

From: Rob Merlino [<mailto:rob@robmerlino.com>]

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To: John Holic <JHolic@Venicegov.com>; Richard Cautero <RCautero@Venicegov.com>; Robert Daniels <RDaniels@Venicegov.com>; Fred Fraize <FFraize@Venicegov.com>; Mitzie Fiedler <MFiedler@Venicegov.com>; Jeanette Gates <JGates@Venicegov.com>; Charles Newsom <CNewsom@Venicegov.com>; Kathleen Weeden <KWeeden@Venicegov.com>; Edward Lavallee <ELavallee@Venicegov.com>

Cc: Lori Stelzer <LStelzer@Venicegov.com>

Subject: Here is the Citizen Committee's reply to the consolidated list of proposed new rules for the pier

Ladies and Gentlemen-

Attached please find the citizen's group response to proposed rules at the Venice Municipal Fishing Pier.

To summarize our recommendations, we recommend there be no changes to the rules, hours, or the current admittance policy with one exception. Add to the rules "no chumming."

Thank you for your attention.

-Rob

Rob@RobMerlino.com

Rob@SharkTankBlog.com

Citizen's Group Response to City Council's consolidated list of proposed new rules for a new pier ordinance

Let me begin by stating the citizen's pier group (Rob Merlino, Tom Jack, Andre Cea, Donovan Dancses and Mike Pachota) met on January 15, 2018. We discussed the proposed rules and fees and came to unanimous agreement. We object particularly to any rules that infringe on fishing. We have the FWC (who frequents the pier) to police fishing. The proper name of the pier is the Venice Municipal Fishing Pier, after all.

As for fees, while nobody on the committee is opposed to fees, but the cost and aggravation involved do not warrant the exercise. Mike Pachota stated the MOST that was ever collected prior to 2004 was \$20,000 (at \$1 entry). The goodwill and beauty of the Venice Fishing Pier and the surrounding beaches and parks are part of the beauty and character of the area and we all feel it should be preserved. As for funds to maintain and repair the pier, some of the rents and/or sales tax funds collected should be put aside in a separate city account.

Taxpayers have a reasonable expectation that city funds collected either as sales taxes or rents from the pier and surrounding area should go to such a fund. It makes no sense to raid the city coffers every time the pier needs repair. The analogy of a young couple saving to buy a car was used by Mr. Pachota. Everyone knows they'll need a new car someday, so they put a little aside for when that day comes. The city should do the same: take a percentage of the taxes and rents collected and set them aside. It's plain old common sense. (5% of rents and taxes would amount to nearly \$50K yearly)

Everyone involved in these discussions wants the pier kept clean and free of hooliganism. As we've stated since this all got started, the current rules are fine, but they need to be ENFORCED. You can post all the rules you want, but if there are no consequences, nothing will change. We request the pier be part of the Venice Police Department's regular beat, as it should be for all public parks. Park and pier visitors have the right to feel safe in public spaces and when there is a police presence, people feel safe. There doesn't need to be a cop on duty 24/7, but a "nightly stroll" one to three times per evening (particularly on weekends) has a tremendous effect on bad behavior at the pier.

Below is the consolidated list of proposed new rules with the citizen committee recommendations. Note some of the current rules do not appear on this list while some of the proposed rules appear in the current rules.

1. Posting signs - No objection
2. Use traps, nets, seines or other trapping or netting devices. Nets may be used to land fish and must be 36 inches or less in diameter - OBJECT Cast nets are needed for bait. The committee agrees people should clean up any mess left from bait nets.
3. Fish for shark from the pier - OBJECT
4. Use devices of combustible fuels - No objection
5. Sit or stand on pier rails - No objection
6. Run or climb on the pier - No objection

