

ORDINANCE NO. 0-4-15

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA; AMENDING THE TOWN CODE OF ORDINANCES AT CHAPTER 48. PARKS AND RECREATION. TO CLARIFY EXISTING LANGUAGE AND FURTHER REGULATE FISHING TO PROTECT SWIMMERS AT THE TOWN'S PUBLIC BEACH; PROVIDING THAT ALL OTHER SECTIONS AND SUBSECTIONS OF CHAPTER 48. PARKS AND RECREATION. WILL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, Chapter 48. Parks And Recreation. of the code of ordinances provides a park operating policy and regulation of activities, behavior, sanitation, and traffic at Town parks; and

WHEREAS, section 48-2(c) of the code of ordinances provides limited regulation of activities related to fishing; and

WHEREAS, the Town Commission desires to amend section 48-2(c) of the code of ordinances to clarify existing language and further regulate fishing to protect swimmers at the Town's public beach; and

WHEREAS, the Town Commission believes the following amendments to the code of ordinances are in the best interests and protect the health, safety, and welfare of the citizens of Palm Beach Shores, Florida.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA:

Section 1. That the facts and recitations contained in the preamble of this ordinance are adopted and incorporated by reference as if set forth in this section.

Section 2. That section 48-2(c) of the Code of Ordinances, Town of Palm Beach Shores, Florida, is hereby amended to read as follows:

Section 48-2(a) and 48-2(b) shall remain the same as previously adopted.

(c) *Wild animals, birds, fish, etc:*

- (1) *Hunting.* No person in a park shall hunt, molest, harm, frighten, kill, trap, chase, tease, or throw missiles at any animal, reptile or bird; nor shall any person remove or have in their possession the young of any wild animal, or the eggs or nest, or young of any reptile or bird. Exception to the foregoing is made in that snakes known to be deadly

poisonous, such as rattlesnakes, moccasins, coral snakes or other deadly reptiles, may be killed on sight.

- (2) *Feeding.* No person in a park shall give or offer, or attempt to give to any animal or bird any tobacco, alcohol or other known noxious substances.
- (3) *Fishing.* No fishing shall be permitted in the Inlet Park gazebos or within 75 feet thereof, at any time. In addition, no fishing shall be permitted anywhere in the Inlet Park between the hours of dusk and dawn. For reasons of public health, safety, and welfare, fishing is prohibited at the Town's public beach at any time in instances that endanger the health and safety of swimmers, and law enforcement officers are authorized to issue warnings and civil citations to persons fishing at the Town's public beach in instances that lead a reasonable person to believe fishing will endanger the health and safety of swimmers at the Town's public beach. No person may perform acts that attract sharks, e.g., chumming and "bloodbaiting", and endanger the health and safety of swimmers at the Town's public beach.

Section 3: Each and every other section and subsection of Chapter 48 – Parks And Recreation, shall remain in full force and effect as previously adopted.

Section 4: All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 5: Should any section or provision of this ordinance, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this ordinance.

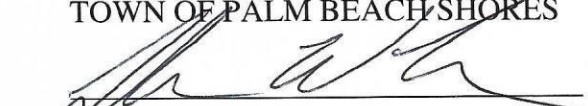
Section 6: Specific authority is granted to codify and incorporate this ordinance into the existing Code of Ordinances of the Town of Palm Beach Shores, Florida.

Section 7: This ordinance shall take effect immediately upon adoption.

FIRST READING this 17th day of July, 2015.

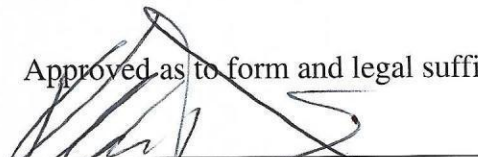
SECOND AND FINAL READING this 17th day of August, 2015.

TOWN OF PALM BEACH SHORES



John Workman, Mayor

Approved as to form and legal sufficiency.



Keith Davis, Town Attorney

Attest:



Evyonne Browning, Town Clerk

(Seal)

