



## Legislation Details (With Text)

<b>File #:</b>	ORD 2019-020	<b>Name:</b>	Chapter 5 Amendment - Waterfowl
<b>Type:</b>	Ordinance	<b>Status:</b>	Failed
<b>File created:</b>	6/24/2019	<b>In control:</b>	City Commission
<b>On agenda:</b>	8/8/2019	<b>Final action:</b>	8/8/2019
<b>Title:</b>	AN ORDINANCE AMENDING THE CITY'S CODE OF ORDINANCES, BY AMENDING CHAPTER 5, "ANIMALS," SECTIONS 5-1, "PURPOSE," 5-2, "DEFINITIONS," AND 5-7, "PROHIBITION OF CRUELTY TO ANIMALS," AND CREATING SECTION 5-8.1, "WATERFOWL," TO PROHIBIT THE FEEDING OF WATERFOWL, PROVIDE FOR ENFORCEMENT AND PRESUMPTION OF VIOLATIONS, PROVIDE PENALTIES FOR VIOLATION, AND UPDATE RELATED DEFINITIONS. (SECOND READING)(PUBLIC HEARING)		

### Sponsors:

**Indexes:** Amendment, Chapter 5, Code of Ordinances, Ordinance

**Code sections:** Chapter 5, - Animals

**Attachments:** 1. ORDINANCE 2019-020-Amending Chapter 5 Waterfowl

Date	Ver.	Action By	Action	Result
8/8/2019	1	City Commission		
7/11/2019	1	City Commission		
7/11/2019	1	City Commission		

## AGENDA ITEM REPORT

### TITLE:

AN ORDINANCE AMENDING THE CITY'S CODE OF ORDINANCES, BY AMENDING CHAPTER 5, "ANIMALS," SECTIONS 5-1, "PURPOSE," 5-2, "DEFINITIONS," AND 5-7, "PROHIBITION OF CRUELTY TO ANIMALS," AND CREATING SECTION 5-8.1, "WATERFOWL," TO PROHIBIT THE FEEDING OF WATERFOWL, PROVIDE FOR ENFORCEMENT AND PRESUMPTION OF VIOLATIONS, PROVIDE PENALTIES FOR VIOLATION, AND UPDATE RELATED DEFINITIONS. (SECOND READING)(PUBLIC HEARING)

### BACKGROUND:

**This item was approved on First Reading at the July 11, 2019, City Commission Meeting.**

The City has received numerous complaints regarding Egyptian Geese in Sabal Pines Park. The geese have been congregating in unnatural numbers and flocks and the proliferation of the geese has caused hazardous health conditions on the athletic fields, in addition to safety and aesthetic concerns for pedestrians using the pathways and children using the playground and park areas. The City has worked with wildlife experts to evaluate ways in which to address the issues. One of the biggest factors that attracts the geese to congregate in areas, like the City is experiencing, is people feeding them.

**DISCUSSION:**

Staff has seen evidence and heard recent reports of residents feeding the geese. While there are portions of the City's Code that address the issue, a regulation directly on point is recommended. The attached ordinance prohibits the feeding of waterfowl. The proposed amendment provides for enforcement, allowing an investigation to be initiated upon affidavit of one City employee or two separate unrelated residents, and provides presumptions of a violation based on the negative impacts of the feeding. In addition, related definitions are provided. Recommended fines are \$100.00 per animal for a first offense, \$250.00 per animal for a second offense, and \$500.00 per animal for the third and subsequent offenses.

**RECOMMENDATION:**

Staff recommends approval of this ordinance.

**FISCAL IMPACT:** N/A