

COUNTY OF YORK

MEMORANDUM

DATE: February 10, 2026 (BOS Mtg. 2/17/26)
TO: York County Board of Supervisors
FROM: Mark L. Bellamy, Jr., County Administrator 
SUBJECT: No Wake Zones and Markers in York County Waterways

PURPOSE

The purpose of the proposed ordinance is administrative and clarifying in nature. The action before the Board does not create new no-wake zones, modify existing zones, or remove any designations. Instead, it consolidates all previously approved and legally established no-wake zones and markers into a single ordinance within the County Code.

Over many decades, no-wake zones in York County have been established through a combination of ordinances, resolutions, and approvals from state and federal agencies. Because these actions were taken at different times and recorded in multiple places, there is currently no single, comprehensive reference that clearly identifies all enforceable zones.

The proposed ordinance is intended to address that issue by placing all existing designations into one unified section of the Code. This will improve administrative clarity, enhance transparency for residents and boaters, and provide a clearer legal basis for enforcement. Any future changes, such as additions, removals, or modifications to existing zones, would require separate Board action at a later date and are not part of this proposal.

BACKGROUND

No-wake zones in York County have been established incrementally since 1970, when the first markers were authorized in Wormley Creek by the U.S. Army Corps of Engineers. In 2007, the Board adopted an ordinance and resolution intended to reaffirm several no-wake zones. However, that action did not include all previously authorized zones and markers, leaving some documentation incomplete and contributing to uncertainty regarding the status of certain locations.

As a result, over time, the County and enforcement agencies have faced recurring challenges related to consistency, maintenance responsibilities, and clarity of authority.

NEED FOR CONSOLIDATION

Because no wake zones have been established through multiple actions over several decades, their legal documentation is fragmented. This has led to confusion among residents, enforcement personnel, and regulatory agencies regarding which markers are fully authorized and enforceable.

In some cases, enforcement officers have questioned whether specific markers were supported by valid Board action, and residents have similarly expressed uncertainty. Consolidating all existing zones into a single ordinance will eliminate this ambiguity and provide a clear and reliable reference for enforcement and public awareness.

The consolidation also clarifies maintenance responsibilities. Under state law, no-wake markers must be properly maintained, or they may be revoked by the Virginia Department of Wildlife Resources. In the past, some markers were removed due to unclear maintenance responsibility. The proposed framework establishes that while property owners requesting markers will bear installation costs, the County will maintain them thereafter to ensure continued validity.

In addition, staff plans to develop a publicly accessible website showing the locations of all no-wake zones and markers to further improve transparency.

LEGAL AUTHORITY

Virginia Code § 29.1-744 authorizes localities to establish no-wake zones by ordinance in order to protect public safety and prevent erosion damage to shoreline property. The statute also outlines the process for approving and maintaining regulatory markers.

The proposed ordinance operates fully within this statutory framework and does not expand regulatory authority. Its purpose is simply to compile existing legally established zones into a single, comprehensive section of the County Code.

SCOPE OF CURRENT ACTION

It is important to emphasize that this ordinance is strictly administrative. It does not establish new no-wake zones, alter existing boundaries, or change current policies. Rather, it reaffirms and consolidates existing designations to ensure they are more clearly understood, consistently enforced, and properly maintained.

Any future policy decisions regarding new zones, boundary changes, or removal of existing zones would require separate Board consideration and formal action.

CONCLUSION

The proposed ordinance represents an important administrative step toward improving clarity, transparency, and enforceability of York County's existing no-wake regulations. By consolidating decades of prior Board actions into one comprehensive ordinance, the

County will establish a clear and accessible record for residents, boaters, and enforcement agencies.

Because this action does not create new restrictions or modify existing zones, but simply organizes and reaffirms current designations, adoption of the proposed ordinance and resolution is recommended.

Forrest/3432

Attachments:

- Virginia Code § 29.1-744
- Proposed Ordinance No. 26-3(R)
- Proposed Resolution R26-18(R)