

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA CREATING SEC. 82-3. FISHING PROHIBITED IN CITY-OWNED MARINE FACILITIES., ARTICLE 1-IN GENERAL., CHAPTER 82.-WATERWAYS. AND AMENDING SECS. 82-3.- 82-30.-RESERVED. TO SECS. 82-4.- 82-30. RESERVED. OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA TO PROHIBIT FISHING IN CITY-OWNED MARINA FACILITIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the purpose of the proposed ordinance is to enhance public safety, protect municipal infrastructure, and preserve the operational integrity of City marina facilities; and

WHEREAS, fishing within active marina environments has been identified as creating multiple adverse impacts, including:

- Public Safety Risks: Fishing lines, hooks, and casting activity pose hazards to marina patrons, staff, and vessel operators.
- Navigation Interference: Fishing activity within marina basins can obstruct vessel maneuvering, particularly in confined docking areas and channels.
- Property Damage: Fishing gear and tackle can damage vessels, rigging, and marina infrastructure, resulting in increased maintenance costs and liability exposure.
- Sanitation Concerns: Fish cleaning and disposal of bait or waste contribute to odors, pest attraction, and water quality degradation within enclosed marina basins.
- Operational Conflicts: The presence of fishing activity is incompatible with the intended commercial, charter, and live-aboard uses of municipal marina facilities.; and

WHEREAS, the City has received ongoing reports from marina management, tenants and harbor personnel documenting these issues. Adoption of a clear prohibition aligns with best practices implemented by other Florida municipal marinas and provides a consistent and enforceable stand; and

WHEREAS, this proposed ordinance is adopted pursuant to the City's home rule authority under Article VIII, Section 2(b) of the Florida Constitution and Sections 166.021 and 166.201, Florida Statutes, authorizing municipalities to regulate activities on City-owned property to protect public health, safety, and welfare.; and

WHEREAS, no procurement is required for adoption of this ordinance. Implementation costs are minimal and will be absorbed within existing marina operating budgets. Anticipated minor expenses include:

- fabrication and installation of additional "No Fishing" signage at marina facilities;
- staff time associated with enforcement and public education.
- Any signage will be procured in accordance with the City's standard purchasing procedures and thresholds.; and

WHEREAS, staff recommends the City Commission approve this ordinance to provide clear, regulatory authority to prohibit fishing within City-owned and operated marina facilities, reduce

safety risks, protect City assets and support efficient marina operations;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA:

Section 1. That Section 82-3. *FISHING PROHIBITED IN CITY-OWNED MARINE FACILITIES.*, ARTICLE 1-*IN GENERAL.*, CHAPTER 82.-*WATERWAYS.* of the Code of Ordinances of the City of Key West, Florida is hereby created to read as follows**:

"Sec. 82-3. - Fishing Prohibited in City-Owned Marina Facilities.

(1) PURPOSE.

The purpose of this section is to protect public safety, marina operations, vessels, infrastructure, and sanitation conditions within City-owned marina facilities by prohibiting fishing activity within municipal marina boundaries.

Fishing within active marina environments creates hazards including:

- entanglement with vessels and propellers
- obstruction of navigation channels
- injury to marina patrons
- damage to vessels and marina infrastructure
- improper disposal of fish waste.

(2) APPLICABILITY.

This section applies to all City-owned marina facilities, including but not limited to:

- Key West Bight Marina
- City Marina at Garrison Bight

and includes all associated:

- marina basins

- docks
- slips
- seawalls
- bulkheads
- fuel docks
- service docks
- walkways
- adjacent City-controlled waterfront structures

(3) DEFINITIONS.

Fishing means attempting to catch, harvest, take, or attract marine life by any means including:

- rod and reel
- handline
- cast net
- spear or gig
- trap or snare
- any similar fishing device.

Marina basin means waters located inside the operational boundaries of a City marina.

Fishing Gear (Deployed) means any fishing equipment assembled, baited, cast, or positioned for the purpose of catching fish.

(4) PROHIBITED ACTIVITIES.

It shall be unlawful for any person to:

- a. Fish or attempt to fish from any dock, pier, boardwalk, seawall, or structure located within a municipal marina facility.
- b. Fish within the waters of a municipal marina basin.
- c. Deploy or cast fishing gear from within marina property.
- d. Clean fish or dispose of fish parts, bait, or chum within municipal marina property.
- e. Use nets, traps, or similar devices within marina waters.

(5) EXCEPTIONS.

This section shall not apply to:

- a. Government personnel performing official duties.
- b. Scientific or environmental research authorized in writing by the City Manager.
- c. Emergency wildlife removal performed by authorized personnel.

(6) ENFORCEMENT.

a. Authority shall include:

- Key West Police Department
- City Code Compliance Officers
- Marina staff
- Any authorized enforcement officer of the City of Key West.

b. Authorized personnel may:

- Order immediate cessation of fishing activity.
- Require removal of fishing gear.
- Issue citations for violations.
- Require violators to leave marina property.
- Marina staff may also deny access or revoke marina privileges for repeated violations.

(7) PENALTIES.

Violations shall be treated as non-criminal municipal violations and may be enforced through:

- Code Compliance citation
- civil penalties per Sec. 82-1
- removal from City marina property.

Each separate occurrence or each day a violation continues constitutes a separate offense.

(8) POSTING OF SIGNS.

a. The City shall install signage at:

- marina entrances
- docks
- boardwalks
- public access points.

b. Signs shall clearly state:

"NO FISHING

City of Key West Municipal Marina Property

Fishing prohibited within marina basin, docks and waterfront structures.

Violators subject to citation and removal."

** (Coding: Added language is underlined; deleted language is ~~struck through~~ at first reading. Added language is double underlined and ~~double struck through~~ at second reading.)

Section 2: That Sections 82-3-82-30. *Reserved.* ARTICLE 1-
IN GENERAL., CHAPTER 82.-WATERWAYS of the Code of Ordinances of
the City of Key West, Florida is hereby amended to read as
follows**:

"Secs. 82-~~34~~-82-30. *Reserved.*"

** (Coding: Added language is underlined; deleted language is ~~struck through~~ at first reading. Added language is double underlined and ~~double struck through~~ at second reading.)

Section 3: If any section, provision, clause, phrase or
application of this Ordinance is held invalid or unconstitutional
for any reason by any court of competent jurisdiction, the
remaining provisions of this Ordinance shall be deemed severable

therefrom and shall be construed as reasonable and necessary to achieve the lawful purposes of this Ordinance.

Section 4: All Ordinances or parts of Ordinances of said City in conflict with the provisions of this Ordinance are hereby superseded to the extent of such conflict.

Section 5: This Ordinance shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and the Clerk of the Commission.

* REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK *

Read and passed on first reading at a regular meeting held
this _____ day of _____, 2026.

Read and passed on final reading at a regular meeting held
this _____ day of _____, 2026.

Authenticated by the presiding officer and Clerk of
the Commission on the _____ day of _____, 2026.

Filed with the Clerk _____, 2026.

Mayor Danise Henriquez	_____
Vice Mayor Donald "Donie" Lee	_____
Commissioner Lissette Carey	_____
Commissioner Aaron Castillo	_____
Commissioner Monica Haskell	_____
Commissioner Sam Kaufman	_____
Commissioner Greg Veliz	_____

DANISE HENRIQUEZ, MAYOR

ATTEST:

KERI O'BRIEN, CITY CLERK