

AN ORDINANCE DECLARING LEGISLATIVE INTENT TO PREVENT RIVER BANK EROSION, DOCK AND BOAT DAMAGE ALONG PORTIONS OF THE OCHLOCKONEE RIVER, RESTRICTING CERTAIN SECTIONS OF THE OCHLOCKONEE RIVER TO UNLIMITED BOAT USE; RESTRICTING WAKES IN AREAS LIKELY TO CREATE EROSION AND DAMAGE; PROVIDING FOR ENFORCEMENT AND PENALTIES FOR VIOLATION.

ORDINANCE # 77-5

FRANKLIN COUNTY, FLORIDA

BE IT HEREBY ORDAINED by the Board of County Commissioners of Franklin County, Florida:

Section 1. Declaration of Intent.

Pursuant to the authority granted by Section Florida Statutes, Franklin County hereby declares intention to prevent undue river bank erosion, boat damage, and dock damage along certain portions of the Ocholockonee River; as well as to restrict water skiing in areas likely to create the same.

Section 2. River Sections covered by this Ordinance.

The specific section of the Ocholockonee River that this Ordinance pertains to is from a point at the junction of the Ocholockonee River and Tide Creek in Section 31, Township 5 South, Range 2 West marked by a standard restricted marker to a point upstream at the junction of Crooked River and the Ocholockonee River in Section 3, Township 5 South, Rrange 3 West marked by a standard restricted marker.

Section 3. Restrictions.

Within the specified area it is prohibited to proceed at any speed which shall create a wake outside of the area designated as the boat channel. The designated boat channel is an area along the north and east bank of the river, otherwise identified as the Wakulla side from MHW to a point 250 feet out. This channel will extend the entire length of the covered area and be periodically marked by either bouys or signs designating the boat channel.

Section 4. Enforcement.

Enforcement of this Ordinance will be the responsibility of the Franklin County Sheriff's Office. It is requested and specifically authorized that the Wakulla County Sheriff's Department and all State agencies with law enforcement authority assist in the enforcement of this Ordinance.

Section 5. Legal Status.

Conflicting Regulations.

This Ordinance shall not be construed to have the effect of repealing any existing Ordinance concerning the subject matter of this Ordinance, but the regulations established herein shall be supplemental and cumulative. Provided, however, that in the case of a direct conflict with a provision or provisions of any existing Ordinance, the provision of this Ordinance shall govern.

Separability Clause.

Any clause or provision of this Ordinance declared invalid by the courts shall not affect the validity of the Ordinance as a whole or any part thereof.

Section 6. Effective Date.

These regulations shall take effect upon notice of receipt of a certified copy of same by the Secretary of the State of Florida. These regulations shall be made available to the general public.

Section 7. Violations.

Violation of this Ordinance shall be a misdemeanor, punishable as provided by law. The Board shall have recourse to such remedies in law and equity as may be necessary to ensure compliance with the provisions of this Ordinance.

This Ordinance adopted in open session this 21st day of June, 1977, after notice of intent to consider such an ordinance has been made and kept in the ordinance book of the Clerk of this Board for at least 15 days exclusive of Sundays and legal holidays, and the title and substance hereof published according to law in the Apalachicola Times, a newspaper of general circulation within the County.

THE BOARD OF COUNTY COMMISSIONERS  
OF FRANKLIN COUNTY, FLORIDA.

BY: *Cecil Barnes*  
Its Chairman

Attest:

*Robert L. Howell*

Clerk

(SEAL)