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BAY COUNTY

[CH. 24111 \(1947\).](#)

CH. 24111 (1947). *(Repealed by 68B-3.044, FAC, on Nov. 19, 2018.)*

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BREVARD COUNTY

[CH. 5973 \(1909\).](#)

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CH. 5973 (1909).

An act to prohibit the catching and taking of fish with haul seines or drag nets, and to prohibit the use of haul seines or drag nets in all of the salt and fresh waters of the counties of Brevard, [St. Lucie](#), [Palm Beach](#) and [Dade](#), situated within twenty miles west of the Atlantic coast, and north of the waters of Biscayne Bay, and to fix the penalty for the violation thereof, and to provide for the seizure and destruction of all haul seines and drag nets used in violation of this act.

Section 1. It shall be unlawful for any person, firm or corporation to take or catch any fish with haul seines or drag nets in any or all of the salt or fresh waters of the counties of Brevard, St. Lucie, Palm Beach and Dade, situated within twenty miles west of the Atlantic coast and north of Biscayne Bay, in Dade County.

Section 2. It shall be unlawful for any person, firm or corporation to use, set, put, float, drag or maintain any haul seine or drag net in any of the waters described in section 1 of this act.

Section 3. Any person, firm or corporation violating any of the provisions of sections 1 and 2 of this act shall be punished by a fine of not less than fifty dollars and not to exceed five hundred dollars, or by imprisonment in the county jail for not less than one month and not to exceed six months, or by both such fine and imprisonment.

Section 4. Any haul seine or drag net, set, put, floated, had, found or maintained in or upon any of the waters described in section 1 of this act is hereby declared to be and is a public nuisance, and may be abated and summarily destroyed by any person, and it is hereby made the duty of each and every sheriff and game warden of Brevard, St. Lucie, Palm Beach and Dade Counties to seize, and remove, and forthwith destroy the same; and no action for damages shall lie or be maintained against any person for or on account of any such seizure and destruction.

Editor's Note: This act became a rule per L.1983 Ch. 134. This act also applies to [St. Lucie](#), [Palm Beach](#) and [Dade](#) counties.

CH. 25705 (1949).

An act regulating and controlling fishing from or on any and all public bridges in county commissioners district number two, in Brevard County, Florida, which are traversed by any vehicular traffic and prohibiting the throwing or leaving foul or dead fish on any of such bridges; to provide for the enforcement of this act and providing penalties and punishment for violation thereof, and to provide for a referendum.

Section 1. That from and after the effective date of this act, the board of county commissioners of Brevard County, Florida, shall have the right and power to regulate and control fishing from or on any public bridge in commissioner's district number 2, Brevard County, Florida, which is a link and a part of any highway in said county, and which is traversed by any vehicular traffic and to that end said board of county commissioners shall have the right, power and authority to designate what portion of any bridge can be used for the purpose of fishing off said bridge, which regulation shall be by an appropriate resolution, duly adopted by said board of county commissioners and notice thereof posted on, at or near said bridge, informing the general public as to what portion of said bridge can be used for fishing, which said resolution shall also provide for the manner, means, tackle, line or equipment to be used while fishing off said bridge.

Section 2. That from and after the effective date of this act, it shall be unlawful for any person, or persons, to fish in any kind or manner from or on any and all bridges in commissioner's district number 2, Brevard County, Florida, which are links and parts of any highway in said district, which are traversed by vehicular traffic, except such bridges as are now or may hereafter be provided with walkways or passageways for pedestrians, separated by proper and adequate barriers from that portion of such bridges used by vehicular traffic, except in the manner as fixed and provided by the resolution to be adopted by the board of county commissioners of Brevard County, Florida.

Section 3. That from and after the effective date of this act, it shall be unlawful for any person, or persons, to throw foul or dead fish on and leave the same upon any public bridge in commissioner's district number 2, Brevard County, Florida, which is a link and a part of any highway in said district and which is traversed by any vehicular traffic.

Section 4. In the event the board of county commissioners shall fail to pass the necessary resolution to put this law into effect, it shall then be mandatory on said board to adopt such resolution provided a petition is filed with said board, signed by at least ten per cent of the qualified electors who are freeholders and reside within said commissioner's district number 2, requesting said board to call a special election to be held in said district on a date fixed by said board, which date can be on the same dates that any primary, general or other special election is held in said district, which said special elections shall be conducted in the same manner as by law, provided for holding special elections in the State of Florida. And if a majority of the votes cast in said special elections shall be in favor of this act becoming effective, then it shall be the duty of the said board of county commissioners to adopt its resolution as provided herein. All qualified electors who, on said date, are qualified to vote in any primary, general or special election, shall be qualified to vote in said special election.

Section 5. Any person, or persons, violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine not to exceed \$100.00, or by imprisonment in the county jail of Brevard County, Florida, for a term not to exceed 60 days, or by both such fine and imprisonment in the discretion of the court.

Section 6. Before any action is taken by the board of county commissioners of Brevard County regarding state maintained bridges under the provisions of this act, such board shall secure the approval of the state road department.

Section 7. This act shall become a law immediately upon its passage and its approval by the governor, or become a law without such approval and shall take effect immediately after the board of county commissioners of Brevard County, Florida, has adopted an appropriate resolution, naming the bridge, or bridges, on which fishing shall be regulated or prohibited; the manner and method in which fishing shall be regulated, which said resolution shall specifically name the bridge on which fishing is prohibited and the bridge on which the throwing or leaving foul or dead fish is prohibited by this act. Notice of the adoption of such resolution by said board of county commissioners shall be posted on, at or near said bridge where fishing therefrom is regulated or controlled and the throwing or leaving foul or dead fish thereon is prohibited.

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 25706 (1949).

An act relating to the taking of shrimp in Brevard County, Florida; providing that shrimp may be taken during closed season for personal use only; providing for method of taking; and repealing conflicting laws.

Section 1. It is unlawful to take shrimp from the salt waters of Brevard County during the closed season; provided, however, the taking shall be by dip net or hand net only. Provided further, such shrimp shall be taken for personal use only.

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 28927 (1953). *(Repealed by 68B-3.009, FAC, on Feb. 1, 2017.)*

CH. 30601 (1955). *(Repealed by 68B-3.009, FAC, on Feb. 1, 2017.)*

CH. 61-1913. *(Repealed by 46-20.003(8), FAC, on Jan. 1, 1998.)*

CH. 63-774.

An act relating to fishing in the Sebastian River; making unlawful the taking of fish by certain specified means, providing exception; providing effective date.

Section 1. It is unlawful for any person, persons, firm or corporation to place, net, fish or cause to be fished, with any net or nets in the Sebastian River or any of its tributaries, or to possess any nets or net in or upon the Sebastian River or any of its tributaries, west of a point sixteen hundred feet west of the Florida East Coast Railway Bridge, except that it shall be permissible to use a common cast net for the purpose of catching salt water fish.

Editor's Note: This act became a rule per L.1983 Ch. 134. This act also applies to [Indian River County](#).

CH. 63-910. *(Repealed by 68B-3.009, FAC, on Feb. 1, 2017.)*

CH. 65-1281. *(Repealed by 46-20.003(8), FAC, on Jan. 1, 1998.)*

CH. 67-1139.

An act relating to Brevard County; authorizing the board of county commissioners to adopt rules and regulations governing the seining of fish in artificially-created canals dedicated for public use or owned by any public agency or body; exempting municipalities unless adopted by governing board; providing that violation is a misdemeanor; providing for an effective date.

Section 1. Grant of power. For the purpose of promoting the health, safety, morals and general welfare of the community, the board of county commissioners of Brevard County is hereby authorized and empowered to adopt rules and regulations governing the taking or catching of fish by means of seines or drag nets in the waters of any artificially-created canals dedicated for public use or owned by any public agency or body; provided that such regulations shall be effective within the corporate limits of any municipality only upon the resolution of the governing body thereof.

Section 2. Penalty. Any person, firm, corporation or other group or body who should violate any of the rules and regulations promulgated under the authority of this act shall be guilty of a misdemeanor.

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 67-1153.

An act relating to [Brevard](#) and [Indian River counties](#), surfboard riding and water skiing; prohibiting surfboard riding and water skiing in or near the Sebastian Inlet; making violation a misdemeanor; providing an effective date.

Section 1. It is unlawful for any person to engage in surfboard riding or water skiing or to assist another person to engage in water skiing in or within two hundred (200) feet of the Sebastian Inlet.

Section 2. Violation of this act shall constitute a misdemeanor punishable as such.

CH. 75-336. (*Repealed by 46-27.012, FAC, on March 10, 1991.*)

CH. 79-429.

An act relating to Brevard County; prohibiting the taking or attempting to take, except by specified nets or hook and line, of fish in manmade residential saltwater canals during certain periods; providing penalties; providing an effective date.

Section 1. It shall be unlawful for any person to take or attempt to take fish, except by hook and line or cast nets of six feet or less, within any manmade residential saltwater canal located in Brevard County between the hours of 11 p.m. and 7 a.m.

Section 2. The violation of the provisions of section 1 is declared to be a misdemeanor within the meaning of 775.08(2), Florida Statutes, and shall be punishable as provided by law.

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 80-483.

An act relating to the City of Cocoa Beach, City of Satellite Beach, and Town of Melbourne Beach, Brevard County; authorizing the enactment of ordinances prohibiting the taking of fish within any manmade saltwater, residential canal with certain exceptions.

Section 1. The City of Cocoa Beach, City of Satellite Beach, and Town of Melbourne Beach are authorized to enact ordinances prohibiting the taking of fish from any manmade saltwater residential canal within their municipal boundaries by any means other than hook and line or cast net thrown by hand.

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 87-437.

An act relating to Brevard County; prohibiting the taking or attempting to take, except by specified nets or hook and line, of fish in certain manmade residential saltwater canals, lakes, and lagoons; providing penalties; providing an effective date.

Section 1. It shall be unlawful for any person to take or attempt to take fish, except by hook and line or cast net thrown by hand, within the manmade residential saltwater canal located in Brevard County known as the "Grand Canal" or any manmade residential lake, lagoon, or canal connecting with said "Grand Canal" located between State Road 404 and State Road 3.

Section 2. The violation of the provisions of section 1 is declared to be a criminal offense and a misdemeanor within the meaning of s. 775.08(2), Florida Statutes, and shall be punishable as provided by law.

CH. 94-419.

An act relating to Brevard County; prohibiting persons from harvesting clams in certain areas of the county without a license; providing resident and nonresident license fees and a license period; prescribing eligibility for the issuance of licenses; providing for a late fee; requiring the production of a valid license upon demand; requiring display of license numbers upon vessels used; providing for the disposition of fees; prohibiting the shipping, transporting, or carrying of certain numbers of clams; providing exceptions; providing a criminal penalty; providing for civil penalties for specified violations, including fines, suspension or revocation of licenses, and forfeiture of gear and equipment; providing an effective date and an expiration date.

Section 1. A person, firm, or corporation may not harvest clams of the genus *Mercenaria* from the salt waters of Brevard County without a valid clam license issued by the Fish and Wildlife Conservation Commission and a valid saltwater products license bearing an RS endorsement.

Section 2. (1) The Fish and Wildlife Conservation Commission shall issue a resident or nonresident clam license during a 61-day period beginning June 1 of each year, except that in 1994 the 61-day period shall begin on the effective date of this act. The term of the license begins on July 1 of the purchase year and ends on June 30 of the following year. The fee for a resident license is \$100, and the fee for a nonresident license is \$400. The license is valid only for the individual licensee to whom it is issued. The nonresident license must be readily distinguishable from the resident license.

(2) Only persons who are bona fide permanent residents of this state and firms and corporations that are organized under the laws of this state are eligible for the resident license. A person, firm, or corporation that has had its license to harvest shellfish in this state or any other state suspended or revoked is ineligible for either a resident or nonresident clam license for the duration of that suspension or revocation. Proof of eligibility must be by means of an affidavit sworn to by the applicant and additional documentation that shows, to the satisfaction of the Fish and Wildlife

Conservation Commission, that the applicant is a natural person permanently residing in this state or is a firm or corporation organized under the laws of this state.

(3) A license may be purchased after the annual 61-day license issuance period upon the payment of an additional \$400 late fee to the commission.

(4) Beginning June 1, 1996, no new clam licenses shall be issued by the Department of Environmental Protection or the Fish and Wildlife Conservation Commission until the total number of active and renewed clam licenses for Brevard County falls below 400 for the previous license year. In any year thereafter, the commission may issue such additional new licenses to bring the total number of licenses issued for Brevard County up to a maximum of 400.

(5) Any clam licenses not renewed within 6 months after their expiration date are not eligible for renewal until additional new licenses also become available.

(6) Beginning with the 1996-1997 license year, the Department of Environmental Protection, the Department of Agriculture and Consumer Services, or the Fish and Wildlife Conservation Commission shall hold, on a semiannual basis, a required educational seminar of up to 4 hours, but not less than 2 hours, regarding harvesting, health standards, and any other issues appropriate to the health of the clam resources and the clamming industry. Proof of attendance at one such seminar per year is required before any clam license may be renewed for the 1997-1998 license year or subsequent license years.

(7) On July 1 of each year, the Fish and Wildlife Conservation Commission will determine if the total number of licenses has fallen below 400. If so, the commission may issue new licenses under the following stipulations:

(a) First priority will be given to current Brevard County Hard Clam License holders who have missed one of the required educational seminars. Applicants will have a 60-day period beginning July 1 to apply for a new license and complete the missed educational seminar.

(b) Second priority will be given to past Brevard County Hard Clam License holders under this act. Applicants will have a 60-day period beginning September 1 to apply for a new license and complete all missed educational seminars.

(c) Final priority will be on a first-come first-served basis. Applicants will have a 60-day period beginning November 1 to apply for a new license and complete all educational seminars.

(d) New licenses will not be issued between January 1 and June 30 of any year.

Section 3. Each person, firm, or corporation that holds a resident or nonresident clam license must produce such license, along with a valid saltwater products license bearing an RS endorsement, upon demand of any law enforcement officer, within a reasonable period of time after the demand is made.

Section 4. (1) The license required by this act may be issued in the form of an endorsement on the licensee's saltwater products license card. Each person, firm, or corporation that obtains a license under this act must prominently display the license number upon any vessel used, in numbers that are at least 8 inches in height and 1 inch in width and in such manner that the permit number is readily identifiable from both the air and the water. Only one vessel displaying a given number may be used at any time.

(2) Any vessel used for harvesting clams in Brevard County shall have on board a portable or U.S. Coast Guard-approved marine sanitation device having a holding tank and any thru valve shut and fixed in a closed position.

(3) All license holders harvesting clams by swimming at or below the surface of the water and using an underwater breathing apparatus must be certified divers. A person harvesting clams in such a manner may not use more than 150 feet of air hose and must have a diver down flag floating as close by as practical.

Section 5. The Fish and Wildlife Conservation Commission shall remit the proceeds from the clam licenses and late fees to the Department of Agriculture and Consumer Services less any reasonable administrative costs associated with the issuance of said license. The proceeds from the collection of license fees or civil penalties under this act, including any late fees, are to be deposited in the General Inspection Trust Fund of the Department of Agriculture and Consumer Services and, less reasonable administrative and educational costs, must be appropriated for the testing and reclassification of shellfish-harvesting waters in Brevard County. A portion of the proceeds, not more than 40 percent, must be used to mark those open and closed waters of Brevard County until all such waters are so marked. An additional portion of the proceeds must be used for clam resource restoration and enhancement projects in various areas of benefit to and in coordination with the Brevard County clamming industry.

Section 6. (1) A person, firm, or corporation may not ship, transport, or otherwise carry by public or private carrier, vehicle, or vessel, within the limits of Brevard County, whether over the land, on water, or in the air, clams in numbers greater than those allowed by rules of the Fish and Wildlife Conservation Commission.

(2) Subsection (1) does not prohibit a certified wholesale or retail dealer, or any person who is employed by such wholesale or retail dealer or is serving such wholesale or retail dealer, from transporting clams, taken lawfully and in lawful amounts, directly to a licensed, certified wholesale or retail dealer or shucking house. This act does not prohibit the removal and transportation of clams lawfully taken from an authorized clam lease by the leaseholder or his authorized agent.

Section 7. Except for section 11, this act does not apply to a natural person possessing or harvesting clams in noncommercial quantities during open season designated by law or regulation.

Section 8. This act shall not apply to any aquaculture operations licensed pursuant to chapter 370, Florida Statutes.

Section 9. Any person, firm, or corporation that violates any of the provisions of this act is guilty of a misdemeanor of the second degree, punishable as provided in section 775.082 or section 775.083, Florida Statutes.

Section 10. (1) In addition to being subject to the other penalties provided in this act, a person, firm, or corporation that commits a major violation is subject to the following civil penalties:

(a) For a first major violation within a 7-year period, a civil penalty equal to the wholesale value of the illegal clams and suspension of the clam license for 90 days.

(b) For a second major violation within a 7-year period, a civil penalty of \$5,000 and suspension of the clam license for 12 months.

(c) For a third or subsequent major violation within a 7-year period, a civil penalty of \$5,000, lifetime revocation of the clam license, and forfeiture of all gear and equipment used in the violation.

(2) During any period of license suspension or revocation under this section, the licensee may not fish from any vessel that is harvesting clams.

(3) The Fish and Wildlife Conservation Commission may bring a civil action to enforce the civil penalties prescribed in this section.

(4) As used in this section, the term "major violation" includes:

(a) The possession of more than one bushel of undersized clams;

(b) The harvesting of clams more than 1/4 mile inside the boundaries of any closed area and at least 24 hours after that area has been closed; or

(c) The sale of clams harvested from any waters or leases that have not been tested and are not open at the time of the harvest.

Section 11. It is unlawful for any person to harvest clams in Brevard County, whether such harvesting is for private use, commercial sale, or relaying, from any submerged land that is within 75 feet of a shoreline of the Indian River or the Banana River which abuts property that is used for residential purposes or within 75 feet of any canal bank.

Section 12. This act shall expire July 1, 2013.

Editor's Note: Chgd. by L.1996 Ch. 463; L.1998 Ch. 486; L.1999 Ch. 416; L.2000 Ch. 451; L.2003 Ch. 342; L.2008 Ch. 292.

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BROWARD COUNTY

[CH. 25714 \(1949\).](#)

[CH. 86-364.](#)

CH. 25714 (1949).

An act prohibiting the use of fish nets in the salt waters of Broward County, Florida, except a common cast or throw net which shall not exceed seven feet in length.

Section 1. That no person, firm or corporation shall use or cause to be used any net or nets in the salt waters of Broward County, Florida, for the purpose of taking or catching fish, provided that this section shall not apply to a common cast or throw net which is not in excess of seven feet in length.

Section 2. *(Repealed by 68B-3.045, FAC, on Nov. 19, 2018.)*

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 86-364.

An act relating to Broward County; establishing a speed limit of 30 miles per hour on certain waterways in Broward County, providing for noncriminal violations and civil penalties; providing exceptions; providing for the erection and maintenance of such waterway speed limit signs; providing an effective date.

Section 1. (1) The maximum speed limit on the New River Canal and Florida Intracoastal Waterway in Broward County is 30 miles per hour, except in those areas posted "idle speed/no wake" or "slowdown/minimum wake".

(2) Any person who operates a vessel in excess of the maximum speed limit is guilty of a noncriminal infraction, punishable by a civil penalty. The amount of the civil penalty shall be computed in accordance with provisions pertaining to penalties for unlawful speed under section 318.18(3), Florida Statutes.

(3) The maximum allowable wake created by any vessel, regardless of the speed or size of the vessel, is 15 inches in vertical height, measured from the ambient tide level to the crest of the vessel's wake at a distance not less than 25 feet from the vessel. For the purposes of this subsection, "wake" means all changes in the vertical level of the water's surface caused by the passage of a vessel including, but not limited to, a vessel's bow wave, stern wake, and propeller wash. This subsection does not authorize a vessel proceeding with a wake of 15 inches or less to travel at a speed in excess of "idle speed/no wake" or "slowdown/minimum wake" when in such boating-restricted areas. Any person who violates this subsection is guilty of a misdemeanor of the second degree, punishable as provided in section 775.082 or section 775.083, Florida Statutes.

(4) This section does not apply to any person operating as a participant in, or during officially sanctioned trial runs preceding or following, a lawfully permitted regatta or boat race or to any governmental officer or employee operating a law enforcement, U.S. Coast Guard, or fire or rescue vessel in the performance of his official duties.

(5) For the purposes of enforcement of subsection (1), law enforcement officers may use aircraft, vessels, manual or electronic timing devices, or radar. If radar is used, the provisions of section 316.1906, Florida Statutes, must be complied with.

(6) For the purposes of enforcement of subsection (3), law enforcement officers may use mechanical, electronic, or photographic measuring devices.

(7)(a) A person may not operate any vessel on the New River Canal or Florida Intracoastal Waterway in Broward County in such a manner as to exceed a maximum sound level of 80 dBA at a distance of 50 feet from the vessel.

(b) Any person who violates this subsection or refuses to submit to a sound level test when requested to do so by a law enforcement officer is guilty of a misdemeanor of the second degree, punishable as provided in section 775.082 or 775.083, Florida Statutes.

(8) An alleged violator of this section shall be issued a uniform boating citation, as provided in section 327.74, Florida Statutes. A finding of guilt for the violation of any provision of this section, irrespective of the withholding of adjudication or sentence, shall be considered as a conviction for a violation of chapter 327, Florida Statutes, and the provisions of section 327.731, Florida Statutes, shall apply. The courts shall forward one-half of all moneys received as fines or civil penalties for violations of this chapter to the State Treasurer for deposit to the Motorboat Revolving Trust Fund.

Section 2. The Florida Marine Patrol shall designate where speed limit signs shall be located. The county shall bear the cost of providing such signs, and each incorporated area within the county shall bear the cost of erecting any signs to be placed within its corporate boundaries. The speed limit provisions of this section shall not apply to regulatory zones, idle speed/no wake zones or manatee areas.

Section 3. This act shall become effective on October 1, 1986. During the six month period beginning on October 1, 1986 through March 31, 1987, enforcement shall be limited to the issuance of warnings. During this six month period, law enforcement agencies are encouraged to conduct educational programs for the boating public. Regular enforcement, including the issuance of citations, shall begin on April 1, 1987.

Editor's Note: Chgd. by L.1989 Ch. 428.

