

RESOLUTION NO. 95-21

A RESOLUTION OF THE CITY OF DELRAY BEACH, FLORIDA, URGING THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION TO ENTER INTO RULEMAKING TO ADOPT A "SLOW SPEED - MINIMUM WAKE" ZONE WITHIN THE INTRACOASTAL WATERWAY SYSTEM BETWEEN ATLANTIC AVENUE AND GEORGE BUSH BOULEVARD; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, residents of the City of Delray Beach have petitioned the City to limit the speed of vessels on the Intracoastal Waterway between the Atlantic Avenue Bridge and the George Bush Boulevard Bridge (hereinafter referred to as the "Zone"); and

WHEREAS, the City Commission heard the concerns of its residents during its Commission Meeting held on January 16, 2020; and

WHEREAS, the residents along this segment of the Intracoastal Waterway have expressed they are witnessing increased vessel traffic congestion, a high number of speeding vessels, and many instances of collision or near-collision between vessels, which constitutes a significant threat to boating safety in the Zone; and

WHEREAS, the establishment of a "Slow Speed- Minimum Wake" Zone is necessary in order to protect human life and limb and promote vessel traffic safety; and

WHEREAS, the City recognizes that Florida Statutes 327.46 and 327.60 delegate the power to regulate vessels on the Florida Intracoastal Waterway solely to the Florida Fish and Wildlife Conservation Commission; and

WHEREAS, the City urges the Florida Fish and Wildlife Conservation Commission to consider the concerns of the residents and establish a "Slow Speed-Minimum Wake" Zone within the Intracoastal Waterway between Atlantic Avenue and George Bush Boulevard; and

WHEREAS, the City is respectfully requesting that the Florida Fish and Wildlife Conservation Commission enter into rulemaking to adopt a "Slow Speed - Minimum Wake" Zone in the requested Zone; and

WHEREAS, the City Commission deems approval of this Resolution to be in the best interest of the health, safety, and welfare of the residents and citizens of the City of Delray Beach and the public at large.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AS FOLLOWS:

Section 1. The foregoing recitals are hereby affirmed and ratified.

Section 2. The City Commission of the City of Delray Beach hereby urges the Florida Fish and Wildlife Conservation Commission to adopt a "Slow Speed-Minimum Wake" Zone within the

Intracoastal Waterway between Atlantic Avenue and George Bush Boulevard, as depicted in Exhibit "A".

Section 3. City staff is hereby directed to submit this Resolution to the Florida Fish and Wildlife Conservation Commission.

Section 4. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED in regular session on the ____ day of _____ 2021.

ATTEST:

Katerri Johnson, City Clerk

Shelly Petrolia, Mayor

Approved as to form and legal sufficiency:

Lynn Gelin, City Attorney

EXHIBIT "A"

Requested Additional Slow Wake Zone

