix It! Don't Pitch It - 5/17 9am @ Winter Park Events Center
- Ballroom Dance Lessons - Monday Nights @ Community Center (See Attached Flyer)

motion | recommendation

background

alternatives | other considerations

fiscal impact

attachments

1. KWPB Lake Temple & Tuscany Shoreline Restoration
2. KWPB Gardening Day Flyer – May
3. Fix It Don't Pitch It Poster 2025-05-17
4. Ballroom Dance Lessons

lake tuscany & temple SHORELINE RESTORATION



saturday **may 3**
9 a.m.-noon
roundabout @
tuscan place

please wear appropriate
clothing & shoes
[items you don't mind getting dirty]

be prepared to wade through
knee-deep water
tools & gloves provided

Community Garden Workday

help revitalize the Meadows' community garden



saturday may 3



9 a.m. to noon



718 margaret square

Meadows at Margaret Square

helpful tips

please wear closed-toe shoes & clothes you don't mind getting dirty

water, snacks, gardening gloves & other supplies provided

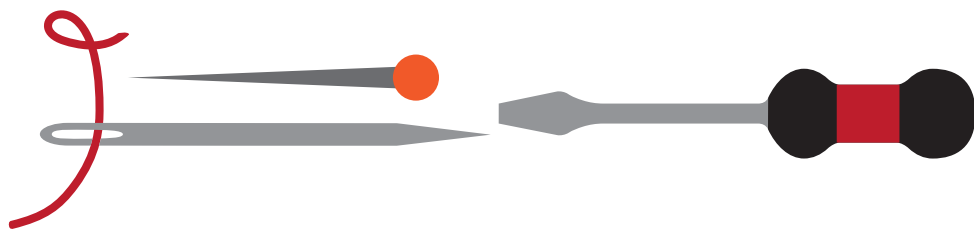
sign up at

natural-resources-sustainability.eventbrite.com

brought to you by



FIX IT!



DON'T Pitch It



a community repair workshop for
repairing small appliances, electronics,
bicycles, jewelry, eye glasses & watches,
mending clothes and woodworking

services are subject to change • please call for a complete list
first come, first served basis • limit two items per person

saturday **05.17.2025** **9 a.m. to noon**

winter park events center @ 1050 w. morse boulevard

to volunteer your time & talents, please contact
407-599-3479 or **sustainability@cityofwinterpark.org**

additional locations @ **cityofwinterpark.org/fixitdontpitchit**



special thanks
to our volunteers
that made this
event possible



learn how to

Ballroom Dance

[funds support Keep Winter Park Beautiful]

Monday nights

6-week sessions | *no class May 26*

\$75 6-week session | \$14 drop-in class

first session march 24 thru april 28

second session may 12 thru june 23

@7p.m.

[beginner]

@8:15p.m

[intermediate]

Winter Park Community Center @

721 W. New England Avenue

arrive to the first class 30 minutes early to **register & pay**

Questions 407.599.3450

KWPB
keep winter park beautiful
KEEP AMERICA BEAUTIFUL AFFILIATE



Lakes & Waterways Board

agenda item 7.d

item type

Staff Updates

meeting date

May 13, 2025

prepared by

Victoria Tabor, Administrative Coordinator II

approved by

Victoria Tabor, Administrative Coordinator II

subject

Stormwater Management

motion | recommendation**background****alternatives | other considerations****fiscal impact****attachments**

