

ORDINANCE NO. 2025-22

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING CHAPTER 24 ("WATERWAYS") OF WELLINGTON'S CODE OF ORDINANCES TO REMOVE RESTRICTIONS ON FUEL TYPE AND ADDRESS BOAT SPEEDS AND WATERWAY ACTIVITIES; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Wellington Council is authorized and empowered to adopt and amend legislation to govern the affairs of its citizens and promote the public health, safety, and welfare of the community; and

WHEREAS, Chapter 24, Waterways, prohibits gasoline, diesel, or fuel-powered boats and vessels on publicly owned water bodies, lakes, or canals; and

WHEREAS, Senate Bill (SB) 1388, now codified as Chapter 2025-35 laws of Florida, was signed into law on May 19, 2025, establishing the "Watercraft Energy Source Freedom," prohibiting restrictions on the use or sale of watercraft based on the energy source used to power the watercraft; and

WHEREAS, Wellington's Council believes it is in the best interest of the community to amend Chapter 24 of the Code of Ordinances to be consistent with SB 1388 while continuing to maintain slow vessel speeds and prohibit water sports activities on Wellington's water bodies.

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF WELLINGTON, FLORIDA THAT:

SECTION 1. Chapter 24 of the Code of Ordinances, WATERWAYS, is amended as follows [in ~~strike through~~-(deleted) and underlined (added) format]:

Sec. 24-1. Swimming, bathing, wading, or immersing in public waters.

It shall be unlawful for any person to swim, bathe, wade, or immerse in any publicly owned water body, canal, or lake located within Wellington's boundaries.

Sec. 24-2. Operation of personal watercraft within Wellington prohibited; exceptions.

The operation of any ~~gasoline, diesel, or fuel-powered boats, vessels,~~ jet skis, wave runners, or other personal watercraft is hereby expressly prohibited on or in any publicly owned water body, lake, or canal located in Wellington, ~~except that the use of gasoline, diesel, or fuel-powered boats may be permitted as provided in section 24-3 hereof.~~ This section shall not be construed to prohibit the use of self-propelled, non-motorized, personal

watercraft such as canoes, paddleboats, or rowboats, ~~nor those watercraft propelled or powered by electric motors.~~

Sec. 24-3. ~~Exceptions~~Reserved.

The use of gasoline, diesel, or fuel-powered boats may be permitted by the Council in the following instances:

- A. ~~Municipal and other government agencies in the performance of aquatic weed control and other health and safety related programs.~~
- B. ~~Emergency rescue or recovery vessels associated with a permitted event or activity.~~
- C. ~~Educational or recreational programs approved as a special use permit by the Wellington Council, following a public hearing. Such permits must specifically provide for the use of fuel-powered boats and specify the number, size, and power limitations of same.~~

Sec. 24-4. ~~Access~~Regulations for publicly-owned waterways.

- A. The definitions set forth in F.S. Ch. 327, as amended from time to time, are hereby incorporated into this chapter by reference.
- B. *Definitions:* In addition to the definitions set forth in F.S. Ch. 327, the following definitions apply to this chapter:

Wellington waterway: Any water, waterway, lake, river, tributary, canal, lagoon, or connecting water within Wellington.

Personal watercraft: a vessel less than 16 feet in length which uses an inboard motor powering a water jet pump as its primary source of motive power and which is designed to be operated by a person sitting, standing, or kneeling on the vessel, rather than in the conventional manner of sitting or standing inside the vessel.

- C. *License required:* A vessel shall not be operated in or on Wellington waterways unless properly licensed as required by applicable state and federal laws and regulations.
- D. *U.S. Coast Guard regulations:* A vessel shall not be operated in or on Wellington waterways unless it complies with all applicable requirements of the United States Coast Guard.
- E. *Speed limit:* The speed limit on all Wellington waterways is established as "Idle Speed, No Wake," The speed limit on all Wellington waterways shall be {5 Knots} or less.
- F. *Maintenance of docks:* Persons controlling or occupying vessels shall at all times keep the docks, seawalls, and premises adjacent to such vessels in a neat and orderly manner and free from trash, rubbish, repair parts, machinery, equipment, and debris of all kinds.
- G. *Waste disposal:* Dumping of waste, including, without limitation, solid waste, garbage, paper, bottles, cans, refuse, debris, and sanitary waste on, into, or adjacent to Wellington waterways is prohibited.
- H. *Launching of vessels:* Launching of vessels from a ~~publicly~~ or privately-owned property without the express authorization of the property owner, whether such property is developed or undeveloped, shall be prohibited.
- I. *Surface water sports prohibited:* Activities such as water skiing, wakeboarding, wakesurfing, or tubing where a person is pulled behind a boat, while using various equipment to glide across the water's surface, at a speed necessary for the activity, are prohibited.

