

ORDINANCE NO. 2026-01

AN ORDINANCE OF THE TOWN OF BELLEAIR SHORE, FLORIDA, CREATING A SHARK FISHING ORDINANCE ADDING CHAPTER 30 – WATERWAYS, ARTICLE II. BEACH AREAS, DIVISION 2. BEACH AND ACCESS AREA RESTRICTION, SECTION 30-61 SHARK FISHING PROHIBITED; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Belleair Shore (the Town) is a Florida municipal corporation and political subdivision of the State of Florida; and

WHEREAS, the Town Commission of Belleair Shore (the Commission) finds that sharks and all aquatic life are important to the biodiversity of the coastal waters of Florida; and

WHEREAS, in 2023, a deceased tiger shark washed ashore in the neighboring Town of Indian Shores, and its death was attributed to shore-based shark fishing; and

WHEREAS, shore-based shark fishing is commonly performed by luring sharks close to the shore by chumming the waters near the beach where people are often located, thus increasing the chance for shark bites; and

WHEREAS, while properly-regulated off-shore/deep sea shark fishing may lawfully occur, the taking of smaller, younger sharks on-shore, such as the endangered tiger shark which, when killed, was pregnant, is environmentally irresponsible; and

WHEREAS, Part 635 (Atlantic Highly Migratory Species) of Title 50 (Wildlife and Fisheries) of the United States Code of Federal Regulations provides, at 50 C.F.R. § 635.4, for the issuance for certain Atlantic tuna, swordfish, or shark fishing permits by the National Marine Fisheries Service; and

WHEREAS, Florida Administrative Code § 68B-44.009(3) allows the Florida Fish and Wildlife Conservation Commission to issue a shore-based shark fishing permit; and

WHEREAS, similar ordinances have been adopted in Delray Beach, Florida, Indian Shores, Florida, Treasure Island, Florida, and Redington Shores, Florida, and the Commission has determined that a similar ordinance should be adopted by the Town; and

WHEREAS, the Commission determines that it would protect the health, safety, and welfare of the Town, its residents, its visitors, and the aquatic environment, to adopt a prohibition of on-shore shark fishing.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF BELLEAIR SHORE:

Section 1: That all of the above recitals are true and correct, and the same are incorporated into this Ordinance as if fully set forth herein.

Section 2: That the Town of Belleair Shore Code of Ordinances, CHAPTER 30 – WATERWAYS, ARTICLE II. BEACH AREAS, DIVISION 2. BEACH AND ACCESS AREA RESTRICTION, SECTION 30-61 SHARK FISHING PROHIBITED, and shall hereby be created to read as follows:

Sec.30-61. Shark Fishing Prohibited

(a) Notwithstanding the possession of a permit issued pursuant to Florida Administrative Code §68B-44.009(3) or 50 C.F.R. §635.4, a person may not participate in shore-based shark fishing in the jurisdictional waters of the Town and from any Town-owned real property.

(b) For purposes of this article, the term “shark” shall have the same meaning as is set forth in §68B-44.002(2).

(c) For the purposes of this article, the term “shore-based shark fishing” shall mean the targeting or harvesting of any species of shark when fishing from shore, wade fishing, or fishing from any structure attached to shore, including but not limited to bridges, piers, docks, and jetties. Fishing from shore or any structure attached to shore by or with any of the following gear or methods shall constitute shore-based shark fishing regardless of the species targeted or harvested.

(1) Fishing with a metal leader greater than 4 feet in length.

(2) Using a fighting belt, fighting harness, or similar device used in conjunction with a fishing rod to give the angler a mechanical advantage when reeling in a fish.

(3) Deploying bait by any means other than casting from shore or casting while wade fishing, including but not limited to transporting or dropping the bait by or from a vessel, surfboard, drone, or by swimming.

(4) Deploying bait by means other than casting shall not shore-based shark fishing if the bait is attached to a hook for which the maximum distance measured between two points inside the curve created by the hook does not exceed 1.5 inches, when measured at the widest dimension.

(d) A person who accidentally catches a shark in violation of §30-61 while fishing from the shore must release such a shark immediately at the site of capture, without unnecessary harm. Delaying the release of a shark for any period of time longer than necessary to remove the hook or other fishing tackle is prohibited. If the hook cannot be removed quickly, either the hook must be cut or the leader must be cut as close to the hook as possible in order to remove as much fishing tackle as possible without delaying release.

Section 3: That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 4: That if any provision or part of this Ordinance is declared invalid or unenforceable as a matter of law, the offending portion shall be stricken and all other provision hereof shall remain valid and enforceable.

Section 5: The provision of this Ordinance shall be incorporated as an appendix to the Code of Ordinances of the Town of Indian Shores, Florida, as an addition or amendment thereto.

Section 6: This Ordinance shall become effective immediately upon adoption in the manner provided by law.

FIRST READING this 20th day of January 2026.

The first reading of the above Ordinance, upon motion by Commissioner Tolbert and seconded by Commissioner Cain as duly approved at a regular Commission Meeting held on the 20th day of January, 2026.

Voting in favor of the First Reading: Commissioner Tolbert, Commissioner Cain, Commissioner Lally and Mayor Blume.

Voting in opposition: 0

Absent: 1

Abstaining: 0

SECOND READING this 17th day of February 2026.

The second reading of the above Ordinance, upon motion by Commissioner Tolbert and seconded by Commissioner Cain as duly approved at a Regular Town Commission Meeting held on the 17th day of February 2026.

Voting in favor of the Second Reading: Commissioner Tolbert, Commissioner Cain, Commissioner Lally, Vice Mayor Storie and Mayor Blume.

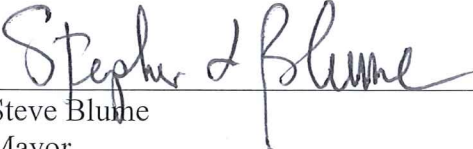
Voting in opposition: 0

Absent: 0

Abstaining: 0

PASSED AND ADOPTED BY THE TOWN COMMISSION OF THE TOWN OF BELLEAIR SHORE, FLORIDA, THIS 17th day of February , 2026.

ATTEST:




Steve Blume
Mayor



Mary Palmer, MMC
Town Clerk

Approved as to form:



Daniel P. Lewis, Esq.
Town Attorney