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CHARLOTTE COUNTY

[CH. 19719 \(1939\).](#)

[CH. 27450 \(1951\).](#)

[CH. 65-1359.](#)

[CH. 65-1369.](#)

[CH. 70-626.](#)

[CH. 87-451.](#)

[CH. 89-441.](#)

[CH. 98-520.](#)

CH. 19719 (1939).

An act to prohibit and regulate fishing during the months of December, January, February and March of any year, in the waters of Peace River and/or any of the tributaries thereof, lying and being in Charlotte County, Florida, northeast of Barron Collier bridge on state road five, being federal highway forty-one; and, to prohibit and regulate fishing during the months of December, January, February and March of any year in the waters of Alligator Creek (Allapatchee River) and/or any of the tributaries thereof, in Charlotte County, Florida, lying east and/or above the place on said creek or river commonly known as “The Devil’s Elbow”; providing for destruction of nets and seines used in violation of this act; providing that the Florida State Board of Conservation shall place warning signs and posters; providing penalties for violation thereof; providing for repeal of conflicting laws and/or acts; providing for the time of taking effect of this act.

Section 1. That from and after the passage of this act, it shall be unlawful for any person, persons, firm or corporation, to set, cause to be set, placed, cause to be placed, fish, cause to be fished or used in any manner whatsoever, any net, nets, and/or combination of nets, seines or any device whatsoever, having webbing attached thereto in any of the waters of Peace River and/or any of the tributaries thereof, lying and being in Charlotte County, Florida, northeast of Barron Collier Bridge on state road number five, being federal highway forty-one, during the months of December, January, February and March of any year, except a common hand cast net and/or bait net not to exceed four feet in depth and one hundred feet long, used exclusively for the purpose of catching bait.

Section 2. *(Repealed by 68B-3.001, FAC, on Nov. 19, 2018.)*

Section 3. *(Repealed by 68B-3.001, FAC, on Nov. 19, 2018.)*

Section 4. *(Repealed by 68B-3.001, FAC, on Nov. 19, 2018.)*

Section 5. If any clause, sentence, paragraph, subdivision, section or part of this act shall for any reason be adjudged by a court of competent jurisdiction to be invalid such invalidity shall not affect, impair or invalidate any other part or the remainder of this act, but such invalidity shall be confined in its operation solely to such clause, sentence, paragraph, subdivision or section or part of this act directly involved in the controversy in which such judgement shall have been rendered.

Section 6. *(Repealed by 68B-3.001, FAC, on Nov. 19, 2018.)*

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 27450 (1951).

An act making it unlawful at all times to fish for commercial purposes in Alligator Creek (Allapatchee River) in Charlotte County; defining commercial purposes and providing that possession of nets, seines, and traps in Alligator Creek (Allapatchee River) shall be prima facie evidence of fishing for commercial purposes and providing penalties.

Section 1. It shall be unlawful at all times to fish for commercial purposes in Alligator Creek (Allapatchee River) in Charlotte County, Florida. For the purposes of this act all waters within one hundred yards of the mouth of said creek shall be considered as part of said creek.

Section 2. *(Repealed by 68B-3.001, FAC, on Nov. 19, 2018.)*

Section 3. *(Repealed by 68B-3.001, FAC, on Nov. 19, 2018.)*

Section 4. Nothing in this or any other act shall require the posting or placing of signs in, near or along said creek as a prerequisite to enforcement of this law and the absence or presence of signs shall have no effect whatever as far as this act is concerned.

Section 5. *(Repealed by 68B-3.001, FAC, on Nov. 19, 2018.)*

Section 6. *(Repealed by 68B-3.001, FAC, on Nov. 19, 2018.)*

Editor's Note: Chgd. By L.1979 Ch. 435. This act became a rule per L.1983 Ch. 134.

CH. 65-1359.

An act prohibiting taking, or attempting to take, fish of any variety by the use of nets, except hand-cast nets and bait nets, in any canal or other artificial or man made waterway within a platted subdivision on which two (2) or more residences abut, in Charlotte County; providing penalties for the violation hereof; and providing the effective date.

Section 1. It is unlawful in Charlotte County to take, or attempt to take, fish of any variety by the use of nets, except hand-cast nets or bait nets, in any canal or other artificial or man made waterway within any platted subdivision on which canal or waterway two (2) or more residences abut.

Section 2. It shall also be unlawful to set any net in the mouth of canals and waterways described in section 1 hereof, in such manner that the free movement of fish into or out of said canals and waterways shall be in any way interfered with or impeded.

Section 3. Any person, firm or corporation violating the provisions of this act shall be guilty of a misdemeanor, and shall be punished accordingly.

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 65-1369.

An act relating to Charlotte County, fishing in Pirates Harbor subdivision; prohibiting fishing from boat or by netting within the waterways of a subdivision known as Pirates Harbor; providing an effective date.

Section 1. It is unlawful for any person to fish from a boat or by netting in the waterways of a subdivision known as Pirates Harbor in Charlotte County.

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 70-626.

An act relating to Charlotte County; making it unlawful to take certain menhaden-like fish with a purse seine, purse gill net, lampara net, or similar net or device for any purpose within three (3) marine leagues of shore; making violation a misdemeanor; providing an effective date.

Section 1. In Charlotte County no person may take or attempt to take herring or other menhaden-like fish from that portion of the territorial waters of such county which is within three (3) marine leagues of any point on the Gulf of Mexico shoreline of Florida for any purpose with a purse seine, purse gill net, lampara net, or any other similar net or device using rings on the lead line thereof.

Section 2. For purposes of enforcement it shall be unlawful to possess any such fish taken as described in section 1 of this act for sale, shipment, reduction, or any other purpose.

Section 3. *(Repealed by 68B-3.001, FAC, on Nov. 19, 2018.)*

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 87-451.

An act relating to the City of Punta Gorda, Charlotte County; making it unlawful at all times to fish for commercial purposes in the canals of the City of Punta Gorda, Florida; defining commercial purposes and providing that possession of nets, seines, and traps shall be prima facie evidence of fishing for commercial purposes; providing a penalty; providing an effective date.

Section 1. It shall be unlawful at all times to fish for commercial purposes in the City of Punta Gorda, Florida, in any canal or manmade waterway, or within fifty (50) yards of either side thereof, including existing manmade seawall, Ponce De Leon public park and beach area, and all waterways leading thereto.

Section 2. Fishing for commercial purposes shall be fishing with nets, seines, traps of any kind, and any combination thereof, no matter how the fish are intended to be disposed of, used, or consumed. Fishing for commercial purposes shall also include fishing in any manner whatsoever where catch, if any, is either intended to be sold or offered for sale or used for any purpose other than personal consumption by the person or persons fishing and their families.

Section 3. Possession of nets, seines, or traps, except handheld nets for landing of fish from a hook and line, which are readily accessible for immediate use, which means on the person or in such close proximity and in such a manner that it can be retrieved and used as easily and quickly as if carried on the person, of any kind in the area described in section 1 shall be prima facie evidence that the possession thereof is fishing for commercial purposes.

Section 4. Nothing in this or any other act shall require the posting or placing of signs in or near or along the waterways as a prerequisite to enforcement of this law and the absence or presence of signs shall have no effect whatever as far as this act is concerned.

Section 5. The violation of any provision of this act is declared to be a criminal offense and misdemeanor within the meaning of s. 775.08, Florida Statutes, and shall be punishable as provided by law.

Section 6. Any and all nets, seines, or traps of any kind found in the possession of any person apprehended and later convicted of violating this act are hereby declared illegal and shall be confiscated and forfeited to the appropriate local government to be sold at public auction and the proceeds placed in the fine and forfeiture fund of the appropriate local government.

CH. 89-441.

An act relating to the City of Punta Gorda, Charlotte County; making it unlawful at all times to fish for commercial purposes in the canals or manmade waterways, or within 50 yards thereof, of the City of Punta Gorda; defining commercial purposes and providing that possession of an unsecured net, seine, or trap under certain circumstances is prima facie evidence of fishing for commercial purposes; providing a penalty; providing for forfeiture of nets, seines, or traps; providing for sale of confiscated nets, seines, and traps; providing for disposition of proceeds; providing an effective date.

Section 1. It is unlawful at all times to fish for commercial purposes in the City of Punta Gorda in any canal or manmade waterway, or within 50 yards thereof, including from an existing manmade seawall within 50 yards of the mouth of a river, estuary, or canalway, Ponce De Leon public park and beach area, or any waterway leading thereto.

Section 2. Fishing for commercial purposes is fishing with a net, seine, or trap of any kind, or any combination thereof, no matter how any fish that are caught are intended to be disposed of, used, or consumed, and also includes fishing in any manner whatsoever if the catch, if any, is intended either to be sold or offered for sale or used for any purpose other than personal consumption by the person or persons fishing and their families. The use of one crab trap adjacent to one's property, one cast net, or one hand-held fishing net is not considered commercial fishing unless the catch, if any, is intended for sale.

Section 3. The possession of a net, seine, or trap of any kind, except a hand-held net for landing of fish from a hook and line, which net, seine, or trap is readily accessible for immediate use, meaning that it is carried on the person or in such close proximity thereto and in such manner that it can be retrieved and used as easily and quickly as if carried on the person, in any area described in section 1 is prima facie evidence that the possession thereof is fishing for commercial purposes.

Section 4. Nothing in this or any other law requires the posting or placing of signs in or near or along the canals and waterways of the City of Punta Gorda as a prerequisite to enforcement of this law, and the absence or the presence of signs has no effect whatever as far as this law is concerned.

Section 5. The violation of any provision of this act is declared to be a criminal offense and a misdemeanor within the meaning of section 775.08, Florida Statutes, and is punishable as provided by general law.

Section 6. Any nets, seines, or traps of any kind found in the possession of any person apprehended for and later convicted of a violation of this act are hereby declared illegal and shall be confiscated and forfeited to the City of Punta Gorda to be sold at public auction, and the proceeds from such sale must be placed in the fine and forfeiture fund of the city.

CH. 98-520.

An act relating to the City of Punta Gorda, Charlotte County; prohibiting the taking of saltwater fish, except by hook and line, from within any manmade saltwater canal in the City of Punta Gorda; providing a penalty; providing an effective date.

Section 1. It is unlawful for any person to take or attempt to take any saltwater fish, except by hook and line, from any manmade saltwater canal located in the City of Punta Gorda.

Section 2. The violation of the provisions of section 1 is declared to be a criminal offense and misdemeanor of the second degree within the meaning of sections 775.08 and 775.081, Florida Statutes, and shall be punishable as provided by general law.

Section 3. This act shall take effect upon becoming a law.

Editor's Note: This act became a law without the Governor's approval May 23, 1998.

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CITRUS COUNTY

[CH. 15123 \(1931\).](#)

[CH. 21147 \(1941\).](#)

[CH. 21148 \(1941\).](#)

[CH. 30652 \(1955\).](#)

[CH. 61-2000.](#)

[CH. 61-2001.](#)

[CH. 63-1215.](#)

[CH. 63-1220.](#)

[CH. 67-1203.](#)

[CH. 69-937.](#)

[CH. 69-938.](#)

[CH. 69-942.](#)

[CH. 69-943.](#)

[CH. 77-526.](#)

[CH. 78-486.](#)

[CH. 81-199.](#)

CH. 15123 (1931).

An act to prevent fishing in or the taking of fish from the waters of Crystal River, and the Homosassa River and their tributaries, in Citrus County, Florida, above or upstream from certain designated points of said rivers, except by hook and line, rod and reel, and spear, gig or grain, and at lawful periods; and providing penalties for the violation of this act; and to permit fishing and taking of fish below or downstream from said designated points on said rivers by any lawful means under the general laws of the state, at lawful periods; and repealing all laws in conflict herewith.

Section 1. It is hereby declared to be and shall be unlawful to fish or take fish in the waters of Crystal River, and its tributaries, Citrus County, Florida, above or upstream from where "Salt River" enters or joins said Crystal River, at or near where the west boundary line of Township eighteen (18) South, Range seventeen (17) East in said County crosses the said Crystal River, except by hook and line, rod and reel, spear, gig or grain, and at lawful periods; that below or downstream from said point on said Crystal River it shall be lawful to fish in and take fish from the waters of said Crystal River by any lawful means at any lawful period, under the general laws of the State relating to fishing.

Section 2. *(Superseded by L.1941 Ch. 21147 and L.1961 Ch. 2000.)*

Section 3. *(Repealed by 68B-3.033, FAC, on Nov. 19, 2018.)*

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 21147 (1941). *(Repealed by 68B-3.033, FAC, on Feb. 1, 2017.)*

CH. 21148 (1941).

An act providing the open season for the catching of salt water fish from the salt waters of Citrus County, Florida.

Section 1. That from and after the passage of this act and upon its becoming a law the open season for the taking and catching of salt water fish from the salt waters of Citrus County, Florida, shall be as follows: From January 1 of each year to December 31 of each year, both dates inclusive. It shall also be lawful for any transportation company to accept salt water fish between the above dates for shipment from said Citrus County, Florida.

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 30652 (1955).

An act relating to salt water fisheries, prohibiting the taking or attempted taking of salt water fish in the Homosassa River and its tributary located in Citrus County, Florida; providing a penalty for violation; repealing chapter 28840, Laws of Florida, Act of 1953, and providing an effective date.

Section 1. It is unlawful for any person to take or attempt to take any species of salt water fish by any means other than rod and reel, hook and line or pole and line from the closed portions of the Homosassa River and tributary thereof known as the Halls River.

Section 2. All that territory in Citrus County, Florida, lying between the sources of said river and its tributary and a line running north and south dividing section 31, township 19, range 17 east, which line crosses the Homosassa River at Pine Island near the town of Homosassa shall be governed by the provisions of this act.

Section 3. *(Repealed by 68B-3.033, FAC, on Nov. 19, 2018.)*

Section 4. *(Repealed by 68B-3.033, FAC, on Nov. 19, 2018.)*

Section 5. Chapter 28840, Laws of Florida, Acts of 1953, is repealed.

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 61-2000.

An act relating to Citrus County; forbidding the use of spears or gigs which are propelled by means other than by human power in taking fish from Chassahowitzka River; repealing Chapter 28529, Laws of Florida, 1953; providing an effective date.

Section 1. It is unlawful to take fish from the Chassahowitzka river by the use of spears, gigs or similar devices propelled by mechanical or any other means other than by human power in Citrus County.

Section 2. Nothing in this act shall prohibit the use of spears, gigs or similar devices thrown by the human hand.

Section 3. Chapter 28529, Laws of Florida, 1953, is repealed.

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 61-2001.

An act relating to Citrus County; prohibiting the taking or attempted taking of fish other than by certain described methods from the Homosassa River or its tributaries; limiting the prohibition to certain waters; providing a penalty; providing for a method of enforcement; repealing Chapter 28840, Laws of Florida, 1953, and providing for an effective date.

Section 1. It is unlawful for any person, firm or corporation to take or attempt to take any fish from the waters of the Homosassa River between the line specified in Section 2 and the source of said river, or in any of its tributaries commonly known as Halls River, Otter Creek and Peterson Creek, by any means other than pole and line, rod and reel, plug, bob, spinner, spoon, fly, troll, or other artificial bait or lure.

Section 2. A line is hereby established across the Homosassa River in Citrus County at a point where a land line running north and south dividing section 31, township 19 south, range 17 east crosses the Homosassa River, said line beginning one-half mile due west of the northeast corner of section 31, township 19 south, range 17 east, thence running due south to the south boundaries of said section 31, township 19 south, range 17 east. All waters upstream or east of the line established by this section shall be subject to the provisions of this act.

Section 3. *(Repealed by 68B-3.033, FAC, on Nov. 19, 2018.)*

Section 4. *(Repealed by 68B-3.033, FAC, on Nov. 19, 2018.)*

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 63-1215.

An act relating to Citrus County; prohibiting the taking of fish other than by certain described methods from the Withlacoochee River; limiting said prohibition to certain waters; providing effective date.

Section 1. It is unlawful for any person, firm, or corporation to take or attempt to take any fish from the waters of the Withlacoochee River between the Florida Power Dam in section 8, township 17 south, range 17 east, westward to the fork in said river in section 14, township 17 south, range 15 east, by any means other than pole and line, rod and reel, plug, bob, spinner, spoon, fly, troll or other artificial bait or lure.

Section 2. *(Repealed by 68B-3.033, FAC, on Nov. 19, 2018.)*

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 63-1220. *(Repealed by 46-20.003(8), FAC, effective Jan. 1, 1998.)*

CH. 67-1203.

An act relating to the Homosassa River in Citrus County; establishing a speed limit for boats for a part thereof; making any violating of the speed limit a misdemeanor; conferring jurisdiction on courts; providing manner of enforcement; providing an effective date.

Section 1. The term "Homosassa River", and the word "river", are synonymous and are defined to mean "the Homosassa River, from shore to shore, its supplying springs, coves, inlets, its joining and connecting streams, tributaries and canals for a distance of one (1) mile from the points on the respective shores of the Homosassa River where said streams, tributaries and canals connect therewith."

Section 2. It is unlawful for the operator of any boat or propelled floating object of any size, type or description, to operate or drive same at a speed in excess of five (5) miles per hour in that part of the Homosassa River in Citrus County from Pine Island, located by a line running north and south dividing Section 31, Township 19, Range 17 East, Citrus County, Florida, to Peterson Creek, located by a line running north and south dividing Sections 31 and 32, Township 19 South, Range 17 East, and in all that part of the Homosassa River in Citrus County located in Section 28, Township 19 South, Range 17 East.

Section 3. The board of county commissioners of Citrus County shall post signs within said speed zone indicating the limits established by this act.

Section 4. Any person violating any speed limit established in this act shall be guilty of a misdemeanor and upon conviction shall be punished as provided by general law.

Section 5. The courts having jurisdiction over the shores of the Homosassa River, its connecting streams, tributaries and canals, respectively, shall have jurisdiction over the criminal offenses denounced in this act, the subject matter thereof, and the person of each and every offender.

Section 6. This act, and the provisions thereof, shall be enforced by all peace officers of the County of Citrus, and of any and all cities, towns, villages, hamlets and unincorporated residence

and business areas, on and near the shores of the Homosassa River, its connecting tributaries, streams and canals, as defined as set forth in section 1 hereof, and shall also be enforced by the officers of the Florida state highway patrol, the officers and agents of the Florida game and fresh water fish commission, the officers and agents of Florida state board of conservation.

CH. 69-937.

An act regulating water activity, skin diving, scuba diving, swimming and boating in the head waters of the spring or springs commonly known as Homosassa Springs, in Citrus County, Florida, easterly of the line described as follows: a line in lot 20, Homosassa Company's subdivision of section 28, township 19 south, range 17 east, as recorded in plat book 1, page 4, public records of Citrus County, Florida, being more particularly described as follows: commence at the SE corner of lot 20, Homosassa Company's subdivision of section 28, township 19 south, range 17 east, as recorded in plat book 1, page 4, public records of Citrus County Florida, thence N 89 58'20" W along the south line of said lot 20 a distance of 3.42 feet, thence N 40 40'10" W 203.40 feet to the point of beginning, said point being on the southeasterly waters edge of the Homosassa River, thence N 59 26'30" W across said waters a distance of 345.50 feet to a point on the northwesterly waters edge of the Homosassa River and the end of this description, for the purpose of preventing interference, molestation, disturbance, or otherwise creating a nuisance or hazard and to prevent disturbing the marine life in such waters and further any interference, molestation, disturbance, nuisance or hazard for the operation of approved water craft; providing an exception for professional exhibition and performance and the production, photographing, recording of motion pictures and television materials and maintenance of sets; and providing an exception for water activity, swimming or diving in areas set aside or designated for such purposes; providing for the posting of signs of such prohibition; providing for a penalty therefor; and providing an effective date.

WHEREAS, the springs commonly known as Homosassa Springs in Citrus County, Florida, is an attraction of national, as well as state-wide interests, with facilities that attract many thousands of visitors annually, and

WHEREAS, the interferences with such springs and their use for attracting visitors will destroy and impede the economic growth of the tourist industry in Florida, and

WHEREAS, water traffic in these areas has increased to such proportion that legislation has been deemed necessary to reduce congestion and to preserve water safety and welfare, and

WHEREAS, boating, skin diving, scuba diving, or diving into the waters of said springs and their streams, constitutes a hazard to not only the divers so diving, but also to those persons who operate approved water craft in said springs and their streams, and

WHEREAS, it is to the best interest of all citizens that proper safety and welfare be maintained, and all persons visiting said springs should be protected, and

WHEREAS, said springs and their streams are havens for underwater life and provide a place for the study and observation of said underwater life, and

WHEREAS, the state of Florida has a responsibility to its residents and visitors to maintain a high standard of public safety and welfare and to further protect the wildlife within its borders, NOW, THEREFORE,

Section 1. The facts set forth and stated in the preamble hereof are found and declared to be true; and it is the intent of the legislature to protect and preserve, for all citizens the right to enjoy the attractions in the springs commonly known as Homosassa Springs in Citrus County, Florida.

Section 2. It shall be unlawful for any person or persons to operate a boat or carry on any water activity, dive, skin dive, scuba dive or otherwise dive into the springs or spring, or the waters of any creeks, rivers or runs, commonly known as Homosassa Springs, in Citrus County, Florida, at any point easterly of the following line:

A line in lot 20, Homosassa Company's subdivision of section 28, township 19 south, range 17 east, as recorded in plat book 1, page 4, public records of Citrus County, Florida, being more particularly described as follows: commence at the SE corner of lot 20, Homosassa Company's subdivision of section 28, township 19 south, range 17 east, as recorded in plat book 1, page 4, public records of Citrus County, Florida, thence N 89 58'20" W along the south line of said lot 20 a distance of 3.42 feet, thence N 40 40'10" W 203.40 feet to the point of beginning, said point being on the southeasterly waters edge of the Homosassa River, thence N 59 26'30" W across said waters a distance of 345.50 feet to a point on the northwesterly waters edge of the Homosassa River and the end of this description. in such a manner as to disturb the marine life in such waters, or to interfere, molest, disturb, create a nuisance, or to create a hazard for the operation of any approved water craft in said rivers, waters, creeks or runs.

Section 3. Nothing herein shall be construed to prohibit or make unlawful the activity of performers engaged in a professional exhibition or performance or purporting to participate in an exhibition or the production, photographing or recording of motion picture and television materials and the maintenance of boats, aquatorium and sets.

Section 4. Nothing herein shall be construed to prohibit or make unlawful water activity, swimming or diving in any area set aside or designated for such purpose.

Section 5. Any person found guilty of violating the provisions of this act shall be subject to punishment as prescribed by law for a misdemeanor; provided, however, that signs shall be posted upon said rivers, waters, creeks, or runs, at the distance from the headwaters as specified in section 2 hereof.

