

ORDINANCE 2025- 04

AN ORDINANCE OF WALTON COUNTY, FLORIDA AMENDING
CHAPTER 24 OF THE WALTON COUNTY CODE OF ORDINANCES TO
PROVIDE FOR REGULATION OF THE USE OF PUBLIC BOAT RAMPS
AND PERMITTING ASSOCIATED THEREWITH, PROVIDING FOR
CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the Walton County Board of County Commissioners has determined that the regulation of the of public boat ramps is necessary for the protection of the health, safety, and welfare of the public, and;

WHEREAS, the Walton County Board of County Commissioners desires to improve the access and use of public boat ramps located in the County.

NOW THEREFORE, be it ordained that Chapter 24 of the Walton County Code of Ordinances shall henceforth read as follows:

Chapter 24 – BOATING ON WATERWAYS WITHIN WALTON COUNTY

- (a) Title. This Section shall be known as the Boating on Waterways within Walton County Ordinance.
- (b) Findings. Regulation of the use of public boat ramps is necessary for the protection of the health, safety, and welfare of the public.
- (c) Purpose and intent. The purpose and intent of this Section is to improve the access and use of public boat ramps located in the County.

Sec. 24-1. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (a) “Airboat” means a vessel that is primarily designed for use in shallow waters and powered by an internal combustion engine with an airplane-type propeller mounted above the stern and used to push air across a set of rudders.
- (b) “Commercial activity” means operating a vessel for use by the public at or from a public boat ramp for monetary gain shall be deemed commercial activity.

- (c) "Operate" means to be in charge of or in command of or in actual physical control of a vessel upon the waters of this state, or to exercise control over or to have responsibility for a boat's or vessel's navigation or safety while the vessel is underway upon waters of the county, or to control or steer a vessel being towed by another vessel upon the waters of the county.
- (d) "Person" means an individual, partnership, firm, corporation, association, or other entity.
- (e) "Vessel" is synonymous with boat as referenced in s. 1(b), Art. VII of the State Constitution and includes every description of watercraft, barge, and airboat, other than a seaplane on the water, used or capable of being used as a means of transportation on water.

Sec. 24-2. – Use of public boat ramps for Commercial Activity.

- (a) No Person shall conduct any Commercial Activity or utilize a public boat ramp and associated park in a manner that will result in Commercial Activity, whether land-based or from the water, without a permit authorizing that activity.
- (b) Commercial Activity permits shall be issued annually beginning on June 1st, but all such permits will expire on May 31st regardless of when the permit was issued in the preceding year. Applications may be filed at any time during the permit year by submission through the means and manner set forth by the County department responsible for issuance and regulation of the permits. The cost of the permit shall be set by Resolution of the Board of County Commissioners.
- (c) To be eligible for issuance of a permit, the following are mandatory requirements:
 - (1) The Vessel as well as the trailer being permitted shall be owned by and registered to the permit holder.
 - (2) All registrations for the Vessel as well as the trailer must be current and valid.
 - (3) Proof of current U.S. Coast Guard captain's license (if required).
 - (4) Proof of current Florida charter fishing license (if required).
 - (5) Proof of Florida Fish and Wildlife Conservation Commission (FWC) Vessel livery permit (if required).
 - (6) Proof of residency (such as voter's registration card, homestead exemption card, or driver's license) must be presented to the Walton County Board of County Commissioners designee at the time of application.
 - (7) For business entities: registration records with Florida Department of Corporations such as Articles of Incorporation, Articles of Organization, or Fictitious Name Registrations.

- (8) Proof of liability insurance of not less than \$500,000.00 for general public liability per occurrence.

In addition to the requirements above, proof of any and all licensures and registrations required by any state or federal agency shall be required for any activity that requires such licensure and registration.

- (d) Permits must be attached to the port side of the Vessel, adjacent to the Vessel registration, and to the tongue of the trailer.
- (e) No Person engaged in Commercial Activity may store unrented Vessels by beaching them along the shoreline of the associated park. Each individual Vessel found in violation will constitute a separate offense.

Sec. 24-3. – Docking and parking at public boat ramps.

- (a) The docking of Vessels at public boat ramps may deny other Persons the use of public boat ramps. The docking may also present a hazard to other boaters and the public wishing to use the public boat ramps. Therefore, no Vessel shall be docked or anchored at a public boat ramp for more than ten (10) minutes. If any Person wishing to use a public boat ramp in the County comes upon a Vessel docked or anchored which is hampering access or causing a hazard, she or he should call Code Compliance or the Sheriff's Office. After a complaint is received, the appropriate agency will be notified.
- (b) To ensure parking is available to Persons actively using the public boat ramp, unhitched trailers, with or without vessels, shall not be left unattended in the parking lots or associated park.