1. SW Update 5.25

Stormwater Staff Update

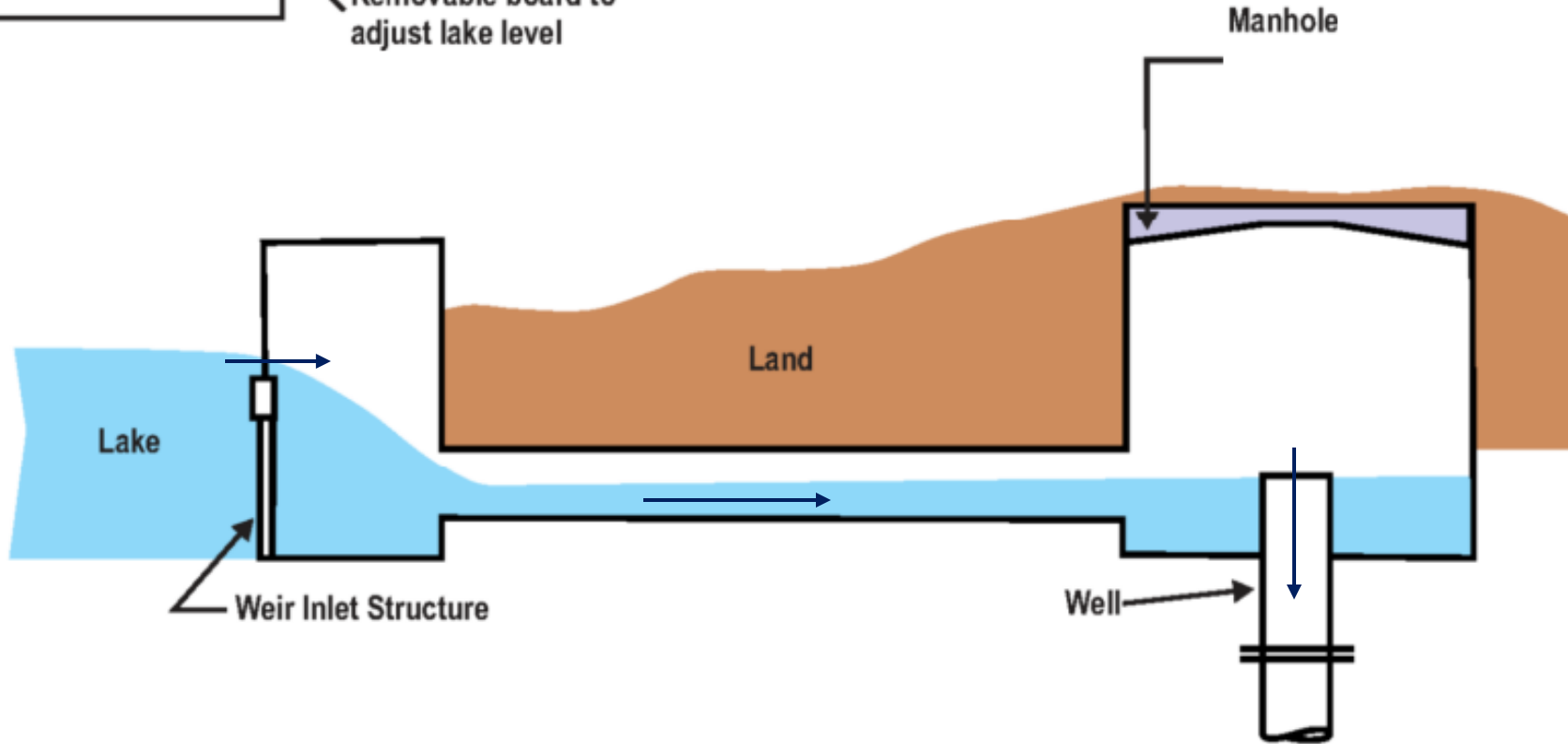
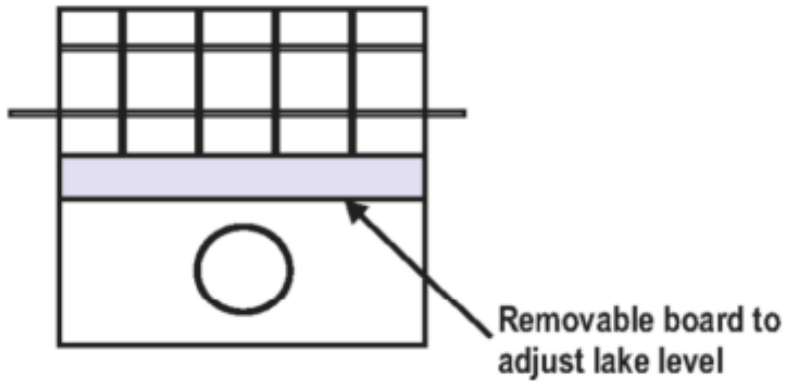
Stormwater CIP – Fiscal Year 2025