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 69-938.

An act relating to Citrus County, concerning conservation, fishermen and equipment regulation; making it unlawful to take certain sardine-like fish with a purse seine, purse gill net, lampara net or similar net or device for any purpose within ten (10) miles of shore of said county; making violation a misdemeanor; providing an effective date.

Section 1. No person may take or attempt to take thread herring, hairy backs, greenbacks or other sardine-like fish from that portion of the territorial waters of Citrus County which is within ten (10) miles of any point on the Gulf of Mexico shoreline of Florida for any purpose with a purse seine, purse gill net, lampara net or any other similar net or device using rings on the lead line thereof.

Section 2. For purposes of enforcement it shall be unlawful to possess any such fish taken as described in section 1 of this act for sale, shipment, reduction, or any other purpose.

Section 3. *(Repealed by 68B-3.033, FAC, on Nov. 19, 2018.)*

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 69-942.

An act regulating water activity, skin diving, scuba diving, diving, swimming and boating in the head waters of the spring or springs commonly known as Homosassa Springs, in Citrus County, Florida, easterly of the line described as follows: a line in lot 20, Homosassa Company's subdivision of section 28, township 19 south, range 17 east, as recorded in plat book 1, page 4, public records of Citrus County, Florida, being more particularly described as follows: commence at the se corner of lot 20, Homosassa Company's subdivision of section 28, township 19 south, range 17 east, as recorded in plat book 1, page 4, public records of Citrus County, Florida, thence n 89 58'20" w along the south line of said lot 20 a distance of 3.42 feet, thence n 40 40'10" w 203.40 feet to the point of beginning, said point being on the southeasterly waters edge of the Homosassa River, thence n 59 26'30" w across said waters a distance of 345.50 feet to a point on the northwesterly waters edge of the Homosassa River and the end of this description, for the purpose of preventing interference, molestation, disturbance, or otherwise creating a nuisance or hazard and to prevent disturbing the marine life in such waters and further any interference, molestation, disturbance, nuisance or hazard for the operation of approved water craft; providing an exception for professional exhibition and performance and the production, photographing, recording of motion pictures and television materials and maintenance of sets; and providing an exception of water activity, swimming or diving in areas set aside or designated for such purposes; providing for the posting of signs of such prohibition; providing for a penalty therefor; and providing an effective date.

WHEREAS, the springs commonly known as Homosassa Springs in Citrus County, Florida, are an attraction of national, as well as state-wide interests, with facilities that attract thousands of visitors annually, and

WHEREAS, the interferences with such springs and their use for attracting visitors will destroy and impede the economic growth of the tourist industry in Florida, and

WHEREAS, water traffic in these areas has increased to such proportion that legislation has been deemed necessary to reduce congestion and to preserve water safety and welfare, and

WHEREAS, boating, skin diving, scuba diving, or diving into the waters of said springs and their streams, constitutes a hazard to not only the divers so diving, but also to those persons who operate approved water craft in said springs and their streams, and

WHEREAS, it is to the best interest of all citizens that proper safety and welfare be maintained, and all persons visiting said springs should be protected, and

WHEREAS, said springs and their streams are havens for underwater life and provide a place for the study and observation of said underwater life, and

WHEREAS, the State of Florida has a responsibility to its residents and visitors to maintain a high standard of public safety and welfare and to further protect the wildlife within its borders, NOW, THEREFORE,

Section 1. The facts set forth and stated in the preamble hereof are found and declared to be true; and it is the intent of the legislature to protect and preserve, for all citizens, the right to enjoy the attractions in the springs commonly known as Homosassa Springs in Citrus County, Florida.

Section 2. It shall be unlawful for any person or persons to operate a boat or carry on any water activity, dive, skin dive, scuba dive or otherwise dive into the springs or spring, or the waters of any creeks, rivers or runs, commonly known as Homosassa Springs, in Citrus County, Florida, at any point easterly of the following line:

A line in lot 20, Homosassa Company's subdivision of section 28, township 19 south, range 17 east, as recorded in plat book 1, page 4, public records of Citrus County, Florida, being more particularly described as follows: commence at the se corner of lot 20, Homosassa Company's subdivision of section 28, township 19 south, range 17 east, as recorded in plat book 1, page 4, public records of Citrus County, Florida, thence n 89 58'20" w along the south line of said lot 20 a distance of 3.42 feet, thence n 40 40'10" w 203.40 feet to the point of beginning, said point being on the southeasterly waters edge of the Homosassa River, thence n 59 26'30" w across said waters a distance of 345.50 feet to a point on the northwesterly waters edge of the Homosassa River and the end of this description. in such a manner as to disturb the marine life in such waters, or to interfere, molest, disturb, create a nuisance, or to create a hazard for the operation of any approved water craft in said rivers, waters, creeks or runs.

Section 3. Nothing herein shall be construed to prohibit or make unlawful the activity of performers engaged in a professional exhibition or performance or purporting to participate in an exhibition or the production, photographing or recording of motion picture and television materials and the maintenance of boats, aquatorium and sets.

Section 4. Nothing herein shall be construed to prohibit or make unlawful water activity, swimming or diving in any area set aside or designated for such purpose.

Section 5. Any person found guilty of violating the provisions of this act shall be subject to punishment as prescribed by law for a misdemeanor; provided, however, that signs shall be posted upon said rivers, waters, creeks, or runs, at the distance from the headwaters as specified in section 2 hereof.

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 69-943.

An act relating to conservation, fishermen, and equipment regulation in Citrus County, Florida, making it unlawful to take sardine like fish with a purse seine, purse gill net, lampara net or similar net or device for any purpose within ten miles of shore; providing an effective date.

Section 1. In Citrus County, Florida, no person may take or attempt to take thread herring, hairy backs, greenbacks, or other sardine like fish from that portion of the territorial waters of the State of Florida which is within ten (10) miles of any point on the Gulf of Mexico shore line of Florida in such Counties for any purpose with a purse seine, purse gill net, lampara net or any other similar net or device using rings on the lead line thereof.

Section 2. For the purposes of enforcement it shall be unlawful to possess any such fish taken as described in Section 1 of this act for sale, shipment, reduction or any other purpose.

Section 3. Any person violating this act shall be guilty of a misdemeanor and shall be punished according to law.

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 77-526.

An act relating to Citrus County prohibiting commercial fishing in certain waters in such county; providing an effective date.

Section 1. Commercial fishing is hereby prohibited on and under those waters in Citrus County located within the Southeastern one-quarter of Section 25, Township 18 South, Range 16 East and in any part of Section 30, Township 18 South, Range 17 East, which are part of manmade canals or which were not navigable in their original state but are now navigable because of improvements made.

Editor's Note: This act became a rule per L.1983 Ch. 134. Chgd. by L.1985 Ch. 398.

CH. 78-486.

An act relating to Citrus County; providing that it is unlawful to take or attempt to take any fish by any means other than hook and line or rod and reel in certain waters of the Homosassa River; providing a penalty; providing an effective date.

Section 1. It is unlawful for any person, firm, or corporation to take or attempt to take any fish by any means other than hook and line or rod and reel from the waters of the Homosassa River from a point at Channel Marker 75 at Pine Island in Section 31, Range 17 East, Township 19 South, to a point called Little Bell Island at Channel Marker 56, the East line of West of Northwest of West of fractional Section 2, Range 16 East, Township 20 South, including Price's Creek and all man-made canals in this closed area to a point called The Narrows of Price's Creek, North line of South of Southeast of Southeast of Section 25, Range 16 East, Township 19 South.

Section 2. The violation of the provisions of section 1 is declared to be a criminal offense and misdemeanor within the meaning of 775.08, Florida Statutes, and shall be punishable as provided by law.

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 81-199.

An act relating to saltwater fisheries; creating s. 370.158, Florida Statutes, establishing an advisory committee in Citrus County to make recommendation to the Department of Natural Resources for the promulgation of rules closing or opening certain areas to shrimping and crabbing; providing restrictions on actions of the department with respect to such recommendations; creating s. 370.159, Florida Statutes, establishing boundary lines closing certain areas in waters adjacent to [Wakulla](#) County to shrimping and certain areas to crabbing; providing exception for tunnel boats and small bay trawlers to shrimp in certain areas closed to shrimping; providing a penalty; providing for repeal and review in accordance with the Sundown Act; providing an effective date.

Section 1. *(Repealed by L.1983 Ch. 190.)*

Section 2. Section 370.159, Florida Statutes, is created to read:

370.159 [Wakulla County](#) shrimping and crabbing.

(1)(a) Except as provided in subsection (2), from March 1 through May 1 of each year it is unlawful to harvest shrimp, in the waters adjacent to Wakulla County, west or north of the following line:

In Apalachee Bay, from a point approximately one and three-quarters (1.75) nautical miles due north of a lighted aid to navigation, locally known as the Ochlockonee Flasher, located at Latitude Twenty-Nine degrees, Fifty- Six minutes North (L 29 56.00'N) and Longitude Eighty-Four

degrees, Eighteen minutes West (Lo 84 18.00'W) to the point of beginning, said point of beginning being located at Latitude Twenty-Nine degrees, Fifty-Seven and seventy-five one-hundredths minutes North (L 29 57.75'N) and Longitude Eighty-Four degrees, Eighteen minutes West (Lo 84 18.00'W); thence in a northerly direction to the southernmost corner of Fish Haven, said corner being located at Latitude Thirty degrees, zero and nine-hundredths North (L 30 00.09'N) and Longitude Eighty-Four degrees Seventeen and ten one-hundredths minutes West (Lo 84 17.10'W), a distance of approximately two and one-half nautical miles; thence in a southeasterly direction 1 miles south of a lighted aid to navigation, known as Can "1", the seaway or farewell buoy at the St. Marks River Entrance Channel, located at Latitude Thirty degrees, one and one-half minutes North (L 30) and Longitude Eighty-Four degrees, ten and fifty-three one-hundredths minutes West (Lo 84 10.53'W), a distance of approximately five and three-quarters (5.75) nautical miles.

(b) From March 1 through May 1 of each year it is unlawful to harvest crab, in the waters adjacent to Wakulla County, east or south of the line described in subsection (1)(a).

(2) From March 1 through May 1 of each year tunnel boats or bay trawlers which can maneuver in a 150 foot to 100 foot radius may be used to harvest shrimp west of the line described in subsection (1)(a), but may only be used to harvest shrimp in the areas known as Klinker Light Hole and Zorie Hole.

(3) Persons in violation of this section shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

Section 3. *(Repealed by L.1982 Ch. 46.)*

Editor's Note: Chgd. by L.1982 Ch. 46, L.1983 Ch. 190. This act became a rule per L.1983 Ch. 134.

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CLAY COUNTY

[CH. 15125 \(1931\).](#)

CH. 15125 (1931). *(Repealed by 68B-3.046, FAC, on Nov. 19, 2018.)*

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COLLIER COUNTY

[CH. 20159 \(1939\).](#)

[CH. 26045 \(1949\).](#)

[CH. 27473 \(1951\).](#)

[CH. 30665 \(1955\).](#)

[CH. 70-639.](#)

[CH. 90-465.](#)

[CH. 90-469.](#)

CH. 20159 (1939).

An act making it unlawful to fish or cause to be fished, use or cause to be used, any drag nets, haul seines, gill nets, or other nets in the canal bordering the north side of state road no. 27, as now designated by the state road department of the State of Florida, and commonly known as the Tamiami Trail, from the easterly corporation limits of the town of Naples, Florida, to the westerly corporation limits of Coral Gables, Florida, and providing a penalty for violation of any of the provisions of this act.

Section 1. It shall be unlawful to fish or cause to be fished, to use, or cause to be used in the canal bordering the north side of state road no. 27, as now designated by the state road department of the State of Florida, and commonly called the Tamiami Trail, from the easterly corporation limits of Naples, Florida, to the westerly limits of Coral Gables, Florida, any drag nets, haul seines, seines, gill nets or any nets whatsoever. Provided, however, the provision of this section shall not apply to agents of the commission of game and fresh water fish and the state board of conservation while acting in their official capacity.

Section 2. *(Repealed by 68B-3.002, FAC, Feb. 1, 2017.)*

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 26045 (1949).

An act prohibiting the use of nets and seines for the catching of and fishing for salt water fish in the waters of the Gulf of Mexico, adjacent to the Naples town pier in the Gulf of Mexico at Naples, Collier County, Florida; providing penalties for the violation of this act; repealing all laws in conflict therewith and specifying the time this act shall take effect.

Section 1. It shall be unlawful to place any net or seine in the waters of the Gulf of Mexico in Collier County, Florida, adjacent to the municipal pier of the town of Naples, Florida, for a distance of 1000 feet on each side of the said pier and within 1000 feet of any point or part of said pier.

Section 2. The owner of any net or seine used or found in said restricted area will be responsible for the use thereof whether used by such owner or some other person in violation of this act. Any net or seine that is prohibited to be used in such area by this act, or is being used in violation thereof shall be confiscated and burned by the sheriff of said county within ten days after the conviction of any person or persons for the using of the same in violation of this act, irrespective of the ownership of such net or seine. The judge of the court in which such conviction is had shall make a suitable order to the sheriff of said county for such confiscation and destruction of such seine or net.

Section 3. The provision of this act shall not apply to the taking of bait and the use of customary bait nets for the catching of bait.

Section 4. *(Repealed by 68B-3.002, FAC, on Feb. 1, 2017.)*

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 27473 (1951). *(Repealed by 68B-3.002, FAC, on June 30, 2013.)*

CH. 30665 (1955). *(Repealed by 68B-3.002, FAC, on June 30, 2013.)*

CH. 70-639.

An act relating to Collier County; making it unlawful to take certain menhaden-like fish with a purse seine, purse gill net, lampara net, or similar net or device for any purpose within three (3) marine leagues of shore; making violation a misdemeanor; providing an effective date.

Section 1. In Collier County no person may take or attempt to take herring or other menhaden-like fish from that portion of the territorial waters of such county which is within three (3) marine leagues of any point on the Gulf of Mexico shoreline of Florida for any purpose with a purse seine, purse gill net, lampara net, or any other similar net or device using rings on the lead line thereof.

Section 2. For purposes of enforcement it shall be unlawful to possess any such fish taken as described in section 1 of this act for sale, shipment, reduction, or any other purpose.

Section 3. *(Repealed by 68B-3.002, FAC, on Nov. 19, 2018.)*

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 90-465.

An act relating to Collier County, prohibiting the taking of saltwater fish, except by hook and line, hand-held cast nets, and with no more than five (5) crab traps, in the residential, man-made saltwater canals in the unincorporated area of Collier County; providing a penalty; repealing chapter 83-389, Laws of Florida, which prohibits the setting of fishing nets within 100 feet of a man-made seawall on Marco Island or the Isles of Capri during certain hours; providing for a referendum; providing an effective date.

Section 1. It is unlawful for any person to take or attempt to take saltwater fish, except by hook and line, hand-held cast nets, and with no more than five (5) crab traps, in the residential, man-made saltwater canals in the unincorporated area of Collier County as defined herein. The

Legislature hereby declares, determines, and defines the following waterways to be manmade saltwater canals within Collier County subject to the jurisdiction of the Legislature to regulate fishing gear therein for the full length and width of the canal beginning at the entrance point of the canals and waterways as listed on the attached Exhibit "A":

Section 2. Chapter 90-465, Laws of Florida, was approved by referendum in the general election in November 1990. No additional referendum is required for this amendment to become part of chapter 90-465 and chapter 92-344, Laws of Florida.

Section 3. This act shall take effect upon becoming a law.

Editor's Note: Chgd. by L.1992 Ch. 344, L.1993 Ch. 380.

CH. 90-469.

An act relating to the City of Naples, Collier County, prohibiting the taking of saltwater fish, except by hook and handheld cast nets, and with no more than five (5) crab traps, in the residential, manmade saltwater canals in the City of Naples; providing a penalty; providing for a referendum; providing an effective date.

Section 1. It is unlawful for any person to take or attempt to take saltwater fish, except by hook and line, handheld cast nets, and with no more than five (5) crab traps, in the residential, manmade saltwater canals in the City of Naples as defined herein. The Legislature hereby declares, determines, and defines the following waterways to be man-made saltwater canals within the City of Naples subject to the jurisdiction of the Legislature to regulate fishing gear therein for the full length and width of the canal beginning at the entrance point:

Section 2. Chapter 90-469, was approved by referendum in the general election in November 1990. No additional referendum is required for this amendment to become part of chapter 90-469.

Section 3. This act shall take effect upon becoming a law.

Editor's Note: Chgd. by L.1992 Ch. 258.

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COLUMBIA COUNTY

[CH. 23010 \(1945\).](#)

CH. 23010 (1945). *(Repealed by 68B-3.047, FAC, on Nov. 19, 2018.)*

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DADE COUNTY

[CH. 6574 \(1913\).](#)
[CH. 19764 \(1939\).](#)

CH. 6574 (1913). *(Repealed by 68B-3.034, FAC, on Feb. 1, 2017.)*

CH. 19764 (1939). *(Ch. 19764, as amended by Ch. 21168 (1941), repealed by 46-3.004(b) and (c), FAC, on Jan. 1, 1989.)*

See Brevard County [Ch. 5973](#) (1909), which act also applies to Dade County.

See Collier County [Ch. 20159](#) (1939), which act also applies to Dade County.

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DIXIE COUNTY

[CH. 21093.](#)
[CH. 21188 \(1941\).](#)
[CH. 69-1016.](#)
[CH. 77-660.](#)

CH. 21093. *(Repealed by 68B-3.048, FAC, on Nov. 19, 2018.)*

CH. 21188 (1941). *(Repealed by 68B-3.048, FAC, on Nov. 19, 2018.)*

CH. 69-1016.

An act relating to Dixie County, regulation of fishing; prohibiting the taking of saltwater fish except by rod and reel or hook and line in any man-made canal in said county; providing for arrest; making violation of provisions a misdemeanor; providing an effective date.

Section 1. It is unlawful to take saltwater fish by any means other than hook and line or rod and reel in any man-made canal in Dixie County.

Section 2. Any officer authorized to make arrests may arrest without warrant any person violating the provisions of this act in his presence.

Section 3. Any person violating the provisions of this act shall be guilty of a misdemeanor and punished as provided by law.

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 77-660. *(Repealed by 68B-3.048, FAC, on Nov. 19, 2018.)*

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DUVAL COUNTY

(All acts repealed April 24, 2000.)

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ESCAMBIA COUNTY

[CH. 19807 \(1939\).](#)

[CH. 24079 \(1947\).](#)

[CH. 27265 \(1951\).](#)

[CH. 65-1519.](#)

[CH. 67-634.](#)

[CH. 78-501.](#)

[CH. 81-376.](#)

CH. 19807 (1939).

An act establishing and creating a marine biological reservation in a certain area in the waters of Santa Rosa Sound in Escambia County, Florida; describing said area; prohibiting the taking of any living marine organism from said area; providing penalties for the violation thereof; and providing for the time of taking effect of this act.

Section 1. That, whereas the bureau of fisheries of the United States government has established a fisheries experimental station upon the island in Santa Rosa Sound formerly occupied by the United States public health service as the Pensacola quarantine station.

Section 2. And, whereas, in order that the purposes and objectives of the said bureau of fisheries experimental station may be carried out, it is necessary that the waters and bottoms surrounding the said island be reserved to the exclusive use of said experimental station, for the growth and propagation of marine organisms, so that scientific studies may be made on sea foods and the natural conditions relating thereto.

Section 3. That in order to expedite the experimental work of said bureau of fisheries experimental station, and for the advancement of fisheries and the fishing industry, it is hereby found and declared to be to the interest and benefit of the State of Florida that the said area covered by the terms of this act be, and the same is hereby declared and created a state marine biological reservation, and the taking or removing of any living marine organism therein is hereby restricted by the terms of this act as hereinafter set forth, and violations thereof shall be punished as hereinafter provided.

Section 4. The said state marine biological reservation shall include all waters and bottoms within two hundred yards of the shore line of the said island upon which the said bureau of fisheries experimental station is located.

Section 5. It shall be unlawful to take or remove from said reservation any living marine organism, whether plant or animal, by any means whatsoever without the specific permission of the U.S. Commissioner of Fisheries or his delegated agent.

Section 6. Any person violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than \$250.00 or by imprisonment in the county jail not exceeding 12 months, or by both such fine and imprisonment.

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 24079 (1947).

An act to conserve and perpetuate the natural shrimp resources of, and to prohibit the catching or taking of shrimp of immature, undesirable or unmarketable sizes in or from certain waters of Escambia Bay and East Bay in Escambia and [Santa Rosa Counties](#), Florida.

Section 1. That it shall be unlawful to destroy, catch, take, or remove with any net, trawl, or other device or equipment, except hand crab nets, any shrimp in or from the waters of Escambia Bay above or northerly of the bridge or trestle of the Louisville and Nashville Railroad Company, or from the waters of East Bay or Blackwater Bay above or northerly of a line running due east from Robinson Point, or from the waters east of a line extending from Axelson Point due north across East Bay, at any time in any year.

Section 2. That it shall be unlawful to destroy, catch, take, or remove with any net, trawl or other device or equipment, except hand crab nets, any shrimp in or from the waters of Escambia Bay or of East Bay above or northerly and easterly of a line running from Magnolia Bluff on the westerly shore of Escambia Bay to Red Fish Point on the southerly shore of East Bay, before the first day

of October in any year, or between the hours of six o'clock p.m., and six o'clock a.m. of the following day, at any time. Provided: That nothing in this act shall be so construed as to prohibit the catching or taking of shrimp in or from the waters of Escambia Bay, East Bay or Pensacola Bay, below the Magnolia Bluff-Redfish Point Line, at any time of year.

Section 2A. *(Repealed by 46-3.012(2)(a), FAC, on Jan. 1, 1992.)*

Section 3. *(Repealed by 46-3.012(2)(a), FAC, on Jan. 1, 1992.)*

Section 4. *(Repealed by 46-3.012(2)(a), FAC, on Jan. 1, 1992.)*

Section 5. *(Repealed by 46-3.012(2)(a), FAC, on Jan. 1, 1992.)*

Section 6. *(Repealed by 46-3.012(2)(a), FAC, on Jan. 1, 1992.)*

Section 7. *(Repealed by 46-3.012(2)(a), FAC, on Jan. 1, 1992.)*

Editor's Note: Chgd. by L.1949 Ch. 25303. This act became a rule per L.1983 Ch. 134.

CH. 27265 (1951).

