

ORDINANCE NO. 19-2153

AN ORDINANCE OF THE CITY OF LONGWOOD, FLORIDA, AMENDING LONGWOOD CITY CODE CHAPTER 14 ANIMALS; SECTION 14.1 (C) ESTABLISHING CHAPTER 20 OF SEMINOLE COUNTY CODE WILL APPLY IN THE CITY OF LONGWOOD, DELETING DEFINITIONS OF ANIMALS, PUBLIC NUISANCE ANIMALS, AND PROHIBITED ANIMALS TO ELIMATE CONFLICT WITH CHAPTER 20 OF SEMINOLE COUNTY CODE, PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the City of Longwood ("City") is vested with home rule authority pursuant to Article VII, Section 2 of the Constitution of the State of Florida and Chapter 166, Florida Statutes, to enact ordinances;

WHEREAS, the City shall enter into an agreement for implementation and enforcement of the Seminole County Code, Chapter 20 (Animals and Fowl), Animal Control Ordinance, within the city;

WHEREAS, the City Commission finds the implementation of the enforcement set forth in this ordinance are in the best interest of the City and consistent with Chapter 20 (Animals and Fowl) of Seminole County Code;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LONGWOOD, FLORIDA AS FOLLOWS:

Section 1. Recitals. The above recitals are true and correct and constitute legislative findings of the City Commission.

Section 2. Adoption. Chapter 14, Sections 14.1, 14.3, 14.4, 14.5 and 14.6 of the Longwood City Code, is hereby amended as follows (underlined words are additions; ~~stricken through~~ words are deleted):

Chapter 14 - ANIMALS

Sec. 14-1. - Adoption of county animal control ordinance.

- (a) The city shall enter into an agreement for implementation and enforcement of the Seminole County Code, Chapter 20, Animal Control Ordinance, within the city, such ordinance to be enforced by the county.
- (b) The mayor is hereby authorized and directed to execute on behalf of the city, an interlocal agreement by and between the city and the board of county commissioners, for the enforcement and implementation of Seminole County Code, Chapter 20, Animal Control Ordinance within the territorial limits of the city, a copy of such agreement being on file in the city clerk's office and made a part hereof for all purposes by reference and attachment.

(c) Seminole County Code, Chapter 20, Animal Control Ordinance and regulations apply within the City except to the extent inconsistent with Chapter 14 of the Longwood City Code.

Sec. 14-2. - Intent.

The regulations and requirements of this chapter are intended to preserve the residential character of the city and to minimize conflicts of noise, odor and health hazards created by the keeping of animals.

~~Sec. 14-3. Definitions.~~

~~The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:~~

~~*Animal* means every living nonhuman creature.~~

~~*Animal control officer* means a person employed or appointed by county animal control who is authorized by the city to enforce the county animal control regulations within the city limits.~~

~~*Animal quarters* means the premises and all buildings, pens, yards and their appurtenances used for the keeping of dogs and cats or other domesticated animals.~~

~~*Cats* means animals that are members of the feline family that are accustomed to living in or about the habitation of humans and are domesticated.~~

~~*Codes enforcement officer* means a person employed or appointed by the city authorized to enforce this chapter.~~

~~*Commercial kennels.* See the Longwood Development Code for regulations.~~

~~*Control* means the regulation of the possession, ownership, care and custody of cats and dogs or other domesticated animals and having authority over a domesticated animal whether or not under restraint.~~

~~*Dogs* means animals that are members of the canine family that are accustomed to living in or about the habitation of humans and have been domesticated.~~

~~*Domesticated animal* means an animal accustomed to living in or about the habitation of humans.~~

~~*Fowl* means all kinds of birds, whether wild or domesticated.~~

~~*Livestock* means all animals of the equine, bovine or swine class, including but not limited to goats, sheep, mules, horses, hogs, cattle and other grazing animals.~~

~~*Owner* means any person owning, keeping, harboring, possessing or having control or custody of a domesticated animal or, if the animal is owned by a person under the age of 18, that person's parent or guardian.~~

