

ORDINANCE NO. 2023-04

AN ORDINANCE OF THE TOWN OF INDIAN SHORES, FLORIDA, CREATING A SHARK FISHING ORDINANCE AMENDING CHAPTER 14 – ANIMALS – AND ADDING A NEW ARTICLE I, SECTION 14-3, “SHARK FISHING”; TO PROHIBIT SHARK FISHING ALONG THE BEACHES OF THE TOWN OF INDIAN SHORES AND ALONG THE SHORE OF THE GOVERNMENT CHANNEL IN THE NARROWS; INCORPORATING FINDINGS; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Indian Shores (the Town) is a Florida municipal corporation and political subdivision of the State of Florida; and

WHEREAS, the Town Council of Indian Shores (the Council) finds that sharks and all aquatic life are important to the biodiversity of the coastal waters of Florida; and

WHEREAS, the Council has determined it to be in the public's best interest to establish reasonable regulations regarding fishing along the beaches of the Town or along the shore of the government channel in the Narrows; and

WHEREAS, the Town Council desires to eliminate shark fishing from the shoreline and the Narrows irrespective of permits issued under 50 C.F.R. § 635.4 or licenses obtained pursuant to Chapter 68B-44, F.A.C.; and

WHEREAS, the Council finds that it is in the best interest of the Town, and the health, safety and welfare of its residents, visitors and businesses, to protect endangered marine life and native species by adoption of this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF INDIAN SHORES:

Section 1: That all of the above recitals are true and correct, and the same are incorporated into this Ordinance as if fully set forth herein.

Section 2: That the Town of Indian Shores Code of Ordinances, Chapter 14 – Animals – is hereby amended by the addition of a new Article I, Sec. 14-3, and shall hereby be created to read as follows:

Sec.14-3. Shark Fishing

(a) No shark fishing shall be allowed along the beaches of the Town or along the shore of the government channel in the Narrows.

(b) No baiting or chumming shall be allowed along the beaches of the Town or along the shore of the government channel in the Narrows. Baiting or chumming is defined as using cut up or ground up bait to put an attractive scent line on or below the surface of the water, or to visually attract other fish; this shall not prohibit someone from using a piece of cut bait on any individual line that is used for general fishing.

(c) The use of shark lures and rigs shall be strictly prohibited along the beaches of the Town or along the shore of the government channel in the Narrows; and

(d) All accidental shark catches must be cut loose.

(e) All shark carcasses and pieces shall be removed from the Indian Shores beaches or along the shore of the government channel in the Narrows within the Town limits.

Section 3: That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 4: That if any provision or part of this Ordinance is declared invalid or unenforceable as a matter of law, the offending portion shall be stricken and all other provision hereof shall remain valid and enforceable.

Section 5: This Ordinance shall become effective immediately upon adoption in the manner provided by law.

FIRST READING this 8th day of August, 2023.

The first reading of the above Ordinance, upon motion by Vice Mayor Diantha Schear and seconded by Councilor Bill Smith as duly approved at a regular Council Meeting held on the 8th day of August, 2023.

Voting in favor of the First Reading: **Mayor Patrick C. Soranno, Vice Mayor Diantha Schear, Councilor Bill Smith, Councilor Mike Petruccelli, and Councilor Ellen A. Bauer.**

Voting in opposition: **None** Absent: **None** Abstaining: **None**

SECOND READING this 13th day of September, 2023.

The second reading of the above Ordinance, upon motion by Councilor Bill Smith and seconded by Vice Mayor Diantha Schear as duly approved at a Regular Town Council Meeting held on the 13th day of September, 2023.

Voting in favor of the Second Reading: **Mayor Patrick C. Soranno, Vice Mayor Diantha Schear, Councilor Bill Smith, and Councilor Ellen A. Bauer.**

Voting in opposition: **None**

Absent: **Councilor**

Abstaining: **None**

Mike Petruccelli

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF INDIAN SHORES, FLORIDA, THIS 13th day of September, 2023.


Patrick C. Soranno
Mayor

ATTEST:


Freddie Lozano, CMC
Town Clerk

Approved as to form:


Regina A. Kardash, Esq.

Town Attorney