CIP Title & Description	Original Year Funded	Current Balance	Status/Comments
Drainage Improvements - Recent years of unusually heavy rainfall events have revealed several substandard drainage conditions in various locations throughout the City.	Annually Funded	\$48,000	Several in-house drainage improvements projects for 2023-24 - Completed replacement of 70ft of 24 inch RCP crossing Joeline Court, and 120ft of 18 inch HDPE at the north end of Laurel Road. Upcoming - storm pipe replacement/relocate at 2601 & 2631 Temple Drive.
			1) <u>Stormwater Outfall Dredging</u> - The City recently entered a new contract, dredging on several stormwater outfalls started in Aug 2023, and will continue as needed.
			2) Shultz Ave Pipe Repair
			3) Cherokee Ave drainage improvements
Seminole County Ditch Piping (along Arbor Park Dr) – Drainage ditch behind the homes along Arbor Park Drive has a shared drainage basin with Seminole County. Funding is provided for the design and construction to pipe the ditch.	2016	\$533,900	The Interlocal Agreement was approved by the City Commission and by the Seminole County Commission. 60% plans completed and submitted to Seminole County. Permit exemption documents are being prepared. Estimated start date August.
Stirling Bridge Replacement	2024	\$17,243	Updates required for price estimate.
Fawsett Road CDS Unit	2024	\$200,000	Postponed to after FY 25.
Killarney Dr - Drainage & Street Improvements	2025	\$101,660	Combine failing outfalls into one outfall, includes new inlets. Estimated construction start May 2025.
Palmer Ave at Old England - Drainage Improvements-Phase 1	2025	\$249,750	Replacement outfall at Old England Ave, north of Palmer Ave. Permit application has been submitted to SJRWMD. Additional documentation is being prepared to address RAI.
Mayflower - Drainage Ditches Dredging	2025	\$120,000	Dredging of drainage ditches that begin at the Mayflower property to the north. To be paid by NRCS grant. Estimated start date June 2025.
Lake Spier Drainwell	2024	\$227,400	FDEP permit received. Kick off meeting completed 4/23/25. Site prep has begun. Construction to commence May 2025.
TOTALS			
3023406 ACTIVE STORMWATER CIP's		\$1,497,953.00	BALANCE TOTAL