~~*Poultry* means any animal, such as, but not limited to, chickens, roosters, turkeys, peacocks, geese and ducks.~~

~~Public nuisance animal means an animal as described in section 14-4.~~

~~Single family. A single dwelling unit on a single lot of record.~~

~~Stray animal means any unlicensed or unattended animal of the owner.~~

~~Venomous reptiles means all reptiles producing venom.~~

~~Vicious animal means any animal or reptile that has made unprovoked attacks on any person or animal or has, for no apparent reason, caused bodily harm to any person or animal.~~

Sec. ~~14-4.~~ 14.3 - Public nuisance animals.

(a) It is unlawful for a person to permit animals to become a public nuisance. An animal shall be declared a public nuisance animal if such animal:

~~(1) Is repeatedly found at large;~~

~~(2) Repeatedly damages the property of anyone other than its owner;~~

~~(3) Is vicious;~~

~~(4) Causes unsanitary conditions of enclosures or surroundings;~~

~~(1)(5)~~ Is on property in such numbers as exceeds the number limits placed on animals in this chapter;

~~(6) Barks, chirps, howls, meows, or makes other such prolonged and disturbing noises which interfere with the peace and quietude of the neighboring property when such noises continue for periods longer than 15 minutes;~~

~~(2)(7)~~ Harasses passersby or passing vehicles;

~~(8) Has attacked other domestic animals;~~

~~(3)(9)~~ Has been designated by the animal control ~~officer~~ official or the City of Longwood codes enforcement officer to be a public nuisance by virtue of being a menace to public health, welfare or safety; or

~~(10) Has otherwise been determined to be a stray.~~

Sec. ~~14-5.~~ 14.4 - Prohibited animals.

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(2) Animals, such as, but not limited to, chickens, roosters, turkeys, peacocks, geese and ducks, other poultry, excluding chickens that are allowable pursuant to a backyard chicken permit in section ~~14-6.~~ 14.5.

...

(c) Number of animals. It shall be unlawful to keep, maintain, husband, or raise in the city more than a total of five animals, including dogs, cats, hamsters, gerbils, ferrets, mice, guinea pigs,

nonvicious and nonvenomous reptiles, parrots and other birds and rabbits, on one parcel of land of one acre or less.

(1) For parcels of land larger than one acre, the number of animals permitted shall increase by one animal for each one-fifth acre over one acre until the parcel reaches two acres in size. Parcels of land two acres or greater shall be permitted to have up to ten animals, but no more than ten such animals shall be permitted in areas with a residential land use.

(2) This restriction of the number of animals shall not apply if the number is exceeded due to birth of animals and the violation of this section is temporary in nature and does not extend past 16 weeks after the birth of such animals.

(3) This restriction shall not apply to chickens subject to a permit authorized under section ~~14-6~~ 14.5.

Sec. ~~14.6~~ 14-5- Backyard chickens.

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Section 3. Conflicts. If any Ordinances or parts of thereof are in conflict herewith, this Ordinance shall control to the extent of the conflict.

Section 4. Codification. Section 2 of this Ordinance shall be codified and made a part of the City Code of Ordinances; that the Sections and exhibits of this Ordinance may be renumbered or relettered to accomplish such intention. The word "Ordinance" may be changed to "Section," "Article," or other appropriate word. The City Clerk is given liberal authority to correct scriveners' errors, such as incorrect code cross references, grammatical, typographical and similar or like errors when codifying this Ordinance.

Section 5. Severability. If any portion of this Ordinance is determined to void, unconstitutional, or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

Section 6. Effective Date. This Ordinance shall take effect immediately upon its adoption by the City Commission of the City of Longwood, Florida.

FIRST READING this 18th day of March, A.D. 2019.

SECOND READING AND ADOPTION this 1st day of April, A.D. 2019.



Ben Paris, Mayor

ATTEST:



Michelle Longo, CMC, FCRM, City Clerk

Approved as to form and legality for the use and reliance of the City of Longwood, Florida only.



Daniel W. Langley, City Attorney