7. Walk or run without shoes - No objection (but good luck on the shoes thing - it IS the beach)
8. Block pier entrance with bicycles, scooters or skateboards - No objection
9. Chum or dump bait into the water - No objection (but in direct contradiction to #10)
10. Place fish in trash containers (fish should be cut up and deposited in the ocean) - No objection (it's what's commonly done now - keeps the crab population healthy)
11. Feed birds - No objection
12. Fly kites from the pier - No objection
13. Use pier railing, seats or benches for cutting of bait - No objection
14. Behave in a disorderly manner - No objection
15. Use profane or obscene language or behavior in a disorderly manner to the disturbance of others on the pier. - No objection
16. Erect a tent or canopy. - No objection
17. Use a cutting tool on any pier surface. - No objection (except bait/cleaning stations)
18. Use open flames, cook, or barbeque. - No objection
19. Fish commercially. OBJECT some people go out to "bait up" for a charter or other boat trips
20. No one under the age of 18 allowed without adult supervision - OBJECT should be 16
21. Pier hours are ____ am to midnight daily. No one allowed on pier during closed hours OBJECT keep it **24/7/365**. It's been that way for a long time and it adds to the character of the place. The current tenant at the end of the pier reports no problems.
22. All bait and fish must be kept in closed containers - No objection
23. Fish cleaning in designated areas only - No objection
24. Defective fishing tackle must be placed in marked containers Object? We have no idea what this means. If you mean put used line in the recycle receptacles then - No objection
25. The city is not responsible for any lost or stolen items - No objection
26. Any person violating any of the provisions of this section may be subject to code enforcement proceedings and subject to a fine of \$____ if found to have committed a violation causing irreparable harm. The city may bar them from any future use of the pier. Any person convicted of violating this section may be responsible to the city for any monies expended by the city as a result of the violation. - No objection (these are the enforcement issues noted above)

27. City of Venice residents are free to use the pier as long as the rules are followed. No-residents will pay to use the pier for fishing. Individuals using a wheel chair and seniors over the age of 80 are free. The daily charge for non-residents desiring to fish shall be defined in a city resolution adopted by the city council. All money collected shall be kept in a special pier fund to help maintain the pier. - OBJECT We don't want the fees and they'd be revenue negative

28. All pier/beach site viewers may access the pier up to the fishing access gate at no charge. OBJECT see above

29. Children under the age of 12 are free. - No objection

30. Free public parking is available to all guests. - No objection

31. Pier master has the right to inspect any cooler or containers to determine if it contains any illegal materials. OBJECT Who is this pier master? The Police and the FWC can do this when necessary.

1. Install a gate system a bait house to separate observers from fishermen. - OBJECT tourists come out to watch people fishing.

2. Establish rules and post throughout pier, on website and social media and printed on rack cards. - No objection

3. Install camera surveillance system on pier. Post area to let users know they are being filmed. - No objection. It could be posted on a live feed website that is monetized, thus bringing monies for the pier fund mentioned in the opening remarks. Of course there are four working cameras in place now, maybe update them?

4. Establish a volunteer pier user citizen group to help monitor and give feedback. Ask Sharky's to lead group. - No objection. We are doing it now and we are forming a fishing club. Formation of such a club would guarantee all club members would be good stewards for the pier and at least one member would be present 99% of the time.

5. Present a status quarterly report to council. - OBJECT - someone will come when asked though 😊

6. Include pier area in annual clean up....top, side and under water area. - No objection This is done yearly by the Reef Rovers. Local Schools (Student Leadership Academy) organize beach clean-ups so kids can get community service hours.

7. Please beach floating line buoy system 300 feet on each side of the pier side to keep everyone out. Have area posted as to keep out. OBJECT Post signs, don't put more junk in the water.

8. Have authorized citizen cop volunteer visit daily and walk around pier asking people for feedback. OBJECT We are not cops but we will be good stewards and call the real thing when necessary

9. Have code enforcement visit on a coordinated schedule with citizen cop and walk the entire pier. OBJECT See above, but code enforcement is not a bad idea.

10. City PIO will include the city pier in monthly public newsletter. City pier user's comments, costs to non-residents who desire to fish...beach side visit is free, testimony from local fishermen on experience and comments from out of town visitors. OBJECT I have no idea what you are talking about here

11. Special pier fishing events may be requested through the city manager's office. - No objection

For reference, here are the current rules. Many from the above list are covered here, but some are not.

The following rules and regulations pertain to all city owned, leased or operated parks, beaches and recreational areas.

(1) No automobile, truck, recreational vehicle, camper, trailer, motorcycle, motor scooter, motor bicycle, bicycle, golf cart or other mode of conveyance shall be driven or parked except in those areas specifically designed or otherwise designated by signs to be used for such driving or parking; provided, however that the city manager may issue written permits granting special driving and/or parking privileges, upon application therefore, to persons suffering acute physical disabilities, which permits shall specifically recite on the face thereof the exact extent of the special privileges and the area or areas involved. Vehicles performing services or deliveries and agents or employees of governmental bodies operating vehicles or equipment on official business shall be exempt from this subsection. No person shall park a vehicle in any area in excess of 18 consecutive hours. Any vehicle parked over 18 hours may be removed, unless authorized by the city manager, from the parking area to the nearest garage, to a garage designated or maintained by the city or its police department or to another place of safety, all in accordance with section 70-6 of this Code.

