

City of Jacksonville
Wednesday, March 8, 2023 3:30 PM
Agenda



117 W. Duval Street
Lynwood Roberts Rm, 1st Floor,
City Hall

Richard Hartley, Chair
Mark Devereaux
Andrew Fraden
Adam Hoyles, Ex-Officio

Maritza Sanchez, Legislative Assistant
Rita Mairs, Asst. General Counsel
Jim Suber, Waterways Coordinator

Jacksonville Waterways Commission

Arlington River Speed Zone Sub-Committee

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- 1. Call to Order**
 - 2. Arlington River Speed Zone**
 - 3. Committee Member Discussion and Questions**
 - 4. Public Comment**
 - 5. Next Steps**
 - 6. Adjournment**

Pursuant to the American with Disabilities Act, accommodations for persons with disabilities are available upon request. Please allow 1-2 business days notification to process; last minute requests will be accepted; but may not be possible to fulfill. Please contact Disabled Services Division at: V 904-255-5466, TTY-904-255-5476, or email your request to KaraT@coj.net.

1 Introduced by Council Members Howland and Morgan at the request of
2 the Jacksonville Waterways Commission:
3
4

5 **ORDINANCE 2023 -**

6 AN ORDINANCE APPROPRIATING \$_____ FROM
7 _____ FOR REGULATORY AND NON-REGULATORY
8 SIGNAGE; AMENDING CHAPTER 614 (PUBLIC ORDER AND
9 SAFETY), SECTION 614.132 (REGULATIONS ON
10 OPERATION OF BOATS), *ORDINANCE CODE*, TO
11 ESTABLISH THE BOATING-RESTRICTED AREA IN THE
12 ARLINGTON RIVER AROUND THE CESERY BRIDGE;
13 PROVIDING FOR DESIGN AND IMPLEMENTATION;
14 PROVIDING FOR OVERSIGHT; PROVIDING AN EFFECTIVE
15 DATE.
16

17 **WHEREAS**, a dangerous blind spot exists for waterway users
18 approaching Cesery Bridge from both the east and the west; and

19 **WHEREAS**, vessels sometimes approach and travel under the Cesery
20 Bridge at higher than ordinary speeds, presenting a danger within the
21 narrow flow channel; and

22 **WHEREAS**, the State of Florida has a process pursuant to Section
23 327.46, Florida Statutes, by which a local government can establish
24 a "boating-restricted area" to restrict vessel speeds to protect the
25 safety of the public; and

26 **WHEREAS**, Section 327.46(1)(b)(2), F.S. provides that such a
27 boating-restricted area may be established within 300 feet of any
28 bridge span presenting a vertical clearance of less than 25 feet or
29 a horizontal clearance of less than 100 feet; and

30 **WHEREAS**, the Cesery Bridge has both a vertical clearance of less
31 than 25 feet and a horizontal clearance of less than 100 feet; and

1 **WHEREAS**, Board approval by the Florida Fish and Wildlife
2 Conservation Commission ("FWC") is not required for ordinances
3 adopted pursuant to Section 327.46(1)(b), F.S., however the
4 regulatory markers indicating the extent of the boating-restricted
5 area must be permitted by FWC pursuant to Section 327.41, F.S. and
6 Rule 68D-23, Florida Administrative Code; and

7 **WHEREAS**, FWC does not provide the markers or dictate the type
8 of marker, whether a fixed piling with attached signs or a buoy
9 anchored to the river bottom, so the decision as to the entity
10 responsible for the cost of the placement and maintenance of the
11 markers is left to the City; and

12 **WHEREAS**, there are boating areas, spanning between the Arlington
13 Expressway and Beach Boulevard, though not qualifying as "boating-
14 restricted areas" pursuant to Section 327.46(1)(b), F.S., are
15 navigated by low-speed waterway users (e.g., rowers, kayakers) in
16 need of protection from speeding vessels, now therefore

17 **BE IT ORDAINED** by the Council of the City of Jacksonville:

18 **Section 1. Appropriation.** For the 2022-2023 fiscal year,
19 within the City's budget, there are hereby appropriated the indicated
20 sum(s) from the account(s) listed in subsection (a) to the account(s)
21 listed in subsection (b):

22 (The account is attached hereto as **Exhibit 1** and incorporated herein
23 by this reference.)

