

ORDINANCE NO. 16-005

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FORT PIERCE, FLORIDA; AMENDING **SECTION 12-103 FISHING WITHIN THE CITY**; EXTENDING THE **PROHIBITION OF FISHING ALONG MELODY LANE**; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH' PROVIDING SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fort Pierce established Chapter 12, Parks, Recreation and Special Events with the adoption of Ordinance L-246; and

WHEREAS, the City Commission constructed the Melody Lane Fishing Pier which opened for public use on or around January 11, 2016; and

WHEREAS, the City Commission desires to modify Sec. 12-103 prohibiting fishing from certain specified areas along Melody Lane in an effort to improve pedestrian traffic on the public sidewalk now that a public fishing pier is available.

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Fort Pierce, Florida, as follows:

Sec. 12-103. Fishing within city.

(a) The city hereby prohibits fishing from certain specified areas, as follows:

- (1) From the South Bridge located on Seaway Drive within the city except from the balconies or walkways underneath and attached to either side of such bridge;
- (2) From the land or shoreline, including structures attached thereto, along the west bank of the Indian River Lagoon in the area known as River Walk starting at the base of the South Bridge on Seaway Drive, extending south until the mouth or entrance to Moore's Creek;
- (3) From the land or shoreline, in, on, upon or under the waters of Moore's Creek, east of Indian River Drive, being the area where Moore's Creek enters the Indian River Lagoon;
- (4) From the land or shoreline, including structures attached thereto, in, on, upon or under the waters of the City Marina, except as otherwise provided by marina rules or dockage license agreements;
- (5) From the land or shoreline, including structures attached thereto, along the west bank of the Indian River Lagoon in the area known as Marina Square, starting at Avenue A and extending south ~~to Orange Avenue~~ to a point three hundred feet (300') north of the southerly terminus of Melody Lane, except from the City's dock structure known as the Melody Lane Public Fishing Pier; and
- (6) From the sidewalk adjacent to the south side of Fort Pierce Inlet in the area known as Inlet Linear Park, west of but not including the South Jetty or the adjacent picnic area.

(b) No fishing areas encompassed and included in this part are generally described as provided by diagram, a current copy of which shall be kept on file with the Clerk of the City of Fort Pierce, and referenced hereto.

(c) Areas encompassed and included in this part, wherein fishing is prohibited, shall be posted with signage indicating such restriction.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are and the same shall be repealed and shall be of no further force or effect whatsoever.

SECTION 4. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 5. This Ordinance is and the same shall become effective immediately upon final passage hereof.

APPROVED AS TO FORM
AND CORRECTNESS:

Robert V. Schwerer, Esq.
City Attorney

STATE OF FLORIDA

COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 16-005 was duly advertised by title only in the St. Lucie News Tribune on February 5, 2016; copy of said ordinance was made available at the office of the City Clerk to the public upon request; said ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on February 16, 2016; and was duly introduced, read by title only, and passed on second and final reading on March 7, 2016, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this the 7th day of March, 2016.

Linda Hudson,
Mayor Commissioner

Linda W. Cox,
City Clerk

(CITY SEAL)