

ORDINANCE 2023-21

AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA, AMENDING CHAPTER 10 OF THE CITY OF EDGEWOOD CODE OF ORDINANCES; RELATING TO THE KEEPING OF ANIMALS ON PROPERTIES WITHIN THE CITY; PROVIDING FOR CONFLICT AND SEVERABILITY AND PROVIDING AN EFFECTIVE DATE

WHEREAS, unlike some other suburban codes, the City of Edgewood's animal regulations allow some flexibility in the species of animals allowed to be kept provided that no animals may be allowed to cause a public nuisance to the area; and

WHEREAS, the City Council desires to retain that flexibility but also to adopt more precise language regarding what is allowed; and

WHEREAS, the City Council finds that restricting allowed hooved animals to pot-bellied pigs and miniature goats and restricting the number of such animals to two balances the interests of the animal owner and the neighbors; and

WHEREAS, the City Council finds that this Ordinance serves a legitimate government purpose and is in the best interest of the public health, safety and welfare of the citizens of Edgewood.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EDGEWOOD, FLORIDA, AS FOLLOWS:

Section 1. Chapter 10 of the City of Edgewood Code of Ordinances is hereby amended as follows. (Note: additions are identified by underline and portions of the Code remaining unchanged that are not reprinted here are identified by ellipses (***)).

Sec. 10-1. County animal services ordinance adopted.

The current Orange eCounty animal services ordinance, together with all future amendments thereto, is hereby adopted by reference to the extent it does not conflict with anything provided herein. To the extent any conflict exists, this Chapter shall control.

Sec. 10-2. Bird sanctuary.

- (a) The entire area embraced within the limits of the city is hereby designated as a bird sanctuary.
- (b) It shall be unlawful to trap, shoot or attempt to shoot or molest in any manner any bird or wild fowl or to rob their nests. Provided, however, if starlings, English sparrows or similar birds are found to be congregating in such numbers in a particular locality that they constitute a nuisance or menace to health or property in the opinion of the council, then a result of such meeting no satisfactory alternative is found to abate such nuisance, then the

birds may be destroyed in such numbers and in such manner as is deemed advisable by the council under the supervision of a representative of the Florida Game and Fresh Water Fish Commission.

Sec. 10-3. Killing or trapping game or birds prohibited.

No person, group of persons, firm or corporation shall shoot, trap or in any manner kill any birds, alligators or wild game within the city except as otherwise provided herein. If any property owner experiences damage to his property by wild birds or game, a petition to the council shall be submitted with proof of such damage. The council, after review of the case, may permit disposal of the nuisance creature under specific and controlled procedures. Notwithstanding the foregoing, this section shall not prohibit a person from killing an animal that poses an imminent and immediate threat to the life or physical safety of a person or pet.

Sec. 10-4. Commercial kennels, animal breeding or boarding facilities.

It shall be unlawful for any person, firm or corporation to erect or use any building or yard for the commercial keeping, breeding, boarding or sale of live animals anywhere within the city, except as might be specifically authorized by the council in ~~general commercial districts or~~ properly zoned areas. This section shall not prohibit a properly registered dog friendly dining establishment which is operating in compliance with section 10-10 herein.

Sec. 10-5. Maintenance of certain animals prohibited.

Provided such animals are not allowed to cause a disturbance or public nuisance to surrounding property owners, up to two miniature goats or pot-bellied pigs, or one of each, may be kept on single family zoned residential property. Except as specifically provided above, it shall be unlawful for any person, firm or corporation to keep or maintain any animal with solid or split hoofs or any species of animals normally considered as wild, ~~or to allow any animals to remain within the city when such action constitutes a hazard to the residents or a nuisance to the neighborhood.~~

Sec. 10-6. Live poultry prohibited.

It shall be unlawful for any person, firm or corporation, either as owner or keeper, to permit or otherwise allow any domestic fowl, including chickens, ducks, geese, turkeys, guineas and pigeons, to remain in the city when such action constitutes a nuisance to the neighborhood.

Sec. 10-7. Keeping or harboring ~~dogs or cats~~ animals that create unlawful disturbances.

It shall be unlawful for any person to keep or harbor within the city any ~~dog animal~~ which barks, howls, cries, screams, squawks or makes other noises by day or night, ~~or any cat which screams, cries or makes other noises by day or night, which due to its tone, volume, or duration would disturb a person of normal senses and sensitivities~~ disturb the peace and quiet of any person or family.

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Section 2. All ordinances or parts thereof that are in conflict with this Ordinance be and the same are hereby repealed.

Section 3. If any portion of this Ordinance is for any reason held or declared to be unconstitutional, inoperative, or void, such holding shall not affect the remaining portions of this Ordinance.

Section 4. This ordinance shall be effective upon its adoption by the City Council.


PASSED AND ADOPTED this 20th day of February, 2024, by the City Council of the City of Edgewood, Florida.

PASSED ON FIRST READING: 12/19/2023

PASSED ON SECOND READING: 2/20/2024


Richard A. Horn, Council President

ATTEST:


Sandra Riffle, City Clerk