24 (a) Appropriated from:

25 See **Exhibit 1** \$ _____

26 (b) Appropriated to:

27 See **Exhibit 1** \$ _____

28 (c) **Explanation of the appropriation** - The funding above is to
29 provide \$ _____ from _____ to _____ for the placement
30 of "Slow Speed/Minimum Wake" signs in the Arlington River to notify
31 boaters that a boating-restricted area has been created, and to place

1 non-regulatory signs in the Arlington River to notify boaters of the
2 presence of low-speed waterway users in the signage areas.

3 **Section 2. Purpose.** The purpose of this appropriation is to
4 permit, construct or purchase, and install signs notifying the boating
5 public of the creation of the Cesery Bridge boating-restricted area
6 pursuant to Section 327.46(1)(b)(2), Florida Statutes. This boating-
7 restricted area will require boaters to operate their vessels at
8 "Slow Speed Minimum Wake" within the area. The purpose of this
9 appropriation is to also permit, construct or purchase, and install
10 non-regulatory signs notifying boaters of low-speed waterway users
11 in certain areas of the Arlington River where such users can be
12 expected. Pursuant to the provisions of Section 110.413, *Ordinance*
13 *Code*, funds may be distributed by the Director of Finance and
14 Administration for purposes set forth in this ordinance upon written
15 request from the Director of Parks, Recreation and Community Services,
16 or his designee. To the extent the cost(s) is defrayed by other
17 entities, the amount appropriated herein shall remain in the
18 _____ and be available for future appropriation. Any funds
19 not utilized for this purpose shall be returned to the source of
20 funding.

21 **Section 3. Amending Section 614.132 (Regulations on**
22 **operation of boats), Chapter 614 (Public Order and Safety).** Section
23 614.132 (Regulations on operation of boats), *Ordinance Code*, is hereby
24 amended to read as follows:

25 **CHAPTER 614 - PUBLIC ORDER AND SAFETY**

26 * * *

27 Sec. 614.132 - Regulations on operation of boats.

28 * * *

29 (c) The following is hereby designated as slow speed minimum
30 wake zone within the waters of Duval County:

31 * * *

1 (10) Within 100 yards (300 feet) on both sides of the
2 Cesery Bridge on Cesery Blvd., located at Lat. 30°19'22" N/ Long. ,
3 81°35'51" W, from shore to shore.

4 * * *

5 **Section 4. Design and Implementation.** To ensure slow speeds
6 within the boating-restricted area established in the waters from
7 shore to shore, the Parks Department, in consultation with FWC, and
8 other interested city, state or federal agencies or departments,
9 shall design and obtain necessary permits to install the required
10 number of signs, suitably worded, at appropriate places to alert the
11 boating public about the area. The Parks Department shall also
12 implement the design for the placement of the signs and may solicit
13 funds or in-kind assistance from such agencies and departments to
14 help defray some or all of the cost of permitting, acquiring and
15 installing the signs.

16 **Section 5. Oversight.** Oversight of the professional
17 services portion of this effort and the implementation of the design
18 will be conducted by the Parks Department.

19 **Section 6. Effective Date.** This ordinance shall become
20 effective upon signature by the Mayor or upon becoming effective
21 without the Mayor's signature.

22
23
24 Form Approved:

25
26 _____
27 Office of General Counsel

28 Legislation Prepared by: Rita M. Mairs

29 GC-#1553476-v1-Cesery_Bridge_Speed_Zone.doc

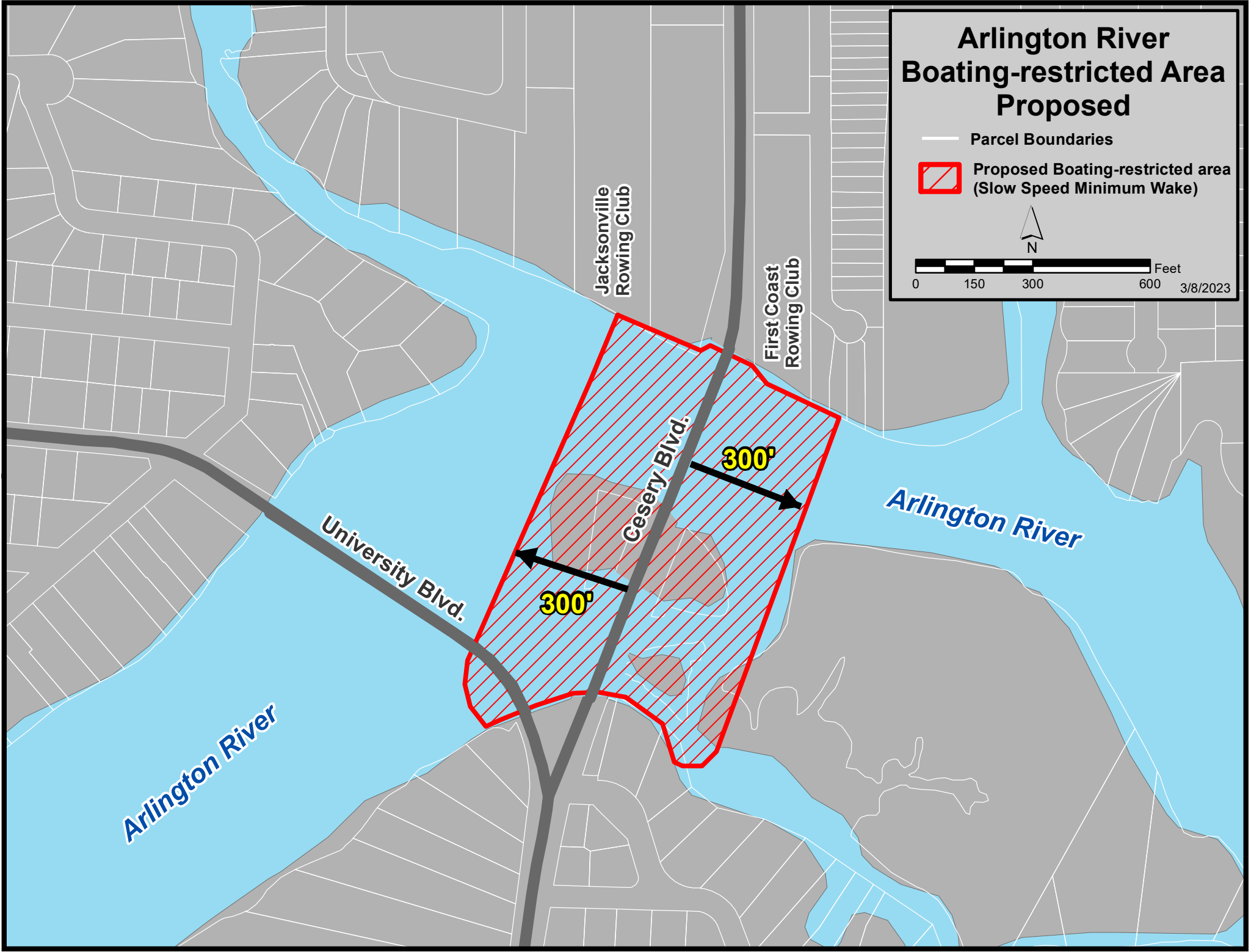
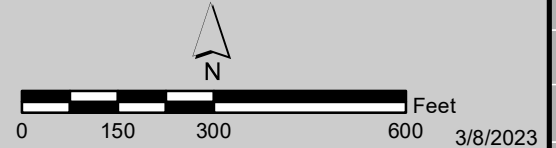
**SLOW SPEED
MINIMUM
WAKE**

