

ORDINANCE NO. 22-7

AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, AMENDING CHAPTER 11 OF THE CITY'S CODE OF ORDINANCES, ENTITLED "OFFENSES;" BY SPECIFICALLY AMENDING SECTION 11-2, ENTITLED "FISHING FROM BRIDGES;" PROVIDING FOR CONSISTENCY WITH SECTION 316.1305, F.S., REGULATING FISHING FROM STATE ROAD BRIDGES; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Cooper City (the "City") prohibits fishing from bridges in the City where signs prohibiting such activity are posted; and

WHEREAS, the City Commission seeks to amend the City's Code of Ordinances to embrace the statutory provisions related to fishing from state road bridges; and

WHEREAS, it is the intent of the City Commission to permit fishing from bridges in the city, unless it is determined by the City Manager, in consultation with the police chief, that such activity is detrimental to traffic safety or dangerous to human life; and

WHEREAS, the City Commission has held a public hearings, as required by law, and has considered the input of the public; and

WHEREAS, the City Commission finds that amending the City Code to provide for consistency between the City Code and Florida statutes regarding the regulation of fishing from bridges is in the best interests of the citizens and residents of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA:

SECTION 1. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a part of this Ordinance.

SECTION 2. City Code Amended. That Chapter 11, entitled “Offenses,” of the City of Cooper City Code of Ordinances is hereby amended by specifically amending Section 11-2, entitled “Fishing From Bridges” as follows:

Sec. 11-2. - Fishing from bridges.

(a) The City Manager is authorized to investigate and determine whether it is detrimental to traffic safety or dangerous to human life for any person to fish from a bridge located within the City of Cooper City. When the City Manager, after due diligence and consultation with the police chief, determines that it is dangerous for persons to fish from a bridge in the City, the City Manager shall post appropriate signs on the bridge stating that fishing from the bridge is prohibited.

(b) Violations of this section may be enforced in accordance with Section 13-82 or as provided in Section 1-8 of the City’s Code of Ordinances, as either section may be amended from time to time.

(c) Under the provisions of this section, each day a violation exists shall constitute a separate offense and shall be subject to a separate penalty.

SECTION 3. It is the intention of the City Commission of the City of Cooper City that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Cooper City, Florida, and that the Sections of this ordinance may be renumbered, re-lettered and the word "Ordinance" may be changed to "Section," "Article" or such other word or phrase in order to accomplish such intention.

SECTION 4. All ordinances or parts of ordinances in conflict herewith shall be and hereby are repealed.

SECTION 5. If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

SECTION . This Ordinance shall take effect immediately upon adoption.

PASSED AND ADOPTED on First Reading this _____ day of _____, 2022.

**PASSED AND FINAL ADOPTION on Second Reading this _____ day of _____,
2022.**

GREG ROSS
Mayor

ATTEST:

TEDRA ALLEN
City Clerk

Approved As To Legal Form:

JACOB G. HOROWITZ
City Attorney

ROLL CALL

Mayor Ross _____
Commissioner Green _____
Commissioner Meltzer _____
Commissioner Pulcini _____
Commissioner Shrouder _____