

ORDINANCE 2021-11

AN ORDINANCE OF THE CITY OF TREASURE ISLAND, FLORIDA, AMENDING SECTION 6-2 OF ARTICLE 1 OF CHAPTER 6 ANIMALS FOR CONSISTENCY WITH FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, it has been many years since the City of Treasure Island ("City") revised its Code of Ordinances regulating animal cruelty and control, and there have been developments in the law related to animal regulations; and

WHEREAS, one development in the law pertains to Chapter 828, Florida Statutes, that allows local governments to regulate animal control and cruelty only when such regulations are not in conflict with Chapter 828, Florida Statutes; and

WHEREAS, Pinellas County, Florida, which is a charter county, in Section 2-04 of Pinellas County Charter has expressly reserved the powers to implement animal control regulations and programs to the County; and

WHEREAS, Pinellas County, Florida, has adopted an ordinance on animal control and cruelty in compliance with Chapter 828, Florida Statutes; and

WHEREAS, while the City of Treasure Island may have regulations on animal control and cruelty, such regulations cannot conflict with the State or County regulations; and

WHEREAS, section 6-2(b) of the City of Treasure Island Code of Ordinances is in conflict with the Pinellas County regulations that pertain to animal control and cruelty as well as Chapter 828, Florida Statutes; and

WHEREAS, the City Commission finds that it is necessary to amend section 6-2 of Article 1 of Chapter 6 of the City's Code of Ordinances to comply and be consistent with the State and Pinellas County regulations of animals.

NOW, THEREFORE, THE CITY OF TREASURE ISLAND DOES ORDAIN:

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1. The first part of the paper discusses the importance of the study of the history of the United States. It is argued that the study of the history of the United States is essential for a full understanding of the country and its people.

2. The second part of the paper discusses the importance of the study of the history of the United States. It is argued that the study of the history of the United States is essential for a full understanding of the country and its people.

3. The third part of the paper discusses the importance of the study of the history of the United States. It is argued that the study of the history of the United States is essential for a full understanding of the country and its people.

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SECTION 1. The recitals set forth in the "Whereas" clauses above are ratified and confirmed as true and correct, and are hereby adopted as legislative findings by the City Commission of the City of Treasure Island, Florida for the adoption of this Ordinance.

SECTION 2. Section 6-2 titled "Destruction of fowl or animals prohibited without permit," of the Code of Ordinances of the City of Treasure Island, Florida, is hereby amended to read as follows:

Sec. 6-2. - Destruction of fowl or animals prohibited without permit.

(a) It shall be unlawful to trap, shoot or in any manner to kill any birds or animals, or to attempt to do so, or to disturb the nests, eggs or young of birds.

~~(b) Any person upon a showing that any birds or animals constitute a nuisance or are destructive to property shall be granted a permit by the city commission to destroy the birds or animals, or the mayor commissioner shall instruct the police of the city to correct such nuisance.~~

SECTION 3. SEVERABILITY. It is declared to be the intent of the City Commission, that if any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 4. CONFLICT. This action supersedes all ordinances and resolutions of the City or portions thereof, in conflict with or inconsistent with this ordinance, to the extent of such inconsistency or conflict.

SECTION 5. CODIFICATION. Section 2 of this Ordinance shall be codified in the Code of Ordinances for the City of Treasure Island, Florida. The codifier is authorized to renumber or reclassify such other provision of the Code of Ordinance to accomplish such intention. The codifier is also authorized to make editorial changes not affecting the substance of this Ordinance in the substitution of article, ordinance, section, paragraph, or such other appropriate word or phrase in order to accomplish such intention.

SECTION 6. EFFECTIVE DATE. This Ordinance shall take effect immediately upon its final passage.

FIRST READING and PUBLIC HEARING on the 20th day of April, 2021.

SECOND READING and PUBLIC HEARING on the 4th day of May, 2021.

PUBLISHED in the Tampa Bay Times on the 25th day of April, 2021.

The foregoing ordinance was offered during the meeting of the City Commission of the City of Treasure Island, Florida, sitting on the 4th day of May, 2021 by Commissioner Partridge who moved its adoption; was seconded by Commissioner Toth and upon roll call, the vote was:

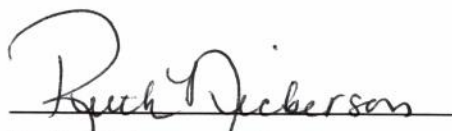
YEAS: Toth, Doctor, Partridge, Wetzel + Payne

NAYS: None

ABSENT OR ABSTAINING: None

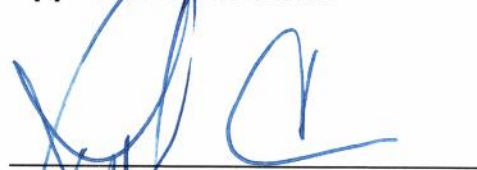

J. Tyler Payne, Mayor

ATTEST:


Ruth Nickerson, City Clerk



Approved as to form:


Jennifer R. Cowan, City Attorney

