

RESOLUTION NO. 02-03-45

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, SUPPORTING A CHANGE TO LEGISLATION PROHIBITING THE TAKING OF LOBSTER AND FINFISH ON AND WITHIN THE CONFINED WATERS OF THE CITY DURING LOBSTER MINI-SEASON INCLUDING, BUT NOT LIMITED TO, MAN-MADE CANALS, BASINS, OR MARINAS, AND SUPPORTING SUCH PROHIBITION THROUGHOUT MONROE COUNTY, FLORIDA, INCLUDING ITS MUNICIPALITIES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, an increasing number of residents and visitors to the Florida Keys have registered grave concerns for real risks to life and safety due to the allowed practice of taking lobster and finfish within the confined waters of the City of Marathon, Florida (the "City"), such as, but not limited to, man-made canals, basins, and marinas; and

WHEREAS, the taking of state resources (i.e., lobster and finfish) is regulated by the State of Florida and its agency, the Florida Fish and Wildlife Conservation Commission (the "FWC"); and

WHEREAS, in order to make the taking of lobster and finfish safer and to reduce the number of complaints from property owners adversely impacted by diving activities associated with the taking of lobster and finfish, the City supports the enactment of legislation or administrative rule prohibiting the taking of lobster and finfish within the confined waters of the City.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, MONROE COUNTY, FLORIDA, AS FOLLOWS:

Section 1. The above recitals are true, correct, and incorporated herein by this reference.

Section 2. The City of Marathon, Florida supports the enactment of legislation or administrative rule prohibiting the taking by diving of state resources, such as lobster and finfish, on and within the confined waters of the City, such as clearly demarcated man-made canals and basins or its marinas during mini-lobster season. The waters affected by this prohibition should include the confined waters within unincorporated Monroe County and the municipal jurisdictions of Key West, Key Colony Beach, and Islamorada.

Section 3. That consideration of this request should be taken up at the next meeting of the FWC.

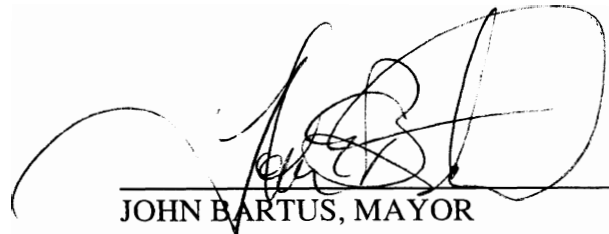
Section 4. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this 12th day of March, 2002.

Resolution offered by Councilman Greenman, who moved for its adoption, and seconded by Councilman Worthington.

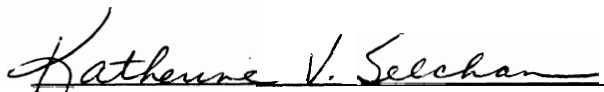
FINAL VOTE AT ADOPTION:

Mayor John Bartus	<u>Yes</u>
Vice-Mayor Randy Mearns	<u>Yes</u>
Councilman Franklin Greenman	<u>Yes</u>
Councilman John Repetto	<u>Yes</u>
Councilman Pete Worthington	<u>Yes</u>



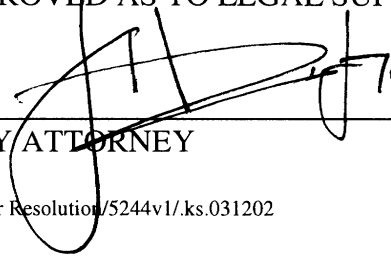
JOHN BARTUS, MAYOR

ATTEST:



KATHERINE V. SELCHAN
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY:



A handwritten signature in black ink, consisting of several overlapping loops and a vertical line, is written over a horizontal line.

CITY ATTORNEY

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