

ORDINANCE 2018-105

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF CORAL SPRINGS, FLORIDA, AMENDING CHAPTER 4, SECTION 4-7, OF THE CODE OF THE CITY OF CORAL SPRINGS, ENTITLED "ANIMAL CONTROL;" PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, City of Coral Springs ("City") staff periodically reviews City Ordinances and makes recommendations to the City Commission to revise its Ordinances; and

WHEREAS, based upon a recent review of Section 4-7 of the Code of Ordinances, entitled "Animal Control", the City Attorney's Office has identified a loophole which prevents the Humane Unit for citing a dog owner when their dog bites another animal when the biting dog is not lawfully on private property or when the biting dog's owner is not with the biting dog at the time of the bite; and

WHEREAS, a similar loophole exists when a dog is securely fastened to a leash, but the leash is not under the control of the dog's owner; and

WHEREAS, the proposed changes contained in this Ordinance closes those loopholes, and allows the Humane Unit to issue citations in those situations moving forward; and

WHEREAS, the City Commission finds that it is in the best interests of the City of Coral Springs to amend and update Chapter 4, Section 4-7 of the Code of Ordinance as provided for in this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF CORAL SPRINGS, FLORIDA THAT:

Section 1. The foregoing WHEREAS clauses are ratified and incorporated as the legislative intent of this Ordinance.

Section 2. That Chapter 4, Section 4-7 of the Code of Ordinances of the City of Coral Springs be amended as follows:

Sec. 4-7. - Animal control.

- (a) It shall be the duty of every person having custody or control of any dog to keep the dog securely fastened to a leash not to exceed ten (10) feet and to maintain control of the leash and animal at all times when upon the public streets of the city, or in any public place, or upon the property other than the property of the owner. With the exception, however, that this subsection shall not apply to privately owned A-1 zoned districts of the city.

(c) It shall be the duty of every person having custody or control of any dog within the municipal limits to exercise such control over said dog so as to prevent the ~~animal-dog~~ from biting another animal ~~when said person and their dog is either upon public property or lawfully upon private property~~. However, it shall not be a violation of this Section if the dog is lawfully on the private property of the person having custody or control of the dog and the animal bitten unlawfully comes onto that same property.

Section 3. Severability. The various parts, sections and clauses of this Article are hereby declared to be severable. If any part, sentence, paragraph, Section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby. In the event of a subsequent change in applicable law so that the provision which had been held invalid is no longer invalid, the provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding under this Ordinance.

Section 4. Inclusion in the Code of Ordinances. It is the intention of the City Commission, and it is hereby ordained that the provisions of this Ordinance shall become and made a part of the Code of Ordinances of the City of Coral Springs, Florida; that the Sections of this Ordinance may be renumbered or relettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 5. Provisions of this Ordinance to Control. Notwithstanding any contrary provisions of the Code of Ordinances of the City of Coral Springs, the provisions of this Ordinance shall control.

Section 6. Repealer. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

Section 7. Effective Date. This Ordinance shall be effective immediately upon its passage.

PASSED ON FIRST READING THIS 20th DAY OF September, 2018.

PASSED ON SECOND READING THIS 3rd DAY OF October, 2018.

CITY OF CORAL SPRINGS, FLORIDA

ATTEST:


 DEBRA THOMAS, CMC, City Clerk



 WALTER G. CAMPBELL, JR., Mayor

Unanimous	<input checked="" type="checkbox"/>		
Motion/2 nd		Yes	No
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DOCUMENT IMAGING, FILING, & DISTRIBUTION REQUEST

DOCUMENT TYPE	ORDINANCE
DOCUMENT TITLE	Ordinance 2018-105, amending Chapter 4, Section 4-7 of the Code of the City of Coral Springs, entitled "Animal control".
ASSOCIATED NAMES	
# OF PAGES	2 + transmittal
IMAGE ID	ORD-18-105
ORIGINAL TO BE: FILED IN X-RETURNED TO	<i>Deb R for codification</i>
SEND COPY OF DOCUMENT TO	
EMAIL COPY TO	NA

p.s. A companion resolution will appear at a separate Commission meeting.