

RESOLUTION 83- 10

A RESOLUTION REQUESTING THAT A SPECIAL ACT BE ENACTED PROHIBITING THE USE OF GILL NETS, PURSE SEINES, FISH TRAPS OR OTHER NETTING DEVICES WITH THE FOLLOWING EXCEPTIONS: A COMMON HAND HELD SEINE NOT TO EXCEED 10 FEET; A HAND HELD SEINE NOT TO EXCEED 150 FEET IN LENGTH WHICH USE IS LIMITED TO THE ATLANTIC BEACHES OF NASSAU COUNTY; OR FOR USE IN MULLET OR SHAD FISHING;

WHEREAS, a great many citizens of Nassau County have made the Board of County Commissioners aware of a problem with the use of gill nets, purse seines, fish traps and other netting devices in the inland salt waterways of Nassau County, Florida, and

WHEREAS, these citizens of Nassau County have advised the Board of County Commissioners that the use of these gill nets, purse seines, fish traps and other netting devices is adversely effecting the fish population in said waters, and

WHEREAS, after hearing testimony from the citizens at a public hearing and testimony of the Florida Marine Patrol, the Board has resolved that the Legislature needs to address this problem.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Nassau County as follows:

SECTION I: The Legislature of the State of Florida is requested to amend General Law Statute 370-08(1) and Section 1 of Chapter 19993 of Special Acts 1939 of the laws of Florida.

SECTION II: The Legislature of the State of Florida is requested to enact a special or local law prohibiting the use of gill nets, purse seines, fish traps and other netting devices; this act is to be substantially as set forth in the attached Exhibit "A".

ADOPTED by the Board of County Commissioners of Nassau County this 15th day of February, 1983.

BOARD OF COUNTY COMMISSIONERS
OF NASSAU COUNTY, FLORIDA.

By: Gene Blackwelder
Gene Blackwelder
Its: Chairman

ATTEST:

By: T. J. Greason
T. J. Greason
Its: Ex-Officio Clerk

A bill prohibiting the use of a gill net, purse seine, fish trap or other netting devices with the following exceptions: a common hand held cast net not to exceed 10 feet; a hand held seine not to exceed 150 feet in length which use is limited to the Atlantic beaches of Nassau County; or for use in mullet or shad fishing; prescribing penalties for violation of this act and an effective date.

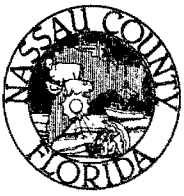
Be it enacted by the Legislature of the State of Florida:

SECTION I: It shall be unlawful for any person, firm or corporation to have in its possession upon any of the inside salt waters in Nassau County any gill net, purse seine, fish trap or other netting devices with the following exceptions: a common hand held cast net not to exceed 10 feet; a hand held seine not to exceed 150 feet in length, which use is limited to the Atlantic beaches of Nassau County.

SECTION II: It shall be unlawful for any person, firm or corporation to fish or use any type of gill net, purse seine, fish trap or other netting devices in the taking of fish within the inside salt water of Nassau County, with the following exceptions: a common hand held cast net not to exceed 10 feet; a hand held seine not to exceed 150 feet in length, which use is limited to the Atlantic beach of Nassau County, or for use in mullet or shad fishing.

SECTION III: Any person, firm or corporation violating any provision of this act shall be guilty of a misdemeanor of the first degree and shall be punished as provided in Section 775.082 and Section 775.083, Florida Statutes. In addition to the punishment prescribed herein, any nets, boats, vehicles or paraphernalia used in the violation of the provisions of this act shall be seized and, upon the conviction of the offender, shall be confiscated or destroyed as provided by Section 370.061, Florida Statutes, Section 5.

SECTION IV: This act shall be effective upon becoming law.



NASSAU COUNTY

BOARD OF COUNTY COMMISSIONERS

P. O. Box 1010 - Fernandina Beach, Florida 32034



GENE R. BLACKWELDER
Chairman
Dist. No. 1 Fernandina Beach

JOHN F. CLAXTON
Vice Chairman
Dist. No. 3 Yulee

HAZEL JONES
Dist. No. 2 Fernandina Beach

JAMES E. TESTONE
Dist. No. 4 Hilliard

JOHN F. ARMSTRONG, SR.
Dist. No. 5 Callahan

T. J. "Jerry" GREESON
Ex-Officio Clerk

JACOBS & MULLIN
Attorneys

January 3, 1983

Honorable George Crady
Representative
Route 1 Box 450-A
Yulee, Florida 32097

Dear Representative Crady:

The Board of County Commissioners requested this office to submit the enclosed four (4) Resolutions concerning the use of gill nets, purse seines, fish traps and other netting devices in the inland salt waterways of Nassau County, Florida.

