

031586

FILED FOR RECORD
KAREN J. CLERK
HERNANDO COUNTY, FLA

SEP 23 PM 1 31

ORDINANCE NO. 88-28

FILED
68 SEP 19 11 41 AM '52
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

AN ORDINANCE DECLARING THE EXISTENCE OF AN EMERGENCY SITUATION IN HERNANDO COUNTY, FLORIDA AND PROHIBITING THE OPERATION OF MOTORIZED BOATCRAFT ON A PORTION OF THE WITHLACOOCHEE RIVER IN HERNANDO COUNTY.

WHEREAS, a severe flooding condition has developed along the Withlacoochee River as a result of heavy rains over a long period of time; and

WHEREAS, the Withlacoochee River is overflowing its banks and flooding adjacent property, causing property damage and otherwise threatening the health, safety and welfare of the residents of Hernando County; and

WHEREAS, this catastrophic condition has resulted in the development of a health and safety hazard to residents of Hernando County along the Withlacoochee River; and

WHEREAS, the use of motorized boatcraft on the Withlacoochee River and on the waters overflowing the Withlacoochee River other than for law enforcement, evacuation and emergency purposes constitutes a hindrance to the implementation of Emergency Preparedness Plans of Hernando County and threatens the protection of the health, safety, and welfare of the citizens of Hernando County, Florida; and

WHEREAS, the matters herein cited constitute a clear and imminent threat to the safety, health and welfare of the citizens of Hernando County so as to create an emergency in Hernando County.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA, AS FOLLOWS:

SECTION 1. The recitation of findings contained in the preamble to this ordinance is hereby incorporated as findings by the Hernando County Board of County Commissioners.

SECTION 2. The Hernando County Board of County Commissioners finds that an emergency exists within Hernando County.

SECTION 3. The operation or use of boats, motorized boatcraft or motorized watercraft of any nature or kind upon the waters of the Withlacoochee River and its overflow, within

Hernando County, between the intersection of Interstate 75 and the Withlacoochee River and the intersection of the Withlacoochee River and the Seaboard Coast Line Railroad Trestle is hereby prohibited except as set forth in Section 4 hereof.

SECTION 4. Section 3 of this Ordinance shall not apply to boats, boatcraft or watercraft being utilized by law enforcement or other governmental officers or being utilized in actual evacuation or emergency use.


SECTION 5. Any violation of this ordinance shall constitute a misdemeanor and shall be punished as provided by law for violation of a County ordinance.

SECTION 6. This Ordinance shall become effective as provided by law for effective dates of County Ordinances adopted as emergency measures.

SECTION 7. This Ordinance shall remain in effect until repealed by the Hernando County Board of County Commissioners.

ADOPTED in Regular Session of the Hernando County Board of County Commissioners on this 14th day of September, 1988, A.D., as an emergency Ordinance with five (5) affirmative votes of members of the Hernando County Board of County Commissioners.

BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA

BY: 
DAVID D. RUSSELL
CHAIRMAN

ATTEST: 
KAREN NICOLAI
CLERK