An act to conserve and perpetuate the natural shrimp resources of, and to regulate the catching or taking of shrimp in and from the inland waters of Escambia and [Santa Rosa Counties](#), Florida, and repealing all laws in conflict herewith.

Section 1. That it shall be unlawful to catch, take or remove with any net, trawl or other device or equipment, except hand crab nets or cast nets, any shrimp in or from the waters of Escambia Bay above or north of a line running from L & N section houses on Gaberon Point on the westerly shore to Garcon Point on the easterly shore or in or from the waters of East Bay easterly and northerly of a line running from Garcon point on the north shore to Red Fish point on the southerly shore from June 30 to September 15 and from January 1 to April 15 of any years. Provided that nothing in this act shall be so construed as to prohibit the catching or taking of shrimp from the waters of Pensacola Bay or Escambia Bay below the Gaberon Point-Garcon Point line or of East Bay below the Garcon Point-Red Fish Point line at any time of the year.

Section 2. *(Repealed by 46-3.012, FAC, on Jan. 1, 1992.)*

Section 3. *(Repealed by 46-3.012, FAC, on Jan. 1, 1992.)*

Section 4. That except during the periods hereinbefore prescribed it shall be lawful to take shrimp from any of the inside waters of Santa Rosa or Escambia Counties but provided nothing herein contained shall authorize the taking of shrimp from Bayou Texar in Escambia County at any time.

Section 5. That it shall be lawful to take shrimp during any time of the day or night.

Section 6. *(Repealed by 46-3.012, FAC, on Jan. 1, 1992.)*

Section 7. *(Repealed by 46-3.012, FAC, on Jan. 1, 1992.)*

Section 8. *(Repealed by 46-3.012, FAC, on Jan. 1, 1992.)*

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 65-1519.

An act to prohibit the use of, or fishing with, any net, seine or similar device except hand cast nets in the waters of the Gulf of Mexico in Escambia County within one-half mile of the shore of that portion of Santa Rosa Island developed for or frequented by the public extending from a north-south line that intersects the cross located on the south side of Ft. Pickens Road on the west to a north side line of the easternmost water tower tank of Santa Rosa Island Authority; this area prescribed shall be closed from sunup to sundown. The time of sunup and sundown as advertised in the local Pensacola newspaper. Providing penalties for violations and repealing conflicting laws.

Section 1. It shall be unlawful to use, or fish with, any net, seine, or similar device except hand cast nets in the waters of the Gulf of Mexico in Escambia County within one half mile of the shore of that portion of Santa Rosa Island developed for or frequented by the public extending from a north-south line that intersects the cross, located on the south side of Ft. Pickens road on the west to a north south line of the easternmost water tower tank of Santa Rosa Island Authority, both of said structures being located on said Santa Rosa Island. This area prescribed shall be closed from sunup to sundown. The time of sunup to sundown as advertised in the local Pensacola newspaper.

Section 2. *(Repealed by 68B-3.028, FAC, on Nov. 19, 2018.)*

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 67-634.

An act relating to conservation and perpetuation of natural shrimp resources; regulating the taking of shrimp in and from certain waters in Escambia and [Santa Rosa Counties](#); making unlawful the commission of certain acts in connection with the taking of shrimp in said water; fixing legal hours for taking of shrimp in said waters; providing an exception.

Section 1. *(Repealed by 46-3.012, FAC, on Jan. 1, 1992.)*

Section 2. From January 1 through September 15 each year, it is unlawful to destroy, catch, take or remove with any net, trawl or other device or equipment except hand crab nets or cast nets any shrimp in or from that area of the waters of Escambia Bay above or northerly of a line running east and west from the westernmost terminus of the new Interstate 10 bridge on the westerly shore of said bay in Escambia County to the easterly shore of Escambia Bay where said bridge intersects said shoreline in Santa Rosa County except as provided in section 5 of this act.

Section 3. From January 1 through September 15 of each year it is unlawful to destroy, catch, take or remove with any net, trawl or other device or equipment except hand crab nets, any shrimp

in or from that area of the waters of East Bay or Blackwater Bay described as follows: From the waters of East Bay or Blackwater Bay, above, or northerly of a line running due east from Robinson Point and from the waters east of a line extending from Alexson Point due north across East Bay. The boundary of this area shall be posted by the state board of conservation.

Section 4. It is unlawful to shrimp at night in the waters described in section 3 of this act. The legal hours of taking or catching shrimp in said waters shall be from 6:00 a.m. until 9:00 p.m. each day during the period from September 15 to December 31 of each year.

Section 5. Sections 2, 3, and 4 shall not apply to the taking or catching of live bait shrimp which may be taken any time in the waters described in sections 1 and 2 provided the person taking such live bait shrimp is the holder of a current permit issued by the director of the State Board of Conservation authorizing such catching or taking and provided the shrimp are caught or taken pursuant to the conservation laws of this state and rules and regulations adopted pursuant thereto.

Section 6. *(Repealed by 46-3.012, FAC, on Jan. 1, 1992.)*

Section 7. *(Repealed by 46-3.012, FAC, on Jan. 1, 1992.)*

Section 8. *(Repealed by 46-3.012, FAC, on Jan. 1, 1992.)*

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 78-501.

An act relating to Escambia County; prohibiting the use of fishing nets, except hand cast nets, in described waters of Escambia County; prescribing minimum mesh size for fishing nets used in waters where fishing with nets is permitted by law; repealing chapter 6266, Laws of Florida, 1911, chapter 7009, Laws of Florida, 1915, chapter 21214, Laws of Florida, 1941, chapter 24498, Laws of Florida, 1947, and chapter 30732, Laws of Florida, 1955, relating to the use of fishing nets and to the prohibition of commercial fishing in certain inland salt waters of Escambia County; providing a penalty; providing an effective date.

Section 1.* It is unlawful for any person to set, pull, lay out, or fish, or cause to be set, pulled, laid out, or fished a net of any size, except a common hand cast net, in any of the following described waters of Escambia County: Bayou Grande, except that part of the bayou lying between the Navy Boulevard Bridge which crosses Bayou Grande and the mouth of the bayou; Bayou Chico, except that part of the bayou lying between the Bayou Chico Highway Bridge, which is nearest the mouth of Bayou Chico, and the mouth of the bayou; Bayou Texar, except that part of the bayou lying between the Louisville and Nashville Railroad trestle and the mouth of the bayou; Bayou Marcus, except that part of the bayou at its mouth lying not more than 250 feet east of the east shore of Perdido Bay; Davenport Bayou west of its mouth; and Star Lake.

**(Section 1 is superseded in part by F.A.C. 46-3.028(3)(e)3.)*

Section 2. *(Repealed by 46-3.028, FAC, on Jan. 1, 1995.)*

Section 3. Chapter 6266, Laws of Florida, 1911, chapter 7009, Laws of Florida, 1915, chapter 21214, Laws of Florida 1941, chapter 24498, Laws of Florida, 1947, and chapter 30732, Laws of Florida, 1955, are hereby repealed.

Section 4. *(Repealed by 68B-3.028, FAC, on Feb. 1, 2017.)*

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 81-376.

An act relating to Escambia County; creating the Escambia County Utilities Authority (*some wording deleted here as it does not relate to saltwater fisheries*); prohibiting any person, firm, or corporation from using any net in certain saltwaters of Escambia County or near the entrances to such waters; providing an exception; providing penalties; providing an effective date.

Sections 1-21. *(These sections do not pertain to saltwater fisheries.)*

Section 22. *(Repealed by 68B-3.028, FAC, on Nov. 19, 2018.)*

Section 23. *(Repealed by 68B-3.028, FAC, on Nov. 19, 2018.)*

Section 25. No person, firm, or corporation may set or cause to be set or fish or cause to be fished any net whatsoever within the salt waters of Grand Lagoon Subdivision, located in Escambia County, Florida, as platted in plat book 8, page 37 of the public records of Escambia County, which plat includes a portion of Lot 7, Section 22, Township 3 South, Range 31 West, or within 300 feet of the entrances to such waters. This section, however, shall not be construed to prohibit fishing in such waters with hand-operated cast nets during such seasons as are established by law.

Editor's Note: Chgd. by L.1989 Ch. 473. This act became a rule per L.1983 Ch. 134.

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FLAGLER COUNTY

[CH. 7119 \(1915\).](#)

[CH. 14037 \(1929\).](#)

[CH. 25828 \(1949\).](#)

[CH. 25830 \(1949\).](#)

[CH. 61-2162.](#)

[CH. 76-374.](#)

CH. 7119 (1915).

An act to establish a reservation for the protection and propagation of and to regulate the means and methods of capturing fish in the waters of New Smyrna Inlet, Hillsboro (Indian River north), Halifax River, Spruce, Tomoka, Bulow and Smith Creeks and the bays and tributary waters thereof, lying north of the town of Hawks Park, Florida, or the 29 parallel north latitude, in the County of Volusia, State of Florida; to forbid the use of any nets whatsoever, except the ordinary cast net, and to provide penalties for the violation of the provisions of said act.

Section 1. That all waters of New Smyrna Inlet, Hillsboro (Indian River north), Halifax River, Spruce, Tomoka, Bulow and Smith Creeks and the bays and tributary waters thereof, lying north of the town of Hawks Park, Florida or the 29 parallel, north latitude, in the County of Volusia, State of Florida, are hereby declared a reservation for the protection and propagation of fishes of all kinds.

Section 2. That it shall be unlawful for any person, persons, firm or corporation to capture any of the fish except flounders, in the waters of New Smyrna Inlet, Hillsboro (Indian River north), Halifax River, Spruce, Tomoka, Bulow and Smith Creeks and the bays and tributary waters thereof, lying north of the town of Hawks Park, Florida, or the 29 parallel, north latitude, in the County of Volusia, State of Florida, in any other way or with any other appliance than the ordinary cast net, rod and reel or with hook and line.

Section 3. That it shall be unlawful for any person, persons, firm or corporation to haul, drag, set or use for any purpose whatsoever any seine, haul net, drag net, gill net, stop net or any net of any kind or description whatsoever except the ordinary cast net, in the waters of New Smyrna Inlet, Hillsboro (Indian River north), Halifax River, Spruce, Tomoka, Bulow and Smith Creeks and the bays and tributary waters thereof, lying north of the town of Hawks Park, Florida, or the 29 parallel, north latitude, in the County of Volusia, State of Florida.

Section 4. *(Repealed by 68B-3.049, FAC, on Nov. 19, 2018.)*

Section 5. *(Repealed by 68B-3.049, FAC, on Nov. 19, 2018.)*

(Flagler County was created out of Volusia County; therefore this law applies only to Flagler County.)

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 14037 (1929).

An act to repeal Chapter 12370, Acts of 1927, Laws of Florida, Entitled “An Act to Repeal Section 1 of Chapter 8685, Acts of 1921, Entitled ‘An Act to Protect the Fish in the Rivers, Creeks, Canals and Inside Waters of Flagler County, Florida.’”

Section 1. That Chapter 12370, Acts of 1927, Laws of Florida, entitled “An Act to Repeal Section 1 of Chapter 8685, Acts of 1921, entitled ‘An Act to Protect the Fish in the Rivers, Creeks, Canals and Inside Waters of Flagler County, Florida,’ ” be and the same is hereby repealed, and that section 1 of Chapter 8685, Acts of 1921, Laws of Florida, entitled “An Act to Protect the Fish in the Rivers, Creeks, Canals and Inside Waters of Flagler County, Florida,” be and the same is hereby reinstated and re-enacted as follows:

Section 1. That it shall be unlawful for any person, persons, firm or corporation to take or catch any of the food fish from any of the rivers, creeks, canals and inside waters of Flagler County, Florida, by or with any other means than a hook and line, or a gig, or a common cast net, not to exceed a length of nine (9) feet, or spread of eighteen (18) feet.

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 25828 (1949).

An act to prohibit the taking of fish, with certain nets, from the inland salt waters located in Flagler County, Florida.

Section 1. It shall be unlawful for any person, firm, or association of persons to use or employ the use of any seine, net, gill net, pocket net, stop net, drag net or any other kind of net or seine, except a common cast net, in the taking of any fish from the inland salt waters located in Flagler County. Provided, that the provisions of this act shall not apply to the taking of fish for scientific, or exhibitional purposes by duly licensed aquariums, or the taking of fish where same are used as food for fish that are in captivity for scientific or exhibitional purposes by duly licensed aquariums.

Section 2. *(Repealed by 68B-3.049, FAC, on Nov. 19, 2018.)*

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 25830 (1949).

An act to prohibit and make unlawful the catching or taking or attempting to catch or take shrimp or prawn from or in the salt waters of Flagler County, Florida, including the waters of the Atlantic Ocean in said county within one-half mile of the municipal fishing pier in the town of Flagler Beach, Flagler County, with any drag net, haul seines, trawls or other devices or equipment (except common hand cast nets or hand dip nets); providing for penalties for violation of this act and making provisions for the enforcement hereof and repealing conflicting laws.

Section 1. It shall be unlawful to catch, take or remove or attempt to catch, take or remove with any drag net, haul seines, trawls, or other devices or equipment (except common hand cast nets or hand dip nets) any shrimp or prawn from the inland waters of Flagler County, Florida or within a half-mile radius of any ocean fishing pier within the town limits of Flagler Beach, Flagler County.

Section 2. *(Repealed by 68B-3.049, FAC, on Nov. 19, 2018.)*

Section 3. *(Repealed by 68B-3.049, FAC, on Nov. 19, 2018.)*

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 61-2162.

An act relating to Flagler County; prohibiting the catching or taking of shrimp, prawn, menhaden or other fish with drag nets, haul seines or other devices from within certain areas of Flagler County; providing a penalty.

Section 1. It shall be unlawful to catch or take, or attempt to catch or take, shrimp, prawn, menhaden or other fish with drag nets, haul seines or other devices, except common hand cast nets, and hand dip nets, from within certain areas of Flagler County, to-wit: within one-half mile east of and one mile north and south of the easterly extremity of the municipal salt water fishing pier in the town of Flagler Beach, Florida.

Section 2. *(Repealed by 68B-3.049, FAC, on Nov. 19, 2018.)*

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 76-374.

An act making it unlawful for any person, firm or corporation to fish or cause to be fished any type of net or seine, except common cast net, from the beaches bordering the Atlantic Ocean in Flagler County, Florida, and providing for the enforcement of said act and penalties for violation thereof, and providing an effective date.

Section 1. It shall be unlawful for any person, firm or corporation to fish or cause to be fished any type of net or seine, except common cast net, from the beaches bordering the Atlantic Ocean in Flagler County, Florida.

Section 2. *(Repealed by 68B-3.049, FAC, on Nov. 19, 2018.)*

Section 3. *(Repealed by 68B-3.049, FAC, on Nov. 19, 2018.)*

Section 4. *(Repealed by 68B-3.049, FAC, on Nov. 19, 2018.)*

Editor's Note: Chgd. by L.1977 Ch. 554. This act became a rule per L.1983 Ch. 134.

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FRANKLIN COUNTY

CH. 65-905.

CH. 65-905.

An act relating to [Gulf](#), Franklin and [Wakulla](#) counties; providing a uniform law regulating the seafood and fishing industries in the waters of said counties; providing penalties; repealing chapters 12786, 1927; 15230, 1931; 16444 and 16445, 1933; 17933 and 18560, 1937; 21249 and 21250, 1941; 23952 and 24076, 1947; 25251 and 25257, 1949; 63-997, all Laws of Florida, relating to Gulf county; chapters 4796, 1899; 7015 and 7016, 1915; 8687, 1921; 9439 and 9440, 1923; 10552, 1925; 12750, 1927; 14057, 1929; 15216, 1931; 16429, 16430 and 16431, 1933; 17136, 1935; 17933 and 18540, 1937; 21093 and 21248, 1941; 23952 and 23953, 1947; 59-1295; 61-632; 61-1327; 61-2182; 61-2183; 61-2184; 61-2185; 61-2190; 63-657, all Laws of Florida, relating to Franklin County; and chapter 5785, 1907; 6313, 1911; 7127, 1915; 7614, 7615 and 7616, 1917; 8207 and 8394, 1919; 8853 and 8855, 1921; 11320, 1925; 17933, 1937; 21093, 1941; 24061, 1947; 31346, 1955; 61-1625, 61-2980; 63-597; 63-794, all Laws of Florida, relating to Wakulla county; providing an effective date.

Section 1. Purpose. The purpose and intention of this act is to provide a uniform system of laws regulating the seafood and fishing industries in Gulf, Franklin and Wakulla Counties, and to conserve and increase the diminishing supply of oysters, shrimp and prawn, important natural food resources, in the public waters of Gulf, Franklin and Wakulla counties. This shall be liberally construed to effectuate that purpose.

Section 2. Florida Department of Natural Resources.

(1) The legislature takes notice of the variable natural conditions affecting the breeding habits, habitat, distribution, sale and supply of oysters, shrimp and prawn, in any given locality from time to time; and to the end that conservation laws and regulations may be adjusted to such conditions and conservation made effective without imposing undue hardship on those engaged in the oyster, shrimp and prawn industry in Gulf, Franklin and Wakulla counties, there is hereby vested in the state board of conservation power, authority and jurisdiction to determine from time to time, having due regard to such conditions in said counties when and to what extent, if at all, it may be compatible with safeguarding the supply thereof, to permit or prohibit the fishing for, taking, possession, sale, purchase or transportation of oyster, shrimp or prawn in or from any designated area or areas of the waters of said counties, and to adopt, promulgate and enforce rules and regulations for the enforcement of said determination which rules and regulations shall have the force and effect of law.

(2) The state board of conservation is charged with the enforcement of this act.

Section 3. Regulation of oysters. *(Repealed by 46-27.012, FAC, on March 10, 1991.)*

Section 4. Regulation of shrimp or prawn.

(1) It is unlawful to fish for, take, possess, buy, sell, transport or destroy shrimp or prawn from any of the bays or sounds of Gulf, Franklin and Wakulla counties which shall be closed to the taking of shrimp or prawn by law, or by any rule or regulation of the state board of conservation.

(2)-(6) *(Repealed by 46-31.018, FAC, on July 16, 1996.)*

(7) The possession aboard any fishing boat or vessel of any net or device designed or rigged for taking shrimp or prawn on the fishing grounds of any bay or sound within the jurisdiction of Gulf, Franklin and Wakulla counties, at any time when the season for taking shrimp or prawn within said counties is prohibited by law, or by any rule or regulation of the board of conservation, excepting only when such boat or vessel is in direct transit to or from points beyond the limits of said counties where such nets or devices may be lawfully used at such time, shall be prima facie evidence of a violation of this act.

(8)-(11) *(Repealed by 46-31.018, FAC, on July 16, 1996.)*

(12) *(As related to Franklin County, repealed by L.1967 Ch. 1063; remainder repealed by L.1968 Ch. 77.)*

(13) *(Repealed by 46-31.018, FAC, on July 16, 1996.)*

Section 5. Regulation of fishing.

(1) *(Repealed by 46-37.001, FAC, on Nov. 1, 1989.)*

(2)(a) It is unlawful to take fish native to either fresh or salt water from the fresh waters of Gulf, Franklin or Wakulla counties by any method other than hook and line, bob and spinner, rod and reel, trolling and other artificial casting devices.

(b) The provisions of this subsection which relate to fresh water fish and the gear which is capable of taking fresh water fish shall be enforced by the game and fresh water fish commission. Provisions of this subsection which relate to salt water fish and the gear which is capable of taking salt water fish shall be enforced by the state board of conservation.

(c) The salt and fresh water line of demarcation on the Wakulla and St. Marks rivers shall be established at a line where the two rivers commingle, further defined as a line crossing the Wakulla and St. Marks rivers at latitude thirty degrees nine minutes five seconds (30 09'05").

(d) It is unlawful for any person to take fish by the use of a net from Spring Creek from the boil of the creek to the area of the mouth of the creek known as the Cove in Wakulla county.

Section 6. Exception. The provisions of this act shall not apply to oysters, fish or shrimp which have been prepackaged for the retail trade, but shall apply to oysters sold in cans as fresh oysters.

Section 7. Penalty.

(1) Any persons, firm or corporation who shall shrimp, oyster or fish in any of the prohibited salt water areas of Gulf, Franklin and Wakulla counties, or who shrimps, oysters or fishes out of season shall be subject to a fine of not less than one thousand dollars (\$1,000.00) or sentence of one (1) year in jail for the third (3rd) offense.

(2) Seafood dealers who are required to secure licenses as required under section 370.07, Florida Statutes, and who violate any of the provisions of this act shall have such licenses revoked for a period of thirty (30) days for each time a violation of this act is committed.

(a) Upon revocation of such licenses the Department of Natural Resources shall immediately notify the license holder, and upon his request shall afford him an opportunity for a hearing as early as practical within not to exceed thirty (30) days after receipt of such request in the county wherein the license is issued, unless the department and license holder agree that such hearing may be held in some other county. Upon such hearing a duly authorized agent of the department may administer oaths and may issue subpoenas for the attendance of witnesses and the production of relevant books and papers.

(b) Upon such hearing, the person whose license has been revoked may show that such revocation of this license causes a serious hardship and precludes his carrying out his normal business, occupation, trade, or employment and that the use of his license in the normal course of his business is necessary to the proper support of himself or his family.

(c) Upon such hearing, the department or its duly authorized agent may either restrict, suspend, or revoke its order and may restore the license.

(d) The final orders and rules of the Department of Natural Resources wherein any person is denied a license or where such license is revoked shall be reviewable in the manner and within the time provided by the Florida appellate rules only by a writ of certiorari issued by the circuit court of Franklin, Gulf or Wakulla counties in the manner prescribed by the Florida appellate rules.

(e) The filing of a petition for certiorari to the circuit court shall not operate as a supersedeas of such revocation of a license as provided for under this act.

Section 8. If any section or clause of this act shall be held to be unconstitutional or invalid for any reason, such holding shall not impair or affect the validity of any other part of the act.

Section 9. All laws or parts of laws in conflict herewith are repealed. The following chapters are specifically repealed: chapters 12786, 1927; 15230, 1931; 16444 and 16445, 1933; 17933 and 18560, 1937; 21249 and 21250, 1941; 23952 and 24076, 1947; 25251 and 25257, 1949; 62-997, all Laws of Florida, relating to Gulf county; chapter 4796, 1899; 7015 and 7016, 1915; 8687, 1921; 9439 and 9440, 1923; 10553, 1925; 12750, 1927; 14057, 1929; 15216, 1931; 16429, 16430 and 16431, 1933; 17136, 1935; 17933 and 18540, 1937; 21093 and 21248, 1941; 23952 and 23953, 1947; 59-1295; 61-632; 61-1327; 61-2182; 61-2183; 61-2184; 61-2185; 61-2190; 63-657, all Laws of Florida, relating to Franklin County; and chapter 5785, 1907; 6313, 1911; 7127, 1915; 7614, 7615 and 7616, 1917; 8207 and 8394, 1919; 8853 and 8855, 1921; 11320, 1925; 17933, 1937;

21093, 1941; 24061, 1947; 31346, 1955; 61-1625; 61-2980; 63-597; 63-794, all Laws of Florida, relating to Wakulla County.

