

## *Another attack on public access!*

# Cranston City Council approves anti-fishing ordinance

In one of the first laws of its kind in the State of Rhode Island, the Cranston City Council approved a "No Fishing" ordinance at the end of Ocean Avenue, Cranston at their July 24, 2017 meeting.

Immediately following this meeting, RISAA and Save The Bay sent letters complaining about this discriminatory ordinance.

### **BACKGROUND OF RISAA INVOLVEMENT**

RISAA first learned of the no fishing ordinance proposal when Steve Medeiros, RISAA President, received a phone call at the RISAA office saying the Cranston City Council was going to approve an ordinance to ban fishing from the public access at the end of Ocean Avenue.

The caller said that members of the Rhode Island Yacht Club which is on one side of this fishing area, and some of the neighbors had pushed to have this law put into place, and that most of the people who fish there are "ethnic groups."

This was brought to the RISAA Board of Directors who agreed that RISAA needed to find out more. Soon after RISAA learned Save The Bay was also opposing the ordinance.

### **ORDINANCE HEARING**

David Monti, RISAA Vice President and Legislative Chairman, attended a hearing on the ordinance on July 13 at Cranston City Hall.

"Most yacht club members have boats and access to the bay and ocean," said Monti. "To refuse those that fish from shore access via a public road and location just because it is at their entrance just does not make sense. Something about this hits me the wrong way."

It turned out that the primary sponsor of the ordinance happened to be **Michael Farina**, City Council President.

The ordinance 6-17-02 is titled "**Ocean Avenue - Scenic Lookout No Fishing**" and read:

*1. The public access point at the point where Ocean Ave. meets the shoreline shall be opened to the public from 6:00 a.m. to 10:00 p.m. No person shall enter, park or stand at said scenic public access point or be within the limits of said public access point except during the regular hours.*

*2. There shall be no fishing at the public access point where Ocean Ave. meets the shoreline at any time, in accordance with Coastal Resources*

*Management Council's designation as a scenic overlook.*

Dave Monti reported that the primary advocate for the ordinance was the Rhode Island Yacht Club, whose parking lot is adjacent to the public access fishing area. The Yacht Club commodore, past commodores and some property owners in the area said "Why should we be subject to people fishing there adding congestion to the end of the street", "The trash in the area is terrible.", "I do not like walking down to the water with all those lines in the water.", "We work hard and deserve to go to our boats without this hassle", said a Yacht Club member.

But some neighbors, as well as Councilpersons **Steven Stycos** and **John Lanni** did not support the 'No Fishing' ordinance saying if approved the ordinance would deprive the people of Cranston and the State of RI of public access to the bay to fish which is a constitutional right.

Councilman Stycos said that the City has done nothing to

address the challenge, but the first step might be placing trash containers and emptying them regularly at the site as they presently do at Stillhouse Cove a short walk away.

Councilman Stycos said, "The intent of the ordinance is to prohibit fishermen from being at the access point. I do not know how you can single out a group like this."

Councilman Stycos continued, "Seven years ago the Rhode Island

Yacht Club asked me to address the challenge. I suggested we eliminate parking on portions of Ocean Road to help address the congestion issue, however, the Yacht Club did not like that solution because members (and those attending events at the Yacht club) park on the street."

"Initially the Yacht Club asked that the City of Cranston deed the public access point over to the Yacht Club, but I told them that this was not likely going to happen."

Councilman Kenneth Hopkins, vice-chair of the Ordinance Committee read portions of the Rhode Island Constitution online out loud to the committee saying, "We can do this, it's not illegal, it says we have a right to regulate the resource."

Of course with so much political horsepower behind it the ordinance went forward and approved (with a new amendment) and would next go to the July 24 City Council Meeting.

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**The view from the street shows the guard rail, CRMC Public Access sign, and a small opening that leads to stairs to the shore.**