

ORDINANCE 79-9

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, residents along the river have been found to evacuate their homes and property; and

WHEREAS, this catastrophic condition has resulted in looting occurring along the river by the use of boats by such looters; and

WHEREAS, the use of boats and 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, boatcraft or watercraft of any nature or kind upon the waters of the Withlacoochee River and its overflow, within Hernando County, 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 of 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 This ordinance shall remain in effect until repealed by the Hernando County Board of County Commissioners.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 Special Session of the Hernando County Board of County Commissioners on October 1, 1979 as an emergency ordinance with four (4) affirmative votes of members of the Hernando County Board of County Commissioners.

HERNANDO COUNTY BOARD OF COUNTY
COMMISSIONERS

By Marvin E. Hunt
MARVIN E. HUNT, CHAIRMAN

Attest Carla Gail Donato, Deputy Clerk
HAROLD WILLIAM BROWN, CLERK