The Board of County Commissioners has had various requests for enactment of local legislation concerning this matter; however, in a meeting with the Florida State Marine Patrol, the Board was informed that the Marine Patrol would only enforce state laws and not county ordinances. The Board feels it would not be reasonable to pass local legislation that they know would not be enforced by the proper law enforcement agencies.

The Board has enclosed the four (4) proposed Resolutions for your consideration as suggestions for possible state legislation, that in your opinion would be in the best interest of the citizens of Nassau County.

Thank you for your assistance in this matter and if this office can be of any assistance to you in the future, please do not hesitate to call on me.

Sincerely,

T. J. "Jerry" Greeson
Ex-Officio Clerk

TJG:ma

Enclosures

xc: Ralph Simmons, Vice-President
Amelia Plantation Company

An Affirmative Action/Equal Opportunity Employer



NASSAU COUNTY

BOARD OF COUNTY COMMISSIONERS

P. O. Box 1010 - Fernandina Beach, Florida 32034



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JOHN F. ARMSTRONG, SR.
Dist. No. 5 Callahan

T. J. "Jerry" GREESON
Ex-Officio Clerk

JACOBS & MULLIN
Attorneys

January 3, 1983

Honorable Arnett Girardeau
Senator
4215 Ribault River Lane
Jacksonville, Florida 32208

Dear Senator Girardeau:

The Board of County Commissioners requested this office to submit the enclosed four (4) Resolutions concerning the use of gill nets, purse seines, fish traps and other netting devices in the inland salt waterways of Nassau County, Florida.

The Board of County Commissioners has had various requests for enactment of local legislation concerning this matter; however, in a meeting with the Florida State Marine Patrol, the Board was informed that the Marine Patrol would only enforce state laws and not county ordinances. The Board feels it would not be reasonable to pass local legislation that they know would not be enforced by the proper law enforcement agencies.

The Board has enclosed the four (4) proposed Resolutions for your consideration as suggestions for possible state legislation, that in your opinion would be in the best interest of the citizens of Nassau County.

Thank you for your assistance in this matter and if this office can be of any assistance to you in the future, please do not hesitate to call on me.

Sincerely,

T. J. "Jerry" Greeson
Ex-Officio Clerk

TJG:ma

Enclosures

xc: Ralph Simmons, Vice-President
Amelia Plantation Company

An Affirmative Action/Equal Opportunity Employer

RESOLUTION 82-

A RESOLUTION REQUESTING THAT A SPECIAL ACT BE ENACTED PROHIBITING THE USE OF GILL NETS, PURSE SEINES, FISH TRAPS OR OTHER NETTING DEVICES WITH THE FOLLOWING EXCEPTIONS: A COMMON HAND HELD SEINE NOT TO EXCEED 10 FEET; A HAND HELD SEINE NOT TO EXCEED 150 FEET IN LENGTH WHICH USE IS LIMITED TO THE ATLANTIC BEACHES OF NASSAU COUNTY.

WHEREAS, a great many citizens of Nassau County have made the Board of County Commissioners aware of a problem with the use of gill nets, purse seines, fish traps and other netting devices in the inland salt waterways of Nassau County, Florida, and

WHEREAS, these citizens of Nassau County have advised the Board of County Commissioners that the use of these gill nets, purse seines, fish traps and other netting devices is adversely effecting the fish population in said waters, and

WHEREAS, after hearing testimony from the citizens at a public hearing and testimony of the Florida Marine Patrol, the Board has resolved that the Legislature needs to address this problem.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Nassau County as follows:

SECTION I: The Legislature of the State of Florida is requested to amend General Law Statute 370-08(1) and Section 1 of Chapter 19993 of Special Acts 1939 of the laws of Florida.

SECTION II: The Legislature of the State of Florida is requested to enact a special or local law prohibiting the use of gill nets, purse seines, fish traps and other netting devices; this act is to be substantially as set forth in the attached Exhibit "A".

ADOPTED by the Board of County Commissioners of Nassau County this _____ day of August, 1982.

BOARD OF COUNTY COMMISSIONERS
OF NASSAU COUNTY, FLORIDA.

By: _____
Douglas Hodges
Its: Chairman

ATTEST:

By: _____
T. J. Greeson
Its: Ex-Officio Clerk

A bill prohibiting the possession or the use of a gill net, purse seine, fish trap or other netting devices with the following exceptions: a common hand held cast net not to exceed 10 feet; a hand held seine not to exceed 150 feet in length which use is limited to the Atlantic beaches of Nassau County; prescribing penalties for violation of this act and an effective date.

Be it enacted by the Legislature of the State of Florida:

SECTION I: It shall be unlawful for any person, firm or corporation to have in its possession upon any of the inside salt waters in Nassau County any gill net, purse seine, fish trap or other netting devices with the following exceptions: a common hand held cast net not to exceed 10 feet; a hand held seine not to exceed 150 feet in length, which use is limited to the Atlantic beaches of Nassau County.