Permit No: XX-XXX

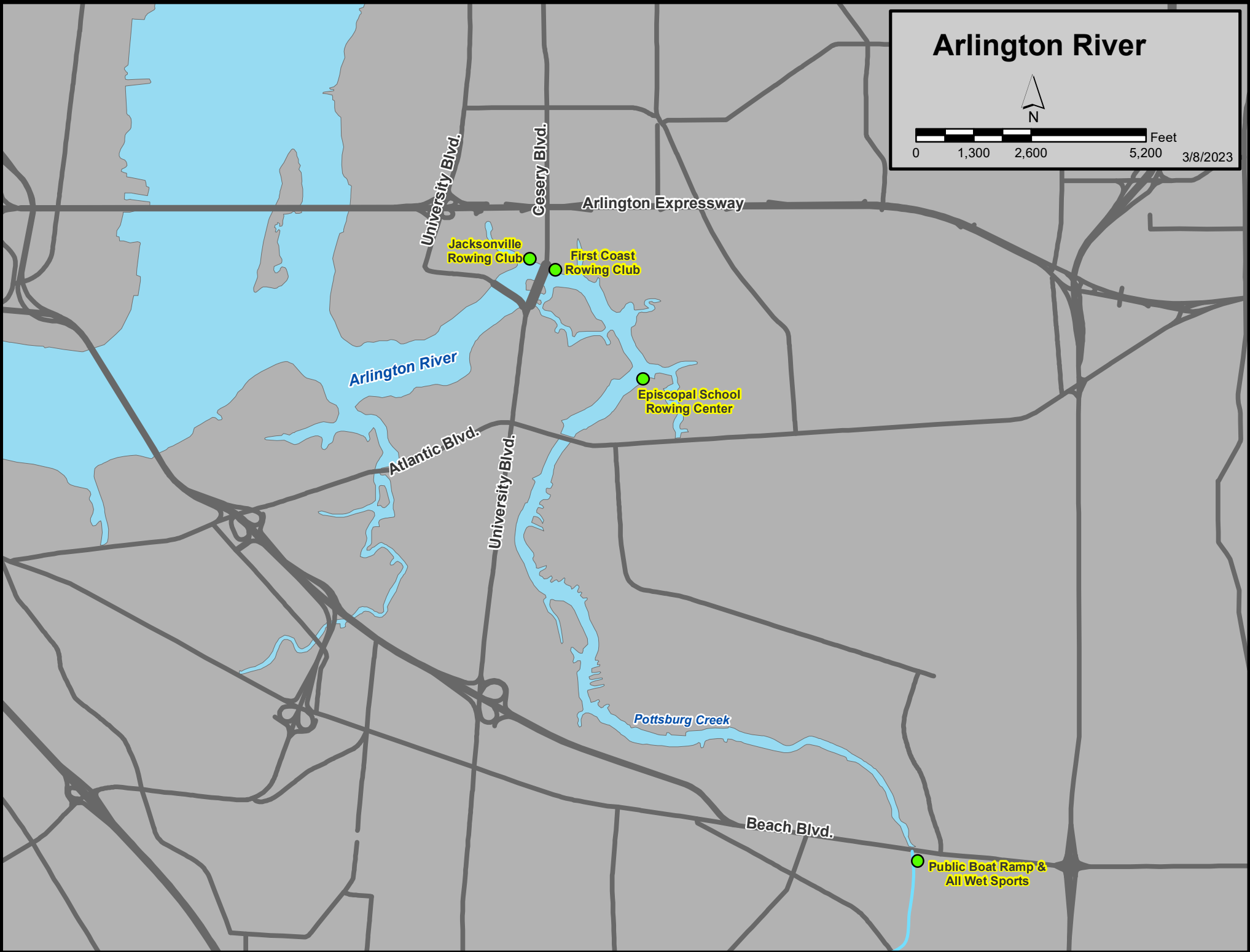
Rule No: XX-XXX

Arlington River Boating-restricted Area Proposed

- Parcel Boundaries
- Proposed Boating-restricted area (Slow Speed Minimum Wake)



Arlington River



CAUTION

**YOU ARE RESPONSIBLE
FOR YOUR OWN WAKE**

327.33(3) F.S.; 33 USC 2006

FUWM-22-XXX

CAUTION
ROWBOATS
AHEAD

PERMIT NO.: FUWM-22-xxx