

CRANSTON BANS FISHING (from page 4)

In a letter dated July 21, 2017 to Council president Michael Farina from **Larry Mouradjian**, Associate Ddirector of the Department of Environmental Management (DEM), Mouradjian said, **“The City of Cranston does not have the legal authority to ban fishing from the area which has been designated for public access.** Based on the Rhode Island Constitution and Rhode General Laws Section 20-1-2, the authority to regulate fish and wildlife has been delegated to DEM.”

The letter concluded, “Municipalities have been granted no authority to regulate fishing and the City’s attempt to ban fishing adversely impacts the constitutional rights of Rhode Islanders.”

CITY COUNCIL MEETING

The Cranston City Council’s regular meeting was held on Monday, July 24, and the “No Fishing” ordinance was on the agenda.

During the Council Meeting, **Councilman John Lanni** said that the ordinance was illegal and he was not voting for it saying, “Citizens are granted the right to access and fishing in our Rhode Island constitution. This “No Fishing” ordinance would open the city up for expensive law suits. This is the first time to my knowledge that any city in the state was trying to deny citizens the ability to fish at a public access.”

Michael Farina, council president, said, “I will not be intimidated by the treat of a law suit. Our attorney says it is not illegal to do this so we are moving forward with it.”

Councilman Steven Stycos, whose district includes Ocean Avenue, was the only other councilperson opposed to the ‘No Fishing’ ordinance and said, “Fishing is not the problem. We need to enforce the laws we have and propose others such as restricted parking on Ocean Road. However, the Yacht Club has said they want the parking spaces on the street for events they hold.”

Legal Counsel for the city testified (at president Farina’s urging) that they checked with involved state agencies such as the Costal Resource Management Authority and there was nothing wrong with the City ban on fishing at the access point as long as anglers could go down to the beach to fish. Neither legal counsel nor Council president Farina mentioned the DEM letter at the Council meeting.

Michael Jarbeau, Narragansett Baykeeper for **Save The Bay** testified that the ‘No Fishing’ ordinance was unconstitutional

and that Save The Bay was opposed to the ordinance. In a letter to the Council Save The Bay said, “We are sensitive to neighborhood concerns, and the concerns of others who enjoy this public access site, regarding trash, congestion, and private property infringement. However, a fishing ban does nothing to address these concerns directly. Instead, this ordinance takes the unprecedented step of banning an activity so cherished by the state that it is explicitly protected in the Rhode Island Constitution.”

Richard Hittinger, 1st vice president of the **Rhode Island Saltwater Anglers Association**, testified and said, “Fishing access is a right granted by our State constitution. The ‘No Fishing’ ordinance is designed to deny and discourage fisherman, it specially targets fishing. The real problem is trash, parking and congestion. It’s not right to target fishing and fishermen. We are opposed to the ‘No Fishing’ ordinance.”

Barbara Rubine, president of the **Edgewood Waterfront Preservation Association** testified that, “Our board objects to the trash and congestion at the end of Ocean Avenue and strongly believes the City needs to enforce ordinances already in place, we are opposed to banning fishing at the Ocean Avenue access point as we believe all should be able to enjoy the coastline.” (to page 33)



The Right of Way area is very small. Anyone fishing on the shore would have no effect on the Yacht Club or the property next door.