Editor's Note: Chgd. by L.1967 Ch. 1045; L. 1967 Ch. 1063; L.1968 Ch. 77; L.1976 Ch. 380; L.1981 Ch. 403; L.1995 Ch. 505. This act (except for 4) became a rule per L.1983 Ch. 134, as amended by L.1984 Ch. 121.

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GILCHRIST COUNTY

(All acts repealed by 68B-3.003, FAC, on Oct. 16, 2014.)

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GULF COUNTY

[CH. 79-466.](#)

CH. 79-466. *(Repealed by 68B-3.035, FAC, on Feb. 1, 2017)*

See [Franklin County Ch. 65-905](#), which act also applies to Gulf County.

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HAMILTON COUNTY

See [Columbia County Ch. 23010 \(1945\)](#), which act also applies to Hamilton County.

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HERNANDO COUNTY

[CH. 18571 \(1937\).](#)

[CH. 21275 \(1941\).](#)

[CH. 65-1622.](#)

[CH. 69-1103.](#)

CH. 18571 (1937).

An act prohibiting the catching and taking of fish from any of the salt water rivers, creeks, springs, or holes, within the limits of Hernando County, Florida, by means of any seines, gill net, stop net, or any kind of fish net or fish trap; defining salt water within the meaning of this act in Mud River and Weekiwatchee River and fixing a penalty for the violation thereof.

Section 1. That for the purpose of this law Mud River in its entire length, and Weekiwatchee River for a distance of one mile from the mouth thereof, shall and is considered salt water.

Section 2. It shall be unlawful for any person, persons, firm or corporation, to fish or cause to be fished, or to take or cause to be taken, any fish out of the salt water rivers, creeks, springs, or holes, within the limits of Hernando County, Florida by means of any seine, gill net, stop net, or any kind of fish net or fish trap.

Section 3. *(Repealed by 68B-3.029, FAC, on Feb. 1, 2017.)*

Editor's Note: Chgd. by L.1939 Ch. 19863. This act became a rule per L.1983 Ch. 134.

CH. 21275 (1941).

An act providing the open season for the catching of salt water fish from the salt waters of Hernando County, Florida.

Section 1. That from and after the passage of this act and upon its becoming a law the open season for the taking and catching of salt water fish from the salt waters of Hernando County, Florida, shall be as follows: From January 1 of each year to December 31 of each year, both dates inclusive. It shall also be lawful for any transportation company to accept salt water fish between the above dates for shipment from said Hernando County, Florida.

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 65-1622. *(Repealed by 46-20.003, FAC, on Jan. 1, 1998.)*

CH. 69-1103.

An act relating to Hernando County, concerning conservation, fishermen and equipment regulation; making it unlawful to take certain sardine-like fish with a purse seine, purse gill net, lampara net or similar net or device for any purpose within ten (10) miles of shore of said county; making violation a misdemeanor; providing an effective date.

Section 1. No person may take or attempt to take thread herring, hairy backs, greenbacks or other sardine-like fish from that portion of the territorial waters of Hernando County which is

within ten (10) miles of any point on the Gulf of Mexico shoreline of Florida for any purpose with a purse seine, purse gill net, lampara net or any other device using rings on the lead line thereof.

Section 2. For purposes of enforcement it shall be unlawful to possess any such fish taken as described in section 1 of this act for sale, shipment, reduction, or any other purpose.

Section 3. *(Repealed by 68B-3.029, FAC, on Feb. 1, 2017.)*

Editor's Note: This act became a rule per L.1983 Ch. 134.

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HILLSBOROUGH COUNTY

[CH. 21289 \(1941\).](#)

[CH. 30829 \(1955\).](#)

[CH. 87-493.](#)

CH. 21289 (1941).

An act to prohibit fishing of any kind or manner from or on any and all bridges in Hillsborough County, Florida, which are traversed by or connect roads designated as state roads, and which are traversed by any vehicular traffic, except such bridges as are now or may hereafter be provided with walkways or passageways for pedestrians, separated by proper barriers from the portion of such bridges used by vehicular traffic and providing penalties and punishment for violation thereof.

Section 1. That from and after the passage of this act it shall be unlawful for any person or persons to fish in any kind or manner from or on any and all bridges in Hillsborough County, Florida, which are traversed by or connect roads designated as state roads, and over which any vehicular traffic moves, except such bridges as are now or may hereafter be provided with walkways or passageways for pedestrians, separated by proper and adequate barriers from the portion of such bridges used by vehicular traffic.

Section 2. Any person or persons violating any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not exceeding one hundred dollars (\$100.00), or by imprisonment in the county jail not exceeding sixty days, or both such fine and imprisonment in the discretion of the court.

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 30829 (1955). *(Repealed by 46-20.003, FAC, on Jan. 1, 1998.)*

CH. 87-493.

An act relating to Hillsborough County; requiring the issuance of licenses for gill net fishing in the saltwaters of the county by the Department of Natural Resources; providing a license fee and providing for the use of funds derived therefrom; requiring the display of license numbers; providing a penalty; providing for the use of similar licenses; providing an effective date.

Section 1. No person, firm or corporation shall use or cause to be used any gill net or gill nets from a boat in the saltwaters of Hillsborough County for the purpose of taking or catching fish without a valid license issued by the Department of Natural Resources.

Section 2. An annual fee of \$300 shall be collected by the Department of Natural Resources for the issuance of the gill net license during a 60-day period beginning May 1 of each year, provided, however, that in 1987 the license issue period shall begin 60 days after this act becomes law. Only one such license shall be required per boat when fishing upon the waters of Hillsborough County and such license shall be valid for all persons fishing from such boat and for nonmotorized skiffs attending such boat.

Section 3. This license may be issued in the form of an endorsement on the licensee's saltwater products license card. Each person who obtains a license pursuant to this act shall prominently display the license number upon the boat, in numerals which are at least 10 inches in height and 1 inch in width, in such manner that the permit number is visible horizontally from the air. Decals signifying possession of the gill net license and the year or years during which such license is valid shall be furnished by the department with each gill net license issued. One decal shall be issued for each vessel the applicant may use in the gill net fishing operation. The decal shall be prominently displayed by affixing it to the hull on the port side of the vessel near the registration number. The decal issued to a documented vessel may be affixed to a window or the windshield on the port side of the vessel. A licensee shall be permitted to fish from the vessel of another licenseeholder.

Section 4. The proceeds from the collection of fees pursuant to this act shall be deposited in the Marine Biological Research Trust Fund and, minus reasonable administrative cost, shall be used for marine habitat research and restoration in Hillsborough County.

Section 5. This act shall not apply to any net other than a gill net.

Section 6. With respect to persons holding or applying for a saltwater products license, such license fee shall be credited against the fee provided in section 2.

Section 7. For the purpose of complying with the provisions of section 1, any similar license issued for any other Florida county shall be valid, as long as the total fee for the license is not less than \$300.

Section 8. The violation of any provision of this act is declared to be a criminal offense and a misdemeanor of the second degree and shall be punishable as provided by law.

Section 9. All provisions of law which are in direct conflict with this act are hereby superseded to the extent of such conflict.

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INDIAN RIVER COUNTY

(All acts repealed by 68B-3.004, FAC, on Oct. 16, 2014.)

See Brevard County [Ch. 63-774](#), which act also applies to Indian River County.

See Brevard County [Ch. 67-1153](#), which act also applies to Indian River County.

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JEFFERSON COUNTY

See [Dixie County Ch. 21093](#) (1941) which act also applies to Jefferson County.

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LAFAYETTE COUNTY

[CH. 6311 \(1911\).](#)

CH. 6311 (1911).

An act to prohibit the catching and taking of fish with haul seines or drag nets, and to prohibit the use of haul seines or drag nets in all of the salt and fresh waters in the counties of [Taylor](#) and Lafayette situated between the mouth of the Suwannee River and the mouth of the Aucilla River along the coast of the Gulf of Mexico, and to fix a penalty for the violation thereof, and to provide for the seizure and destruction of all haul seines and drag nets used in the violation of this act.

Section 1. That it shall be unlawful for any person, firm or corporation to take or catch any fish with haul seines or drag nets in any or all of the salt or fresh waters of the counties of Taylor and Lafayette situated between the Suwannee River and the Aucilla River and along the coast of the Gulf of Mexico between the mouth of the Suwannee River and the mouth of the Aucilla River.

Section 2. That it shall be unlawful for any person, firm or corporation to use, set, put, float, drag or maintain any haul seine or drag net in any of the waters described in section 1 of this act.

Section 3. *(Repealed by 68B-3.036, FAC, on Feb. 1, 2017.)*

Section 4. *(Repealed by 68B-3.036, FAC, on Feb. 1, 2017.)*

Editor's Note: This act became a rule per L.1983 Ch. 134.

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LEE COUNTY

[CH. 15306 \(1931\).](#)

[CH. 24065 \(1947\).](#)

[CH. 25972 \(1949\).](#)

[CH. 63-1554.](#)

[CH. 63-1555.](#)

[CH. 70-778.](#)

[CH. 78-483.](#)

[CH. 83-514.](#)

[CH. 84-470.](#)

[CH. 88-489.](#)

[CH. 91-401.](#)

[CH. 92-274.](#)

[CH. 93-348.](#)

CH. 15306 (1931). *(Repealed by 68B-3.037, FAC, on Feb. 1, 2017.)*

CH. 24065 (1947).

An act prohibiting the catching of fish in the inside waters of Lee County, Florida, by means of a gig, or spear; for commercial purposes.

Section 1. That from and after the passage of this act, it shall be unlawful to catch or take fish in the inside waters of Lee County, Florida, by means of a gig or spear, for commercial purposes.

Section 2. Any persons convicted of the violation of this act shall be deemed guilty of a misdemeanor and shall be punished by a fine of not exceeding \$200.00 or imprisonment in the county jail, not to exceed sixty days, or both such fine and imprisonment in the discretion of the court.

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 25972 (1949).

An act making it unlawful to take or attempt to take fish from the waters of Lee County, Florida, from certain bridges, piers and docks in said county, by gig or grain, or by the use of gang-hooks, multiple hooks or other devices designed or intended to impale or hook fish otherwise than by the fish biting or "striking" such hook or device, and what is commonly called in said county "snatching fish"; declaring a penalty for the violation thereof and providing when the act shall take effect.

Section 1. That it shall be unlawful for any person to gig or grain, or attempt to gig or grain, any fish from any public dock, pier, or public bridge or any public road crossing any stream, pass, bayou or other body of salt or brackish water in Lee County, Florida.

Section 2. That it shall be unlawful for any person while on any public pier, dock or bridge on any public highway crossing any stream, pass, bayou or other salt or brackish water in Lee County, Florida, to catch any fish or attempt to catch any fish by the use of any gang-hook, multiple hooks or other devices attached to a line, wire or leader of any kind and designed or used or intended to catch fish by impaling such fish on such hook or device other than by the fish biting or "striking" such hook or device. Provided, however, this shall not apply to standard "lures", "spoons", and "plugs" that are designed and used to catch fish by the fish "striking" the same with the mouth of the fish.

Section 3. That it shall be unlawful for any person while on any public pier, dock or bridge, on any public highway crossing any stream, pass, bayou or other salt or brackish water of Lee County, Florida, to fish, attempt to fish, take or attempt to take any fish by the method commonly and locally known and called "snatching fish" or "snitching fish" or "snagging fish".

Section 4. Any person violating this act shall be guilty of a misdemeanor and upon conviction shall be punished as by law provided for the punishment of misdemeanors.

Section 5. Nothing in this act shall be construed as affecting fresh water fish and wherever in the waters of said county the rules, regulations, rights and jurisdiction of the Game and Fresh Water Fish Commission apply or are applicable, as provided by section 30, article 4, of the constitution of Florida, then this act shall not apply and this act apply only to salt water fish.

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 63-1554.

An Act relating to fishing in Lee County; prohibiting net fishing within a one (1) mile radius of Pine Island bridge or within canal opening in said radius in Lee County; providing an effective date.

Section 1. (1) It is unlawful to fish with a net within the area encompassed by a square, two (2) statute miles on a side, two sides of which shall parallel the bridge, enclosing an area of four (4)

square statute miles whose center is the center point of the bridge in Lee county known as the Matlacha Bridge, designated State Bridge Number 50 and located on State Road 78, or within any man-made canal, the opening of which is situated within said four (4) square statute mile area.

(2) (Repealed by 68B-3.037, FAC, on Nov. 19, 2018.)

Section 2. (Repealed by 68B-3.037, FAC, on Nov. 19, 2018.)

Section 3. This act shall take effect upon becoming a law.

Editor's Note: Chgd. by L.1979 Ch. 494, L.1980 Ch. 524, L.1981 Ch. 409, and L.1983 Ch. 441. This act became a rule per L.1983 Ch. 134, as amended by L. 1984 Ch. 121.

CH. 63-1555.

An act relating to spearfishing in Lee County; providing certain prohibitions; repealing chapter 27240, Laws of Florida, 1951, and chapter 61-912, Laws of Florida, both relating to spearfishing; providing an effective date.

Section 1. It is unlawful to take fish in the salt waters of Lee County within five hundred yards of the county coastline by means of any form of spear gun, underwater gun, or similar gun, or similar instrument whereby spear or gig is used.

Section 2. It is unlawful to take fish by any of the above described means within one hundred yards of any commercial fishing boats anchored in Lee County salt waters.

Section 3. It is unlawful to take fish by any of the above described means within any marked navigable channel in Lee County.

Section 4. It is unlawful to take any fish commonly designated as game fish by any of the above described means in any Lee County salt waters.

Section 5. The provisions of this act shall not apply to a common hand-thrown spear or gig.

Section 6. Violation of any provision of this act shall constitute a misdemeanor.

Section 7. Chapter 27240, Laws of Florida, 1951, and chapter 61-912, Laws of Florida, are repealed.

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 70-778.

An act relating to Lee County; making it unlawful to take certain menhaden-like fish with a purse seine, purse gill net, lampara net, or similar net or device for any purpose within three (3) marine leagues of shore; making violation a misdemeanor; providing an effective date.

Section 1. In Lee County no person may take or attempt to take herring or other menhaden-like fish from that portion of the territorial waters of such county which is within three (3) marine leagues of any point on the Gulf of Mexico shoreline of Florida for any purpose with a purse seine, purse gill net, lampara net, or any other similar net or device using rings on the lead line thereof.

Section 2. For purposes of enforcement it shall be unlawful to possess any such fish taken as described in section 1 of this act for sale, shipment, reduction, or any other purpose.

Section 3. *(Repealed by 68B-3.037, FAC, on Feb. 1, 2017.)*

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 78-483.

An act relating to the City of Cape Coral, Lee County; prohibiting commercial fishing and collecting of certain marine life in man-made canals in the City of Cape Coral at certain times; providing a penalty; providing for a referendum; providing an effective date.

Section 1. It is unlawful for any person to take or attempt to take saltwater fish, except by hook and line or with no more than 5 blue crab traps, within any manmade saltwater canal located in the City of Cape Coral.

Section 2. The violation of the provisions of section 1 is declared to be a criminal offense and misdemeanor within the meaning of 775.08, Florida Statutes, and shall be punishable as provided by law.

Section 3. This act shall take effect only upon its approval by a majority vote of those qualified electors of the City of Cape Coral voting in a referendum to be held by the governing body of the City of Cape Coral in conjunction with the next first primary election, in accordance with the provisions of law relating to elections currently in force in the City of Cape Coral; except that this section shall take effect upon becoming a law.

Editor's Note: This act gained voter approval on September 12, 1978. Chgd. by L.1980 Ch. 470. This act became a rule per L.1983 Ch. 134.

CH. 83-514.

An act relating to the City of Sanibel, Lee County; prohibiting the taking of saltwater fish, except by hook and line or hand-held cast net or with no more than five blue crab traps within any saltwater canal in the City of Sanibel; providing a penalty; providing an effective date.

Section 1. It is unlawful for any person to take or attempt to take any saltwater fish, except by hook and line or hand-held cast net or with no more than five blue crab traps, within any man-made saltwater canal located in the City of Sanibel.

Section 2. The violation of this act is declared to be a criminal offense and misdemeanor within the meaning of s. 775.08, Florida Statutes, and shall be punishable as provided by law.

Editor's Note: Chgd. by L.1985 Ch. 440.

CH. 84-470.

An act relating to Lee County; prohibiting the taking of saltwater fish, except by hook and line or handheld cast net or with no more than five blue crab traps, within any manmade saltwater canal on Greater Pine Island, Lee County, Florida; providing a penalty; providing an effective date.

Section 1. It is unlawful for any person to take or attempt to take any saltwater fish, except by hook and line or handheld cast net or with no more than five blue crab traps, within any manmade saltwater canal located on Greater Pine Island, Lee County, Florida.

Section 2. The violation of this act is declared to be criminal offense and misdemeanor within the meaning of s. 775.08, Florida Statutes, and shall be punishable as provided by law.

CH. 88-489.

An act relating to Lee County; prohibiting the taking of saltwater fish, except by hook and line or hand-held cast net or with no more than five blue-crab traps, within any manmade saltwater canals located within the Palm Acres Subdivision, Units 1 and 2, and within Shell Point Village, Lee County, Florida; providing a penalty; providing an effective date.

Section 1. It is unlawful for any person to take or attempt to take any saltwater fish, except by hook and line or hand-held cast net or with no more than five blue crab traps, within any manmade saltwater canal located within the Palm Acres Subdivision, Units 1 and 2 and within Shell Point Village, Lee County, Florida as described below:

PALM ACRES, UNITS 1 AND 2

A subdivision lying in the West one-half of Section 34, Township 45 South, Range 23 East, Lee County, Florida, as recorded in Plat Book number 25, pages 68 and 136 respectively; and First Edition to Palm Acres Subdivision lying in the West 1/2 of Section 34, Township 45 South, Range 23 East, Lee County, Florida, as recorded in Plat Book No. 34, Page 119.

SHELL POINT VILLAGE

Section 34, Township 45 South, Range 23 East, Lee County, Florida, as recorded in Official Record Book 950, pages 604 and 605, the Community of Shell Point Village, FR SW COR SEC 34 N 3 DEG 44 MIN 40 SEC E ALG W SEC LI 2969.9 FT 2 POB TH N 71 DEG 14 MIN 20 SEC E TO BULKHEAD LI OF CALOOSAHATCHEE RVR TH NWLY ALG SD BULKHEAD LI TO N LI OF SEC 34 TH WLY 640 FT TO NW COR OF SD SEC TH SLY ALG W LI OF SE SEC TO POB.

Units 1 through 6 and Phase 7, Part one of Bayside Estates each with a legal description as follows:

Lying in Section 7, Township 46-S, Range 24-E, Recorded as follows: Unit 1 Plat Book 25, Pages 22-23-24; Unit 2, Plat Book 25, Pages 103-104-105; Unit 3, Plat Book 28, Pages 1 & 2; Unit 4, Plat Book 28, Pages 143-144-145; Unit 5, Plat Book 30, Pages 133-134-135; Unit 6, Plat Book 33, Pages 101-102-103; Phase 7, Part 1, Plat Book 34, Page 94, of Lee County, Florida.

Section 2. The violation of this act is declared to be a criminal offense and misdemeanor within the meaning of s. 775.08, Florida Statutes, and shall be punishable as provided by law.

CH. 91-401.

An act relating to Lee County; prohibiting the taking of saltwater fish, except by hook and line, hand-held cast net, or use of five or fewer blue crab traps, from manmade saltwater canals located within a specified area of the county; providing a penalty and an enhanced penalty for second or subsequent violations; providing an effective date.

Section 1. (1) It is unlawful for a person to take or attempt to take saltwater fish by any means other than by hook and line, a hand-held cast net, or five or fewer blue crab traps from any manmade saltwater canal located within the 10 mile canal area described as follows:

The Northeast corner being Section 25, Township 44 South, Range 24 East; and the Northwest corner being Section 30, Township 44 South, Range 25 East; bounded on the South where Mullock Creek crosses the section line between Section 13, Township 46 South, Range 24 East and Section 18, Township 46 South, Range 25 East.

Together with: Waters that lie in Southwest of the Northwest of Section 7, Township 46 South and Range 25 East.

(2) Any person who violates subsection (1) is guilty of a misdemeanor of the second degree, punishable as provided in section 775.082 or section 775.083, Florida Statutes.

CH. 92-274.

An act relating to Lee County; prohibiting the taking of saltwater fish, except by hook and line, handheld cast net, or use of five or fewer blue crab traps, from specified manmade canals and waterways within the county; providing a penalty; providing an effective date.

Section 1. (1) It is unlawful for a person to take or attempt to take saltwater fish by any means other than by hook and line, a handheld cast net, or five or fewer blue crab traps from the manmade saltwater canals and waterways known as Reef Passage, Cutlass Passage, and Compass Passage (now known as Deep Passage), lying and being in Section 13, Township 43 South, Range 23 East, Lee County, Florida.

(2) A person who violates this section is guilty of a misdemeanor of the second degree, punishable as provided by general law.

CH. 93-348.

An act relating to Lee County; prohibiting the taking of saltwater fish, except by hook and line, handheld cast net, or use of five or fewer blue crab traps, from specified manmade canals and waterways within the county; providing a penalty; providing an effective date.

Section 1. It is unlawful for a person to take or attempt to take saltwater fish by any means other than by hook and line, a handheld cast net, or five or fewer blue crab traps from the manmade saltwater canals and waterways known as Punta Gorda Isles (also known as Burnt Store Marina Resort and Burnt Store Marina and Country Club), lying and being in Section 1, Township 43, Range 22, Lee County, Florida.

Section 2. The violation of any provision of this act is declared to be a criminal offense and misdemeanor within the meaning of s. 775.08, Florida Statutes, and shall be punishable as provided by general law.

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LEVY COUNTY

[CH. 57-1531.](#)

CH. 57-1531. *(Repealed by 68B-3.050, FAC, on Nov. 19, 2018.)*

See Dixie County [Ch. 21093](#) (1941), which act also applies to Levy County.