SECTION II: It shall be unlawful for any person, firm or corporation to fish or cause to be fished or commit any overt act toward the use of any type of gill net, purse seine, fish trap or other netting devices with the following exceptions: a common hand held cast net not to exceed 10 feet; a hand held seine not to exceed 150 feet in length, which use is limited to the Atlantic beaches of Nassau County, in the taking of fish within the inside salt waters of Nassau County.

SECTION III: Any person, firm or corporation violating any provision of this act shall be guilty of a misdemeanor of the first degree and shall be punished as provided in Section 775.082 and Section 775.083, Florida Statutes. In addition to the punishment prescribed herein, any nets, boats, vehicles or paraphernalia used in the violation of the provisions of this act shall be seized and, upon the conviction of the offender, shall be confiscated or destroyed as provided by Section 370.061, Florida Statutes, Section 5.

SECTION IV: This act shall be effective upon becoming law.

RESOLUTION 82-

A RESOLUTION REQUESTING THAT A SPECIAL ACT BE ENACTED PROHIBITING THE POSSESSION OR THE USE OF GILL NETS IN THE INLAND SALT WATERWAYS OF NASSAU COUNTY, FLORIDA.

WHEREAS, a great many citizens of Nassau County have made the Board of County Commissioners aware of a problem with the use of gill nets in the inland salt waterways of Nassau County, Florida, and

WHEREAS, these citizens of Nassau County have advised the Board of County Commissioners that the use of these gill nets is adversely affecting the fish population in said waters, and

WHEREAS, after hearing testimony from the citizens at a public hearing and testimony of the Florida Marine Patrol, the Board has resolved that the Legislature needs to address this problem.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Nassau County as follows:

SECTION I: The Legislature of the State of Florida is requested to amend General Law Statute 730.08(1) and Section 1 of Chapter 19993 of Special Acts 1939 of the laws of Florida.

SECTION II: The Legislature of the State of Florida is requested to enact a special or local law prohibiting the use of gill nets in the inland waterways of Nassau County; this act to be substantially as that set forth in the attached Exhibit "A".

ADOPTED by the Board of County Commissioners of Nassau County this _____ day of August, 1982.

BOARD OF COUNTY COMMISSIONERS
OF NASSAU COUNTY

By: _____
Douglas Hodges
Its: Chairman

ATTEST:

By: _____
T. J. Greeson
Its: Ex-Officio Clerk

A Bill prohibiting the possession or the use of a gill net in the inside salt waters of Nassau County; prescribing penalties for violation of this act and an effective date.

Be it enacted by the Legislature of the State of Florida:

SECTION I: It shall be unlawful for any person, firm or corporation to have in its possession upon any of the inside salt waters in Nassau County any gill net.

SECTION II: It shall be unlawful for any person, firm or corporation to fish or cause to be fished or commit any overt act toward the use of any type of gill net in the inside salt waterways of Nassau County.

SECTION III: Any person, firm or corporation violating any provision of this act shall be guilty of a misdemeanor of the first degree and shall be punished as provided in Section 775.082 and Section 775.083, Florida Statutes. In addition to the punishment prescribed herein, any nets, boats, vehicles or paraphernalia used in the violation of the provisions of this act be confiscated or destroyed as provided by Section 370.061, Florida Statutes, Section 5.

SECTION IV: This act shall be effective upon becoming law.

RESOLUTION 82-

A RESOLUTION REQUESTING THAT A SPECIAL ACT BE ENACTED PROHIBITING THE USE OF GILL NETS WITHOUT A PERMIT WITHIN THE INLAND SALT WATERS OF NASSAU COUNTY, FLORIDA.

WHEREAS, a great many citizens of Nassau County have made the Board of County Commissioners aware of a problem with the use of gill nets in the inland salt waterways of Nassau County, Florida, and

WHEREAS, these citizens of Nassau County have advised the Board of County Commissioners that the use of these gill nets is adversely effecting the fish population in said waters, and

WHEREAS, after hearing testimony from the citizens at a public hearing and testimony of the Florida Marine Patrol, the Board has resolved that the Legislature needs to address this problem.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Nassau County as follows:

SECTION I: The Legislature of the State of Florida is requested to amend General Law Statute 370.08(1) and Section 1 of Chapter 19993 of Special Acts 1939 of the laws of Florida.

SECTION II: The Legislature of the State of Florida is requested to enact a special or local law prohibiting the use of gill nets in the inland waterways of Nassau County, except by permit; this act to be substantially as that set forth in the attached Exhibit "A".

ADOPTED by the Board of County Commissioners of Nassau County this _____ day of August, 1982.

