

ORDINANCE NUMBER 2026-29

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING CHAPTER 66, ARTICLE III, REGULATION OF WATERCRAFT ON LAKE GRACIE, OF THE CITY OF EUSTIS CODE OF ORDINANCES; REPEALING SECTION 66-78, ENTITLED “NO PETROLEUM BASE FUEL WATERCRAFT ALLOWED ON LAKE GRACIE”; PROVIDING LEGISLATIVE FINDINGS AND RECITALS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Eustis, Florida (“City Commission”), is authorized under Article VIII, Section 2(b) of the Florida Constitution and Chapter 166, Florida Statutes, to exercise municipal home-rule powers except as otherwise provided by law; and

WHEREAS, Chapter 66, Article III of the City of Eustis Code of Ordinances regulates watercraft on Lake Gracie; and

WHEREAS, Ordinance Number 03-71, adopted on November 6, 2003, created Section 66-78, entitled “No petroleum base fuel watercraft allowed on Lake Gracie”; and

WHEREAS, Section 66-78 currently provides that no watercraft shall be powered by petroleum-based fuel on or in Lake Gracie; and

WHEREAS, Senate Bill 1388, signed by the Governor on May 19, 2025, created Section 327.75, Florida Statutes, commonly referred to as the “Watercraft Energy Source Freedom Act,” which prohibits a municipality from restricting the use or sale of a watercraft based on the energy source used to power the watercraft, including an energy source used for propulsion or used for powering other functions of the watercraft; and

WHEREAS, the City Commission finds it necessary and appropriate to repeal Section 66-78 to conform the City Code to Section 327.75, Florida Statutes; and

WHEREAS, the City Commission has conducted duly noticed public hearings on this Ordinance in accordance with applicable law.

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Eustis, Florida:

SECTION 1. Legislative Findings and Recitals.

The foregoing recitals are adopted as the legislative findings of the City Commission and are incorporated into this Ordinance as if fully set forth herein.

SECTION 2. Repeal of Section 66-78.

Section 66-78, City of Eustis Code of Ordinances, entitled “No petroleum base fuel watercraft allowed on Lake Gracie,” is hereby repealed in its entirety and shall be marked as reserved, as follows:

Sec. 66-78. – Reserved. ~~No petroleum-based fuel watercraft allowed on Lake Gracie.~~

~~No watercraft shall be powered by petroleum-based fuel on or in Lake Gracie.~~

SECTION 3. Conflict.

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4. Severability.

If any section, subsection, sentence, clause, phrase, or provision of this Ordinance is held invalid or unconstitutional by a court of competent jurisdiction, such invalidity shall not affect the remaining portions of this Ordinance, which shall remain in full force and effect.

SECTION 5. Codification.

It is the intent of the City Commission that the provisions of this Ordinance shall become and be made a part of the City of Eustis Code of Ordinances, and that sections of this Ordinance may be renumbered, relettered, or reorganized to accomplish such intent.

SECTION 6. Effective Date.

This Ordinance shall become effective immediately upon adoption on second reading. Following the adoption of this Ordinance, the City may take all steps necessary to carry out the implementation of this Ordinance as provided herein.

PASSED, ORDAINED AND APPROVED in Regular Session of the City Commission of the City of Eustis, Florida, this _____ day of _____, 2026.

**CITY COMMISSION OF THE
CITY OF EUSTIS, FLORIDA**

EMILY A. LEE
Mayor/Commissioner

ATTEST:

Christine Halloran, City Clerk

CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me by means of ☐ electronic notarization or ☐ physical presence this _____ day of _____, 2026 by Emily A. Lee, Mayor and Christine Halloran, City Clerk, who are personally known to me.

Notary Public – State of Florida
My Commission Expires: _____
Commission # _____

CITY ATTORNEY'S OFFICE

This document is approved as to form and legal content for the use and reliance of the Eustis City Commission.

Taylor Tremel, City Attorney's Office

Date

CERTIFICATE OF POSTING

The foregoing Ordinance Number 2026-29 is hereby approved, and I hereby certify that I published the same by posting one copy hereof at City Hall, one copy hereof at the Eustis Memorial Library, and one copy hereof at the Parks & Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

City Clerk's Office