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MANATEE COUNTY

(All acts repealed by 68B-3.005, FAC, on Oct. 16, 2014.)

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MARION COUNTY

[CH. 65-1904.](#)

CH. 65-1904.

An act relating to water activity, skin diving, scuba diving and diving in the waters of rivers, creeks or runs within three thousand (3,000) yards from the head waters of the spring or springs commonly known as Silver Springs, Rainbow Springs or Blue Springs, not as to interfere, molest, disturb or otherwise create a nuisance or hazard in such a manner as to disturb the marine life in such waters or to interfere, molest, disturb, create a nuisance or hazard for the operation of water craft; providing an exception for professional exhibition and performance and the production, photographing, recording of motion picture and television material and maintenance of sets; and providing an exception for water activity, swimming, diving in areas set aside or designated for such purpose; providing for the posting of signs of such prohibition; providing for a penalty therefore; and providing an effective date.

WHEREAS, the springs commonly known as Silver Springs and Rainbow Springs in Marion County, Florida, are attractions of national, as well as statewide interest, with facilities that attract many thousands of visitors annually, and

WHEREAS, the interferences with such springs and their use for attracting visitors will destroy and impede the economic growth of the tourist industry in Florida, and

WHEREAS, water traffic in these areas has increased to such proportion that legislation has been deemed necessary to reduce congestion and to preserve water safety and welfare, and

WHEREAS, skin diving, scuba diving, or diving into the waters of said springs and their streams, constitutes a hazard to not only the divers so diving, but also to those persons who operate water craft in said springs and their streams, and

WHEREAS, it is to the best interest of all citizens that proper safety and welfare be maintained, and all persons visiting said springs should be protected, and

WHEREAS, said springs and their streams are havens for underwater life and provide a place for study and observation of said underwater life, and

WHEREAS, the State of Florida has a responsibility to its residents and visitors to maintain a high standard of public safety and welfare and to further protect the wildlife within its borders.

NOW, THEREFORE,

Section 1. The facts set forth and stated in the preamble hereof are found and declared to be true; and it is the intent of the legislature to protect and preserve, for all citizens, the right to enjoy the attraction in the springs commonly known as Silver Springs and Rainbow Springs, in Marion County, Florida.

Section 2. It shall be unlawful for any person or persons to carry on any water activity, dive, skin dive, scuba dive or otherwise dive into the springs or spring, or the waters of any creeks, rivers or runs within 3,000 yards of the head waters of any such creek, river or run, commonly known as Silver Springs, Rainbow Springs, or Blue Springs, in Marion County, Florida, in such a manner as to disturb the marine life in such waters, or to interfere, molest, disturb, create a nuisance, or to create a hazard for the operation of any water craft in said rivers, waters, creeks or runs.

Section 3. Nothing herein shall be construed to prohibit or make unlawful the activity of performers engaged in a professional exhibition or performance or purporting to participate in an exhibition or the production, photographing or recording of motion picture and television materials and the maintenance of boats, aquatorium and sets.

Section 4. Nothing herein shall be construed to prohibit or make unlawful water activity, swimming or diving in any area set aside or designated for such purpose.

Section 5. Any person found guilty of violating the provisions of this act shall be subject to punishment as prescribed by law for a misdemeanor; provided, however, that signs shall be posted upon said rivers, waters, creeks, or runs, at the distance from the headwaters as specified in section 2 hereof.

Editor's Note: This act became a rule per L.1983 Ch. 134.

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MARTIN COUNTY

[CH. 18683 \(1937\).](#)

[CH. 19971 \(1939\).](#)

[CH. 57-1570.](#)

[CH. 61-2477.](#)

[CH. 71-770.](#)

[CH. 74-533.](#)

CH. 18683 (1937).

An act making it unlawful to fish or cause to be fished, or use, or cause to be used, any drag nets, haul seines, gill nets, or other nets, except common cast nets used for the purpose of catching bait, in that part of Martin County, Florida, located within the territory beginning at the center of the west end of the drawbridge crossing the waters of Hobe Sound to Jupiter Island; thence run southerly along the west shore of said waters of Hobe Sound, also known as Indian Narrows and Jupiter River, to the south line of Martin County, Florida, thence run due east across the waters of Hobe Sound, also known as Indian Narrows and Jupiter River, along the said south line of Martin County to the east shore of said waters which is the west shore of Jupiter Island; thence meander northerly to the east shore of said Hobe Sound, also known as Indian Narrows and Jupiter River, to the center of the east end of the drawbridge, thence run south sixty-six degrees west along the center line of said drawbridge to its westerly end, the point or place of beginning; and providing penalties for violation of any of the provisions of this act.

Section 1. It shall be unlawful to fish, or cause to be fished, to use, or cause to be used, in any waters of Martin County, Florida, beginning at the center of the west end of the drawbridge crossing the waters of Hobe Sound to Jupiter Island; thence run southerly along the west shore of said waters of Hobe Sound, also known as Indian Narrows and Jupiter River, to the south line of Martin County, Florida; thence run due east across the waters of Hobe Sound, also known as Indian Narrows and Jupiter River, along the said south line of Martin County to the east shore of said waters which is the west shore of Jupiter Island; thence meander northerly to the east shore of said Hobe Sound, also known as Indian Narrows and Jupiter River, to the center of the east end of the drawbridge; thence run south sixty-six degrees west along the center line of said drawbridge to its westerly end, the point or place of beginning, any drag nets, haul seines, seines, gill nets or any nets whatsoever, except common cast nets used for the purpose of catching bait.

Section 2. *(Repealed by 68B-3.032, FAC, on Feb. 1, 2017.)*

Section 3. In all cases of arrest and conviction for a violation of any of the provisions of this act, any and all illegal nets, devices and appliances used in said violation shall be considered a nuisance, and the court shall order such illegal nets, devices and appliances destroyed after such trial and conviction.

Section 4. It shall be the duty of the shellfish commissioner of the State of Florida and/or his duly authorized deputies, and the sheriff of Martin County, Florida, and/or his duly authorized deputies to enforce the provisions of this act.

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 19971 (1939).

An act regulating the taking of fish from the waters of the Loxahatchee River, also known as Jupiter River, in the County of Martin, Florida, and providing a penalty for violation thereof.

Section 1. That it shall be unlawful for any person, persons, firm or corporation to take from the waters of Loxahatchee River, also known as Jupiter River, in Martin County, Florida, fish by any means of seines, gill nets, stop nets, or any other kind of nets whatsoever, excepting only cast nets having a length of less than six feet and a spread of less than twelve feet.

Section 2. *(Repealed by 68B-3.032, FAC, on Feb. 1, 2017.)*

Section 3. In all cases of arrest and conviction for the use of illegal nets or traps, as provided in this act, such nets or traps so used in the violation of the provisions of this act shall be considered a nuisance, and the court shall order such traps and bunts of such nets destroyed after such trial and conviction, and the leads, corks and lines of the nets shall be returned to the owner.

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 57-1570.

An act relating to Martin County; declaring spear fishing in certain areas to be a misdemeanor; repealing conflicting laws.

Section 1. It is hereby declared to be unlawful for any person using underwater spear fishing equipment to use such equipment for the taking of scale fish or shell fish within five hundred yards of any pier, wharf, dock, bridge or jetty in Martin County.

Section 2. Violation of this act is declared to be a misdemeanor, punishable by a fine of not more than \$500.00 or 6 months in the county jail or both.

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 61-2477.

An act relating to Martin County; prohibiting persons fishing on the various bridges on hard surfaced roads in Martin County from using more than one fishing pole; providing a penalty for violation.

Section 1. It is unlawful for any person to fish on the various bridges on hard surfaced roads throughout Martin County with more than one fishing pole.

Section 2. Any person violating the provisions of this act shall upon conviction thereof be punished as provided by law for the commission of a misdemeanor.

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 71-770.

An act relating to fishing in Martin County; making it unlawful to fish with, or to place nets or fish traps, except common cast nets, dip nets, landing nets, or common minnow seines, not over thirty (30) feet in length, and used only for the purpose of catching bait in that certain territory that is within a circle one (1) mile in diameter; the center of which is located in the middle of the St. Lucie Inlet in said county; making it unlawful to fish or to place in the water any nets or traps, except common cast nets, dip nets, landing nets, or common minnow seines not over thirty (30) feet in length, used only for the purpose of catching bait, within one fourth (1/4) mile of any bridge in said county, authorizing the board of county commissioners of said county to place and maintain suitable posts, signs or markers designating such prohibited areas; making it unlawful to fish with certain types of gill nets in the inside waters of said county; making it unlawful to fish with or to place in the inside waters of said county any type of net or trap other than those described as being lawful in this act; making it unlawful to fish with or to place in the inside waters of said county any nets which are tied, joined or coupled together except in certain instances; making it unlawful to fish with or to place in the inside waters of said county any nets having any pockets or traps of any description whatsoever, with the exception of common trammel nets; making it unlawful to dump any foul or refuse fish on the land or in the inside waters of said county or on any bridge or hard surface of said county; making it unlawful to fish with or to place in the inside waters of said county any nets except certain types of gill nets, common cast nets, common trammel nets, common dip nets, landing nets and common minnow seines, not over thirty (30) feet long, and used only for the purpose of catching bait, providing the time and date during which such nets may be used; making it unlawful to place or so set a net in the inside waters of said county so that it will encircle or partially encircle any occupied anchored boat; providing that nothing in this act shall be construed to repeal or to modify the provisions of chapter 18683, Laws of Florida, 1937; repealing chapter 26007, Laws of Florida, 1949, and chapter 69-1309, Laws of Florida, pertaining to fishing in Martin County; providing a saving clause; providing for a method of enforcement; making violation a misdemeanor; providing that it shall be the duty of the state department of natural resources to enforce the provisions hereof; empowering the board of county commissioners

of Martin County to employ a deputy to enforce the provisions of this act; providing an effective date.

Section 1. It shall be unlawful to fish with or to place nets or fish traps except common minnow seines not over thirty (30) feet in length used only for the purpose of catching bait, and common cast nets, dip nets or landing nets in that certain territory that is within a circle one (1) mile in diameter, the center of which is located in the middle of the St. Lucie Inlet in said county; provided, however, that the board of county commissioners may specify a territory less than one mile in diameter, which shall be marked and specified in a conspicuous manner.

Section 2. It shall be unlawful to fish with or to place in the water any nets or fish traps, except common minnow seines not over thirty (30) feet in length used only for the purpose of catching bait, dip nets, cast nets or landing nets, within one fourth (1/4) mile of the following bridges in Martin County: Stuart Causeway Bridges, including Evan Crary and Ernest Lyons Bridges; Roosevelt Bridge, Palm City Bridge, Jensen Beach Causeway Bridges, Jupiter Island Bridge on Bridge Road, and any other state road bridges which may be constructed in the future. Chapter 1118, Laws of Florida, 1925, is hereby repealed insofar as it applies to Martin County.

Section 3. The board of county commissioners of Martin County is hereby authorized and empowered to place and maintain suitable posts, signs or markers designating the prohibited areas described in sections 1 and 2 of this act in which the use of any nets or fish traps are prohibited, except those types specifically allowed; provided, however, that the failure of said board to place or maintain such posts, signs or markers designating such prohibited areas shall constitute no excuse or defense to any prosecution under the provisions hereof.

Section 4. *(Repealed by 46-3.032, FAC, effective Jan. 1, 1995.)*

Section 5. *(Repealed by 46-3.032, FAC, effective Jan. 1, 1995.)*

Section 6. *(Repealed by 46-4.007, FAC, effective July 4, 1991.)*

Section 7. *(Repealed by 68B-3.032, FAC, effective Feb. 1, 2017.)*

Section 8. It shall be unlawful to dump or place any foul or refuse fish on the land, or in the inside waters or on any bridge or hard surface in Martin County.

Section 9. It shall be unlawful to fish with or place in the inside waters of said county any nets except common minnow seines not over thirty (30) feet long used only for the purpose of catching bait, common cast nets, common dip nets, or landing nets, between sunrise and sunset from December 10 of each year to April 1 of the following year.

Section 10. It shall be unlawful to place or set a net in the inside waters of said county so that it will encircle or partially encircle any occupied anchored boat.

Section 11. Nothing herein shall be construed to repeal or modify the provisions of Chapter 18683, Laws of Florida, 1937.

Section 12. Chapter 26007, Laws of Florida, 1949, and chapter 69-1309, Laws of Florida, be and the same are hereby repealed.

Section 13. Should any section or clause hereof for any reason be held or declared invalid, all remaining portion or portions hereof shall continue in full force and effect as though such invalid clause or clauses had not been incorporated herein.

Section 14. *(Repealed by 68B-3.032, FAC, effective Feb. 1, 2017.)*

Section 15. *(Repealed by 68B-3.032, FAC, effective Feb. 1, 2017.)*

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 74-533.

An act relating to Martin County; prohibiting persons fishing on the ocean beaches of Martin County from using more than two (2) fishing poles; providing for a penalty for violation.

Section 1. It is unlawful for any person to fish on the ocean beaches of Martin County with more than two (2) fishing poles.

Section 2. Any person violating the provisions of this act shall, upon conviction, be punished as provided by law for the commission of a misdemeanor of the second degree.

Editor's Note: This act became a rule per L.1983 Ch. 134.

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MONROE COUNTY

(All acts repealed 4-24-00.)

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NASSAU COUNTY

[CH. 83-472.](#)

CH. 83-472.

An act relating to Nassau County; relating to net fishing in said county; prescribing the kinds of nets that may be used for the taking of fish; prohibiting the use of purse seines, fish traps and hand held seines in the inland waters of Nassau County; providing exceptions for the taking of minnows

for bait, shrimp or prawn; regulating the use of gill nets; prohibiting certain net fishing from the beaches adjacent to the Atlantic Ocean during a certain time period; repealing chapter 19993, Laws of Florida, 1939, as amended, relating to the taking of fish in the saltwaters of Nassau County; providing penalties; providing an effective date.

Section 1. Definitions. When used in this act, unless the context clearly requires otherwise:

(1) “Inland waters” means all creeks, rivers, bayous, bays, nets and canals west of Ft. Clinch and west of the A1A bridge on the south end of Amelia Island.

(2) “Hand held seine” means a seine net not exceeding 150 feet in length, set and hauled solely by hand and without use of any motor driven boat or vehicle.

(3) “Cast net” means a hand held net not exceeding 10 feet radius.

Section 2. It is unlawful for any person, firm, or corporation to catch any fish in the inland waters of Nassau County with any purse seine, fish trap or hand held seine.

Section 3. It is unlawful for any person, firm or corporation to have in their possession a gill net of less length than 600 feet and less mesh size than 1 ½ inches bar from knot to knot, or 3 inches stretched mesh from knot to knot, upon the inland waters of Nassau County.

Section 4. It is lawful for any person, firm or corporation to fish with a gill net in the inland waters of Nassau County; provided that they have their boat registered as a commercial vessel, that they be fishing in the registered commercial vessel and that they have in their possession a valid gill net license, issued by the Division of Marine Resources of the Department of Natural Resources, for an annual fee of \$250, which shall be deposited in the Saltwater Products Promotion Trust Fund; provided that the gill net shall not be of less length than 600 feet and less mesh size than 1 ½ inches bar from knot to knot, or 3 inches stretched mesh from knot to knot; provided that the gill net cannot be laid in a manner that would prevent free passage of boats or be left unattended.

Section 5. In the event the Legislature provides for a saltwater products license, the license fee provided for pursuant to this act shall be credited against any such saltwater products license fee.

Section 6. For the purpose of complying with the provisions of section 4, any similar license issued in another county shall be valid.

Section 7. It is unlawful for any person, firm or corporation to catch any fish in the inland waters of Nassau County with any gill net from sunset on Friday until sunset on Sunday.

Section 8. It is unlawful during the period from May 1 through September 15 of each year for any person, firm or corporation to catch any fish from any beach adjacent to the Atlantic Ocean in Nassau County, with any seine, gill net, pocket-net or any other kind of net except a hand held seine; provided that persons using seines or other fishing devices shall not interfere one with the other, or harass each other in catching fish along the beaches and shall not leave on the beaches any marine life or refuse.

Section 9. The provision of this act shall not apply to the use of cast nets in the inland waters of Nassau County nor to the catching of minnows for bait or to the catching of shrimp or prawn or to the catching of shad.

Section 10. Chapter 19993, Laws of Florida, 1939, as amended, is hereby repealed.

Section 11. The violation of any provision of this act is declared to be a criminal offense and a misdemeanor within the meaning of s. 775.08, Florida Statutes, and shall be punishable as provided by law.

Editor's Note: Chgd. By L.1984 Ch. 485.

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OKALOOSA COUNTY

See [Bay County Ch. 24111](#) (1947), which act also applies to Okaloosa County.

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PALM BEACH COUNTY

[CH. 8796 \(1921\).](#)

[CH. 20045 \(1939\).](#)

[CH. 31137 \(1955\).](#)

[CH. 59-1699.](#)

[CH. 59-1702.](#)

[CH. 81-479.](#)

CH. 8796 (1921).

An act amending Chapter 11005, special acts of the State of Florida, Legislature of 1925, entitled "An Act amending Chapter 8796, Special Laws of the State of Florida, Legislature of 1921," entitled "An Act regulating taking of fish from the waters of Lake Worth, County of Palm Beach, State of Florida."

Section 1. That it shall be unlawful for any person, persons, firm or corporation to place or set in the waters of Lake Worth or in the waters of Little Lake Worth immediately north of Lake Worth, in the County of Palm Beach, State of Florida, any seines, gill-nets, stop nets or any other kind of nets whatsoever, except only a common cast net.

Section 2. *(Repealed by 68B-3.038, FAC, on Feb. 1, 2017.)*

Section 3. *(Repealed by 68B-3.038, FAC, on Feb. 1, 2017.)*

Editor's Note: Chgd. by L.1925 Ch. 11005; L.1931 Ch. 15301. This act became a rule per L.1983 Ch. 134.

CH. 20045 (1939).

An act regulating the taking of fish from the water of Loxahatchee River, also known as Jupiter River, and Indian River in the county of Palm Beach, Florida.

Section 1. That it shall be unlawful for any person, persons, firm or corporation to take from the waters of Loxahatchee River, also known as Jupiter River, and from the waters of Indian River, in Palm Beach County, Florida, fish by means of seines, gill nets, stop nets, or any other kind of nets whatsoever excepting only cast nets having a length of less than six feet and a spread of less than twelve.

Section 2. *(Repealed by 68B-3.038, FAC, on Feb. 1, 2017.)*

Section 3. *(Repealed by 68B-3.038, FAC, on Feb. 1, 2017.)*

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 31137 (1955).

An act repealing chapter 15416, Special Acts of the State of Florida, Legislature of 1931, and prohibiting the placing or setting of any seines, gill nets, or other nets, except common cast nets, in the waters of any inlet in Palm Beach County, Florida, and prohibiting the placing or setting of any seines, gill nets, or other nets, except common cast nets in certain waters of the Atlantic Ocean surrounding the inlets in Palm Beach County, Florida, and to provide a penalty therefor; providing referendum.

Section 1. That Chapter 15416, Special Acts of the State of Florida, Legislature of 1931, be and the same is hereby repealed.

Section 2. That it shall be unlawful for any person, persons, firm or corporation to place or set any seines, gill nets, or other nets, except a common cast net, in the waters of any inlet in Palm Beach County, Florida.

Section 3. That it shall be unlawful for any person, persons, firm or corporation to place or set any seines, gill nets, or other nets, except a common cast net, in the waters of the Atlantic Ocean lying within one thousand yards of any point on the mean high water line of the shoreline of the

Atlantic Ocean and between limit lines north and south of each inlet in Palm Beach County, Florida, which limit lines are described as follows:

a. For the Jupiter Inlet the north limit line shall be a line parallel to, and one thousand three hundred yards north of, measured at right angles to, the south boundary line, and easterly prolongation thereof, of Section 32, Township 40 S, Range 43 E; the south limit line shall be a line parallel to, and seven hundred yards south of, measured at right angles to, the south boundary line, and easterly prolongation thereof, of said Section 32, Township 40 S, Range 43 E.

b. For the Palm Beach Inlet, also known as Lake Worth Inlet, the north limit line shall be a line parallel to, and one thousand eight hundred yards north of, measured at right angles to, the south boundary line, and easterly prolongation thereof, of Section 26, Township 42 S, Range 43 E; the south limit line shall be a line parallel to, and two thousand four hundred yards south of, measured at right angles to, the south boundary line, and easterly prolongation thereof, of said Section 26, Township 42 S, Range 43 E.

c. For the Boynton Inlet, also known as South Lake Worth inlet, the north limit line shall be a line parallel to, and one thousand nine hundred yards north of, measured at right angles to, the south boundary line, and easterly prolongation thereof, of Section 15, Township 45 S, Range 43 E; the south limit line shall be a line parallel to, and one thousand five hundred yards south of, measured at right angles to, the south boundary line, and easterly prolongation thereof, of said Section 15, Township 45 S, Range 43 E.

d. For the Boca Raton Inlet, the north limit shall be a line parallel to, and nine hundred fifty yards north of, measured at right angles to, the south boundary line, and easterly prolongation thereof, of Section 28, Township 47 S, Range 43 E; the south limit line shall be a line parallel to, and one thousand and fifty yards south of, measured at right angles to, the south boundary line, and easterly prolongation thereof, of said Section 28, Township 47 S, Range 43 E.

Section 4. *(Repealed by 68B-3.038, FAC, on Feb. 1, 2017.)*

Section 5. In all cases of arrest and conviction for the unlawful use of nets or seines as provided in this act, such nets or seines so used in the violation of the provisions of this act shall be considered a nuisance and the court having jurisdiction of such offense shall order the bunting of such seines or nets destroyed after such trial and conviction.

Section 6. This act shall not become effective until voted upon by the qualified electors of Palm Beach County, Florida, and ratified by a majority of those voting on the question at an election to be called by the county commissioners, as provided by law, at any special, primary, or general election where the question concerning the approval of this act shall be submitted on a separate ballot. If a majority of qualified electors voting on the question vote "yes", then this act shall become effective immediately.

Editor's Note: This act gained voter approval on May 22, 1956. This act became a rule per L.1983 Ch. 134.

CH. 59-1699.

An act defining "salt water fish", "spear fishing", "salt water" and "underwater breathing apparatus" and setting aside certain portions of the salt waters of Palm Beach County as a refuge for salt water fish and prohibiting spearfishing with the aid of underwater breathing apparatus in such refuge areas and prohibiting the sale of any fish taken by spear fishing and establishing as prima facie evidence of a violation of this act the possession of specified equipment within certain areas and providing punishment for the violation thereof; providing an effective date.