Sec. 24-4. – Airboat curfew.

- (a) Geographical boundaries. The provisions of this chapter shall apply to the operation of Airboats on all water bodies located within the unincorporated boundaries of Walton County.
- (b) Hours of operation. No Person shall operate an Airboat on any water body within unincorporated Walton County on Sundays or between the hours of 6:00 p.m. and 8:00 a.m., Monday through Saturday, except as provided in subsection (c) of this section.
- (c) Exemptions. Nothing in this section shall prohibit the use of a federal, state, or county Airboat properly operated in the line of duty, by duly authorized personnel. Nothing in this section shall prohibit the use of a public or privately owned or operated Airboat, in coordination with federal, state, or county emergency services personnel, in the course of rescuing an individual in immediate peril.

Sec. 24-5. – Penalties; fines and fees; and enforcement.

- (a) A violation of any provision of this Chapter shall constitute a civil infraction punishable by a fine not to exceed \$500.00. Each occurrence of a violation, or, in the case of continuing violations, each day a violation occurs or continues, constitutes a separate offense. The Board of County Commissioners is authorized to set the amount of any fee or fine that is designated in this Chapter by a resolution of the Board and may amend such resolution as the Board determines is necessary. In addition to issuance of fines, the County shall use any other lawful methods of enforcement and remedy to gain compliance with the provisions of this chapter.
- (b) Deputies of the Sheriff's Office and Code Compliance officers shall be responsible for the issuance of citations for any violation of the provisions of this Chapter. Any fees and/or fines collected pursuant to this Chapter are to be remitted through the Clerk of Court and placed in the general fund of the Board of County Commissioners. A Person cited for a violation may elect to either:
- (1) Pay the scheduled fine plus administrative costs to the Clerk of Court within 30 calendar days of the date of the citation, or
 - (2) Waive the scheduled fine and request a hearing before the County's Code Compliance Special Magistrate by notifying the Clerk of the Court in writing, by phone, or in person within 30 calendar days of the date of the citation. The violator must appear in person at the hearing. At such hearing the Code Compliance Special Magistrate shall, upon finding that the violator committed the infraction charged, impose a fine plus administrative costs.
- (c) Specifically, as it relates to Commercial Activity permits issued pursuant to Sec. 24-2, violations of any provision of this Chapter may additionally be enforced through permit suspension and revocation as set forth by the Board of County Commissioners, and as may be amended from time to time. Accordingly, the Board of County Commissioners is authorized to, by resolution or ordinance, adopt a violation schedule setting forth a system under which a Person is subject to suspension or revocation of any or all permits issued, and may base that system upon the number of violations of provisions of this Chapter, a point-based calculation whereby points are assessed per violation and suspension or revocation is based on cumulative points received within defined time periods, or any other suspension and revocation methodology determined by the Board of County Commissioner and duly adopted. Upon adoption of such system(s), County Code Enforcement officials are hereby empowered to issue such suspensions or revocations in accordance therewith. An appeal of any such suspension or revocation shall be to the magistrate assigned to hear code matters. A Person must submit in writing to Code Compliance their request for appeal and reason within 48 hrs. of being notified that their permit will be suspended.

(d) In addition to any suspension or revocation system adopted and implemented above, the failure to pay or timely challenge any citation shall result in the immediate and automatic revocation of all permits issued to the offending Person, and reinstatement of said permits and issuance of any new permits to said Person shall not occur until said Person has paid all fines due related to said citation(s), together with a non-payment penalty equal to the amount of the original citation multiplied by the total number of days the citation(s) have remain unpaid, and the amount of any permit application costs which must be remitted for reinstatement. Payment of the issued citations shall be made to the Clerk of Court and a receipt showing payment in full produced to the County, and all other payments for penalties and application costs shall be made directly to the County. If additional citations have been issued or are outstanding, the Person subject to revocation under this subsection must either pay those citations in full at the time of applying for reinstatement or show proof where the Person has filed a timely notice to contest those citations.

Conflicts and Severability. Should any provision hereof be found in conflict internally or with other laws, it shall be deemed severed and the remainder hereof shall remain in full force and effect.

Effective Date. This Ordinance shall be effective immediately upon adoption by the Board of County Commissioners.

Passed and duly adopted in regular session by the Board of County Commissioners of Walton County, Florida, this 25th day of February, 2025.

**BOARD OF COUNTY COMMISSIONERS
WALTON COUNTY, FLORIDA**

Attest:

for *Crystal Sconiers*

Crystal Sconiers, Clerk of the Circuit
Court And Comptroller



Donna Johns
Donna Johns, Chair