(2) No person permitted to operate an automobile, truck, recreational vehicle, camper, trailer, motorcycle, motor scooter, motor bicycle, bicycle, golf cart or other mode of conveyance shall operate it at a rate of speed in excess of 15 miles per hour.

(3) No overnight camping of any type or sleeping shall be allowed except in those areas that are specifically designed or otherwise designated by signs for such use.

(4) No person shall dispose of any paper, waste, garbage, trash, cigarette butts, debris, or other litter of any kind except in proper receptacles. Only such paper, waste, garbage, trash, debris or other litter as may have been created or accumulated in the use of a park, beach or recreational area shall be disposed of in such receptacles.

(5) No person shall solicit or canvass for the sale or rental of merchandise, services, goods or property of any kind or character. This prohibition shall not apply to a tenant, concessionaire, permittee or licensee of the city lawfully

operating within the terms of any lease, concession agreement, license or permit granted by the city.

(6) No person shall hold, drink from, carry into, otherwise possess, or dispose of glass containers of any kind.

(7) No person shall perform any activity, which, at the time of performance, is not compatible with the public's utilization of the area. No person shall ride, use or operate bicycles, roller skates, roller blades, skate boards and/or similar devices in or on gazebos, fountains, structures, shelters, benches, tables, chairs, paver areas or improved surfaces, monuments, signs, newspaper racks or other amenities.

(8) Fires are prohibited, except in such grills, fireplaces, barbecue pits or such other receptacles as may be specifically designed for such use. No cooking surface shall be larger than 400 square inches in size. Exemptions may be authorized by the city manager.

(9) Dogs, cats, and other animals are not allowed in the following: Brohard Park, Chauncy Howard Park, Chuck Reiter Park, East Gate Park, Hecksher Park, Higel Marine Park, Humphris Park, Marina and Boat Ramp, Mundy Park, Patriots Park, Service Club Park, Venice Myakka River Park, Venice Municipal Beach Park and Wellfield Park. Any dog, cat or other animal (except for dogs trained to assist or aid disabled or handicapped persons) found in violation of this section may be impounded and held in accordance with the provisions of county Ordinance No. 95-42.

(10) The use of tobacco products is prohibited in all areas, within a defined perimeter, in areas used for organized youth athletic activities. The defined perimeter is the area that encompasses all athletic fields, spectator stands, concession areas, restroom areas, walking or congregating areas, and all intervening spaces. This area is often times, but not exclusively, outlined by perimeter fencing with gates at points of entry. A youth athletic organization or league is defined as an organization which contracts with the county division of parks and recreation, to conduct activities related to youth athletic leagues, including athletic practices and games, meetings, clinics, and demonstrations, on a regularly scheduled basis (e.g. baseball, football, soccer, softball).

(11) No person shall sell, possess or consume any alcoholic beverages without the written authorization of the city manager.

(12) No person shall destroy, injure, deface, mar, move, dig, harmfully disturb or remove from any area, or the waters thereof, any buildings, structures, facilities, historic resources, equipment, park property, soil, sand, gravel, rocks, stones, fossils, minerals, plants, trees and shrubs (including terrestrial, aquatic, marine, or epiphytic plants) or animals, artifacts, or other materials.

(13) No person shall cut, carve, injure, mutilate, move, displace, or break off any natural water bottom formation or growth.

(14) No person shall introduce any plant or animal species by willful abandonment, negligence, or for any other reason without permission from the city.

(b) *Exemptions* . The following activities are exempt from the prohibitions contained herein:

(1) Sculpting of sand (such as sand castles) on public beaches, or the collection of shells, sharks' teeth, and other natural materials that wash up on public beaches except as otherwise prohibited by federal, state, or local laws.

(2) Collection of natural objects, including plant and animal life and minerals, for scientific and educational purposes so long as such collection is conducted in compliance with terms or written permission granted from the city manager.

(3) The permitted trapping or removal of animals by a party authorized by the city.

(4) Maintenance, repair or improvements by a party authorized by the city.

(5) Fishing.

In addition to the rules and regulations set forth in section 46-62, the following rules and regulations shall be in effect for use at the Venice Fishing Pier.

(1) No person entering upon and using the Venice Fishing Pier shall:

a. Use more than two fishing lines at one time.

b. Operate bicycles, roller skates, roller blades, skateboards and/or similar devices on the pier or around the concession area.

(2) No person shall operate or navigate any boat or other watercraft within 300 feet of the Venice Fishing Pier.

(3) No person shall dive or jump from the fishing pier or swim or surf within 150 feet of the centerline of the pier structure.