Section 1. In construing this act, the following words, terms and phrases shall have the meanings ascribed to them in this section, unless the context clearly indicates otherwise:

a. "Salt water fish" shall include all classes of pisces, shell fish, sponges and crustacea indigenous to salt water.

b. "Spear fishing" shall constitute the taking, capturing, killing, maiming, worrying or pursuing, or attempting to take, capture, kill, maim, worry or pursue any salt water fish by thrusting, throwing, jabbing, shooting or projecting any spear, projectile, dart, arrow, gig, grain, harpoon or other implement.

c. "Salt waters" shall be all of the territorial waters of Florida located in Palm Beach County, Florida, having a saline content such as to render them unpalatable and unfit for human consumption.

d. "Underwater breathing apparatus" shall mean any apparatus whether self-contained or connected to distant source of air or other gas whereby man wholly submerged in water is enabled to obtain or reuse air or any other gas or gases for breathing without returning to the surface of the water.

Section 2. The following areas are hereby defined and reserved as refuges for salt water fish:

Area No. 1. Area no. 1 is bounded on the south by latitude 26 45'51" N and on the north by latitude 26 45'48" N and may be otherwise approximately described as being bounded on the south by a line running due east from the north boundary of the former Dodge estate in the town of Palm Beach and on the north by a line 1900 yards, more or less, north of the south boundary line running due east from Reef Road in the town of Palm Beach.

Area No. 2. Area no. 2 is bounded on the south by latitude 26 46'38" N and on the north by latitude 26 47'38" N and may be otherwise approximately described as being bounded on the south by a line running due east from the cupola of the Colonnades Hotel in the town of Palm Beach Shores and on the north by a line 2000 yards north of the south boundary line running due east from a point on the north of the exposed reefs commonly referred to as Niggerhead Rock.

Excluding however, from the above defined refuge areas those waters of a depth of less than 30 feet at a mean low water and those waters lying less than 750 yards from the mean high water line of the shoreline of the Atlantic Ocean.

Section 3. No person may engage in spearfishing within any of the above described refuge areas while using underwater breathing apparatus.

Section 4. The possession of any self contained underwater breathing apparatus at the same time of possession of any spear, dart, arrow, gig, grain, or harpoon, except when located in a boat or other conveyance used in transporting such articles or implements, within any of the above described refuge areas shall be deemed prima facie evidence of violation of this act. This section shall not be deemed to prohibit the possession, in the waters of the foresaid refuge areas, with underwater breathing apparatus, of barbless knives or barbless lances incapable of being projected from a gun or other device and to be used solely as a means of protection and not for spear fishing.

Section 5. No salt water fish taken in Palm Beach County, Florida, by spear, dart, arrow, gig, grain or harpoon may be sold or purchased and no salt water fish taken by spear, dart, arrow, gig, grain or harpoon may be sold or purchased in Palm Beach County, Florida. The provision shall not apply, however, to the sale of fish obtained by gaffing, gigging or harpooning from above the surface of the water.

Section 6. Violation of any provision of this act shall constitute a misdemeanor and shall be punished in accordance with law.

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 59-1702.

An act defining "salt water fish", "underwater spear fishing", "salt waters", "intercoastal waters", "divers-down flag" and prohibiting underwater spear fishing in Palm Beach County, Florida, between one hour after sunset and one hour before sunrise and prohibiting underwater spear fishing within any inlet in Palm Beach County, Florida, and regulating underwater spear fishing in certain salt waters of Palm Beach County, Florida, and establishing as prima facie evidence of a violation of this act, the possession of specified equipment at certain times or within certain areas and providing punishment for the violation thereof and repealing Chapter 31133, Special Acts of 1955; providing an effective date.

Section 1. In construing this act, the following words, terms and phrases shall have the meanings ascribed to them in this section, unless the context clearly indicates otherwise:

a. "Salt water fish" shall include all classes of pisces, shell fish, sponges and crustacea indigenous to salt waters.

b. "Underwater spear fishing" shall mean taking, capturing, maiming, worrying or pursuing, or attempting to take, capture, kill, maim, worry or pursue any salt water fish by thrusting, throwing, jabbing, shooting or projecting any spear, projectile, dart, arrow, gig, grain or other implement while the person manipulating such instrument or implement is either under water or floating in the water or swimming.

c. "Salt waters" shall be all of the territorial waters of Florida located in Palm Beach County, Florida, having a saline content such as to render them unpalatable and unfit for human consumption.

d. "Intercoastal Waters" shall include all territorial waters in Florida located in Palm Beach County, Florida, except those territorial waters located within the Atlantic Ocean.

e. "Divers-down flag" shall be a red flag five units wide by four units high having a white diagonal strip one unit wide and minimum size of fifteen inches by twelve inches. A properly displayed divers-down flag shall be attached to a mast on a boat or float and shall be at least three feet above the surface of the water.

Section 2. No person shall engage in underwater spear fishing in any of the salt waters of Palm Beach County, Florida, during the period of time from one hour after sunset to one hour before sunrise.

Section 3. No person shall at any time engage in underwater spear fishing within any inlet in Palm Beach County, Florida.

Section 4. The possession of any spear, projectile, dart, arrow, gig, grain or harpoon, except when located in a boat or other conveyance used in transporting such articles or implements, in or under the salt water of Palm Beach County, Florida, during the prohibited times or within the prohibited areas shall be deemed prima facie evidence of violation of this act.

Section 5. No person shall engage in underwater spear fishing in the salt water of Palm Beach County, Florida, within one hundred fifty feet of any anchored boat containing a person or persons engaged in fishing provided that this section shall not apply to those persons who were engaged in underwater spear fishing in the salt waters described in this section immediately prior to and at the time that such boat was anchored.

Section 6. No person shall at any time engage in underwater spear fishing in the intercoastal salt waters of Palm Beach County, Florida, unless a divers-down flag is properly displayed in the immediate vicinity of the place where such person is engaged in underwater spear fishing.

Section 7. No person shall at any time engage in underwater spear fishing in the waters of the Atlantic Ocean surrounding any inlet in Palm Beach County, Florida, lying within two hundred yards of any portion of the jetties bounding the said inlets unless a divers-down flag is properly displayed in the immediate vicinity of the place where such person is engaged in underwater spear fishing. This section shall not apply to waters of the Atlantic Ocean less than one hundred fifty yards from the mean high water line of the shoreline of the Atlantic Ocean.

Section 8. No person shall at any time engage in underwater spear fishing in the waters of the Atlantic Ocean more than one hundred fifty (150) yards from the mean high water line of the shoreline of the Atlantic Ocean unless a divers-down flag is properly displayed in the immediate vicinity of the place where such person is engaged in underwater spear fishing.

Section 9. Violation of this act shall constitute a misdemeanor and shall be punished in accordance with law.

Section 10. Chapter 31133, special acts of 1955, is hereby repealed.

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 81-479.

An act relating to the City of Riviera Beach, Palm Beach County; extending the boundaries of the city into bordering waters of the Atlantic Ocean; providing an effective date.

Section 1. The territorial jurisdiction of the City of Riviera Beach is hereby extended to include the waters of the Atlantic Ocean and all buildings, piers, watercraft or other floating objects or structures within the following described area:

Beginning at the point of intersection being the Point of Beginning formed by a line parallel with and 8,000 feet southerly from as measured at right angles to the North line of Section 10, Township 42 South, Range 43 East. Said line being a portion of the North boundary line of the City of Riviera Beach, Florida, and the mean high water line of the Atlantic Ocean; thence easterly along said North boundary line of the City of Riviera Beach, to the edge of the Gulfstream a distance of three geographical miles, whichever is the greater distance to the common boundary of the State of Florida and that of Palm Beach County; thence in a southerly direction along the edge of the Gulfstream or along a line three geographical miles from the Atlantic Coast line as described in the Constitution of the State of Florida as revised in 1968 and subsequently amended Article II, Section 1, paragraph (a) to a point of intersection with the easterly extension of the portion of the South boundary line of the City of Riviera Beach. Said line being 998.98 feet South and parallel to the South line of a tract of land in Palm Beach County known as Replat of Yacht Harbor, as it is recorded in Plat Book 23, page 57, Public Records of Palm Beach County, Florida; thence westerly along said South boundary line of the City of Riviera Beach to mean high water line of the Atlantic Ocean; thence northerly along said mean high water line to the Point of Beginning.

See [Brevard County Ch. 5973 \(1909\)](#), which act also applies to Palm Beach County.

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PASCO COUNTY

[CH. 6638 \(1913\).](#)

[CH. 14305 \(1929\).](#)

[CH. 21479 \(1941\).](#)

[CH. 65-2078.](#)

[CH. 65-2079.](#)

[CH. 65-2435.](#)

[CH. 71-838.](#)

CH. 6638 (1913).

An act to prohibit the catching or taking of food fish in the waters of the Pithlachascotee River and its tributaries in the County of Pasco, in the State of Florida, by the use of seine, gill-nets or any other kinds of nets or device except cast nets, hook and line, and prescribing that its violation shall be punished by the general law of the State of Florida as in such cases made and provided.

Section 1. It shall be unlawful for any person or persons to catch or take food fish from the waters of the Pithlachascotee River, or from any of the creeks, bayous, or inlets of Pasco County, Florida, by the use of seines, gill nets, or any other kind of nets or set devices; provided, that nothing in this section shall be construed to forbid the catching or taking with cast nets from said waters any fish for home consumption or for consumption at picnic parties and provided further that nothing in this section shall prohibit the use of traps in said river for the taking of blue crabs.

Section 2. That whenever any person or persons are found with any device referred to in section 1, except cast nets, hook and line, in any of the said waters it will be considered prima facie evidence of his or her guilt or their guilt.

Section 3. *(Repealed by 68B-3.039, FAC, on Feb. 1, 2017.)*

Editor's Note: Chgd. by L.1919 Ch. 8156; L.1978 Ch. 588. This act became a rule per L.1983 Ch. 134.

CH. 14305 (1929).

An act defining the dividing line between the salt waters and the fresh waters of the Pithlachascotee River in Pasco County, Florida, and prohibiting certain methods of taking fish from the salt waters of said river.

Section 1. That the Pithlachascotee River in Pasco County, Florida, between the mouth of said river and the point where the same is crossed by a bridge on the Dixie Highway, also known as state road 15, shall be deemed and are hereby declared to be salt waters, and the waters of said river above said bridge shall be deemed and are hereby declared to be fresh waters.

Section 2. That it shall be unlawful to take any food fish from the salt waters of said river, as defined in section 1 hereof, by means of any seine or gill net, or by, spearing or gigging the same in the same nighttime by the aid of any artificial light.

Section 3. *(Repealed by 68B-3.039, FAC, on Feb. 1, 2017.)*

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 21479 (1941).

An act providing the open season for the catching of salt water fish from the salt waters of Pasco County, Florida.

Section 1. That from and after the passage of this act and upon its becoming a law the open season for the taking and catching of salt water fish from the salt waters of Pasco County, Florida shall be as follows: From January 1 of each year to December 31 of each year, both dates inclusive. It shall also be lawful for any transportation company to accept salt water fish between the above dates for shipment from said Pasco County, Florida.

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 65-2078.

An act relating to Pasco County, salt water fish; prohibiting the taking of salt water fish except by certain means; providing that violation is a misdemeanor; providing an effective date.

Section 1. It is unlawful for any person, firm or corporation to take or attempt to take any species of salt water fish by any means other than rod and reel, hook and line, pole and line, or cast net from any stream, river, creek or man-made canal or any tributaries thereof located in Pasco County.

Section 2. It is unlawful for any person, firm or corporation to take or attempt to take any species of salt water fish by any means other than rod and reel, hook and line, pole and line, or cast net within fifty (50) feet of the mouth of any stream, river, creek or man-made canal or any tributaries thereof located in Pasco County.

Section 3. *(Repealed by 68B-3.039, FAC, on Feb. 1, 2017.)*

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 65-2079. *(Repealed by 46-20.003, FAC, on Jan. 1, 1998.)*

CH. 65-2435.

An act relating to Pasco County, salt water fishing; providing for regulation of salt water fishing by gill nets, trawls, seines and other nets except common cast nets in any of the streams, rivers, canals, creeks or their tributaries flowing into the Gulf of Mexico and fifty (50) feet seaward of the mouths and fifty (50) feet laterally along the shore on either side of any such streams, rivers, canals, creeks or their tributaries; providing an effective date.

Section 1. It is unlawful for any person, firm, association or corporation to fish or attempt to fish using or attempting to use gill nets, trawls, seines and other nets, except common cast nets, in the rivers, streams, creeks, and canals or their tributaries flowing into the Gulf of Mexico in Pasco County. This prohibition shall extend from the origin of any such rivers, streams, creeks and canals or their tributaries to fifty (50) feet seaward of the mouth and fifty (50) feet laterally on each side of the mouth of any such rivers, streams, creeks and canals or their tributaries.

Section 2. *(Repealed by 46-3.033, FAC, effective Jan. 1, 1993.)*

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 71-838. *(Repealed by 68B-3.039, FAC, effective Feb. 1, 2017.)*

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PINELLAS COUNTY

[CH. 21099 \(1941\).](#)

[CH. 23480 \(1945\).](#)

[CH. 27467 \(1951\).](#)

[CH. 29433 \(1953\).](#)

[CH. 76-482.](#)

[CH. 81-465.](#)

[CH. 81-472.](#)

[CH. 83-504.](#)

[CH. 85-492.](#)

[CH. 87-425.](#)

CH. 21099 (1941).

An act regulating the taking of fish from the waters of a certain portion of the Anclote River and its tributaries or any bayou, bay or other body of waters connecting or emptying into the Anclote River in Pinellas County, Florida, and providing a penalty for the violation of this act.

Section 1. It shall be unlawful for any person, persons, firm or corporation to set or cause to be set any net or nets, fish or cause to be fished any net or nets, in the Anclote River and its tributaries, or any bayou, bay or other body of water connecting or emptying into the Anclote River in Pinellas County, Florida, of any size, length or depth whatsoever, providing however, that the provision hereof shall not prohibit the use of a common hand cast net.

Section 2. *(Repealed by 68B-3.040, FAC, on Feb. 1, 2017.)*

Section 3. This act shall take effect immediately upon its passage and approval by the Governor or upon its becoming a law without such approval.

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 23480 (1945).

An act declaring the waters of Long Bayou in Pinellas County, north of Seminole Bridge on State Road 15, to be salt waters, and closing such waters to net fishing other than cast nets; providing for the confiscation of all equipment used in violation of this act, and providing penalties for the violation of this act.

Section 1. That the waters of Long Bayou in Pinellas County, north of Seminole Bridge on State Road 15 be, and the same are hereby declared to be salt waters.

Section 2. That it shall be unlawful to use any net or seine except cast nets in taking, or attempting to take, fish from said waters of Long Bayou hereinabove declared to be salt waters.

Section 3. *(Repealed by 68B-3.040, FAC, on Feb. 1, 2017.)*

Section 4. That any and all nets or seines other than cast nets which are used, or attempted to be used, to catch fish in said waters shall be seized by law enforcement officers and shall be confiscated and disposed of in the same manner as is prescribed by law for seizing, confiscating and selling of certain seines and nets in sections 371.25 to 371.27, inclusive, Florida Statutes, 1941.

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 27467 (1951).

An act declaring certain bodies of water within the City of Clearwater, Florida, to be salt water; prohibiting the use of nets or seines, excepting hand cast nets, for the purpose of taking fish within said bodies of water; and providing for referendum.

Section 1. The following bodies of water lying within the corporate limits of the City of Clearwater, Florida, are, and they are hereby declared to be entirely salt water and said salt water

bodies of water are inhabited only by salt water fish and are not inhabited by any kind or type of fresh water fish, to-wit:

Beginning at the intersection of the north line of Section 3, Township 29 south, Range 15 east with the low tide line of Clearwater Harbor, run thence west to the northwest corner of Section 4, said Township and Range, said northwest corner of section 4 being in the waters of Clearwater harbor, thence in a the intersection of the low tide line of the Gulf of Mexico and the most northerly point of Clearwater Beach Island, thence in a general southerly direction along the low tide line of the east side of Clearwater Beach Island to the most southerly tip of Clearwater Beach Island, thence south through the waters of Clearwater Harbor and Little Pass to a line due west from a point 967 feet north of the southwest corner of the northwest quarter of the northeast quarter of Section 21, Township 29 south, Range 15 east, thence due east to the low tide line of Clearwater Harbor, thence in a general northerly direction along the low tide line of the waters of Clearwater Harbor to the point of beginning.

Section 2. It shall be unlawful for any person to use or cause to be used for the purpose of taking fish, any net or seine of any kind or character within any of the waters described in section 1 hereof; providing however, that this section shall not apply to hand cast nets when said cast nets can be cast and spread entirely by manual effort without the use of corks.

Section 3. The placing of any net or seine of any kind or character excepting common hand cast nets in any of the waters defined in section 1 shall be prima facie evidence of their use for the purpose of taking fish.

Section 3.(a). *(Repealed by 68B-3.040, FAC, on Feb. 1, 2017.)*

Section 4. *(Repealed by 68B-3.040, FAC, on Feb. 1, 2017.)*

Section 5. If any part or portion of this act shall be held invalid it shall in no way affect the remaining valid portions hereof.

Section 6. This act shall not become effective until and unless same be ratified by a majority of the qualified electors of the City of Clearwater voting in a general or special election called and held in such manner as the City Commission of Clearwater may determine for the purpose of ratification or rejection thereof. Nothing herein contained in this clause shall prevent the submission of this act at an election in which other special acts or measures are submitted for the purpose of ratification or rejection by the electorate of the City of Clearwater. In the event of ratification of this act the same shall become effective immediately upon the official determination of said ratification.

Editor's Note: Chgd. by L.1951 Ch. 28968. This act gained voter approval on September 18, 1951. This act became a rule per L.1983 Ch. 134.

CH. 29433 (1953).

An act prohibiting the use of nets or seines except cast net in Pinellas County within one hundred yards of any bridge, dock, causeway or jetty; providing a referendum and providing a penalty.

Section 1. No seine, gill net or other nets, except a common cast net, shall be set or used for the taking of food fish within one hundred yards of any bridge, dock, pier, causeway or jetty within Pinellas County.

Section 2. *(Repealed by 68B-3.040, FAC, on Feb. 1, 2017.)*

Editor's Note: This act gained voter approval on May 4, 1954. This act became a rule per L.1983 Ch. 134.

CH. 76-482.

An act relating to the City of St. Petersburg; declaring certain waters and bodies of water within the city to be salt water; prohibiting the use of nets or seines, excepting hand cast nets, for the purpose of taking fish within said waters and bodies of water; providing for exceptions; providing an effective date.

Section 1. The following waters and bodies of water lying within the corporate limits of the City of St. Petersburg, are, and they are hereby declared to be entirely salt water and said salt water bodies of water are inhabited only by salt water fish and are not inhabited by any kind or type of fresh water fish, to-wit:

(1) Riviera Bay and Bayou Grande, commonly known as Papy's Bayou, together with their interconnecting waters, the entrance to which is defined by a line running from the southeast (SE) corner of the west half (W 1/2) of the southwest quarter (SW 1/4) to the northwest (NW) corner of said west half (W 1/2) of the southwest quarter (SW 1/4) of Section thirty-four (34), Township thirty (30) south, Range seventeen (17) east.

(2) Placido Bayou, commonly known as Smack's Bayou, Snell Isle Harbour, and Coffee Pot Bayou, together with certain inlets and shore indentions of Tampa Bay, and a portion of Tampa Bay lying between said Bayous, the entrance of which is defined by a line running from the intersection of the east (E) line of the west half (W 1/2) of the west half (W 1/2) of the northeast quarter (NE 1/4) of section nine (9) with the shore line of Tampa Bay, thence south (S) to the south (S) line of the north half (N 1/2) of the north half (N 1/2) of the unsurveyed Section sixteen (16) thence west (W) to the intersection of the south (S) line of the north half (N 1/2) of the north half (N 1/2) of Section seventeen (17) with the shore line of Tampa Bay, being in and a part of Township thirty-one (31) south, Range seventeen (17) east.

(3) The North Yacht Basin, the Central Yacht Basin, the South Yacht Basin and the Port of the City of St. Petersburg, Florida, Bayboro Harbor and Salt Creek, and a portion of Tampa Bay lying adjacent thereto, the entrance of which is defined by a line running from the intersection of the shore line of Tampa Bay with the east (E) line of the west half (W 1/2) of the west half (W 1/2)

Section seventeen (17) thence south (S) along said east line in Sections seventeen (17), twenty (20), and twenty nine (29) to a point 2000 feet south (S) of the North (N) line of said Section twenty nine (29), thence west (W) to the shore line of Tampa Bay, being in and a part of Township thirty one (31) south, Range Seventeen (17) east.

(4) Big Bayou, Bayou Bonita, Little Bayou and interconnecting waterways, and a portion of Tampa Bay adjacent thereto, the entrance of which is defined by a line running from the intersection of the northerly shore of Big Bayou with the east (E) line of Section thirty one (31), Township thirty one (31) south, Range seventeen (17) east, thence south (S) along the east (E) line of said Section thirty one (31) and along the east (E) line of Section six (6), Township thirty-two (32) south, Range Seventeen (17) east to the southeast (SE) corner of said Section six (6) thence south (S) forty five (45) degrees west (W) to the shore line of Tampa Bay.

Section 2. It shall be unlawful for any person to use or cause to be used for the purpose of taking fish, any net or seine of any kind or character within any of the waters and bodies of water described in section 1; provided, however, that this section shall not apply to hand cast nets when said cast nets can be cast and spread entirely by manual effort without the use of corks. The department of natural resources may by rule grant exceptions to this provision if circumstances warrant.

Section 3. The placing of any net or seine of any kind or character in any of the waters or bodies of water described in section 1, excepting common hand cast nets, shall be prima facie evidence of their use for the purpose of taking fish.

Section 4. *(Repealed by 68B-3.040, FAC, on Feb. 1, 2017.)*

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 81-465.

An act relating to Pinellas County; prohibiting the use of nets or seines except cast nets for the taking of food fish from the salt waters of Pinellas County within 50 yards of any dock or pier; providing a penalty; providing an effective date.

Section 1. No seine, gill net, or other net, except a common cast net, shall be set or used for the taking of food fish from the salt waters of Pinellas County within 50 yards of any dock or pier.

