

## **ORDINANCE NO. 003-2025**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES AT CHAPTER 74 -PARKS AND RECREATION, BY AMENDING SEC.74-162.REGULATION OF FISHING TO PROHIBIT FISHING AND CASTING OF NETS UPON CERTAIN TOWN-OWNED PROPERTY INCLUDING BRIDGES AND DOCKS AND BY AMENDING SEC. 74-163.FISHING PROHIBITIONS CONCERNING PUBLIC DOCKS TO PROHIBIT FISHING FROM THE DOCKS OWNED BY THE TOWN AT LAKE DRIVE PARK; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the Town of Palm Beach, Florida ("Town") is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

**WHEREAS**, the Town has the authority, pursuant to Article VIII, Section 2(b) of the Florida Constitution, and Chapter 166, Florida Statutes, to adopt such regulations as it deems appropriate to further the health, safety, and welfare of its residents; and

**WHEREAS**, to protect the health, safety, and welfare of the public, the Town deems it necessary to prohibit fishing or the casting of fishing nets on certain Town owned property.

**WHEREAS**, the Town also deems it important to update its fishing prohibitions concerning public docks to include those docks owned by the town at Lake Drive Park, which docks were constructed since the last revision to Section 74-163 of the Town Code of Ordinances;

**NOW THEREFORE BE IT ORDAINED** by the Town Council of the Town of Palm Beach, Palm Beach County, Florida, as follows:

**Section 1.** The recitations set forth above are true and correct and incorporated herein as legislative findings of the Town Council.

**Section 2.** The Code of Ordinances of the Town of Palm Beach is hereby amended at Chapter 74, Parks and Recreation, Article II Beaches and Aquatic Activities by amending Section 74-162 to read as follows:

**Sec. 74-162. Regulation of fishing.**

(a) It shall be unlawful for any person to fish or cast a net in the waters of Lake Worth from any town-owned property or from any right-of-way adjacent to Lake Worth between sunset and sunrise the following day.

(b) It shall be unlawful for any person to fish or cast a net from any town-owned bridge or dock except that it shall be lawful to fish only (not to cast a net) from the Palm Beach North End Municipal dock also known as Annie's Dock. This includes all town-owned areas adjacent to or under such town-owned bridge or dock.

(c) The town's police department is authorized to post signs at or in proximity to the town-owned bridges or docks referenced above setting forth the prohibitions stated herein.

(d) Any person found to be in violation of this section shall be subject to penalties provided pursuant to the provisions of section 1-14.

(e) It shall be unlawful for any person to fish in the waters 50 yards in either direction north or south of any public beach operated and patrolled and guarded by lifeguards of the town.

**Section 3.** The Code of Ordinances of the Town of Palm Beach is hereby amended at Chapter 74, Parks and Recreation, Article II Beaches and Aquatic Activities by amending Section 74-163 to read as follows

**Sec. 74-163. Fishing prohibitions concerning public docks.**

(a) It shall be unlawful for any person to fish from the docks owned by the town known as the Australian, Brazilian and Peruvian docks, the docks owned by the town at Lake Drive Park, or from any property owned by the town that is within 150 feet in any direction from the above-referenced docks.

(b) The police department is authorized to post signs at or in proximity to the town-owned docks referenced above setting forth the prohibitions stated herein.

(c) Any person found guilty of a violation of this section shall be punished in accordance with the terms of section 1-14.

**Section 4. Severability.**

If any provision of this Ordinance or the application thereof is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provisions or applications, and to this end the provisions of this Ordinance are hereby declared severable.

**Section 5. Repeal of Ordinances in Conflict.**

All other ordinances of the Town of Palm Beach, Florida, or parts thereof which conflict with this or any part of this Ordinance are hereby repealed.

**Section 6. Codification.**

This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Palm Beach.

**Section 7. Effective Date.**

This Ordinance shall take effect immediately upon its passage and approval, as provided by law.

**PASSED AND ADOPTED** in a regular, adjourned session of the Town Council of the Town of Palm Beach on first reading this 11th day of February, 2025 and for second and final reading on this 4<sup>th</sup> day of March, 2025.

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Danielle H. Moore, Mayor

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Bobbie D. Lindsay, Town Council President

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Lewis S.W. Crampton, Council President Pro Tem

ATTEST:

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Julie Araskog, Town Council Member

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Edward A. Cooney, Town Council Member

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Kelly Churney, CMC, Town Clerk

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Bridget Moran, Town Council Member