BOARD OF COUNTY COMMISSIONERS
OF NASSAU COUNTY

By: _____
Douglas Hodges
Its: Chairman

ATTEST

By: _____
T. J. Greeson
Its: Ex-Officio Clerk

A Bill prohibiting the possession or the use a gill net in the inside salt waters of Nassau County without a permit; prescribing penalties for violation of this act and an effective date.

Be it enacted by the Legislature of the State of Florida:

SECTION I: It shall be unlawful for any person, firm or corporation to use or cause to be used or commit any overt act toward the use of any type of gill net in the inside salt waters of Nassau County without a permit issued by the Division of Marine Resources of the Department of Natural Resources.

SECTION II: Applications for permits shall be made on forms to be supplied by the Division, which shall require the applicant to furnish such information as may be deemed pertinent to the best interest of salt water conservation. The fee for such permits shall be \$250.00 per year. Each permit shall entitle the holder thereof to use no more than one gill net at any one time in the inside salt waters of Nassau County. The permitted net must be attended by the permit holder. The Division may refuse to grant any permit when it is apparent that the best interests of salt water conservation will be served by such denial. All permits granted shall be in the holders possession whenever the holder is engaged in using a gill net. Each permit is subject to immediate revocation upon conviction of a violation of any provision of this act or when it is apparent that the best interests of salt water conservation will be served by such revocation.

SECTION III: Any person, firm or corporation violating any provision of this act shall be guilty of a misdemeanor of the first degree and shall be punished as provided in Section 775.082 and Section 775.083, Florida Statutes. In addition to the punishment prescribed herein, any nets, boats, vehicles or paraphernalia used in the violation of the provisions of this act shall be seized and, upon the conviction of the offender, shall be confiscated or destroyed as provided by Section 370.061, Florida Statutes, Section 5.

SECTION IV: This act shall be effective upon becoming law.

RESOLUTION 82-

A RESOLUTION REQUESTING THAT A SPECIAL ACT BE ENACTED RESTRICTING THE USE OF NETS OR SEINES, OTHER THAN A COMMON CAST NET OR A RECREATIONAL NET AS DEFINED IN THE PROPOSED ACT, WITHIN THE INLAND SALT WATERWAYS OF NASSAU COUNTY.

WHEREAS, a great many citizens of Nassau County have made the Board of County Commissioners aware of a problem with the use of nets in the inland salt waterways of Nassau County, Florida, and

WHEREAS, these citizens of Nassau County have advised the Board of County Commissioners that the use of these nets is adversely affecting the fish population in said waters, and

WHEREAS, after hearing testimony from the citizens at a public hearing and testimony of the Florida Marine Patrol, the Board has resolved that the Legislature needs to address this problem.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Nassau County as follows:

SECTION I: The Legislature of the State of Florida is requested to amend General Law Statute 370.08(1) and Section 1 of Chapter 19993 of Special Acts 1939 of the laws of Florida.

SECTION II: The Legislature of the State of Florida is requested to enact a special or local law restricting the use of nets and seines in the inland waterways of Nassau County; this act to be substantially as that set forth in the attached Exhibit "A".

ADOPTED by the Board of County Commissioners of Nassau County this _____ day of August, 1982.

BOARD OF COUNTY COMMISSIONERS
OF NASSAU COUNTY

By: _____
Douglas Hodges
Its: Chairman

ATTEST:

By: _____
T. J. Greeson
Its: Ex-Officio Clerk

A Bill restricting the use of nets or seines other than a common cast net or recreational net as hereinafter defined within the inside salt waters of Nassau County; prescribing penalties for violation of this act and an effective date.

Be it enacted by the Legislature of the State of Florida:

SECTION I: The use of any type of net or seine, other than a common cast net or a recreational net as hereinafter defined, is prohibited in the inside salt waters of Nassau County between May 1st and September 15th each year.

SECTION II: It shall be unlawful for any person, firm or corporation to use any type of net or seine, other than a common cast net or recreational net as hereinafter defined, within the inside salt waters of Nassau County between May 1st and September 15th of each year.

SECTION III: It shall be unlawful for any person, firm or corporation to fish or cause to be fished or commit any overt act toward the use of any type of net or seine other than the above stated exceptions, within the inside salt waters of Nassau County between May 1st and September 15th of each year.

SECTION IV: The term "recreational net" means a seine or similar net not exceeding 100 feet in length with mesh no smaller than 2½ inches set and hauled solely by hand and without use of any motor driven boat or vehicle.

SECTION V: Any person, firm or corporation violating any provision of this act shall be guilty of a misdemeanor of the first degree and shall be punished as provided in Section 775.082 and Section 775.083, Florida Statutes. In addition to the punishment prescribed herein, any nets, boats, vehicles or paraphernalia used in the violation of the provisions of this act shall be seized and, upon conviction of the offender, shall be confiscated or destroyed as provided by Section 370.061, Florida Statutes, Section 5.

SECTION VI: This act shall be effective upon becoming law.