Section 2. *(Repealed by 68B-3.040, FAC, on Feb. 1, 2017.)*

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 81-472.

An act relating to Pinellas County; making it unlawful to take certain sardine-like fish with a purse seine, purse gill net, lampara net or any similar net, seine or device, within 10 miles of the mean high water mark of the Gulf of Mexico, for any purpose other than for use as bait; providing exceptions; requiring cleanup of fish kills; providing for licenses and bonds; providing penalties; providing an effective date.

Section 1. *(Repealed by 46-4.014, FAC, on July 1, 1993.)*

Section 2. Any person taking fish as authorized herein shall be responsible for the cleanup of any fish kill resulting in the deposit of dead fish on the shores of Pinellas County. The cleanup shall be completed within twenty-four (24) hours of receipt of notice thereof. Failure to clean up any such fish kill shall result in the forfeiture of the bond required by Section 3.

Section 3. The Department of Natural Resources shall provide for the issuance of a permit or license to fish as authorized herein upon payment of a license fee in the amount of \$50.00 to the Department of Natural Resources and posting of a bond in the amount of \$500.00, payable to the Department of Natural Resources, and conditioned upon the permittee's or licensee's performance of the requirements of Section 2. The Department of Natural Resources shall be authorized to apply said funds to the cleanup of any such fish kill. The number of permits or licenses issued hereunder shall be limited to twenty (20).

Section 4. The violation of any provisions of this act is declared to be a criminal offense and misdemeanor within the meaning of s. 775.08, Florida Statutes, and shall be punishable as provided in s. 775.082, s. 775.083, or s. 775.084, Florida Statutes.

Section 5. Any person who violates the provision of this act shall also be subject to the confiscation of all property and products used in conjunction with such violation as provided in s. 370.061, Florida Statutes.

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 83-504.

An act relating to Pinellas County; providing for the issuance of a license for gill net fishing in the county by the Department of Natural Resources; providing a permit fee and providing for the use of funds derived therefrom; requiring the display of permit numbers; providing a penalty; providing for the use of similar licenses; providing an effective date.

Section 1. No person, firm or corporation shall use or cause to be used any gill net or nets from a boat in the saltwaters of Pinellas County for the purpose of taking or catching fish without a valid license issued by the Department of Natural Resources.

Section 2. An annual fee of \$300 shall be collected by the department for the issuance of the gill net license during a 60-day period beginning May 1st of each year, provided however, that in 1983 the license issue period shall begin 60 days after this act becomes law. Only one such license shall be required per boat when fishing upon the waters of Pinellas County and shall be valid for the licensee and those members of his immediate family.

Section 3. Each person who obtains a license pursuant to this act shall prominently display the license number upon the boat in numerals which are at least 10 inches in height and 1 inch in width in such manner that the permit number is visible both horizontally and vertically.

Section 4. The proceeds from the collection of fees pursuant to this act, minus reasonable administrative cost, shall be used for marine habitat research and restoration in Pinellas County.

Section 5. This act shall not apply to a common cast net or throw net.

Section 6. In the event the Legislature provides for a saltwater products license or commercial fishing license, such license fee shall be credited against the fee provided in section 2.

Section 7. For the purpose of complying with the provisions of section 1, any similar license issued for any other Florida county shall be valid, as long as the total fee for the license is not less than \$300.

Section 8. The violation of any provision of this act is declared to be a criminal offense and misdemeanor within the meaning of s. 775.08, Florida Statutes, and shall be punishable as provided by law.

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 85-492.

An act relating to Pinellas County; prohibiting the taking of saltwater fish, except by hook and line or handheld cast net or with no more than five blue-crab traps, within any manmade saltwater canal in Pinellas County, Florida; providing a penalty; providing an effective date.

Section 1. It is unlawful for any person to take or attempt to take any saltwater fish, except by hook and line or handheld cast net or with no more than five blue-crab traps, within any manmade saltwater canal located in Pinellas County, Florida.

Section 2. The violation of this act is declared to be a criminal offense and misdemeanor within the meaning of s. 775.08, Florida Statutes, and shall be punishable as provided by law.

CH. 87-425.

An act relating to Pinellas County; establishing a speed limit of 5 miles per hour with no wake on the Allen's Creek Estuary; providing a noncriminal violation and civil penalty; providing for erection of waterway speed limit signs; providing an effective date.

Section 1. The speed limit on Allen's Creek Estuary, which includes Allen's Creek and its tributaries, located south of Belleair Road and east of Keene Road to the mouth of Allen's Creek at Largo Inlet, in Pinellas County, is 5 miles per hour with no wake.

Section 2. Any person who operates a boat, vessel, or other watercraft in excess of the posted speed limit of 5 miles per hour commits a noncriminal infraction and is subject to imposition of a civil penalty of \$35.

Section 3. The Florida Marine Patrol shall designate where speed limit signs shall be located. Pinellas County shall bear the cost of providing and erecting such signs.

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PUTNAM COUNTY

(All acts repealed 4-24-00.)

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ST. JOHNS COUNTY

[CH. 67-1986.](#)

CH. 67-1986.

An act authorizing the Board of County Commissioners of St. Johns County, Florida, to fix, change and post the speed or wake zones for all boats or other water traffic, other than a seaplane, on the waters of St. Johns County, Florida; providing a penalty for violation thereof; providing for the posting of signs of such speed or wake zones, and providing for an effective date.

Section 1. The Board of County Commissioners of St. Johns County, Florida, is hereby authorized to fix, change and post speed or wake zones for all boats or other water traffic, other than a seaplane, on the waters of St. Johns County, Florida.

Section 2. It shall be unlawful for any person, firm or corporation to operate any boat or other water craft, other than a seaplane, on the waters of St. Johns County, Florida, at a speed in excess of the speed limit within the speed zones fixed and posted by the Board of County Commissioners, or to cause a wake which will result in erosion or damage to property adjacent to said speed zones.

Section 3. Such signs shall be designed, prepared and placed in a manner that will not interfere or conflict with any United States Coast Guard regulations or waterway markers placed on the waters by the United States Coast Guard.

Section 4. Any person, firm or corporation violating the provisions of this act shall be deemed guilty of a misdemeanor, and subject to punishment as prescribed by law.

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ST. LUCIE COUNTY

[CH. 8187 \(1919\).](#)

[CH. 11118 \(1925\).](#)

[CH. 31234 \(1955\).](#)

[CH. 57-1791.](#)

[CH. 68-102.](#)

CH. 8187 (1919). *(Repealed by 68B-3.041, FAC, on Nov. 17, 2016.)*

CH. 11118 (1925). *(Ch. 11118, as amended by Ch. 63-1865, repealed by 68B-3.041, FAC, on Nov. 17, 2016.)*

CH. 31234 (1955). *(Repealed by 68B-3.041, FAC, on Nov. 17, 2016.)*

CH. 57-1791. *(Repealed by 68B-3.041, FAC, on Nov. 17, 2016.)*

CH. 68-102.

AN ACT relating to St. Lucie County; defining the terms “savannahs” and “airboat” prohibiting airboats in the savannahs in said county; providing that the violation of this act is a misdemeanor and providing an effective date.

Section 1. As used in this act the following words shall mean:

(1) Savannahs – the low or flooded parts of Sections 6, 7, 8, 17, 20, 28 and 29, in township 34 south, range 40 east; Sections 22, 23, 26, 35 and 36 in township 35 south, range 40 east; Sections 1, 2, 11, 12, and 13 in township 36 south, range 40 east; Sections 18, 19, 29, 30, 31 and 32,

township 36 south, range 41 east and Sections 4, 5, 8 and 9 in township 37 south, range 41 east in St. Lucie County, Florida, excepting, however, the waters of the Indian River.

(2) Airboat – any boat, sled, skiff or swamp boat pushed, pulled, or propelled by air power generated by a nondetachable motor of more than 10 horsepower.

Section 2. It is unlawful for any person, except a law enforcement or conservation officer when on duty, to operate an airboat in the Savannahs in St. Lucie County, Florida.

Section 3. Any person violating the provisions of this act is guilty of a misdemeanor, and upon conviction shall be punished according to law.

Editor's Note: Chgd. by L.1979 Ch. 560.

See Brevard County [Ch. 5973](#) (1909), which act also applies to St. Lucie County.

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SANTA ROSA COUNTY

[CH. 26212 \(1949\).](#)

[CH. 78-613.](#)

CH. 26212 (1949).

An act to prohibit the use of nets except hand crab nets and cast nets for any purpose whatsoever in certain of the waters of Santa Rosa County.

Section 1. That it shall be unlawful for any person to use, operate or have in his possession with the intent to use, any fish nets, drag nets, haul seines, force trap nets, gill nets, or other nets except hand crab nets and hand cast nets of not less than seven-eighths inches mesh and of not more than eleven feet in length operated by not more than one person, in or upon any of the following described waters of Santa Rosa County, Florida, to-wit: All of Duncan Lake, otherwise known as Alligator Bayou, otherwise known as Hoffman Lake, including the mouth of said body of water, said body of water being located almost wholly within the boundaries of lot one section five, township three south, range twenty-nine west in Santa Rosa County, Florida.

Section 2. *(Repealed by 68B-3.028, FAC, on Feb. 1, 2017.)*

Section 3. In all cases of arrest for violation of the provisions of this act, the arresting officer shall seize and hold any and all nets, devices and appliances illegally used in violating this act, and upon conviction for a violation of any of the provisions of that act, any and all such nets, devices and appliances so illegally used in said violation shall be considered a nuisance and after such trial and conviction the court shall order such nets, devices and appliances destroyed by the sheriff.

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 78-613.

An act relating to Santa Rosa County; prohibiting any person, firm, or corporation from using any net in certain designated salt waters of Santa Rosa County or near the entrances to such waters; providing an exception; providing penalties; providing an effective date.

Section 1. No person, firm, or corporation shall set, cause to be set, fish, or cause to be fished any net whatsoever in the following designated salt waters of Santa Rosa County or within 600 feet of the entrances thereto:

(1) Venetian Isles subdivision, as platted in book B, page 99, public records of Santa Rosa County, Florida; which plat includes lands in section 36, township 2 south, range 29 west, and section 1, township 3 south, range 29 west.

(2) Resubdivision of Santa Rosa Shores, as platted in plat book B, page 58; and FIRST ADDITION TO SANTA ROSA SHORES, as platted in plat book B, page 62A, in the public records of Santa Rosa County, Florida; which plats include lands in section 32, township 2 south, range 28 west.

(3) Resubdivision of a portion of sound-side, also known as Godwin's Lake, as platted in plat book B, page 75a, public records of Santa Rosa County, Florida; which plat includes lands located in sections 26, 27, 34 and 35, township 2 south, range 28 west. Provided, however, that nothing in this act shall be construed to prohibit fishing in such waters with hand-operated cast nets during such seasons as are established by law.

Section 2. *(Repealed by 68B-3.028, FAC, on Feb. 1, 2017.)*

Editor's Note: This act became a rule per L.1983 Ch. 134.

See Escambia County [Ch. 24079](#) (1947), which act also applies to Santa Rosa County.

See Escambia County [Ch. 27265](#) (1951), which act also applies to Santa Rosa County.

See Escambia County [Ch. 67-634](#), which act also applies to Santa Rosa County.

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SARASOTA COUNTY

[CH. 24890 \(1947\).](#)

[CH. 57-1842.](#)

[CH. 57-1844.](#)

[CH. 57-1852.](#)

[CH. 57-1854.](#)

[CH. 63-1907.](#)

[CH. 70-930.](#)

[CH. 85-499.](#)

[CH. 86-458.](#)

CH. 24890 (1947). *(Repealed by 68B-3.042, FAC, on Nov. 19, 2018.)*

CH. 57-1842. *(Repealed by 46-20.003, FAC, on Jan. 1, 1998.)*

CH. 57-1844. *(Repealed by 68B-3.042, FAC, on Nov. 19, 2018.)*

CH. 57-1852. *(Repealed by 46-20.003, FAC, on Jan. 1, 1998.)*

CH. 57-1854. *(Repealed by 46-20.003, FAC, on Jan. 1, 1998.)*

CH. 63-1907. *(Repealed by 68B-3.042, FAC, on Nov. 19, 2018.)*

CH. 70-930. *(Repealed by 68B-3.042, FAC, on Nov. 19, 2018.)*

CH. 85-499.

An act relating to Sarasota County; providing restrictions on fishing and the possession of fishing nets and traps between certain hours on certain waters within the county; providing for inspections; providing for the seizure and forfeiture of certain nets and illegally taken fish under certain circumstances; providing penalties; providing for legislative intent; providing for severability; providing an effective date.

Section 1. The taking of fish for resale to the public from the waters of seawalled creeks or seawalled or man-made canals within the boundaries of Sarasota County is prohibited between the hours of 10 p.m. and 7 a.m.

Section 2. It is unlawful for any person to have in his possession upon the waters of seawalled creeks or seawalled or manmade canals within the boundaries of Sarasota County, between the hours of 10 p.m. and 7 a.m., any haul net, gill net, stop net, or seine or trap used for taking saltwater fish; however, this provision shall not apply to any person living on property adjacent to or contained in these areas when transporting such gear to and from legal fishing areas.

Section 3. Any person occupying a boat upon the waters of seawalled creeks or seawalled or man-made canals within the boundaries of Sarasota County shall be deemed to have given his consent to have his catch inspected upon demand or request by any law enforcement officer who has reasonable grounds to believe that a violation of this act has been committed and such person shall produce such catch for inspection upon the demand of any such law enforcement officer.

Section 4. (1) Any person, firm, or corporation who violates the provisions of this act is guilty of a misdemeanor of the second degree, punishable as provided by general law.

(2) Any law enforcement officer, upon arresting any person for violating any provisions of this act, shall seize any haul net, gill net, stop net, seine or trap used in violation thereof. Upon the conviction of any such person, such nets, seines, or traps are hereby declared to be public nuisances and shall be forfeited to the state pursuant to s. 370.061(1), Florida Statutes, except that any proceeds from the sale thereof shall be deposited into the Motorboat Revolving Trust Fund to be used for law enforcement purposes.

(3) Any law enforcement officer, upon arresting any person for violating any provision of this act, shall seize any catch unlawfully taken. Such catch shall be disposed of pursuant to s. 370.061(2), Florida Statutes, except that in the event of conviction, the proceeds from the sale of such catch, or from the bond or cash deposit, shall be deposited in the Motorboat Revolving Trust Fund to be used for law enforcement purposes.

Section 5. *Legislative intent.* It is the intent of the Legislature that this act is being passed to provide an area in Sarasota County where commercial fishing is restricted for the purpose of benefiting and encouraging the growth of the tourist industry, sports fishing industry, and commercial fishing industry for all the citizens of this county and to further provide protection for breeding grounds of saltwater fish and marine life in the inland waters described in this act and to encourage the development and propagation of saltwater fish within these waters and to eliminate friction existing in Sarasota County between sports fishermen, waterfront property owners and commercial fishermen and to abate nuisances arising therefrom.

Editor's Note: Chgd. by L.1990 Ch. 398.

CH. 86-458.

An act relating to Sarasota County, the City of Sarasota; providing mooring requirements for boats anchored within the City of Sarasota; providing an effective date.

Section 1. The provisions of s. 327.60, Florida Statutes, or any other provision of the Florida Statutes to the contrary notwithstanding, within the boundaries of the City of Sarasota "rights of navigation" shall not be construed to authorize any vessel to anchor within 500 feet of any real property zoned and used for residential dwelling purposes for a period of time more than 12 hours except for established and approved mooring areas as authorized by the City Commission of the City of Sarasota.

SEMINOLE COUNTY

[CH. 65-2266.](#)

CH. 65-2266.

An act relating to motorboats, launches and other watercraft propelled by internal combustion engines on any lakes or waters of Seminole County; providing for said boats to be equipped with mufflers, underwater exhausts, or other devices to deaden sound; prohibiting the operation of any craft on said waters in a reckless manner or while under the influence of alcoholic beverages; restricting the speed of any craft in swimming, bathing, or boat launching areas of said waters; authorizing the Board of County Commissioners of Seminole County to prescribe regulations for the operation of motorboats on all waters within said county; fixing a penalty for violation of same; providing an effective date.

Section 1. It is unlawful to operate on any of the lakes or waters of Seminole County any motorboat, launch, or other watercraft propelled, in whole or in part, by any internal combustion engine, unless said engine is equipped with a stock factory muffler, underwater exhaust, or other muffler, or improved device in proper working order and capable of adequately muffling the noise of the explosion of such engine, and is unlawful to operate on any of said lakes or waters, except as hereinafter provided, any motorboat, launch, or other watercraft propelled, in whole or in part, by any internal combustion engine, unless the muffling device thereof is kept closed at all times such engine is in operation.

Section 2. Every operator of any boat or aforesaid watercraft on any of the said lakes or waters shall at all times operate and navigate the same in a careful and prudent manner at such rate of speed as not to endanger the property of another, or the life or limb of any person, so as not to interfere unnecessarily with the free and proper use of such waters by other persons, and so as not to endanger other boats, or the life or limb of any other person in or on said waters. No person shall operate any boat, or aforesaid watercraft on any of the said lakes or waters recklessly, carelessly, or without due regard to other persons, other boats or watercraft, bathers, persons engaged in fishing, or objects in or on said waters, and to other conditions then existing.

Section 3. The operator of any boat in said waters involved in an accident resulting in injury or death to any person, or in damage to property, shall immediately stop such boat at the scene of such accident and shall give his name, address, full identification of his boat and the name and address of the owner, to the person struck or the operator or occupants of the boat collided with, and shall render to any persons injured in such accident reasonable assistance to the nearest or most convenient law enforcement agency or office.

Section 4. It is unlawful to navigate or operate on any of the said lakes or waters, any watercraft in any bathing, swimming, or boat launching area at a speed greater than five (5) miles per hour. The term "bathing, swimming or boat launching area" shall include any area, not further than fifty (50) yards from the edge of the water in which any person is actually bathing, swimming, or launching a boat, or which has been clearly designated by use of buoys, stakes, or markers as a bathing, swimming or boat launching area.

Section 5. It is unlawful to navigate or operate any watercraft on any of the lakes or waters of Seminole County while under the influence of alcoholic beverages or intoxicating liquor when affected to the extent that his or her normal faculties are impaired.

Section 6. All persons at anchor after sundown or operating a boat in said waters after sundown must display a light which can be seen by passing boats.

Section 7. The Board of County Commissioners of Seminole County is authorized and empowered to and may:

- (1) Prescribe speed limits of such boats in any areas within said county;
- (2) Prescribe areas wherein such boats may not operate;
- (3) Prescribe areas to be used exclusively for swimming or other public purposes;
- (4) Require all watercraft propelled by gasoline or other internal combustion engines to be equipped with mufflers, underwater exhausts, or other suitable devices to deaden sound;
- (5) Prescribe any other reasonable rules or regulations for the operation of motorboats as may be necessary and proper for safety and welfare of the public generally; provided, however, that each and every such rule or regulation shall be valid only if it shall set forth therein with reasonable accuracy the specifically defined area or areas to be affected by each regulation.

Section 8. Any officer duly authorized to make arrests may, and it shall be his duty to, arrest without warrant, any person violating any of the provisions of this act in his presence.

Section 9. Anyone violating any provision of this act shall be deemed guilty of a misdemeanor.

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SUWANNEE COUNTY

See Columbia County [Ch. 23010](#) (1945), which act also applies to Suwannee County.

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TAYLOR COUNTY

See Lafayette County [Ch. 6311](#) (1911), which act also applies to Taylor County.

See Dixie County Ch. [21093](#), [21188](#) (1941), which act also applies to Taylor County.

See Dixie County [Ch. 77-660](#), which act also applies to Taylor County.

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VOLUSIA COUNTY

[CH. 80-372.](#)

CH. 80-372.

An act relating to saltwater fisheries and conservation; amending s. 370.082(3), Florida Statutes, and adding a subsection, prohibiting the use of certain nets in certain waters of Volusia County during a specified period; providing an effective date.

Section 1. Subsection (3) of section 370.082, Florida Statutes, is amended and subsection (5) is added to said section to read:

370.082 Use of gill nets and similar devices regulated, penalties; confiscation of equipment.

(3) Any person violating the provisions of this section is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(5) During the months of December, January, February and March of each year, it is unlawful for any person, firm, or corporation to set, lay out, or fish, or cause to be set, laid out, or fished, any gill net or similar device in the inland waters located in an area of Volusia County described as follows: an area 500 yards in width as measured from the East shore of Mosquito Lagoon and bounded on the North by a point 500 yards North of Turtle Mound and on the South by Feller's Dock. The Department of Natural Resources is hereby instructed to place buoys at the northerly and southerly locations in order to properly mark the said boundaries.

Editor's Note: The Division of Statutory Revision chose not to amend 370.082 as stated in this law. Therefore, (5) is considered a Special Act of local application only.

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WAKULLA COUNTY

See Franklin County [Ch. 65-905](#), which act also applies to Wakulla County.

See Citrus County [Ch. 81-199](#), which act also applies to Wakulla County.

WALTON COUNTY

[CH. 22506 \(1943\).](#)

[CH. 65-2369.](#)

CH. 22506 (1943).

An act establishing the lines between fresh and salt waters in Walton County, Florida.

Section 1. That from and after the passage of this act, the dividing lines between fresh and salt waters in Walton County, Florida, shall be established as follows:

Basin Creek Where said creek empties into Basin Bayou

Alaqua Creek Where said creek empties into Alaqua Bayou

Four Mile Creek Where Four Mile Creek empties into LaGrange Bayou

Mitchell River At the mouth of said river

Black Creek At the mouth of said creek

Choctawhatchee River At the mouth of said river.

Editor's Note: This act became a rule per L.1983 Ch. 134.

CH. 65-2369.

An act relating to Walton County, shrimp; prohibiting trawling for shrimp or operating a shrimp trawl in certain waters of the Choctawhatchee Bay; making violation a misdemeanor; providing an effective date.

Section 1. The operation of a shrimp trawl, or trawling for shrimp, is prohibited in the waters of the Choctawhatchee Bay which lie east of a line between Fourmile [Four Mile] point and Hammock point.

Section 2. *(Repealed by 68B-3.043, FAC, on Feb. 1, 2017.)*

Section 3. The board of conservation may open this area when deemed necessary for a given period of time for shrimping.

Editor's Note: This act became a rule per L.1983 Ch. 134.

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WASHINGTON COUNTY

See Bay County [Ch. 24111](#) (1947) which act also applies to Washington County.

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