

## Legislation Details (With Text)

<b>File #:</b>	19-305	<b>Name:</b>	
<b>Type:</b>	Ordinance	<b>Status:</b>	Consent Item Ready
<b>File created:</b>	5/6/2019	<b>In control:</b>	City Council
<b>On agenda:</b>	5/28/2019	<b>Final action:</b>	
<b>Title:</b>	Approval of the first reading of an ordinance amending Chapter 142 pertaining to methods of fishing and release of non-native aquatic species into any body of water within the city limits.		
<b>Sponsors:</b>			
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. Ordinance Sec 142. Waterways v3 w Parks Board Amendment		

Date	Ver.	Action By	Action	Result
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Presenter/Contact

*Mark Enders, Watershed Program Manager  
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**SUBJECT:**

Approval of the first reading of an ordinance amending Chapter 142 pertaining to methods of fishing and release of non-native aquatic species into any body of water within the city limits.

**BACKGROUND / RATIONALE:**

The current Code of Ordinances, Chapter 142- *Waterways*, prohibits the usage of live bait as a method of fishing within the city limits. This language conflicts with Texas Parks and Wildlife Dept (TPWD) fishing regulations which allow the use of live bait on waterways. Staff is proposing a revision Chapter 142 in order to allow the usage of live bait and to defer regulation of fishing to TPWD, except as it pertains to prohibiting the introduction of non-native organisms into bodies of water. Staff proposes to incorporate language prohibiting the release of non-native bait and aquarium species into any body of water within the city limits. This language is in conformance with the City's obligations under the Edwards Aquifer Habitat Conservation Plan (EAHCP) program. The types of live bait that will be allowed consist of terrestrial organisms (i.e. earthworms, grasshoppers) and native aquatic organisms (i.e. crawfish, native minnows). The revised ordinance prohibits the use of cast nets within the Comal River system including Landa Lake, Comal Spring Runs, and Comal River. The revised ordinance also prohibits spearfishing and bow-fishing from City-owned property.

This ordinance amendment provides for a fine of not more than \$500.00.

**ADDRESSES A NEED/ISSUE IN A CITY PLAN OR COUNCIL PRIORITY:**

N/A

**FISCAL IMPACT:**

None

**COMMITTEE RECOMMENDATION:**

The Parks and Recreation Advisory Board considered this item at their May 21, 2019 meeting. There was a unanimous vote (4-0) from the board members present to recommend approval to City Council with an amendment to include bow-fishing as a prohibited method of fishing from City-owned property.

**STAFF RECOMMENDATION:**

Staff recommends approval of the proposed amendments to Chapter 142 pertain to methods of fishing and release of non-native aquatic species.