

Article 9 - Waterways

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9.1 Authority of City to Regulate Waterways

The city shall have the right to regulate the use of all waterways within the city limits and the conduct of all persons using same, consistent with and not in conflict with federal or state regulations. All ordinances of the city regulating the conduct of persons on land shall apply to persons using waterways, insofar as same are properly applicable.

9.2 Rights of City on Property Abutting Public Waterways

- A. Whenever a public street or thoroughfare is laid out or existing in the city abutting or touching a waterway open to public use, the city as trustee for the public, has and owns riparian rights at such place where such public street or thoroughfare abuts or touches the waterway. The city shall have the right to regulate the use of the waters adjacent to such places, and to construct docks, public landings, piers, or wharves at such places.
- B. Wherever a street, laid out and existing in the city ends at a waterway in the city the portion of such dead-end street abutting the waterway is hereby declared to be public property, and the city shall have the right to regulate the use of the waters adjacent to such place and to construct docks, public landings, piers, or wharves at such place.
- C. When any plat is filed for record showing streets dedicated to public use laid out, touching, or abutting any waterways used by the public, it is hereby declared that the portion of such dedicated street touching or abutting upon waterways in the city shall be public property, and the city shall own and hold same for the use of the public, and shall pass rules and regulations governing the use of same.

9.3 Depositing Effluvia, Refuse, etc., in Waters

No person shall throw, place, or deposit, or cause to be thrown, placed, or deposited, any effluvia, refuse, by-products or decaying animal or vegetable matter in any of the canals, waterways, or ditches in the city to be a nuisance or injurious or detrimental to the health or comfort of any residents of the city.

9.4 Obstructing

It shall be unlawful for any person to place any obstruction of any kind whatsoever in any of the canals, waterways or ditches in the city as said canals, waterways and ditches now exist.

9.5 Obstructing Water Channels; Lowering the Level of Lake Stella

- A. It shall be unlawful for any person to obstruct or to prevent the usual or natural flow, or run of water, in any ravine or other water channel.
- B. It shall be unlawful for any person to dig or construct any drain, ditch or water channel, for the purpose of lowering the level of Lake Stella, unless such action is authorized by the City Commission.