1 **Sec. 24-5. Boat ramp access.**

2 *Use and maximum hull length:* Wellington boat ramps shall be for the exclusive use of Wellington residents and
3 owners of real property lying within Wellington's boundaries. The maximum boat length permitted to use a Wellington boat
4 ramp shall be 20 feet, except that by special permit, the Wellington Engineering Department may approve a longer vessel
5 length where that vessel is owned by a resident whose property abuts Lake Wellington and the vessel is regularly docked or
6 anchored at the residence.

7 **Sec. 24-6. License required at Wellington-owned boat ramps.**

8 A. *Parking license:* Only residents and property owners of Wellington shall be allowed to park vehicles and boat trailers
9 in designated parking areas at Wellington-owned boat ramps. Such vehicles shall be required to obtain a parking
10 license from Wellington, pursuant to the following regulations:

- 11 1. The required licenses shall be applied for through the Customer Services Department. ~~applicants~~ Applicants
12 must demonstrate residency by submitting two forms of identification.
- 13 2. The licenses shall be renewed annually.
- 14 3. The annual fee for a license shall be \$25.00. This fee shall pay for administrative costs and is not refundable.
- 15 4. Proof of insurance and a current registration for the vessel for which the license is intended shall be provided to
16 Wellington for a new license and each year to renew a license.
- 17 5. The license shall be prominently displayed on the tongue of the vessel's trailer.
- 18 6. The applicant for a parking license must sign a form indicating that they agree to abide by Wellington
19 regulations ~~restricting gas-powered engines~~ on Wellington waterways. This form need only be signed one time.
- 20 7. Wellington, law enforcement, and other public agency vessels shall be exempt from having to display a boat
21 ramp license when parking at such facilities.
- 22 8. Applicants for a parking license must present evidence that they are the current owner of the property as is
23 listed on the property appraiser's records or in the alternative, provide a copy of a deed or current lease
24 evidencing their ownership or leasehold of the property. Family members living with the property owners or
25 residents must present an affidavit confirming they live with the property owner or resident.

26 B. *Enforcement:* This section shall be enforced by Wellington's Code Compliance Division and the district office of the
27 Palm Beach Sheriff's Office in the same manner as parking violations pursuant to Chapter 22 of this Code except that
28 violations of this section shall be punishable by a civil penalty of \$30.00 for a first offense and \$250.00 for a second
29 offense.

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31 **SECTION 2.** Should any section, paragraph, sentence, clause, or phrase of this
32 Ordinance conflict with any section, paragraph, clause or phrase of any prior Wellington
33 Ordinance, Resolution, or Municipal Code provision, in that event the provisions of this
34 Ordinance shall prevail to the extent of such conflict.

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36 **SECTION 3.** Should any section, paragraph, sentence, clause, or phase of this
37 Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not
38 affect the validity of this Ordinance as a whole or any portion or part thereof, other than the part
39 so declared to be invalid.
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SECTION 4. This Ordinance shall become effective immediately upon adoption of the Village Council following second reading.

PASSED this _____ of _____, 2025, upon first reading.

PASSED AND ADOPTED this _____ day of _____ 2025, on second and final reading.

WELLINGTON

		FOR	AGAINST
BY:			
	Michael J. Napoleone, Mayor		
	Tanya Siskind, Vice Mayor		
	John McGovern, Councilman		
	Maria Antuña, Councilwoman		
	Amanda Silvestri, Councilwoman		

ATTEST:

BY: _____
Chevelle D. Hall, Village Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

BY: _____
Laurie Cohen, Village Attorney