Stormwater Staff Update

Lake Spier Drainwell Replacement

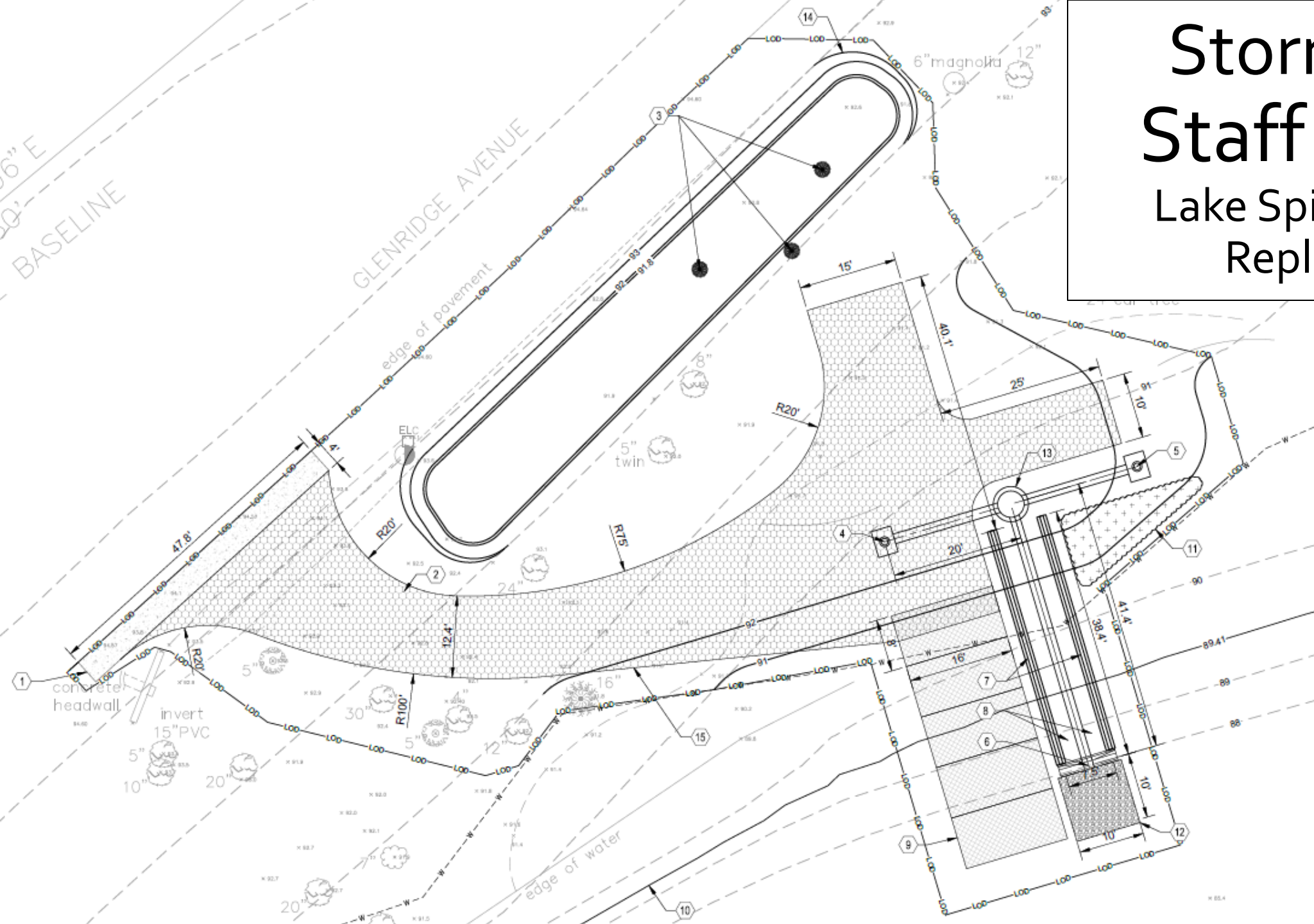
Weir Inlet Structure - Typically



Adapted from: McBee, 1985

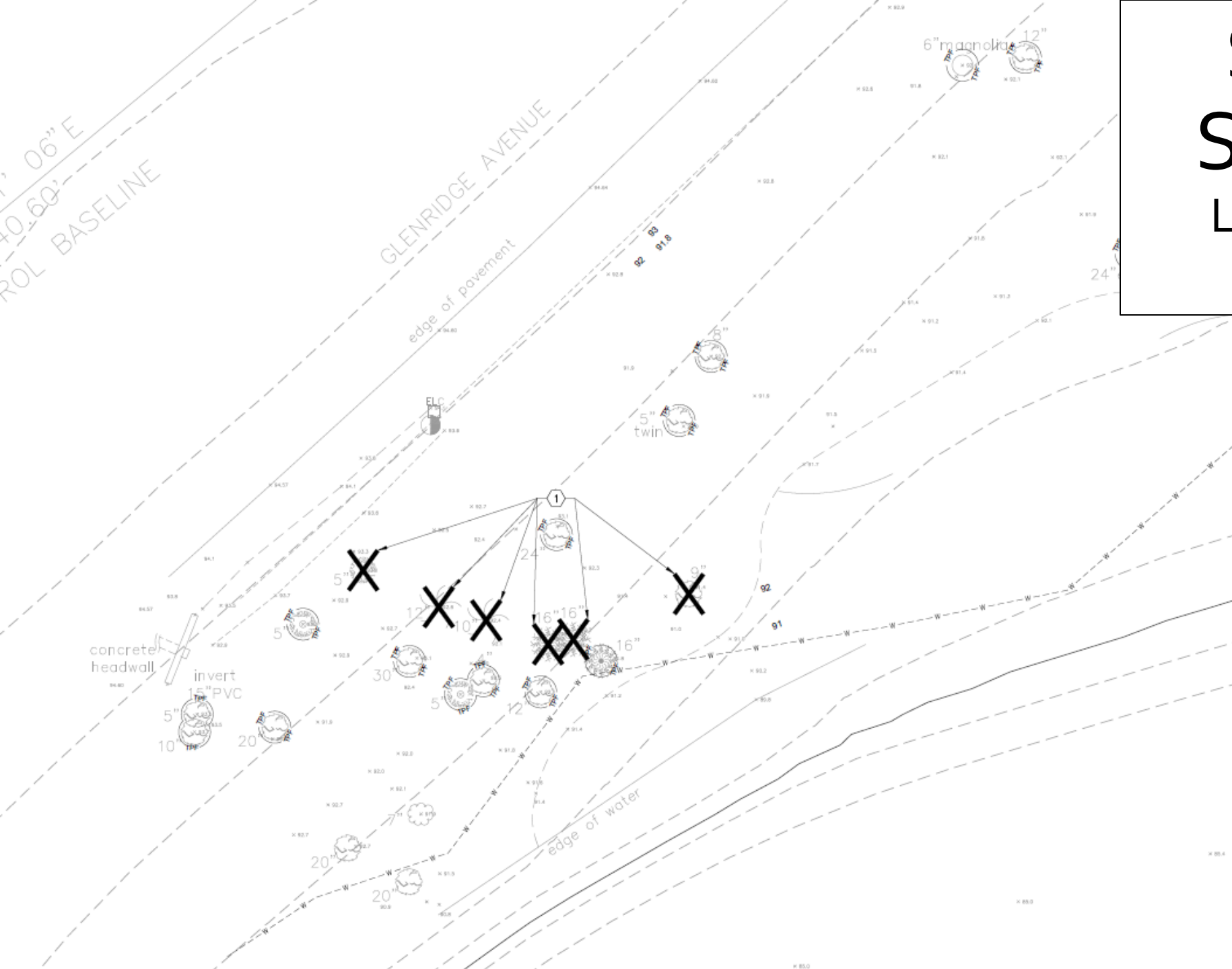
Stormwater Staff Update

Lake Spier Drainwell Replacement



Stormwater Staff Update

Lake Spier Drainwell Replacement



Stormwater Staff Update

Lake Spier Drainwell Replacement





Lakes & Waterways Board

agenda item 8.a

item type

Board Comments

meeting date

May 13, 2025

prepared by

Victoria Tabor, Administrative Coordinator II

approved by

Victoria Tabor, Administrative Coordinator II

subject

Discussion of Public Comments Received

motion | recommendation**background**

During this time, the board members can discuss any public comments brought to the board.

alternatives | other considerations**fiscal impact****attachments**

None



Lakes & Waterways Board

agenda item 9.a

item type

Upcoming Agenda Items

meeting date

May 13, 2025

prepared by

Victoria Tabor, Administrative Coordinator II

approved by

Victoria Tabor, Administrative Coordinator II

subject

Discussion of Upcoming Agenda Items

motion | recommendation**background**

During this time, the board members can request items they want to see on the upcoming agenda.

alternatives | other considerations**fiscal impact****attachments**

None